

City of Ann Arbor

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



Meeting Agenda

Monday, January 5, 2009

7:00 PM

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

City Council

CALL TO ORDER**MOMENT OF SILENCE****PLEDGE OF ALLEGIANCE****ROLL CALL OF COUNCIL****APPROVAL OF AGENDA****INT INTRODUCTIONS**

- INT-1 [08-1160](#) 415 W. Washington Proposal Review Committee Recommendations
(Public Services - Sue F. McCormick, Public Services 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. Tom Partridge - Set an agenda for progressive change in Ann Arbor, Michigan, and the nation. End discrimination by funding comprehensive transportation, housing, health care and education.
2. Margaret Wong - 415 W. Washington Proposal Review Committee Recommendations (F-1)
3. Henry Herskovitz - Palestine

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [08-0867](#) An Ordinance to Amend Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling District) to PUD (Planned Unit Development District), City Place, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Approve Failed - 2 Yeas and 6 Nays) (Ordinance No. ORD-08-39) **(8 Votes Required)**
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See B-1)

PH-2 [08-1120](#) Resolution to Approve City Place PUD Site Plan and Development Agreement, 1.23 Acres, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Approve Failed - 2 Yeas and 6 Nays)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See DB-1)

PH-3 Proposed Industrial Development District No. 2009-010 - Varsity Real Estate, LLC 3775 Varsity Drive

PH-4 Application of Edward Brothers Inc., for an Industrial Facilities Exemption Certificate in IDD No. 2007-010

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

A-1 [08-1151](#) Working Session of December 8, 2008 and Regular Session of December 15, 2008
(City Clerk - Jacqueline Beaudry, City Clerk)

CA CONSENT AGENDA

CA-1 [08-1057](#) Resolution to Approve a Contract with Sehi Computer Products, Inc. for Personal Computer Replacements (Not to Exceed \$95,500.00)
(Information Technology Services - Dan Rainey)

CA-2 [08-1073](#) Resolution to Approve a Service Purchase Order with DownUnder Municipal Services, LLC for Sanitary Sewer Cleaning Services for the Northside Sanitary Sewer Sub-main Project (\$36,219.05)
(Project Management Services - Sue F. McCormick, Public Services Administrator)

CA-3 [08-1114](#) Resolution to Approve a Purchase Order to Environmental Systems Research Institute (ESRI) for the Annual Geographic Information System Software Maintenance and License Agreement (\$50,470.42)
(Information Technology Services - Dan Rainey)

B ORDINANCE - SECOND READING

B-1 [08-0867](#) An Ordinance to Amend Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling District) to PUD (Planned Unit Development District), City Place, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Approve Failed - 2 Yeas and 6 Nays) (Ordinance No. ORD-08-39) **(8 Votes Required)**
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See PH-1) (Revised 1/5/09)

DB-1 [08-1120](#) Resolution to Approve City Place PUD Site Plan and Development Agreement, 1.23 Acres, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Approve Failed - 2 Yeas and 6 Nays)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See PH-2)

C **ORDINANCE - FIRST READING**

D **MOTIONS AND RESOLUTIONS**

DC **New Business - Council:**

Added After Newspaper Deadline:

DC-1 [08-1161](#) Resolution to Accept the Commercial Recycling Implementation Recommendations
(City Council)
Sponsors: Hohnke and Teall
(Added 12/30/08)

DC-2 **08-0761** Resolution Submitting Council Liquor License Review Committee Recommendation on the Transfer of Ownership of a 2007 Class C Liquor Licensed Business with Dance-Entertainment Permit, located at 314-316 S. Fourth - d/b/a Studio 4, and Requesting Council Action on the Transfer Application
(Council Liquor License Review Committee - Jacqueline Beaudry, City Clerk)
Sponsors: Rapundalo, Anglin and Derezinski
(Added 1/5/09)

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

- DB-2** [08-1115](#) Resolution to Name the Property Purchased from Zion Evangelical Lutheran Church as “Eberwhite Nature Area”
(Community Services - Jayne Miller, Area Administrator)
- DB-3** [08-1116](#) Resolution to Name the Property Purchased from Narrow Gauge Holdings Inc. and Sondra Gunn as “Narrow Gauge Nature Area”
(Community Services - Jayne Miller)
- DB-4** [08-1117](#) Resolution Naming the Property Purchased from Girl Scouts of Huron Valley as “Hilltop Nature Area”
(Community Services - Jayne Miller, Area Administrator)
- DB-5** [08-1134](#) Resolution to Approve Distribution of the Draft City Master Plan: Land Use Element
(Planning and Development Services - Jayne Miller, Community Services Administrator)
- DS** **New Business - Staff:**
- DS-1** [08-1059](#) Resolution to Approve an Agreement with the Michigan Department of Transportation and Amend the Project Budget for the West Stadium Blvd. at Pauline Blvd. Improvement Project (\$1,510,000.00)
(Project Management Services - Homayoon Pirooz)
- DS-2** [08-1105](#) Resolution to Approve an Agreement with the Michigan Department of Transportation and Amend the Project Budget for the Nixon Road-Huron Parkway Improvement Project (\$909,174.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-3** [08-1109](#) Resolution to approve Amendment No. 2 to the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. (\$196,370.00) for the construction engineering services for the Nixon Road-Huron Parkway Improvement Project
(Public Services - Sue F. McCormick, Public Service Administrator)
- DS-4** [08-1110](#) Resolution to Approve a Professional Services Agreement for Construction Materials Testing with CTI & Associates, Inc. for the Nixon Road-Huron Parkway Improvement Project (RFP No. 717, \$39,680.00)
(Public Services - Sue F. McCormick, Public Service Administrator)

- DS-5 [08-1081](#) Resolution to Approve an Agreement with the Michigan Department of Transportation (\$479,339.00) for the Ellsworth Road and S. State Street SCOOT Traffic Adaptive Signal Control System
(Public Services - Sue F. McCormick)
- DS-6 [08-1080](#) Resolution to Approve an Agreement with the Michigan Department of Transportation (\$210,722.00) for the Ashley Street and First Street SCOOT Expansion Project
(Public Services - Sue McCormick)
- DS-7 [08-1131](#) Resolution Accepting Easement from the County of Washtenaw for Water Main 2230 Platt Road **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)
- DS-8 [08-1132](#) Resolution Accepting Easement for Public Utilities from the Public Schools of the City of Ann Arbor (Miller-Maple Transmission Water Main Project - located at Forsythe and Wines Schools) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)
- DS-9 [08-1135](#) Resolution Authorizing City to Convey a Quit Claim Deed to Mercedes-Benz Research & Development North America, Inc. Successor to Mercedes-Benz Service Corporation (Lot 13, Research Park) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)
- DS-10 [08-1119](#) Resolution to Award a Contract to SG Construction Services, LLC d/b/a Sorensen Gross Construction Services and Sorensen Gross, Inc., a joint venture, to Construct the Residuals Handling Improvements Project at the Wastewater Treatment Plant, ITB No. 3972 (\$42,444,927.00)
(Public Services - Sue F. McCormick, Public Services Administrator)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [08-1127](#) **Appointments - Confirmations**
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL

F COMMUNICATIONS FROM CITY ADMINISTRATOR

- F-1 [08-1160](#) 415 W. Washington Proposal Review Committee Recommendations
(Public Services - Sue F. McCormick, Public Services Administrator)
(Added 12/30/08; Revised 1/5/09)

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 [08-1138](#) Communication from Lawrence Kestenbaum regarding Official Election Results of the November 4, 2008 General Election - File
(City Clerk)
- H-2 [08-1143](#) Communications from Washtenaw County regarding Scio Township's Master Land Use Plan Update and Ann Arbor Transportation Plan Update - Planning and Development Services
(City Clerk)
- H-3 [08-1142](#) Communication from the Michigan State University Extension regarding the Fall 2008 issue of "Bringing Knowledge to Live in Washtenaw County" and a Mortgage Foreclosure Intervention Program - File
(City Clerk)
- H-4 [08-1141](#) Communication from SEMCOG regarding the regional update biweekly publication, Vo. 13, No. 26, December 8, 2008 - File
(City Clerk)
- H-5 [08-1140](#) A2D2 Comments from Kathy Boris
(City Clerk)
- H-6 [08-1139](#) Communication from the Department of Environmental Quality (DEQ) regarding application of Part 31, Flood Plain, Water Resources Protection from Thomas R. Fitzsimmons
(City Clerk)
- H-7 Communications regarding City Place were received. See B-1 for details.
- H-8 Protest Petitions Received regarding City Place Rezoning. See B-1 for details.

I The following minutes were received for file:

- I-1 [08-1121](#) Recreation Advisory Committee Minutes - November 4, 2008
(Community Services - Jayne Miller, Service Area Administrator)
- I-2 [08-1122](#) Housing and Human Services Advisory Board Minutes - April 22, May 20, June 10, July 22, September 9, and October 14, 2008
(Community Services - Jayne Miller, Area Administrator)
- I-3 [08-1126](#) Council Liquor License Review Committee - October 17, 2008
(City Clerk - Jacqueline Beaudry)
- I-4 [08-1130](#) Ann Arbor Downtown Development Authority Meeting Minutes, October 1, 2008 and November 5, 2008.
(Downtown Development Authority - Susan Pollay)

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, JANUARY 5, 2009; 7:00 P.M.

REPLAYS: TUESDAY, JANUARY 6, 2009; 10:00 A.M. AND FRIDAY, JANUARY 9, 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.