



City of Ann Arbor

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

Meeting Agenda City Council

Monday, June 6, 2011

7:00 PM

Ann Arbor Municipal Center, 301 E. Huron
Street, 2nd Floor

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

INT INTRODUCTION

INT-1 [11-0602](#) Historic District Commission's Annual Historic Preservation Awards
(Community Services - Sumedh Bahl, Area Administrator)

INT-2 [11-0684](#) Street Reconstruction Millage Renewal - Proposed Public Engagement
Process
(Public Services - Sue McCormick)
(Revised 6/3/11)

INT-3 [11-0694](#) Proclamation for Volunteer of the Month - June 2011
(Mayor's Office)

INT-4 [11-0712](#) Forest Hills Co-op Proclamation
(Mayor's Office)
(Added 6/6/11)

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. Thomas Partridge - Build affordable housing not marijuana drug houses. Increase funding for human services. Recall Governor Snyder and the republican legislative leadership.
2. Tony Keene - Medical Marijuana (B-2)
3. James D'Amour - Professional Services Agreements with Perimeter Engineering, LLC (DS-7)
4. Charles Ream - Medical Marijuana (B-2)
5. Rhory Gould - Medical Marijuana (B-2)
6. Daniel Solano - Medical Marijuana (B-2)
7. Barbara Bach - Fuller Road Station
8. Nancy Shiffler - Fuller Road Station
9. Henry Herskovitz - City Elections
10. George Gatson - Fuller Park

Alternate:

1. Dennis Hayes - Medical Marijuana (B-2)

COMMUNICATIONS FROM COUNCIL

11-0729 Resolution to Appoint Jamie Woolard as a Member of the City of Ann Arbor Environmental Commission
(City Council)
Sponsors: Hohnke and Teall
(Added 6/6/11)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [11-0472](#) An Ordinance to Add Section 1:239 of Chapter 8 (Boards and Commissions) and to Add Section 5:136 and Renumber Sections 5:136 to 5:139 of Chapter 57 (Subdivision and Land Use Control) of Title V of the Code of the City of Ann Arbor to Create a Design Review Board and Review Procedure for Certain Downtown Properties - CPC
Recommendation: Approval (8 Yeas, 0 Nays)

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: Design Review Ordinance Briefed.pdf, Design Review Ordinance, CPC Staff Report 04-05-11, Downtown Design Guidelines 02-07-11, Council Resolution R-11-025

(See B-3)

- PH-2 [11-0494](#) Resolution to Approve Industrial Facilities Exemption Certificate between the City of Ann Arbor and Sakti3 Corporation

(Financial and Administrative Services - Tom Crawford, CFO)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

CA CONSENT AGENDA

- CA-1 [11-0484](#) Resolution Approving a Purchase Order with Sentinel Technologies for Wireless Network Equipment (\$64,571.00) and Establishing a Project Budget (\$75,000.00)

(Information Technology Services - Dan Rainey)

- CA-2 [11-0485](#) Resolution to Approve Contract with Industrial Organizational Solutions, Inc. (I/O) to Conduct Promotional Assessment of AAPD Officers for Ranks of Sergeant and Lieutenant (\$35,830.00)

(Police Services - Barnett Jones)

Attachments: Exhibit A - IOS Ann Arbor _2_.pdf, Exhibit B - IOS Ann Arbor _2_.pdf

- CA-3 [11-0504](#) Resolution Superseding Portions of R-11-131 for Sanitary Sewer Improvement Charge and Terms and Authorizing Water and Sanitary Sewer Improvement Charges for 2525 Newport (\$30,779.00)

(Public Services - Sue F. McCormick, Public Services Administrator)

Attachments: Newport Rd SIC File 10 1332 aka R11 131.pdf

- CA-4 [11-0575](#) Resolution to Approve a Purchase Order to Most Dependable Fountains, Inc. for Thirteen ADA Compliant Drinking Fountains (\$49,087.00)
(Public Services - Sue F. McCormick, Public Services Area Administrator)
- CA-5 [11-0577](#) Resolution Recognizing the Ann Arbor Jaycees Foundation as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
(City Clerk Services - Jacqueline Beaudry, City Clerk)
- CA-6 [11-0636](#) Resolution to Approve Purchase of One (1) Newtek Tricaster TCXD850 HD Portable Live Production Unit and accessories (\$30,990.00)
(Communications (CTN) Services - Lisa Wondrash, Manager)
- CA-7 [11-0649](#) Resolution to Approve a Temporary Liquor License to Kerrytown District Association for their Nash Bash Country Music Festival on Thursday, August 18, 2011 at the Ann Arbor Farmer's Market
(City Clerk - Jacqueline Beaudry)

B ORDINANCES - SECOND READING

Old Business:

- B-1 [10-0949](#) An Ordinance to Add Section 5:50.1 of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor Regarding Regulations Concerning Medical Marijuana (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-10-37)
(Community Services - Sumedh Bahl, Area Administrator)
- Attachments:** 10-37 Briefed as Amended on 050211.pdf, Medical Marijuana Ordinance (ORD-10-37) Briefed, 10-07-10 Medical Marijuana Ordinance - CC, 10-5-10 Medical Marijuana Ordinance - CPC, 10/5/10 Medical Marijuana Staff Report - CPC, 9/21/10 Medical Marijuana Staff Report - CPC, 9-21-10 CPC Minutes, AlliancePG AA Nov 15 2010
- (Postponed from the 11/15/10, 12/6/10, 1/3/11, 1/20/11, 2/7/11, 4/19/11, and 5/2/11 Regular Sessions)*
- DS-13 [11-0724](#) Resolution to Authorize Summary Publication of Ordinance No. ORD-10-37 - An Ordinance That Adds Section 5:50.1 of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor Regarding Regulations Concerning Medical Marijuana
(City Attorney Services - Stephen K. Postema)
(Added 6/3/11)

- B-2** [10-1249](#) An Ordinance to Add a New Chapter 95 to Title VII (Medical Marijuana Licenses for Cultivation Facilities and Dispensaries) of the Code of the City of Ann Arbor (Ordinance No. ORD-11-04)
- (City Attorney Services - Stephen K. Postema)
- Attachments:** Chapter 95 as Amended on May 2 2011 - Briefed.pdf, Chapter 95 - Marijuana Ordinance Briefed w new Section numbers.pdf, Chapter 95 as amended 3-21-11.pdf, Chapter 71 As Amended 3-7-11.pdf, Chapter 71 as Amended on FEB7.pdf, Chapter 71 As Amended Jan 3.pdf, Ordinance - Chapter 71.pdf
- (Postponed from the 12/6/10, 1/3/11, 1/18/11, 2/7/11, 2/22/11, 3/7/11, 3/21/11, 4/19/11 and 5/2/11 Regular Sessions)*

- DS-14** [11-0725](#) Resolution to Authorize Summary Publication of Ordinance No. ORD-11-04 - An Ordinance to Add a New Chapter 95 to Title VII (Medical Marijuana Licenses for Dispensaries) of the Code of the City of Ann Arbor
- (City Attorney Services - Stephen K. Postema)
- (Added 6/3/11)*

New Business:

- B-3** [11-0472](#) An Ordinance to Add Section 1:239 of Chapter 8 (Boards and Commissions) and to Add Section 5:136 and Renumber Sections 5:136 to 5:139 of Chapter 57 (Subdivision and Land Use Control) of Title V of the Code of the City of Ann Arbor to Create a Design Review Board and Review Procedure for Certain Downtown Properties - CPC
- Recommendation: Approval (8 Yeas, 0 Nays)
- (Community Services - Sumedh Bahl, Area Administrator)
- Attachments:** Design Review Ordinance Briefed.pdf, Design Review Ordinance, CPC Staff Report 04-05-11, Downtown Design Guidelines 02-07-11, Council Resolution R-11-025
- (See PH-1)*

- DS-15** [11-0665](#) Resolution to Authorize Summary Publication of Ordinance No. ORD-11-07 to Amend Chapter 8 (Organization of Boards and Commissions, Title I) and Chapter 57, (Subdivision and Land Use Control, Title V) of the Code of the City of Ann Arbor
- (Community Services - Sumedh Bahl, Area Administrator)
- (Added 6/3/11)*

C ORDINANCES - FIRST READING

- C-1 [11-0464](#) An Ordinance to Amend Sections 2:63, 2:64, 2:65 and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates and Amend Residential Summer Service Billings) of Title II of the Code of the City of Ann Arbor

(Public Services - Sue F. McCormick, Public Services Administrator)

Attachments: Ord amend chpt 29 2011.pdf

- C-2 [11-0477](#) An Ordinance to Amend Sections 5:600, 5:601, 5:602, 5:603, 5:604, 5:605, 5:606, 5:607, 5:608 and 5:610, to Repeal Section 5:611, and to Amend Renumbered Section 5:611 of Chapter 62 (Landscaping and Screening) of Title V of the Code of the City of Ann Arbor Regarding Plant Materials, Screening and Landscape Island Requirements - Planning Commission Recommendation: Approval (8 Years, 0 Nays)

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: Chapter62OrdinanceRev2.pdf, Planning Staff Report 03-01-11, Planning Comm Minutes 12-07-10, Planning Staff Report 12-07-10

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [11-0733](#) Resolution to Appoint Fire Chief

(City Council)

Sponsors: Hieftje and Higgins

(Added 6/6/11)

- DC-2 [11-0732](#) Resolution to Direct the City Administrator and City Attorney to Present Ordinance Amendments Changing the Retirement Benefit Package for New Non-Union Employee Hires

(City Council)

Sponsors: Higgins, Rapundalo, Taylor, Briere and Anglin

(Added 6/6/11)

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

- DS-1** [11-0543](#) Resolution to Approve Amendment No. 4 with Malcolm Pirnie, Inc. for Design of the Facilities Renovations Project at the Wastewater Treatment Plant (\$2,410,347.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-2** [11-0650](#) Resolution to Approve an Amendment to the Construction Manager Agreement with Clark Construction Co. (\$1,091,211.00)
(Fleet & Facilities Services - Sue F. McCormick, Public Services Administrator)
- DS-3** [11-0556](#) Resolution to Award a Construction Contract to Bailey Excavating, Inc. for the Collingwood Drive, Dover Court, and Ruthven Place Water Main Replacement Project (\$ 873,089.00; Bid No. ITB-4151)
(Project Management Services - Sue F. McCormick, Public Services Administrator)

Attachments: BID TABULATION, COLLINGWOOD DR ABBOTT AVE LOCATION MAP, DOVER CT LOCATION MAP, RUTHVEN PL LOCATION MAP
- DS-4** [11-0533](#) Resolution to Approve an Agreement with the Michigan Department of Transportation for the E. Stadium Boulevard Bridges Replacement Project Right-of-Way Acquisition (\$800,000.00)
(Project Management Services - Sue F. McCormick, Public Services Administrator)

Attachments: resolution approving tiger ii funding agreement - 110316.pdf, Resolution Accepting Easement for ROW - approved 4-4-11.pdf, Resolution Accepting Easement for Storm Sewer - approved 4-4-11.pdf, Resolution Accepting Easement for Water and Storm Sewer - approved 4-4-11.pdf, Resolution Ratifying Acceptance of Easements from the University of Michigan - 110411.pdf
- DS-5** [11-0535](#) Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Stantec Consulting Michigan, Inc. (\$200,000.00) for Engineering Support Services
(Public Services - Sue F McCormick, Area Administrator)
- DS-6** [11-0534](#) Resolution to Approve Amendment No. 4 to the Professional Services Agreement with CDM Michigan Inc. (\$100,000.00) for Technical Engineering Services
(Public Services - Sue F. McCormick, Public Services Administrator)

- DS-7 [11-0558](#) Resolution to authorize Professional Services Agreements with Perimeter Engineering, LLC, for \$85,000.00, Midwestern Consulting, LLC, for \$85,000.00, and Fishbeck, Thompson, Carr & Huber, Inc. for \$85,000.00 for General Engineering, Construction Inspection, and Surveying Services
(Project Management Services - Sue F. McCormick)
Attachments: FTC&H General Services PSA.pdf
- DS-8 [11-0586](#) Resolution to Approve Schedule 4 of the Interagency Four-Year Agreement for a Shared Infrastructure Manager (Not to Exceed \$326,308.00)
(Dan Rainey - Tom Crawford)
Attachments: Collaborative Technology Services Schedule 4
(Revised 6/3/11)
- DS-9 [11-0585](#) Resolution to Approve Five Three-Year Professional Services Agreements (PSA) for Architecture, Landscape Architecture, and Engineering Services for Parks & Recreation for a Not to Exceed Annual Amount of \$100,000.00 per PSA
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: RFQ for Misc Design Services 2011.pdf
- DS-10 [11-0653](#) Resolution to Approve Amendment No. 6 to the Option to Purchase Agreement with Village Green Residential Properties, LLC **(8 Votes Required)**
(City Administrator - Tom Crawford, Interim City Administrator)
- DS-11 [11-0689](#) Resolution Approving Cooperative Agreement Between the United States of America Commodity Credit Corporation and the City of Ann Arbor for the Farm and Ranch Lands Protection Program and to Accept Grant Funds in the Amount of \$312,620.00
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: FRLPP Agreement.pdf
- DS-12 [11-0452](#) Resolution to Approve an Agreement with the Ann Arbor Acquisition Corporation, dba Ann Arbor Railroad for the E. Stadium Boulevard Bridges Replacement Project (\$259,929.00)
(Project Management Services - Sue F. McCormick, Public Services Administrator)
(Added 6/2/11)

E COMMUNICATIONS FROM THE MAYOR

E-1 [11-0624](#) 5/16/11 Appointments & nominations
(Mayor's Office)

E-2 [11-0731](#) 6/6/11 Nominations & appointments
(Mayor's Office)
(Added 6/6/11)

COMMUNICATIONS FROM COUNCIL

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

F-1 [11-0663](#) City Clerk's Office Voting Equipment and Election Inspector Training
Exchange with Pittsfield Township
(City Clerk - Jacqueline Beaudry)

G COMMUNICATIONS FROM THE CITY ATTORNEY

G-1 [11-0623](#) Annexation of Betke Property, 1.5 acres, located at 2562 Newport Road
(City Attorney Services - Stephen K. Postema)
Attachments: Betke Annexation.pdf

G-2 [11-0625](#) Annexation of Brush/Frey Property, 1.11 acres, located at 2437 Newport
Road
(City Attorney Services - Stephen K. Postema, City Attorney)
Attachments: Brush Frey Annexation.pdf

H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

H The following communications were referred as indicated:

H-1 [11-0491](#) Communication from the Ann Arbor Public Art Commission (AAPAC) to
City Council Introducing the 2011 Public Art Plan and 2012 Public Art
Plan
(Public Services - Sue F. McCormick, Public Services Administrator)
Attachments: Attach A - 2012 Public Art Plan.pdf, Attach B - FY2011 Public Art
Plan.pdf

H-2 [11-0654](#) Communication from Ben Lee regarding expensive rental house
inspection fees - Planning and Development Services
Attachments: housing inspection fees

- H-3 [11-0666](#) Communication from the State of Michigan Public Services Commission regarding notices of hearings for customers of the Detroit Edison Company, Case No. U-16578 and No. U-16756 scheduled for June 2, 2011 at the Michigan Public Service Commission, 6545 Mercantile Way, Suite 7, in Lansing Michigan

Attachments: Detroit Edison Company Communications

- H-4 [11-0671](#) Resolution from Ypsilanti City Council regarding their Opposition to the State's Emergency Financial Manager Program

(City Clerk - Jacqueline Beaudry)

Attachments: Ypsilanti Council Resolution.pdf

I The following minutes were received for file:

- I-1 [11-0449](#) Historic District Commission Meeting Minutes of the February 10, 2011
(Planning and Development Services)

Attachments: 2-10-2011 HDC Meeting Minutes

- I-2 [11-0563](#) Recreation Advisory Commission Minutes - March 1, 2011
(Community Services - Sumedh Bahl, Area Administrator)

Attachments: RAC Minutes.pdf

- I-3 [11-0571](#) Park Advisory Commission Minutes - January 18, 2011; February 15, 2011
(Community Services - Sumedh Bahl, Area Administrator)

Attachments: PAC Minutes 01-18-11.pdf, PAC Minutes -02-15-11.pdf

- I-4 [11-0573](#) Ann Arbor Downtown Development Authority Meeting Minutes - April 6, 2011

(Downtown Development Authority - Susan Pollay, Executive Director)

Attachments: DDA Minutes 4-6-11

- I-5 [11-0574](#) Ann Arbor Citizens Advisory Council Meeting Minutes - March 2, 2011, April 6, 2011

(Downtown Development Authority - Susan Pollay, Executive Director)

Attachments: CAC Minutes 3-2-11, CAC Minutes 4-6-11

- I-6 [11-0583](#) Council Administration and Labor Committee Meeting Minutes of May 2, 2011

Attachments: Council. Admin. & Labor Minutes 5-2-11

- I-7 [11-0584](#) Council Search Committee Meeting Minutes of April 13 & 15, 2011
Attachments: Council Search committee Minutes 4-15-11, council search committee minutes 4-13-11
- I-8 [11-0604](#) Public Market Advisory Commission Minutes - April 5, 2011
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: PMAC Minutes -4-5-11.pdf
- I-9 [11-0608](#) Taxicab Board Meeting Minutes - March 24, 2011
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: Taxicab Board Minutes 032411.pdf
- I-10 [11-0617](#) Housing & Human Services Advisory Board Minutes February 8, 2011 and April 12, 2011
(Community Development Services)
Attachments: HHSAB_MINUTES 2.8.11_FINAL.pdf, HHSAB_MINUTES 4.12.11_FINAL.pdf
- I-11 [11-0627](#) Council Liquor License Review Committee - March 13, 2011
(City Clerk - Jacqueline Beaudry)
Attachments: 2011-03-11 liquor committee minutes.pdf
- I-12 [11-0660](#) City of Ann Arbor Employees' Retirement System Meeting Minutes - March 17, 2011
(Employees' Retirement System Board of Trustees - Nancy Walker)
Attachments: Retirement System Minutes 3-17-11
- I-13 [10-0883](#) City Election Commission - October 13, 2009
(City Clerk - Jacqueline Beaudry)
Attachments: 2009-10-13 Election Commission minutes.pdf
- I-14 [11-0661](#) City of Ann Arbor Retiree Health Care Benefit Plan & Trust Board Minutes - March 17, 2011
(Employees' Retirement System Board of Trustees - Nancy Walker)
Attachments: VEBA Minutes 3-17-11
- I-15 [11-0699](#) Ann Arbor Public Art Commission Meeting Minutes - April 2011
(Public Services - Sue F. McCormick, Public Services Administrator)
Attachments: AAPAC Meeting Minutes - April 2011.pdf

I-16 [11-0659](#) Park Advisory Commission Minutes - April 26, 2011

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: PAC Minutes 04-26-11.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, JUNE 6, 2011, 7:30 P.M.

REPLAYS: TUESDAY, JUNE 7, 2011, 10:00 A.M. AND FRIDAY, JUNE 8, 2011, 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.