



City of Ann Arbor

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

Meeting Agenda - Final-revised City Council

Thursday, November 7, 2013

7:00 PM

City Hall, 301 E. Huron Street, Council Chamber,
2nd Floor
City Council meets in caucus the Sunday prior
to each regular session at 7 p.m. in the Council
Chamber.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

INT INTRODUCTIONS

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. Timothy W. Green - Ordinance regarding Permit Requirement for Group Activities in Parks (Treatment of homeless) (C-1)**
- 2. Ingrid Ault - Resultion Accepting the Park Advisory Commission Downtown Parks Subcommittee Report on Downtown Parks (DC-2)**
- 3. Ray Gholston - Ordinance regarding Permit Requirement for Group Activities in Parks (C-1)**
- 4. Dina Kurz - Resolution to Authorize the City Administrator to Negotiate a Sales Agreement for the City-Owned Property at 350 S. Fifth Avenue (DC-5)**

5. **Stephan Pate - Ordinance regarding Permit Requirement for Group Activities in Parks (C-1)**
6. **Kathy Griswold - Resolution to Appoint a Pedestrian Safety and Access Task Force (DC-4)**
7. **Ryan Sample - Ordinance regarding Permit Requirement for Group Activities in Parks (C-1)**
8. **Andrew Mutschler - Ordinance regarding Permit Requirement for Group Activities in Parks (C-1)**
9. **Tom Wall - Resolution to Appoint a Pedestrian Safety and Access Task Force (DC-4)**
10. **Raytheon Jones - Ordinance regarding Permit Requirement for Group Activities in Parks (C-1)**

Alternates:

1. **Chris McKeown - Ordinance regarding Permit Requirement for Group Activities in Parks (C-1)**
2. **Emily Tondreau - Shelter Full - Camp Sites Evicted**

COMMUNICATIONS FROM COUNCIL

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [13-1325](#) Appointments & Nominations
(Mayor's Office)

Sponsors: Hieftje

MC-2 [13-1397](#) Appointment & Nominations
(Mayor's Office)

(Added 11/7/13)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [13-1140](#) Resolution to Adopt the 2013 Update to the Non-Motorized Transportation Plan (Adopted by the CPC on September 10, 2013 - 7 Yeas, 0 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 2013 Update to Non-motorized Transportation Plan 9/10/13, 8/9/13 Public Process for Non-motorized Plan Update, 9/10/13 Planning Staff Report, Planning Commission Minutes 09-10-13.pdf
(See DB-1)

PH-2 [13-1274](#) Resolution to Approve the Ann Arbor Christian Reformed Church Site Plan, 1717 Broadway Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 10/1/13 Planning Staff Report
(See DB-2)

A APPROVAL OF COUNCIL MINUTES

A-1 [13-1338](#) Work Session of October 14, 2013 and Regular Session Meeting Minutes of October 21, 2013
(City Clerk Services - Jacqueline Beaudry, City Clerk)
Attachments: 10-14-13 Draft Minutes, 10-21-13 Draft Minutes, Council emails 10-21-2013_Redacted.pdf

CA CONSENT AGENDA

CA-1 [13-1151](#) Resolution to Approve Bylaws of the Design Review Board
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: Design Review Board Bylaws (Adopted 5-15-2013)

CA-2 [13-1154](#) Resolution to Approve Changes to Bylaws of the Ann Arbor City Planning Commission
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: BylawsIntro_06-28-13, Final Approved CPC Bylaws 07-16-13

CA-3 [13-1235](#) Resolution to Approve a Services Agreement with Utilities Instrumentation Service for Electrical and Instrumentation Support Services (\$60,000.00)
(Public Services - Craig Hupy, Public Services Area Administrator)
Attachments: Service Agreement - UIS 2013 10 21.pdf

- CA-4 [13-1308](#) Resolution Setting a Public Hearing on December 2, 2013 to Receive Public Comment on the Proposed Industrial Development District No. 2013-010

(Financial and Administrative Services - Tom Crawford, CFO)

Attachments: 1901 Ellsworth Legal.pdf

- CA-5 [13-1311](#) Resolution to Approve First Amendment to Contract with Plante Moran, PLLC for Review of Permitting Processes (\$17,000.00)

(Financial and Administrative Services - Tom Crawford, CFO)

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

- B-1 [13-0188](#) An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05)

(City Council)

Sponsors: Kunselman and Kailasapathy

Attachments: ORD 13-05 Briefed as Amended 41513, 13-05 Amended and Briefed, DDA Ordinance as Amended on 040113, Memo Substitute DDA Ordinance Amendments, DDA Ordinance Amendments 2013 Substitute Version 2, DDA Ordinance Amendments REVISED 3-1-13, DDA Ordinance Amendments 2013, Stephen Kemsley Communication, HHSAB Resolution to Preserve DDA Investments in Affordable Housing

(Postponed from the 3/14/13, 3/18/13, 4/15/13, 5/6/13, 9/3/16, 9/16/13 and 10/21/13 regular sessions.)

C ORDINANCES - FIRST READING

C New Business:

- C-1 [13-1266](#) An Ordinance to Amend Section 3:6 of Chapter 39, Parks, Title III of the Code of the City of Ann Arbor to Provide for Exemptions to the Permit Requirement for Group Activities in Parks

(City Council)

Sponsors: Taylor and Teall

Attachments: Ord Amend Parks Group Activities Permit Fee

- C-2 [13-1376](#) An Ordinance to Amend Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor
- (City Council)
- Sponsors:** Kunselman
- Attachments:** DDA Ordinance Amendments 2013 Joint Comm Substitute Version, DDA Cap Estimates 10-2013
- (Added 11/1/13 and Revised 11/6/13)*

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [13-1336](#) Resolution Regarding Digital Billboard on Stadium Blvd
- (City Council)
- Sponsors:** Taylor, Higgins, Teall, Petersen and Lumm
- DC-2 [13-1340](#) Resolution Accepting the Park Advisory Commission Downtown Parks Subcommittee Report on Downtown Parks
- (City Council)
- Sponsors:** Taylor
- Attachments:** Park Advisory Commission (PAC) Downtown Parks Subcommittee Report - Final.pdf, PAC Resolution
- DC-3 [13-1341](#) Resolution to Support Education on Professional Standards of Conduct for City Officials and Direction to Council Rules Committee to Draft Appropriate Standard of Conduct
- (City Council)
- Sponsors:** Petersen
- DC-4 [13-1344](#) Resolution to Appoint a Pedestrian Safety and Access Task Force
- (City Council)
- Sponsors:** Warpehoski and Briere
- DC-5 [13-1348](#) Resolution to Authorize the City Administrator to Negotiate a Sales Agreement for the City-Owned Property at 350 S. Fifth Avenue
- (City Administrator - Steven D. Powers, City Administrator)
- Sponsors:** Kunselman and Hieftje
- Attachments:** 350 S Fifth Brochure, 350 S Fifth Offers
- (Revised 11/4/13)*

- DC-6 [13-1353](#) Resolution to Approve Temporary Outdoor Sales and Service of Food for the Special Event, "Eat the Street," during the Period November 8, 2013 through January 8, 2014
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Sponsors: Briere and Lumm
(Added 11/7/13)
- DC-7 [13-1395](#) Resolution to Authorize the City of Ann Arbor to be Listed as a Supporting Municipality in an Amicus Brief to be Filed with the United States Supreme Court in *McCullen v Attorney General for the Commonwealth of Massachusetts*
(Christopher Taylor, Jane Lumm, Sabra Briere - City Council)
Sponsors: Taylor, Lumm and Briere
(Added 11/7/13)
- DB New Business - Boards and Commissions:**
- DB-1 [13-1140](#) Resolution to Adopt the 2013 Update to the Non-Motorized Transportation Plan (Adopted by the CPC on September 10, 2013 - 7 Years, 0 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 2013 Update to Non-motorized Transportation Plan 9/10/13, 8/9/13 Public Process for Non-motorized Plan Update, 9/10/13 Planning Staff Report, Planning Commission Minutes 09-10-13.pdf
(See PH-1)
- DB-2 [13-1274](#) Resolution to Approve the Ann Arbor Christian Reformed Church Site Plan, 1717 Broadway Street (CPC Recommendation: Approval - 6 Years and 0 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 10/1/13 Planning Staff Report
(See PH-2)
- DS New Business - Staff:**
- DS-1 [13-1237](#) Resolution for Grant Application to the Michigan Department of Environmental Quality - Stormwater, Asset Management and Wastewater (SAW) Program (\$1.1M Total Project Cost) (1 of 6) (Sanitary System Asset Management)
(Systems Planning Services - Craig Hupy, Public Services Area Administrator)
Attachments: resolution_01_SanitaryAM.pdf, DRAFT_Grant Agreement

- DS-2** [13-1269](#) Resolution for Grant Application to the Michigan Department of Environmental Quality - Stormwater, Asset Management and Wastewater (SAW) Program (\$1.1M Total Project Cost) (2 of 6) (Stormwater System Asset Management)

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

Attachments: resolution_02_StormAM.pdf, DRAFT_Grant Agreement
- DS-3** [13-1270](#) Resolution for Grant Application to the Michigan Department of Environmental Quality - Stormwater, Asset Management and Wastewater (SAW) Program (\$1.2 M Total Project Cost) (3 of 6) (Sanitary Sewer Wet Weather Evaluation Project)

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

Attachments: resolution_03_SSWWEP.pdf, DRAFT_Grant Agreement
- DS-4** [13-1271](#) Resolution for Grant Application to the Michigan Department of Environmental Quality - Stormwater, Asset Management and Wastewater (SAW) Program (\$750,000.00 Total Project Cost) (4 of 6) (Retroactive - Stormwater Model Calibration Project)

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

Attachments: resolution_04_SWMM.pdf, DRAFT_Grant Agreement
- DS-5** [13-1272](#) Resolution for Grant Application to the Michigan Department of Environmental Quality - Stormwater, Asset Management and Wastewater (SAW) Program (\$350,000.00 Total Project Cost) (5 of 6) (Asset Management Plan for the Wastewater Treatment Plant (WWTP))

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

Attachments: resolution_05_WWTPAM.pdf, DRAFT_Grant Agreement
- DS-6** [13-1273](#) Resolution for Grant Application to the Michigan Department of Environmental Quality - Stormwater, Asset Management and Wastewater (SAW) Program (\$1.5M Total Project Cost) (6 of 6) (Asset Management Plan for the Sanitary Sewer System and the Wastewater Treatment Plant)

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

Attachments: resolution_06_WWTP_SAN_AM.pdf, DRAFT_Grant Agreement

(Revised 11/7/13)
- DS-7** [13-1152](#) Resolution to Award Contract for Barton Dam Repair Project to Catskill Remedial Contracting Services, Inc. (\$123,684.60)

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

Attachments: ITB #4292_Barton_Drainage_Blanket_Executed_Contracts.pdf

- DS-8 [13-1262](#) Resolution to Approve an Agreement with the Michigan Department of Transportation for the I-94 Business Loop and South Maple Road Resurfacing Project (\$301,600.00)
(Project Management Services - Craig Hupy, Public Services Area Administrator)
Attachments: I-94 BL city-state agreement.pdf, Cost Share Breakdown.pdf
- DS-9 [13-1087](#) Resolution to Approve the Stone School Road Reconstruction Project - I-94 to Ellsworth Road Sidewalk and Curb & Gutter Special Assessment - Resolution No. 1 (**8 Votes Required**)
(Project Management Services - Craig Hupy, Public Services Area Administrator)
Attachments: special assessment res no 1 - vicinity dwg - 130910.pdf
- DS-10 [13-1156](#) Resolution to Appropriate Funds for the Design of Scio Church Sidewalk - Special Assessment Project - Resolution 1 (\$35,000.00) (**8 Votes Required**)
(Project Management Services - Craig Hupy, Public Services Area Administrator)
Attachments: Scio Church Sidewalk Gaps
- DS-11 [13-1236](#) Resolution to Approve a Professional Services Agreement with Stantec Consulting Michigan, Inc. for Technical Engineering Services (\$250,000.00)
(Public Services - Craig Hupy, Public Services Area Administrator)
Attachments: PSA Stantec Technical Services RFP 867.pdf
- DS-12 [13-1265](#) Resolution to Approve a Professional Services Agreement with Tetra Tech of Michigan, PC for Technical Engineering Services (\$250,000.00)
(Public Services - Craig Hupy, Public Services Area Administrator)
Attachments: PSA TetraTech Technical Services RFP 867.pdf
- DS-13 [13-1248](#) Resolution to Approve Purchase Order with Ozonia for Purchase of Ozone Generator Dielectrics (\$68,209.00)
(Public Services - Craig Hupy, Public Services Area Administrator)
Attachments: Ozone Dielectrics Replacement Quote - Ozonia.pdf
- DS-14 [13-1145](#) Resolution to Receive and Appropriate a U.S. Department of Justice Domestic Violence Prevention Supplemental Grant (\$300,000.00) (**8 Votes Required**)
(Fifteenth District Court Services - Keith Zeisloft, 15th District Court Administrator)

- DS-15 [13-1247](#) Resolution to Accept Michigan Supreme Court Drug Court Grant (\$144,000.00) **(8 Votes Required)**
(Fifteenth District Court Services - Keith Zeisloft, 15th District Court Administrator)
Attachments: SCAO-D15_GRANT CONTRACT_FY14.pdf
- DS-16 [13-1279](#) Resolution to Approve Contract with Dawn Farm to Provide Drug Abuse Counseling and Rehabilitation Services to Sobriety Court Defendants (\$88,000.00)
(Fifteenth District Court - Keith Zeisloft, 15th District Court Administrator)
Attachments: 15DC-Dawn Inc 2014 Contract.pdf
- DS-17 [13-1250](#) Resolution to Accept Michigan Supreme Court Veterans Treatment Court Program Grant (\$92,279.00) **(8 Votes Required)**
(Fifteen District Court - Keith Zeisloft, Court Administrator)
Attachments: SCAO-D15_VTC_CONTRACT.pdf
- DS-18 [13-1278](#) Resolution to Approve a Domestic Violence Prevention Grant Service Contract with the Domestic Violence Project, Inc., a.k.a. SafeHouse Center (\$114,000.00)
(Fifteenth District Court - Keith Zeisloft, 15th District Court Administrator)
Attachments: 07 Nov 13 15DC-Safehouse Service Contract.pdf
- DS-19 [13-1164](#) Resolution to Adopt FY 2015-16 Human Services Funding Process
(Community Development Services - Mary Jo Callan, Office of Community & Economic Development)
Attachments: Coordinated Funding - Executive Summary final, Email from M. Callan and Community Outcomes
(Revised 11/7/13)
- DS-20 [13-1313](#) Resolution Accepting Easement for Public Utilities at 490 Huron Parkway from Johnson Building Group, LLC **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
- DS-21 [13-1322](#) Resolution Accepting Easement for Public Utilities at 1500 Pauline Avenue from Pauline Apartments Limited Dividend Housing Association Limited Partnership **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
Attachments: DRAWING - 1500 Pauline easement

- DS-22 [13-1330](#) Resolution to Vacate a Public Utilities Easement at 3100 Washtenaw Avenue (Arbor Hills Crossing) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)

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 [13-1268](#) Third Quarter 2013 Investment Portfolio Report
(Financial and Administrative Services - Matthew V. Horning, City Treasurer)
Attachments: 2013 Q3 Portfolio Report
- F-2 [13-1305](#) Communications from Comcast regarding changes to the channel lineup and equipment beginning November 14, 2013 - CTN
(City Clerk Services)
Attachments: Comcast Communications
- F-3 [13-1334](#) AAATA Financial and Performance Reports - File
Attachments: AAATA R2 4th Quarter service standard report.pdf, AAATA R2 Demand Resp graphs.pdf, AAATA R2 Fixed Route graphs.pdf, AAATA R2 Performance Reports.pdf, AAATA R2 Weekday rider graphs.pdf, AAATA Sept 30 2013 Quarterly Investment Report.pdf, AAATA Sept 2013 Financial Notes.pdf, AAATA Sept 2013 Operating statement.pdf, AAATA Sept 2013 Report to Treas.pdf

G The following minutes were received for filing:

- G-1 [13-1019](#) Zoning Board of Appeals Meeting Minutes of June 26, 2013
(Planning and Development Services)
Attachments: 6-26-2013 ZBA Minutes with Live Links
- G-2 [13-1032](#) PAC Meeting Minutes August 20, 2013
Attachments: Draft PAC Meeting Minutes 8-20-13
- G-3 [13-1053](#) Greenbelt Advisory Commission Meeting Minutes of 7/11/13
Attachments: 07-11-13 GAC Minutes

- G-4 [13-1118](#) Design Review Board Meeting Minutes of August 21, 2013
(Planning and Development Services)
Attachments: 8-21-2013 Design Review Board Minutes with Live Links
- G-5 [13-1333](#) Joint DDA Council Committee Meeting Minutes of October 16, 2013
Attachments: Joint DDA Council Committee Minutes 10-16-13.pdf
- G-6 [13-1337](#) Council Rules Committee Meeting Minutes of June 13, 2013
Attachments: council rules committee minutes 6-13-13.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: THURSDAY, NOVEMBER 7, 2013

REPLAYS: FRIDAY, NOVEMBER 8, 2013, 7:30 P.M. AND TUESDAY, NOVEMBER 12, 2013, 10:00 A.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/Vid eoOnDemand.aspx
- Cable: Watch CTN Channel 16 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 need to be received at least two (2) business days in advance of the meeting.

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