



City of Ann Arbor

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

Meeting Agenda City Council

Monday, May 4, 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

None.

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**

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [09-0325](#) Resolution to Approve City of Ann Arbor Transportation Master Plan Update (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
(Community Services Area - Jayne Miller, Area Administrator)
(See DB-1)

PH-2 [09-0288](#) Resolution to Approve Fiscal Years 2010 and 2011 Fee Adjustments for the Community Services Area
(Community Services - Jayne Miller, Area Administrator)
(Resolution will be considered on 5/18/09)

- PH-3 [09-0302](#) Resolution to Approve Fiscal Year 2010 Fee Adjustments for Public Services Project Management, Customer Service, Systems Planning and Field Operations Units
(Public Services - Sue F. McCormick, Public Service Administrator)
(Resolution will be considered on 5/18/09)
- PH-4 [09-0375](#) Resolution to Adopt the Proposed Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2010
(Financial and Administrative Services - Tom Crawford, CFO)
(Resolution will be considered on 5/18/09)
- PH-5 [09-0408](#) Resolution to Approve Fees for the Recovery of the City's Costs from Ann Arbor Public Schools for Ball Field Usage and Services
(City Council)
Sponsors: Taylor
(See DC-2) (Added 5/01/09)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

- A-1 [09-0380](#) Working Session of April 13, 2009 and Regular Session Minutes of April 20, 2009
(City Clerk - Jacqueline Beaudry)

CA CONSENT AGENDA

- CA-1 [09-0263](#) Resolution to Approve a Sole Source Purchase Order to Gray Matter Systems for Control System Software Update and 1-yr Maintenance and Support (\$44,721.16)
(WTP - Sue F. McCormick, Public Services Administrator)
- CA-2 [09-0284](#) Resolution to Decertify and Remove Briarcliff Drive (East of Prairie Street), and Thaler Avenue (East of Garden Circle) from the Act 51 Street System
(Project Management Services - Sue F. McCormick, Public Services Administrator)
- CA-3 [09-0285](#) Resolution to Accept the Right-of-Ways of Vine Court, Oakbrook Drive, and Carrot Way, and to Dedicate them as Public Streets in the Act 51 Street System
(Project Management Services - Sue F. McCormick, Public Services Administrator)

- CA-4 [09-0299](#) Resolution to Transfer Delinquent Sidewalk Maintenance Charges to the 2009 City Tax Roll
(Field Operations Services - Sue F. McCormick, Public Services Administrator)
- CA-5 [09-0307](#) Resolution to Transfer Delinquent Solid Waste Charges to the July 2009 City Tax Roll
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-6 [09-0308](#) Resolution to Place Delinquent Water Utilities Charges on the July 2009 Tax Roll (\$69,341.96)
(Public Services - Sue F. McCormick, Public Services, Administrator)
- CA-7 [09-0338](#) Resolution to Transfer Delinquent Board Up, Clean Up, Vacant Property Inspection and Housing Inspection Fees to the Summer 2009 City Tax Roll
(Community Services - Jayne Miller, Area Administrator)
- CA-8 [09-0324](#) Resolution to Approve Amended and Restated Partnership Agreement between City of Ann Arbor and Leslie Science and Nature Center
(Community Services - Jayne Miller, Area Administrator)
- CA-9 [09-0333](#) Resolution to Approve a Contract with Hart Carpentry in the Amount of \$46,335.00 to Construct Shade Structures at Fuller Pool, per Bid #4012, and to Establish a Total Construction Project Budget of \$50,969.00
(Community Services - Jayne Miller, Area Administrator)

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

- C-1 [09-0331](#) An Ordinance to Amend Section 1:17 of Chapter 1 (Adoption, Contents, and Interpretation) of Title I of the Code of the City of Ann Arbor for the Public Services Field Operations Solid Waste Unit
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
- C-2 [09-0370](#) An Ordinance to Amend Sections 1:312, 1:313 and 1:314 of Chapter 14, Purchasing, Contracting, and Selling Procedure, of Title I of The Code of The City of Ann Arbor
(City Attorney Services - Stephen K. Postema)

- C-3 [09-0407](#) An Ordinance to Amend Sections 1:552, 1:561, 1:562, 1:563, and 1:564 of Chapter 18 (Employees Retirement System) of Title I of the Code of the City of Ann Arbor (to add the early retirement option program for Ann Arbor Police Officers Association and the Command Officers Association of Michigan)

(City Attorney Services - Stephen K. Postema)

Sponsors: Greden, Hieftje, Higgins, Rapundalo and Teall
(Added 5/01/09)

- C-4 [09-0409](#) An Ordinance To Repeal Chapter 109, Liquor, Of Title IX Of The Code Of The City Of Ann Arbor In Its Entirety And Add A New Chapter 109, Liquor, Title IX Of Said Code.

(City Council)

Sponsors: Council Liquor License Review Committee
(Added 5/01/09)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [09-0398](#) Resolution to Approve a Lease Agreement with the Ann Arbor Public Schools for Eberbach Cultural Arts Building (**8 Votes Required**)

(City Council)

Sponsors: Taylor
(Added 4/30/09)

- DC-2 [09-0408](#) Resolution to Approve Fees for the Recovery of the City's Costs from Ann Arbor Public Schools for Ball Field Usage and Services

(City Council)

Sponsors: Taylor
(See PH-5) (Added 5/01/09)

- DC-3 [09-0405](#) Resolution to Approve the 2006-2009 Ann Arbor Police Officers Association Collective Bargaining Agreement (**8 Votes Required**)

(Human Resources - Robyn Wilkerson, Human Resources Director)

Sponsors: Greden, Hieftje, Higgins, Rapundalo and Teall
(Added 5/01/09)

- DC-4 [09-0352](#) Resolution to Approve the Request to Transfer Ownership of a 2008 Class C Liquor Licensed Business with a Dance-Entertainment Permit, Located at 625 Hilton from W Tres MX, Inc. to El Camino Real, LLC - D/B/A El Camino Real
(City Clerk - Jacqueline Beaudry)
Sponsors: Council Liquor License Review Committee
(Added 5/01/09)
- DB **New Business - Boards and Commissions:**
- DB-1 [09-0325](#) Resolution to Approve City of Ann Arbor Transportation Master Plan Update (CPC Recommendation: Approval - 7 Years and 0 Nays)
(Community Services Area - Jayne Miller, Area Administrator)
(See PH-1) (Revised on 5/01/09)
- DS **New Business - Staff:**
- DS-1 [09-0332](#) Resolution to Approve a Contract with Jaran Construction, Inc. in the Amount of \$179,568.00 to Replace Pedestrian Bridges and a Cart Bridge, Repair Cart Bridges, and Renovate Cart Paths at the Leslie Park Golf Course, per Bid #4008 and to Establish a Total Construction Project Budget of \$197,525.00
(Community Services - Jayne Miller, Area Administrator)
- DS-2 [09-0334](#) Resolution to Allocate \$40,000.00 in HOME Funds to Avalon Second Nonprofit Housing Corporation for the Acquisition and Rehabilitation of 819 Third and Amend the Housing Affordability Agreement (\$40,000.00 HOME Funds)
(Community Services - Jayne Miller, Area Administrator)
- DS-3 [09-0344](#) Resolution to Close N. Fourth Avenue and E. Ann Street for the 14th Annual African-American Downtown Festival, Friday, June 5, 2009 to Saturday, June 6, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-4 [09-0345](#) Resolution to Approve Street Closings for the 2009 "Taste of Ann Arbor" Special Event - Sunday, May 31, 2009
(Community Services - Jayne Miller, Area Administrator)

- DS-5 [09-0346](#) Resolution to Approve Street Closings for the 2009 Ann Arbor Summer Festival's "Top of the Park" - June 8 through July 7, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-6 [09-0368](#) Resolution to Approve Street Closings for the Dexter-Ann Arbor Run (5K, 10K, and Half Marathon) on Sunday, May 31, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-7 [09-0240](#) Resolution to Approve a Memorandum of Understanding with the City of Ann Arbor, Ann Arbor Transportation Authority, Ann Arbor Downtown Development Authority, and the University of Michigan to Conduct the Ann Arbor Connector Feasibility Study and Appropriate \$80,000.00 from the General Fund for the City Share of the Study (\$80,000.00) **(8 Votes Required)**
(Systems Planning Services - Craig Hupy, Manager)
- DS-8 [09-0306](#) ~~Resolution to Amend the FY 2009 Community Events Fund Disbursement and to Rescind in part the FY 2008 Event Fee Waivers for Festifools and for Taste of Ann Arbor **(8 Votes Required)**~~
(Public Services - Sue F. McCormick, Area Administrator)
(Deleted from Agenda on 4/30/09)
- DS-9 [09-0350](#) Resolution to Submit Funding Applications under the State of Michigan Local Bridge Program for the Replacement of the E. Stadium Bridges
(Public Services - Sue. F. McCormick, Public Services Administrator)
- DS-10 [09-0364](#) Resolution to Approve a Contract with the Azimuth Group, Inc. for a Needs Assessment for a Financial Management System for \$160,000.00
(Financial and Administrative Services - Tom Crawford, CFO)
- DS-11 [09-0360](#) Resolution to Accept a 2007 Michigan Citizen Corps Program (MCCP) Pass-Through Grant Award, Approve the 2007 Michigan Citizen Corps Program Agreement with Washtenaw County and Appropriate the Funds to the Office of Emergency Management. (Not to Exceed \$14,464.49 for the Period October 1, 2008 to December 1, 2009) **(8 Votes Required)**
(Safety Services - Barnett Jones, Chief of Police)

DS-12 [09-0337](#) Resolution Accepting Utility Easement from Prescott A. Crisler 2999 Overridge Drive **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)

DS-13 [09-0369](#) Resolution Accepting Easement for Public Road Right-of-Way from 201 DEPOT, LLC 201 Depot Street) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)

E COMMUNICATIONS FROM THE MAYOR

E-1 [09-0361](#) 4/20/09 Appointments - Confirmations
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL

F COMMUNICATIONS FROM THE CITY ADMINISTRATOR

F-1 [09-0323](#) Final Report of the Commercial Solid Waste Rate Schedule Oversight Committee
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)

F-2 [09-0353](#) First Quarter 2009 Investment Portfolio Report
(Financial and Administrative Services - Tom Crawford, CFO)

F-3 [09-0322](#) Solid Waste Regulation Amendments
(Systems Planning Services - Sue F. McCormick, Public Services 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 [09-0357](#) Communication from Chester S. Ricker, Vice President and CFO of AVL Powertrain Engineering, Inc., regarding a Request for an Industrial Development District at 1801 E. Ellsworth cc: City Assessor
(City Clerk - Jacqueline Beaudry)

- H-2 [09-0377](#) Communication from The Village Cooperative, Inc. regarding notice of proposed conversion condominium project by The Village Cooperative, Inc. of Pittsfield Village Condominium
(City Clerk - Jacqueline Beaudry)
- H-3 [09-0378](#) Communication from the State of Michigan regarding a notice of hearing for Electric Customers of the Detroit Edison Company, Case No. U-15417-R, scheduled for May 6, 2009
(City Clerk - Jacqueline Beaudry)
- H-4 [09-0387](#) Communication from Donald Scavia, director of the Graham Environmental Sustainability of the University of Michigan regarding public lecture and conference on Urban-Rural Connections: Sustainability in a Volatile World scheduled for May 12 and 13, 2009
(City Clerk - Jacqueline Beaudry)
- H-5 [09-0390](#) Communication from the State of Michigan regarding approval of the City of Ann Arbor's request to revoke the real and personal property component(s) of Industrial Facilities Exemption Certificate number 2002-015 - File
(City Clerk - Jacqueline Beaudry)
- H-6 [09-0393](#) Communication from an Eberwhite Elementary School parent, expressing concern with a proposed illegal restaurant located at 722 Soule Blvd. as well as a chicken pen and coop located in the front yard of the residence - Planning and Development Services
(City Clerk - Jacqueline Beaudry)
- I **The following minutes were received for file:**
- I-1 [09-0314](#) Recreation Advisory Commission Minutes - March 3, 2009
(Community Services - Jayne Miller, Area Administrator)
- I-2 [09-0347](#) City Election Commission - February 26, 2009
(City Clerk - Jacqueline Beaudry)
- I-3 [09-0351](#) Taxicab Board Meeting Minutes - August 8, 2008

(Financial and Administrative Services - Tom Crawford, CFO)

- I-4 [09-0355](#) City of Ann Arbor Employees' Retirement System - March 19, 2009
(Retirement System Services - Willie Powell)
- I-5 [09-0356](#) City of Ann Arbor Retiree Health Care Benefit Plan & Trust Minutes -
March 19, 2009
(Retirement System Services - Willie Powell)
- I-6 [09-0366](#) Board of Review Minutes - March 2009
(Financial and Administrative Services - Tom Crawford, CFO)
- I-7 [09-0372](#) Historic District Commission Minutes - January 8, 2009 Special Session;
January 8, 2009 Regular Session
(Community Services - Jayne Miller, Area Administrator)

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 4, 2009; 7:00 PM

REPLAYS: TUESDAY, MAY 5, 2009 10:00 AM AND FRIDAY, MAY 8, 2009; 7:30 PM

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.