



City of Ann Arbor

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

Meeting Agenda City Council

Tuesday, February 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 [09-0147](#) 5th Anniversary of Dicken Woods
(City Council)
(Added 2/11/09)

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. Maura Thomson - Parking Structure (DS-5)**
- 2. Margaret Parker - Ann Arbor Public Art Commission (DS-3)**
- 3. Thomas Partridge - Halt the proposed AATA fare increases. Replace discrimination with regional cooperation in transportation, housing, and health care. Honor the agenda of President Barack Obama.**
- 4. Harriet Seaver - City Closing Tios**
- 5. G. Timothy Seaver - Tios Mexican Restaurant**

6. Jeremy Seaver - Tios Mexican Restaurant**PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

- PH-1** [08-1157](#) An Ordinance to Amend Chapter 55, Rezoning of 1.25 Acres from TWP (Township District) to R1B (Single-Family Dwelling District), Muhleman Property, 3055 Dover Place and Contiguous Vacant Parcel (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-09-01)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See B-1)
- PH-2** [08-1158](#) An Ordinance to Amend Chapter 55, Rezoning of 0.47 Acres from TWP (Township District) to R1B (Single-Family Dwelling District), Willing Property, 1545 Chalmers Drive (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-09-02)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See B-2)
- PH-3** [08-1167](#) An Ordinance to Amend Chapter 26, Solid Waste Ordinance, Sections 2:1, 2:2, 2:3, 2:5, 2:7, 2:9, 2:10 and 2:13 to Implement Commercial Recycling Recommendations (Ordinance No. ORD-09-03)
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
(See B-3)
- PH-4** [09-0068](#) Resolution to Approve Compost Rates and to Establish Administrative Guidelines for Future Compost Rate Changes
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
(See DS-7)
- PH-5** [09-0093](#) Resolution to Approve 930 Church Street Planned Project Site Plan, 0.20 Acre (CPC Recommendation: Approval - 8 Yeas and 1 Nay)
(Community Services - Jayne Miller, Area Administrator)
(See DB-1)
- PH-6** [09-0139](#) Resolution to Approve South Fifth Avenue Parking Garage and Street Improvements Site Plan (319 South Fifth Avenue)
(Community Services - Jayne Miller, Area Administrator)
(See DB-2)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

- A-1 [09-0121](#) City Council Retreat/Work Session - January 10, 2009 and Regular Session - February 2, 2009
(City Clerk - Jacqueline Beaudry)

CA CONSENT AGENDA

- CA-1 [09-0024](#) Resolution to Approve a Purchase Order for a 5,000 Gallon E-85 Fueling Station, ITB # 3989 - Oscar W. Larson Company (\$62,080.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-2 [09-0061](#) Resolution to Amend an Agreement with Hubbell, Roth & Clark, Inc. for the Sewage Lift Pumps Repair Project - Phase 2 at the Wastewater Treatment Plant, RFP No. 594 (\$9,624.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-3 [09-0087](#) Resolution Authorizing the City of Ann Arbor to Join the NJPA (National Joint Purchasing Alliance) Contract for Office Supplies awarded to Staples Business Advantage and Approve a Three-Year Contract with Staples Business Advance with a Two-Year Renewal Option
(Financial and Administrative Services - Tom Crawford, CFO)
- CA-4 [09-0096](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of January 23, 2009
(Financial and Administrative Services - Tom Crawford, CFO)

B ORDINANCES - SECOND READING

- B-1 [08-1157](#) An Ordinance to Amend Chapter 55, Rezoning of 1.25 Acres from TWP (Township District) to R1B (Single-Family Dwelling District), Muhleman Property, 3055 Dover Place and Contiguous Vacant Parcel (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-09-01)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See PH-1)

- B-2** [08-1158](#) An Ordinance to Amend Chapter 55, Rezoning of 0.47 Acres from TWP (Township District) to R1B (Single-Family Dwelling District), Willing Property, 1545 Chalmers Drive (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-09-02)

(Planning and Development Services - Jayne Miller, Community Services Administrator)

(See PH-2)
- B-3** [08-1167](#) An Ordinance to Amend Chapter 26, Solid Waste Ordinance, Sections 2:1, 2:2, 2:3, 2:5, 2:7, 2:9, 2:10 and 2:13 to Implement Commercial Recycling Recommendations (Ordinance No. ORD-09-03)

(Systems Planning Services - Sue F. McCormick, Public Services Administrator)

(See PH-3) (Revised 2/12/09)
- DS-1** [09-0086](#) Resolution to Authorize Summary Publication of Ordinance No. 09-03 to Amend Chapter 26 of Title II of the Code of the City of Ann Arbor

(Systems Planning Services - Sue F. McCormick, Public Services Administrator)

C ORDINANCES - FIRST READING

- C-1** [09-0079](#) Amendment to Chapter 55, Rezoning of 1.29 Acres from TWP (Township District) to R1A (Single-Family Dwelling District), Althoen Property, 226 Sumac Lane (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Community Services - Jayne Miller, Area Administrator)
- C-2** [09-0080](#) Amendment to Chapter 55, Rezoning of 4 Park Properties (Furstenberg Nature Area Park: 20.16 Acres - Fuller Road Across from Huron High School; South Pond Nature Area: 6.75 Acres - East Huron River Drive at Chalmers Drive; Zion Property: 2.64 Acres - South End of Ridgemor Drive; and Onder Property: 4.75 Acres - North Side of Brookside Drive, West of Hilldale Drive) from TWP (Township District) to PL (Public Land District) (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Community Services - Jayne Miller, Area Administrator)
- C-3** [09-0082](#) Amendment to Chapter 55, Rezoning of 0.15 Acre, from TWP (Township District) to R4C (Multiple-Family Dwelling District), Westerman Property, 1612 White Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Community Services - Jayne Miller, Area Administrator)

- C-4 [09-0083](#) Amendment to Chapter 55, Rezoning of 0.13 Acre from TWP (Township District) to O (Office District), Clark Property, 1710 South State Street
(CPC Recommendation: Approval - 7 Yeas and 0 Nays)
(Community Services - Jayne Miller, Area Administrator)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [09-0104](#) Resolution to Appoint a Planning Commission Representative to the City Environmental Commission
(City Council)

Sponsors: Teall and Hohnke

- DC-2 [09-0106](#) Resolution for Community Events Fund Disbursements from the FY 09 Budget **(8 Votes Required)**
(City Council)

Sponsors: Teall and Higgins

- DC-3 [09-0107](#) Resolution to Appoint Golf Courses Advisory Task Force Members
(City Council)

Sponsors: Rapundalo

- DC-4 [09-0125](#) Resolution for Community Events Fee Waivers from FY 2007/2008 **(8 Votes Required)**
(City Council)

Sponsors: Higgins and Teall

Added After Newspaper Deadline:

- DC-5 [09-0150](#) Resolution Recognizing Family Learning Institute as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
(City Council)

Sponsors: Anglin and Briere
(Added 2/13/09)

- DC-6 [09-0149](#) Resolution Recognizing The Pioneer Band Association as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
(City Council)
Sponsors: Teall
(Added 2/13/09)
- DC-7 [09-0155](#) Resolution Requesting Financial Information from the Downtown Development Authority
(City Council)
Sponsors: Greden
(Added 2/17/09)
- DB New Business - Boards and Commissions:**
- DB-1 [09-0093](#) Resolution to Approve 930 Church Street Planned Project Site Plan and Development Agreement, 0.20 Acre (CPC Recommendation: Approval - 8 Yeas and 1 Nay)
(Community Services - Jayne Miller, Area Administrator)
(See PH-5) (Revised 2/13/09)
- DB-2 [09-0139](#) Resolution to Approve South Fifth Avenue Parking Garage and Street Improvements Site Plan (319 South Fifth Avenue)
(Community Services - Jayne Miller, Area Administrator)
(See PH-6)
- DS New Business - Staff:**
- DS-2 [08-1152](#) Resolution to Approve Industrial Facilities Exemption Certificate between the City of Ann Arbor and Edwards Brothers Inc.
(Financial and Administrative Services - Tom Crawford, CFO)
- DS-3 [09-0131](#) ~~Resolution to Approve the Ann Arbor Public Art Commission (AAPAC) Professional Services Agreement with Herbert Dreiseitl for Design Work to Propose a Project Integrating Stormwater in a Rain Garden-Centerpiece for the Ann Arbor Municipal Center (\$72,000.00)~~
(Public Services - Sue F. McCormick, Area Administrator)
(Deleted on 2/17/09)

- DS-4 [09-0002](#) Resolution Authorizing Publication of Notice of Intent to Issue General Obligation Parking Facility Capital Improvement Bonds (South Fifth Avenue Parking Deck Project) (Not To Exceed \$55,000,000)
(Financial and Administrative Services - Tom Crawford, CFO)
- DS-5 [09-0092](#) Resolution Approving Issuance of Capital Improvement Bonds (Limited Tax General Obligation) to Fund Construction of a Parking Structure at South Fifth Avenue (Not To Exceed \$55,000,000.00) **(Roll Call Vote Required)**
(Financial and Administrative Services - Tom Crawford, CFO)
- DS-6 [08-1176](#) Resolution to Approve Elizabeth Dean Fund Street Tree Planting Projects for 2009 and to Appropriate Funds (\$32,000.00) **(8 Votes Required)**
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
- DS-7 [09-0068](#) Resolution to Approve Compost Rates and to Establish Administrative Guidelines for Future Compost Rate Changes
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
(See PH-4)
- DS-8 [08-1166](#) Resolution to Transfer \$61,781.00 from the Bandemer Park Fund (Fund 0025) Balance to the 2007 Annual Local Street Resurfacing Program Project Budget **(8 Votes Required)**
(Project Management Services - Sue F. McCormick, Public Services Administrator)
- DS-9 [09-0102](#) Resolution to Approve Street Closings for the Shamrocks and Shenanigans 5K Run/Walk - Sunday, March 15, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-10 [09-0120](#) Resolution Accepting Easement for Public Storm Water from K & J Amagansett, LLC 23 Harvard Place **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)
- DS-11 [09-0109](#) Resolution Accepting Easement for Public Utilities from the Public Schools of the City of Ann Arbor (Northside Elementary School) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)

DS-12 [09-0119](#) Resolution Accepting Easement for Public Storm Water from Richard P. Scherer and Patricia A. Scherer 28 Harvard Place **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)

DS-13 [09-0108](#) Resolution Accepting Utility Easement from Windwood Drive Ann Arbor, LLC Windemere Apartments (8 votes required)
(City Attorney Services - Stephen K. Postema)

E COMMUNICATIONS FROM THE MAYOR

E-1 [09-0103](#) Appointment - Confirmations
(Mayor's Office)

E-2 [09-0154](#) 2/17/09 Appointments & Confirmations
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL

F COMMUNICATIONS FROM THE CITY ADMINISTRATOR

F-1 [08-1175](#) DDA to Increase Hourly and Monthly Parking Rates Effective July 1, 2009
(Downtown Development Authority - Susan Pollay, Executive Director)
(Revised 2/17/09)

F-2 [09-0089](#) Ann Arbor-Ypsilanti SmartZone Local Development Finance Authority (LDFA) 2008 Annual Report
(Financial and Administrative Services - Tom Crawford, CFO)

G COMMUNICATIONS FROM THE CITY ATTORNEY

G-1 [09-0110](#) Annexation of the Furstenberg Nature Area-Fuller Rd, across from Huron High School; South Pond Nature Area-East Huron River Dr. at Chalmers Dr.; Zion Property-South End of Ridgemor Dr., and Onder Property-North side of Brookside Dr., West of Hilldale Dr., located at 1710 S. State St., in Ann Arbor Township.
(City Attorney Services - Stephen K. Postema)

- G-2 [09-0113](#) Annexation of the Clark Property, located at 1710 S. State St., in Ann Arbor Township.
(City Attorney Services - Stephen K. Postema)
- G-3 [09-0115](#) Annexation of the Althoen Property, located at 226 Sumac Lane, in Ann Arbor Township.
(City Attorney Services - Stephen K. Postema)
- G-4 [09-0118](#) Annexation of the Westerman Property, located at 1612 White St., in Ann Arbor Township
(City Attorney Services - Stephen K. Postema)

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

H The following communications were referred as indicated:

- H-1 [09-0126](#) Communication from the State Tax Commission regarding notice to the Warner-Lambert Company of a resolution from the City of Ann Arbor requesting revocation of the real and personal property component(s) of industrial facilities exemption certificate number 2002-014.
(City Clerk - Jacqueline Beaudry)
- H-2 [09-0130](#) Communication from MDOT, regarding their publication of Connecting Neighbors, Issue 8
(City Clerk - Jacqueline Beaudry)
- H-3 [09-0129](#) Communication from Jason Brooks, Deputy Clerk of Washtenaw County, regarding Resolution No. 09-0013, a resolution to accept comments from Washtenaw County Planning Advisory Board on the Pittsfield Township Comprehensive Plan Amendments.
(City Clerk - Jacqueline Beaudry)
- H-4 [09-0128](#) Communication from S.E.M.CO.G. regarding their bi-weekly publication of SEMCOG, Vol. 14, No. 2, January 26, 2009
(City Clerk - Jacqueline Beaudry)
- H-5 [09-0127](#) Communication from Comcast regarding notice of an addition to the channel lineup effective February 28, 2009.
(City Clerk - Jacqueline Beaudry)

- H-6 [09-0140](#) Communication from Anna Dobracki expressing opposition of the proposed rezoning of the Willing property located at 1545 Chalmers Drive - Planning and Development Services
(City Clerk)
- I **The following minutes were received for file:**
- I-1 [09-0084](#) Planning Commission Minutes - December 16, 2008
(Community Services - Jayne Miller, Area Administrator)
- I-2 [09-0085](#) Planning Commission Minutes - January 6, 2009
(Community Services - Jayne Miller, Area Administrator)
- I-3 [09-0091](#) Ann Arbor-Ypsilanti SmartZone Local Development Finance Authority (LDFA) Board Meeting Minutes - November 14, 2008
(Financial and Administrative Services - Tom Crawford, CFO)

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: TUESDAY, FEBRUARY 17, 2009, 7:00 P.M.

REPLAYS: WEDNESDAY, FEBRUARY 18, 2009 10:00 A.M. AND FRIDAY, FEBRUARY 20, 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.