



City of Ann Arbor

100 N. Fifth Avenue
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Meeting Agenda

City Council

Monday, November 15, 2010

7:00 PM

G. C. Larcom, Jr. Municipal Building, 100 N.
Fifth Avenue, 2nd Floor

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

ADMINISTRATION OF OATH OF OFFICE OF NEWLY ELECTED COUNCILMEMBERS

10-1214 Resolution Appointing Mayor Pro-Tem and Establishing the Order of Succession for Acting Mayor

(City Council)

Sponsors: Rapundalo

10-1211 Proposed Changes to Council Rules

(City Council)

Sponsors: Higgins and Rapundalo

Attachments: 2010 Council Rules

10-1210 Resolution to Establish 2011 City Council Calendar

(City Council)

Sponsors: Higgins and Rapundalo

10-1213 2011 City Council Committee Appointments

(City Council)

Attachments: 2011 Council Committees

APPROVAL OF AGENDA

INT INTRODUCTIONS

- INT-1 [10-1146](#) Proclamation in Appreciation of Chuck Warpehoski and Nancy Shore
November 4, 2010
(Mayor's Office)
(Added 11/15/10)

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. Thomas Partridge - Fair and equitable zoning and housing ordinances needed (B-1, DS-1 & I-1)
2. Susan Morrison - Huron Hills Parkland (H-3)
3. Julie Grand - Argo Dam Reconstruction (DS-12)
4. Laura Rubin - Argo Dam and Drinking Water Fund (DS-12)
5. Nicholas Nightwine - Compost Operations (DS-6)
6. Libby Hunter - Susan Morrison's Letter (H-3)
7. Ray Ayer - Compost Center (DS-6)
8. Henry Herskovitz - Palestine
9. Sacha Platt - Housing Discrimination
10. Thomas Mesko - Compost Operations Privatization (DS-6)

Alternate:

1. Michael Psarouthakis - Argo Dam (DS-12)

COMMUNICATIONS FROM COUNCIL

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [10-0949](#) An Ordinance to Add Section 5:50.1 of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor Regarding Regulations Concerning Medical Marijuana (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-10-37)

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: Revised Medical Marijuana Ordinance, Medical Marijuana Ordinance (ORD-10-37) Briefed, 10-07-10 Medical Marijuana Ordinance - CC, 10-5-10 Medical Marijuana Ordinance - CPC, 10/5/10 Medical Marijuana Staff Report -CPC, 9/21/10 Medical Marijuana Staff Report - CPC, 9-21-10 CPC Minutes, AlliancePG AA Nov 15 2010

(See B-2)

COMMUNICATIONS FROM COUNCIL**A APPROVAL OF COUNCIL MINUTES**

- A-1 [10-1196](#) Regular Session Minutes of November 4, 2010

(City Clerk - Jacqueline Beaudry)

Attachments: 11-04-10 Draft Minutes.pdf, Council Emails & Redaction List.11-4-10.pdf

CA CONSENT AGENDA

- CA-1 [10-0998](#) Resolution to Approve Professional Services Agreement with JJR, LLC (\$56,260.00) for Public Engagement and Meeting Facilitation Services to Support the Development of the Urban Forest Management Plan
(Systems Planning Services - Sue F. McCormick, Public Service Area Administrator)

- CA-2 [10-1082](#) Resolution to Approve the Final Balancing Change Order with Site Development Inc. for the Steere Farm Well Field Raw Water Main Replacement Project (\$66,617.00)
(Project Management Services - Sue F. McCormick, Public Services Administrator)

B ORDINANCES - SECOND READING**Old Business:**

- B-1 [10-0750](#) An Ordinance to Amend Chapter 55 (Zoning) and Chapter 59 (Off-Street Parking) of Title V of the Code of the City of Ann Arbor Regarding Revisions to Area, Height, and Placement Regulations (CPC Recommendation: Approval - 9 Yeas, 0 Nays) (Ordinance No. ORD-10-34)

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: AHP Ordinance Briefed, AHP ORD 8-23.doc, 11-6-09 AHP Summary - CPC, 7-8-10 AHP Staff Report – CPC, Memo to CPC and Council 5-17-10.pdf, Zoning District Maps -CPC, 7-28-10 Example Maps - CC, AHP_Additional_Information_9-23-10

(Postponed from the 10/4/10 regular session.)

- DS-1 [10-0748](#) Resolution Authorizing Summary Publication of Ordinance No. ORD 10-34 An Ordinance to Amend Chapter 55 (Zoning) and 59 (Off-street Parking) of Title V of the Code of the City of Ann Arbor, by adding amendments that primarily pertain to Area, Height, and Placement standards

(Community Services - Sumedh Bahl, Area Administrator)

(Postponed from the 10/4/10 regular session.)

New Business:

- B-2 [10-0949](#) An Ordinance to Add Section 5:50.1 of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor Regarding Regulations Concerning Medical Marijuana (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-10-37)

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: Revised Medical Marijuana Ordinance, Medical Marijuana Ordinance (ORD-10-37) Briefed, 10-07-10 Medical Marijuana Ordinance - CC, 10-5-10 Medical Marijuana Ordinance - CPC, 10/5/10 Medical Marijuana Staff Report -CPC, 9/21/10 Medical Marijuana Staff Report - CPC, 9-21-10 CPC Minutes, AlliancePG AA Nov 15 2010

(See PH-1) (Attachment #8 added 11/15/10)

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [10-1190](#) Resolution Directing City Administrator to Remove Costs for Recreational Facilities from the City's Drinking Water Fund

(City Council)

Sponsors: Hohnke and Teall

(Revised 11/12/10)

- DC-2 10-1199 Resolution to Extend Deadline for the Design Guidelines Recommendation

(City Council - Councilmember Marcia Higgins)

Sponsors: Higgins

Attachments: a2d2 resolution

(Added 11/12/10)

DB New Business - Boards and Commissions:

- DB-1 [10-1068](#) Resolution to Approve Participation Agreement with Webster Township for the Purchase of Development Rights on the Norman Ledwidge Farm and Appropriate Funds, Not to Exceed the Amount of \$179,025.00 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: Ledwidge - Webster Twp Map.pdf

- DB-2 [10-1100](#) Resolution to Approve Purchase of Development Rights on Bradley D. and Mary J. Clark Farm, and Appropriate \$182,939.00 from Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: Clark Map.pdf

- DB-3 [10-1101](#) Resolution to Approve Participation Agreement with Ann Arbor Township for the Purchase of Development Rights on the Edward C. and Muriel Pardon Farm and Appropriate Funds, in the Amount of \$145,154.50 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: Pardon Map.pdf

Old Business - Staff:

- DS-2 [10-0975](#) Resolution to Approve a Purchase Order to ISCG, Inc. for Furnishings and Equipment for the 15th District Judicial District Court and to Approve a Budget Amendment for \$160,000.00 **(8 Votes Required)**
(Fifteenth District Court Services - Keith Zeisloft)
Attachments: Furnishing & Acquisition Memo to Council
(Postponed from the 11/4/10 Regular Session) (Revised 11/15/10)
- DS **New Business - Staff:**
- DS-3 [10-1133](#) Resolution to Approve Amendment No.1 to SunTel/Mitel Contract (\$90,765.00) and Amend Project Budget by \$57,950 (to \$837,020.00) **(8 Votes Required)**
(Information Technology Services - Dan Rainey, IT Director)
- DS-4 [10-1080](#) Resolution to Approve Amendment #1 with Quinn Evans Architects (QEA) to Complete the Fabrication and Installation of the Herbert Dreiseitl Exterior Artwork at the Ann Arbor Municipal Center (\$553,320.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-5 [10-1066](#) Resolution to Accept Grant and Appropriate Funds from the Federal Emergency Management Agency for Purchase and Demolition at 215 & 219 W. Kingsley Street (\$216,723.00) **(8 Votes Required)**
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
- DS-6 [10-1097](#) Resolution to Approve Contract With WeCare Organics for Operating the Ann Arbor Compost Facility (not to exceed \$200,000.00 annually)
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
Attachments: Attachment A - Current Compost Operations.pdf, Attachment B.pdf, Attachment C - Proposed Compost Oper WeCare.pdf
- DS-7 [10-1028](#) Resolution to Authorize Commercial Activities and Set Parking and Permit Limitations for the December 11, 2010 University of Michigan "Big Chill" Hockey Game
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: Football Sales Resolution, Big Chill Hockey Game Map
- DS-8 [10-1053](#) Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office DWI Drug Treatment Court Program Grant and Approve Grant Contract (\$70,000.00) **(8 Votes Required)**
(Fifteenth District Court Services - Keith Zeisloft, Court Administrator)

- DS-9 [10-1074](#) Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office Michigan Drug Court Grant Program Grant and Approve Grant Contract (\$60,000.00) **(8 Votes Required)**

(Fifteenth District Court Services - Keith Zeisloft)

- DS-10 [10-1139](#) Resolution Granting Joint Easement for Permanent Drainage into the S. Fifth Avenue Underground Parking Structure from the City of Ann Arbor to 330 East Liberty, LLC and 320 South Division LLC **(8 Votes Required)**

(Downtown Development Authority - Susan Pollay, Executive Director)

Attachments: Res Library Lot Storm Water Easement 2010 - map.pdf
(Revised 11/15/10)

- DS-11 [10-1051](#) Resolution to Amend a Contract with MSU Extension for \$75,000.00 in Ann Arbor Housing Trust Funds to Change the Vendor to Washtenaw County

(Community Services - Sumedh Bahl, Area Administrator)

(Added 11/10/10)

- DS-12 [10-1144](#) Resolution to Authorize a Contract with TSP Environmental to Design and Construct a By-Pass Channel in the Argo Dam Headrace (\$1,168,170.00) and Appropriate Funds **(8 Votes Required)**

(Public Services and Community Services Areas - Sue McCormick, PSA Administrator; Sumedh Bahl, CSA Administrator)

Attachments: Consent Agreement.pdf, TSP Proposal no appendices.pdf
(Added 11/12/10)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [10-1163](#) Appointment - Confirmation

(Mayor's Office)

- E-2 [10-1212](#) Appointments & Nominations

(Mayor's Office)

COMMUNICATIONS FROM COUNCIL

F WRITTEN 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 [10-1143](#) Communication from Janis A Bobrin, Chair of the Washtenaw County Drainage Board regarding notice of hearing of necessity for the Allen Creek West Park Fairgrounds Drain Project scheduled for November 18, 2010 at the office of Washtenaw County Water Resources Commissioner, Western County Service Center, 705 N. Zeeb Rd.
(City Clerk Services - Jacqueline Beaudry, City Clerk)
Attachments: wash. co. drainage board hearing notice
- H-2 [10-1172](#) Communication from the Department of Energy, Labor & Economic Growth Public Service Commission regarding the Uniform video Services Local Franchise Act - CTN
(City Clerk Services - Jacqueline Beaudry, City Clerk)
Attachments: Communication from Dept. of Energy, Labor & Economic Growth
- H-3 [10-1200](#) Communication from Susan Morrison regarding Ann Arbor Parks Preservation / Huron Hills Parkland City of Ann Arbor RFP No. 762
Attachments: Letter Re Huron Hills Parkland - Ann Arbor Parks Preservation Assoc
(Added 11/12/10)

I The following minutes were received for file:

- I-1 [10-1114](#) Ann Arbor Housing Commission Regular Board Meeting Minutes - September 15, 2010
(Housing Services - Marge Novak, Executive Director)
Attachments: AAHC Board Minutes September 2010
- I-2 [10-1117](#) City of Ann Arbor Retiree Health Care Benefit Plan & Trust Board Meeting Minutes - September 16, 2010
(Retirement System Services - Willie Powell, Director)
Attachments: VEBA Minutes 9/16/10
- I-3 [10-1119](#) City of Ann Arbor Employees' Retirement System Minutes - September 16, 2010
(Retirement System Services - Willie Powell, Director)
Attachments: BDMTG minutes 9/16/10

- I-4 [10-1126](#) Zoning Board of Appeals Minutes - January 27, 2010; March 24, 2010; April 28, 2010; June 23, 2010; and June 23, 2010 Organizational Meeting
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: 2010_01_27_APPROVED_ZBA_MINUTES.pdf, 2010_03_24_APPROVED_ZBA_MINUTES_without_h2o_mark.pdf, 2010_04_28_APPROVED_ZBA_MINUTES_without_h2o_mark.pdf, 2010_06_23_APPROVED_ZBA_MINUTES_without_h2o_mark.pdf, 2010_06_23_ZBA_APPROVED_Organizational_Minutes.pdf
- I-5 [10-1138](#) Taxicab Board Meeting Minutes - August 26, 2010
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: Taxicab Board Minutes 082610.pdf
- I-6 [10-1149](#) Council Liquor License Review Committee - September 17 and 24, 2010
(City Clerk - Jacqueline Beaudry)
Attachments: 091710 liquor committee minutes.pdf, 092410 Liquor committee minutes.pdf
- I-7 [10-0963](#) Council Liquor License Review Committee - August 13, 2010
(City Clerk - Jacqueline Beaudry)
Attachments: 2010-08-13 liquor committee minutes.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PENDING LITIGATION, AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (E), AND (H).

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, NOVEMBER 15, 2010, 7:00 P.M.

REPLAYS: TUESDAY, NOVEMBER 16, 2010, 10:00 A.M. AND FRIDAY, NOVEMBER 19, 2010 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.