



City of Ann Arbor

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

Meeting Agenda City Council

Monday, September 21, 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 [09-0725](#) Update on State Budget - Kirk Profit, Governmental Consultant Services
(City Council)

Sponsors: Hieftje

INT-2 [09-0870](#) Mortgage and Tax Foreclosure Prevention and Counseling Services
(Community Services - Jayne Miller, 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. Jim Mogensen - Diminished astonishment on the public process.**
- 2. Kathy Boris - Introduce Ann Arbor Tree Conservacy. Resolution regarding Council Electronic Communications (DC-2)**
- 3. Andrew Ryer - Resolution regarding Council Electronic Communications (DC-2)**
- 4. Kathy Griswold - MDOT agreement for improvements to Geddes Road (DS-5)**

5. Kim Kachadoorian - Building in Downtown
6. Tim Colenback - Resolution regarding Council Electronic Communications (DC-2)
7. Hugh Somk - A2D2 Plan
8. Lily Au - Housing First Program
9. Tonua Brown - Camp Take Notice
10. Jack Eaton - Resolution regarding Council Electronic Communications (DC-2)

Alternates:

1. Alan Haber - Library Lot
2. Lou Glorie - Ziet Giest

COMMUNICATIONS FROM COUNCIL

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [09-0721](#) Resolution to Approve City Place Site Plan and Development Agreement, 1.23 acres, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Recommend Approval Failed - 5 Yeas and 1 Nay)
(Community Services - Jayne Miller, Area Administrator)
(Continued from the 7/20/09 regular session.) (See DB-2)
- PH-2 [09-0722](#) An Ordinance to Amend Chapter 55, Rezoning of 1.19 Acres from O (Office District) to PUD (Planned Unit Development), Near North Proposal, 626-724 North Main Street (CPC Recommendation: Motion to Approve Failed - 5 Yeas and 2 Nays) (Ordinance No. ORD-09-27) **(8 Votes Required)**
(Community Services - Jayne Miller, Area Administrator)
(Continued from the 9/8/09 regular session.) (See B-1)
- PH-3 [09-0836](#) Resolution to Approve Near North PUD Site Plan and Development Agreement, 1.19 Acres, 626-724 North Main Street (CPC Recommendation: Motion to Approve Failed - 5 Yeas and 2 Nays)
(Community Services - Jayne Miller, Area Administrator)
(Continued from the 9/8/09 regular session.) (See DB-1)

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

- A-1 [09-0927](#) Regular Session and Working Session of September 8, 2009
(City Clerk - Jacqueline Beaudry)

CA CONSENT AGENDA

- CA-1 [09-0755](#) Resolution to Approve Amendment No. 1 to Agreement Between the Sanborn Map Company, Inc. and the City of Ann Arbor for Geographic Information Systems (GIS) Data Development (Amendment \$10,275.00/Total Project Not to Exceed \$31,991.00)
(Information Technology Services - Dan Rainey)
- CA-2 [09-0759](#) Resolution to Approve a Purchase Order to Michigan Supreme Court State Court Administrative Office for Annual Judicial Information System Software Licensing and Hosting Fees (Not to Exceed \$48,351.96)
(Information Technology Services - Dan Rainey)
- CA-3 [09-0779](#) Resolution Approving an Emergency Purchase Order to DownUnder Municipal Services, LLC for Emergency Repairs to the Northside Sanitary Sewer Sub-main (\$37,085.00)
(Project Management Services - Sue F. McCormick, Public Services Area Administrator)
- CA-4 [09-0811](#) Resolution to Increase the Service Purchase Order to Washtenaw County Water Resources Commissioner (WCWRC) to Fund the Allen Creek Project Plan Amendment (\$14,000.00)
(Public Services - Sue McCormick, Public Services Area Administrator)
- CA-5 [09-0828](#) Resolution to Approve a Purchase Order with Trojan Technologies Inc. for Ultraviolet Disinfection System Replacement Parts at the City's Wastewater Treatment Plant (\$60,000.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-6 [09-0861](#) ~~Resolution to Allocate \$25,000.00 in NSP Funds to P.O.W.E.R Inc, to Provide Homebuyer Education to Low-Mod Homebuyers (\$25,000.00-NSP Funds)~~
(Community Services - Jayne Miller, Area Administrator)
(Deleted on 9/21/09)

CA-7 [09-0864](#) Resolution to Approve a Contract with Michigan Building and Restoration in the Amount of \$49,835.00 for the Repair of the Vehicle Bridge at Gallup Park per Bid #4042, Approve a Construction Contingency of \$4,984.00 (10%), and Establish a Total Construction Project Budget of \$54,819.00
(Community Services - Jayne Miller, Area Administrator)

CA-8 [09-0875](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of August 27, 2009
(Financial and Administrative Services - Tom Crawford, CFO)

B ORDINANCES - SECOND READING

B-1 [09-0722](#) Amendment to Chapter 55, Rezoning of 1.19 Acres from O (Office District) to PUD (Planned Unit Development), Near North Proposal, 626-724 North Main Street (CPC Recommendation: Motion to Approve Failed - 5 Yeas and 2 Nays) (Ordinance No. ORD-09-27)
(Community Services - Jayne Miller, Area Administrator)
(Postponed from the 9/8/09 regular session.) (See PH-2) (Revised 9/17/09; 9/21/09)

DB-1 [09-0836](#) Resolution to Approve Near North PUD Site Plan and Development Agreement, 1.19 Acres from O (Office District) to PUD (Planned Unit Development), Near North Proposal, 626-724 North Main Street (CPC Recommendation: Motion to Approve Failed - 5 Yeas and 2 Nays)
(Community Services - Jayne Miller, Area Administrator)
(Postponed from the 9/8/09 regular session) (See PH-3) (Revised 9/17/09)

C ORDINANCES - FIRST READING

C-1 [08-0705](#) An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Chapter, which New Chapter shall be Designated as Chapter 71 (Plastic Carry-Out Bags) of Title VI of said Code and to Amend Section 1:17 of Chapter 1 of Title 1 of the Code of the City of Ann Arbor
(City Attorney Services - Stephen K. Postema)

Sponsors: Rapundalo

(Postponed from the 7/21/08, 10/6/08, 3/2/09 and 6/1/09 regular sessions.)

C-2 [09-0867](#) An Ordinance Amend Chapter 55, Rezoning of 8.28 acres from PUD (Planned Unit Development District) to Revised PUD, Briarwood Lots 12 & 13, 1301 Briarwood Circle (CPC Recommendation: Approval- 8 Yeas and 0 Nays)
(Community Services - Jayne Miller, Area Administrator)

- C-3 [09-0868](#) An Ordinance to Amend Chapter 55, Rezoning of 0.6 Acres from R4C (Multiple-Family Residential Dwelling District) to PUD (Planned Unit Development District, Casa Dominick's, 808-814 Monroe Street, 700 and 706 Tappan Street and 705 Oakland Avenue, (CPC Recommendation: Approved - 8 Ayes and 0 Nays)
(Community Services - Jayne Miller, Area Administrator)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [09-0848](#) Resolution to Appoint Catherine Riseng and ReAppoint Michael Garfield to the Greenbelt Advisory Commission
(City Council)
Sponsors: Hohnke

- DC-2 [09-0928](#) Resolution to Disclose Council Electronic Communications without Charge to the Public
(City Council)
Sponsors: Anglin and Briere
(Added 9/16/09; Revised 9/17/09 and 9/21/09)

DB New Business - Boards and Commissions:

- DB-2 [09-0721](#) Resolution to Approve City Place Site Plan and Development Agreement, 1.23 acres, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Recommend Approval Failed - 5 Yeas and 1 Nay)
(Community Services - Jayne Miller, Area Administrator)
(Postponed from the 7/20/09 regular session) (See PH-1) (Revised 9/17/09)

DS Old Business - Staff:

- DS-1 [09-0837](#) Resolution to Amend FY 2010 Historic District Application Fees for the Community Services Area
(Community Services - Jayne Miller, Area Administrator)
(Postponed from the 9/8/09 regular session.)

DS New Business - Staff:

- DS-2 [09-0872](#) Resolution to Approve Industrial Facilities Exemption Certificate between the City of Ann Arbor and AVL Powertrain Engineering, Inc.
(City Assessor Services - Tom Crawford, CFO)
- DS-3 [09-0747](#) Resolution to Petition the Washtenaw County Water Resources Commissioner to Design and Construct Stormwater Controls in the Allen Creek Drainage District in West Park to Improve Water Quality (\$3,540,000.00 Project Amount; \$3,401,940.00 City Share) **(Roll Call Vote Required)**
(Public Services - Sue McCormick, PSA Administrator)
- DS-4 [09-0815](#) Resolution to Petition the Washtenaw County Water Resources Commissioner to Design and Construct Stormwater Controls in the Allen Creek Drainage District on Sylvan Avenue to Improve Water Quality and Quantity (\$456,000.00 Project Amount; \$438,216.00 City Share) **(Roll Call Vote Required)**
(Public Services - Sue McCormick, PSA Administrator)
- DS-5 [09-0849](#) Resolution to Approve the City of Ann Arbor - Michigan Department of Transportation Agreement No. 09-5466 for Improvements to Geddes Road within the Interchange Area of US-23, and through the Intersection of Earhart Road
(Project Management Services - Homayoon Pirooz)
- DS-6 [09-0863](#) ~~Resolution to Purchase 0.19 Acre Property at 219 Chapin from Patrician Homes LLC and Appropriate \$267,500.00 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**~~
(Community Services - Jayne Miller, Area Administrator)
(Deleted from agenda on 9/17/09)
- DS-7 [09-0860](#) Resolution to Allocate \$245,000.00 in NSP Funds to Habitat for Humanity of Huron Valley for the Acquisition, Rehabilitation and Resale of Affordable Housing for Low-Income Homebuyers, to Approve the Housing Affordability Agreement, and to Approve the Transfer of Home Loans to Homebuyers Purchasing Homes Through Habitat for Humanity of Huron Valley (\$245,000.00 NSP Funds)
(Community Services - Jayne Miller)

- DS-8 [09-0859](#) Resolution to Approve a Contract with D & J Contracting, Inc. in the Amount of \$119,334.98 to Repair the Vehicle Bridge at Bandemer Park, per Bid #4041, Approve a Construction Contingency of \$11,933.00, and Establish a Total Construction Project Budget of \$131,267.98
(Community Services - Jayne Miller, Area Administrator)
- DS-9 [09-0869](#) Resolution to Approve Contracts with Legal Services of South Central Michigan, Housing Bureau for Seniors and Washtenaw County Treasurer for Mortgage and Tax Foreclosure Prevention and Counseling Services (\$60,000.00 FY 2010 AAHTF and \$100,000.00 FY 2010 General Fund)
(Community Services - Jayne Miller, Area Administrator)
- DS-10 [09-0884](#) Resolution to Approve Street Closings for the Big House/Big Heart Running Event - Sunday, October 4, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-11 [09-0894](#) Resolution Accepting Utility Easement from MSC Engineers, Inc. Nadia Court **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)
- DS-12 [09-0899](#) Resolution to Approve Standard Box Hangar Lease Form **(8 Votes Required)**
(Fleet & Facilities Services - Matthew Kulhanek, Airport Manager)
(Added 9/16/09)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [09-0876](#) Appointments & Nominations
(Mayor's Office)
- E-2 [09-0942](#) 9/21/09 Appointments & Nominations
(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 [09-0904](#) Communication from Lawrence Kestenbaum, Washtenaw County Clerk regarding two charter amendments proposals for the November 3, 2009 Election
(City Clerk)
- H-2 [09-0931](#) Comcast regarding channel lineup changes effective September 29, 2009 - CTN
(City Clerk)
(Added 9/18/09)
- H-3 [09-0941](#) Communication from Washtenaw County Clerk Lawrence Kestenbaum regarding revised proposal language passed by Ann Arbor City Council (R-09-361) for the November 3, 2009 election ballot.
(City Clerk)
(Added 9/21/09)

I The following minutes were received for file:

- I-1 [09-0687](#) Greenbelt Advisory Commission regular session minutes of June 10, 2009
(City Clerk)
- I-2 [09-0853](#) Ann Arbor Housing Commission Regular Board Meeting Minutes - July 22, 2009
(Housing Services - Margaret Novak)
- I-3 [09-0854](#) Cable Communications Commission Minutes of June 23, 2009
(City Clerk - Jacqueline Beaudry)
- I-4 [09-0889](#) Ann Arbor Downtown Development Authority Meeting Minutes - July 1, 2009
(Downtown Development Authority - Susan Pollay, Executive Director)
- I-5 [09-0890](#) Ann Arbor Downtown Development Authority Annual Meeting Minutes - July 1, 2009
(Downtown Development Authority - Susan Pollay, Executive Director)

- I-6 [09-0891](#) Ann Arbor Downtown Development Authority Special Meeting Minutes -
August 19, 2009
(Downtown Development Authority - Susan Pollay, Executive Director)

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, SEPTEMBER 21, 2009 7:00 P.M.

**REPLAYS: TUESDAY, SEPTEMBER 22, 2009 10:00 A.M. AND FRIDAY, SEPTEMBER
25, 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.**