



City of Ann Arbor

301 E. Huron Street
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Meeting Agenda City Council

Monday, April 15, 2013

7:00 PM

City Hall, 301 E. Huron Street, Council Chamber,
2nd Floor
City Council meets in caucus the Sunday prior
to each regular session at 7 p.m. in the Council
Chamber.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

INT INTRODUCTIONS

INT-1 [13-0376](#) Dr. Patricia Green, Superintendent, Ann Arbor Public Schools:
Transportation Working Group
Attachments: Memo to Council - INT-1 AAPS Transportation Working Group

INT-2 [13-0375](#) City Administrator's FY2014-2015 Budget Presentation

(City Administrator - Steven D. Powers, City Administrator)

Attachments: FY14-15 Budget Presentation
(Attachment Added 4/12/13)

INT-3 [13-0459](#) Ann Arbor Veg Week Proclamation
(Mayor's Office)
(Added 4/15/13)

INT-4 [13-0460](#) Jim Toy Proclamation
(Mayor's Office)
(Added 4/15/13)

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

1. **Leslie Stambaugh - New Video Privacy Ordinance (C-1)**
2. **Norman Tyler - Resolution regarding Contingency Budget for the Facilities Renovations Project at the Waste Water Treatment Plant (DS-1)**
3. **William Leaf - New Video Privacy Ordinance (C-1)**
4. **Tom Partridge - End Ann Arbor housing discrimination. Reform city zoning and planning ordinances and policies to assure non-discrimination in housing by providing affordable housing throughout the city. Call for the resignation of irresponsible public officials including Mayor Hieftje and Governor Snyder. (B-1)**
5. **Widdicombe Schmidt - Weather Change from Large Building**
6. **Christine Crockett - Heritage and Historic District**
7. **Ellen Ramsburgh - Zoning within the DDA Boundary**
8. **Jeffrey Hayner - General Comments**
9. **Caleb Toirier - General Comments**
10. **Ilene Tyler - Resolution regarding Contingency Budget for the Facilities Renovations at the Wastewater Treatment Plant (DS-1)**

Alternates:

1. **Steve Sonntag - Fluoridation of Water**

COMMUNICATIONS FROM COUNCIL**COMMUNICATIONS FROM THE CITY ADMINISTRATOR****PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

- PH-1 [13-0188](#) An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05)
- (City Council)
- Sponsors:** Kunselman and Kailasapathy
- Attachments:** 13-05 Amended and Briefed, DDA Ordinance as Amended on 040113, Memo Substitute DDA Ordinance Amendments, DDA Ordinance Amendments 2013 Substitute Version 2, DDA Ordinance Amendments REVISED 3-1-13, DDA Ordinance Amendments 2013, Stephen Kemsley Communication
- (See B-2)
- PH-2 [13-0326](#) Resolution to Approve Theta Delta Chi Site Plan, 700 South State Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
- (Community Services - Sumedh Bahl, Community Services Area Administrator)
- Attachments:** 2/21/13 Planning Staff Report, 2/21/13 Planning Commission Minutes
- (See DB-3)
- PH-3 [13-0168](#) Resolution to Approve 413 East Huron Street Site Plan and Development Agreement, 413 East Huron Street (CPC Recommendation: Denial - 5 Yeas and 3 Nays)
- (Community Services - Sumedh Bahl, Community Services Area Administrator)
- Attachments:** 413 Council Staff Report 4-1-13, 2/5/13 Planning Staff Report, Development Agreement Draft 4-11-13, Development Agreement Draft 4-11-13, 413 E. Huron Development Agreement Draft 3-27-13final, Development Agreement Draft 3-5-13final, 1-15-2013 City Planning Commission Minutes-413 E Huron Project, 2-5-2013 City Planning Commission Minutes-413 E Huron Project, 413 E Huron - new trash proposal, 12327Solar study, Plan Set 03-28-13, H. Scott Diels Communication, Letter_City Council 3.29.13.pdf, Ltr to Mayor and City Council Members, Ltr from Norman Hyman dated 3-14-13
- (Continued from the 4/1/13 regular session) (See DB-2)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

- A-1 [13-0430](#) City Council Working Session of March 25, Special Session of March 25 and Regular Session of April 1, 2013
- (City Clerk - Jacqueline Beaudry)
- Attachments:** 03-25-13 Special Session minutes, 3-25-13 Work Session Minutes, 04-01-13 Draft Minutes, 04-01-13 Council Redactions and Emails

CA CONSENT AGENDA

- CA-1 [13-0230](#) Resolution to Amend Service Order for Stormwater Services with the Washtenaw County Water Resources Commissioner (\$30,000.00 Increase for FY13)
(Systems Planning Services - Craig Hupy, Public Services Area Administrator)

B ORDINANCES - SECOND READING

- B-1 [12-1515](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 3.32 Acres from TWP (Township District) to R3 (Townhouse Dwelling District), Summit Townhomes, 2081 East Ellsworth (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-13-01)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: Summit Zoning 13-01 Briefed.pdf, SummitZoningOrdinance.pdf, 1/3/13 Planning Staff Report, 2/21/13 Planning Staff Report
(Postponed from the 3/18/13 regular session)

- B-2 [13-0188](#) An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05)
(City Council)
Sponsors: Kunselman and Kailasapathy
Attachments: 13-05 Amended and Briefed, DDA Ordinance as Amended on 040113, Memo Substitute DDA Ordinance Amendments, DDA Ordinance Amendments 2013 Substitute Version 2, DDA Ordinance Amendments REVISED 3-1-13, DDA Ordinance Amendments 2013, Stephen Kemsley Communication
(See PH-1)

C ORDINANCES - FIRST READING

- C-1 [13-0428](#) 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 25, Video Privacy, of Title I of said Code
(City Council)
Sponsors: Warpehoski and Anglin
Attachments: surveillance ordinance draft 3-26-13 no markup, Lansing Report- Eyes in the Sky

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [13-0448](#) Resolution to Appoint Stephanie Buttrey as a Member of the City of Ann Arbor Greenbelt Advisory Commission
(City Clerk - Jacqueline Beaudry)
Sponsors: Taylor
(Added 4/12/13)

DB Old Business - Board and Commissions:

- DB-1 [13-0091](#) Resolution to Approve The Summit Townhomes Site Plan and Development Agreement, 2081 East Ellsworth Road (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 1/3/13 Planning Staff Report, 11-20-12 Planning Commission Minutes.pdf
(Postponed from the 2/4/13 and 3/18/13 regular sessions)

- DB-2 [13-0168](#) Resolution to Approve 413 East Huron Street Site Plan and Development Agreement, 413 East Huron Street (CPC Recommendation: Denial - 5 Yeas and 3 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 413 Council Staff Report 4-1-13, 2/5/13 Planning Staff Report, Development Agreement Draft 4-11-13, Development Agreement Draft 4-11-13, 413 E. Huron Development Agreement Draft 3-27-13final, Development Agreement Draft 3-5-13final, 1-15-2013 City Planning Commission Minutes-413 E Huron Project, 2-5-2013 City Planning Commission Minutes-413 E Huron Project, 413 E Huron - new trash proposal, 12327Solar study, Plan Set 03-28-13, H. Scott Diels Communication, Letter_City Council 3.29.13.pdf, Ltr to Mayor and City Council Members, ltr from Norman Hyman dated 3-14-13
(Postponed from the 3/18/13 and 4/1/13 regular sessions) (Development Agreement Updated 4/12/13) (See PH-3)

DB New Business - Boards and Commissions:

- DB-3 [13-0326](#) Resolution to Approve Theta Delta Chi Site Plan, 700 South State Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 2/21/13 Planning Staff Report, 2/21/13 Planning Commission Minutes
(See PH-2)

DS New Business - Staff:

- DS-1 [13-0278](#) Resolution to Establish a Contingency Budget for the Facilities Renovations Project at the Wastewater Treatment Plant (\$9,978,874.00)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
- DS-2 [12-1571](#) Resolution to Approve a Contract with Hubbell, Roth & Clark, Inc. for Design of Pump Replacement at the Wastewater Treatment Plant (\$122,595.00)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
- DS-3 [13-0256](#) Resolution to Submit Funding Applications Under the Local Bridge Program to Perform Preventative Maintenance on Three City Bridges
(Project Management - Craig Hupy, Public Services Area Administrator)
- DS-4 [13-0275](#) Resolution to Amend the Emergency Purchase Order with Waste Management, Inc. for the Dexter Avenue Improvements Project (\$7,500.00)
(Project Management Services - Craig Hupy, Public Services Area Administrator)
- DS-5 [13-0225](#) Resolution to Approve Payment to Ultimate Software Group for Annual Maintenance and Support for FY2013 (\$42,000.00) and FY2014 (\$220,000.00)
(Information Technology Services - Dan Rainey, IT Director)
- DS-6 [13-0274](#) Resolution to Purchase Vacant Property Located on Meadowcreek Drive, Owned by Windy Crest Partnership, and Appropriate \$95,500.00 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: Windy Crest Property Location Map.pdf, Windy Crest Property Aerial Map.pdf
- DS-7 [13-0371](#) Resolution to Approve a Transportation Alternatives Program Grant Application to SEMCOG and MDOT to Fund Improvements to the 721 N. Main Site
(Community Services - Sumedh Bahl, Community Services Administrator)
- DS-8 [13-0370](#) Resolution to Approve a Grant of Easement through Riverside Park to DTE Electrical Company for Electrical Utility Service **(8 Votes Required)**
(City Attorney Services - Stephen Postema, City Attorney)
Attachments: DTE Riverside Park Grant of Easement

E COMMUNICATIONS FROM THE MAYOR

E-1 [13-0363](#) Appointments - Confirmations
(Mayor's Office)

E-2 [13-0461](#) Appointments & nominations April 15, 2013
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL**F WRITTEN 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 [13-0411](#) Notice of Public Hearings of the Drainage Board of Washtenaw County scheduled for April 17, 2013, at the Office of the Washtenaw County Water Resources Commissioner
Attachments: Notice of Public Hearings for Projects with Washtenaw County

H-2 [13-0412](#) Communication from Scio Township Zoning Board of Appeals regarding Notice of Public Hearings on Matters Pursuant to the Scio Township Codified Zoning Ordinance of 2009
Attachments: Scio Twp Public Hearing Notice

H-3 [13-0413](#) Communication from Comcast regarding the Realignment of HD Programming Line-Up
Attachments: Comcast Communication

H-4 [13-0432](#) Communication from Mark Henry, Chair of the Arts Alliance regarding the Proposed Amendments to Chapter 7, Downtown Development Authority
Attachments: Communication regarding the DDA Ordinance
(Added 4/11/12)

H-5 [13-0462](#) Communication from Christopher Graham regarding 413 E. Huron Street Proposed Site Plan
(City Clerk Services)
Attachments: Chris Graham Communication
(Added 4/15/13)

- H-6 [13-0463](#) Communication from Ilene R. Tyler regarding the proposed 413 E. Huron Street Site Plan
(City Clerk Services)
Attachments: Communication from Ilene R. Tyler
(Added 4/15/13)
- I **The following minutes were received for filing:**
- I-1 [12-1623](#) Zoning Board of Appeals Meeting Minutes of October 24, 2012
(Planning and Development Services)
Attachments: 10-24-2012 ZBA Approved Meeting Minutes.pdf
- I-2 [13-0076](#) Zoning Board of Appeals Meeting Minutes of December 19, 2012
Attachments: 12-19-2012 ZBA Approved Meeting Minutes.pdf
- I-3 [13-0129](#) Greenbelt Advisory Commission Meeting Minutes of December 6, 2012
Attachments: 12-06-12 GAC Minutes
- I-4 [13-0187](#) Park Advisory Commission Meeting Minutes of January 15, 2013
(Park Advisory Commission)
Attachments: 1-15-2013 PAC Minutes with Live links to Agenda Items.pdf
- I-5 [13-0290](#) Airport Advisory Committee Minutes - January 16, 2013
(Financial and Administrative Services - Matthew J Kulhanek, Manager)
Attachments: AAC minutes 011613.pdf
- I-6 [13-0329](#) Ann Arbor Public Art Commission Meeting Minutes - January 23, 2013
(Public Services - Craig Hupy, Public Services Area Administrator)
Attachments: January 2013 Meetings Minutes.pdf
- I-7 [13-0380](#) Cable Communications Commission Meeting Minutes of October 23, 2012
Attachments: CCCMinutesOct232012
- I-8 [13-0405](#) Public Market Park Advisory Commission Meeting Minutes - 2012 and January 2013
(Parks and Recreation Services - Sarah DeWitt)
Attachments: 1.26.12 PMAC Minutes, 8.16.12 PMAC Minutes, 9.20.12 PMAC Minutes, 10.18.12 PMAC Minutes, 11.15.12 PMAC Minutes, 12.20.12 PMAC Minutes, 1.17.13 PMAC Minutes

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

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).

ADJOURNMENT**COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**

LIVE: MONDAY, APRIL 15, 2013, 7:00 P.M.

REPLAYS: TUESDAY, APRIL 16, 2013, 10:00 A.M. AND FRIDAY, APRIL 19, 2013, 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- **Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/Vid eoOnDemand.aspx**
- **Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.**

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104

Requests need to be received at least forty-eight (48) hours in advance of the meeting.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's office.