



City of Ann Arbor

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

Meeting Agenda City Council

Monday, June 15, 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 [09-0577](#) Proclamation Relay for Life Days June 20 & 21, 2009
(Mayor's Office)
(Added 6/15/09)

INT-2 [09-0576](#) Proclamation Recognizing Torture Awareness Month June 15, 2009
(Mayor's Office)
(Added 6/15/09)

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. Gwen Nystuen - Parking meters in residential neighborhoods
2. John Hilton - Parking meter proposal
3. Robert Snyder - Parking meters in residential neighborhoods

4. Ann Schriber - Parking meters in residential neighborhoods
5. Thomas Partridge - Ann Arbor's Master Plan must assure affordable housing on a non-discriminatory basis throughout the city. The plan must assure equal access to transportation throughout the city, county and the region.
6. Jim Mogensen - City Council Electronic Communication
7. Phelps Connell - Airport Expansion
8. Henry Herskovitz - Palestine
9. Cheryl Mackrell - Argo Dam
9. Ed Fontanive - E. Huron St.

Alternates:

1. **Patricia Lesko - Go Ask Voters**
10. John Floyd - Shared high level vision of the future of Ann Arbor

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1** [09-0518](#) An Ordinance to Amend the Code of the City of Ann Arbor by Amending Section 1:552 adding New Subsection 1:552(28), 1:552(29) and 1:552(30), and adding New Sections which New Sections shall be Designated as Sections 1:595 and 1:596 of Chapter 18, Employees Retirement System, of Title I of the Code of the City Of Ann Arbor (Ordinance No. ORD-09-20)
(Financial and Administrative Services - Tom Crawford, CFO)
(See B-1)
- PH-2** [09-0519](#) An Ordinance to Amend Section 1:734 of Chapter 21, Retiree Health Care Benefits Plan and Trust, of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-09-21)
(Financial and Administrative Services - Tom Crawford, CFO)
(See B-2)

- PH-3 [09-0420](#) Resolution to Approve City Place Site Plan and Development Agreement, 1.23 acres, 407- 437 South Fifth Avenue (CPC Recommendation: Approval - 6 Yeas and 3 Nays)
(Community Services - Jayne Miller, Area Administrator)
(Continued from 6/1/09 regular session) (See DB-1)
- PH-4 [09-0502](#) Resolution to Approve Downtown Plan Amendments (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
(Community Services - Jayne Miller, Area Administrator)
(See DB-2)
- PH-5 [09-0525](#) Resolution to Apply for, Accept, Approve and Appropriate the 2009 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice - Office of Justice Programs - Bureau of Justice Assistance to the Police Department **(8 Votes Required)**
(Police Services - Barnett Jones, Chief of Police)
(See DS-11)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

- A-1 [09-0551](#) City Council Minutes of June 1, 2009
(City Clerk)

CA CONSENT AGENDA

- CA-1 [09-0401](#) Resolution to Approve Exercising the Purchase Option of the City's Lease Agreement with Leica Geosystems, Inc. to Purchase TCRP1203 R1000 Robotic Total Station for Surveying (\$24,999.25)
(Project Management Services - Sue McCormick, Public Services Area Administrator)
- CA-2 [09-0413](#) Resolution to Approve a Contract with Rauhorn Electric, Inc. for the Arbor Landing Lift Station Generator Installation and Electrical Improvements for Wastewater Treatment Services, ITB 4009 (\$79,494.00)
(Public Services - Sue F. McCormick, Public Services Administrator)

- CA-3 [09-0457](#) Resolution to Approve Purchase of Carbon Dioxide (CO2) for Water Treatment from Pain Enterprises, Bid No ITB-4022 (\$59.50/ton, estimated \$30,000.00/yr)
(Water Treatment Plant Services - Sue F. McCormick, Public Services Administrator)
- CA-4 [09-0522](#) Resolution to Approve City of Ann Arbor and County of Washtenaw Operational Agreement for the Office of Community Development
(Community Development Services - Jayne Miller, Community Services Administrator)
- CA-5 [09-0486](#) Resolution to Approve a Contract with Governmental Consultant Services Inc. for Lobbying Services (\$48,000.00)
(City Administrator - Roger Fraser)
- CA-6 [09-0382](#) Resolution to Approve Amendment to Personal Services Agreement with Steven Yaffee to Facilitate the Huron River and Impoundment Management Plan Committee Effort (\$8,000.00)
(Systems Planning Services - Sue McCormick, PSA Administrator)
- CA-7 [09-0537](#) Resolution Recognizing the Greenview Hepatitis C Fund as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
(City Clerk - Jacqueline Beaudry)
(Added 6/15/09)

B ORDINANCES - SECOND READING

- B-1 [09-0518](#) An Ordinance to Amend the Code of the City of Ann Arbor by Amending Section 1:552 adding New Subsection 1:552(28), 1:552(29) and 1:552(30), and adding New Sections which New Sections shall be Designated as Sections 1:595 and 1:596 of Chapter 18, Employees Retirement System, of Title I of the Code of the City Of Ann Arbor (Ordinance No. ORD-09-20)
(Financial and Administrative Services - Tom Crawford, CFO)
(See PH-1)
- DS-1 [09-0527](#) Resolution Authorizing Summary Publication Of Ordinance No. 09-20 Amending Section 1:552 And Adding New Sections Which New Sections Shall Be Designated As Sections 1:595 And 1:596 Of Chapter 18, Employees Retirement System, Of Title I Of The Code Of The City Of Ann Arbor
(City Attorney Services - Stephen K. Postema)

- B-2 [09-0519](#) An Ordinance to Amend Section 1:734 of Chapter 21, Retiree Health Care Benefits Plan and Trust, of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-09-21)

(Financial and Administrative Services - Tom Crawford, CFO)

(See PH-2)

- DS-2 [09-0528](#) Resolution Authorizing Summary Publication Of Ordinance No. 09-21 Amending Section 1:734 Of Chapter 21, Retiree Health Care Benefits Plan and Trust, Of Title I Of The Code Of The City Of Ann Arbor

(City Attorney Services - Stephen K. Postema)

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [09-0543](#) Resolution: Support for Non-motorized Safety Education Outreach Campaign

(City Council)

Sponsors: Hieftje and Hohnke

- DC-2 [09-0511](#) Resolution to Approve the Transfer of Stock in a 2008 Class C Liquor Licensed Business with a Dance-Entertainment Permit, located at 1220 S. University, Suite 109 - D/B/A Touchdown Café/Blue Leprechaun

(City Clerk - Jacqueline Beaudry)

Sponsors: Council Liquor License Review Committee

Added After Newspaper Deadline:

- DC-3 [09-0546](#) Resolution to Establish an Application Fee and License Fee Schedule for New Small Distiller, Micro Brewer, Small Wine Maker and Brandy Manufacturer Licenses

(City Clerk - Jacqueline Beaudry)

Sponsors: Council Liquor License Review Committee

(Added 6/12/09)

- DC-4 [09-0571](#) Resolution to Approve Extension of the Interim Use of 415 W. Washington as a Temporary Public Parking Lot, Continue the DDA/City Partnership Agreement for Operation and Management of the Temporary Lot, Increase Parking Rates at the Temporary Lot and Utilize Net Revenues to Offset FY2010 Budget Revenues Anticipated from New City Parking Meter Installations
(City Council)
Sponsors: Anglin, Briere, Hohnke and Smith
(Added 6/12/09) (Revised 6/15/09)
- DC-5 [09-0572](#) Resolution to Authorize the City Administrator to Proceed with Installation of Parking Metering Equipment at Limited Locations and to Require Further Direction of City Council Prior to Installation of Parking Metering Equipment at Remaining Locations Identified During the FY2010 Budget Process
(City Council)
Sponsors: Anglin, Briere, Hohnke and Smith
(Added 6/12/09) (Revised 6/15/09)
- DC-6 [09-0573](#) Resolution Establishing a Site Development Committee to Initiate a Search for a Private Development Partner for the S. Fifth Avenue Parking Structure Site
(City Council)
Sponsors: Smith
(Added 6/12/09)
- DC-7 [09-0567](#) Resolution to Approve a Professional Services Agreement with Winter & Company for the Ann Arbor Discovering Downtown (A2D2) Design Guidelines Revision Project (\$34,230.00)
(Community Services - Jayne Miller, Area Administrator)
Sponsors: Higgins
(Added 6/12/09)
- DC-8 [09-0574](#) Resolution Appointing Senior Center Task Force Members
(Community Services - Jayne Miller, Area Administrator)
Sponsors: Teall
(Added 6/15/09)

- DC-9 [09-0579](#) Resolution for Community Events Fund Disbursements from the FY 09 Budget
(City Council - M. Higgins, M. Teall)
Sponsors: Higgins and Teall
(Added 6/15/09)
- DC-10 [09-0580](#) Resolution to Amend the SmartZone LDFA Budget Increasing the Total Budget by \$25,000.00 **(8 Votes Required)**
(City Council)
Sponsors: Rapundalo and Higgins
(Added 6/15/09)
- DC-11 [09-0581](#) Resolution to Reaffirm the City of Ann Arbor's Approval of the FY2010 Ann Arbor/Ypsilanti SmartZone Budget As Amended and the Restrictions on the Expenditures of Funds Within the SmartZone District
Sponsors: Higgins and Rapundalo
(Added 6/15/09)
- DB Old Business - Boards and Communications:**
- DB-1 [09-0420](#) Resolution Returning City Place Site Plan to Planning Commission
(Community Services - Jayne Miller, Area Administrator)
(See PH-3)
- DB New Business - Boards and Commissions:**
- DB-2 [09-0502](#) Resolution to Approve Downtown Plan Amendments (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
(Community Services - Jayne Miller, Area Administrator)
(See PH-4)
- D Old Business - Staff:**
- DS-3 [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)
(Postponed from the 5/4/09 Regular Session)

DS New Business - Staff:

- DS-4 [09-0517](#) Resolution to Approve Amendment #2 to the Contract with Bostwick Company and Increase the Purchase Order for the Street Repairs Program from \$177,925.00 to \$262,925.00 (Bid No. 3700)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-5 [09-0495](#) Resolution to Appropriate and Establish a Project Account to Plant Trees Utilizing Tree Mitigation Funds (\$234,906.00) **(8 Votes Required)**
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-6 [09-0458](#) Resolution to Approve an Agreement with the Michigan Department of Transportation for the Citywide Pedestrian Safety Improvement Project (\$195,300.00)
(Public Services - Sue F. McCormick, Area Administrator)
- DS-7 [09-0442](#) Resolution to Approve an Amendment to the Professional Services Agreement With Midwestern Consulting, L.L.C. (\$111,870.00) for the Washtenaw Avenue Non-Motorized Path Project for Engineering Design and Construction Services
(Project Management Services - Sue F. McCormick, Public Services Area Administrator)
- DS-8 [09-0447](#) Resolution to Approve the Purchase of Two Commercial Mower/Snow Broom combination units from Spartan Distributors (State of Michigan Contract #71B7200194) for \$84,130.00
(Fleet & Facilities Services - Sue F McCormick, Public Services Area Administrator)
- DS-9 [09-0488](#) Resolution to Approve a Contract with Ann Arbor SPARK for Business Support Services (\$75,000.00)
(City Administrator - Roger Fraser)
(Revised 6/12/09)
- DS-10 [09-0468](#) Resolution to Approve Temporary Outdoor Sales, Service and Consumption of Alcoholic Beverages during the 2009 Ann Arbor Art Fair
(City Clerk - Jacqueline Beaudry)
- DS-11 [09-0525](#) Resolution to Apply for, Accept, Approve and Appropriate the 2009 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice - Office of Justice Programs - Bureau of Justice Assistance to the Police Department **(8 Votes Required)**
(Police Services - Barnett Jones, Chief of Police)
(See PH-5)

- DS-12 [09-0526](#) Resolution to Establish Project Budget Using Existing Funds for the Centralized Dispatching Project in the Amount of \$ 89,018.00 to be Expended without Regard to Fiscal Year and Approve Issuance of Purchase Orders for Acquisition of Project Component Equipment, Softwares and Licenses
(Fire Services - Chief Sam Hopkins)
- DS-13 [09-0476](#) Resolution to Allocate \$20,000.00 in HOME Funds to Avalon Second Nonprofit Housing Corporation for the Acquisition and Rehabilitation of 1675-1677 Broadway and Amend the Housing Affordability Agreement (\$20,000.00 HOME Funds)
(Community Services - Jayne Miller, Area Administrator)
- DS-14 [09-0510](#) Resolution to Amend Ann Arbor City Budget for Fiscal Year 2009
(8 Votes Required)
(Financial and Administrative Services - Tom Crawford, CFO)
(Revised 6/10/09)
- DS-15 [09-0514](#) Resolution Setting a Public Hearing on July 6, 2009 to Receive Public Comment on the Proposed Industrial Development District No. 2009-030 (AVL Properties, Inc.)
(Financial and Administrative Services - Tom Crawford, CFO)
- DS-16 [09-0389](#) Resolution to Approve E. Washington Street Closing, requested by Main Street Area Association, for Oktoberfest - September 18-20, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-17 [09-0501](#) Resolution to Approve W. Washington Street Closing, requested by Grizzly Peak Brewing Company and the Blue Tractor, for Oktoberfest - September 18-20, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-18 [09-0504](#) Resolution to Approve Street Closing for the NJATC Welcome Reception/ Dinner - Sunday, August 2, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-19 [09-0503](#) Resolution to Approve Street Closing for the NTI Block Party - Wednesday, August 5, 2009
(Community Services - Jayne Miller, Area Administrator)

- DS-20 [09-0505](#) Resolution to Approve Street Closing for the NJATC Graduation Dinner - Thursday, August 6, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-21 [09-0507](#) Resolution to Close Street for the Townie Street Party - Monday, July 13, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-22 [09-0492](#) Resolution to Approve a Two-Year Service Agreement with Huron Valley Ambulance for Communication and Dispatching Services for the Ann Arbor Fire Department with the Right to Renew the Service Agreement for One Additional Year at the City's Option (\$99,420.00/FY 10 - \$109,620.00/FY 11)
(Fire Services - Samuel Hopkins, Fire Chief)
- DS-23 [09-0523](#) Resolution Accepting Utility Easement from JAG EISENHOWER, L.L.C. 385 E. Eisenhower Parkway **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [09-0520](#) 6/1/09 Appointments
(Mayor's Office)
- E-2 [09-0575](#) Nominations and Appointments
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL

F COMMUNICATIONS FROM THE CITY ADMINISTRATOR

- F-1 [09-0466](#) Ann Arbor Connector Background Information
(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 [09-0516](#) Communication from Laura Satir regarding police officer position at Miller Manor - Safety Services
(City Clerk)
- H-2 [09-0533](#) Board of Canvassers Report for the May 5, 2009 General City Election - File
(City Clerk - Jacqueline Beaudry)
- H-3 [09-0534](#) Communication from Peggy Parker regarding rezoning of Mary Beth Doyle Park
(City Clerk)
- H-4 [09-0535](#) Communications from Comcast regarding digital entertainment to customers.
(City Clerk)
- H-5 [09-0536](#) Communication from Michigan Liquor Control Commission regarding denial of a request for a new Class C and SDM liquor licenses to HBSP Holdings Corp. located at 401 E. Liberty, Suite #2, dba Salsarita's - File
(City Clerk)
- H-6 A2D2 Communications from area residents (See DB-2 for copy of letters.)

I The following minutes were received for file:

- I-1 [09-0493](#) Ann Arbor Downtown Development Authority Meeting Minutes - April 1, 2009
(Downtown Development Authority - Susan Pollay, Executive Director)
- I-2 [09-0494](#) Downtown Area Citizens Advisory Council Minutes - 4/1/09
(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, JUNE 15, 2009; 7:00 PM

REPLAYS: TUESDAY, JUNE 16, 2009, 10:00 AM AND FRIDAY JUNE 19, 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.