



# City of Ann Arbor

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

## Meeting Agenda City Council

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Monday, May 13, 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.

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(Continued from May 6, 2013)

### CALL TO ORDER

### D MOTIONS AND RESOLUTIONS

#### DB Unfinished Business - Boards and Commissions:

- 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, 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,  
Communication from Attorney Patrick Lennon, Communication from  
Susan Friedlaender dated may 6, Conor McNally of Carter letter dated  
May 3, 2013

- 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

#### DS Unfinished 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 [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)

## E COMMUNICATIONS FROM THE MAYOR

### Unfinished Business:

- E-1 [13-0363](#) Appointments - Confirmations  
(Mayor's Office)
- E-2 [13-0461](#) Appointment - Confirmations  
(Mayor's Office)

### **END OF UNFINISHED BUSINESS FROM APRIL 15, 2013 EXCLUDING CLERK'S REPORT (H&I ITEMS)**

## C ORDINANCES - FIRST READING

### New Business - Council:

- C-2 [13-0505](#) An Ordinance to Amend Sections 1:272, 1:274, 1:277, and 1:278 of Chapter 12 (Financing Local Public Improvements) of Title I of the Code of the City of Ann Arbor  
(Public Services - Craig Hupy, Public Services Area Administrator)  
**Sponsors:** Briere, Kailasapathy and Kunselman  
**Attachments:** Chapters 12 rev - 5-6-13, Improvement Charge Comparisons.pdf
- C-3 [13-0516](#) An Ordinance to Amend Chapter 8 (Organization of Boards and Commissions) and Chapter 24 (Public Art) of Title I of the Code of the City of Ann Arbor  
(City Council)  
**Sponsors:** Public Art Task Force  
**Attachments:** Chapter 8 Chapter 24 revisions Council form, Public Art - Staff memo

**New Business - Staff:**

- C-4 [13-0369](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.22 Acres from R3 (Townhouse Dwelling District) to R1B (Single-Family Dwelling District), Parkway Place, 490 Huron Parkway (CPC Recommendation: Denial - 5 Yeas and 1 Nay)  
(Community Services - Sumedh Bahl, Community Services Area Administrator)  
**Attachments:** Parkway Place Rezoning Ordinance, 12/18/12 Planning Staff Report, 12/18/12 Planning Commission Minutes
- C-5 [13-0423](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.0 Acres from O (Office District) to C3 (Fringe Commercial District), State Street Center, 3945 S. State Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)  
(Community Services - Sumedh Bahl, Community Services Area Administrator)  
**Attachments:** State Street Center Rezoning Ordinance, 4/2/13 Planning Staff Report, Planning Commission Minutes 04-02-13 State Street Center, Planning Commission Minutes 03-19-13 State Street Center

**D MOTIONS AND RESOLUTIONS****DB New Business - Boards and Commissions:**

- DB-4 [13-0366](#) Resolution to Approve Hideaway Lane Planned Project Site Plan and Development Agreement, 2000 Traver Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)  
(Community Services - Sumedh Bahl, Community Services Area Administrator)  
**Attachments:** 3/19/13 Planning Staff Report, 3-29-13 Draft Development Agreement, Site Plan Alternatives Analysis, Architectural Sketches, Planning Commission Minutes 03-19-13 Hideaway Lane.pdf

**DS New Business - Staff:**

- DS-4 [13-0494](#) Resolution to Accept and Appropriate Federal Grant Funds and Approve a Sub-Contract Between the Regents of the University of Michigan Issued under USDOT Contract in Support of the Safety Model Deployment Project (\$622,884.00) **(8 Votes Required)**  
(Financial and Administrative Services - Tom Crawford, CFO)  
**Attachments:** City of Ann Arbor - 300xx - Sayer F029008 (sub of F028723)

- DS-5 [13-0389](#) Resolution to Approve a Contract with Riteway Fence Inc. for the Installation of Gates and Fencing at the Ann Arbor Airport (ITB #4275) (\$139,582.50)  
(Fleet & Facilities Services - Craig Hupy, Public Services Administrator)  
**Attachments:** ITB 4275 - Bid Tab.pdf, Riteway bid.pdf
- DS-6 [13-0508](#) Resolution to Approve Agreement between the City of Ann Arbor and the Regents of the University of Michigan for Right-of-Way Occupancy by Conduit Facilities within Tappan Street **(8 Votes Required)**  
(Public Services - Craig Hupy, Public Services Area Administrator)  
**Attachments:** ROW Tappan.pdf
- DS-7 [13-0374](#) Resolution to Approve a 5-year Services Agreement with Coca-Cola Refreshments for Cold Beverage Concessions in Various City of Ann Arbor Parks and Recreation Facilities (Estimated Expenditure \$25,000.00 Annually)  
(Community Services - Sumedh Bahl, Community Services Area Administrator)  
**Attachments:** RFP 848 COLD BEVERAGE final.pdf
- DS-8 [13-0286](#) Resolution to Approve Miller Avenue Improvements - Sidewalk and Curb & Gutter Special Assessment Project - Resolution No. 2  
(Project Management Services - Craig Hupy, P.E., Public Services Area Administrator)  
**Attachments:** Special Assessment Map, Miller\_Special Assessment Table\_FINAL
- DS-9 [13-0417](#) Resolution to Approve Miller Avenue Improvements - Sidewalk, Curb and Gutter Special Assessment Project - Resolution No. 3  
(Financial and Administrative Services - Tom Crawford, Finance and Administrative Services Area Administrator)  
**Attachments:** Miller\_Special Assessment Table\_FINAL
- DS-10 [13-0480](#) Resolution to Approve a Contract with Phoenix Safety Outfitters for Purchase of Fire Department Personal Protective Firefighting Turnout Gear (NTE \$150,000.00/3yrs)  
(Fire Services - John Seto, Safety Services Area Administrator)  
**Attachments:** ITB 4277 Bid Tabulation

- DS-11 [13-0495](#) Resolution to Accept and Approve the 2012 Assistance to Firefighters Grant from the U.S. Department of Homeland Security to the Ann Arbor Fire Department (\$87,876.00), Appropriate Matching Grant Funds to the Fire Service FY 13 budget (\$21, 969.00), Establish and Appropriate Funding to a Major Grant Fund Account for the Project (\$109,845.00) **(8 Votes Required)**  
(Fire Services - Chuck Hubbard, Fire Chief)

#### E COMMUNICATIONS FROM THE MAYOR

- E-3 [13-0554](#) Appointments & nominations  
(Mayor's Office)

#### COMMUNICATIONS FROM COUNCIL

#### F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

- F-1 [13-0414](#) First Quarter 2013 Investment Portfolio Report  
(Financial and Administrative Services - Matthew V. Horning, Treasurer)  
**Attachments:** 2013 Q1 Portfolio Report

#### G COMMUNICATIONS FROM THE CITY ATTORNEY

- G-1 [13-0390](#) Annexation of Summit Townhomes Property, 3.32 acres, located at 2081 E. Ellsworth Road  
(City Attorney Services - Stephen K. Postema)  
**Attachments:** Summit Townhomes Annexation Sec of State letter.pdf
- G-2 [13-0392](#) Annexation of McMullen Property, located at 3100 Geddes Ave.  
(City Assessor Services - Stephen L. Postema)  
**Attachments:** McMullen Annexation Sec of State Letter.pdf
- G-3 [13-0391](#) Annexation of Max Property, located at 2503 Victoria Ave.  
(City Assessor Services - Stephen K. Postema)  
**Attachments:** Max Annexation Sec of State Letter.pdf

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

- H The following communications were referred as indicated:

**Unfinished Business:**

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

**New Business:**

- H-7 [13-0507](#) Kocher Annexation and Zoning  
(Community Services - Sumedh Bahl, Community Services Administrator)  
**Attachments:** Kocher Memo to Council.pdf
- H-8 [13-0503](#) Report on Public Art at the Ann Arbor Bridges Reconstruction Public Forum  
(Public Services - Craig Hupy, Public Services Admonostrator)  
**Attachments:** A2 Bridges Feedback.pdf

- H-9     [13-0513](#)     Communication from Scenic Michigan regarding Support for Permanent Moratorium of Digital Billboards  
(City Clerk Services)  
**Attachments:**     Scenic MI Support Digital Billboards Support Letter
- H-10    [13-0514](#)     Communication from the City of Ypsilanti regarding a Resolution to the Ann Arbor Transportation Authority  
(City Clerk Services)  
**Attachments:**     City of Ypsilanti Communication
- H-11    [13-0518](#)     Second Quarter reports for AATA  
(City Clerk Services)  
**Attachments:**     AATA Report to treasurer, AATA Operating statement, AATA Notes for operating statement, AATA Quarterly Cash and Investment report 3 31 2013, AATA Performance report by mode, AATA Q2 service standard report
- H-12    [13-0519](#)     Communication from St. Paul Lutheran Church regarding the Use of St. Paul as a Polling Place  
(City Clerk Services)  
**Attachments:**     St. Paul Lutheran Church and School Communication
- H-13    [13-0526](#)     Parks Advisory Commission and Public Market Advisory Commission Recommendations Resolutions for FY14 and FY15 Proposed Budgets  
(Community Services - Sumedh Bahl, Community Services Administrator)  
**Attachments:**     2014 Parks and Recreation Budget Resolution.pdf, PMAC Resolution on the FY 2014 Proposed Budget 2015 Proposed Plan for Farmers Market.pdf
- H-14    [13-0527](#)     Communication from Pittsfield Township Clerk Alan Israel regarding a Public Hearing Scheduled for May 22, 2013 to Consider the Establishment of a Corridor Improvement Authority  
(City Clerk - Jacqueline Beaudry)  
**Attachments:**     pittstwp pub hearing notice
- H-15    [13-0539](#)     Communication from Todd McWilliams, General Manager of Adams Outdoor Advertising regarding the Proposed Signs and Outdoor Advertising Ordinance  
**Attachments:**     Ann Arbor City Council Packet Information\_5-3-13.pdf

- H-16 [13-0556](#) Communication from Conor McNally of Carter Development, titled Responses to Public Comment - 413 E. Huron, dated May 3, 2013  
**Attachments:** Response to Public Comment - 413 E Huron - 5 3 2013.pdf
- H-17 [13-0558](#) Communications dated May 2 and May 6, 2013 from Norman Hyman regarding 413 E. Huron St.  
**Attachments:** May 6 Letter to Mayor and City Council Members, May 2 Letter to Mayor and City Council Members
- H-18 [13-0560](#) Communication from Robert Gunzel regarding DDA Ordinance  
**Attachments:** DDA letter to Council
- H-19 [13-0564](#) Communication from Tom Murray, owner of Conor O'Neill's regarding the DDA Ordinance  
**Attachments:** Communication from Conor O'Neill's

**I The following minutes were received for filing:**

**Unfinished Business:**

- 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

**New Business:**

- I-9     [13-0266](#)     Historic District Commission Meeting Minutes of the February 14, 2013  
(Planning and Development Services)  
*Attachments:*    2-14-2013 HDC Minutes with Live Links to Agenda Items.pdf
- I-10    [13-0379](#)     Greenbelt Advisory Commission Meeting Minutes of September 6, 2012 and February 6, 2013  
*Attachments:*    09-06-12 GAC Minutes, 02-07-13 GAC Minutes
- I-11    [13-0383](#)     Council Rules Committee Meeting Minutes of April 1, 2013  
*Attachments:*    Council Rules Committee Minutes 4-1-13 Draft, Council Rules Committee Minutes 4-1-13
- I-12    [13-0400](#)     Downtown Area Citizens Advisory Council Meeting Minutes - April 2, 2013  
(DDA - Susan Pollay, Executive Director)  
*Attachments:*    Downtown Area Citizens Advisory Council Meeting Minutes 040213
- I-13    [13-0401](#)     Downtown Development Authority Meeting Minutes - March 6, 2013  
(Downtown Development Authority - Susan Pollay, Executive Director)  
*Attachments:*    DDA Minutes 3-6-13
- I-14    [13-0421](#)     Audit Committee Meeting - April 2, 2013  
(Financial and Administrative Services - Tom Crawford, CFO)  
*Attachments:*    Audit Committee Minutes 040213

- I-15    [13-0427](#)    Ann Arbor Public Art Commission Meeting Minutes - February and March 2013  
(Public Services - Craig Hupy, Public Services Area Administrator)  
**Attachments:**    AAPAC Meeting Minutes - February 2013.pdf, AAPAC Meetings Minutes - March 2013.pdf
- I-16    [13-0434](#)    Housing and Human Services Advisory Board (HHSAB) December to February Meeting Minutes  
**Attachments:**    HHSAB Minutes -- 2-12-13 FINAL.pdf, HHSAB Minutes -- 1-8-13 FINAL.pdf, HHSAB Minutes -- 12-18-13 FINAL.pdf
- I-17    [13-0441](#)    March 5, 2013 City Planning Commission Meeting Minutes  
(Planning and Development Services)  
**Attachments:**    3-5-2013 City Planning Commission Minutes with Live Links.pdf
- I-18    [13-0473](#)    Council Labor Committee Meeting Minutes of April 15, 2013  
**Attachments:**    council labor committee minutes 4-15-13
- I-19    [13-0478](#)    Human Rights Commission Meeting Minutes of March 13, 2013  
(Human Resources - Robyn Wilkerson, Director)  
**Attachments:**    HRC Meeting Minutes 3-13-13.pdf
- I-20    [13-0479](#)    Ann Arbor Commission on Disabilities Meeting Minutes of March 20, 2013  
(Human Resources - Robyn Wilkerson, Director)  
**Attachments:**    Disabilities Minutes 032013.pdf
- I-21    [13-0397](#)    Historic District Commission Meeting Minutes of the March 14, 2013  
(Planning and Development Services)  
**Attachments:**    3-14-2013 HDC Minutes with Live Links to Agenda Items and Video.pdf

**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, MAY 13, 2013, 7:00 P.M.**

**REPLAYS: TUESDAY, MAY 14, 2013, 10:00 A.M. AND FRIDAY, MAY 17, 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](http://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/VideoOnDemand.aspx](http://www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.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](mailto: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.