



# City of Ann Arbor

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

## Meeting Agenda City Council

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Monday, October 20, 2008

7:00 PM

G. C. Larcom, Jr. Municipal Bldg. 2nd Flr.

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**CALL TO ORDER**

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF COUNCIL**

**APPROVAL OF AGENDA**

**INT INTRODUCTIONS**

**INT-1** [08-0858](#) Washtenaw County Cultural Plan  
(City Council)

**Sponsors:** Teall

**INT-2** [08-0984](#) Proclamation-Motor Meals Awareness Month  
(Mayor's Office)

**PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)**

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

**\* ACCOMMODATIONS HAVE BEEN MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

1. Kurt Berggren - Old 4th Ward Boundary Modification (DC-3)
2. Chris Crockett - Old 4th Ward Boundary Modification (DC-3)
3. Ray Detter - Old 4th Ward Boundary Modification (DC-3)
4. Peter Osetek - Old 4th Ward Boundary Modification (DC-3)

5. Thomas Partridge

6. John Floyd - My Basement

**PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

**PH-1** [08-0846](#) An Ordinance to Amend Chapter 55, Rezoning of 2.62 Acres from P (Parking District) and C3 (Fringe Commercial District) to C1B (Community Convenience Center), Maple Shoppes, 540 North Maple Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-08-34)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(See B-1)

**PH-2** [08-0926](#) Resolution to Approve Maple Shoppes Planned Project Site Plan, 2.62 Acres, 540 North Maple Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(See DB-2)

**PH-3** [08-0718](#) Resolution to Approve 601 Forest Site Plan and Development Agreement, 2.05 Acres, Southeast Corner of South University and South Forest Avenues (CPC Recommendation: Approval - 8 Yeas and 1 Nay)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(Continued from the 8/7/08, 8/18/08 and 10/6/08 Regular Session) (See DB-1)

**PH-4** [08-0970](#) Resolution to Approve the 601 Forest Project Brownfield Plan  
(Planning and Development Services - Jayne Miller, Community Services Area Administrator)  
(See DB-3)

**PH-5** [08-0971](#) Resolution to Approve the Maple Shoppes Redevelopment Project Brownfield Plan  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(See DB-4)

**PH-6** [08-0977](#) Resolution to Approve the MichiGinns Project Brownfield Plan  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(See DB-5)

**COMMUNICATIONS FROM COUNCIL****A APPROVAL OF COUNCIL MINUTES**

- A-1 [08-0968](#) Regular Session of October 6, 2008  
(City Clerk - Jacqueline Beaudry)

**CA CONSENT AGENDA**

- CA-1 [08-0824](#) Resolution to Authorize and Approve a Purchase Order for Canon Digital Multi-Function Devices from IKON Office Solutions (Not to Exceed \$89,760.00)  
(Information Technology Services - Dan Rainey, IT Director)
- CA-2 [08-0893](#) Resolution to Approve Purchase of Hydrofluorosilicic Acid for Water Treatment from Thatcher Co. of Montana, Bid No. 3949 (estimated \$70,500.00/yr)  
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-3 [08-0894](#) Resolution Authorizing Water Improvement Charge for 1008 Baldwin Avenue (\$10,537.08)  
(Public Services - Sue McCormick, Public Services Administrator)
- CA-4 [08-0908](#) Resolution to Approve Amendment No. 3 to the Agreement with Hubbell, Roth & Clark for the Lakewood Sewage Lift Station and Force Main Replacement Project (\$34,075.00)  
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-5 [08-0916](#) Resolution to Approve the Purchase and Installation of Playground Equipment for Mary Beth Doyle Park and Wetland Preserve from Landscape Structures, Inc. (U.S. Communities Contract #040377) for \$72,979.38 and to Establish a Total Project Budget of \$82,101.32  
(Community Services - Jayne Miller, Area Administrator)
- CA-6 [08-0917](#) Resolution to Approve Housing Rehabilitation Agreement with Gloria Trautz for 8 Metroview Court (\$27,799.00 HOME Funds)  
(Community Services - Jayne Miller, Area Administrator)
- CA-7 [08-0928](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of September 26, 2008  
(Financial and Administrative Services - Tom Crawford, CFO)

CA-8 [08-0932](#) Resolution to Approve Agreement with Complus Data Innovations, Inc.  
(Financial and Administrative Services - Tom Crawford, CFO)

CA-9 [08-0946](#) Resolution Recognizing Global ReLeaf of Michigan as a Civic Nonprofit  
Organization Operating in Ann Arbor for the Purpose of Obtaining a  
Charitable Gaming License  
(City Clerk - Jacqueline Beaudry)

CA-10 [08-0898](#) Resolution to Award a Contract for the Master Meter Replacement  
Project to United Water - NACO (\$68,301.00)  
(Public Services - Sue F. McCormick, Public Services Administrator)

**B ORDINANCE - SECOND READING**

B-1 [08-0846](#) An Ordinance to Amend Chapter 55, Rezoning of 2.62 Acres from P  
(Parking District) and C3 (Fringe Commercial District) to C1B  
(Community Convenience Center), Maple Shoppes, 540 North Maple  
Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)  
(Ordinance No. ORD-08-34)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(See PH-1)

DB-2 [08-0926](#) Resolution to Approve Maple Shoppes Planned Project Site Plan, 2.62  
Acres, 540 North Maple Road (CPC Recommendation: Approval - 9  
Yeas and 0 Nays)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(See PH-2)

**C ORDINANCE - FIRST READING**

C-1 [08-0873](#) An Ordinance to Amend Section 2:22b of Chapter 27 (Water Service)  
and 2:42.4 of Chapter 28 (Connection Charges) of Title II of the Code of  
the City of Ann Arbor (Ordinance No. ORD-08-36)  
(Public Services - Sue F. McCormick, Public Services Administrator)

**D MOTIONS AND RESOLUTIONS**

**DC New Business - Council:**

- DC-1 [08-0922](#) Resolution to Appoint a Member of the City of Ann Arbor Environmental Commission  
(City Council)  
**Sponsors:** Teall
- DC-2 [08-0915](#) Resolution to Approve Funding Recommendations for \$250,000.00 to a Supportive Housing Pilot Project as Part of the Joint Integrated Funding Initiative  
(Community Services - Jayne Miller, Area Administrator)  
**Sponsors:** Briere
- DC-3 [08-0923](#) Resolution Establishing the Old Fourth Ward Boundary Modification Historic District Study Committee  
(Community Services - Jayne Miller, Area Administrator)  
**Sponsors:** Lowenstein

**Added After Newspaper Deadline:**

- DC-4 [08-0978](#) Resolution to Approve the Transfer of Ownership of a 2007 Resort Class C Liquor Licensed Business Located at 1005 W. Eisenhower Parkway, from Applebee's of Michigan, Inc. to Applebee's Restaurants Mid-Atlantic LLC - D/B/A Applebee's  
(City of Ann Arbor Liquor Committee)  
**Sponsors:** Anglin, Greden, Rapundalo and Suarez  
(Added 10/20/08)
- DC-5 [08-0979](#) Resolution to Approve the Transfer of Ownership of a 2007 Class C Liquor Licensed Business Located at 2310 Green Road, from Applebee's of Michigan, Inc. to Applebee's Mid-Atlantic LLC - D/B/A Applebee's  
(City of Ann Arbor Liquor Committee)  
**Sponsors:** Anglin, Greden, Rapundalo and Suarez  
(Added 10/20/08)
- DC-6 [08-0987](#) Resolution to Acknowledge and Approve the Amendment of HBSP Holdings Corp. d/b/a Salsarita's Fresh Cantina Application for Class C Downtown Development District Liquor License to a New Full-Year Class C Quota License at 401 E. Liberty, Suite #2, in the City of Ann Arbor  
(City of Ann Arbor Liquor Committee)  
**Sponsors:** Anglin, Greden, Rapundalo and Suarez  
(Added 10/20/08)

- DC-7 [08-0986](#) Motion for Reconsideration of the October 6 Vote that Postponed until November 17, 2008 the Resolution to Approve the Request from Habana, LLC for a New Brew Pub Liquor License and a New Dance Permit to be Held in Conjunction with a 2008 Resort Class C Liquor Licensed Business, Located at 205-207 E. Washington and 211 E. Washington - DBA Habana and Blue Tractor Cook Shop  
(City Council - Councilmember Rapundalo)  
**Sponsors:** Rapundalo  
(Added 10/20/08)

**DB Old Business - Boards and Commissions:**

- DB-1 [08-0718](#) Resolution to Approve 601 Forest Site Plan and Development Agreement, 0.79 Acre, Southeast Corner of South University and South Forest Avenues (CPC Recommendation: Approval - 8 Yeas and 1 Nay)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(Postponed from the 8/7/08, 8/18/08 and 10/6/08 Regular Session) (See PH-3)  
(Revised 10/17/08)

**Added After Newspaper Deadline:**

**New Business - Boards and Commissions:**

- DB-3 [08-0970](#) Resolution to Approve the 601 Forest Project Brownfield Plan  
(Planning and Development Services - Jayne Miller, Community Services Area Administrator)  
(Added 10/17/08) (See PH-4)
- DB-4 [08-0971](#) Resolution to Approve the Maple Shoppes Redevelopment Project Brownfield Plan  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(Added 10/17/08) (See PH-5)
- DB-5 [08-0977](#) Resolution to Approve the MichiGinns Project Brownfield Plan  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(Added 10/17/08) (See PH-6)

**DS New Business - Staff:**

- DS-1 [08-0944](#) Resolution to Accept a Transportation Enhancement (TE) Grant from the State of Michigan in Support of the Fifth and Division Improvement Project Phase I Construction  
(DDA - Susan Pollay, Executive Director)
- DS-2 [08-0927](#) Resolution to Approve Distribution of the Draft Ann Arbor Transportation Plan Update  
(Planning and Development Services - Jayne Miller, Community Services Administrator)
- DS-3 [08-0888](#) Resolution to Approve a Participation Agreement with Scio Township, Purchase of a Conservation Easement on 10.42 Acres of the Donald T. Botsford Property Located in Scio Township, and Appropriation of Funds in the Amount of \$156,000.00 **(8 Votes Required)**  
(Community Services - Jayne Miller, Area Administrator)
- DS-4 [08-0887](#) Resolution to Establish the Fixed Charges for the 2009 Water and Sanitary Sewer Improvement Charges  
(Project Management Services - Sue F. McCormick, Public Services Administrator)
- DS-5 [08-0934](#) Resolution to Approve the Conversion of Ann Street between 5th Ave. and Division St. to One Way (eastbound)  
(Project Management Services - Sue F McCormick, Public Services Administrator)  
*(Map Revised 10/20/08)*
- DS-6 [08-0930](#) Resolution Accepting Easement for Public Access from the Estate of Oscar Spaly (1817 W. Stadium Blvd.) West Stadium Boulevard at Pauline Boulevard Reconstruction **(8 Votes Required)**  
(City Attorney Services - Stephen K. Postema)
- DS-7 [08-0931](#) Resolution Accepting Easement for Public Access from TCF Bank (1900 W. Stadium Blvd.) West Stadium Boulevard at Pauline Boulevard Reconstruction **(8 Votes Required)**  
(City Attorney Services - Stephen K. Postema)
- DS-8 [08-0943](#) Resolution to Approve Eighth Amendment to Legal Services Contract with Dykema Gossett (\$75,000.00)  
(City Attorney Services - City Attorney)
- DS-9 [08-0990](#) Resolution Approving Amendment to the Employment Agreement between the City of Ann Arbor and Roger Fraser  
(Council Admin Committee)  
*(Added 10/20/08)*

- DS-10 [08-0991](#) Resolution Approving Amendment to the Employment Agreement between the City of Ann Arbor and Stephen Postema  
(Council Admin. Committee)  
(Added 10/20/08)
- DS-11 [08-0989](#) Resolution to Direct the City Attorney to Prepare a Comprehensive Review and Plan for Revision of The City's Zoning and Planning Ordinances  
**Sponsors:** Higgins and Rapundalo  
(Added 10/20/08)

**E COMMUNICATIONS FROM THE MAYOR**

- E-1 [08-0983](#) 10/20/08 Appointment - Nominations  
(Mayor's Office)

**COMMUNICATIONS FROM COUNCIL**

**F COMMUNICATIONS FROM CITY ADMINISTRATOR**

- F-1 [08-0945](#) Environmental Commission Expirations  
(City Clerk - Jacqueline Beaudry)

**G COMMUNICATIONS FROM CITY ATTORNEY**

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

**H The following communications were referred as indicated:**

- H-1 [08-0951](#) Communication from Washtenaw Area Transportation Study regarding their publication of The Vehicle, Vol. 4, October 2008 - File
- H-2 [08-0952](#) Communication from County Clerk Lawrence Kestenbaum regarding Washtenaw County Board of Commissioners passing a resolution to accept comments from Washtenaw County Department of Planning and Environment staff on the Ann Arbor Township master Plan Amendment - Planning and Development Services
- H-3 [08-0953](#) Communication from the Michigan Liquor Control Commission (MLCC) regarding one full year on premise license available to the City of Ann Arbor - Council Liquor Committee



- H-4    [08-0954](#)    Communications from SEMCOG regarding the Regional Update Biweekly publication of SEMCOG, Vo. 13, No. 21 September 29, 2008 and SEMCOG University presents Winter Road Maintenance: policy, practice, and Technology meeting, October 23, 2008 - File
- H-5    [08-0955](#)    Communication from Detroit and Michigan Chapter National Lawyers Guild regarding proposed Resolution regarding the protection of civil rights of Ann Arbor residents and workers - File
- H-6    [08-0957](#)    Communication from Michael R. Reid regarding resignation to the Ann Arbor / Ypsilanti LDFA Board - File
- I        **The following minutes were received for file:**
- I-1    [08-0843](#)    Greenbelt Advisory Commission Minutes - July 2, 2008
- I-2    [08-0921](#)    Greenbelt Advisory Commission Minutes of September 3, 2008  
(City Clerk)
- I-3    [08-0911](#)    Ann Arbor Housing Commission Regular Board Meeting Minutes - August 27, 2008  
(Housing Services - Betsey Lindsley, Director)
- I-4    [08-0912](#)    Ann Arbor Downtown Development Authority Annual Meeting Minutes - July 2, 2008  
(DDA - Susan Pollay, Executive Director)
- I-5    [08-0913](#)    Downtown Area Citizens Advisory Council Minutes - September 3, 2008  
(DDA - Susan Pollay, Executive Director)
- I-6    [08-0914](#)    City Planning Commission Minutes of August 5 and 19, 2008  
(Planning and Development Services - Jayne Miller, Community Services Administrator)
- I-7    [08-0924](#)    Zoning Board of Appeals Minutes - February 27, 2008; March 26, 2008; April 23, 2008; May 28, 2008; June 25, 2008  
(Community Services - Jayne Miller, Area Administrator)
- I-8    [08-0929](#)    LDFA Board Meeting Minutes - July 17, 2008  
(Financial and Administrative Services - Tom Crawford, CFO)

- I-9     [08-0938](#)     Parks Advisory Commission Minutes - May 20, 2008; June 17, 2008  
(Community Services - Jayne Miller, Area Administrator)
- I-10     [08-0942](#)     Public Market Advisory Commission Minutes - April 17, 2008; May 29,  
2008; June 19, 2008; July 17, 2008; August 21, 2008  
(Community Services - Jayne Miller, Area Administrator)

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**

**CLOSED SESSION TO DISCUSS PENDING LITIGATION AND ATTORNEY / CLIENT  
PRIVILEGED COMMUNICATION AND/OR LAND ACQUISITION**

**ADJOURNMENT**

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

**LIVE: MONDAY, OCTOBER 20, 2008, 7:00 P.M.**

**REPLAYS: TUESDAY, OCTOBER 21, 2008, 10:30 A.M. AND FRIDAY, OCTOBER 24,  
2008 7:30 P.M.**

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

**Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 994-2725 or by written request addressed to the City Clerk's Office, 100 N. Fifth Ave., Ann Arbor, MI 48104, at least 24 hours in advance.**

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