



City of Ann Arbor

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

Meeting Agenda

City Council

Monday, November 21, 2011

7:00 PM

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

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

ADMINISTRATION OF OATH OF OFFICE

ORGANIZATION OF NEW COUNCIL

[11-1457](#) Resolution Appointing Mayor Pro-Tem and Establishing the Order of Succession for Acting Mayor
(Added 11/21/11)

[11-1458](#) Resolution to Approve Proposed Changes to Council Rules
Attachments: 2011 Draft Council Rules 112111

[11-1459](#) Resolution to Establish 2012 City Council Calendar

[11-1460](#) 2012 City Council Committee Appointments

APPROVAL OF AGENDA

INT INTRODUCTIONS

INT-1 [11-1444](#) Volunteer of the Month Proclamation: Susan Tarle
(Mayor's Office)
(Referred from the 11/10/11 Regular Session)

- INT-2 [11-1432](#) Proposed Greenbelt Boundary Change - Dan Ezekiel, Greenbelt
Advisory Commission Chair
(City Council)
Sponsors: Hohnke

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. Brenda Oelbaum - Public Art (C-1)
2. Thomas Partridge - Give real reason for Thanksgiving. End illegal discrimination and corruption. Provide access to affordable transportation and housing (I-5, I-9)
3. Margaret Erickson - Public Art (C-1)
4. Margaret Parker Percent for Art (C-1)
5. Wilfred Simbuerger - Public Art (C-1)
6. Connie Brown - Percent for Public Art (C-1)
7. Jan Newman - Public Art (C-1)
8. Mark Tucker - Percent for Public Art (C-1)
9. Elaine Sims - Public Art
10. Keri Hardy - Cherry Republic Donation Check (INT-2)

Alternates:

1. Orian Zaki - Opening Warming Shelter
2. Aliessandra Hossmin - Public Warming Shelter

COMMUNICATIONS FROM COUNCIL

- [11-1484](#) Resolution to Appoint a Member to the Local Development Financing Authority
(City Council)
Sponsors: Higgins
(Added 11/21/11)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [11-1446](#) ~~An Ordinance to Amend Section 10:148 of Chapter 126, Traffic, Title X, of the Code of the City of Ann Arbor (Ordinance No. ORD-11-22)~~
(Deleted on 11/18/11)
(City Council)
Sponsors: Taylor, Briere and Teall
Attachments: Chapter 126 Briefed.pdf, Chapter 126 as Amended on November 10.pdf, Pedestrian Crossing St Amendment REVISED _ Briere.pdf, Pedestrian Crossing St Amendment _ Briere.pdf
(See B-1) (Deleted from the Agenda on 11/18/11)
- PH-2 [11-1363](#) Resolution to Approve Arbor Hills Crossing Site Plan and Development Agreement, 3100 Washtenaw Avenue (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: 10/18/11 Staff Report.pdf, 6/7/11 Staff Report.pdf, 6/7/11 Commission Minutes.pdf, ArborHillsDevAgreeFINAL
(See DB-2)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

- A-1 [11-1466](#) Regular Session of November 10 and Working Session of November 14, 2011
(City Clerk - Jacqueline Beaudry)
Attachments: 11-14-11 Draft Minutes.pdf, 11-10-11 Draft Minutes.pdf, council emails and redaction list 11-10-11 meeting.pdf

CA CONSENT AGENDA

- CA-1 [11-1382](#) Resolution to Approve Schedule 9 to the Interagency Agreement for Collaborative Technology and Services for Backup and Recovery Services (\$52,922.16)
(Information Technology Services - Dan Rainey)
(Revised 11/21/11)
- CA-2 [11-1359](#) Resolution to Approve a Services Agreement with SunTel Services, LLC for upgrading Telephone System Software. (Not to Exceed \$35,000.00)
(Information Technology Services - Dan Rainey)
Attachments: SunTel PS Contract.pdf
- CA-3 [11-1427](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of October 27, 2011
(Financial and Administrative Services - Tom Crawford, CFO)
- CA-4 [11-1356](#) Resolution Approving a Change Order to the Purchase Order with Anlaan Corporation for Repairs to the Sidewalk at Fuller Road Bridge (\$4,715.01)
(Project Management Services - Sue F. McCormick, Public Services Administrator)
- CA-5 [11-0857](#) Resolution to Amend Project Scope with TSP Environmental for Work at Argo Dam Headrace
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: Argo Map.pdf, MOU with DTE - whitewater features.pdf
- CA-6 [11-1435](#) Resolution to Approve a Payment in Lieu of Taxes (PILOT) for Avalon Second Nonprofit Housing Corporation at 701 Miller, Parkside Apartments
(Community Services - Sumedh Bahl)
- CA-7 [11-1428](#) Resolution Recognizing Project Fortitude, Inc. 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)

B ORDINANCES - SECOND READING

- B-1 [11-1446](#) ~~An Ordinance to Amend Section 10:148 of Chapter 126, Traffic, Title X, of the Code of the City of Ann Arbor (Ordinance No. ORD 11-22)~~
(Deleted on 11/18/11)
(City Council)
Sponsors: Taylor, Briere and Teall
Attachments: Chapter 126 Briefed.pdf, Chapter 126 as Amended on November 10.pdf, Pedestrian Crossing St Amendment REVISED _ Briere.pdf, Pedestrian Crossing St Amendment _ Briere.pdf
(See PH-1) (Deleted from the Agenda on 11/18/11)

C ORDINANCES - FIRST READING

C Old Business:

- C-1 [11-1193](#) An Ordinance to Amend Sections 1:832 through 1:835 of Chapter 24, Title I (Public Art) of the Code of the City of Ann Arbor
(City Council)
Sponsors: Briere
Attachments: Public Art Ordinance Revision, Public Art Ordinance Revision.pdf, Public Art ordinance amendment.pdf
(Postponed from the 9/19/11 Regular Session) (Revised 11/18/11 and 11/21/11)

New Business:

- C-2 [11-1306](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.01 acres from Hoover Mansion PUD (Planned Unit Development District) to University Bank Revised PUD, 2015 Washtenaw Avenue (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
(Community Services - Sumedh Bahl)
Attachments: UniversityBankSupplemental, Staff Report 10-04-11.pdf, Staff Report 09-08-11.pdf, CPC Minutes 10-04-11.pdf
- C-3 [11-1385](#) An Ordinance to Amend Sections 3:62 and 3:67 of Chapter 42, Open Space and Parkland Preservation, of Title III of the Code of the City of Ann Arbor
(Community Services - Sumedh Bahl, Area Services Administrator)
Sponsors: Hohnke
Attachments: Lodi Support Resolution2011-011.pdf, 2011-10-08_SE Michigan Conservancy_Ltr_of_Support.pdf, Greenbelt Expansion 2011 Map.pdf, Chpt 42 District Boundary Expansion Ord.docx

- C-4 [11-1470](#) An Ordinance to Amend Sections 7:91, 7:97 and 7:99 of Chapter 82, Littering and Distribution of Handbills, Title VI of the Code of the City of Ann Arbor
(City Council)
Sponsors: Hohnke and Taylor
Attachments: Handbill Ordinance

D MOTIONS AND RESOLUTIONS

DC Old Business - Council:

- DC-1 [11-1391](#) Resolution to Appoint Shannon Brines as a Member of the City of Ann Arbor Greenbelt Advisory Commission
(City Council)
Sponsors: Hohnke
Attachments: GAC_application_Brines
(Postponed from the 11/10/11 Regular Session)

- DC-2 [11-0619](#) Resolution to Restate the Terms of the Membership of the Greenbelt Advisory Commission
(Greenbelt Advisory Commission)
Sponsors: Hohnke
(Postponed from the 11/10/11 Regular Session)

DC New Business - Council:

- DC-3 [11-1472](#) Resolution Protecting Ann Arbor's Non-Discrimination Ordinance and Opposing HB 5039
(City Council)
Sponsors: Smith and Taylor

- DC-4 [11-1405](#) Resolution to Approve a Request from Glacier Hills, Inc. for a New Continuing Care Retirement Center Liquor License Issued Under MCL 436.1545 to be Located at 1200 Earhart Road d/b/a Glacier Hills Senior Living Community
(City Clerk Services - Jacqueline Beaudry, City Clerk)
(Added 11/18/11)

- DC-5 [11-1409](#) Resolution to Approve a Request to Transfer Ownership of an Escrowed 2011 Class C Liquor Licensed Business, from Ypsi-Arbor Lanes, Inc. to Whole Foods Market Group, Inc., d/b/a Whole Foods

(City Clerk Services - Jacqueline Beaudry, City Clerk)

(Added 11/18/11)

- DC-6 [11-1415](#) Resolution to Approve a Request to Transfer Ownership of a 2011 Resort Class C Liquor License Located at 106 S. First St., from New Miki, Inc. to Kim & Felisha II, Inc. d/b/a Miki Japanese Restaurant

(City Clerk Services - Jacqueline Beaudry, City Clerk)

Sponsors: Council Liquor License Review Committee

(Added 11/18/11)

DB New Business - Boards and Commissions:

- DB-1 [11-1394](#) Resolution to Approve the Arbor Hills Crossing Brownfield Plan (BRC Recommendation: 3 Yeas, 0 Nays)

(Community Services - Sumedh Bahl, Area Administrator)

- DB-2 [11-1363](#) Resolution to Approve Arbor Hills Crossing Site Plan and Development Agreement, 3100 Washtenaw Avenue (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: 10/18/11 Staff Report.pdf, 6/7/11 Staff Report.pdf, 6/7/11 Commission Minutes.pdf, ArborHillsDevAgreeFINAL

(See PH-2)

DS New Business - Staff:

- DS-1 [11-1364](#) Resolution to Receive and Appropriate a U.S. Department of Justice Domestic Violence Prevention Grant (\$399,898.00) **(8 Votes Required)**

(Fifteenth District Court Services - Keith Zeisloft, Court Administrator)

- DS-2 [11-1365](#) Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office Michigan Drug Court Grant Program Grant and Approve Grant Contract (\$63,000.00) **(8 Votes Required)**

(Fifteenth District Court Services - Keith Zeisloft, Court Administrator)

Attachments: 21 Nov 11 15DC-SCAO MDCGP 2012 Contract rev 1.pdf

- DS-3 [11-1401](#) Resolution to Approve a Sobriety Court Grant Program Contract with Dawn Inc. d/b/a Dawn Farm to Provide In-Patient and Out-Patient Drug Abuse Counseling and Rehabilitation Services to 15th Judicial District Court Defendants (\$75,000.00)
(Fifteenth District Court Services - Keith Zeisloft, Court Administrator)
Attachments: 15DC-Dawn Farm Contract 2011-2012 rev 1.pdf, 15DC-Dawn Farm Contract 2011-2012 rev 1.docx
- DS-4 [11-1366](#) Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office DWI Drug Treatment Court Program Grant and Approve Grant Contract (\$50,000.00) **(8 Votes Required)**
(Fifteenth District Court Services - Keith Zeisloft, Court Administrator)
Attachments: 21 Nov 11 15DC-SCAO OHSP 2012 Contract rev 1.pdf
- DS-5 [11-1370](#) Resolution to Approve a Professional Services Agreement with AM Data Service, Inc. for OnBase Development (Not to Exceed \$150,000.00)
(Information Technology Services - Dan Rainey, Director)
- DS-6 [11-1254](#) Resolution to Approve a Purchase Order to Environmental Systems Research Institute for Annual Software Maintenance and Licensing Agreement (\$58,500.00)
(Information Technology Services - Dan Rainey, IT Director)
- DS-7 [11-1408](#) Resolution to Adopt Revised Investment Policy
(Financial and Administrative Services - Matthew V. Horning, City Treasurer)
Attachments: Investment Policy - Revision for Council 11-21-11
(Attachment Revised 11/21/11)
- DS-8 [11-1410](#) Resolution Accepting Easement for Storm Drainage at 3135 S. State St. from Waterworks Plaza Condominium Association **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
Attachments: Ex.A - Legal Description.rtf, Ex. B - Storm Sewer Easement Sketch
- DS-9 [11-1434](#) Resolution to Approve Agreement between the City of Ann Arbor and the Regents of the University of Michigan for Right-of-Way Occupancy by Chilled Water Facilities within Tappan Street **(8 Votes Required)**
(Public Services - Sue F. McCormick, Public Services Administrator)
Attachments: UM occupancy agr - chilled water Tappan St.pdf

E COMMUNICATIONS FROM THE MAYOR

E-1 [11-1461](#) 11/10/11 Appointments & Nominations
(Mayor's Office)

E-2 [11-1482](#) 11/21/11 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 [11-1411](#) Communication from the Economic Development Council (EDC)
regarding their 2011 Annual Report
(City Clerk Services)

Attachments: EDC 2011 Annual Report

H-2 [11-1439](#) Communication from Luther Schaible, President of the Rogers Corner
Community Action Group, Washtenaw County Farm Bureau regarding
the new Pedestrian Law

(City Clerk Services)

Attachments: New Pedestrian Law Communication

H-3 [11-1442](#) Communication from Comcast regarding the Federal Emergency
Management Agency (FEMA) conducting the country's first nationwide
Emergency Alert System (EAS) test, scheduled for November 9, 2011 -
CTN

(City Clerk Services)

Attachments: comcast communication

H-4 [11-1475](#) Communication from the State of Michigan Public Service Commission
regarding a Notice of Hearing for the Electronic Customers of the Detroit
Edison Company, Case No. U-16892, scheduled for November 29,
2011

(City Clerk Services)

Attachments: dte communication

I The following minutes were received for file:

- I-1 [11-1282](#) Historic District Commission Meeting Minutes of the September 8, 2011
(Planning and Development Services)
Attachments: 9-8-2011 HDC Approved Minutes
- I-2 [11-1412](#) Ann Arbor Public Art Commission Meeting Minutes - September 28, 2011
(Public Services - Sue F. McCormick, Public Services Administrator)
Attachments: AAPAC Meeting Minutes - Sept 2011.pdf
- I-3 [11-1416](#) Council Administration and Labor Committee Meeting Minutes of October 24, 2011
Attachments: Council Admin. and Labor Committee Minutes 10-24-11
- I-4 [11-1419](#) Ann Arbor Downtown Development Authority Minutes - October 5, 2011
(Downtown Development Authority - Susan Pollay)
Attachments: DDA Minutes 10-5-11.pdf
- I-5 [11-1421](#) Ann Arbor Housing Commission Regular Board Meeting Minutes - September 21, 2011
(Housing Services - Nicholas Coquillard)
Attachments: Sept 21 2011 Board Mtg Minutes - AAHC Signed-Final.pdf
- I-6 [11-1423](#) Ann Arbor Housing Commission Minutes of the Special Meeting - October 7, 2011

(Housing Services - Nicholas Coquillard)
Attachments: Oct 7 2011 Board Mtg Minutes - AAHC Signed-Final.pdf
- I-7 [11-1424](#) Ann Arbor Housing Commission Minutes of the Special Meeting - October 12, 2011
(Housing Services - Nicholas Coquillard)
Attachments: Oct 12 2011 Board Mtg Minutes - AAHC Signed-Final.pdf
- I-8 [11-1425](#) Downtown Area Citizens Advisory Council Minutes - November 2, 2011
(Downtown Development Authority - Susan Pollay)
Attachments: Downtown Area Citizens Advisory Council Meeting Minutes 110211.pdf

- I-9 [11-1433](#) Ann Arbor Transportation Authority Meeting Minutes - September 15, 2011

(City Clerk - Jacqueline Beaudry)

Attachments: 2011.9.15_AATA Board Meeting Minutes_Approved.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, NOVEMBER 21, 2011, 7:00 P.M.

REPLAYS: TUESDAY NOVEMBER 22, 2011, 10:00 A.M. AND FRIDAY NOVEMBER 25, 2011, 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.

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.