



# City of Ann Arbor

100 N. Fifth Avenue  
Ann Arbor, MI 48104  
<http://a2gov.legistar.com/Calendar.aspx>

## Meeting Agenda City Council

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Monday, July 19, 2010

7:00 PM

G. C. Larcom, Jr. Municipal Building, 100 N.  
Fifth Avenue, 2nd Floor

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**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 - Affordable housing and support services public transit, health care and education (DS-9)
2. Joan Doughty - Bryant Neighborhood flooding problem
3. Alan Haber - Library Lot Commons
4. Kathy Griswold - King School Crosswalk
5. Joseph Miriani - Arizona immigration Law

**COMMUNICATIONS FROM COUNCIL**

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

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

- PH-1**    [10-0550](#)    An Ordinance to Amend Chapter 55, Rezoning of 10.0 Acres from TWP (Township District) to PL (Public Land District), Dicken Woods Nature Area, Southeast Corner S. Maple Road and Pauline Boulevard (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-10-21)  
(Community Services - Sumedh Bahl, Interim Area Administrator)  
(See B-1)
- PH-2**    [10-0609](#)    An Ordinance to Amend Section 10:148 of Chapter 126 (Pedestrian Safety in Crosswalks), of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-28)  
(City Attorney Services - Stephen K. Postema, City Attorney)  
**Sponsors:**    Hohnke and Hieftje  
(See B-2)
- PH-3**    [10-0666](#)    An Ordinance to Amend Sections 2:12 and 2:13 of Chapter 26 (Solid Waste Management) of Title II of the Code of the City of Ann Arbor Increasing Fines, Regulating Owner Fine Charge Back to Occupants and Certain Administrative Changes (Ordinance No. ORD-10-26)  
(City Attorney Services - Stephen K. Postema)  
**Sponsors:**    Taylor and Hieftje  
(See B-3)
- PH-4**    [10-0681](#)    An Ordinance to Amend Sections 1:552(14) and Section 1:572(b) of Chapter 18 (Employees Retirement System), Title I of the Code of the City of Ann Arbor to Implement Bargained Changes for Members of Teamsters Deputy Chiefs, Teamsters Local 214, and Teamsters Police Professional Assistants (Ordinance No. ORD-10-27)  
(City Attorney Services - Stephen K. Postema, City Attorney)  
(See B-4)
- PH-5**    [10-0508](#)    Resolution to Approve Zingerman's Deli Expansion Site Plan and Development Agreement, 422 Detroit Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays).  
(Community Services - Sumedh Bahl, Area Administrator)  
(See DB-1)

- PH-6 [10-0658](#) Resolution to Approve Deli Partners, L.L.C. - Zingerman's Delicatessen Redevelopment Project Brownfield Plan, Detroit and E. Kingsley Streets, Ann Arbor, MI (BRC Recommendation: Approval - 3 Years and 0 Nays)  
(Community Services - Sumedh Bahl, Area Administrator)  
(See DB-2)

#### COMMUNICATIONS FROM COUNCIL

#### A APPROVAL OF COUNCIL MINUTES

- A-1 [10-0730](#) July 6, 2010 Regular and Working Session  
(City Clerk Services - Jacqueline Beaudry)

#### CA CONSENT AGENDA

- CA-1 [10-0643](#) Resolution to Authorize the Purchase of LED Light Fixtures from Madison Electric Company (\$99,370.50) ITB-4089  
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-2 [10-0649](#) Resolution to Approve Employment Agreement with Barry H. Eads for Process and Information Control Management Services at the Wastewater Treatment Plant (\$100,000.00)  
(Water Treatment Plant Services - Sue F. McCormick, Public Services Administrator)
- CA-3 [10-0675](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of June 29, 2010  
(Financial and Administrative Services - Tom Crawford, CFO)

#### B ORDINANCES - SECOND READING

- B-1 [10-0550](#) An Ordinance to Amend Chapter 55, Rezoning of 10.0 Acres from TWP (Township District) to PL (Public Land District), Dicken Woods Nature Area, Southeast Corner S. Maple Road and Pauline Boulevard (CPC Recommendation: Approval - 8 Years and 0 Nays) (Ordinance No. ORD-10-21)  
(Community Services - Sumedh Bahl, Interim Area Administrator)  
(See PH-1)

- B-2**     [10-0609](#)     An Ordinance to Amend Section 10:148 of Chapter 126 (Pedestrian Safety in Crosswalks), of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-28)  
(City Attorney Services - Stephen K. Postema, City Attorney)  
**Sponsors:**     Hohnke and Hieftje  
(See PH-2)
- B-3**     [10-0666](#)     An Ordinance to Amend Sections 2:12 and 2:13 of Chapter 26 (Solid Waste Management) of Title II of the Code of the City of Ann Arbor Increasing Fines, Regulating Owner Fine Charge Back to Occupants and Certain Administrative Changes (Ordinance No. ORD-10-26)  
(City Attorney Services - Stephen K. Postema)  
**Sponsors:**     Taylor and Hieftje  
(See PH-3)
- DS-11**   [10-0723](#)     Resolution Authorization Summary Publication of Ordinance No. 10-26 Amending Sections 2:12 and 2:13 of Chapter 26 (Solid Waste Management) of Title II of the Code of the City of Ann Arbor Increasing Fines, Regulating Owner Fine Charge Back to Occupants and Certain Administrative Changes  
(City Attorney Services - Stephen K. Postema, City Attorney)
- B-4**     [10-0681](#)     An Ordinance to Amend Sections 1:552(14) and Section 1:572(b) of Chapter 18 (Employees Retirement System), Title I of the Code of the City of Ann Arbor to Implement Bargained Changes for Members of Teamsters Deputy Chiefs, Teamsters Local 214, and Teamsters Police Professional Assistants (Ordinance No. ORD-10-27)  
(City Attorney Services - Stephen K. Postema, City Attorney)  
(See PH-4)
- DS-10**   [10-0722](#)     Resolution Authorizing Summary Publication of Ordinance No. 10-27 Amending Sections 1:552(14) and Section 1:572(b) of Chapter 18 (Employees Retirement System) Implement Bargained Changes for Members of Teamsters Deputy Chiefs, Teamsters Local 214, and Teamsters Police Professional Assistants  
(City Attorney Services - Stephen K. Postema)

**C     ORDINANCES - FIRST READING**

- C-1 [10-0708](#) ~~An Ordinance to Amend Section 1:17 of Chapter 1 (Adoption, Contents and Interpretation) of Title 1 of the Code of the City of Ann Arbor and to Add a New Section 9:7 to Chapter 106 (Nuisances – Ban on Upholstered Furniture Outdoors) of Title IX of the Code of the City of Ann Arbor~~  
(Community Services - Sumedh Bahl, Area Administrator)  
**Sponsors:** Taylor  
(Deleted from Agenda on 7/15/10)

**D MOTIONS AND RESOLUTIONS**

**DC New Business - Council:**

- DC-1 [10-0740](#) Resolution In Support of the Zingerman's Delicatessen Expansion Site Plan Notice to Proceed  
(City Council)  
**Sponsors:** Taylor, Derezinski and Smith  
(Added 7/16/10)
- DC-2 [10-0670](#) Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to East U Provisions, LLC (d/b/a Revive), 619 E. University  
(City Clerk Services - Jacqueline Beaudry)  
**Sponsors:** Council Liquor License Review Committee  
(Added 7/16/10)
- DC-3 [10-0734](#) Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to LBV, LLC (@Burger), 505 E. Liberty St., Suite 100A & 100B  
(City Clerk - Jacqueline Beaudry)  
**Sponsors:** Council Liquor License Review Committee  
(Added 7/16/10)
- DC-4 [10-0742](#) Resolution to Approve the Terms of the Reopener for the Final Year of the July 1, 2008 to June 30, 2011 Collective Bargaining Agreement for Police Professional Assistants Unit, Teamsters Local 214  
(City Council)  
**Sponsors:** Rapundalo  
(Added 7/19/10)

- DC-5 [10-0743](#) Resolution to Approve the July 1, 2009 to June 30, 2012 Collective Bargaining Agreement between the City of Ann Arbor and the Civilian Supervisors Unit, Teamsters Local 214  
(City Council)  
**Sponsors:** Rapundalo  
(Added 7/19/10)
- DC-6 [10-0744](#) Resolution to Support Michigan High-Speed and Intercity Passenger Rail Programs  
(City Council)  
**Sponsors:** Hieftje  
(Added 7/19/10)
- DC-7 [10-0746](#) Resolution to Approve Temporary Outdoor Sales, Service and Consumption of Alcoholic Beverages during the 2010 Ann Arbor Art Fair for Old Town Tavern, 122 W. Liberty  
(City Council)  
**Sponsors:** Hohnke  
(Added 7/19/10)

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

- DB-1 [10-0508](#) Resolution to Approve Zingerman's Deli Expansion Site Plan and Development Agreement, 422 Detroit Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays).  
(Community Services - Sumedh Bahl, Area Administrator)  
(See PH-5)
- DB-2 [10-0658](#) Resolution to Approve Deli Partners, L.L.C. - Zingerman's Delicatessen Redevelopment Project Brownfield Plan, Detroit and E. Kingsley Streets, Ann Arbor, MI (BRC Recommendation: Approval - 3 Yeas and 0 Nays)  
(Community Services - Sumedh Bahl, Area Administrator)  
(See PH-6)
- DB-3 [10-0664](#) Resolution Approving Cooperative Agreement with and Purchase Agreement for the Honke Family LLC Property in Northfield Township and Appropriate Funds - \$718,267.00 **(8 Votes Required)**  
(Community Services - Sumedh Bahl, Area Administrator)

**DS New Business - Staff:**

- DS-1 [10-0648](#) Resolution Setting a Public Hearing on NanoBio Application for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2010-010  
(Financial and Administrative Services - Tom Crawford, CFO)
- DS-2 [10-0631](#) Resolution to Approve Amendment No. 4 to the Professional Services Agreement with Stantec Consulting Michigan, Inc. (\$200,000.00) for Technical Engineering Services  
(Water Treatment Plant Services - Sue F. McCormick, Public Services Administrator)
- DS-3 [10-0636](#) Resolution to Approve Contract with Clean Energy Coalition for Community Energy Program Coordinator (\$260,000.00) RFP-760  
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-4 [10-0644](#) Resolution to Amend Grant Agreement with the US Department of Energy for Energy Efficiency and Conservation Block Grant (EECBG) Project (\$1,243,400.00 Federal Funds)  
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-5 [10-0645](#) Resolution to Approve a Change Order (\$82,520.50) and Appropriate Funds (\$110,273.00) for the Construction Contract with Douglas N. Higgins, Inc. for the Construction of the City Hall East Parking Lot (**8 Votes Required**)  
(Project Management Services - Sue F. McCormick, Public Services Administrator)
- DS-6 [10-0635](#) Resolution to Approve a Contract with Nagle Paving, Inc. to Renovate the Parking Lot and Tennis Courts at Veterans Memorial Park, ITB No. 4103 (\$265,910.00)  
(Community Services - Sumedh Bahl, Area Administrator)
- DS-7 [10-0661](#) Resolution to Approve FY 11 Allocations to Non-Profit Entities for Human Services - \$1,275,744 (General Fund)  
(Community Services - Sumedh Bahl, Area Administrator)
- DS-8 [10-0682](#) ~~Resolution to Accept and Appropriate Increase of \$911,950 to \$850,000 Grant from Michigan State Housing Development Authority (MSHDA) for Neighborhood Stabilization Program Funds and Contract with Washtenaw County to Administer the Grant (**8 Votes Required**)~~  
(Community Services - Sumedh Bahl, Area Administrator)  
*Deleted from Agenda on 7/16/10*

- DS-9 [10-0667](#) Resolution to Reallocate \$175,383.00 in Neighborhood Stabilization Program Funds to Avalon Housing Inc. or an Affiliated Ownership Entity for the Acquisition and Rehabilitation of 701 Miller (\$175,383.00 CDBG-NSP Funds) **(8 Votes Required)**  
(Community Services - Sumedh Bahl, Area Administrator)  
(Revised 7/15/10)

- DS-12 [10-0654](#) Resolution Accepting Easement from the United States of America for the Installation of Temporary Tie backs at the Federal Building (Underground S. Fifth Avenue Parking Structure Project) **(8 Votes Required)**  
(DDA - Susan Pollay, Executive Director)  
**Sponsors:** Rapundalo  
(Added 7/19/10)

#### E COMMUNICATIONS FROM THE MAYOR

- E-1 [10-0710](#) Appointments - Confirmations  
(City Council)
- E-2 [10-0745](#) 7/19/10 Appointments & Nominations  
(Mayor's Office)

#### COMMUNICATIONS FROM COUNCIL

#### F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

- F-1 [10-0702](#) 300 Block of South Fifth Avenue to Close August 1st as Part of the South Fifth Avenue Parking Structure Project Construction  
(Downtown Development Authority - Susan Pollay)

#### G COMMUNICATIONS FROM THE CITY ATTORNEY

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

H The following communications were referred as indicated:

- H-1 Communication of support of the Zingerman's Expansion Project from Phil & Shirley Gach  
(See DB-2 for copy of letter.)



**H-2 Communication Kyle Mazurek regarding support of Zingerman's Deli Expansion**

*(See DB-2 for copy of email.)*

**H-3 Zingerman's support communication from Jeremy Peters**

*(See DB-2 for copy of email.)*

**H-4 Zingerman's support communication from Karl Couyoumjian**

*(See DB-2 for copy of email.)*

**H-5 Zingerman's support letter from Michale Appel**

*(See DB-2 for copy of letter.)*

**H-6 Zingerman's support communication from Phil & Shirley Gach**

*(See DB-2 for copy of letter.)*

**H-7 Zingerman's support communication from Rebecca Anderson**

*(See DB-2 for copy of email.)*

**H-8 Zingerman's support communication from Ingrid Ault**

*(See DB-2 for copy of email.)*

**H-9 Zingerman's support communication from Chris Sing**

*(See DB-2 for copy of email.)*

**H-10 Zingerman's support communication from Nancy C. Yvanauskas**

*(See DB-2 for copy of email.)*

**H-11 Zingerman's support communication from Karen Gates**

*(See DB-2 for copy of email.)*

**H-12 Zingerman's support communication from Kevin Van Kannel**

*(See DB-2 for copy of email.)*

**H-13 Zingerman's support communication from Tom Harrison**

*(See DB-2 for copy of email.)*

**H-14 Zingerman's support communication from Lou Belcher**

*(See DB-2 for copy of email.)*

**H-15 Zingerman's support communication from Lanny White**

*(See DB-2 for copy of email.)*

**I The following minutes were received for file:**

- I-1 [10-0512](#) Airport Advisory Committee Minutes - March 17, 2010
- I-2 [10-0622](#) City Planning Commission Minutes of May 4, 2010.  
(City Planning Commission)
- I-3 [10-0678](#) LDFA Board Meeting Minutes - March 16, 2010, April 27, 2010  
(Financial and Administrative Services - Tom Crawford, CFO)
- I-4 [10-0692](#) Zoning Board of Appeals Minutes - November 19, 009, January 27, 2010  
(Community Services - Sumedh Bahl, Area Administrator)

**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, JULY 19, 2010 AT 7:00 P.M.**

**REPLAYS: TUESDAY, JULY 20, 2010 AT 10:00 A.M. AND FRIDAY, JULY 23, 2010 AT 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 734-794-6140 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.**