



# City of Ann Arbor

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

## Meeting Agenda City Council

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Monday, May 5, 2008

7:00 PM

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

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**CALL TO ORDER**

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF COUNCIL**

**APPROVAL OF AGENDA**

**INT INTRODUCTIONS**

**INT-1** [08-0307](#) Historic District Commission Annual Awards  
(Planning and Development - Jayne Miller, Community Services Area Administrator)

**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 - True Democratic Process needed to Unite Ann Arbor, Washtenaw County, and Michigan. Affordable Public Transportation, Housing, and Health Care is Essential.**
- 2. Daniel Higgins - Huron River Drive Improvements**
- 3. Vivienne Armentrout - Project Grow**
- 4. Bill Higgins - Huron River Drive Construction Project**
- 5. Stewart Beal - City Hall Penthouse Asbestos Abatement Project**

6. **Margaret Wong - Selection Committee for 415 W. Washington RFP**

7. **Miriam Lindsey - Many Topics**

8. **Mike Valentine - Chicken Ordinance**

**PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

PH-1 [08-0283](#) An Ordinance to Amend Chapter 55, Rezoning of 0.73 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), Cares Property, 505 Riverview Drive (CPC Recommendation for R1B: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-08-11)

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

(See B-1)

PH-2 [08-0306](#) An Ordinance to Amend Section 3:1 of Chapter 39 (Parks-General Regulations) of Title III of the Code of the City of Ann Arbor - Revise the Definition to Allow the Sale of Alcohol at Leslie Park Golf Course (Ordinance No. ORD-08-13)

(Parks and Recreation Services - Jayne Miller, Area Administrator)

(See B-2)

PH-3 [08-0327](#) An Ordinance to Amend Section 10:148 of Chapter 126 (Traffic Code) of Title X of the Code of the City of Ann Arbor (ORD No. ORD-08-15) - Pedestrian Right of Way in Marked Crosswalks

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

(See B-3)

PH-4 [08-0385](#) An Ordinance to Amend Sections 1:552 and 1:569 of Chapter 18, Employees Retirement System, of Title I of the Code of the City of Ann Arbor - Duty Death Benefit (Ord. No. ORD-08-16)

(Retirement System Services - Willie J. Powell, Executive Director)

(See B-4)

PH-5 [08-0483](#) Fiscal Year 2009 Fee Adjustments for Safety Services Area - Fire Department Fee Schedule

(Financial and Administrative Services - Tom Crawford, CFO)

PH-6 [08-0484](#) Fiscal Year 2009 Fee Adjustments for Public Services Area - Project Management, Customer Service, and Field Operations  
(Financial and Administrative Services - Tom Crawford, CFO)

PH-7 Proposed 2008-2009 City of Ann Arbor Budget and Property Tax Millage Rates

#### COMMUNICATIONS FROM COUNCIL

#### A APPROVAL OF COUNCIL MINUTES

A-1 [08-0422](#) Working Session of April 14, 2008 and Regular Session of April 21, 2008  
(City Clerk - Jacqueline Beaudry)

#### CA CONSENT AGENDA

CA-1 [08-0360](#) Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Midwestern Consulting, LLC (\$23,500.00) for the Mallets Creek Culvert Crossing at South State Street Project  
(Public Services - Sue F. McCormick, Area Administrator)

CA-2 [08-0367](#) Resolution to Approve Purchase of Hydrofluorosilicic Acid for Water Treatment from PVS Nolwood Chemicals, Bid No. 3869 (estimated \$44,880.00/yr)  
(Public Services - Sue F. McCormick, Area Administrator)

CA-3 [08-0368](#) Resolution for Approval of a Professional Services Agreement with Stantec Consulting Michigan, Inc. for Consulting Services for FERC Part 12 Dam Inspection and Safety Report, RFP No. 690 (\$33,700.00) and to Approve a Project Budget (\$38,700.00)  
(Public Services - Sue F. McCormick, Area Administrator)

CA-4 [08-0397](#) Resolution to Approve the Transfer of Ownership and Location of a 2007 Class C Liquor Licensed Business located at 3155 Boardwalk, D/B/A Ann Arbor Lodging, L.L.C.  
(City Clerk - Jacqueline Beaudry)

CA-5 [08-0398](#) Resolution to Transfer Delinquent Sidewalk Maintenance Charges to the 2008 City Tax Roll  
(Public Services - Sue McCormick, Area Administrator)

- CA-6 [08-0409](#) Resolution to Approve the Transfer of Ownership and Location of a Class C Liquor Licensed Business located in Escrow at 124 Pearl, Suite 101, in Ypsilanti, Michigan, to 859 Eisenhower Parkway, and a Request for a New Entertainment Permit to be held in Conjunction with the Class C Liquor License (D/B/A Bagger Dave's Legendary Burgers & Fries)  
(City Clerk - Jacqueline Beaudry)

**B ORDINANCE - SECOND READING**

- B-1 [08-0283](#) An Ordinance to Amend Chapter 55, Rezoning of 0.73 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), Cares Property, 505 Riverview Drive (CPC Recommendation for R1B: Approval - 9 Years and 0 Nays) (Ordinance No. ORD-08-11)  
(Planning and Development Services - Jayne Miller, Area Administrator)  
(See PH-1)
- B-2 [08-0306](#) An Ordinance to Amend Section 3:1 of Chapter 39 (Parks-General Regulations) of Title III of the Code of the City of Ann Arbor - Revise the Definition to Allow the Sale of Alcohol at Leslie Park Golf Course (Ordinance No. ORD-08-13)  
(Parks and Recreation Services - Jayne Miller, Area Administrator)  
(See PH-2)
- B-3 [08-0327](#) An Ordinance to Amend Section 10:148 of Chapter 126 (Traffic Code) of Title X of the Code of the City of Ann Arbor (ORD No. ORD-08-15) - Pedestrian Right of Way in Marked Crosswalks  
(Public Services - Sue F. McCormick, Area Administrator)  
(See PH-3)
- B-4 [08-0385](#) An Ordinance to Amend Sections 1:552 and 1:569 of Chapter 18, Employees Retirement System, of Title I of the Code of the City of Ann Arbor - Duty Death Benefit (Ord. No. ORD-08-16)  
(Retirement System Services - Willie J. Powell, Executive Director)  
(See PH-4)
- DS-1 [08-0436](#) Resolution Authorizing Summary Publication of Ordinance No. ORD-08-16 Amending Sections 1:552 and 1:569 of Chapter 18, Employees Retirement System, of Title I of the Code of the City of Ann Arbor - Duty Death Benefit  
(Retirement System Services - Willie Powell, Executive Director)

**C ORDINANCE - FIRST READING**

- C-1 [08-0440](#) An Ordinance to Amend Sections 1:573 and 1:592 of Chapter 18, Employees Retirement System, of Title I of the Code of the City of Ann Arbor - Post-Retirement Benefits  
(Retirement System Services - Willie Powell, Executive Director)
- C-2 [08-0456](#) Motion for Reconsideration of the April 21 Vote that Defeated the First Readings of Three Ordinances Related to Backyard Chickens: "An Ordinance to Amend Section 9:363 of Chapter 119 (Noise Control) of Title IX of the Code of the City of Ann Arbor," "An Ordinance to Add a New Section 9:15 to Chapter 106 (Nuisances) of Title IX of the Code of the City of Ann Arbor," and "An Ordinance to Add a New Section 9:42 to and Amend Sections 9:38, 9:45, and 9:52 of Chapter 107 (Animals) of Title IX of the Code of the City of Ann Arbor"  
(City Council)  
**Sponsors:** Anglin

**D MOTIONS AND RESOLUTIONS****DC New Business - Council:**

- DC-1 [08-0480](#) Resolution Establishing the Liquor License Review Committee as a Permanent Council Committee  
(City Council - Council Liquor Committee)  
**Sponsors:** Rapundalo, Suarez and Anglin  
(Added 5/2/08) (Revised 5/5/08)

**DB New Business - Boards and Commissions:**

- DB-1 [08-0355](#) Resolution to Approve 2009-2014 Capital Improvements Plan (CPC Recommendation: Approval - 7 Yeas and 0 Nays)  
(Public Services - Sue McCormick, Area Administrator)
- DB-2 [08-0432](#) Resolution to Approve Maher Annexation, 1.06 Acres, 3087 Glazier Way (CPC Recommendation: Approval - 9 Yeas and 0 Nays)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)
- DB-3 [08-0444](#) Resolution to Approve Distribution of Amendments to the City of Ann Arbor Downtown Plan (CPC Recommendation: Approval - 9 Yeas and 0 Nays)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)

**DS New Business - Staff:**

- DS-2**    [08-0353](#)    Resolution to Allocate \$152,000.00 in HOME Funds to Habitat for Humanity of Huron Valley for the Land Acquisition and Construction of 1718, 1720 and 1724 Enclave Lane and to Approve the Affordable Housing Covenant (\$152,000.00 HOME Funds)  
(Community Services - Jayne Miller, Area Administrator)
- DS-3**    [08-0357](#)    Resolution to Amend the Allocation of HOME Funds to Whispering Creek Project LLC for the Acquisition and Rehabilitation of 3335 - 3337 Platt Road from \$205,000.00 to \$377,364.00 and to Approve the Housing Affordability Agreement (\$377,364.00 HOME Funds)  
(Community Services - Jayne Miller)
- DS-4**    [08-0356](#)    Resolution to Amend the Allocation of HOME Funds to Whispering Creek Project LLC for the Acquisition and Rehabilitation of 3331 - 3333 Platt Road from \$205,000.00 to \$32,636.00 and to Approve the Housing Affordability Agreement (\$32,636.00 HOME Funds)  
(Community Services - Jayne Miller, Area Administrator)
- DS-5**    [08-0410](#)    Resolution to Close Streets for the 8th Annual Mayor's Green Fair - Friday, June 13, 2008  
(Community Services - Jayne Miller, Area Administrator)
- DS-6**    [08-0415](#)    Resolution to Approve Street Closings for the Tour de Kids Bike Race and Festival for Families and Kids - Sunday, June 15, 2008  
(Community Services - Jayne Miller, Area Administrator)
- DS-7**    [08-0411](#)    Resolution to Approve Street Closings for the Tortoise & Hare 5K Run/Walk and Kid's Dash - Friday, July 4, 2008  
(Community Services - Jayne Miller, Area Administrator)
- DS-8**    [08-0412](#)    Resolution to Approve Street Closings for the Neutral Zone Block Party - Saturday - May 31, 2008  
(Community Services - Jayne Miller, Area Administrator)
- DS-9**    [08-0414](#)    Resolution to Close N. Fourth Avenue and E. Ann Street for the 13th Annual African-American Downtown Festival, Friday, June 6, 2008 to Saturday, June 7, 2008  
(Community Services - Jayne Miller, Area Administrator)

- DS-10 [08-0425](#) Resolution to Close Street for the Townie Street Party - Monday, July 14, 2008  
(Community Services - Jayne Miller, Area Administrator)
- DS-11 [08-0392](#) Resolution to Approve a Grant Contract with the Michigan Department of Transportation for the Design and Construction of a Snow Removal Equipment Storage Building, Preparation of a Hangar Site Area and Update of the Airport Layout Plan for the Ann Arbor Municipal Airport (\$1,297,864.00) **(8 Votes Required)**  
(Public Services - Sue McCormick, Area Administrator)
- DS-12 [08-0394](#) Resolution to Approve an Agreement with CMA Construction Services Inc. (\$2,390,000.00), Approve Contract Amendments #1 and #2 to the Professional Services Agreement between the City and URS Corporation (\$38,000.00) and Appropriate Funds and Amend the Project Budget for the Box Hangar and Snow Removal Equipment Building Project at the Ann Arbor Airport (\$2,566,374.00) **(8 Votes Required)**  
(Public Services - Sue F. McCormick, Area Administrator)
- DS-13 [08-0400](#) Resolution to Appropriate Funds from the Major (\$70,500.00) and Local (\$55,500.00) Street Funds to Address Severe Winter Road Damage and to Authorize the Purchase of Additional High Performance Cold Patch from Ultimate Epoxy, LLC (\$28,185.00), Bid # 3818 **(8 Votes Required)**  
(Public Services - Sue F. McCormick, Area Administrator)
- DS-14 [08-0379](#) Resolution to Award a Contract for the Superior Dam Painting and Handrail Replacement Project to Atsalis Brothers Painting (\$203,040.00) and Approve Project Budget (\$265,000.00)  
(Public Services - Sue F. McCormick, Area Administrator)
- DS-15 [08-0361](#) Resolution to Award a Construction Contract to L. J. Construction, Inc. (Bid No. 3924, \$111,641.63) for the Malletts Creek Culvert Crossing at South State Street Project  
(Public Services - Sue F. McCormick, Area Administrator)
- DS-16 [08-0376](#) Resolution to Approve a Professional Services Agreement with Washtenaw Engineering Company for the design of Catherine Street 16" Water Main; Plymouth Road Water Main Replacement; Wagner Road Sanitary Sewer - South; Glendaloch Circle Water Main Replacement; and Clair Circle Water Main Replacement Projects (\$148,586.00)  
(Public Services - Sue F. McCormick, Area Administrator)

- DS-17 [08-0372](#) Resolution to Approve Amendment No. 1 to a Professional Services Agreement with Parsons-Brinckerhoff Michigan, Inc., for the Huron Parkway Bridge Painting and Huron Parkway/Geddes Avenue Intersection Improvements Project (\$128,641.54)  
(Public Services - Sue F. McCormick, Area Administrator)
- DS-18 [08-0391](#) Resolution to Approve the Purchase of a Prisoner Transport Vehicle from Sirchie Finger Print Laboratories (Bid # 3933, \$36,400.00) ~~(8 Votes Required)~~  
(Public Services - Sue McCormick, Area Administrator)  
(Title Revised 5/5/08)
- DS-19 [08-0413](#) Resolution to Approve an Amendment No. 2 to a Professional Services Agreement with Complete Corporate Solutions, Inc. to Provide Public Web Access to 15th District Court Historic Data (\$40,800.00 Amendment No. 2/\$119,600.00 total contract)  
(Financial and Administrative Services - Dan Rainey, IT Director)
- DS-20 [08-0434](#) Resolution to Approve a Funding and Repayment Agreement with the Ann Arbor Employees Retirement System to Finance the Acquisition of Office Space for the Pension System (Not to Exceed \$400,000.00)  
(Financial and Administrative Services - Tom Crawford, CFO)
- DS-21 [08-0403](#) Resolution to Appropriate Funds and Reimburse FCR, Inc. for the Purchase of a Replacement Fire Protection System at the City-owned Materials Recovery Facility (MRF)\$117,779.00 **(8 Votes Required)**  
(Public Services - Sue F. McCormick, Area Administrator)
- DS-22 [08-0451](#) Resolution to Accept Grant and Appropriate Funds from the Downtown Development Authority (\$100,000.00), to Establish Project Budget and to Authorize Contract with S.U.R. Energy Systems, LC, to Construct a Solar Electric System at the Farmers Market (\$53,725.00) **(8 Votes Required)**  
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)  
(Added 4/30/08)
- DS-23 [08-0401](#) Resolution to Approve Purchase of a New Forklift (\$28,978.58) and Installment Lease/Purchase Agreement with Deere Credit, Inc., for a New Loader at the City Materials Recovery Facility/Waste Transfer Station (\$173,500.00; \$37,858.88/year)  
(Public Services - Sue F. McCormick)  
(Added 5/1/08)



**E COMMUNICATIONS FROM THE MAYOR**

- E-1 [08-0428](#) 4/21/08 Nominations and Appointments  
(Mayor's Office)
- E-2 [08-0487](#) Appointments - Nominations  
(Mayor's Office)

**COMMUNICATIONS FROM COUNCIL****F COMMUNICATIONS FROM CITY ADMINISTRATOR**

- F-1 [08-0406](#) Open Space and Parkland Preservation Funds  
(Community Services - Jayne Miller, Area Administrator)
- F-2 [08-0408](#) Living Wage Annual Increase  
(Financial and Administrative Services - Tom Crawford, CFO)
- F-3 [08-0465](#) SmartZone LDFA Board Member Term Appointments  
(Financial and Administrative Services - Tom Crawford)  
*(Added 5/5/08)*

**G COMMUNICATIONS FROM CITY ATTORNEY****H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS****H The following communications were referred as indicated:**

- H-1 [08-0448](#) Communication from S.E.M.C.O.G. regarding their publication of SEMCOG, April 7, 2008, Vol 13. No. 8  
(City Clerk - Jacqueline Beaudry)
- H-2 [08-0447](#) Communication from the Michigan Public Service Commission regarding a notice of Public hearing for the customers of the Detroit Edison Company Case No. U-12478, May 1, 2008  
(City Clerk - Jacqueline Beaudry)

- H-3     [08-0446](#)     Communication from the Michigan State University Extension regarding their publication of "Bringing Knowledge to Live in Washtenaw County" - March 2008

(City Clerk - Jacqueline Beaudry)

- H-4     [08-0445](#)     Communication from W.A.T.S. regarding the monthly publication of The Vehicle - April 2008, Vo. 2

(City Clerk - Jacqueline Beaudry)

- H-5     [08-0450](#)     Communication from Michigan Public Service Commission regarding Notice of Public Hearing for electric customers of the Detroit Edison Company, Case No. U-15002-R scheduled for May 14, 2008

(City Clerk - Jacqueline Beaudry)

**I     The following minutes were received for file:**

- I-1     [08-0362](#)     Ann Arbor Energy Commission Meeting Minutes - March 11, 2008

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

- I-2     [08-0416](#)     Housing and Human Services Advisory Board Minutes - February 19, 2008, March 11, 2008 and March 25, 2008

(Community Services - Jayne Miller, Area Administrator)

- I-3     [08-0417](#)     Public Market Advisory Commission Minutes - February 21, 2008

(Community Services - Jayne Miller, Area Administrator)

- I-4     [08-0420](#)     Parks Advisory Commission Minutes - September 18, 2007; October 16, 2007; November 20, 2007; December 18, 2007; January 15, 2008; February 26, 2008; March 18, 2008

(Community Services - Jayne Miller, Area Administrator)

- I-5     [08-0421](#)     Housing Board of Appeals Minutes - February 5, 2008

(Community Services - Jayne Miller, Area Administrator)

- I-6     [08-0423](#)     Historic District Commission Minutes - July 12, 2007; August 9, 2007; Regular and Special Sessions; September 13, 2007 Regular and Special Sessions; October 11, 2007; November 8, 2007 and December 13, 2007

(Community Services - Jayne Miller, Area Administrator)

- I-7     [08-0455](#)     Environmental Commission Minutes of January 24, 2008 and March 27, 2008  
(Systems Planning Services - Sue F. McCormick, Public Services Area Administrator)  
(Added 5/5/08)
- I-8     [08-0481](#)     Washtenaw Area Transportation Study (W.A.T.S.) minutes of December 19, 2007; February 19, 2008 and March 19, 2008  
(City Clerk - Jacqueline Beaudry)  
(Added 5/5/08)

**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, MAY 5, 2008, 7:00 P.M.**

**REPLAYS: TUESDAY, MAY 6, 2008, 10:30 A.M. AND FRIDAY MAY 9, 2008 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 994-2725 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.