



# 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 6, 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** [08-0910](#) ICMA Voice of the People Award of Excellence to the City of Ann Arbor  
(City Administrator - Roger W. Fraser)

**INT-2** 601 S. Forest Presentation

**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. Tom Partridge - Elect progress for Ann Arbor, Washtenaw, and Michigan. Vote for Senator Barack Obama, U.S. President, Mark Schauer, U.S. Congress, District 7, Tom Partridge, Michigan House Representative 52nd District. Provide democratic access to jobs, affordable television, transportation, health care, and education.
2. Jim Mogensen - Student Occupancy at the Courtyards (H-5)
3. Henry Herskovitz - Palestine
4. Michael Benson - MSA Homecoming Go Blue Live Green

5. Stewart Nelson - Brownfield Tax Credits for 601 S. Forest

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

- PH-1** [08-0812](#) An Ordinance to Amend Chapter 55, Rezoning of 0.21 acre from R1C (Single-Family Dwelling District) to PUD (Planned Unit Development District), African American Cultural and Historical Museum, 1528 Pontiac Trail (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-08-31)  
(Planning and Development Services - Jayne Miller, Community Services Area)  
(See B-1)
- PH-2** [08-0869](#) Resolution to Approve African American Cultural and Historical Museum PUD Site Plan, 2.05 Acres, 1528 Pontiac Trail (CPC Recommendation: Approval - 8 Yeas and 0 Nays)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(See DB-2)
- PH-3** [08-0823](#) An Ordinance to Amend Section 4:30 of Chapter 47 (Streets - Private Street Standards), to Repeal Section 5:77 of Chapter 55 (Zoning - Lot Accessibility) and Replace it with a New Section 5:77 (Zoning - Lot Accessibility) , to Amend Section 5:122 of Chapter 57 (Subdivision and Land Use Control - Site Plans), to Amend Section 5:600 of Chapter 62 (Landscape and Screening - Intent), and to Add a New Section 5:603.1 of Chapter 62 (Landscape and Screening - Private Streets and Driveway Buffers) of Title V of the Code of the City of Ann Arbor regarding Lot Accessibility and Private Street Standards (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-08-32)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(See B-2)
- PH-4** [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 8/18/08 Regular Session) (See DB-1)

**COMMUNICATIONS FROM COUNCIL**

[08-0922](#) Resolution to Appoint a Member of the City of Ann Arbor Environmental Commission

(City Council)

Sponsors: Teall

**A APPROVAL OF COUNCIL MINUTES**

A-1 [08-0884](#) Working Session Minutes of September 15 and Regular Session of September 22, 2008

(City Clerk - Jacqueline Beaudry)

**CA CONSENT AGENDA**

CA-1 [08-0819](#) Resolution to Approve a Purchase Order to Azteca Systems for the Renewal of the Annual Cityworks Maintenance and Support Agreement for FY2009 (\$42,020.00)

(Information Technology Services - Dan Rainey, IT Director)

CA-2 [08-0842](#) Resolution to Amend a Service Agreement with Synagro Central, LLC for Land Application of Municipal Wastewater Biosolids, RFP No. 657 (estimated first-year cost of \$49,350.00)

(Public Services - Sue F. McCormick, Public Services Administrator)

CA-3 [08-0897](#) Resolution to Transfer Delinquent Sidewalk Improvement Charges to the 2008 City Tax Roll

(Public Services - Sue F. McCormick, Public Services Administrator)

CA-4 [08-0874](#) Resolution to Approve Housing Rehabilitation Agreement with Henry and Dorothy Owen for 2053 Newport (\$30,832.00 HOME Funds)

(Community Services - Jayne Miller, Area Administrator)

CA-5 [08-0876](#) Resolution to Approve a Construction Contract with D & H Asphalt, Co. for Pathway Reconstruction at Mary Beth Doyle Park - Bid #3970, in the Amount of \$49,955.50 and to Establish a Total Construction Project Budget of \$56,199.00

(Community Services - Jayne Miller, Area Administrator)

- CA-6 [08-0882](#) Resolution to Approve the Request from Habana, L.L.C. 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 - D/B/A Habana and Blue Tractor Cook Shop  
(City Clerk - Jacqueline Beaudry)

**B ORDINANCE - SECOND READING**

- B-1 [08-0812](#) An Ordinance to Amend Chapter 55, Rezoning of 0.21 acre from R1C (Single-Family Dwelling District) to PUD (Planned Unit Development District), African American Cultural and Historical Museum, 1528 Pontiac Trail (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-08-31)  
(Planning and Development Services - Jayne Miller, Community Services Area)  
(See PH-1)
- B-2 [08-0823](#) An Ordinance to Amend Section 4:30 of Chapter 47 (Streets - Private Street Standards), to Repeal Section 5:77 of Chapter 55 (Zoning - Lot Accessibility) and Replace it with a New Section 5:77 (Zoning - Lot Accessibility) , to Amend Section 5:122 of Chapter 57 (Subdivision and Land Use Control - Site Plans), to Amend Section 5:600 of Chapter 62 (Landscape and Screening - Intent), and to Add a New Section 5:603.1 of Chapter 62 (Landscape and Screening - Private Streets and Driveway Buffers) of Title V of the Code of the City of Ann Arbor regarding Lot Accessibility and Private Street Standards (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-08-32)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(See PH-3)
- DB-4 [08-0919](#) Resolution Authorizing Summary Publication of Ordinance No. 08-32 - An Ordinance to Amend Section 4:30 of Chapter 47 (Streets - Private Street Standards), to Repeal Section 5:77 of Chapter 55 (Zoning - Lot Accessibility) and Replace it with a New Section 5:77 (Zoning - Lot Accessibility) , to Amend Section 5:122 of Chapter 57 (Subdivision and Land Use Control - Site Plans), to Amend Section 5:600 of Chapter 62 (Landscape and Screening - Intent), and to Add a New Section 5:603.1 of Chapter 62 (Landscape and Screening - Private Streets and Driveway Buffers) of Title V of the Code of the City of Ann Arbor regarding Lot Accessibility and Private Street Standards  
(Planning and Development Services - Jayne Miller, Community Services Administrator)

**C ORDINANCE - FIRST READING**

**Old Business:**

- C-1     [08-0705](#)     An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Chapter, which New Chapter shall be Designated as Chapter 71 (Plastic Carry-Out Bags) of Title VI of said Code and to Amend Section 1:17 of Chapter 1 of Title 1 of the Code of the City of Ann Arbor  
(City Attorney Services - Stephen K. Postema)
- Sponsors:**     Rapundalo  
(Postponed from the 7/21/08 Agenda)

**New Business:**

- C-2     [08-0867](#)     An Ordinance to Amend to Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling District) to PUD (Planned Unit Development District), City Place, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Approve Failed - 2 Yeas and 6 Nays)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)
- C-3     [08-0868](#)     An Ordinance to Amend to Chapter 55, Rezoning of 1.20 Acres from TWP (Township District) to C1 (Local Business District), Penske Truck Leasing, 1621 Plymouth Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)

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

- DB-1     [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)  
(Postponed from the 8/18/08 Regular Session) (See PH-4)

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

- DB-2 [08-0869](#) Resolution to Approve African American Cultural and Historical Museum PUD Site Plan, 2.05 Acres, 1528 Pontiac Trail (CPC Recommendation: Approval - 8 Yeas and 0 Nays)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)  
(See PH-2)
- DB-3 [08-0891](#) Resolution to Approve Althoen Annexation, 1.29 Acres, 226 Sumac Lane (CPC Recommendation: Approval - 7 Yeas and 0 Nays)  
(Planning and Development Services - Jayne Miller, Community Services Administrator)
- DS **New Business - Staff:**
- DS-1 [08-0854](#) Resolution to Amend an Agreement with Greeley and Hansen, LLC for the Residuals Handling Improvements Project at the Wastewater Treatment Plant, RFP No. 601 (\$160,480.00)  
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-2 [08-0857](#) Resolution Authorizing the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MDEAL) 2008/09 State of Michigan Road Salt Requisition from North American Salt Company (\$211,800.00) and Morton International, Inc. (\$155,200.00)  
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-3 [08-0899](#) Resolution to Approve the Wage and Health Care Re-Opener 2008 - 2009 Teamsters Local 214 Civilians Supervisors Collective Bargaining Agreement Effective July 1, 2008 - June 30, 2009  
(Human Resources - Nancy Niemela, Interim HR Director)
- DS-4 [08-0895](#) Resolution Accepting Utility Easement from Liberty & Maple, L.L.C. 2536 W. Liberty Road (**8 Votes Required**)  
(City Attorney Services - Stephen K. Postema)
- DS-5 [08-0900](#) Resolution Accepting Easement for Public Access from LWG Enterprises, Inc. (1793 W. Stadium Blvd.) West Stadium Boulevard at Pauline Boulevard Reconstruction (**8 Votes Required**)  
(City Attorney Services - Stephen K. Postema, City Attorney)
- DS-6 [08-0901](#) Resolution Accepting Easement for Public Access from Manchester Flats, LLC (1840 W. Stadium Blvd.) West Stadium Boulevard at Pauline Boulevard Reconstruction (**8 Votes Required**)  
(City Attorney Services - Stephen K. Postema, City Attorney)

- DS-7 [08-0902](#) Resolution to Authorize the City Election Commission to Establish Receiving Boards and Appoint Election Inspectors to Serve on One or More Receiving Boards for the November 4, 2008 General Election and any other Elections where Receiving Boards are Determined to be Necessary  
(City Clerk - Jacqueline Beaudry)

**E COMMUNICATIONS FROM THE MAYOR**

- E-1 [08-0935](#) 10/06/08 Appointments  
(Mayor's Office)

**COMMUNICATIONS FROM COUNCIL**

**F COMMUNICATIONS FROM CITY ADMINISTRATOR**

**G COMMUNICATIONS FROM CITY ATTORNEY**

- G-1 [08-0896](#) Annexation of the Penske Truck Leasing/Mihail Property-1621 Plymouth Road, Ann Arbor Township  
(City Attorney Services - Stephen K. Postema, City Attorney)

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

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

- H-1 [08-0877](#) Communication from Duncan P. Ogilvie of Miller Canfield, P.L.C. regarding notice of intent to establish a condominium project - The Woodlands at Arbor Ridge Condominium - Planning and Development Services  
(City Clerk - Jacqueline Beaudry)
- H-2 [08-0885](#) Communication from Governor Granholm regarding approval of proposed City Charter Amendment of Section 14.3 of the City Charter - File  
(City Clerk - Jacqueline Beaudry)
- H-3 [08-0886](#) Communication from Governor Granholm regarding receipt of the City of Ann Arbor's Resolution regarding No Reason Absentee Voting in Michigan - File  
(City Clerk)

- H-4    [08-0903](#)    Communication from SEMCOG regarding their biweekly publication of SEMCOG, Vol. 13, No. 20, September 15, 2008 - File  
(City Clerk)
- H-5    [08-0904](#)    Communication from the University of Michigan Architecture, Engineering and Construction Division regarding Student Occupancy at the Courtyards, located at Broadway Street and Plymouth Road - Planning and Development Services  
(City Clerk)
- H-6    [08-0905](#)    Communication from the Department of Environmental Quality (DEQ) regarding a conservation easement, File No. 04-81-0110-P Washtenaw County - Environmental Coordination Services  
(City Clerk)
- H-7    [08-0906](#)    Communication from the Michigan State University Extension regarding the Summer 2008 Issue of "Bringing Knowledge to Life in Washtenaw County" - File  
(City Clerk)
- H-8    [08-0907](#)    Communication from the National Issues Forums Institute and the Gerald R. Ford Presidential Library regarding upcoming deliberative forums - File  
(City Clerk)
- H-9    Communications received from a number of citizens regarding 601 Forest, please refer to DB-1 for copies of the communications.
- H-10    Communication from Sisan L. Nenadic regarding oppositio of the proposed New Brew Pub Liquor License located at 205-207 & 211 E. Washington - File (See File 08-0882 for copy of letter.)
- I        The following minutes were received for file:**
- I-1    [08-0875](#)    City Planning Commission Minutes of June 3, June 17 and July 1, 2008.  
(Planning and Development Services - Jayne Miller, Community Services Administrator)
- I-2    [08-0881](#)    Ann Arbor Transportation Authority Board Minutes - July 23, 2008
- I-3    [08-0909](#)    Historic District Commission Minutes - April 10, 2008 Special Session;  
April 10, 2008 Regular Session  
(Community Services - Jayne Miller, Area Administrator)



- I-4     [08-0889](#)     Parks Advisory Commission Minutes - April 15, 2008  
(Community Services - Jayne Miller, Area Administrator)
- I-5     [08-0892](#)     Building Board of Appeals Minutes - April 9, 2008, May 14, 2008, June 11, 2008, July 9, 2008; August 13, 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 6, 2008, 7:00 P.M.**

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