

**Ann Arbor City Council Regular Session: August 20, 2012
 Email Redactions List Pursuant to Council Resolution R-09-386**

<u>Sent Time</u>	<u>Received Time</u>	<u>To</u>	<u>From</u>	<u>CC</u>	<u>Redactions</u>	<u>Reason for Redaction</u>
		No Redactions				

Corts, Carynne

From: Beaudry, Jacqueline
Sent: Monday, August 20, 2012 9:07 PM
To: Anglin, Mike; Beaudry, Jacqueline; Bowden (King), Anissa; Briere, Sabra; Crawford, Tom; Derezinski, Tony; Hieftje, John; Higgins, Marcia; Higgins, Sara; Hohnke, Carsten; Kunselman, Stephen; Lumm, Jane; Postema, Stephen; Powers, Steve; Satterlee, Joanna; Schopieray, Christine; Smith, Sandi; Taylor, Christopher (Council); Teall, Margie; Walker, Nancy; Wondrash, Lisa
Subject: DC-7 Packet Update
Attachments: 08-20-12 Agenda.pdf; DC-7.pdf

The packet has been updated with DC-7 (Added at approval of the agenda). A copy of the new agenda and the item are attached. The link is up to date and ready for downloading.

Jacqueline Beaudry, City Clerk

City Clerk's Office | Guy C. Larcom City Hall | 301 E. Huron, 2nd Floor • Ann Arbor • MI • 48104
734.794.6140 (O) • 734.994.8296 (F) |
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City of Ann Arbor

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

Text File

File Number: 12-1138

Agenda # DC-7

Introduced: 8/17/2012

Version: 1

Current Status: To Be Introduced

Matter Type: Resolution

Resolution Approving Settlement of City of Ann Arbor v. Joseph H. Arcure and Carolyn L. Arcure, Case No. 11-928-CH

Prepared by: Christopher Frost, Assistant City Attorney

Approved by: Stephen K. Postema, City Attorney

Sponsored by: Councilmember Lumm

RESOLVED, That the City settle case number 11-928-CH under the following terms:

- 1) The City shall grant a right of first refusal to the defendants allowing them first opportunity to rent two City-owned parking spaces located behind 113 W. Liberty at the standard monthly rate as set from time to time by the City or DDA;
- 2) The City shall grant the defendants a license to continue using an existing stairway over City property in the same location, as long as the upper floors of the building at 113 W. Liberty continue to be used for residential purposes; and
- 3) The defendants shall waive all ownership claims to the City property behind 113 W. Liberty, which contains the stairway and two parking spaces; and

RESOLVED, That the City Attorney be authorized to take any steps necessary to finalize settlement of the case.



City of Ann Arbor

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

Meeting Agenda City Council

Monday, August 20, 2012

7:00 PM

City Hall, 301 E. Huron Street, Council Chamber,
2nd Floor

City Council meets in caucus the Sunday prior
to each regular session at 7 p.m. in the Council
Chamber.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

INT INTRODUCTIONS

INT-1 12-1033 Neighborhood Success - Rob Nissley, Housing Director of Habitat for
Humanity

(Mayor's Office)

Sponsors: Hieftje

INT-2 12-1096 Tuebingen Exchange- PowerPoint Presentation

(Mayor's Office)

Sponsors: Hieftje

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE
ADDRESSING COUNCIL**

1. Thomas Partridge - 2013 Public Art Millage (DC-1), Neighborhood Stabilization
Program Budget (DS-4) and City Planning Commission Resolution regarding AATA
Blake Transit Center (F-1)

2. Dennis Brewer - Public Towing Dispatch & Administrative Services Agreement (DC-2)
3. Russell Collins - 2013 Public Art Millage (DC-1)
4. Meg Crawley - 2013 Public Art Millage (DC-1)
5. Margaret Parker - 2013 Public Art Millage (DC-1)
6. Andrew McGill - MDOT Grant Contract for work related to the Environmental Assessment Study for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (DS-1) and Reimbursement Agreement with the Federal Aviation Administration for work Related to the Environmental Assessment Study for Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (DS-2)
7. Marsha Chamberlin - 2013 Public Art Millage (DC-1)
8. Debra Polich - 2013 Public Art Millage (DC-1)
9. John Kotarski - 2013 Public Art Millage (DC-1)
10. John Carver - 2013 Public Art Millage (DC-1)

Alternates:

1. Theresa Reid - 2013 Public Art Millage (DC-1)
2. Libby Hunter - 2013 Public Art Millage (DC-1)

COMMUNICATIONS FROM COUNCIL

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 12-0844 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.12 Acres from O (Office District) to PL (Public Land District) and 0.57 Acre from R4C (Multiple-Family Dwelling District) to PL (Public Land District), Bluffs Nature Area Additions, 1099 North Main Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-12-23)

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: ORD-12-23 Briefed, Ordinance to Rezone Bluffs Nature Area Additions.pdf, 06/05/12 Planning Staff Report.pdf

(See B-1)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

- A-1 12-1136 Regular Session of August 9, 2012

(City Clerk - Jacqueline Beaudry, City Clerk)

Attachments: 08-09-12 Draft Minutes, Council Emails and Redaction List for 8-9-12 Council Meeting

CA CONSENT AGENDA

- CA-1 12-0985 Resolution to Approve a Contract with Margolis Companies for Bluffs Park Entry Improvements (\$49,998.00)

(Community Services - Sumedh Bahl, Community Services Administrator)

Attachments: itb 4243 Bluffs Park Entry FINAL.pdf

- CA-2 12-1018 Resolution to Approve Changes to Ann Arbor Historic District Commission Bylaws

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: 2/9/12 Historic District Commission Bylaws, 2/9/12 Historic District Commission Minutes

- CA-3 12-0981 Resolution to Authorize the Purchase of LED Decorative Post Top Fixtures for the Broadway Bridges from Caniff Electric (\$72,498.75) ITB-4240

(Public Services - Craig Hupy, Interim Public Services Administrator)

Attachments: Bid Tab - ITB 4240.pdf, ITB4240CaniffResponse.pdf

B ORDINANCES - SECOND READING

- B-1 12-0844** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.12 Acres from O (Office District) to PL (Public Land District) and 0.57 Acre from R4C (Multiple-Family Dwelling District) to PL (Public Land District), Bluffs Nature Area Additions, 1099 North Main Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-12-23)
- (Community Services - Sumedh Bahl, Area Administrator)
- Attachments:** ORD-12-23 Briefed, Ordinance to Rezone Bluffs Nature Area Additions.pdf, 06/05/12 Planning Staff Report.pdf
- (See PH-1)
- C ORDINANCES - FIRST READING**
- C-1 12-0845** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.2 Acres from R1C (Single-Family Dwelling District) to PL (Public Land District), 5 West Eden Court/Bryant Community Center, (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
- (Community Services - Sumedh Bahl, Area Administrator)
- Attachments:** 06/05/12 Planning Staff Report, 06/05/12 Planning Commission Minutes, Ordinance to Rezone 5 Eden Court.pdf
- C-2 12-0969** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.1 Acres from TWP (Township District) to R1C (Single-Family Dwelling District), Ellis Properties, 3313 Dexter Avenue and Vacant Adjacent Lot (CPC Recommendation: Approval - 8 Yeas and 0 Nays)
- (Community Services - Sumedh Bahl, Area Administrator)
- Attachments:** 08/16/11 Planning Staff Report, 08/16/11 Planning Commission Minutes, Ordinance to Rezone Ellis Properties.doc
- C-3 12-1013** An Ordinance Authorizing the Issuance and Sale of Water Supply System Revenue Bonds, Series 2012-A to the Michigan Finance Authority (**Roll Call Vote Required - One Reading**)
- (Financial and Administrative Services - Matthew V. Horning, Treasurer)
- Attachments:** BH01-#1612041-v4-A2_2012_DWRF_Ordinance
- D MOTIONS AND RESOLUTIONS**
- DC Old Business - Council:**

- DC-1 12-1068** Resolution to Order Election and to Determine Ballot Question for Charter Amendment for the 2013 Public Art Millage (**7 Votes Required**)
(City Council)
Sponsors: Taylor, Hieftje, Kunselman and Briere
(Postponed from the 8/9/12 regular session)
- DC New Business - Council:**
- DC-2 12-1093** Resolution to Approve Public Towing Dispatch and Administrative Services Agreement with Washtenaw County
(City Council)
Sponsors: Kunselman and Taylor
Attachments: Exhibit A Responsibility Matrix 2.pdf
- DC-3 12-1131** Resolution to Direct the City Administrator to Evaluate and Report to City Council on the Potential Sale of 350 S. Fifth Avenue
(City Council)
Sponsors: Kunselman
(Added 8/17/12) (Revised 8/20/12)
- DC-4 12-1130**
Resolution to Deny Application of Comcast of the South, Inc., for a Uniform Video Services Local Franchise and to Establish Video Service or Cable Franchise Fees and PEG Fees
(Abigail Elias - City Attorney's Office)
Sponsors: Higgins and Kunselman
Attachments: Comcast UVSLFA Application.pdf, 7-17-12 Letter from Comcast.pdf, 8-14-12 Resolution-AA Cable Commission.pdf
(Added 8/17/12)
- DC-5 12-1133** Resolution to Direct Planning and Development Services Staff to Initiate Rezoning of 402, 408, and 414 North Main Street and 401 North Fourth Avenue
(City Council)
Sponsors: Kunselman
(Added 8/17/12)

- DC-6 12-1134 Resolution to Direct Preparation for Consideration by City Council an Ordinance that Would Repeal the Percent for Art Program Beginning July 1, 2013
(City Council)
Sponsors: Lumm
(Added 8/17/12)
- DC-7 12-1138 Resolution Approving Settlement of City of Ann Arbor v. Joseph H. Arcure and Carolyn L. Arcure, Case No. 11-928-CH
(City Attorney Services - Stephen K. Postema)
Sponsors: Lumm
(Added 8/20/12)
- DB **New Business - Boards and Commissions:**
- DS **New Business - Staff:**
- DS-1 12-0992 Resolution to Approve a Grant Contract with the Michigan Department of Transportation for Work Related to the Environmental Assessment Study for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$42,500.00)
(Fleet & Facilities Services - Craig Hupy, Interim Public Services Administrator)
Attachments: MDOT-Aero Grant 2012-0561.pdf
- DS-2 12-0999 Resolution to Approve a Reimbursement Agreement with the Federal Aviation Administration for Work Related to the Environmental Assessment Study for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$40,000.00)
(Fleet & Facilities Services - Craig Hupy, Interim Public Services Administrator)
Attachments: FAA Reimbursement agreement.pdf
- DS-3 12-0959 Resolution No. 1 - Prepare Plans and Specifications for Miller Avenue Sidewalk and Curb & Gutter Improvements
(Project Management Services - Craig Hupy, Interim Public Services Administrator)
Attachments: Miller Ave Special Assessment Map.pdf, Special Assessment Map Revised
(Revised map attached 8/16/12)

- DS-4 12-1020** Resolution to Amend the Neighborhood Stabilization Program (NSP) Budget by Allocating \$35,885 to Avalon Second Non-Profit Housing Corporation or an Affiliated Ownership Entity to Support the Rehabilitation of 701 Miller **(8 Votes Required)**
(Community Services - Sumedh Bahl, Area Administrator)

E COMMUNICATIONS FROM THE MAYOR

- E-1 12-1064** Appointments & Nominations
(Mayor's Office)
Attachments: Karlene Goetz-app..pdf, Sally Hart- Petersen app..pdf
(Added 8/20/12)
- E-2 12-1140** Appointment - Nomination **(One Step Process)**
(Mayor's Office)
(Added 8/20/12)

COMMUNICATIONS FROM COUNCIL

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

- F-1 12-0995** City Planning Commission Resolution Regarding Ann Arbor Transportation Authority Blake Transit Center Public Project Review, 331 South Fourth Avenue
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: Approved CPC Resolution, 7/17/12 Planning Staff Report, Petitioner Response to DRB Report.pdf, Updated Fifth Avenue Elevation, Updated South Elevation, Updated North Elevation.jpg, DLZ Memo Responding to CPC Comments.pdf
- F-2 12-1010** Update on the Facilities Renovations Project at the Wastewater Treatment Plant
(Wastewater Treatment Plant - Craig Hupy, Interim Public Services Administrator)

G COMMUNICATIONS FROM THE CITY ATTORNEY

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

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

I The following minutes were received for file:

- I-1 **12-0780** City Planning Commission Meeting Minutes of May 1, 2012
(Planning and Development Services)
Attachments: 5-1-2012 CPC Approved Minutes.pdf
- I-2 **12-0825** Historic District Commission Meeting Minutes of the May 10, 2012
(Planning and Development Services)
Attachments: 5-10-2012 HDC Approved Minutes.pdf
- I-3 **12-0863** Park Advisory Commission Meeting Minutes of May 15, 2012
(Park Advisory Commission)
Attachments: 5-15-2012 PAC Approved Minutes.pdf
- I-4 **12-0957** City Planning Commission Meeting Minutes of June 5, 2012
(Planning and Development Services)
Attachments: 6-5-2012 CPC Approved Minutes.pdf
- I-5 **12-0973** Airport Advisory Committee Minutes - May 16, 2012
(Fleet & Facilities Services - Matthew J Kulhanek)
Attachments: AAC minutes 051612.pdf
- I-6 **12-1021** Ann Arbor Public Art Commission Meeting Minutes - May 23, 2012
(Public Services - Craig Hupy, Interim Public Services Administrator)
Attachments: AAPAC Meeting Minutes - May 2012.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PENDING LITIGATION, AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (E), AND (H).

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, AUGUST 20, 2012, 7:00 P.M.

REPLAYS: TUESDAY, AUGUST 21, 2012, 10:00 A.M. AND FRIDAY, AUGUST 24, 2012, 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/Vid eoOnDemand.aspx
- Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

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 734-794-6140 or by written request addressed to the City Clerk's Office, 301 E. Huron Street, 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.