



City of Ann Arbor

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

Meeting Agenda City Council

Monday, March 15, 2010

7:00 PM

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

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. **Andrew McGill - Environmental Assessment (DS-9)**
2. **Libby Hunter - Budget, Annual Service Contract ith RecycleRewards, Amendment with Recycle Ann arbor, Contract with William R. Wheeler, Agreement with MDOT, and Environmental Assessment Study for Runway Extension at Ann Abor Municipal Airport**
3. **Kathy Boris - Single Stream Recycling (DS-5)**
4. **Rita Mitchell Contract with RecycleRewards and Contract Amendment with Recycle Ann Arbor (DS-4 & DS-5)**
5. **Glenn Thompson (Contract Amendment with Recycle Ann Arbor (DS-5)**
6. **Edward Shaffran - Main Street Biz (F-1)**

7. Lou Glorie - Single Stream Recycling (DS-5)
8. Lily Au - Neighborhood Stabilization Funds to Community Housing Alternatives (DS-17 and DS-18)
9. Marcia Federbush - Comments about a Human Rights Commission Member
10. Henry Herskovitz - Iraq

COMMUNICATIONS FROM COUNCIL**COMMUNICATIONS FROM THE CITY ADMINISTRATOR****Swearing In of New Fire Chief**

(Added 3/12/10) (See DS-19)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [10-0117](#) An Ordinance to Add a New Section 10:101a to Chapter 126 (Traffic - Restricting Cell Phone Use While Driving) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-07)
(City Attorney Services - Stephen K. Postema)

Sponsors: Rapundalo
(See B-1)

- PH-2 [10-0219](#) Resolution to Urge the Selection of the City of Ann Arbor as a Google Fiber for Communities Trial Location
(City Council)

Sponsors: Taylor, Briere, Smith, Hohnke, Hieftje and Rapundalo
(See DC-1)

COMMUNICATIONS FROM COUNCIL**A APPROVAL OF COUNCIL MINUTES**

- A-1 [10-0238](#) City Council Working Session of February 22, 2010 and Regular Session of March 1, 2010
(City Clerk - Jacqueline Beaudry)

CA CONSENT AGENDA

- CA-1 [10-0161](#) Resolution to Accept the Right-of-Ways of Redland Ct., Hickory Pointe Dr., Woodhaven Ct., Indian Creek Cir. and the unnamed Service Drive between E. Stadium and Washtenaw Rd. and to dedicate them as Public Streets in the Act 51 Street System
(Public Services Area - Sue F. McCormick, Public Services Administrator)
- CA-2 [10-0103](#) Resolution for Approval of Amendment No. 2 to the Professional Services Agreement with CDM Michigan Inc. for the Lime Feed System Improvements Project (\$99,580.00)
(Public Services Area - Sue F McCormick, Public Services Administrator)
- CA-3 [10-0146](#) Resolution to Approve Professional Services Agreement for Construction Materials Testing with CTI & Associates, Inc. for the West Stadium (Suffolk to Hutchins) Improvements Project (RFP No. 757; \$47,420.00)
(Public Services Area - Sue F. McCormick, Public Services Administrator)

B ORDINANCES - SECOND READING

- B-1 [10-0117](#) An Ordinance to Add a New Section 10:101a to Chapter 126 (Traffic - Restricting Cell Phone Use While Driving) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-07)
(City Attorney Services - Stephen K. Postema)
Sponsors: Rapundalo
(See PH-1)
- DS-1 [10-0187](#) Resolution Authorizing Summary Publication of Ordinance No. ORD-10-07 to Add a New Section 10:101a to Chapter 126, Title X (Traffic) of the Code of the City of Ann Arbor
(City Attorney - Abigail Elias)

C ORDINANCES - FIRST READING

- C-1 [10-0175](#) An Ordinance Authorizing the Issuance and Sale of Sewage Disposal System Revenue Bonds, Series 2010-A to the Michigan Municipal Bond Authority (\$1,320,000) (**Roll Call Vote Required - One Reading**)
(Financial and Administrative Services - Matthew V. Horning, Treasurer)

- C-2 [10-0195](#) An Ordinance to Amend Chapter 55, Rezoning of 0.5 Acre from C1 (Local Business) to C2B (Business Service), Gallup One Stop Gas Station, 2955 Packard Road (CPC Recommendation: Approval - 8 Ayes and 0 Nays)

(Community Services Area - Sumedh Bahl, Interim Area Administrator)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [10-0219](#) Resolution to Urge the Selection of the City of Ann Arbor as a Google Fiber for Communities Trial Location

(City Council)

Sponsors: Taylor, Briere, Smith, Hohnke, Hieftje and Rapundalo
(See PH-2)
- DC-2 [10-0256](#) Resolution Recognizing Fresh Start Clubhouse as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

(City Council)

Sponsors: Briere
(Added 3/12/10)
- DC-3 [10-0205](#) Resolution to Transfer all Rights to Renewal of a 2009 Resort Class C Liquor Licensed Business Located in Escrow at 575 Briarwood Circle, from The Sweet Onion, Inc. to Fast Casual, L.L.C.

(City Clerk - Jacqueline Beaudry)

Sponsors: Council Liquor License Review Committee
(Added 3/12/10)
- DC-4 [10-0257](#) Resolution to Reaffirm prior Recommendation of Approval of Issuance of a Downtown Development District Liquor License to Trifecta Productions, LLC (d/b/a Tomukun Noodle Bar)

(City Clerk)

Sponsors: Council Liquor License Review Committee
(Added 3/15/10)
- DC-5 [10-0261](#) Resolution to Renew Mandate and Appoint Members of the Golf Courses Advisory Task Force

Sponsors: Rapundalo
(Added 3/15/10)

- DC-6 [10-0262](#) Resolution to Replace the Ann Arbor Housing Commission Board of Commissioners
(City Council)
Sponsors: Derezhinski
(Added 3/15/10)
- DB **New Business - Boards and Commissions:**

None.
- DS **New Business - Staff:**
- DS-2 [10-0086](#) Resolution to Amend the Professional Services Agreement with Northwest Consultants, Inc. for the E. Stadium Boulevard Bridges Replacement Project (\$249,157.00)
(Public Services - Sue F. McCormick, public Services Administrator)
- DS-3 [10-0090](#) Resolution to Retroactively Approve a Construction Contract with the Anlaan Corporation for the Partial Demolition of the E. Stadium Boulevard Bridge over S. State Street (\$65,976.08)
(Project Management Services - Sue F. McCormick)
- DS-4 [10-0101](#) Resolution to Authorize an Annual Service Contract with RecycleRewards (not to exceed \$227,400.00 in FY11)
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
- DS-5 [10-0102](#) Resolution to Authorize a Contract Amendment with Recycle Ann Arbor for Single Stream Collection
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
- DS-6 [10-0126](#) Resolution to Approve an Employment Contract with William R. Wheeler as the Municipal Center Project Manager (\$126,000.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-7 [10-0129](#) Resolution to Approve Agreement with the Michigan Department of Transportation for the Non Motorized System Expansion Project (\$250,000.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-8 [10-0164](#) Resolution to Accept Road Certifications from Washtenaw County
(Public Services Area - Sue F. McCormick, Public Services Administrator)

- DS-9 [10-0169](#) Resolution to Approve a Grant with the Michigan Department of Transportation for work on the Environmental Assessment Study for the Runway Extension at the Ann Arbor Municipal Airport (\$55,000.00)
(Public Services Area - Sue F. McCormick, Public Services Administrator)
- DS-10 [10-0183](#) Resolution to Approve Street Closings for the Burns Park Run - Sunday, May 2, 2010
(Community Services - Sumedh Bahl, Interim Area Administrator)
- DS-11 [10-0199](#) Resolution to Approve Street Closings for the Box Cart Race/Soap Box Derby - Saturday, March 20, 2010
(Community Services - Sumedh Bahl, Interim Area Administrator)
- DS-12 [10-0208](#) Resolution to Approve Street Closings for the 2010 Take Back The Night (Rally and March) - Thursday, April 8, 2010
(Community Services Area - Sumedh Bahl, Interim Area Administrator)
- DS-13 [10-0209](#) Resolution to Approve the Closing of Monroe Street for the Monroe Street Fair, Saturday, April 3, 2010
(Community Services Area - Sumedh Bahl, Interim Area Administrator)
- DS-14 [10-0212](#) Resolution to Close N. Fourth Avenue and E. Ann Street for the 15th Annual African-American Downtown Festival, Friday, June 4, 2010 to Saturday, June 5, 2010
(Community Services Area - Sumedh Bahl, Interim Area Administrator)
- DS-15 [10-0182](#) Resolution to Approve Street Closings for FestiFools - Sunday, April 11, 2010
(Community Services Area - Sumedh Bahl, Interim Area Administrator)
- DS-16 [10-0147](#) Resolution to Award Construction Contract to Dan's Excavating, Inc. d/b/a Dan's Excavating and Pamar Enterprises, Inc., a Joint Venture (Bid No. 4063, \$527,042.50) for the Yost Parkwood/Wildwood Sanitary Sewer Project
(Project Management Services - Homayoon Pirooz)
(Revised 3/11/10)
- DS-17 [10-0255](#) Resolution to Amend Resolution R-09-425 to Allocate \$245,000 in Neighborhood Stabilization Funds to Community Housing Alternatives (\$245,000 NSP Funds)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(Added 3/12/10)

DS-18 [10-0247](#) Resolution to Amend Resolution R-09-393 to Allocate \$245,000 in Neighborhood Stabilization Funds to Habitat for Humanity of Huron Valley (\$245,000 NSP Funds)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(Added 3/12/10)

DS-19 [10-0243](#) Resolution to Appoint Fire Chief
(City Administrator - Roger Fraser)
(Added 3/12/10)

E COMMUNICATIONS FROM THE MAYOR

E-1 [10-0211](#) Appointment - Confirmation
(Mayor's Office)

E-2 [10-0263](#) 3/15/10 Nominations and Appointments
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

F-1 [10-0221](#) Main Street Business Improvement Zone Election Results
(City Clerk - Jacqueline Beaudry)

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 [10-0201](#) Notice from the State of Michigan Department of Natural Resources and Environment, Land and Water Management Division
(City Clerk - Jacqueline Beaudry)

H-2 [10-0222](#) Retirement System & VEBA FY 2009 Reports
(Pension - Willie Powel, Executive Director)

- H-3 [10-0223](#) Communication from Janis A. Bobrin, regarding notice of hearing of Necessity Allen Creek Sylvan Avenue Storm Water Controls Drain Project scheduled for March 18, 2010 - Public Services
(City Clerk)
- H-4 [10-0224](#) Communication from Sandra Sorini Elser of Bodman Attorneys & Counselors regarding Notice of Intent to Establish a Condominium Project in the City of Ann Arbor named Summit Heights 3 - Planning and Development Services
(City Clerk)
- H-5 [10-0225](#) Communication from Comcast regarding notice of an additional their video service offerings - CTN
(City Clerk)
- H-6 [10-0228](#) Department of Energy, Labor & Economic Growth Bureau of Construction Codes Notice of Public Hearing
(City Clerk)
- H-7 [10-0260](#) Communication from the State of Michigan Regarding Notice of Hearing for Customers of Consumers Energy Company and the Detroit Edison Company Case No. U-16055
(City Clerk)
(Added 3/15/10)
- H-8 [10-0264](#) Communication from Michigan Department of Transportation regarding Bicycle and Pedestrian Program - Community/Regional Training Opportunities
(City Clerk)
(Added 3/15/10)
- I **The following minutes were received for file:**
- I-1 [10-0185](#) Ann Arbor Housing Commission Regular Board Meeting Minutes - January 20, 2010
(Housing Services - Margaret Novak)
- I-2 [10-0186](#) Ann Arbor Transportation Authority Board meeting minutes of January 20, 2010
(City Clerk)

- I-3 [10-0189](#) Housing and Human Services Advisory Board meeting minutes of
January 12, 2010
(Housing Commission)
- I-4 [10-0207](#) City Council Budget Committee - February 16, 2010
(City Clerk - Jacqueline Beaudry)
- I-5 [10-0232](#) Council Rules Committee Meeting Minutes of February 6 and 13, 2010

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, MARCH 15, 2010 AT 7:00 P.M.

REPLAYS: TUESDAY, MARCH 16, 2010 AT 10:30 A.M. AND FRIDAY, MARCH 19, 2010 AT 7:00 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.