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TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Tom Crawford, CFO  
Derek Delacourt, Community Services Area Administrator  
Jason Forsberg, Acting Police Chief  
John Fournier, Assistant City Administrator  
Raymond Hess, Transportation Manager  
Craig Hupy, Public Services Area Administrator  
Nick Hutchinson, City Engineer  
Matthew Kulhanek, Fleet & Facilities Manager  
Michael Pettigrew, Treasurer  
Marti Praschan, Chief of Staff, Public Services  
Colin Smith, Parks & Recreation Manager

SUBJECT: February 18 Council Agenda Responses

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DATE: February 13, 2020

**CA-1 - Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 1015 Newport Rd. (\$5,982.00)**

**CA-2 - Resolution Authorizing Water Capital Recovery Charges for 1015 Newport Rd. (\$2,696.00)**

**CA-3 - Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 2680 Geddes Ave. (\$25,954.00)**

**CA-4 - Resolution Authorizing Water Capital Recovery Charges for 3060 Dover Place (\$20,971.00)**

**Question:** Q1. Can you please confirm that the standard rules for these capital recovery charges as defined in the city code are applied for each of these items? Also, please

provide a brief layman's explanation for why the sewer recovery charges are roughly 5 times higher for Geddes than for Newport and why the water recovery charges are almost 8 times higher for Dover Place than for Newport? (Councilmember Lumm)

**Response:** Yes, standard rules for these capital recovery charges as defined in City Code have been applied properly for each item. Recovery charges are calculated based on when the utility main was installed. Connections to mains that were installed prior to December 31, 2014 do not require the additional extension charge. The main for Newport was installed prior to December 31, 2014. The mains for Dover and Geddes were installed after December 21, 2014 and require the additional extension charge component per City Code.

**Question:** Q2. Did Geddes not hook-up to water (just sewer) and Dover Place not hook-up to sewer (just the water) or are the charges for those connections coming later? (Councilmember Lumm)

**Response:** Locations on Geddes have already been connected to water and paid their recovery charges since a water main was previously installed. A sanitary sewer main was installed in 2016 so the Geddes locations are now connecting to sewer.

Locations on Dover have already been connected to sanitary sewer and paid their recovery charges since a sewer main was previously installed. A water main was installed in 2019 so the Dover locations are now connecting to water.

**Question:** Q3. With the recently completed water and sewer project on Riverview/Dover Place, how many properties have indicated to the city they will be connecting to city water and/or sewer? (Councilmember Lumm)

**Response:** There is one City property who has not connected to sewer. There are three City properties who have not connected to water. Per City Code, all City properties are required to connect.

#### **CA-6 – Resolution No. 2 - Barton Drive Water Main Replacement and Resurfacing Project - Sidewalk Special Assessment District #55, Brede Place to Pontiac Trail**

#### **CA-7 - Resolution No. 2 - Barton Drive Water Main Replacement and Resurfacing Project - Sidewalk Special Assessment District #60, Barton at Starwick**

**Question:** Regarding CA-6 and CA-7, I'm assuming the costs listed that form the basis of the assessments is just for the sidewalks and not the crosswalks or other changes. Is that correct, and if so, what explains the fact that the street millage is paying more than half the sidewalk costs in CA-7, but only 36% in CA-6? (Councilmember Lumm)

**Response:** The costs listed on the Special Assessment Rolls for District #55 (Brede Place to Pontiac Trail) and District #60 (around Starwick/Barton intersection) are just for the sidewalks and do not include the crosswalks. Furthermore, the special assessment

costs do not include possible extensive grading, retaining walls, tree removals, or tree plantings, rather only the grading under the proposed sidewalk, the sand subbase, the concrete, and restoration to the grassy areas. The percentage that the Street, Bridge, and Sidewalk millage is paying for sidewalk installation is different in the two districts because District #60 includes a long side lot of one property, for which the City only assesses 50% of the cost; thus the millage has to pay for the remainder.

**Question:** Also on CA-6 and CA-7, it's surprising only one of nine impacted property owners attended the administrative hearing January 23<sup>rd</sup> and that the city has not heard anything from the other eight. When the city mails these notices, does the invitation/notice specify the plan is for them to be assessed, does it include their assessment amount, and what is there anything on the envelope indicating what the mail is about? (Councilmember Lumm)

**Response:** The letter that went out prior to the Administrative Hearing is attached. It did explain that the homeowners were being invited because there is proposed new sidewalk adjacent to their property that they will be assessed for. It stated that a site map and estimate would be shared with them at the meeting, and included a Fact Sheet regarding special assessments, which has language about the "affirmative vote of 8 member of Council" if objections from over 50% of assessed costs are provided to the City Clerk. The site map and estimate were provided to affected homeowners that attended the Administrative Hearing. Those that did not attend received a second letter that was specific to them and included their document. Attached is an example of such letter. All of these mailings were sent in the standard envelope, which says "Engineering; City of Ann Arbor" in the return address location.

**Question:** When will the final cost of the sidewalk be determined? Will it be before/after Resolution 2? (Councilmember Bannister)

**Response** - After Resolution #2. Final costs will be based on bid prices received from contractors. The costs presented as part of Resolution #2 are estimates only.

**Question:** Can we do anything to reduce the cost for us, such as grants? Are costs simply those associated with the work on our property? Are there shared costs? (Councilmember Bannister)

**Response** - There are no grants currently available for this project. The estimated costs provide are those associated with the work at your property specifically. The City does essentially share some of the costs for the work, only assessing for the cost of the grading, base, and concrete for the sidewalk; and not for other ancillary work. Because this work is being done as part of a larger project, there are some cost savings associated with that. For example, the cost for traffic control, and the contractor mobilizing to the project are not included.

**Question:** Our sidewalk seems to be pretty darn simple... no trees to remove, a relatively flat surface, we're imagining the costs being lower than the \$5,600 estimate. (Councilmember Bannister)

**Response:** The cost estimate is based on the costs of recent similar projects completed by the City.

**Question:** Please provide the details on how a petition in opposition from the neighbors could trigger the 8-vote requirement when the sidewalk special assessments come before Council. (Councilmember Bannister)

**Response:** Section 1:290 of the City Code states the following: Any person aggrieved by the special assessment roll or the necessity of the improvement may file objections to the roll in writing with the Clerk prior to the close of the hearing. The written objections shall specify in what respect the person believes him or herself aggrieved. No original assessment roll shall be confirmed except by the affirmative vote of 8 members of the Council if prior to the confirmation written objections to the proposed improvement have been filed by the owners of property which will be required to bear over 50% of the amount of the special assessment.

**Question:** Staff shares the following update re relating to the Barton Drive SAD District. #55 and #60.

Mathilde Spanyol (697 Barton, special assessment district #55) already has a sidewalk on her property, except for a small gap. Her property is listed as having a 240 foot gap. The gap is actually quite small, I would estimate it at less than 20 ft. What do we need to do to correct this in the District #55 report? (Councilmember Bannister)

**Response:** The Parcel Map for 697 Barton Drive has been updated to show 94.7 feet of sidewalk gap to fill with a new cost estimate. This measurement is based off the topographic information collected for design. A Letter will go out to Mathilde Spanyol today. The District #55 Assessment Roll was requested to be updated in Legistar for the upcoming Resolution #2 set for February 18, 2020.

**Question:** The A2Zero plan is being created right now. I am on the Technical Advisory Committee, specifically in the Mobility group. One of our charges is to identify key ways to influence people to choose non-motorized transit and filling in sidewalk gaps is close to the top of the list. Is there any way that A2Zero-related funds can be applied to the Barton sidewalk gap-filling project? (Councilmember Bannister)

**Response:** With the passing by Council of the climate emergency declaration, City Council charged the Office of Sustainability and Innovations with creating a living strategy for how the community could achieve carbon neutrality by the year 2030. This initiative (both the planning and implementation) is known as A2Zero. When passing the declaration, Council did not allocate any additional resources for the implementation of A2Zero but instead tasked the Office with creating a living plan to present to Council by

March 30th. As such, there are no financial resources available through A2Zero at this time to support this project. However, even though no grants are being pursued for the Barton Drive Water Main Replacement and Resurfacing Project to offset the sidewalk special assessment, City Council recently approved Resolution R-19-525 which can allocate up to 50% of the cost of new sidewalks from the City's General Fund. The resolution, which includes the requirements, is attached.

**Question:** At last Thursday's sidewalk assessment meeting (after you left, Anne), the topic of installing bump-outs was brought up by Jane Allen. She drew a sketch for folks to understand what they are, and what the intended function they will serve. (Councilmember Bannister)

**Response:** The bump outs currently proposed are of a non-permanent nature so that the impacts can be observed while still providing for improved pedestrian safety. Please remember that professional engineers are responsible for design, and operate under both regulation by their state of registration and a code of ethics that holds "paramount the safety, health, and welfare of the public" (Nations Society of Professional Engineers).

**Question:** Here's the legistar link to [Resolution R-19-525: Resolution Creating a Resident-Driven Sidewalk Gap-Filling Program and Appropriate \\$150,000.00 from the General Fund, Fund Balance](#). Is it possible to create a "Resident-Driven Sidewalk Gap-Filling Program" and appropriate funds from the allocated \$150,000 for this Barton Dr. sidewalk project? (Councilmember Bannister)

**Response:** Staff is developing the program and when it is appropriate we will be sharing with City Council.

**CA-8 - Resolution to Authorize Professional Services Agreements with Material Testing Consultants, Inc. (\$125,000.00); Testing Engineers & Consultants, Inc. (\$125,000.00); Tetra Tech, Inc. (\$125,000.00); CTI and Associates, Inc. (\$125,000.00) and The Mannik and Smith Group, Inc. (\$75,000.00) for As-Needed Geotechnical and Environmental Services**

**Question:** Regarding CA-8, it's good to see we conducted an RFP for these as-needed services (as opposed to amendments). I understand that having five firms available provides flexibility and agree it makes sense to have that flexibility as long as the hourly rates are comparable for the five – is that the case? (Councilmember Lumm)

**Response:** As part of the proposal review process, staff analyzed the rates submitted by the five companies and found them to be comparable.

**CA-9 - Resolution to Approve the Purchase of a Vehicle from Gorno Ford (MiDeal Bid - \$26,382.00)**

**Question:** Regarding CA-9, it was mentioned to me that we're having difficulty fitting all of the Police equipment into hybrid electric vehicles and for that reason, the officers prefer

gasoline vehicles. Can you please comment on that and do we get the departments' input (in addition to the Green Fleet Committee and the Sustainability Manager)? (Councilmember Lumm)

**Response:** Depending on the use of the vehicle by the Police Department, the space constraints of a smaller vehicle are frequently an issue. Patrol cars are packed with equipment which is why we are using the larger utility vehicles instead of sedans. Other, non-patrol, police vehicles that have specific assignments (accident investigation, crime scene, etc.) usually have space issues as well. The vehicle being purchased under this resolution is a standard detective vehicle which does not have the demanding space needs as many other vehicles. Fleet Services works directly with each department that has a vehicle being replaced to make sure the proposed vehicle meets the department's operational needs. This is in addition to the efforts of the Green Fleet Team and the Sustainability Manager.

**Question:** Also on CA-9, are Ford Fusion's used for patrol (I thought we now used SUV's)? If not, why would non-patrol vehicles be subject to the mileage limitations in the Officer's bargaining unit contract? (Councilmember Lumm)

**Response:** Ford Fusion's are not used as patrol vehicles by the City of Ann Arbor, we are using the larger utility vehicles. The vehicle being purchased under this resolution is a standard detective vehicle. The age and mileage limitations in the police bargaining unit contract are not limited to patrol vehicles. Any vehicle operated by members of the bargaining unit, including detective or special assignment vehicles, are subject to the age and mileage limitation. There are a handful of vehicles, such as event cars, that have been exempted from the limitations via memorandum of understanding between the City and bargaining unit.

**CA-11 – Resolution to Approve the Amendment and Renewal of the City's Contract with Blue Cross Blue Shield of Michigan to Provide Administrative Claims Processing Services and Related Stop-Loss Insurance Coverage Through BCBS Insurance Company for the City's Health Care Plan on Behalf of Employees and Retirees and Their Dependents, and to Authorize the City Administrator to Execute the Necessary Documentation (\$1,871,851.00)**

**Question:** How do the administrative costs and stop-loss coverage costs for 2020 compare with 2019? (Councilmember Lumm)

**Response:** BCBS administrative costs are 3% higher PCPM in 2020 compared to 2019. The stop-loss coverage costs are 12% higher PCPM, and it remains at a specific deductible of \$350,000 per covered person. Although it is an increase in premium, it is lower than the leveraged trend (12%-18%), especially now that it includes coverage for both the medical and pharmacy claims. Stop loss was terminated with BCBSM in 2019 and moved to BCS for 2020, and, as mentioned, now encompasses both medical and pharmacy claims.

**CA-15 – Resolution to Approve a Contract with Stantec Consulting Michigan, Inc. to Provide Lighting Design Services for the Ann Arbor Skatepark (\$38,913.00)**

**Question:** What have been the amounts, dates and purpose given to support the Skate Park since approval of site plan? Please separate general fund and park Millage amounts into different totals if possible.(Councilmember Ramlawi)

**Response:** Funding for the design (\$89,560) of the Skate Park was paid for by the Friends of the Ann Arbor Skate Park. Funding for the construction of the Skate Park came from **multiple sources**:

Funding Source	Amount
Washtenaw County Parks & Recreation Commission	\$400,000
Michigan Department of Natural Resources Trust Fund Grant	\$300,000
<b>City Parks Millage Funding</b>	<b>\$240,433</b>
SRF Stormwater Funds	\$80,000
Feldman Trust Donation for Landscaping	\$32,356
<b>City General Fund from Fairness Resolution</b>	<b>\$22,977</b>
Friends of Ann Arbor Skatepark	\$10,000
Total	\$1,085,766

The City of Ann Arbor and the Friends of the Ann Arbor Skatepark have an agreement for the management and operation of the Skate Park. The City, at its discretion, may decide to contribute to the payment of maintenance and operations for the Ann Arbor Skatepark. At the annual May PAC meeting City staff provide a report that details current fiscal year costs for operating the Skatepark and provide a recommendation as to whether there is available funding to cover these expenses within the current, annual operating budget approved by City Council. PAC then provides their recommendation regarding whether the City will contribute to the maintenance and operations expenses at the May meeting and their decision is final. The Friends have approximately \$105,000 in the

skatepark maintenance endowment fund for future maintenance needs and repairs. To date, staff have recommended that it is prudent for the City to cover costs for annual operating when feasible, thereby allowing the endowment fund to further grow and be available for future needs and more expensive capital maintenance repairs down the road. Annual expenses are paid for from the Parks Millage and reflected in the table below:

Fiscal Year	Operating Expenses
2015	\$4,767
2016	\$5,269
2017	\$27,048
2018	\$11,848
2019	\$17,668*

\*\$7,500 to be reimbursed by Friends of Ann Arbor Skatepark

**Question:** Regarding CA-15, it's great to see the Friends of AA Skateboard Park are raising funds to contribute to the installation of the lighting. Do we have a rough sense of what the purchase and installation of the lighting costs will be and what will be the recommended funding sources? (Councilmember Lumm)

**Response:** A rough estimate is \$175,000 – \$200,000 for purchase and installation of the lights. The Friends of the Ann Arbor Skatepark have raised \$20,000. \$100,000 for the project is available as a result of the Park Fairness resolution funds made available when the FY2020 budget was approved and this design contract is funded from that amount. The balance of the funds required will be sought through grant applications. As the Skate Park is a heavily used regional attraction staff believe there is potential for a grant award.

**CA-16 - Resolution to Approve the North University Avenue Street Fair on North University Avenue between Fletcher Street and South Thayer Street on Saturday, April 4, 2020, from 12:00 p.m. to 6:00 p.m., and to Close North University Avenue from Friday, April 3, 2020 at 11:00 a.m. until Sunday, April 5, 2020 at 6:00 p.m.**  
**(DELETED FROM AGENDA ON 2/10/20)**

**Question:** Regarding CA-16, there were significant, legitimate concerns raised about this event (the timing and the requested street closures) so it's not surprising it has been deleted from the agenda. Has the sponsor given up on the idea for this year or are they trying to work through the issues and if the latter, what is being considered? (Councilmember Lumm)

**Response:** Given the timing and additional challenges, it was agreed that April of 2020 was going to be difficult, at best, so the applicant will put in another application for later in the year.

**B-1 - An Ordinance to Amend Section 1:171 of Chapter 8 (Organization of Boards and Commissions) of the Code of the City of Ann Arbor (Ordinance No. ORD-20-03)**

**Question:** Regarding B-1, what's still not clear to me after the discussion at first reading is whether – if this is adopted - the review of applications to fill vacancies by a designated group and the groups making subsequent recommendations becomes a requirement for all Boards and Commissions that have a City Council member or liaison (or is it just codifying an opportunity to do so)? (Councilmember Lumm)

**Response:** As amended at first reading, all City boards and commissions that have a City Council member or liaison must designate a group to review applications. That group then has the opportunity, but is not required, to submit recommendations to the appointing authority.

**DC-1 – Resolution to Establish City Council Mobility Committee**

**Question:** Please provide a list of all of these entities and their relation to the transportation commission. (Councilmember Griswold)

**Response:** The list below identifies ongoing committees and commissions which focus on mobility issues. It should be noted this is not an exhaustive list since other projects and initiatives may have coordination meetings and other forms of engagement with stakeholders, the public, and internal departments.

- The Transportation Commission (TC) - was established to foster excellence in the planning, design, construction and maintenance of a sustainable and resilient multimodal transportation network for the City of Ann Arbor. The Commission serves as an advisory body to the City Council and the City Administrator on transportation policy with a focus on accessibility, mobility, equity and safety for all.
- Micro-Mobility Committee (TC led) – this is a subcommittee of the Transportation Commission looking at issues like e-scooters and other forms of new micro-mobility.
- Transportation Plan Update Technical Advisory Committee and Community Advisory Committee (City staff led) – these are steering committees for the development of the “Moving Together Towards Vision Zero” transportation plan update. Updates on the Transportation Plan Update are provided to the Transportation Commission as part of the monthly progress updates. Additionally, the consultant has given presentations to the Transportation Commission. A representative of the Transportation Commission serves on the Community Advisory Committee.
- A2Zero Mobility Technical Advisory Committee (City staff led) – a group of community experts assisting with the development of the mobility strategies of the A2Zero Carbon Neutrality strategy. Updates on the A2Zero initiative are provided

to the Transportation Commission as part of the monthly progress updates. Additionally, the Transportation Commission has received presentations about the A2Zero efforts.

- ALT Transportation Committee (City staff led) – this is a recurring meeting with area stakeholders to speak about active transportation initiatives.
- AAATA Board (AAATA led) – provides oversight to the Ann Arbor Area Transportation Authority and the Ride. The AAATA is a voting member on the Transportation Commission.
- AAPS Transportation Safety Committee (AAPS led) – the City participates with other stakeholders in meetings focused on transportation safety issues around area schools. AAPS is a non-voting member on the Transportation Commission.
- WATS Technical Advisory Committee, Federal Aid Committee, and Policy Committee (WATS led) – City staff and representatives and other area agencies provide recommendations on Metropolitan Planning Organization regional transportation issues.
- SEMCOG Bike Ped Committee and Policy Committee (SEMCOG led) – the City and other metro stakeholders provide recommendations on the greater Metropolitan Planning Organization and regional transportation issues.
- Mobility Task Force (SPARK led) – this is a regular coordination meeting with City staff, UM staff, AAATA staff , and SPARK staff
- Washtenaw County Quarterly Transportation Meeting (County led) – internal staff meetings among a cross-section of transportation-related professionals throughout Washtenaw County

Given the definition of mobility management in the resolution, mobility-related issues could also arise under the purview of the Commission on Disability Issues, Planning Commission, Energy Commission, Environmental Commission, Housing and Human Services Advisory Board, Human Rights Commission, Park Advisory Commission, Airport Advisory Committee, Council Policy Agenda Committee, and possibly others. There are also non-City bodies that the City participates in or appoints people to that consider mobility issues, including the AAATA, AAPS Traffic Safety Committee, DDA, WATS, Downtown Area Citizens Advisory Council, Ann Arbor Housing Commission, LDFA, Main Street Business Improvement Zone, SEMCOG, and Washtenaw Metro Alliance. The AAATA, the Commission on Disabilities Issues, Planning Commission, Regional Transit Authority of Southeast Michigan, and AAPS have representatives on the Transportation Commission. Any of these bodies is free to communicate with the Transportation Commission on these matters.

**DC-3 - Resolution Urging the City to Compile and Disseminate Educational and Outreach Materials about Integrated Pest Management (IPM) Best Practices and Turf Grass Reduction Strategies to Owners of Turf Grass within the City**

**Question:** Regarding DC-3, assuming this passes, how would staff plan to circulate these educational materials to the community and what is a rough estimate of staff time involved and cost? (Councilmember Lumm)

**Response:** Public Services Area staff already works in partnership with the Huron River Watershed Council on the education of the community in regards to landscape care for water quality. This education includes information regarding fertilizer use, pesticide use, turfgrass reduction, the use of native plants in the landscape and appropriate landscape care alternatives. A multitude of materials exist in various formats that can be readily disseminated directly to Ann Arbor residents at a materials cost and negligible staff time cost. Staff Time Estimate: 20 hours annually

Community Services Area staff can incorporate educational materials and resources into already existing outreach events and department communications. Staff time estimate: 10-15 hours annually

**Question:** Also on DC-3, the final resolved program mentions a certification program for lawn care practices – can you please elaborate on what that program would look like and is it something other communities have? (Councilmember Lumm)

**Response:** A residential certification already exists in the form of the RiverSafe Home Program (<https://www.washtenaw.org/632/Green-Living>). While the educational focus is on water quality, the RiverSafe Homes program helps to enable Washtenaw County residents to identify water quality protection activities they currently practice around their homes, and to commit to additional pollution prevention practices they may not have considered before.

**DS-1 - Resolution to Appropriate \$5,000.00 from General Fund to Fund Additional Tasks Associated with the Comprehensive Transportation Plan Update Project and to Approve an Amendment to the Professional Services Agreement with Sam Schwartz Consulting, LLC (\$356,670.00) (8 Votes Required)**

**DS-2 - Resolution to Appropriate \$21,700.00 from General Fund to Fund Additional Tasks Associated with the Comprehensive Transportation Plan Update Project and to Approve an Amendment to the Professional Services Agreement with Sam Schwartz Consulting, LLC (\$373,370.00) (8 Votes Required)**

**Question:** Regarding DS-1 and DS-2, in the Sam Schwartz memo that provides the detail for DS-2, Task 5 seems unrelated to this specific pedestrian and cyclist assessment. Can you please confirm that's accurate and what is driving the need for the extra 44 hours in Task 5? (Weren't commission meetings contemplated in the original \$350K contract?) (Councilmember Lumm)

**Response:** Correct. Task 5 as identified in DS-2 is related to increased public engagement at a cost of \$9,000. If so desired, Council could approve Tasks 1-4 (without the added engagement) at a cost of \$12,700. This is clearly articulated in the proposal by Sam Schwartz.

Commission meetings and numerous other forms of public engagement were contemplated in the original contract. The increased proposed public engagement

affords the consultant the opportunity to present the findings of the pedestrian and cyclist assessment as well as supplement other ongoing engagement related to the Transportation Plan Update. Staff believes presenting the specific findings from this extra task to the Transportation Commission is important because of the logical nexus with the Transportation Commission's charge and because Transportation Commission meetings are televised which makes the presentation part of the public record. Public engagement has been a hallmark of this study with thousands of touchpoints with the community through focus groups, pop-up engagements, workshops, public meetings, advisory committees and presentations. Staff and the consultant wish to sustain this level of engagement to the conclusion of the study.

**Question:** Given the timing of this resolution and the requirement of 8 votes because it is outside the normal budget process, would it be preferable to reconsider it in the FY-21 budget cycle? Most of the activities are staff-initiated and do not seem to be time critical. (Councilmember Griswold)

**Response:** Staff cannot answer what would be preferable to City Council. Staff has brought this item forward per Council Resolution [R-19-460](#) and awaits Council's direction.



## CITY OF ANN ARBOR, MICHIGAN

Public Services Area / Engineering  
301 E. Huron Street, P.O. Box 8647  
Ann Arbor, Michigan 48107-8647  
Phone: (734) 794-6410 Fax: (734) 994-1744  
Web: [www.a2gov.org](http://www.a2gov.org)

*Printed on recycled paper*

January 6, 2020

Re: Barton Drive, M14 to Pontiac Water Main Replacement and Resurfacing Project  
Barton Drive Special Assessment Administrative Hearing  
Special Assessment and Temporary Grading Permits  
File No: 2019-005

Dear property owner:

The City of Ann Arbor is designing the 2020 Barton Drive Resurfacing and Water Main Replacement Project. The Project limits are from the M-14 on/off ramp to Pontiac, and the intersection of Barton and Starwick.

As part of this project, construction of new sidewalk has been proposed adjacent to your parcel in the City right-of-way. In accordance with City Code, construction of new sidewalk will be specially assessed to the adjacent property owners. This assessment will be estimated based on historical construction costs for sidewalk construction until the project is bid. The new sidewalks will fill the existing gaps in the sidewalk system at the following locations:

1. Brede to Pontiac
2. Corner of Barton and Starwick

The City may need to request temporary grading permits from property owners in the special assessment district to accommodate related grading work on a portion of parcels adjacent to the City right-of-way. This is not a permanent grant, and the sidewalk will not be constructed on private property. The temporary grading permit will be used for grading purposes to blend the grade of private yards into the new sidewalk, after which any disturbed grass, pavement, or landscaping will be restored. The City is will offer fair value in exchange for temporary grading permits, which can be used to further offset some of the cost of the special assessment.

An administrative hearing has been scheduled for **Thursday, January 23, 2020 from 6:30 pm to 7:30 pm, in the Northside STEAM Multipurpose Room**, at 912 Barton Drive. More information on the proposed project and the special assessment process will be discussed at this meeting, and there will be time for questions and answers. A site map and estimate assessment costs will be shared with each affected property owner at the meeting. In the meantime, we have enclosed a fact sheet regarding special assessments. After the administrative hearing is held, we will share the property owners' thoughts about the sidewalks with City Council in Resolution 2 at a meeting on February 18, 2020.

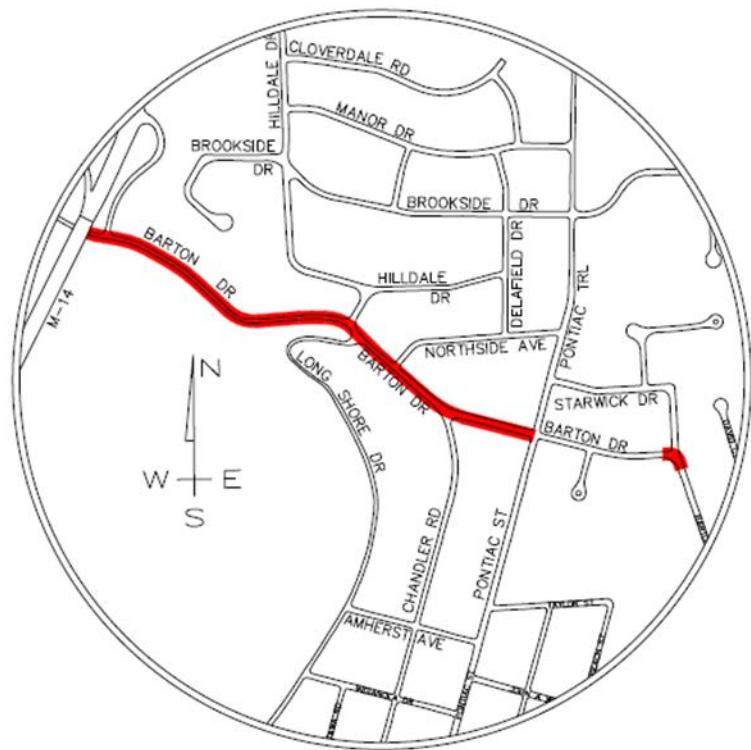
Please contact me at (734) 794-6410 extension 43678 or by e-mail at [jallen2@a2gov.org](mailto:jallen2@a2gov.org) for further questions. More information on the project can be found at [www.a2gov.org/bartondrive](http://www.a2gov.org/bartondrive).

Very truly yours,  
City of Ann Arbor Engineering



Jane K Allen,  
Project Manager

All persons are encouraged to participate in public meetings. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's office at 734.794.6140; via email 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 made with less than two business days notice may not be able to be accommodated.



# THE SPECIAL ASSESSMENT PROCESS FOR THE CITY OF ANN ARBOR

## FREQUENTLY ASKED QUESTIONS (FAQ)

### **What is a special assessment?**

On occasion, City plans identify the need for new additional infrastructure items to be constructed to serve the homes and businesses in our community. Specific examples of these infrastructure items include sidewalks, curb and gutter, road and drive approach pavement, and storm sewer. To pay for these projects, it is the City's policy (from City Code chapters 12 and 13) to distribute the costs on a fair share basis to those properties that benefit from the improvements. These costs are charged to a property owner through a *special assessment* placed on the property as part of a *special assessment district*.

Sanitary sewer and water mains serving single- and two-family residential parcels are charged based on the current fixed improvement charges for those items.

### **How does the special assessment process work?**

The Ann Arbor City Council may authorize charges through a **special assessment process**. To do this, the City Code outlines a process that includes the following steps:

- Resolution 1 – City Council votes to authorize City staff to prepare plans and specifications for the improvements and develop an estimate of the costs, including how much of the cost should be covered by special assessments.
- Administrative Hearing – City staff hosts an informational meeting with the owners of properties that are proposed to be included in the special assessment district.
- Resolution 2 – City Council votes to approve the proposed special assessment district and the estimated amount of costs to be assessed.
- Resolution 3 - City Council votes to direct the City Clerk to mail a notice of the public hearing on the proposed special assessment district to the owners of the properties in the district, and to publish this notice on the City Website. These notices are to be mailed at least 10 days prior to the public hearing.
- Public Hearing – A formal public hearing on the proposed district is held at a regular City Council meeting.
- Resolution 4 – City Council votes to confirm the assessment roll for the special assessment district.
- Resolution 5 – After construction the final cost of the improvement is determined and City Council may adjust the assessments based on that final cost.

### **What is the legal basis for the special assessment process?**

The Ann Arbor Code of Ordinances, which is adopted by City Council, contains Chapter 12: **Financing Local Public Improvements** and Chapter 13: **Special Assessments**. These codes may be found at [www.a2.gov.org](http://www.a2.gov.org) by selecting "City Codes" under the Online Services tab.

### **Can special assessments be paid off in installments?**

Depending on the size of the special assessment, the charges may be paid to the City in yearly payments over an established period of time. If an owner chooses to pay the special assessment over a period of time, each installment will include an amount for interest charged on the balance due. So, the amount of interest that is due drops each year as there is a smaller balance due on the special assessment as payments are made. The interest rate is generally 1% above the average interest rate the City pays for bonds to finance the construction of the improvements. The City Assessor recommends a minimum of \$1200/year, but City Council can extend the pay off period or direct a new minimum. Staff can incorporate this language in Resolution 4 if this option is requested by affected property owners.

A property owner also has the option of paying all or part of the charges up front.

### **When do I pay my special assessment bill?**

The first payment for the special assessment is due on the date included in Resolution No. 4 described earlier. This is generally July 1<sup>st</sup> following the complete construction. For example, if construction was complete in August 2021, then the first payment would be due July 1<sup>st</sup>, 2022. The subsequent installments are due on July 1<sup>st</sup> of each year thereafter. The City Treasurer's Office sends out the bills for these subsequent installments at the same time they send out the summer tax bills.

### **So, is the special assessment part of my taxes?**

No, the special assessment bill is included with the summer tax bill, but it is not a part of a property's taxes.

### **Are there hardship provisions for people who may have difficulty making the payments for a special assessment?**

Under state law MCL 211.763, a special assessment may be deferred until 1 year after death or the property is sold for a person who is:

1. 65 years of age or older (age requirement is waived if you or your spouse are totally and permanently disabled)
2. A US citizen
3. Has total income less than \$19,584 (for the year 2006), and
4. The property has been their homestead for 5 or more years

This is a state program someone interested in applying would complete form 2748 from the State Department of Treasury, [www.michigan.gov/treasury](http://www.michigan.gov/treasury). Instructions, forms, and frequently asked questions can be found specifically here: [https://www.michigan.gov/taxes/0,4676,7-238-43535\\_55602-233204--,00.html](https://www.michigan.gov/taxes/0,4676,7-238-43535_55602-233204--,00.html).

With this program, the State will pay the special assessment and place a lien on the property, and the lien will be subject to 0.5% interest per month (6 percent per year) until the special assessment amount plus interest is repaid to the State.

## **What impact does a special assessment have on my property?**

Special assessments become a lien on the property.

## **Does my special assessment have to be paid off before I sell my property?**

The City does not require early payment of any special assessments owing on a property. If a purchaser is getting a mortgage through a lending institution, the lender may require that the improvement charge be paid off to remove the lien from the property before the mortgage is approved.

## **What if I don't want the proposed improvement?**

If you object to the special assessment or the necessity of the proposed improvement, you may send your objections, in writing, to the City Clerk before the close of the public hearing. The written objections shall specify in what respect the person believes him or herself aggrieved. You may also appear in person before City Council at the time of the public hearing. An affirmative vote of 8 members of the Council is required if written objections to the proposed improvement have been filed by the owners of property which will be required to bear over 50% of the amount of the special assessment.

## **Whom do I contact if I have further questions?**

You may contact the City Assessors Office at:

Location: Guy C. Larcom Municipal Building (City Hall) – Fifth Floor  
301 East Huron Street  
Ann Arbor, MI 48107

Phone: (734) 794-6530  
E-mail: [assessor@a2gov.org](mailto:assessor@a2gov.org)

And if you have questions regarding a specific special assessment project, you may contact the City's Engineering Project Manager, Jane Allen at:

Location: Guy C. Larcom Municipal Building (City Hall) – Fourth Floor  
301 East Huron Street  
Ann Arbor, MI 48107

Phone: (734) 794-6410 ex 43678  
E-mail: [jallen2@a2gov.org](mailto:jallen2@a2gov.org)



## CITY OF ANN ARBOR, MICHIGAN

Public Services Area / Engineering  
301 E. Huron Street, P.O. Box 8647  
Ann Arbor, Michigan 48107-8647  
Phone: (734) 794-6410 Fax: (734) 994-1744  
Web: [www.a2gov.org](http://www.a2gov.org)

*Printed on recycled paper*

January 27, 2020

Andrew Kaufmann  
515 Barton Drive  
Ann Arbor, MI 48105

Re: Barton Drive, M14 to Pontiac Water Main Replacement and Resurfacing Project  
Special Assessment District #55  
File No: 2019-005

Dear Mr. Kaufmann:

We missed you at the Administrative Hearing for Sidewalk Special Assessments associated with the 2020 Barton Drive Resurfacing and Water Main Replacement Project. It was held last Thursday, January 23, 2020 from 6:30 pm to 7:30 pm, in the Northside STEAM Multipurpose Room, at 912 Barton Drive.

Information on the proposed project and the special assessment process was discussed at this meeting, and the presentation that was given is on the project website at [www.a2gov.org/BartonDrive](http://www.a2gov.org/BartonDrive). As part of this project, construction of new sidewalk has been proposed adjacent to your parcel in the City right-of-way. In accordance with City Code, construction of new sidewalk will be specially assessed to the adjacent property owners. Site maps and estimated assessment costs were shared with attending affected property owners. Your site map and estimated assessment costs are enclosed. The estimate is based on historical construction costs for sidewalk construction.

Resolution 2, where City Council votes to approve the proposed special assessment district and the estimated amount of costs to be assessed, will be presented to City Council at the February 18, 2020 meeting.

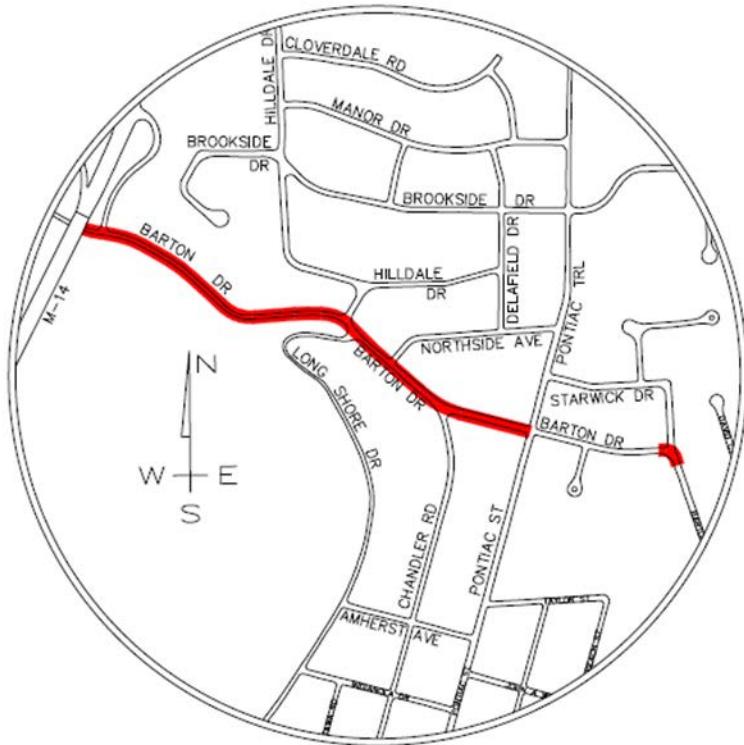
Please contact me at (734) 794-6410 extension 43678 or by e-mail at [jallen2@a2gov.org](mailto:jallen2@a2gov.org) for further questions.

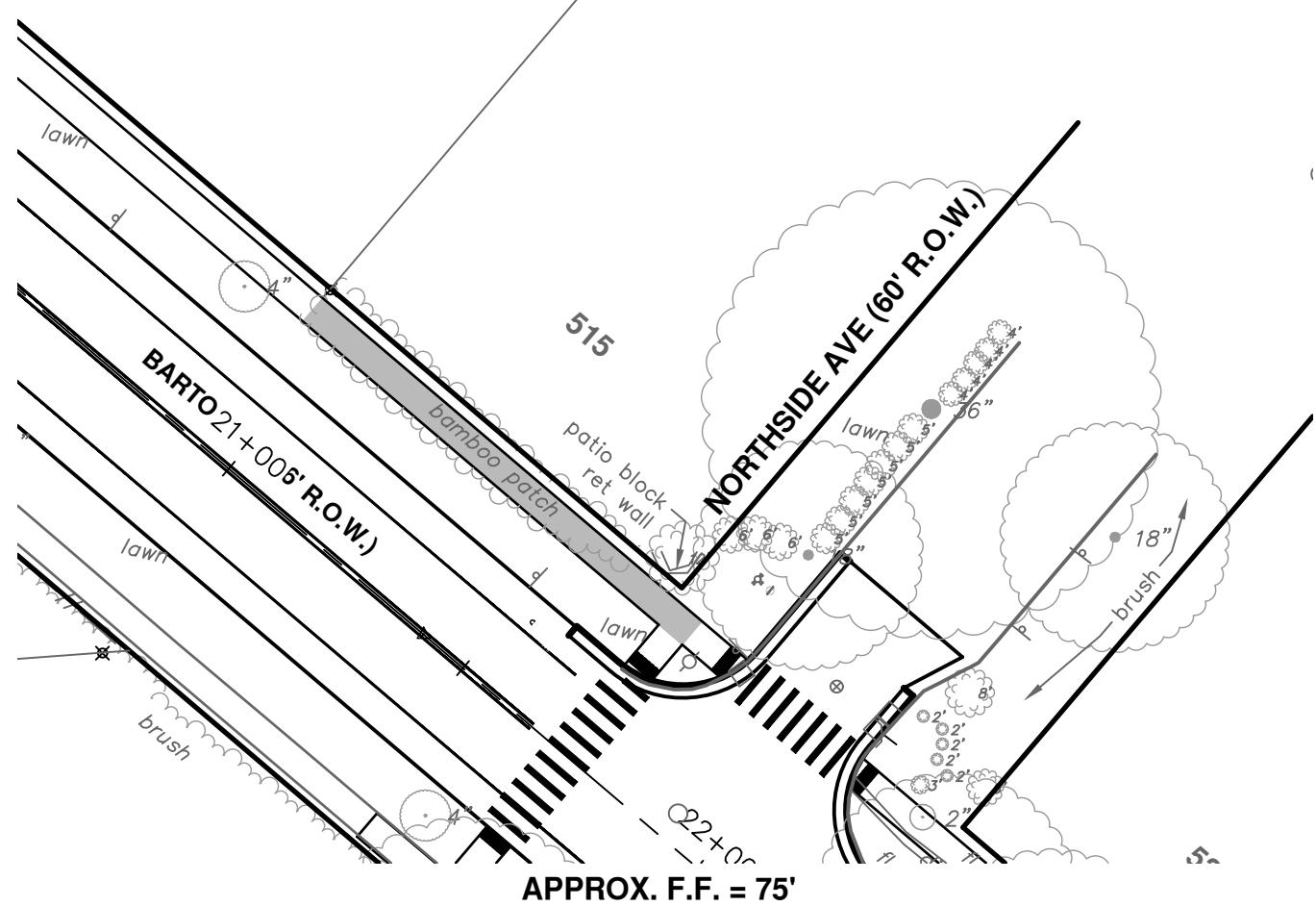
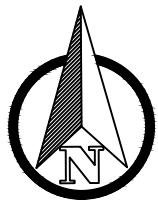
Very truly yours,  
City of Ann Arbor Engineering

A handwritten signature in black ink, appearing to read "Jane K Allen".

Jane K Allen,  
Project Manager

Enclosure  
CC: File





### PRELIMINARY ASSESSMENT COSTS

**PRELIMINARY CONCRETE SIDEWALK ASSESSMENT:**  
\$4,719.00 – \$10,818.00 (\$6,692.25 ENGINEERS ESTIMATE)



CITY OF ANN ARBOR  
PUBLIC SERVICES  
301 EAST HURON STREET  
P.O. BOX 8647  
ANN ARBOR, MI 48107-8647  
734-794-6410  
[www.a2gov.org](http://www.a2gov.org)

REV. NO.	DATE	DRAWN BY	CHECKED BY
<b>515 BARTON DRIVE</b>			
DR. ARG	CH. JKA	DRAWING NO.	
SCALE 1" = 30'	DATE 1/07/20		2