



City of Ann Arbor

100 N. Fifth Avenue
Ann Arbor, MI 48104
www.a2gov.org

Meeting Agenda City Council

Monday, August 17, 2009

7:00 PM

G. C. Larcom, Jr. Municipal Bldg. 2nd Flr.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

INT INTRODUCTIONS

INT-1 [09-0750](#) Presentation of the E. Stadium Boulevard Bridges Replacement Project's Conceptual Design and other related information to the Ann Arbor City Council

(Project Management Services - Sue F. McCormick, Public Services Area Administrator)

INT-2 [09-0812](#) Local Food Month Proclamation

(Mayor's Office)

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS HAVE BEEN MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

- 1. Elizabeth Hunter - Stadium Bridge (INT-1)**
- 2. Blaine Coleman - Boycott Israel**
- 3. Thomas Partridge - Affordable housing and public transportation amendments needed for all zoning approvals including zoning approvals for parks and private properties. Act now to desegregate housing in Ann Arbor and the region.**

4. **Mozhgan Savabiesfahani - Home demolition from Ann Arbor to Palestine (Moratorium)**
5. **Kathy Griswold - Ordinance Revisions**
6. **Henry Herskovitz - Palestine**
7. **Karen Sidney - City Finances**

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [09-0665](#) An Ordinance to Amend Chapter 55, Section 5:10.23 (C3 Fringe Commercial District) to Allow Temporary Outdoor Sales and the Display of Goods and Services as a Special Exception Use in the C3 Zoning District (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-09-24)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See B-1)
- PH-2 [09-0666](#) An Ordinance to Amend Chapter 55, Rezoning of 12.90 Acres from TWP (Township District) to PL (Public Land District), Narrow Gauge Property, South Side of Narrow Gauge Way (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-09-22)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See B-2)
- PH-3 [09-0667](#) An Ordinance to Amend Chapter 55, Rezoning of 11 Park Properties (Pittsview Park, Windemere Park, Waymarket Park, Turnberry Park, Stapp Nature Area, Redbud Nature Area, Maryfield Wildwood Park, Oakwoods Nature Area, Molin Nature Area, Foxfire West Park, Crary Park) from R1B, R1C, R1D (Single-Family Dwelling), R2B (Two-family Dwelling), R3 (Townhouse Dwelling Unit), R4A, R4B, and R4D (Multiple-Family Dwelling District) to PL (Public Land District) (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-09-23)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See B-3)
- PH-4 [09-0734](#) Resolution to Approve Fiscal Year 2010 Commercial Solid Waste Fees for Roll-Off Containers
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
(See DS-3)

- PH-5 [09-0712](#) An Ordinance to Amend Section 1:17 of Chapter 1 (Code Violation Citations - ROW Enforcement) of Title I of the Code of the City of Ann Arbor for the Public Services Project Management Unit (Ordinance No. ORD-09-25)
- (Project Management Services - Sue F. McCormick, Public Services Area Administrator)
- (See B-4)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

- A-1 [09-0782](#) Ann Arbor City Council Minutes of August 6, 2009
- (City Clerk - Jacqueline Beaudry)

CA CONSENT AGENDA

- CA-1 [09-0358](#) Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Stantec for the Easy Street Water Main and Road Replacement Project (\$21,636.00)
- (Cresson Sloten - Sue F McCormick, Public Services Administrator)
- CA-2 [09-0683](#) Resolution to Approve a Professional Services Agreement with the Huron River Watershed Council for Stormwater Permit Requirements (\$56,103.00)
- (Public Services - Sue McCormick, Public Services Administrator)
- CA-3 [09-0757](#) Resolution to Approve a Contract with J.W. Field Grading and Excavating, LLC in the Amount of \$36,820.00 to Replace a Pathway and Construct a Rain Garden Feature at Buhr Park per Bid #4040 and Approve a Construction Contingency of \$3,682.00 (10%) for a Total Project Budget of \$40,502.00
- (Community Services - Jayne Miller, Area Administrator)
- CA-4 [09-0762](#) Resolution to Approve a Temporary Liquor License to HomeGrown Festival, Inc. - HomeGrown Festival 2009 (Local Food Festival) on Saturday, September 12, 2009 at the Ann Arbor Farmer's Market
- (City Clerk - Jacqueline Beaudry)
- Sponsors:** Smith
- (Moved to New Business - Council, see DC-2)

B ORDINANCES - SECOND READING

- B-1** [09-0665](#) An Ordinance to Amend Chapter 55, Section 5:10.23 (C3 Fringe Commercial District) to Allow Temporary Outdoor Sales and the Display of Goods and Services as a Special Exception Use in the C3 Zoning District (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-09-24)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See PH-1)
- B-2** [09-0666](#) An Ordinance to Amend Chapter 55, Rezoning of 12.90 Acres from TWP (Township District) to PL (Public Land District), Narrow Gauge Property, South Side of Narrow Gauge Way (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-09-22)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See PH-2)
- B-3** [09-0667](#) An Ordinance to Amend Chapter 55, Rezoning of 11 Park Properties (Pittsview Park, Windemere Park, Waymarket Park, Turnberry Park, Stapp Nature Area, Redbud Nature Area, Maryfield Wildwood Park, Oakwoods Nature Area, Molin Nature Area, Foxfire West Park, Crary Park) from R1B, R1C, R1D (Single-Family Dwelling), R2B (Two-family Dwelling), R3 (Townhouse Dwelling Unit), R4A, R4B, and R4D (Multiple-Family Dwelling District) to PL (Public Land District) (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-09-23)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See PH-3)
- B-4** [09-0712](#) An Ordinance to Amend Section 1:17 of Chapter 1 (Code Violation Citations - ROW Enforcement) of Title I of the Code of the City of Ann Arbor for the Public Services Project Management Unit (Ordinance No. ORD-09-25)
(Project Management Services - Sue F. McCormick, Public Services Area Administrator)
(See PH-5)
- DS-1** [09-0760](#) Resolution to Authorize Summary Publication of Ordinance No. 09-25 to Amend Section 1:17 of Chapter 1 (Code Violation Citations - ROW Enforcement) of Title I of the Code of the City of Ann Arbor for the Public Services Project Management Unit
(Project Management Services - Sue McCormick)

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [09-0780](#) Resolution to Approve a Temporary Liquor License to Kerrytown District Association for their Nash Bash Country Music Festival on Thursday, August 20, 2009 at the Ann Arbor Farmer's Market

(City Council - Jacqueline Beaudry, City Clerk)

Sponsors: Briere and Smith

- DC-2 [09-0762](#) Resolution to Approve a Temporary Liquor License to HomeGrown Festival, Inc. - HomeGrown Festival 2009 (Local Food Festival) on Saturday, September 12, 2009 at the Ann Arbor Farmer's Market

(City Clerk - Jacqueline Beaudry)

Sponsors: Smith

(Moved from Consent Agenda 8/17/09)

Added After Newspaper Deadline:

- DC-3 [09-0816](#) Resolution to Approve a Professional Services Agreement with JJR, LLC for Phase I Engineering Services for the Fuller Intermodal Transportation Station (FITS) and to Establish the Project Budget of \$541,717.00 and Appropriate Project Funds from Economic Development Fund Reserves **(8 Votes Required)**

Sponsors: Greden and Higgins

(Added 8/17/09)

- DC-4 [09-0817](#) Resolution to Order Election and to Determine Ballot Question for Charter Amendment to Authorize Publication of Ordinances by Alternate Means and Methods Except Where Publication is Specified by State Law

Sponsors: Higgins

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

- DS-2 [09-0673](#) Resolution to Appropriate Funds and Amend the FY10 Stormwater Budget and Approve a Purchase Order with the Washtenaw County Water Resources Commissioner (WCWRC) for Installation and Operation of a Stream Gage at Mary Beth Doyle Park (\$38,500.00) **(8 Votes Required)**
(Public Services - Sue McCormick, Public Services Administrator)
- DS-3 [09-0734](#) Resolution to Approve Fiscal Year 2010 Commercial Solid Waste Fees for Roll-Off Containers
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
(See PH-4)
- DS-4 [09-0758](#) Resolution Accepting Utility Easement from Zion Evangelical Lutheran Church of Ann Arbor 1501 W. Liberty Street **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
- DS-5 [09-0752](#) Resolution Setting a Public Hearing on September 8, 2009 to Receive Public Comment on the Proposed Industrial Development District No. 2009-040 - Anika and Associates, Inc. Located at 3885 Research Park Drive
(Financial and Administrative Services - Tom Crawford, CFO)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [09-0772](#) 8/6/09 Appointments & Nominations
(Mayor's Office)
- E-2 [09-0813](#) Nominations and Appointments
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL

F COMMUNICATIONS FROM THE CITY ADMINISTRATOR

G COMMUNICATIONS FROM THE CITY ATTORNEY

H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

H The following communications were referred as indicated:

- H-1 [09-0761](#) Communication from Conlin, McKenney & Philbrick, P.C. regarding notice of intent to establish a condominium project at 116 West Liberty - Planning and Development Services
(City Clerk - Jacqueline Beaudry)
- H-2 [09-0766](#) Communication from Washtenaw County regarding 2009 Washtenaw County Home Toxics Collection Hours - File
(City Clerk - Jacqueline Beaudry)
- H-3 [09-0773](#) Communication from Fifth Avenue Limited Partnership regarding plan for a portion of the 400 block of South Fifth Avenue - Planning and Development Services
(City Clerk - Jacqueline Beaudry)
- H-4 Communication from Sharon Burack regarding protest of Molin Park Rezoning. See File 09-0667 for copy of letter.)
- I **The following minutes were received for file:**
- I-1 [09-0767](#) Washtenaw Area Transportation Study (W.A.T.S.) minutes of June 4, 2009
(City Clerk - Jacqueline Beaudry)
- I-2 [09-0769](#) Ann Arbor Housing Commission Meeting Minutes - July 22, 2009
(Housing Services - Margaret Novak)

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

CLOSED SESSION TO DISCUSS PENDING LITIGATION AND ATTORNEY / CLIENT PRIVILEGED COMMUNICATION AND/OR LAND ACQUISITION

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, AUGUST 17, 2009 7:00 P.M.

REPLAYS: TUESDAY, AUGUST 18, 2009 10:30 A.M. AND FRIDAY, AUGUST 21, 2009 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 734-794-6140 or by written request addressed to the City Clerk's Office, 100 N. Fifth Ave., Ann Arbor, MI 48104, at least 24 hours in advance.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's office.