



City of Ann Arbor

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

Meeting Agenda City Council

Monday, April 7, 2008

7:00 PM

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

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

INT INTRODUCTIONS

INT-1 [08-0328](#) 2010 Campaign for Active Transportation Presentation
(Mayor's Office - Eli Cooper)

INT-2 [08-0375](#) Proclamation Honoring Gertrude Wagner on Her 90th Birthday April 7,
2008
(Mayor's Office - Christine Schopieray)

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. Aaron Pressel - Living Wage**
- 2. Jim Mogensen - MLK, Living Wage, Washtenaw Urban County and Transit Plan
Recommendations for Washtenaw County**
- 3. Alicia Alvarez - Immigration Raids**
- 4. Laura Sanders - Immigration Raids**

5. Phil Volk - Immigration Raids
6. Jon Frank - Village Green Option Extension
7. George Feldman - U of M Lane Closure
8. Thomas Partridge - MLK's dream lives. It's our responsibility to fulfill dream of just, integrated society.
9. Chris Hildebrand - Farmers Market and Kerry Town Reuse
10. Tom Wall - Relationship with U of M

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [08-0286](#) Resolution to Approve Boulevard Heights Alley Vacation, Located Between South Maple Road, Collingwood Drive, Abbott Avenue and Jackson Avenue (CPC Recommendation: Motion to Approve Failed - 4 Yeas and 4 Nays)

(Planning and Development Services - Jayne Miller, Area Administrator)

(See DB-1)

PH-2 [08-0298](#) Resolution Establishing Ann Arbor Industrial Development District 2008-030 for 3953 Research Park Drive

(Financial and Administrative Services - Tom Crawford, CFO)

(See DS-1)

PH-3 [08-0302](#) Resolution to Approve the City of Ann Arbor Joining the Washtenaw Urban County for Fiscal Years 2010, 2011, and 2012 and Authorize the City to Enter into the Urban County Cooperative Agreement with Washtenaw County

(City Council)

Sponsors: Easthope and Greden

(See DC-1)

COMMUNICATIONS FROM COUNCIL

[08-0354](#) Immigration Raids in Ann Arbor and Other Places in Washtenaw County
(City Council)

Sponsors: Anglin

A APPROVAL OF COUNCIL MINUTES

A-1 [08-0296](#) Working Session of March 10, 2008
(City Clerk - Jacqueline Beaudry, City Clerk)

A-2 [08-0330](#) Regular Session Minutes of March 17, 2008
(City Clerk - Jacqueline Beaudry, City Clerk)

CA CONSENT AGENDA

CA-1 [08-0209](#) Resolution to Approve the Installation of Traffic Calming Devices on Traver Road
(Public Services - Sue F. McCormick, Area Administrator)

CA-2 [08-0255](#) Resolution to Approve an Amendment to a Professional Services Agreement with Inspection Services Company, Inc. for the Huron Parkway Reconstruction Project - Phase V (\$5,000.00)
(Public Services - Sue F. McCormick, Area Administrator)

CA-3 [08-0256](#) Resolution to Approve a Professional Services Agreement for Construction Materials Testing with Inspection Services Company for the 2008 Street Resurfacing Project (RFP No. 696, \$46,705.00)
(Public Services - Sue F. McCormick, Area Administrator)

CA-4 [08-0279](#) Resolution to Transfer Delinquent Curbside Charges to July 2008 City Tax Roll
(Public Services - Sue F. McCormick, Area Administrator)

CA-5 [08-0311](#) Resolution to Authorize the Sole-Source Purchase, Contract and Construction of Approximately 410 Linear Feet of Eight-inch Ductile Iron Water Main from Fonson, Inc. (\$57,067.00)
(Public Services - Sue F. McCormick, Area Administrator)

CA-6 [08-0273](#) Resolution to Approve a Three Year Professional Services Agreement (with an Additional Two Year Option) with Hylant Group for Property, Casualty and Automotive Third Party Claims Administration Services Not to Exceed \$48,300 for Fiscal Year 2008/2009
(Financial and Administrative Services - Tom Crawford, CFO)

- CA-7 [08-0276](#) Resolution to Approve the Transfer of Ownership and Location of a Class C Liquor Licensed Business Located at 175 N. Maple Road to 2541 Jackson Avenue - D/B/A New Garden Buffet II
(City Clerk - Jacqueline Beaudry, City Clerk)
- CA-8 [08-0329](#) Resolution to Award a Construction Contract to Lester Brother's Excavation, Inc (\$66,260.50; Bid No. ITB-3929) for the Wayne Street Utility Improvements Project - Phase I
(Public Services - Sue F. McCormick, Area Administrator)
- B ORDINANCE - SECOND READING**
- B-1 [08-0143](#) An Ordinance to Amend Sections 1:813 and 1:821 of Chapter 23 (Living Wage Requirements) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-08-10)
(City Council)

Sponsors: Easthope
(Postponed from the 3/3/08 and 3/17/08 Regular Sessions)
- D-4 [08-0202](#) Resolution Authorizing Summary Publication of Ordinance No. ORD 08-10 Amending Sections 1:813 and 1:821 of Chapter 23, Living Wage Requirements in City Contracts and Grants, of Title I of the City of Ann Arbor
(City Attorney Services - Stephen Postema, City Attorney)
(Postponed from the 3/3/08 and 3/17/08 Regular Session)
- C ORDINANCE - FIRST READING**
- C-1 [08-0283](#) An Ordinance to Amend Chapter 55, Rezoning of 0.73 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), Cares Property, 505 Riverview Drive (CPC Recommendation for R1B: Approval - 9 Yeas and 0 Nays)
(Planning and Development Services - Jayne Miller, Area Administrator)
- C-2 [08-0285](#) An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Section which shall be Designated as Section 8:425.15 of Chapter 103 (Historic Preservation) of Title VIII of said Code to Establish the 1001-1013 Broadway Historic District
(Planning and Development Services - Jayne Miller, Area Administrator)

- C-3 [08-0306](#) An Ordinance to Amend Section 3:1 of Chapter 39 (Parks-General Regulations) of Title III of the Code of the City of Ann Arbor
(Parks and Recreation Services - Jayne Miller, Area Administrator)
- C-4 [08-0284](#) An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Section which Shall be Designated as Section 8:425.14 of Chapter 103 (Historic Preservation) of Title VIII of Said Code to Establish the Broadway Historic District
(Planning and Development - Jayne Miller)

D MOTIONS AND RESOLUTIONS

D Old Business - Council:

- D-1 [08-0115](#) Resolution to Modify Amendments to Solid Waste Regulations Filed with the City Clerk January 22, 2008, as Revised and Filed February 4, 2008
(City Council)

Sponsors: Rapundalo and Higgins
(Postponed from the 3/3/08 Regular Session) (Revised 4/7/08)

DC New Business - Council:

- DC-1 [08-0302](#) Resolution to Approve the City of Ann Arbor Joining the Washtenaw Urban County for Fiscal Years 2010, 2011, and 2012 and Authorize the City to Enter into the Urban County Cooperative Agreement with Washtenaw County
(City Council)

Sponsors: Easthope and Greden
- DC-2 [08-0313](#) Motion for Reconsideration of Adoption of "Resolution to Approve an Amendment to the Option to Purchase Agreement with Village Green Residential Properties LLC to Extend the Term of the Agreement"
(City Council)

Sponsors: Rapundalo

Added After Newspaper Deadline:

- DC-3 [08-0369](#) Resolution to Approve Temporary Closure of One Northbound Lane of South Main Street, Adjacent to Michigan Stadium

(Roger Fraser)

Sponsors: Anglin, Teall and Higgins
(Added 4/7/08)

DB New Business - Boards and Commissions:

- DB-1 [08-0286](#) Resolution to Approve Boulevard Heights Alley Vacation, Located Between South Maple Road, Collingwood Drive, Abbott Avenue and Jackson Avenue (CPC Recommendation: Motion to Approve Failed - 4 Yeas and 4 Nays)

(Planning and Development Services - Jayne Miller, Area Administrator)

(See PH-1)

D Old Business - Staff:

- D-2 [08-0148](#) Resolution Authorizing Road Improvement Charge for 3081 Glazier Way (\$19,633.77)

(Public Services - Sue McCormick, Area Administrator)

(Postponed from the 3/17/08 Regular Session)

- D-3 [08-0149](#) Resolution Authorizing Road Improvement Charge for 3093 Glazier Way (\$98,168.85)

(Public Services - Sue McCormick, Area Administrator)

(Postponed from the 3/17/08 Regular Session)

DS New Business - Staff:

- DS-1 [08-0298](#) Resolution Establishing Ann Arbor Industrial Development District 2008-030 for 3953 Research Park Drive

(Financial and Administrative Services - Tom Crawford, CFO)

(See PH-2)

- DS-2 [08-0288](#) Resolution to Require Installation of Sidewalks along Geddes Avenue and Hickory Lane Adjacent to the Racquet Club of Ann Arbor as Part of the Administrative Amendment to Approved Site Plan

(Planning and Development Services - Jayne Miller, Area Administrator)

- DS-3 [08-0337](#) Resolution to Approve Amendment No. 1 to the Parking Agreement between Village Green Residential Properties, LLC, the City of Ann Arbor and the Ann Arbor Downtown Development Authority
(City Attorney Services - Stephen K. Postema)
- DS-4 [08-0319](#) Resolution to Approve the Sale of City-owned Land Adjacent to the Public Alley between First and Ashley Streets to Jeanne Properties, LLC (\$295,000.00) **(8 Votes Required)**
(City Attorney - Mary Joan Fales)
- DS-5 [08-0272](#) Resolution Regarding Notice of Intent to Issue General Obligation Capital Improvement Bonds to Fund Construction of a Courthouse and Police Facility (\$31,000,000.00)
(Financial and Administrative Services - Tom Crawford, CFO)
- DS-6 [08-0308](#) Resolution to Approve Construction Manager Agreement for Courthouse and Policy Facility Project (\$2,369,323.00) (RFP No. 702)
(Public Services - Sue F. McCormick, Area Administrator)
(Title Revised 4/7/08)
- DS-7 [08-0230](#) Resolution to Approve Funding for Art in Public Places and Establish Budget Appropriation (\$328,689.00) **(8 Votes Required)**
(Public Services - Sue F. McCormick, Area Administrator)
- DS-8 [08-0236](#) Resolution to Award a Construction Contract to Cadillac Asphalt, L.L.C. (Bid No. 3920, \$2,797,504.87) for the 2008 Street Resurfacing Project
(Public Services - Sue F. McCormick, Area Administrator)
- DS-9 [08-0253](#) Resolution to Approve the Purchase of Two Four Wheel Drive Heavy Duty One Ton Cab and Chassis Trucks from Signature Ford (Macomb County Bid \$66,724.00)
(Public Services - Sue F. McCormick, Area Administrator)
- DS-10 [08-0257](#) Resolution to Amend the Professional Services Agreement with Washtenaw Engineering Company for a New Total Amount of \$325,640.00 for the Design and Construction Engineering Services for the Miller-Maple Transmission Water Main Project
(Public Services - Sue F. McCormick, Area Administrator)

- DS-11 [08-0274](#) Resolution to Approve Compost Rates for Spring 2008 and Establish Overall Pricing Parameters for Ongoing Compost and Mulch Sales
(Public Services - Sue F. McCormick, Area Administrator)
- DS-12 [08-0192](#) Resolution to Approve Purchase of Compost Carts from Cascade Engineering (\$740,250.00) and to Appropriate Funds from the Solid Waste Enterprise Fund (\$740,250.00) **(8 Votes Required)**
(Public Services - Sue F. McCormick, Area Administrator)
- DS-13 [08-0291](#) Resolution to Approve Street Closings for the 2008 Rolling Sculpture Car Show - Friday, July 11, 2008
(Community Services - Jayne Miller, Area Administrator)
- DS-14 [08-0293](#) Resolution to Approve Street Closings for the Priority Health Cycling Classic - Sunday, September 7, 2008
(Community Services - Jayne Miller, Area Administrator)
- DS-15 [08-0295](#) Resolution to Approve Street Closings for the Burns Park Run - Sunday, May 4, 2008
(Community Services - Jayne Miller, Area Administrator)
- DS-16 [08-0305](#) Resolution to Approve Contract Change Order No. 1, Increasing the Total Contract Amount to \$163,174.00 with Margolis Companies, Inc. for Bid #3868 to Complete the Swift Run Dog Park Construction
(Community Services - Jayne Miller, Area Administrator)
- DS-17 [08-0314](#) Resolution Accepting Water Main Easement from Ann Arbor Square, LLC (3050 Platt Road) **(8 votes required)**
(City Attorney Services - Stephen Postema, City Attorney)
- DS-18 [08-0315](#) Resolution Accepting Public Pedestrian Access Easement from Ann Arbor Square, LLC (3050 Platt Road) **(8 Votes Required)**
(City Attorney Services - Stephen Postema, City Attorney)
- DS-19 [08-0317](#) Resolution Accepting Easement for a Storm Water Management System from Ann Arbor Square, LLC (Rite Aid Store - 3050 Platt Road) **(8 Votes Required)**
(City Attorney Services - Stephen Postema, City Attorney)

- DS-20 [08-0318](#) Resolution Accepting Sanitary Sewer Easement from Trinity Evangelical Lutheran Church of Ann Arbor 1400 W. Stadium Boulevard **(8 Votes Required)**
(City Attorney Services - Stephen Postema, City Attorney)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [08-0294](#) Appointments - Confirmations
(Mayor's Office - Mayor Hieftje)
- E-2 [08-0371](#) Appointments - Nominations
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL

F COMMUNICATIONS FROM CITY ADMINISTRATOR

- F-1 [08-0266](#) Creating a Flat Parking Rate for Visitor Parking during UM 2008 LS&A Commencement
(DDA - Susan Pollay, Executive Director)
- F-2 [08-0275](#) Annual Report of Potential Lien Assessments for Delinquent Water Utility Account
(Public Services - Sue F. McCormick, Area Administrator)
- F-3 [08-0299](#) AFSCME/Ann Arbor Labor Relations Communication
(City Administration - Roger Fraser, City Administrator)
- F-4 [08-0309](#) Historic District Commission 2007 Annual Report
(Planning and Development Services - Jayne Miller, Area Administrator)

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 [08-0290](#) Communication from Lawrence Lump Regarding University Towers - Planning and Development Services
(City Clerk - Jacqueline Beaudry, City Clerk)

- H-2 [08-0300](#) Communication from the Michigan Public Service Commission regarding receipt of City Council's Resolution about Public Educational and Governmental (PEG)
(City Clerk - Jacqueline Beaudry, City Clerk)
- H-3 [08-0320](#) Communication from 1320 South University Apartments, LLC regarding University Village Apartments
(City Clerk - Jacqueline Beaudry, City Clerk)
- H-4 [08-0321](#) Communication from SEMCOG regarding their Regional Update of March 10, 2008, Vol. 13, No. 16
(City Clerk - Jacqueline Beaudry, City Clerk)
- H-5 [08-0322](#) Communication from US Bank regarding their publication of Corporate Trust Connection Spring 2008 Edition
(City Clerk - Jacqueline Beaudry, City Clerk)
- H-6 [08-0323](#) Communication from Enbridge regarding a crude oil pipeline system operated by Enbridge
(City Clerk - Jacqueline Beaudry, City Clerk)
- H-7 [08-0324](#) Communication from W.A.T.S. regarding Transit Plan Recommendations for Washtenaw County
(City Clerk - Jacqueline Beaudry, City Clerk)
- H-8 [08-0325](#) Communication from Mary Hathaway regarding using the Old Y Building as an Ann Arbor Commons
(City Clerk - Jacqueline Beaudry, City Clerk)
- H-9 [08-0341](#) Communication from David J. Pauley regarding a complaint against Comcast - CTN
(City Clerk)
- H-10 [08-0342](#) Communication from Ann Arbor Center for Independent Living regarding Disability Awareness & Etiquette flyer - File
(City Clerk)
- H-11 [08-0343](#) Communication from S.E.M.C.O.G. regarding their Regional Update Publication , Vol 13, No. 7, March 24, 2008 - File
(City Clerk)

- H-12 [08-0344](#) Communication from Jonathan Holtzman, Chairman of Village Green Companies, regarding proposed apartment project on First and Washington Streets - Planning and Development Services
(City Clerk)
- H-13 [08-0347](#) Communication from Comcast regarding their response to the Resolution to Approve the Vacation of the Boulevard Heights Alley R-08-059 - Planning and Development Services
(City Clerk)
- H-14 [08-0364](#) Communication from Michael Hanna, Managing member of Rush Street Martini Lounge regarding revising the ordinance permitting outdoor restaurant seating - Planning and Development Services
(City Clerk)
- H-15 [08-0365](#) Communication from Miriam Lindsey regarding enforcement of an ordinance prohibiting hot dog vendors from conducting business - Planning and Development Services
(City Clerk)
- H-16 [08-0373](#) Letter of Opposition from Arbor West Plaza Regarding the Proposed Resolution to Approve Boulevard Heights Alley Vacation (File 08-0286) - Planning and Development Services
(City Clerk - Jacqueline Beaudry, City Clerk)
(Added 4/7/08)
- H-17 [08-0377](#) Protest letters from Portofino Coffee House, Quiznos Sub and Focus Photo regarding the closing of Boulevard Heights Alley - Planning and Development Services
(City Clerk)
(Added 4/7/08)
- I **The following minutes were received for file:**
- I-1 [08-0217](#) Greenbelt Advisory Commission Minutes of January 15, 2008
(Greenbelt Advisory Commission - City Clerk's Office)
- I-2 [08-0301](#) Taxicab Board Meeting Minutes - November 29, 2007
(Financial and Administrative Services - Tom Crawford, CFO)

- I-3 [08-0303](#) City of Ann Arbor Employees' Retirement System Minutes - February 21, 2008
(Retirement System - Willie Powell, Executive Director)
- I-4 [08-0304](#) City of Ann Arbor Retiree Health Care Benefit Plan & Trust Minutes - February 21, 2008
(Retirement System - Willie Powell, Executive Director)

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, APRIL 7, 2008, 7:00 P.M.

REPLAYS: TUESDAY, APRIL 8, 2008, 10:30 A.M. AND FRIDAY, APRIL 11, 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.