

City of Ann Arbor

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



Action Minutes

Monday, August 16, 2010

7:00 PM

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

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:05 p.m. in the Guy C. Larcom Jr., Municipal Building, 2nd Floor Council Chambers, 100 N. Fifth Avenue.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Hieftje led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: 10 - Mayor John Hieftje, Councilmember Stephen Rapundalo, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski and Councilmember Carsten Hohnke

Absent: 1 - Councilmember Christopher Taylor

APPROVAL OF AGENDA

A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.

INT INTRODUCTIONS

INT-1 10-0820 Local Food Month Proclamation

Mayor Hieftje read a proclamation declaring September 2010, as Local Food Month, and encouraged citizens of Ann Arbor to engage in our local food shed. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

INT-2 10-0819 Nap Volunteer of the Month

Mayor Hieftje read a proclamation honoring First Martin Corporation for their dedication to the Adopt-A-Park program and for their ongoing commitment of resources to the Ann Arbor Parks through the Adopt-A-Park program. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

INT-3 10-0822 Women's Equality Day Proclamation

Mayor Hieftje read a proclamation designating August 23, 2010, as Women's Equality Day, as a symbol of the continued fight on behalf of women for equal rights. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

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 - Transportation (DS-7)

Thomas Partridge, 4220 Eyrie Dr., asked that Council plan for an equality transportation system with links to walking, biking, train and other forms of motorized transportation.

2. Kathy Griswold - Non-Motorized Transportation (DS-7)

Kathy Griswold, 3565 Fox Hunt, expressed concern with the City's maintenance of the proposed Non-Motorized Transportation path on Washtenaw Avenue. She said that there is escalating recurring costs in maintaining the sidewalks and it created an inequity to homeowners and it created an expectation that the City is going to maintain any new sidewalk.

3. Kim Kachadoorian - My Dying Tree

Kim Kachadoorian, 204 E. Davis, addressed Council regarding a dying tree in front of her property. She said that the tree is rotting from the inside out. She has called the City, At&T and Detroit Edison and everyone has said that they cannot help until one of the other groups addresses the problem from their side first.

Ms. Kachadoorian said that neither her neighborhood, nor surround neighborhoods (Germantown), were notified of the robbery that took place over the weekend. She said that their neighborhoods should have received a red alert about the robbery. They only knew of the robbery because of a U of M red alert.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER ANGLIN

Councilmember Anglin talked about the rainstorm that took place on August 11, 2010. He said that the Allen Creek Watershed has not been adequately monitored and that a hydrological study is needed in the area where the storm took place. Councilmember Anglin stated more conclusive data is needed to study this problem.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR*AUGUST 11, 2010 RAINSTORM*

City Administrator Roger Fraser gave an update on the rainstorm that took place on August 11, 2010. He said that parts of the City received over an inch of rain in 45 minutes. During the storm, the Mallett's Creek went from approximately 3.5 cubic feet per second to approximately 380 cubic feet per second. The issues reported were consistent with what you would expect from a short and intense storm; stormwater ponding, flooding, and overflow in the streets. There was one area with reported sanitary sewer backup on Parkwood and Oakwood and was similar to the June 11 storm event. That is cause for an investigation and effected property owners would receive letters requesting access to their homes so that the City can look at the sewer and connection service.

The stormwater system surcharge overloaded in a number of areas such as Chapin, Huron and the Railroad Trussell, Depot Street, Thurston and Kingsley. The rainstorm that occurred on Wednesday was between a one hundred and two hundred year event, so the flooding was consistent with system expectations.

Mr. Fraser said that staff would share hydrologic information already accumulated regarding Allen Creek with Council.

WATERMAIN BREAK

There was a watermain break at Plymouth Road near the Wendy's Restaurant. The break damaged some of the street pavement which must be repaired before winter. Street pavement repairs may also be included in the project which was scheduled to start in September.

PLYMOUTH ROAD STREET RECONSTRUCTION

Stage Two of the reconstruction on Plymouth Road began last Thursday with a traffic shift from the two northern lanes of Plymouth Road to the southerly lanes. The project is expected to be completed by mid-September.

MILLER ROAD STREET RESURFACING

Work will begin on Miller Road August 23, 2010. Westbound traffic on Miller will be shut down and rerouted. Construction is expected to continue through November.

WEST STADIUM BLVD CONSTRUCTION

Traffic on Stadium Boulevard was switched to the southside of the road in order to begin construction on the northside. The northside of the road is expected to be finished quicker than the southside because there is less underground work required. The entire project is expected to be completed by November.

SYLVAN AVENUE STREET RESURFACING

This is the City's first street construction with permeable porous paving material. It will require additional maintenance with on-going sweeping, but staff believes this project will be an enhancement for the environment. The project is expected to only take a week to complete.

NORTH STATE STREET - HURON TO KINGSLEY

The first layer of asphalt was placed on Friday, August 13, 2010 and the final paving is scheduled for Wednesday, August 18, 2010. The street will be completely closed on the final paving day. Multiple flaggers will be on site to direct traffic in the area.

RECYCLING PROGRAM

The Recycling Rewards Program starts September 1 for single-family and duplex residents. The program offers rewards and points to residents for using their recycling carts. Residents earn points based upon how much they recycle. Rewards can be used at many local and national vendors and include an option to get free admission to the City drop-off station, which is normally \$3. Eligible participants were mailed information about how to sign up for the program last week. The City is also working with Recycle Bank to develop a new innovative approach to allow apartment complexes and businesses to participate at a later date. More information is available on the recycling page on the City's website at www.a2gov.org.

2010 GOVERNMENTAL AWARD FOR EXCELLENCE IN URBAN FORESTRY FROM MDNR

The city received the Governmental Award for Excellence in Urban Forestry from the Michigan Department of Natural Resources (MDNR). The award is given annually for significant advances in forestry over the past year.

HISTORIC DISTRICT COMMISSION

The Historic District Commission approved an application for a solar electric installation at the Michigan Theater. This is the first project of the XC Energy Community Supported Solar Program developed as a part of the City's Solar America City Grant and administered by the Clean Air Coalition. Installation is planned for this fall.

PUBLIC OPEN-HOUSE CELEBRATION

There will be a public open-house celebration at the Materials Recovery Facility located at 4150 Platt Road on August 21, 2010 from 10 a.m. to 1 p.m. The facility has been upgraded to a state-of-the-art single stream recycling plant capable of processing 15-20 tons of recyclables an hour, over two shifts per day. Ribbon cutting ceremony starts at 11 a.m. on Saturday.

POLICE/COURT BUILDING CONSTRUCTION

Work continues on the construction of the new building and the remodeling of the Larcom Building. Ceiling and floor tiles are in place. Work is ongoing on the second floor. Elevator inspections are under way. Masonry and drywall are completed in the basement of the Larcom building, exterior skin and framing and sheeting and vapor barrier for the elevator tower have been completed. Work has also begun on the removal/repair of the east wall in the Police/Garage area of the Larcom building.

PUNK WEEK

Punk Week activities are being reviewed to assess if permits are required for the activities.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 10-0758** Resolution Establishing Ann Arbor Industrial Development District 2010-010 for a portion of 2311 Green Road - Green Road Associates
- A public hearing was conducted on the proposed Resolution Establishing Ann Arbor Industrial Development District 2010-010 for a portion of 2311 Green Road - Green Road Associates. Notice of public hearing was published August 8, and August 12, 2010.*
- Thomas Partridge asked that Council provide the economic value and generation of jobs that would be produced by awarding an abatement.*
- There being no further comment, the Mayor declared the hearing closed.*
- Held and Closed**

RE-OPEN AGENDA

A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that the Agenda be re-opened. On a voice vote, the Mayor declared the motion carried.

Councilmember Rapundalo asked that DC-2 be deleted from the agenda.

Deleted: DC-2 Resolution to Approve a Request to Add a New Outdoor Service Area to be Held in Conjunction with a 2009 Class C Liquor Licensed Business, Located at 316 S. State Street - d/b/a Red Hawk Bar/Grill

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER RAPUNDALO*

Councilmember Rapundalo updated Council on the Library Lot. The project consultant will meet with one of the applicants later this month to review their proposal. Due to scheduling, there has been somewhat of a delay in the project moving forward.

COUNCILMEMBER TEALL

Councilmember Teall announced that on Saturday, August 21, 2010 from 1:00 - 3:30 p.m., the Senior Center is hosting its second annual Picnic in the Park in Burns Park.

A APPROVAL OF COUNCIL MINUTES

- A-1 10-0817** Regular Session of August 5, 2010

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the meeting minutes of August 5, 2010 be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA**Passed on consent agenda**

A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA-1 10-0779 Resolution to Accept Board of Insurance Administration Meeting Minutes of July 22, 2010

Enactment No: R-10-295

CA-2 10-0780 Resolution to Accept Board of Insurance Administration Special Meeting Minutes of July 23, 2010

Enactment No: R-10-296

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

None.

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

DC-1 10-0801 Resolution Accepting Easement for Water Main from 320 South Division, L.L.C. (Underground S. Fifth Avenue Parking Structure Project) (8 Votes Required)

Sponsors: Smith

A motion was made by Councilmember Smith, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with ten members voting, thus satisfying the eight-vote requirement.

Enactment No: R-10-297

DC-2 10-0735 Resolution to Approve a Request to Add a New Outdoor Service Area to be Held in Conjunction with a 2009 Class C Liquor Licensed Business, Located at 316 S. State Street - d/b/a Red Hawk Bar/Grill

Sponsors: Council Liquor License Review Committee

Deleted from Agenda

DC-3 10-0811 Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Frita Ann Arbor, LLC (d/b/a Frita Baditos)

A motion was made by Councilmember Hohnke, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-10-298

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

DS-1 10-0758 Resolution Establishing Ann Arbor Industrial Development District 2010-010 for a portion of 2311 Green Road - Green Road Associates

A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-10-299

DS-2 10-0761 Resolution Setting a Public Hearing on September 7, 2010 for the NanoBio Application for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2010-010

A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-10-300

DS-3 10-0732 Resolution to Approve a Purchase Order to ImageSoft, Inc. (\$200,000.00) and Establish an Enterprise Content Management Project Budget (\$470,000.00)

A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-10-301

DS-4 10-0812 Resolution to Approve a Purchase Order with Amerinet for Network Switches (\$373,405.00)

A motion was made by Councilmember Smith, seconded by Councilmember Hohnke, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-10-302

- DS-5 10-0714** Resolution to Approve Purchase Order to The Ultimate Software Group Inc. for UltiPro Human Resource and Payroll FY2011 Maintenance and Subscription Fees (\$174,000.00)
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-10-303
- DS-6 10-0713** Resolution to Approve Amendment No. 4 to Master License and Update and Support Agreements with Azteca Systems (\$60,000.00/yr - \$180,000/3yr)
- A motion was made by Councilmember Kunselman, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-10-304
- DS-7 10-0751** Washtenaw Avenue Non-Motorized Path Project Special Assessment Resolution No. 3
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Hohnke, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-10-305
- DS-8 10-0749** Resolution to Approve Contract with Monroe Plumbing & Heating Company for Scum Well Improvements at the Wastewater Treatment Plant, ITB No. 4074 (\$139,300.00)
- A motion was made by Councilmember Hohnke, seconded by Councilmember Rapundalo, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-10-306
- DS-9 10-0764** Resolution to Approve W Washington Street Closing for Oktoberfest - September 10-12, 2010
- A motion was made by Councilmember Smith, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-10-307
- DS-10 10-0765** Resolution to Approve E Washington Street Closing for Oktoberfest - September 10-12, 2010
- A motion was made by Councilmember Smith, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-10-308

DS-11 10-0755 Resolution Accepting Easement for Permanent Drainage from Stone School Road Properties for storm ditch maintenance.(8 Votes Required)

A motion was made by Councilmember Kunselman, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with ten members voting, thus satisfying the eight-vote requirement.

Enactment No: R-10-309

DS-12 10-0769 Resolution Accepting Easement for Permanent Storm Sewer and Detention Area from the Public Schools of the City of Ann Arbor (8 Votes Required)

A motion was made by Councilmember Anglin, seconded by Councilmember Hohnke, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with ten members voting, thus satisfying the eight-vote requirement.

Enactment No: R-10-310

DS-13 10-0781 Resolution Accepting Easement for Public Utilities from the Washtenaw County for the Washtenaw Avenue Non-motorized Path project. (8 Votes Required)

A motion was made by Councilmember Derezinski, seconded by Councilmember Rapundalo, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with ten members voting, thus satisfying the eight-vote requirement.

Enactment No: R-10-311

DS-14 10-0782 Resolution Accepting Easement for Pedestrian Access from Washtenaw County for the Washtenaw Avenue Non-motorized Path project. (8 Votes Required)

A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with ten members voting, thus satisfying the eight-vote requirement.

Enactment No: R-10-312

DS-15 10-0783 Resolution Accepting Easement for Public Utilities from the Racquet Club (8 votes Required)

A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with ten members voting, thus satisfying the eight-vote requirement.

Enactment No: R-10-313

E COMMUNICATIONS FROM THE MAYOR

E-1 10-0778 Appointments - Confirmations

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the August 5, 2010 regular session of Council:

*Zoning Board of Appeals
Alex Milshiteyn
3170 Dolph Drive
Ann Arbor, MI 48103
Term: August 16, 2010 - August 16, 2013*

*Erica Briggs (replacing Jean Carlberg- (resigned 8/11/10))
300 Brookside Dr.
Ann Arbor, MI 48105
Term: August 16, 2010-July 6, 2012
(Approved in a one-step process on 8/16/10)*

*Downtown Development Authority Board
Robert E. Guenzel (Replacing Jennifer Hall)
1703 Morton
Ann Arbor, MI 48104
Term: August 16, 2010 - August 15, 2014*

A motion was made by Councilmember Briere, seconded by Councilmember Hohnke, that Council concur with the recommendations of the Mayor. On a voice vote, the Mayor declared the motion carried.

E-2 10-0821 Appointments Confirmations

Mayor Hieftje placed the following nominations on the table for approval at a later date:

*Downtown Development Authority
John Splitt (Re-Appointment)
1723 Ivywood Dr.
Ann Arbor, MI 48103
Term: September 7, 2010-September 7, 2014*

Referred to the City Council due back on 9/7/2010

COMMUNICATIONS FROM COUNCIL

None.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

F-1 10-0768 Solid Waste Regulations for Fall Leaves Drop-off

Received and Filed

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

H The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember Derezinski, seconded by Councilmember Hohnke, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

H-1 10-0757 Communication from Comcast regarding their Comcast Customer Guarantee

I The following minutes were received for file:

I-1 10-0786 Energy Commission meeting minutes of June 10, 2010

I-2 10-0798 Elizabeth Dean Fund Meeting Minutes of May 11, and June 8, 2010

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Thomas Partridge expressed concern with public transportation in Washtenaw County.

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).

None.

ADJOURNMENT

A motion was made by Councilmember Kunselman, seconded by Councilmember Rapundalo, that the meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:13 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, AUGUST 16, 2010 AT 7:00 P.M.
REPLAYS: TUESDAY, AUGUST 17, 2010 AT 10:00 A.M. AND FRIDAY,
AUGUST 20, 2010 AT 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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary