



CITY OF ANN ARBOR – PARKS ADVISORY COMMISSION
MEETING MINUTES
May 19, 2009

The regular meeting of the Park Advisory Commission was held on Tuesday, May 19, 2009 at 4:00 p.m. in the Washtenaw County Administrative Building, Public meeting Room, 220 N. Main St. Ann Arbor, Michigan.

I. The meeting was called to order at 4:05p.m. by Chair, L. Berauer.

II. Roll Call:

Members Present: (9) L. Berauer, B. Macomber, D. Barrett, J. Lawter, S. Rosencrans, T. Berla, S. Offen, J. Grand, G. Nystuen

Ex-Officio Members Present: (2) C. Taylor, M. Anglin

Ex- Officio Members Absent: (0) None.

Members Absent: (0) None.

Staff Present: (6) C. Smith, J. Straw, A. Kuras, M Naud, C. Saam, L. Bowen

Guest(s) (17) Numerous speakers spoke on the Argo Dam issue

APPROVAL OF AGENDA – Commissioner Berauer stated the agenda would stand approved.

PUBLIC COMMENTARY - AGENDA ITEMS (3 Minutes per Speaker)

John Satarino spoke on the Argo Dam issue.

Cedric Richner spoke on the Argo Dam issue.

Peter Washabaugh spoke on the Argo Dam issue.

Donald Gray spoke on the Argo Dam issue.

Rich Griffith spoke on the Argo Dam issue.

John Russell spoke on the Argo Dam issue.

Michele Macke spoke on the Argo Dam issue.

Laura Rubin spoke on the Argo Dam issue.

52 **Sarah Rampton** spoke on the Argo Dam issue.

53
54 **Russ Miller** spoke on the Argo Dam issue.

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56 **Mark Breeding** spoke on the Argo Dam issue.

57
58 **Michael Anthony** spoke on the Argo Dam issue and asked if the Argo Dam was built to
59 provide power. M. Anthony also suggested that the Energy Commission be contacted to
60 discuss this issue as well as Homeland Security for possible funding.

61
62 **M. Naud** stated when the Dams were purchased in the 1960's there was not any power
63 being generated.

64
65 **Paul Coosins** spoke on the Argo Dam issue; P. Coosins is a resident of Dexter, MI and
66 wanted to share the experience of removing their Dam with the Commission.

67
68 **Lisa Psarathakis** spoke on the Argo Dam issue.

69
70 **Kurt Hagemeister** spoke on the Argo Dam issue.

71
72 **A - APPROVAL OF MINUTES**

73
74 **A-1 Commissioner Macomber** moved; supported by **Commissioner Rosencrans** to
75 approve the minutes of the April 21, 2009 meeting with noted corrections on page 8,
76 line 397. The minutes of April 21, 2009 were approved unanimously.

77
78 **SPECIAL PRESENTATIONS**

79
80 **PUBLIC HEARINGS – (3 Minutes per Speaker)**

81
82 **B - UNFINISHED BUSINESS**

83
84 **B-1** PAC Resolution to approve revised by-laws

85
86 **L. Berauer** explained that PAC needs a formal resolution approving the
87 changes to the bylaws before they go to Council for review and approval.
88 She asked the Commission to vote on the resolution to approve of the revised
89 by-laws.

90
91 *On a voice vote* **Motion Approved** *unanimously* to approve the revised
92 by-laws.

93
94 **C - NEW BUSINESS**

95
96 **C-1** Resolution to Approve a Partnership Agreement with Community
97 Action Network for Operation of Bryant and Northside Community Centers

98
99 **J. Straw** explained the details of the proposed agreement between the City of
100 Ann Arbor and the Community Action Network.

101
102

103 **J. Straw** read the resolution to the Commissioners.

104
105 On a voice vote **Motion Approved** *unanimously* that City Council approve the
106 proposed agreement between the City of Ann Arbor and the Community
107 Action Network.

108
109 **C-2** Capital Projects Update – Veterans Memorial Ice Arena & Buhr Park Ice Arena
110

111 **A. Kuras** gave a detailed update on upcoming projects to the Commission.

112
113 **B. Macomber** asked if the projects were existing ones

114
115 **C. Smith** stated the Vets project was an existing project from the old capital
116 millage and the Buhr repairs were emergency/unanticipated.

117
118 **S. Rosencrans** asked if the repairs regarding the ice rink at Buhr Park were
119 from normal wear and tear.

120
121 **A. Kuras** stated yes.

122
123 **C-3** Huron River Impoundment Management Plan
124

125 **L. Berauer** stated this issue is very important and does not want the
126 Commission to feel pressured to make a decision today. If further
127 deliberations are needed we can schedule a work session in conjunction with
128 our Land Acquisition Committee meeting the following week. .

129
130 **S. Offen** asked M. Naud to comment on the Homeland Security issues.

131
132 **M. Naud** provided information regarding potential federal funding.

133
134 **C. Saam & A Kuras** spoke on the Argo Dam issue and the potential impact of
135 relocating Argo livery operations.

136
137 **S. Rosencrans** asked C. Saam about the success of the Argo Livery.

138
139 **C. Saam** shared information regarding usage and financials of the Livery.

140
141 **L. Berauer** asked D. Barrett and G. Nystuen to summarize the resolution they
142 prepared recommending that Argo Dam not be removed.

143
144 **D. Barrett** summarized the proposed resolution (shown in full starting at line 340) to
145 the Commission

146
147 **L. Berauer** asked S. Rosencrans and B. Macomber to summarize the resolution
148 recommending that Argo Dam be removed.

149
150 **S. Rosencrans** summarized the proposed resolution (**shown in full below**) to the
151 Commission.

Park Advisory Commission Resolution
Regarding The Huron River Impoundment Management Project
Recommendations With Respect To The Stewardship Of The Huron River In
Ann Arbor

Whereas, the Huron River Impoundment Management Project Committee of the Environmental Commission (HRIMP) has developed recommendations for the stewardship of the Huron River in the Ann Arbor area that affect Parks and Recreation facilities and Natural Areas and,

Whereas, HRIMP did not provide a specific recommendation for the future disposition of Argo Dam which has been deemed by the Michigan Department of Environmental Quality to be damaged and in need of repair or removal and,

Whereas, the Park Advisory Commission concurs with the findings of the HRIMP report in every other respect and,

Whereas, Argo Dam's current sole purpose is to create an impoundment for recreational activities and,

Whereas, the removal of Argo dam would improve the natural habitat, biology, and overall ecology of a stretch of the river system in Ann Arbor and,

Whereas, the removal of Argo Dam would require the relocation of the rowing community constituency but would enhance the recreational activities of a greater number of other facilities users who desire a flowing riverine environment rich with a greater number of aquatic and avian species and,

Whereas, the three other impoundments within the system are able to satisfy the needs for recreation of those users who desire flat, slow moving water and a pond-like setting and,

Whereas, the rowing community of organized teams that represent area High Schools, a community based club, and the men's Crew team from the University of Michigan, which includes approximately six hundred participants, has established facilities on the shore of Argo Pond and would need to be relocated to new, suitable facilities on other impoundments in order to remain a viable presence in Ann Arbor and,

Whereas, the Park Advisory Commission believes, as a whole, that the rowing community is an important asset to the city because it provides a self funded opportunity for participation in a healthy activity that is the most popular sport at all of the area's High Schools and includes all interested applicants and,

Whereas, Argo Pond is difficult for non-rowers to use when the rowing crews are practicing or racing due to marine right of way rules giving the rowers the right of way through the majority of the non weed infested waters on the pond, and

Whereas the rowing clubs have multiple boats that require megaphone use for coaching, the sound of which carries across the Pond and into surrounding neighborhoods, and

Whereas the rowing clubs use gasoline motored launches to coach crew boats which are known to regularly violate the "no wake" impoundment rule and,

Whereas, the Park Advisory Commission believes that it is possible with careful investigation, cooperation, and diplomacy to find suitable locations for the establishment of rowing facilities at other impoundments within the city's purview to meet the needs of the rowing community and,

Whereas, the projected costs over twenty years for the activities and consequences for either removing Argo Dam or repairing it in place are similar and,

Whereas, the use of funds to remove the dam represent a one-time investment and the use of estimated funds to repair the dam does not include the replacement of said dam due to the finite nature of the length of life for any dam and,

Whereas City staff have proposed the creation of a canoe livery just below Barton Dam which would create a longer river trip between it and the Gallup livery. Such trips are very popular and are one of the few current sources of financial break-even park activities currently offered by the City and,

Whereas the new river stretch would be faster water with intermittent gentle rapids and would likely draw boaters looking for white water opportunities from near and far to downtown Ann Arbor and,

Whereas a further parks consideration is the potential to create an affordable and safe railroad crossing at the northern end of Bandemer Park thus greatly enhancing the safety and accessibility of

biking and walking trails between the City and Skyline High School, Bird Hills Nature Area, Barton Park, and the Border to Border Trail and,

Whereas currently it is estimated it would cost several million dollars to build an underpass under the tracks between Bandemer Park and Huron River Drive. But if the dam were removed it is possible that the river level would drop enough to allow for a walkway under the railroad trestle similar to the walkway under the trestle just below Barton Dam.

Such a walkway would likely be significantly less expensive than an underpass and therefore more affordable in the near future to build. Particularly as Skyline attendance ramps up, a safer pedestrian path to negotiate the railroad tracks is highly desirable and should be created as soon as possible and,

Whereas, it has been pointed out by both the Huron River Watershed Council and the County Water Resources Commissioner, that removing the dam will create a longer stretch of fast water river. This provides for natural control and remediation of sediment, weeds and algae, and run-off pollutants such as phosphorous. It will also create a cooler water habitat thus providing an environment for a wider range of healthier fish and animals. Further, according to the Water Resources Commissioner, it is expected that dam removal will create substantial floodplain and stream buffer which can provide flood storage and protect water quality.

Resolved, that the Park Advisory Commission recommends that a targeted study be done of the Bandemer Park to Huron River Drive railroad crossing study to identify whether dam removal would allow a walkway under the adjacent trestle and whether this would be less expensive than the underpass which was recently proposed by a consultant's study and,

Resolved that the Park Advisory Commission recommends that as long as there are rowing clubs using impoundments within the city's purview for their activities that the new River Stewardship Committee, as proposed in the HRIMP recommendations, formulate an appropriate fee structure, shared use plan and schedule, and set a deadline for all megaphone use to be phased out. Such a body should also work to formulate a coaching strategy that will not entail violations of the "no wake" impoundment rule and,

Resolved, that the Park Advisory Commission recommends the removal of Argo Dam because of the potential for improvement of the recreational and natural environment in the area affected by the existence of said facility and,

Resolved, that the Park Advisory Commission recommends that Argo Dam be removed in order to enhance the number of aquatic and avian species that would enrich the environment and for whom the removal of the dam would create a more sustainable habitat and,

Resolved, that the Park Advisory Commission believes that there is adequate remedy to those parties for whom the removal of the dam would create inconvenience or a change of location and,

Resolved that the Park Advisory Commission recommends the immediate commencement of an investigation to determine adequate new locations for the establishment of rowing facilities on other impoundments that are of an equal nature to the existing facilities on Argo Pond and that such facilities be operational before the removal of Argo Dam.

L. Berauer asked commissioners to share their recommendations as to whether or not Argo Dam should be removed with the commission. All 9 members proceeded to do so.

J. Grand moved the Commission vote on the Resolution presented by D. Barrett and G. Nystuen supported by J. Lawter.

B. Macomber suggested friendly amendments (seen below) be included in the final Resolution.

Whereas, Argo Pond is difficult for non-rowers to use when the rowing crews are practicing or racing due to marine right of way rules giving the rowers the right of way through the majority of the non weed infested waters on the pond, and

Whereas the rowing clubs have multiple boats that require megaphone use for coaching, the sound of which carries across the Pond and into surrounding neighborhoods, and

Whereas the rowing clubs use gasoline motored launches to coach crew boats which are known to regularly violate the "no wake" impoundment rule and,

Resolved that the Park Advisory Commission recommends that as long as there are rowing clubs using impoundments within the city's purview for their activities that the new River Stewardship Committee, as proposed in the HRIMP recommendations, formulate an appropriate fee structure, shared use plan and schedule, and set a deadline for all megaphone use to be phased out. Such a body should also work to formulate a coaching strategy that will not entail violations of the "no wake" impoundment rule

It was moved and supported to accept the friendly amendments to be included in the final resolution.

L. Berauer asked the Commission to vote on the suggested friendly amendments.

Ayes: (9) **L. Berauer, T. Berla, S. Offen, J. Grand,
J. Lawter, D. Barrett, S. Rosencrans, B. Macomber
G. Nystuen**

Nays: (0) **None**

Absent: (0) **None**

*On a voice vote – **Motion Passed** for the suggested amendments to be added to the proposed Resolution*

There was detailed discussion among the Park Advisory Commission members regarding the value of providing a minority opinion to Council as the vote was so close and the issue is so sensitive. The Park Advisory Commission members were in agreement on providing Council a minority report.

C. Taylor stated it is a good idea to communicate the minority opinion and that it would be helpful for Council to receive this.

L. Berauer asked the Commission to vote on the Resolution to keep the Argo Dam in with the suggested amendments

**PARK ADVISORY COMMISSION
RESOLUTION ON THE REPORT AND RECOMMENDATIONS OF THE
HURON RIVER IMPOUNDMENT MANAGEMENT PLAN**

WHEREAS, the Huron River Impoundment Management Plan (HRIMP) Committee has produced a report with recommendations on the management of the four dams owned by the city on the Huron River, and

WHEREAS, the Park Advisory Commission (PAC) supports many of the recommendations, and

353 WHEREAS, the hearings and communications since the April release of the HRIMP report have
354 produced additional information and options for the repair of the headrace and earthen
355 embankment below Argo dam that offer the potential of the least expensive course of action to
356 meet the immediate requirements of the state¹ as well as improvements in the access to
357 pathways and use by canoes and kayaks while continuing the other water recreational uses,
358 including the four rowing teams, and

359 WHEREAS, the implementation of the HRIMP recommendations will require significant
360 additional staff and capital expenditure from Parks & Recreation, Parks Operations, and Natural
361 Area Preservation that are not reflected in the budgets to be adopted for 2010 and 2011, and

362 WHEREAS, the HRIMP report recommends two courses of action with regard to Argo dam, 1)
363 remove Argo dam, or 2) leave the dam and Argo Pond as is, but make necessary repairs to the
364 headrace and embankment² by using the hybrid solution without the whitewater component, and

365 WHEREAS, either of the two courses will require substantial funding and time for completion in
366 a period of extreme financial pressure from the national, state and local recession that is
367 projected to result in a General Fund deficit of approximately 8 million or 10% of the General
368 Fund for FY10 and FY11 combined, and will require significant cuts to City services in all areas
369 through at least 2010 and 2011, and

370 WHEREAS, "Argo dam is not failing. The structure with the gates is in very good shape and is
371 well maintained. The MDEQ office of dam safety wants us to repair old toe drains along the
372 millrace embankment. Those drains are not working properly but there is no sign of any failure
373 there either. We inspect the dam regularly and have contingency plans in place if any issues are
374 identified." (M. Naud 5-19-2009)

375 WHEREAS, there are alternate solutions for repair and management of the headrace and
376 embankment that leave Argo dam and Argo Pond in their current state as the main element of
377 the most central regional city park, and second most popular park in the city with its open water
378 and view of the river valley, a major entry to the city, with a board walk, pathways, newly
379 completed Bandemer Park with disc golf, picnicking, parking and boating facilities, and

380 WHEREAS, the alternate solutions maintain the option of restoring hydroelectric power
381 generation from Argo Dam in the future when it may again be economically feasible and
382 needed, and

383 WHEREAS, the restoration of the of the middle section of the Huron to a river ecosystem
384 through the City of Ann Arbor is a desirable long term goal, it will require that all four dams be
385 removed, a scenario that is not currently feasible³, and

386 WHEREAS, the removal of Argo dam impoundment that is less than 2 miles from Barton dam
387 and therefore cannot be expected to produce a significant improvement in water quality and
388 biological diversity that would offset the loss of Argo pond, the central park feature for the
389 Downtown and west side of Ann Arbor, and

390 WHEREAS, the current use of Argo pond services four successful rowing programs,
391 A2 Pioneer High, Huron High, AARC & the University of Michigan, programs that have thrived
392 on Argo Pond, their preferred and optimal water space, and

393 WHEREAS, the city of Ann Arbor recently spent over \$300k to develop Bandemere Park and
394 customizing it to accommodate rowing, and

395

396

397 WHEREAS, alternate locations to provide for the rowing community as promised in the HRIMP
398 report face difficult and likely lengthy negotiations and expenses, particularly Barton where there
399 are legal and site issues, and

400 **WHEREAS, Argo Pond is difficult for non-rowers to use when the rowing crews are**
401 **practicing or racing due to marine right of way rules giving the rowers the right of way**
402 **through the majority of the non weed infested waters on the pond, and**

403 **WHEREAS, the rowing clubs have multiple boats that require megaphone use for**
404 **coaching, the sound of which carries across the Pond and into surrounding**
405 **neighborhoods, and**

406 **WHEREAS, the rowing clubs use gasoline motored launches to coach crew boats which**
407 **are known to regularly violate the "no wake" impoundment rule and,**

408 THEREFORE, BE IT RESOLVED that the Park Advisory Commission (PAC) recommends that
409 City Council:

- 410 1) Accept the Huron River Impoundment Management Plan (HRIMP) report, and establish
411 a very broadly based River Stewardship Committee to address:
 - 412 i) aquatic vegetation management that identifies best management practices (BMP) and
413 also funding
 - 414 ii) the questions regarding sedimentation, toxins, water temperature and fisheries for
415 which there is inadequate scientific information to make decisions
 - 416 iii) propose a timeline and costs for sustainable use of the dams and their future removal
417 or replacement, and
- 418 2) Direct the implementation of the HRIMP recommendations that require minimal capital
419 funds and additional staff during 2009-2011, and
- 420 3) Approve immediate engineering appraisal of the alternate options for the repair of the
421 headrace and earthen embankment toe drains below Argo dam that offer the potential of
422 the least expensive courses of action that would meet the immediate requirements of the
423 state, as well as those for a water course or portage for canoes and kayaks, and
- 424 4) Provide funds for additional responsibilities assigned to Parks and Recreation, Park
425 Operations, and Natural Area Preservation that will be required for any adopted
426 recommendations to be implemented in 2009-2011, and
- 427 5) Accept the course of action for Argo dam that retains Argo Dam and Argo Pond with the
428 repair of the toe drains in the embankment below the dam with BMP flow controls, and
429 appropriate design of the water supply to the headrace, and plan to create a water bypass
430 or suitable portage for canoes and kayaks, and
- 431 6) Establish lines of responsibility within the city departments and staff for implementing
432 recommended actions of the Huron River Impoundment Management Plan.

433 **BE IT FURTHER RESOLVED, that the Park Advisory Commission recommends that as**
434 **long as there are rowing clubs using impoundments within the city's purview for their**
435 **activities that the new River Stewardship Committee, as proposed in the HRIMP**
436 **recommendations, formulate an appropriate fee structure, shared use plan and schedule,**
437 **and set a deadline for all megaphone use to be phased out. Such a body should also**
438 **work to formulate a coaching strategy that will not entail violations of the "no wake"**
439 **impoundment rule.**

440

441 A roll call vote was done:

442

443 **Ayes: (5) G. Nystuen, S. Offen, J. Grand,**
444 **J. Lawter, D. Barrett,**

445

446 **Nays: (4) L. Berauer, B. Macomber, S. Rosencrans, T. Berla**

447

448 **Absent: (0) None**

449

450 *On a roll call vote – **Motion Passed** to submit the proposed Resolution to City*
451 *Council with the mentioned amendments included.*

452

453 **D - COMMISSION PROPOSED BUSINESS**

454

455 **E - REPORT FROM PARKS AND RECREATION MANAGER**

456

457 **E-1 Quarterly Financials**

458

459 **F - REPORT FROM MANAGER OF FIELD OPERATIONS**

460

461 **G - REPORT FROM RECREATION ADVISORY COMMISSION**

462

463 **H - REPORTS FROM RELEVANT COMMISSIONS, COMMITTEES, BOARDS AND/OR TASK**
464 **FORCES**

465

466 **I - PUBLIC COMMENTARY – GENERAL (3 Minutes per Speaker)**

467

468 **J - CLOSED SESSION TO DEAL WITH PRIVELEDGED CLIENT ATTORNEY INFORMATION**

469

470 **K - TRANSMITTALS**

471

472 **K-1 City Council Items Update**

473

474 **K-2 Park Project Update**

475

476 **K-3 City of Ann Arbor 2008 – 2013 Park Maintenance and Capital**
477 **Improvements Millage Status**

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479

480 There being no further business to come before the Commission, **Commissioner Berauer**
481 moved that the meeting be adjourned. The regular meeting was adjourned at 7:05 p.m.

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