



City of Ann Arbor

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

Meeting Agenda

City Council

Monday, June 21, 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

INT-1 [10-0194](#) Historic District Commission 2010 Annual Awards
(Community Services - Sumedh Bahl, Interim Area Administrator)
(Updated 6/21/10)

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 - Fight government discrimination and corruption. Fully fund affordable housing instead of greenbelt developmental rights funding. (DB-3 through DB-8)**
- 2. Beverly Strassman - Historic Preservation Ordinance for 4th & 5th Ave. Historic District (C-5)**
- 3. Shirley Zempel - Historic Preservation Ordinance for 4th & 5th Ave. Historic District (C-5)**
- 4. Claudius Vincez - Historic Preservation Ordinance for 4th & 5th Ave. Historic District (C-5)**

5. Tom Petiet - Ordinance Prohibiting vegetation on extensions
6. Lily Au - General Housing Situation in Ann Arbor
7. Vince Caruso - Allen's Creek Watershed Study
8. Kathy Griswold - Crosswalk Safety

COMMUNICATIONS FROM COUNCIL**COMMUNICATIONS FROM THE CITY ADMINISTRATOR****PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

- PH-1 [10-0253](#) An Ordinance to Amend Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling) to PUD (Planned Unit Development), Heritage Row PUD, 407-437 S. Fifth Avenue (CPC Recommendation: Approval - 6 Ayes, 2 Nays) (Ordinance No. 10-13) **(8 Votes Required)**
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See B-1) (Continued from the 6/7/10 regular session)
- PH-2 [10-0539](#) Resolution to Approve the Heritage Row PUD (Planned Unit Development) Site Plan and Development Agreement; 407- 437 South Fifth Avenue (CPC Recommendation: Approval - 6 Ayes, 2 Nays)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See DB-1) (Continued from the 6/7/10 regular session)
- PH-3 [10-0395](#) Resolution to Approve Glacier Hills Revised Planned Project Site Plan and Development Agreement, 1200 Earhart Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See DB-2) (Continued from the 6/7/10 regular session)
- PH-4 [10-0473](#) An Ordinance to Amend Sections 2:1, 2:3, 2:4, 2:5 and 2:9 of Chapter 26 (Solid Waste Management) of Title II of the Code of the City of Ann Arbor - for Single Stream Recycling (Ordinance No. ORD-10-16)
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
(See B-2)

- PH-5 [10-0557](#) An Ordinance to Amend Section 1:572(b) of Chapter 18 (Employees Retirement System), Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-10-18)
(City Attorney Services - Stephen K. Postema)
(See B-3)
- PH-6 [10-0556](#) Resolution Confirming Application for, and Acceptance and Appropriation of the 2010 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice, Bureau of Justice Assistance to Police Services
(Police Services - Barnett Jones, Safety Services Area Administrator)
(See DS-9)
- PH-7 [10-0507](#) Resolution to Approve the Windsong Site Plan and Development Agreement, Valencia Circle (CPC Recommendation: Approval - 6 Yeas, 1 Nay)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See DB-9)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

- A-1 [10-0620](#) Regular Session Minutes of June 7, 2010
(City Clerk Services - Jacqueline Beaudry)

CA CONSENT AGENDA

- CA-1 [10-0495](#) Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Midwestern Consulting, LLC (\$21,650.00) for the Newport Creek Culvert Crossing Project
(Project Management Services - Sue McCormick, Public Services Area Administrator)
- CA-2 [10-0530](#) Resolution to Approve a Construction Contract with Four Seasons Roofing & Sheet Metal, LLC for Roof Replacement of Fire Station #6, per ITB-4092 (\$50,200.00) and Approve Project Budget (\$55,220.00)
(Fleet & Facilities Services - Sue F. McCormick, Public Services Administrator)
- CA-3 [10-0531](#) Resolution to Adopt the 2010 State Revolving Fund Project Plan for Sanitary System Improvements
(Public Services - Sue F. McCormick, Public Services Administrator)

- CA-4 [10-0532](#) Resolution to Approve Purchase of Hydrofluorosilicic Acid for Water Treatment from Alexander Chemical Corp, Bid No. ITB-4096 (estimated \$68,000.00/yr)
(Water Treatment Plant Services - Sue F. McCormick, Public Services Administrator)
- CA-5 [10-0561](#) Resolution to Approve a Contract with Landscape Structures, Inc. to Provide and Install Playground Equipment at Wheeler and Bader Parks (\$48,464.00)
(Community Services - Sumedh Bahl, Interim Area Administrator)
- CA-6 [10-0563](#) Resolution to Approve Interlocal Agreement with Oakland County For Live Scan Automated Fingerprinting System (Palm Scan Devices) (\$3,313.00/annual per unit)
(Police Services - Barnett Jones, Safety Services Area Administrator)
- CA-7 [10-0582](#) Resolution to Approve Temporary Outdoor Sales, Service and Consumption of Alcoholic Beverages during the 2010 Ann Arbor Art Fair
(City Clerk Services - Jacqueline Beaudry, City Clerk)
- CA-8 [10-0595](#) Resolution to Approve a Purchase Order with Sehi Computer Products for Ten Panasonic Ruggedized Notebooks for the Fire Department (Not to Exceed \$64,000.00)
(Information Technology Services - Dan Rainey)
- CA-9 [10-0610](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of May 27, 2010
(Financial and Administrative Services - Tom Crawford, CFO)

B ORDINANCES - SECOND READING

- B-1 [10-0253](#) An Ordinance to Amend Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling) to PUD (Planned Unit Development), Heritage Row PUD, 407-437 S. Fifth Avenue (CPC Recommendation: Approval - 6 Ayes, 2 Nays) (Ordinance No. 10-13) (**8 Votes Required**)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See PH-1) (Postponed from the 6/7/10 regular session) (Updated on 6/17/10)
- DB-1 [10-0539](#) Resolution to Approve the Heritage Row PUD (Planned Unit Development) Site Plan and Development Agreement; 407- 437 South Fifth Avenue (CPC Recommendation: Approval - 6 Ayes, 2 Nays)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See PH-2) (Postponed from the 6/7/10 regular session)

- B-2** [10-0473](#) An Ordinance to Amend Sections 2:1, 2:3, 2:4, 2:5 and 2:9 of Chapter 26 (Solid Waste Management) of Title II of the Code of the City of Ann Arbor - for Single Stream Recycling (Ordinance No. ORD-10-16)
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
(See PH-4) (Revised 6/21/10)
- DS-10** [10-0627](#) Resolution to Authorize Summary Publication of Ordinance No. 10-16 to Amend Chapter 26 of Title II of the Code of the City of Ann Arbor
(Systems Planning Services - Sue F. McCormick, Public Services Area Administrator)
- B-3** [10-0557](#) An Ordinance to Amend Section 1:572(b) of Chapter 18 (Employees Retirement System), Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-10-18)
(City Attorney Services - Stephen K. Postema)
(See PH-5)
- DS-1** [10-0613](#) Resolution Authorizing Summary Publication of Ordinance No. ORD-10-18 Amending Section 1:572(b) of Chapter 18, Title I of the Code of the City of Ann Arbor to Increase Non -Union Employees Contributions to the City of Ann Arbor Employees Retirement System
(City Attorney Services - Stephen K. Postema)

C ORDINANCES - FIRST READING

- C-1** [10-0513](#) An Ordinance to Amend Section 5:131 of Chapter 57 (Subdivision and Land Use Control) of Title V of the Code of the City of Ann Arbor Regarding Fee Reimbursement Policy (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
(Community Services - Sumedh Bahl, Interim Area Administrator)
- C-2** [10-0515](#) An Ordinance to Amend Section 5:136(2) of Chapter 57 (Subdivision and Land Use Control) of Title V of the Code of the City of Ann Arbor Regarding Requirements for Display of Plans Under Review (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
(Community Services - Sumedh Bahl, Interim Area Administrator)
- C-3** [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)
(Community Services - Sumedh Bahl, Interim Area Administrator)

- C-4 **10-0609** ~~An Ordinance to Amend Section 10:148 of Chapter 126 (Traffic), of Title X of the Code of the City of Ann Arbor~~ **(Deleted from Agenda)**

(City Attorney Services - Stephen K. Postema, City Attorney)

Sponsors: Hohnke and Hieftje

(Deleted from Agenda on 6/16/10)

- C-5 **10-0562** An Ordinance to Amend Chapter 103 (Historic Preservation) by Adding Section 8:425.15, The South Fourth and Fifth Avenue Historic District, of Title VIII of the Code of the City Of Ann Arbor

(Community Services - Sumedh Bahl, Interim Area Administrator)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 **10-0634** Resolution to Approve a Residential Parking District in the Old Fourth Ward and Appropriate General Fund Unobligated Fund Balance (\$19,323.00) **(8 Votes Required)**

(City Council)

Sponsors: Smith and Briere

(Revised 6/21/10)

Old Business - Boards and Commissions:

- DB-2 **10-0395** Resolution to Approve Glacier Hills Revised Planned Project Site Plan and Development Agreement, 1200 Earhart Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

(Community Services - Sumedh Bahl, Interim Area Administrator)

(See PH-3) (Postponed from the 6/7/10 regular session)

DB New Business - Boards and Commissions:

- DB-3 **10-0564** Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Rose Ann Geiger Trust and Nancy Geiger Trust in Salem Township **(8 Votes Required)**

(Community Services - Sumedh Bahl, Interim Area Administrator)

- DB-4 [10-0565](#) Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Rose Ann Geiger Trust and Nancy Geiger Trust in Northfield Township (**8 Votes Required**)
(Community Services Area - Sumedh Bahl, Interim Area Administrator)
- DB-5 [10-0566](#) ~~Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Wayne E. and Arlene D. De Forest in Salem Township (**8 Votes Required**)~~
(Community Services - Sumedh Bahl, Interim Area Administrator)
(Deleted from Agenda)
- DB-6 [10-0567](#) Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Lee A. Maulbetsch Trust and Lori M. Maulbetsch Trust Farm in Northfield Township (**8 Votes Required**)
(Community Services - Sumedh Bahl, Interim Area Administrator)
- DB-7 [10-0568](#) Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the J.A. Bloch Company Property in Northfield Township (**8 Votes Required**)
(Community Services - Sumedh Bahl, Interim Area Administrator)
- DB-8 [10-0580](#) Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Betty Nollar Property in Northfield Township (**8 Votes Required**)
(Community Services - Sumedh Bahl, Interim Area Administrator)
- DB-9 [10-0507](#) Resolution to Approve the Windsong Site Plan and Development Agreement, Valencia Circle (CPC Recommendation: Approval - 6 Years, 1 Nay)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See PH-7) (Updated 6/17/10)
- DS **New Business - Staff:**

- DS-2 [10-0547](#) Resolution to Approve Purchase of Quicklime for Water Treatment from Carmeuse Lime Inc; Beachville Bid No. ITB-4095 (estimated \$651,000.00/yr)
(Water Treatment Plant Services - Sue F. McCormick, Public Services Administrator)
- DS-3 [10-0523](#) Resolution to Award a Construction Contract to Inland Waters Pollution Control, Inc. for the Northside Sanitary Submain Lining Project (\$369,892.55; Bid No. ITB-4064)
(Project Management Services - Homayoon Pirooz)
- DS-4 [10-0537](#) Resolution to Award A Contract for the 2010 Sanitary Sewer Manhole Replacement Project to CI Contracting Inc. (\$216,945.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-5 [10-0543](#) Resolution to Award a Contract for the Ann Arbor-Saline Road Pedestrian Bridge Replacement to CI Contracting Inc. (\$181,291.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-6 [10-0533](#) Washtenaw Avenue Non-Motorized Path Project Special Assessment Resolution No. 2
(Public Services - Sue F. McCormick, Area Administrator)
- DS-7 [10-0553](#) Resolution to Purchase 0.13 and 0.27 Acre Parcels on Chalmers Drive and Appropriate \$10,000.00 from Sanitary Fund and \$10,000.00 from Stormwater Fund (**8 Votes Required**)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-8 [10-0555](#) Resolution to Authorize the Purchase of LED Cobra Head Streetlight Fixtures from Lumecon (\$163,437.50) ITB-4081
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-9 [10-0556](#) Resolution Confirming Application for, and Acceptance and Appropriation of the 2010 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice, Bureau of Justice Assistance to Police Services
(Police Services - Barnett Jones, Safety Services Area Administrator)

(See PH-6)

- DS-11 [10-0558](#) Resolution to Accept a 2008 Michigan Citizen Corps Program Pass-Through Grant Award, Approve the 2008 Michigan Citizen Corps Program Pass-Through Award and Appropriate the Funds to the Office of Emergency Management. (Not to Exceed \$4,369.00 during October 1, 2009 to September 30, 2010) **(8 Votes Required)**
(Safety Services - Barnett Jones, Area Administrator)
- DS-12 [10-0560](#) Resolution Setting a Public Hearing on July 6, 2010 to Receive Public Comment on the Proposed Industrial Development District No. 2010-010 (Green Road Assoc.)
(Financial and Administrative Services - Tom Crawford, CFO)
- DS-13 [10-0577](#) Resolution to Approve the Renewal Contracts with Blue Cross Blue Shield of Michigan to Provide Health Care Coverage to City Employees and Retirees and their Dependents and Authorize the City Administrator to Execute the Necessary Documentation (\$1,288,076.00)
(Human Resources - Robyn Wilkerson, Executive Director)
- DS-14 [10-0578](#) Resolution to Approve the New Contract with EyeMed Vision Care to Provide Vision Coverage to City Employees and their Dependents and Authorize the City Administrator to Execute the Necessary Documentation (\$211,376.00)
(Human Resources - Robyn Wilkerson, Executive Director)
- DS-15 [10-0633](#) Resolution to Approve Amendment No. 4 to the Option to Purchase Agreement with Village Green Residential Properties LLC **(8 Votes Required)**
(Financial and Administrative Services - Tom Crawford, CFO/Finance & Admn Srvs Administrator)
- DS-16 [10-0589](#) Resolution Accepting Easement for Permanent Drainage from Allan F. Newman (Newport Creek Culvert Construction Project) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
- DS-17 [10-0599](#) Resolution Granting Easement for Permanent Drainage to Washtenaw County Water Resources Commissioner within West Park **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)

- DS-18 [10-0611](#) Resolution Accepting Easement for Pedestrian Access on Geddes Road from St. Paul's Evangelical Lutheran Church (Earhart/Geddes Road project) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)
- DS-19 [10-0612](#) Resolution Accepting Easement for Road Right-of-Way on Earhart and Geddes Roads from Concordia University (Earhart/Geddes Road project) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
- DS-20 [10-0471](#) Resolution Accepting Easement for Pedestrian Access on Geddes Road from Concordia University (Earhart/Geddes Road Project) **(8 Votes Required)**
(City Attorney Services - Stephen Postema)
- DS-21 [10-0486](#) Resolution Accepting Easement for Road Right-of-Way on Earhart Road from Concordia University (Earhart/Geddes Road Project) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
- DS-22 [10-0485](#) Resolution Accepting Easement for Storm Drainage on Geddes Road from Concordia University (Earhart/Geddes Road Project) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [10-0607](#) 6/7/10 Appointments & Nominations
(Mayor's Office)
- E-2 [10-0647](#) Appointments & Nominations
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL**F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR****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 [10-0615](#) Communication from Comcast regarding a name change of Digital Classic to Digital Preferred and a late fee charge increase from \$7.00 to \$8.00.
(City Clerk)
- H-2 [10-0616](#) Communication from DTE Energy regarding negotiations currently underway at their company with Local 223 of the Utility Workers Union of America (UWAU) - File
(City Clerk)
- H-3 [10-0617](#) Communication from the State of Michigan regarding DTE Company public hearing notice on Case No. U-16263 scheduled for June 15, 2010 and Case No. u15768 scheduled for June 22, 2010 - File
(City Clerk)

I The following minutes were received for file:

- I-1 [10-0490](#) GAC Minutes of February 10, 2010
(City Clerk)
- I-2 [10-0596](#) GAC Minutes of March 10, 2010
(City Clerk)
- I-3 [10-0597](#) GAC Minutes of April 14, 2010
(City Clerk)
- I-4 [10-0602](#) Ann Arbor Downtown Development Authority Meeting Minutes - May 5, 2010
(Downtown Development Authority - Susan Pollay)
- I-5 [10-0603](#) Downtown Area Citizens Advisory Council Minutes - May 5, 2010
(Downtown Development Authority - Susan Pollay)
- I-6 [10-0606](#) Taxicab Board Meeting Minutes - April 22, 2010
(Financial and Administrative Services - Tom Crawford, CFO)
- I-7 [10-0630](#) Budget Committee meeting minutes of June 8, 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, JUNE 21, 2010 AT 7:00 P.M.

REPLAYS: TUESDAY, JUNE 22, 2010 AT 10:00 A.M. AND FRIDAY, JUNE 25, 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.