



TO: Mayor and Council

FROM: Milton Dohoney Jr., City Administrator

CC: Derek Delacourt, Community Services Area Administrator
John Fournier, Deputy City Administrator
Mike Kennedy, Fire Chief
Brett Lenart, Planning Manager
Molly Maciejewski, Public Works Manager
Aimee Metzger, Police Chief
Brian Steglitz, Public Services Area Administrator
Debra Williams, Community Services Office Manager

SUBJECT: March 6, 2023 Council Agenda Response Memo

DATE: March 2, 2023

CA-2 – Resolution to Approve Downtown Street Closures for Restaurant and Retail Use

Question: My understanding is that as the Main Street work progresses, Liberty and then Washington have been cited as the thru way for construction trucks and equipment, which would make closing those streets impossible, or hit and miss throughout the summer. Can staff provide information on how that construction traffic is being routed to minimize impact on our downtown businesses? I know that the resolution was written to be flexible as to which streets are closed and when, but is it possible to close Liberty and Washington for the duration of construction and not have either street as a route for construction equipment? Washington, in previous years, has had a 7-day closure, as you know, and a business on Liberty reached out to ask for the same, so there's a lot to unpack. Additional info/ context would be helpful! (Councilmember Cornell)

Response: Staff is aware of concerns and issues surrounding the resolution in front of Council approving seasonal street closures and construction impacts. This resolution is designed to provide the general approval for locations and timing of the closures for the

entire season. This resolution also includes the following language to allow the Administrator the ability to adjust the closures based on specific instances:

RESOLVED, That City Council grants the City Administrator the authority and flexibility to expand or scale down the closure days and times of blocks within each business district within the dates specified above, including scaling the closures down on the days of home University of Michigan football games and other similar events.

The Main Street Area Association has also been working with the contracting company, WadeTrim, and City staff to best minimize the impact of construction traffic on the businesses, including construction traffic flow. There are a number of factors that play into where the haulers drive including: frost laws, where deliveries need to be made, blockages in the road from it being torn up, and haulers needing space to turn around.

This bullet point has also been added to the Resolution: Street closures for the Main Street Area Association will continue to require review by City Fire Department to ensure code compliance for fire access for fire hydrants, Fire Department Connections (FDC), and the appropriate unobstructed fire-lane width.

If adjustments are made to locations or times of closures, or if Police and Fire feel that they cannot support this closure as well as the additional activities taking place on April 1, City Council and all stakeholders will be informed in a timely manner.

CA-10- Resolution to Approve a One-Year Extension of the Contract with Washtenaw County for Police Dispatch Services (\$928,930)

Question: Is there any relationship between this contract extension for police dispatch services with Washtenaw County and the effort to establish dispatch services for an unarmed response program? (Councilmember Disch)

Response: There is no relationship between the two at this time. This contract extension is to ensure we have dispatch services for another year until we have time to explore other options with potentially lower costs associated.

C-1 – An Ordinance to Amend Sections 2:1, 2:2, 2:5, and 2:9 of Chapter 26 (Solid Waste) of Title II (Solid Waste) of the Code of the City of Ann Arbor

Question: What are the estimated savings to be achieved from this change to a direct billing and customer service arrangement for commercial refuse management? What are the expected advantages for commercial customers who have billing disputes or concerns about pickup? (Councilmember Disch)

Response: Staff is in the process of calculating an estimate of savings that will be realized with this new franchise agreement and direct billing. We expect to have more clarity on the cost savings estimate when the franchise agreement is before City Council on March 20, 2023 (also concurrent with the second reading of this ordinance amendment).

The direct billing arrangement will offer increased accessibility to customer service and likely a quicker response to concerns raised. Before staff solicited the most recent RFP for a new Commercial Solid Waste Franchise agreement, staff conducted stakeholder engagement and discovered that commercial customers desired direct customer service access to the City's waste hauling vendor (as opposed to working through City staff to get to the vendor). Commercial Customers have expressed that they sometimes have issues outside of regular business hours. The proposed new agreement addresses this by requiring the vendor to have options for customers after hours and on weekends to report service issues, and the amendments proposed here to Chapter 26 allow for those services to be provided.

C-2 - An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 3.13 Acres from TWP (Township) and R1B (Single-Family) to PUD (Planned Unit Development), North Maple Apartments Rezoning, 1815, 1855, and 1875 North Maple and 1921 Calvin Street (CPC Recommendation: Approval - 9 Yeas; 0 Nays)

Question: The total units for this project as in the staff report are 79. But the site plan lists two different totals on pp. 14 ("first floor plan") and p. 15 ("second, third, fourth floor plan"):

--p. 14: Studios = 15; 1 Bed = 48; 2 Bed = 16 (total 79)

--p. 15: Studios = 23 1 Bed = 44 2 Bed = 12 3 Bed = 4 (total 83)

Please clarify. (Councilmember Disch)

Response: The project proposes to provide 79 dwelling units as described in the staff report and on the cover sheet of the site plan. The architectural sheet on page 15 which illustrates floor plans, used an outdated unit count.

C-3 - An Ordinance to Amend Chapter 11 (Risk Fund) and Repeal Section 1:193 of Chapter 8 (Organization of Boards and Commissions) of Title I of the Code of the City of Ann Arbor

Question: What are the expected operational and administrative improvements to follow from the elimination of the City's insurance board? (Councilmember Disch)

Response: Elimination of the current "Board" format of the City's Insurance Board will offer operational efficiency and expediency in the review and decision making process for personal injury, property damage, or other claims submitted to the City by allowing an administrative decisionmaker (supported by the appropriate City staff) to review and

decide claims instead of a three-member Board (two of whom are currently Councilmembers) who must each review claims and meet monthly to discuss and decide claims. The elimination of the “Board” format is also coupled with an increase in the dollar threshold for expenditures that may be from the risk fund, without City Council approval, from \$10,000 to \$75,000 to be consistent with the City Administrator’s authority to authorize contracts. This change will also increase the efficiency and expediency of the claims review and approval process by eliminating an additional approval layer for lower value claims that are approved. Such expenditures would still be reported regularly to Council to allow for its oversight, but they would not require the extra layer of staff preparation and City Council review associated with placing such items on a City Council agenda for approval.

DC-2 - Resolution to Approve the Closing of Monroe and Tappan Streets for the Annual Monroe Street Fair, Saturday, April 1, 2023

Question: Is there an update regarding progress toward locating an alternative venue for the Monroe St Fair? Have any further conversations with UM occurred to emphasize the urgency of the University’s negotiating with NCAA and TV networks to prevent future instances of scheduling conflict between the Spring Game and hash bash/the Monroe St. Fair? (Councilmember Disch)

Response: The Police and Fire Chiefs offered conditional approval of the event with their existing footprint if the applicants agreed to the following:

- 1) Bagging of additional multiple meters around the perimeter of the event so there would be no on-street parking (see attached map). This would assist in giving emergency vehicles more room to navigate the streets.
- 2) Aggressive enforcement (towing) with parking/stopping/standing on these streets. Tow companies will be contacted ahead of time and asked to have units immediately available.
- 3) Contract with HVA for one (1) transport unit and one (1) bike team unit (2 bikes).

The applicants have agreed to these conditions and to absorb the costs of same. Staff will be notified when a contract has been finalized with HVA. Applicants may also partner with AAATA for possible shuttles and will use their social media to alert attendees of alternate parking sites.

Conversations have been had with University representatives over the past year regarding this scheduling conflict. Due to the nature of NCAA and TV network scheduling, it cannot be expected that this conflict may not occur again. It should be noted that these conditions address 2023 only and should not be looked at as a long-term solution. Each year will be assessed based on what happens this year. Applicants have been made aware of this.

DB- 1- Resolution to Approve The Village of Ann Arbor Site Plan and Development Agreement at 1680 Dhu Varren Road (CPC Recommendation: Approval - 9 Years and 0 Nays).

Question: Would Planning Staff please confirm the measures that have been taken to mitigate the impact of light pollution from the Ann Arbor villages development specifically with regards to Leslie Park, which current residents use for star and planet gazing? (Councilmember Disch)

Response: The City requires all new development to comply with the provisions of the UDC and outdoor lighting regulations, which require shielding, color temperature, and other standards.

Question: Will the required land use buffering at the park borders help to reduce light entering the park? (Councilmember Disch)

Response: Yes, the mix of evergreen and deciduous trees proposed along the boundary between the proposed project and Leslie Park will reduce light sources visible from the park itself. Additionally, the nearest light sources are 2 solar street lights and wall pack lighting units on the apartment buildings, all of which will be shining down and shielded.

Question: In accordance with Ann Arbor's outdoor lighting ordinance, is it correct that Light Trespass beyond the property line shall at no time exceed 0.1 Foot-Candles onto any Lot that is in a Residential Zoning District or the PL district, or in the public right-of-way? (Councilmember Disch)

Response: There are two areas where the light from the proposed site exceeds 0.1 foot-candles outside of the property line and that is 1) at the northern intersection with Dhu Varren and 2) at the intersection with Leslie Park Circle. Part of the requirements, per the Ann Arbor Parks Department, for connecting to Leslie Park Circle was to properly illuminate the proposed intersection for pedestrians. Per this requirement, we are proposing to install a solar streetlight on the southwest corner of the new intersection, which falls on the park property.

Question: Does the site plan anticipate lighting of any architectural features, signs, landscaping, or sculptures? (Councilmember Disch)

Response: Each housing type will include lighting elements as detailed in the photometric plan. It is also anticipated that the Clubhouse will have accent lighting for the structure and potentially the landscape, though none has been developed at this time. All monument signs will be lit within the parameters of the ordinance. It is also the intent to light all of the previous features in a way that will minimize light pollution. Future lighting may be installed that does not require site plan review, however, any such installation must comply with current City ordinances. No sculptures are proposed on the site.

Question: If so, is it correct that this lighting shall be Partially Shielded and shall be installed and aimed to minimize their output past the object being illuminated, skyward or otherwise, and must not cause Light Trespass as specified above, or Glare? (Councilmember Disch)

Response: All lighting must meet the requirements of the Unified Development Code which requires shielding, full or partial, based on the application.

Question: Will street lighting also be designed to minimize light intrusion outside the development? (Councilmember Disch)

Response: The street lighting has been designed to minimize light intrusion outside of the development, with the exception of the two areas mentioned in an above answer. There is minimal light trespass into the Dhu Varren ROW at the entrance and the street light required to be installed in Leslie Park.

Question: Does any City authority perform regular inspections to enforce the outdoor lighting ordinance? Would enforcement also/instead be accomplished by neighbors using SeeClickFix? (Councilmember Disch)

Response: City staff ensures that installation of lighting meets applicable codes at the time of installation. The City does not perform regular inspections to enforce the outdoor lighting ordinance, but does respond to complaints by SeeClickFix or other methods of notification.

DB-2 – Resolution to Approve the Village of Ann Arbor - 1680 Dhu Varren Road Redevelopment Brownfield Plan (BRC Recommendation: Approval - 4 Years and 0 Nays)

Question: If Council wanted to follow Staff advice regarding refusing the proposed delay of tax capture by two years (to 2027), what is the recommended course of action to amend/change the tables in the Brownfield Plan? (Councilmember Disch)

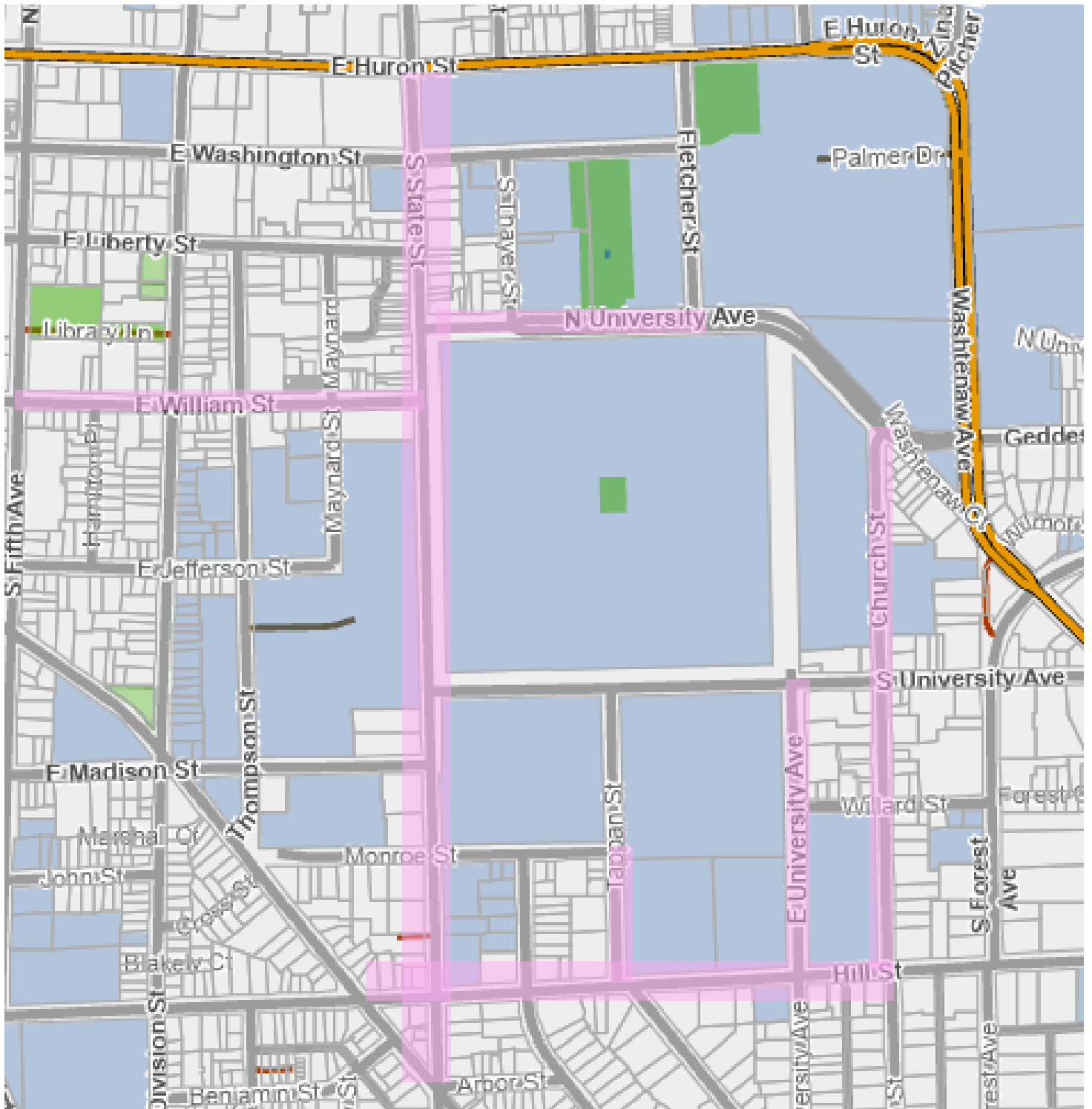
Response: The proposed capture will begin in 2025 as specified in Section III.E of the Brownfield Plan attached. Adoption of the resolution as presented would incorporate this recommendation.

Question: Why does staff recommend setting a cap on the reimbursement period of 18 years, given that “the Plan is still projected to be 15 years, after all capture occurs for County Admin and Local Brownfield Revolving Fund (LBRF)”? (Councilmember Disch)

Response: This provides some degree of flexibility that all eligible activities can be fully supported should the anticipated tax increment revenue be reduced in total or rate as the development is completed.

Question: If Council wishes to set such a cap, what is the recommended course of action? (Councilmember Disch)

Response: The proposed cap of 18 years is specified in Section III.B and III.E of the Brownfield Plan attached. Adoption of the resolution as presented would incorporate this recommendation.



Pink areas have no on-street with aggressive enforcement.