



City of Ann Arbor

301 E. Huron Street
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Meeting Agenda City Council

Monday, October 7, 2013

7:00 PM

City Hall, 301 E. Huron Street, Council Chamber,
2nd Floor

City Council meets in caucus the Sunday prior
to each regular session at 7 p.m. in the Council
Chamber.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

INT INTRODUCTIONS

INT-1 [13-1249](#) Proclamation honoring Concordia University Football Team
(Mayor's Office)
(Added 10/4/13)

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN
ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE
ADDRESSING COUNCIL**

1. Diane Kreger - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)
2. James Billingslea - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)
3. Jeff Hayner - Resolution to Waive Attorney-Client Privilege (DC-5)

4. **Tom Partridge - Write in Tom Partridge for 5th Ward Council seat. End crime, corruption and discrimination in housing, public transportation and city planning. Replace Mayor Hieftje, Governor Snyder and Ohio Speaker of the House of Representatives Congressman Boehner.**
5. **Peter Zetlin - Resolution to Waive Attorney-Client Privilege (DC-5)**
6. **Alissa Ruelle - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**
7. **Sheila Henley - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**
8. **Mary Underwood - Resolution to Waive Attorney-Client Privilege (DC-5)**
9. **Zoltan Jung - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**
10. **Lisa Richardson - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**

Alternates:

1. **Ana Morgan - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**
2. **Rita Mitchell - Resolution to Waive Attorney-Client Privilege (DC-5)**

COMMUNICATIONS FROM COUNCIL

COMMUNICATIONS FROM THE MAYOR

13-1131 Appointments & Nominations
(Mayor's Office)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1** [13-0909](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.44 Acres from PUD (Planned Unit Development District) to Revised PUD (Planned Unit Development District), Shell Gas Station/Tim Horton's Revised PUD Zoning and Supplemental Regulations, 2679 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Years and 0 Nays) (Ordinance No. ORD-13-23)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: ORD-13-23 Briefed, Shell Service Station REVISED PUD Zoning as Amended 090313, Shell PUD Ordinance and Revised Supp, 7/16/13 Planning Staff Report
(See B-1)
- PH-2** [13-0908](#) Resolution to Approve Shell Gas Station/Tim Horton's Revised PUD Site Plan, 2679 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Years and 0 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 7/16/13 Planning Staff Report
(See DB-1)
- PH-3** [13-1046](#) Resolution to Approve Belle Tire Site Plan, 590 W. Ellsworth Road (CPC Recommendation: Approval - 7 Years and 0 Nays)
(Planning Commission - Sumedh Bahl, Community Services Area Administrator)
Attachments: 8/20/13 Planning Staff Report
(See DB-3)
- PH-4** [13-1086](#) Resolution to Approve the Rayer Annexation, 0.39 Acres, 2640 Miller Avenue (CPC Recommendation: Approval - 9 Years and 0 Nays)
(Planning Commission - Sumedh Bahl, Community Services Area Administrator)
Attachments: Rayer Annexation and Zoning Staff Report with Attachments
(See DB-4)
- PH-5** [13-1155](#) Resolution to Adjust Liquor License Fees for Annual Renewal and New On-Premise License Applications and Eliminate Fees and Local Review for Transfer License and SDD/SDM Applications in Compliance with New Michigan Liquor Control Commission (MLCC) Processes
(City Clerk - Jacqueline Beaudry)
Sponsors: Council Liquor License Review Committee
Attachments: Cost Analysis Liquor Fees for Council
(See DC-1)

A APPROVAL OF COUNCIL MINUTES

- A-1 [13-1166](#) Special and Work Session Minutes of September 9, 2013 and Regular Session Minutes of September 16, 2013
(City Clerk Services - Jacqueline Beaudry, City Clerk)
Attachments: 09-09-13 Special Session Minutes, 09-09-13 Work Session minutes, 09-16-13 Draft Minutes, Council emails 9-16-13_Redacted
- CA **CONSENT AGENDA**
- CA-1 [13-1045](#) Resolution to Approve a Contract with TSP Services, Inc. for the Demolition of Farmhouse, Barns and Outbuildings at Wheeler Service Center, ITB-4268 (\$57,940.00)
(Field Operations Services - Craig Hupy, Public Services Area Administrator)
Attachments: ITB-4268_contract
- CA-2 [13-1089](#) Resolution to Approve a Purchase Order to Telvent USA for Fiber Optic Network (FON) Asset Management Software for (\$41,520.00)
(Information Technology Services - Tom Crawford, CFO)
- CA-3 [13-1092](#) Resolution to Approve Schedule 17 of the Interagency Agreement for Collaborative Technology and Services for Additional Enterprise Backup Services (Washtenaw County, Provider) (\$80,643.00)
(Information Technology Services - Tom Crawford, CFO)
Attachments: Schedule 17 - Additional EMC-Avamar Backup Capacity
- CA-4 [13-1093](#) Resolution to Transfer Delinquent Water Utility, Board Up, Clean Up, Vacant Property Inspection, Housing Inspection, Fire Inspection, Fire Alarm, Police Alarm and Graffiti Removal Invoices to the December 2013 City Tax Roll
(Financial and Administrative Services - Matthew V. Horning)
Attachments: COMBINED SCHEDULE A-2013-10-7.pdf
(Revised 10/7/13)
- CA-5 [13-1159](#) Resolution to Approve the Professional Services Agreement with The Azimuth Group, Inc. for Organizational Development (RFP No. 863; \$53,010.00)
(City Administrator - Steven D. Powers, City Administrator)
- CA-6 [13-1167](#) Resolution to Approve Street Closings for the Ann Arbor Thanksgiving Day Turkey Trot - Thursday, November 28, 2013
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: Turkey Trot Map

CA-7 [13-1050](#) Resolution to Approve the Purchase of One Turf Aerator and One Thatcher/Seeder from Spartan Distributors (State of Michigan Bid \$29,988.98)
(Fleet & Facilities Services - Craig Hupy, P.E., Public Services Area Administrator)

CA-8 [13-1042](#) Resolution to Approve the Purchase of One Fire Department Light Rescue Vehicle from Red Holman GMC (\$26,777.00)
(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)
Attachments: Red Holman Bid Tab

B ORDINANCES - SECOND READING

B New Business - Staff:

B-1 [13-0909](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.44 Acres from PUD (Planned Unit Development District) to Revised PUD (Planned Unit Development District), Shell Gas Station/Tim Horton's Revised PUD Zoning and Supplemental Regulations, 2679 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Years and 0 Nays) (Ordinance No. ORD-13-23)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: ORD-13-23 Briefed, Shell Service Station REVISED PUD Zoning as Amended 090313, Shell PUD Ordinance and Revised Supp, 7/16/13 Planning Staff Report
(See PH-1)

DB-1 [13-0908](#) Resolution to Approve Shell Gas Station/Tim Horton's Revised PUD Site Plan, 2679 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Years and 0 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 7/16/13 Planning Staff Report
(See PH-2)

C ORDINANCES - FIRST READING

Unfinished Business - Staff:

- C-1 [13-0346](#) An Ordinance to Amend Sections 4:51, 4:58, and 4:60 of Chapter 49 (Sidewalks) of Title IV of the Code of the City of Ann Arbor (Ordinance No. ORD-13-15)
- (Public Services - Craig Hupy, Public Services Area Administrator)
- Attachments:** Sidewalk Category Chart, Updated Memorandum - Chapter 47 Sidewalks, ORD 13-15 REVISED AND RETURNED TO FIRST READING, Summary of Citizen Responses - crosslot paths (2), chapter 49 amendment - 6-3-13 Briefed, chapter 49 amendment - 6-3-13, Memo for LegistarCrosslot Ordinance vf
- (Postponed from the 7/1/13 regular session. Attachment Revised 10/4/13)

C New Business - Staff:

- C-2 [13-1094](#) Amendment to Ordinance No. 13-19 Authorizing Sewage Disposal System Revenue Refunding Bonds, Series 2013 (**Roll Call Vote - One Reading Only**)
- (Financial and Administrative Services - Matthew V. Horning, Treasurer)
- Attachments:** Revised BH01-#1890954-v2-A2 Amendment to Ordinance __ 2013 Sewer System Refunding,
BH01-#1890954-v1-A2_Amendment_to_Ordinance__2013_Sewer_System_Refunding

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [13-1155](#) Resolution to Adjust Liquor License Fees for Annual Renewal and New On-Premise License Applications and Eliminate Fees and Local Review for Transfer License and SDD/SDM Applications in Compliance with New Michigan Liquor Control Commission (MLCC) Processes
- (City Clerk - Jacqueline Beaudry)
- Sponsors:** Council Liquor License Review Committee
- Attachments:** Cost Analysis Liquor Fees for Council
- (See PH-5)
- DC-2 [13-1241](#) Recommendation for Ann Arbor to Apply for 100 Resilient Cities Centennial Challenge Grant
- (City Council)
- Sponsors:** Briere, Warpehoski and Hieftje

- DC-3 [13-1183](#) Resolution to Approve North University Street Closing from Thayer to Fletcher for the University of Michigan Victors for Michigan Campaign
(Community Services - Sumedh Bahl, Community Services Area Administrator)

Sponsors: Hieftje

Attachments: Victors for Michigan Map

- DC-4 [13-1242](#) Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (\$55,000.00) (**8 Votes Required**)

(City Council)

Sponsors: Kailasapathy, Briere, Lumm and Taylor

(Revised 10/3/13 & 10/4/13)

- DC-5 [13-1263](#) Resolution to Waive Attorney-Client Privilege

(City Council)

Sponsors: Briere and Warpehoski

(Added 10/4/13 and Revised 10/7/13)

DB New Business - Boards and Commissions:

- DB-2 [13-0271](#) Resolution to Adopt City of Ann Arbor Solid Waste Resource Plan

(Environmental Commission - Craig Hupy, Public Services Area Administrator)

Attachments: Environmental Commission Resolution - Solid Waste Resource Plan - 2-28-13, WasteLessFive-YearPlanDraft 2-28-13 forPublicReview.pdf

- DB-3 [13-1046](#) Resolution to Approve Belle Tire Site Plan, 590 W. Ellsworth Road
(CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Planning Commission - Sumedh Bahl, Community Services Area Administrator)

Attachments: 8/20/13 Planning Staff Report

(See PH-3)

- DB-4 [13-1086](#) Resolution to Approve the Rayer Annexation, 0.39 Acres, 2640 Miller Avenue
(CPC Recommendation: Approval - 9 Yeas and 0 Nays)

(Planning Commission - Sumedh Bahl, Community Services Area Administrator)

Attachments: Rayer Annexation and Zoning Staff Report with Attachments

(See PH-4) (Revised 10/7/13)

DS Unfinished Business - Staff:

- DS-1 [13-0699](#) Resolution to Accept Thirty-Four Sidewalks for Public Use **(8 Votes Required)**
(Systems Planning Services - Craig Hupy, Public Services Area Administrator)
Attachments: Crosslots Package Rev 10.02.13, Crosslots Package.pdf, Summary of Citizen Responses - crosslot paths (2)
Postponed from the 7/1/13 regular session and Revised 10/2/13)
- DS New Business - Staff:
- DS-2 [13-1063](#) Resolution Authorizing an Annual Purchase Order for U.P.M. High Performance Cold Patch Material per ITB-4298 from Barrett Paving Materials, Inc. (Not to Exceed \$116,500.00 Annually).
(Field Operations Services - Matt Warba, Interim Field Operations Manager)
Attachments: Barrett ITB 4298 (2).pdf, ITB 4298 Cold Patch 09_01_2013 - 08_31_2015 bid tab form
- DS-3 [13-0947](#) Resolution to Accept an Easement for Water Main from the University of Michigan (2850 South Industrial Highway) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)

COMMUNICATIONS FROM COUNCIL**E COMMUNICATIONS FROM THE CITY ATTORNEY****F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS****F The following communications were referred as indicated:**

- F-1 [13-1182](#) U of M Street Closures Report
(Safety Services - Chief Seto, Safety Services Area Administrator)
Attachments: Main Street Closure Final Report to Council, Resolution for Main Street Closures - Approved 8-8-13
(Updated 10/3/13)
- F-2 [13-1108](#) Communication from F. Pat & Coralynn McIntee regarding Safety Aid Convenience for Accessible Parking at the Thompson St. Structure
Attachments: parking structure communication
- F-3 [13-1110](#) Communication from Susan Pollay, Executive Director of the DDA regarding response to Mr. & Mrs. McIntee regarding the Thompson St. Parking Structure
Attachments: parking structure communication from susan pollay

- F-4 [13-1111](#) Communication from Kelli Sobel, Executive Director of the State Tax Commission regarding the New Audit of minimum Assessing Requirements (AMAR)
Attachments: state tax commission communication
- F-5 [13-1116](#) Communication from the Michigan Liquor Control Commission (MLCC) regarding notice of a Canceled Class C Liquor License belonging to The Regents of The University of Michigan
Attachments: MLCC Communication
- F-6 [13-1119](#) Communication from the Department of Licensing and regulatory Affairs Bureau of Construction Codes regarding Notice of Public Hearing of the Michigan Rehabilitation Code for Existing Buildings (ORR#2012-099 LR) and Part 4. Michigan Building Code (ORR@2012-100 LR) Scheduled for October 24, 2013
Attachments: Construction Codes Public Hearing Notice
- F-7 [13-1146](#) Communication from Aysha Kasham, Attorney & Agent of Dynasty Enterprises, LLC regarding notice of Intent to take Reservations, Construction Units and Record Master Deed in a Proposed Residential Site Condominium Project to be Known as Maple Village - Planning and Development Services
Attachments: communication from Aysha Kasham
- F-8 [13-1147](#) Communication from Alan Israel, Pittsfield Township Clerk, regarding notice of Public Hearing on October 9, 2013 to Receive Comment on the State Street Corridor Improvement Authority Development and Tax Increment Financing Plan - Finance, Assessor
Attachments: Communication from Alan Israel Pittsfield Twp Clerk
- F-9 [13-1160](#) Ann Arbor Transportation Authority Month End Reports
Attachments: AAATA Aug 2013 Notes, AAATA August 2013 Performance Reports, AATA Aug 2013 Operating, AATA Aug 2013 Report to Treas
- F-10 [13-1162](#) Communication from Donald G. Wheatley regarding request to create an Industrial Development District for the property located at 1901 E. Ellsworth - Assessor
Attachments: 1901 E. Ellsworth IDD Request
- F-11 [13-1163](#) Communication from the Secretary of State Ruth Johnson regarding receipt and filing of the Ann Arbor Area Transportation Authority Articles of Incorporation - Attorney
Attachments: Secretary of Sate Communication re AAATA

- F-12 [13-1176](#) Communication from the State of Michigan Public Service Commission regarding Notice of Hearing for the Electric Customers of DTE Electric Company in Case No. U-17322 scheduled for October 8, 2013 - File
Attachments: DTE Public Hearing Notice
- F-13 [13-1179](#) Communication from Barton Hills Village Board of Zoning Appeals regarding notice of a Public Hearing for a variance submitted by Marc Weiser, for the construction of a safety fence in the setback of property at 530 Hillspur Road - Planning and Development Services
Attachments: Barton Hills Village Public Hearing Notice
- G The following minutes were received for filing:**
- G-1 [13-1084](#) Downtown Area Citizens Advisory Council Meeting Minutes - September 3, 2013
(Downtown Development Authority - Susan Pollay, Executive Director)
Attachments: Downtown Area Citizens Advisory Council Meeting Minutes 090313
- G-2 [13-1085](#) Downtown Development Authority (DDA) - Minutes of July 3, 2013 and Annual Board Meeting
(Downtown Development Authority - Susan Pollay, Executive Director)
Attachments: 070313.min, Annual 2013.min
- G-3 [13-1103](#) Airport Advisory Committee Minutes - July 17, 2013
(Fleet & Facilities Services - Matthew J Kulhanek)
Attachments: AAC minutes 071713.pdf
- G-4 [13-1136](#) Council Labor Committee Meeting Minutes of September 4, 2013
Attachments: Council Labor Committee Minutes 9-4-13
- G-5 [13-1137](#) Joint DDA Council Committee Meeting Minutes of August 26, 2013 and September 10, 2013
Attachments: Joint DDA Council Committee Minutes 8-26-13, Joint DDA Council Committee Minutes 9-10-13
- G-6 [13-1138](#) Council Rules Committee Meeting Minutes of September 10, 2013
Attachments: Council Rules Committee Minutes 9-10-13
- G-7 [13-1144](#) Council Liquor License Review Committee - February 15, 2013
(City Clerk - Jacqueline Beaudry)
Attachments: 2013-02-15 liquor committee minutes

- G-8 [13-1148](#) Council Labor Committee Meeting Minutes of March 15, 2013
Attachments: Council Labor Committee Minuts 3-15-13
- G-9 [13-1149](#) Budget Committee Meeting Minutes of August 21, 2012
Attachments: Budget Committee Minutes 8-21-12
- G-10 [13-1153](#) Council Liquor License Review Committee - August 16, 2013
(City Clerk - Jacqueline Beaudry)
Attachments: 2013-08-16 liquor committee minutes
- G-11 [13-1168](#) Economic Collaborative Task Force Meeting Minutes of July 25, 2013
Attachments: Economic Collaborative Task Force Minutes 7-25-13
- G-12 [13-1169](#) Ann Arbor Public Art Commission Meeting Minutes - June 2013
(Public Services - Craig Hupy, Public Services Administrator)
Attachments: AAPAC June 2013 Minutes.pdf

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, OCTOBER, 7, 2013, 7:00 P.M.

REPLAYS: TUESDAY, OCTOBER 8, 2013, 10:00 A.M. AND FRIDAY, OCTOBER 11, 2013, 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx
- Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104

Requests need to be received at least two (2) business days in advance of the meeting.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's Office.