



City of Ann Arbor

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

Meeting Agenda - Final-revised City Council

Monday, March 21, 2016

7:00 PM

Larcom City Hall, 301 E Huron St, Second floor,
City Council Chambers

City Council will meet in caucus the Sunday prior to each regular session at 3:30 p.m. in Council Chambers.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [16-0452](#) Agenda Response Memo - March 21, 2016

(City Administrator - Tom Crawford, Interim City Administrator)

Attachments: Agenda Responses 3-21-16, Memo to Mayor and Council_Capital Cost Study and Ordinances_2016 03 21, Chpts 27 & 28-amend choice of cost sections

(Added 3/21/16)

INT INTRODUCTIONS

INT-1 [16-0434](#) Proclamation for Greenbelt 10th Anniversary -Recognizing Tom & Rosanne Bloomer

(Mayor's Office)

Sponsors: Taylor

(Added 3/18/16)

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. Jeff Crockett - Sign Ordinance**CC COMMUNICATIONS FROM COUNCIL****MC COMMUNICATIONS FROM THE MAYOR****MC-1 [16-0386](#) Appointments - Confirmations**

(Mayor's Office)

Sponsors: Taylor

MC-2 [16-0370](#) Appointments - Nominations

(Mayor's Office)

Sponsors: Taylor

(Added 3/21/16)

CA CONSENT AGENDA**CA-1 [16-0343](#) Resolution to Approve Street Closure of North University Street between Thayer and Fletcher Streets for SpringFest on Wednesday, April 13, 2016**

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: Spring Fest Map.pdf

CA-2 [16-0299](#) Resolution to Approve a Contract with Tennis Courts Unlimited, Inc. to Renovate Tennis Courts at Sugarbush, Woodbury and South Maple Parks (\$38,373.51)

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: Tennis Ct Renovations ITB 4416.pdf

CA-3 [16-0212](#) Resolution to Approve an Amendment in the Amount of \$50,000.00 to an Existing Professional Services Agreement with Michigan Recreational Construction, Inc.

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: MRC Contract.pdf

CA-4 [16-0338](#) Resolution to Approve February 25, 2016 Recommendations of the Board

of Insurance Administration

(Financial and Administrative Services - Matthew Horning, Interim CFO)

- CA-5 [16-0047](#) Resolution to Approve a Professional Services Agreement with CDM Smith, Inc. for the Surface Water Intake Protection Plan (RFP No. 956, \$42,674.00)
(Systems Planning Services - Craig Hupy, Public Services Area Administrator)
Attachments: A2 SWIPP WorkPlan and Fee, CDMSmith PSA - Surface Water.pdf
- CA-6 [16-0134](#) Resolution to Approve Contract Amendment No. 3 with WeCare Organics to Allow Merchant Post-Consumer Food Waste and Compostable Materials (No Funds Required)
(Systems Planning Services - Craig Hupy, Public Services Area Administrator)
Attachments: We Care Amendment #3 3-2-16 clean.docx
- CA-7 [16-0226](#) Resolution to Award a Construction Contract to M-K Construction Company (\$234,156.60, Bid No. ITB-4414) for the Huron River Drive Slope Stabilization Project
(Project Management Services - Nicholas Hutchinson, City Engineer)
Attachments: ITB 4414 Bid Tab, ITB_4414_M K Contracting Contract
- CA-8 [16-0263](#) Resolution to Approve the Purchase of Vehicles from Galeana's Van Dyke Dodge (Macomb County Bid - \$41,774.00)
(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)
Attachments: Galeanas Minivan Bid Tab 2016.pdf
- CA-9 [16-0264](#) Resolution to Approve the Purchase of Vehicles from Berger Chevrolet (Oakland County Bid - \$133,156.00)
(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)
Attachments: Berger Bid Tabs 2016.pdf
- CA-10 [16-0265](#) Resolution to Approve the Purchase of Vehicles from Red Holman GMC (Oakland County Bid - \$71,654.00)
(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)
Attachments: Red Holman-Pickup Bid Tab 2016.pdf
- CA-11 [16-0266](#) Resolution to Approve the Purchase of a Combination Sewer Truck from Jack Doheny Supplies, Inc. (City of Rochester Hills and National Intergovernmental Purchasing Alliance \$421,571.00)
(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)
- CA-12 [16-0267](#) Resolution to Approve the Purchase of a Vehicle from Signature Ford

(Macomb County Bid - \$15,169.00)

(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)

Attachments: Signature Sedan Bid Tab 2016.pdf

CA-13 [16-0275](#)

Resolution to Approve the Purchase of Vehicles from Varsity Ford
(Macomb County Bid - \$222,009.00)

(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)

Attachments: Varsity Ford Bid Tab 2016.pdf

CA-14 [16-0278](#)

Resolution to Approve the Purchase of Snow Removal Equipment from
Kodiak America LLC (\$72,400.00)

(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)

Attachments: ITB 4413 - Bid Tab.pdf, Kodiak America Bid.pdf, ITB 4413 - Airport SRE
Specs.pdf

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [16-0009](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 31.77 Acres
from R4A (Multiple-Family Dwelling District) to R1D & R1E (Single-Family
Dwelling District) and R4B (Multiple Family Dwelling District), NorthSky
Development Rezoning, 2701 Pontiac Trail (CPC Recommendation:
Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-16-02)

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: 16-02 NorthSky CC Legal Transmittal Ordinance.pdf, 121515 Staff Report
and Attachments, NorthSky Zoning Map.pdf, NorthSky-12-15-2015 CPC
Minutes.pdf, Sheet 47 Rezoning Plan NorthSky 010216

(See B-2)

PH-2 [16-0298](#)

Resolution to Approve NorthSky Development Site Plan and Development
Agreement, 2701 Pontiac Trail (CPC Recommendation: Approval - 6 Yeas
and 0 Nays)

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: NorthSky SPZ SR 121515 with attachments(2), NorthSky-12-15-2015 CPC
Minutes, NorthSky Development Agreement DRAFT 3-16-16.pdf

(See DB-1)

A APPROVAL OF COUNCIL MINUTES

A-1 [16-0416](#)

Work Session Meeting Minutes of February 22 and February 29, and
Regular Session Meeting Minutes of March 10, 2016

(City Clerk - Jacqueline Beaudry)

Attachments: 02-22-16 Draft Council Minutes, 02-29-16 Draft Council Work Session
Minutes, 03-10-16 Draft Minutes, Council emails 3-10-2016

B ORDINANCES - SECOND READING**B Unfinished Business:**

- B-1 [15-1589](#) An Ordinance to Amend and Replace Sections 1:271, 1:272, 1:273, 1:274, 1:275, 1:277, and 1:278 of Chapter 12 (Financing Local Public Improvements) of Title I, Sections 1:281, 1:282, 1:284, 1:286, 1:292, 1:293, 1:295, 1:299, 1:300 and 1:301 of Chapter 13 (Special Assessments) of Title I, Sections 2:21, 2:22b, 2:22c and 2:23 of Chapter 27 (Water Capital Recovery Charges) of Title II, and Sections 2:41.2f and 2:42.4 of Chapter 28 (Sanitary Sewer Capital Recovery Charges) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-16-03)

(Systems Planning Services - Craig Hupy, Public Services Area Administrator)

Attachments: 16-03 Chpts 12, 13, 27 & 28 amendments Briefed.pdf, Chpts 12, 13, 27 & 28 amendments.pdf, Chpts 12, 13, 27 & 28 change comparison.pdf, Memo to Mayor and Council_Capital Cost Study 3-8-16, Chpts 27 & 28-amend choice of cost sections

(Postponed from the 3/10/16 Regular Session) (Revised 3/21/16 attachments added)

B New Business - Staff:

- B-2 [16-0009](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 31.77 Acres from R4A (Multiple-Family Dwelling District) to R1D & R1E (Single-Family Dwelling District) and R4B (Multiple Family Dwelling District), NorthSky Development Rezoning, 2701 Pontiac Trail (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-16-02)

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: 16-02 NorthSky CC Legal Transmittal Ordinance.pdf, 121515 Staff Report and Attachments, NorthSky Zoning Map.pdf, NorthSky-12-15-2015 CPC Minutes.pdf, Sheet 47 Rezoning Plan NorthSky 010216

(See PH-1)

- DB-1 [16-0298](#) Resolution to Approve NorthSky Development Site Plan and Development Agreement, 2701 Pontiac Trail (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: NorthSky SPZ SR 121515 with attachments(2), NorthSky-12-15-2015 CPC Minutes, NorthSky Development Agreement DRAFT 3-16-16.pdf

(See PH-2)

C ORDINANCES - FIRST READING**C New Business - Staff:**

- C-1 [16-0297](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.3 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), Bais Jewish Resource Center PUD Zoning and Supplemental Regulations, 1335 Hill Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
(Community Services - Derek Delacourt, Community Services Area Administrator)
- Attachments:** Bais JRC Legal Transmittal Ordinance.pdf, Bais JRC Staff Report with Attachments 2-17-2016, 2-17-2016 CPC Minutes with Live Links2

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

- DC-1 [16-0314](#) Resolution to Appoint Karie Slavik to the Environmental Commission
(City Council)
- Sponsors:** Briere and Smith
(Referred from the 3/10/16 Regular Session)

- DC-2 [16-0315](#) Resolution to Re-Appoint Christopher Graham to the Environmental Commission
(City Council)
- Sponsors:** Briere and Smith
(Referred from the 3/10/16 Regular Session)

DC New Business - Council:

- DC-3 [16-0354](#) Resolution to Withdraw Objection to Renewal of Class C Resort Liquor License and Permits Held by City, LLC (d/b/a Zola Bistro) (Business ID 233093) and Approve the Application for Renewal for the 2016-2017 License Year
(Council Liquor License Review Committee)
- Sponsors:** Lumm
- DC-4 [16-0355](#) Resolution Requesting Non-Renewal of the Class C Liquor License held by The Arena, Inc. (d/b/a The Arena) (Business ID 140967) (License No. 115576-2015)
(Council Liquor License Review Committee)
- Sponsors:** Lumm
Attachments: Arena Statement of Findings 2016, The Arena Tax Notice
- DC-5 [16-0356](#) Resolution Requesting Non-Renewal of the Class C Resort Liquor License held by Fantastic Restaurants, LLC. (d/b/a Tony Sacco's) (Business ID

229549) (License No. 22467-2015)

(Council Liquor License Review Committee)

Sponsors: Lumm

Attachments: Tony Sacco's Statement of Findings, Tony Saccos Tax Notice, TONY SACCOS DELINQUENT INVOICE

DC-6 [16-0358](#)

Resolution Requesting Non-Renewal of the Class C Liquor License held by What Crepe Ann Arbor, LLC. (d/b/a What Crepe) (Business ID 230295) (License No. 221688-2015)

(Council Liquor License Review Committee)

Sponsors: Lumm

Attachments: What Crepe Statement of Findings, What Crepe Tax Notice, WHAT CREPE DELINQUENT INVOICE

DC-7 [16-0359](#)

Resolution Requesting Non-Renewal of the Class C Liquor License held by 5Z Restaurants Ann Arbor, LLC (d/b/a Burger Fi) (Business ID 232181) (License No. 230685-2015)

(Council Liquor License Review Committee)

Sponsors: Lumm

Attachments: Burger FI Statement of Findings, BURGERFI DELINQUENT INVOICE, Burger Fi Tax Notice

DC-8 [16-0408](#)

Resolution Directing the City Administrator to Prepare a Resolution to Approve Ballot Language to Approve Street and Sidewalk Millage

(Public Services - Craig A. Hupy, Public Services Area Administrator)

Sponsors: Briere, Smith and Taylor

DC-9 [16-0429](#)

Resolution Requesting the Downtown Development Authority (DDA) to Reconsider Permitted Uses in Commercial Loading/Taxi Stand Zones

(City Council)

Sponsors: Lumm, Westphal, Eaton and Briere

(Revised 3/17/16)

DC-10 [16-0432](#)

Resolution Authorizing the City of Ann Arbor to be Listed as a Supporting Municipality in an Amicus Brief to be filed with the Court of Appeals for the District of Columbia Circuit in *State of West Virginia, et al. v. United States Environmental Protection Agency, et al.* (Case No. 15-1363 consolidated with other cases)

(City Council)

Sponsors: Taylor

(Added 3/18/16)

DS Unfinished Business - Staff:

- DS-1 [16-0162](#) Resolution to Authorize Professional Services Agreements with Orchard, Hiltz & McCliment, Inc. (OHM) for the Design of the Nixon/Green/Dhu Varren Intersection Improvement and the Nixon Road Corridor Traffic Study (RFP No. 955) (\$538,076.00)
(Project Management Services - Craig Hupy, Public Services Area Administrator)
Attachments: OHM Advisors Response.pdf, Letter - Project Team Addition
(Postponed from the 3/10/16 Regular Session)

DS New Business - Staff:

- DS-2 [16-0149](#) Resolution to Approve Participation in 2015 Assistance to Firefighters Regional Grant (AFG) from the US Department of Homeland Security (\$767,142.00), Appropriate Matching Grant Funds (\$41,763.55), and Establish and Appropriate Funding for the Project (\$697,401.82) (Advanced Life Support Training) (**8 Votes Required**)
(Fire Services - Larry Collins, Fire Chief)
Attachments: 2015 AFG City of Ann Arbor Participation Breakdown 1-26-16

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 [16-0292](#) Resolution from the Environmental Commission Recommending that Ann Arbor City Council create a Staff Adaptation Team
(Environmental Commission)
- F-2 [16-0294](#) Neighborhood Adaptation Pilot Resolution
(Environmental Commission)
- F-3 [16-0344](#) Communication from the Office of the Great Seal regarding Approval of Completed Annexations of 3355 Geddes Capital Investment Company, and 2250 Ann Arbor-Saline Road - All Departments
(City Clerk Services - Jacqueline Beaudry, City Clerk)
Attachments: 3355 Geddes Capital Investment Approval Letter from State.pdf, 2250 Ann Arbor-Saline Rd. Completed Annexation Letter from State.pdf
- F-4 [16-0349](#) Public Hearing Notice from the Office of Community and Economic Development regarding Washtenaw Urban County Draft 2016 Program

Year Annual Action Plan

(City Clerk Services)

Attachments: Washtenaw Urban Country Draft Plan 2016 Public Notice.pdf

- F-5 [16-0381](#) Communication from State Rep. Kurt L. Heise regarding Resolution Opposing SB720 and HB5232
(City Clerk Services)
Attachments: Communication from State Rep. Kurt L. Heise regarding Resolution Opposing SB720 and HB5232.pdf
- F-6 [16-0400](#) Communication from Comcast regarding changes to its Channel Lineup - CTN, City Attorney
(City Clerk Services)
Attachments: Comcast Communication.pdf
- F-7 [16-0417](#) DEQ-WRD Public Notice Posting from Kris Coffey, Secretary of the Dept. of Environmental Quality Water Resources Division regarding an Application from The Regents of the University of Michigan Application No. 298-9TT7-B47B - Systems Planning
Attachments: DEQ Public Notice Announcement regarding App No 298-9TT7-B47B.pdf
- F-8 [16-0423](#) Communication from Dave Askins regarding Council Member Travel Reimbursements from the Downtown Development Authority
(City Clerk - Jacqueline Beaudry)
Attachments: Communication from Dave Askins re travel reimbursement
- G The following minutes were received for filing:**
- G-1 [16-0222](#) Public Market Advisory Commission Meeting Minutes of January 21, 2016
(Public Market Advisory Commission - Sarah DeWitt, Market Manager)
Attachments: January 21, 2016 PMAC Meeting Minutes
- G-2 [16-0311](#) Council Rules Committee Meeting Minutes of February 4, 2016
(Council Rules Committee)
Attachments: Council Rules Committee Minutes 2-4-16.pdf
- G-3 [16-0336](#) Downtown Development Authority Board and Executive, Partnerships, Capital Improvements, Finance and Operations Committees Minutes of February 2016
(Downtown Development Authority)
Attachments: DDA Minutes February 2016

- G-4 [16-0337](#) Insurance Board Meeting Minutes - February 25, 2016
(Financial and Administrative Services - Matthew Horning, Interim CFO)
Attachments: Insurance Board Minutes 02252016, Insurance Board Loss Run - January 2016
- G-5 [16-0345](#) Downtown Area Citizens Advisory Council Meeting Minutes for March 1, 2016
(Downtown Development Authority)
Attachments: Downtown Area Citizens Advisory Council Meeting Minutes 030116
- G-6 [16-0351](#) Energy Commission Meeting Minutes of January 12, 2016
(Energy Commission)
Attachments: Energy Commission Minutes 1-12-16.pdf
- G-7 [16-0352](#) Energy Commission Minutes 11-10-15
(Energy Commission)
Attachments: Energy Commission Minutes 11-10-15.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, MARCH 21, 2016 @ 7:00 P.M.

REPLAYS: TUESDAY, MARCH 22, 2016 @ 10:00 A.M. AND FRIDAY, MARCH 25, 2016 AT 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

CTN's Government Channel live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/watchctn.

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 <http://a2govtv.pegcentral.com/>
- Cable: Watch CTN Government Channel 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 made with less than two business days notice may not be able to be accommodated.

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