



TO: Mayor and Council

FROM: Sumedh Bahl, Community Services Area Administrator
Jackie Beaudry, City Clerk
Larry Collins, Fire Chief
Craig Hupy, Public Services Area Administrator
Jean Pearson, Customer Service Supervisor
John Seto, Safety Services Area Administrator

CC: Steven D. Powers, City Administrator

SUBJECT: Council Agenda Responses

DATE: 1/20/15

CA-1 – Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 2011 E. Stadium (\$18,028.56)

Question: The cover memo indicates this is a vacant parcel that has not previously paid for utility improvements, but the cover memo does not say what is triggering the assessment at this time. Is the property owner planning to develop the property/requesting water and sewer service and if not, what triggers the assessment now? (Councilmember Lumm)

Response: The property owner built a house on the vacant lot and is now connecting to water and sewer for the first time.

B-1 – An Ordinance to Amend Section 9:42 of Chapter 107 (Animals – Keeping Chickens) of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-14-28)

Question: What steps must an individual take to renew a 'provisional' license? Does a 'provisional' license become a regular license if renewed? Does it require neighbor consent to be renewed? (Councilmember Briere)

Response: “Provisional” is not an appropriate label, thus the term is being changed to “2-chicken permit” (and “standard” is being changed to “6-chicken permit.”) The current ordinance does not provide for renewal of a permit but rather an individual must obtain a new permit, which the ordinance amendment does not change. Thus, when a person’s permit expires, regardless of whether it was for 2 or 6 chickens, a new permit must be obtained: a person who had a two-chicken permit without obtaining neighbor consent could simply obtain a new 2-chicken permit without neighbor consent (assuming no complaints in the previous 5 years) or if he/she want to add to his/her flock, a new 6-person permit with neighbor consent would be required (vice versa, if a person is downsizing from 6 to 2 chickens). If this is not clear in the amendment, perhaps it should read:

“A person who wishes to continue keeping chickens shall have obtained either a new 2-chicken permit, which does not require the consent of owners of adjacent properties, or a 6-chicken permit, which requires such consent, on or before the expiration date of the previous permit.”

Question: If no one lodges a complaint about an individual keeping chickens, why must that individual be required to again gain consent from all the adjacent neighbors in order to renew? (Councilmember Briere)

Response: There may be other purposes for requiring a new permit, but one scenario might be as follows: (1) an individual obtains a 5-year permit, to which his/her neighbors have consented; (2) the individual then decides before the fifth year to take a break from raising chickens and doesn’t start up again until after 5 years has expired; (3) in the meantime, the adjacent property owner(s) have changed; (4) if the individual does not have to obtain new owner consent then the new neighbors will have no notice. Another scenario might be that an owner of adjacent property gave consent for the original permit, but decides when 5-years have passed that he/she gave consent unwisely.

Question: What additional burden, if any, would be imposed on staff to enforce this ordinance with the changes proposed? (Councilmember Briere)

Response: Allowing six chickens will probably not increase staff time because requiring neighbor consent makes the process self-selecting among cooperative people. And, the neighbor consent requirement might cause a person to study what the problems can be for neighbors and how to prevent them. One purpose of the neighbor consent requirement was to require communication between neighbors and thereby avoid creating staff involvement. However, there is the possibility – presumably remote – that an increase to six chickens could result in additional complaints if an individual who could handle four chickens satisfactorily, obtains two more chickens and his/her ability to properly care for that increased number falters.

On the other hand, it is fair to predict that allowing two chickens without neighbor consent would increase the number of nuisance complaints. It seems that neighbors

who withhold consent for four chickens would be more likely to object to even two chickens, which in turn would increase the likelihood of complaints to the city to which staff would be required to respond. Thus, eliminating neighbor consent, even for just two chickens, may increase staff time.

Additionally, not requiring neighbor consent for 2 chickens could increase complaints from neighbors surprised by the sudden appearance of chickens in their neighbor's backyard. As mentioned above, the inclusion of the neighbor consent provision when the ordinance was passed in 2008 was intended to prevent a burden on staff. Requiring neighbor consent ensures neighbors receive notice that animals that are commonly considered farm animals will be living in their neighbor's backyard. Of course, the effects of the ordinance amendment cannot be predicted, but it is also possible that the ability to have two chickens without neighbor consent will result in more people trying their hands at chicken raising but not being as educated about how to do so properly.

DS-2 – Resolution to Approve Participation in 2014 Assistance to Firefighters Regional Grant (AFG) from the US Department of Homeland Security (\$1,093,850.87), and Appropriate Share of Matching Grant Funds (\$22,164.50) (Fund RIT Training) (8 Votes Required)

DS-3 – Resolution to Approve Participation in 2014 Assistance to Firefighters Regional Grant (AFG) from the US Department of Homeland Security (\$357,050.00), Appropriate Matching Grant Funds (\$35,704.00), and Establish and Appropriate Funding for the Project (\$392,754.00) (Mobile Training Facility) (8 Votes Required)

Question: the cover memo for the mobile training facility indicates that the grant covers instruction costs and overtime. Is that also the case for the Rapid Intervention training grant? Also, is there any particular reason why AA is taking the lead on DS-3 and Superior Township on DS-2, and I'm assuming that's why we're also creating a project budget on DS-3 and not DS-2 -- is that correct? (Councilmember Lumm)

Response: Both grants have included overtime for the training. The Burn/Operations Trailer grant included overtime for a few people (train the trainer approach) per department to get trained on the trailer and equipment [15 people for 8 hours]. In regards to the Rapid Intervention Team grant training, forty-two (42) hours of overtime was included for every firefighter in the County. The program is forty-two (42) hours long. This overtime should cover the cost of a firefighter attending off-duty or cover the cost of backfill [either or].

There was no preference on which grant was being hosted. Ann Arbor Fire Department has been trying for years to acquire and develop a good training site to hold more hands on training. Attaining a training trailer was a step closer to this goal and will help greatly in being able to supply required training to our crews. Our department attempted to acquire this trailer last year on its own through this grant, but did not succeed as one

department. These AFG grants are much harder to be rewarded for sole departments. Regional/coordinated departments have the edge on receiving these grants today. That is why we are applying with the cooperation of all fifteen fire departments within our County.

Yes, the resolution for the Burn/Operations Trailer specifies a project budget because we are hosting the grant. Each of the other departments will have to be invoiced for their share of the 10% fund matching if we are awarded the grant.

Our department is participating in two of the four County regional grants that were submitted this year. The two other grants that were written and submitted were for SCBA equipment (we did not qualify) and for nozzle equipment (we were awarded nozzles in 2009).

DS-4 – Resolution to Approve Amendment No. 1 to Professional Services Agreement with Carlisle/Wortman Associates, Inc. for Plan Review and Building Official Services and Appropriate Necessary Funding (8 Votes Required)

Question: What will be the duration of the contract between the City and Carlisle/Wortman Associates if the resolution passes? (Councilmember Eaton)

Response: The contract between City and Carlisle/Wortman Associates will stay in place until the roles of Building Official and Plan Reviewer have been filled. City will move expeditiously to fill these roles; however, it may take some time to fill these roles due to limited number of qualified candidates.

Question: Why is the Construction Code Fund expenditure being increased by \$200,000 when the contract with Carlisle/Wortman Associates is being increased by only \$100,000? (Councilmember Eaton)

Response: Ongoing construction activities dictate the needs of services that are being provided by Carlisle/Wortman. The proposed increase of Carlisle/Wortman Associates' contract by \$100,000 is based upon City's current experience with construction activity. It is difficult to estimate an exact amount for Carlisle's contract as it depends upon the construction permit applications submitted to the City, the amount of Building Official services on an as needed basis, and the time it may take to fill the roles of the Building Official and the Plan Reviewer. The resolution, therefore, asks Council to grant authorization to City Administrator for an additional amendment up to \$100,000, if need be. Hence, the Construction Code Expenditure increase by \$200,000.