



City of Ann Arbor

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

Meeting Agenda City Council

Monday, September 22, 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

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. Thomas Partridge - Elect Obama, Mark Shauer, and Tom Partridge. Protect the rights of seniors, handicapped, and middle class residents of Ann Arbor and michigan. Create progress in jobs, affordable housing, healthcare, education, and regional transportation.**
- 2. John Floyd - Charm Zone**
- 3. Tom Wall - University of Michigan**

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1** [08-0763](#) An Ordinance to Amend Chapter 55, Rezoning of 8.28 acres from PUD (Planned Unit Development District) to Revised PUD, Briarwood Lots 12 & 13, 1301 Briarwood Circle (CPC Recommendation: Approval - 8 Yeas and 1 Nay) (Ordinance No. ORD-08-30)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See B-1)

- PH-2** [08-0847](#) Resolution to Approve Briarwood Lots 12 and 13 Hotels PUD Site Plan and Development Agreement, 8.28 Acres, 1301 Briarwood Circle (CPC Recommendation: Approval - 8 Yeas and 1 Nay)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See DB-1)
- PH-3** [08-0811](#) An Ordinance to Amend Chapter 47 (Streets) of Title IV of the Code of the City of Ann Arbor regarding the Ann Arbor Sidewalk Vendor Program (Ordinance No. ORD-08-33)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See B-2)
- PH-4** [08-0848](#) Resolution to Approve 133 Hill Street Site Plan, 0.20 Acre (CPC Recommendation: Denial - 3 Yeas, 2 Nays and 1 Abstention)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See DB-2)
- PH-5** [08-0850](#) Resolution to Approve 326 West Liberty Street Site Plan, 0.42 Acre (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See DB-3)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

- A-1** [08-0878](#) Regular Session and Special Session Minutes of September 8, 2008
(City Clerk - Jacqueline Beaudry)

CA CONSENT AGENDA

- CA-1** [08-0844](#) Resolution Authorizing a Contract with Rantoul Truck Center, LLC for the Rental of Five Rear Load Refuse Trucks (\$58,232.00)
(Public Services - Sue McCormick, Public Services Administrator)
- CA-2** [08-0855](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of August 22, 2008
(Financial and Administrative Services - Tom Crawford, CFO)

- CA-3 [08-0859](#) Resolution Renaming Terhune Pioneer Cemetery to Terhune Pioneer Memorial Park for Public Clarification

(Community Services - Jayne Miller, Area Administrator)

B ORDINANCE - SECOND READING

- B-1 [08-0763](#) An Ordinance to Amend Chapter 55, Rezoning of 8.28 acres from PUD (Planned Unit Development District) to Revised PUD, Briarwood Lots 12 & 13, 1301 Briarwood Circle (CPC Recommendation: Approval - 8 Years and 1 Day) (Ordinance No. ORD-08-30)

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

(See PH-1) (Supplemental Regulations Revised 9-22-08)

- B-2 [08-0811](#) An Ordinance to Amend Chapter 47 (Streets) of Title IV of the Code of the City of Ann Arbor regarding the Ann Arbor Sidewalk Vendor Program (Ordinance No. ORD-08-33)

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

(See PH-3) (Revised 9/18/08)

- DS-8 [08-0871](#) Resolution Authorizing Summary Publication of Ordinance No. 08-33 - An Ordinance to Amend Chapter 47 (Streets) of Title IV of the Code of the City of Ann Arbor regarding the Ann Arbor Sidewalk Vendor Program

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

(Added After Newspaper Deadline on 9/18/08)

C ORDINANCE - FIRST READING

Old Business:

- C-1 [08-0675](#) An Ordinance to Amend Sections 5:1, 5:10.6, 5:10.8, 5:10.9, 5:10.10, 5:10.11, 5:10.12, 5:10.13, 5:10.14, 5:10.14A, 5:25-5:49, 5:59 and 5:62 of Chapter 55 - Zoning; to Repeal Section 5:10.7 of Chapter 55, and to Amend Section 5:168 of Chapter 59 - Off Street Parking, of Title V of the Code of the City of Ann Arbor regarding Area, Height and Placement Standards (CPC Recommendation: Approval - 7 Years and 2 Nays)

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

(Postponed from the 7/21/08 regular session.)

New Business:

- C-2 [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)
(Planning and Development Services - Jayne Miller, Community Services Administrator)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [08-0866](#) Resolution for Community Events Fund Disbursements from the FY 08 Budget (**8 votes required**)
(City Council - Marcia Higgins)

DB New Business - Boards and Commissions:

- DB-1 [08-0847](#) Resolution to Approve Briarwood Lots 12 and 13 Hotels PUD Site Plan and Development Agreement, 8.28 Acres, 1301 Briarwood Circle (CPC Recommendation: Approval - 8 Yeas and 1 Nay)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See PH-2) (Development Agreement Revised 9/17/08)
- DB-2 [08-0848](#) Resolution to Approve 133 Hill Street Site Plan, 0.20 Acre (CPC Recommendation: Denial - 3 Yeas, 2 Nays and 1 Abstention)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See PH-4)
- DB-3 [08-0850](#) Resolution to Approve 326 West Liberty Street Site Plan, 0.42 Acre (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See PH-5)
- DB-4 [08-0849](#) Resolution to Approve Muhleman Annexation, 1.25 Acres, 3055 Dover Place and Contiguous Vacant Parcel (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
- DB-5 [08-0851](#) Resolution to Approve Willing Annexation, 0.47 Acre, 1545 Chalmers Drive (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
(Planning and Development Services - Jayne Miller, Community Services Administrator)

DS Old Business - Staff:

- DS-1 [08-0766](#) Resolution to Approve the Transfer of Ownership of a 2008 Class C Liquor Licensed Business, Located in Escrow at 327 Braun, from Eguchi Corporation to KVA, LLC and to Transfer the Location to 800 S. State and a Request for an Outdoor Service Area on a City Sidewalk - D/B/A Quickie Burger
(City Clerk - Jacqueline Beaudry)
(Postponed from the 8/18/08 regular session)

New Business - Staff:

- DS-2 [08-0852](#) Resolution to Approve a Contract with Avalon Housing, Inc. for Activities Related to its Merger with Washtenaw Affordable Housing Corporation (WAHC) (\$295,000.00 Ann Arbor Housing Trust Fund)
(Community Development Services - Jayne Miller, Community Services Administrator)
- DS-3 [08-0826](#) Resolution to Amend Contract with the US Department of Energy for Solar America Cities Project (\$200,000.00 Federal Funds)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-4 [08-0821](#) Resolution to Approve a Professional Service Agreement with Northwest Consultants, Inc. (\$148,904.57), Appropriate Funds (\$33,000.00) and Establish a Project Budget for the 2008/2009 Bridge Inspection Program (\$188,000.00) **(8 Votes Required)**
(Project Management Services - Sue F. McCormick, Public Services Area Administrator)
- DS-5 [08-0836](#) Resolution to Approve the Airport Layout Plan Update for the Ann Arbor Municipal Airport, which Illustrates Existing and Proposed Facilities to Meet the Future Demands of Airport Tenants and Users
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-6 [08-0861](#) Resolution Accepting Utility Easement from Washtenaw Community College (Swift Run Sanitary Sewer Relief Project) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
- DS-7 [08-0862](#) Resolution Accepting Utility Easement from Gene Ohlgren, Independent Personal Representative of The Estate of Dorothy L. Smith, deceased Outlot "A", Eskermoor Subdivision (Swift Run Sanitary Sewer Relief Project) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)

E COMMUNICATIONS FROM THE MAYOR**COMMUNICATIONS FROM COUNCIL****F COMMUNICATIONS FROM CITY ADMINISTRATOR**

- F-1** [08-0860](#) Agreement between the City of Ann Arbor and Washtenaw Community College to Enter into a Recreation Programming Partnership
(Community 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** [08-0853](#) Communication from the State of Michigan regarding notice of completion of an Annexation at 1621 Plymouth Road - Penske Truck Leasing/Mihail - File
(City Clerk)
- H-2** [08-0863](#) Communication from Superior Charter Township Planning Commission regarding a Public Hearing Notice on an application from Washtenaw Community College - September 24, 2008 at 7:30 p.m.
(City Clerk - Jacqueline Beaudry)
- H-3** [08-0864](#) Communication from Washtenaw Intermediate School District regarding the 2008 Tax Rate Request (I-4029) for the Washtenaw Intermediate School District (WISD)
(City Clerk - Jacqueline Beaudry)
- H-4** [08-0870](#) Communication from Community Records Foundation regarding an invitation to all of City Council to their Community Records Foundation Friend Raiser on September 20, 2008 at 4 p.m. at EMU's Student Center, Grand Ballroom - File
(City Clerk - Jacqueline Beaudry)
- H-5** [08-0872](#) Communication from the Ann Arbor Area Chamber of Commerce regarding recent decisions by the City of Ann Arbor Historic District Commission - File
(City Clerk - Jacqueline Beaudry)

I The following minutes were received for file:

- I-1 [08-0838](#) Ann Arbor Housing Commission Regular Board Meeting Minutes - June 18, 2008 and July 23, 2008.
(Housing Services - Betsey Lindsley)
- I-2 [08-0856](#) Council Liquor License Review Committee - August 18, 2008
(City Clerk - Jacqueline Beaudry)

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, SEPTEMBER 22, 2008, 7:00 P.M.****REPLAYS: TUESDAY, SEPTEMBER 23, 2008 10:30 A.M. AND FRIDAY, SEPTEMBER 26, 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.