



City of Ann Arbor

100 N. Fifth Avenue
Ann Arbor, MI 48104
www.a2gov.org

Meeting Agenda City Council

Monday, April 6, 2009

7:00 PM

G. C. Larcom, Jr. Municipal Bldg. 2nd Flr.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

INT INTRODUCTIONS

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. **Maggie Ladd - A2D2 (C-1)**
2. **Betsy Price - A2D2 (C-1)**
3. **Robert Snyder - A2D2 Zoning and S. University (C-1)**
4. **Eleanor Linn - A2D2 (C-1)**
5. **David Michener - Public Art Work - German Sculptor**
6. **Janis Bobrin - public Art at the New Municipal Building**
7. **Connie Brown - Public Art**
8. **Kirsten Jensen - Public Art**

9. Jan Barney Newman - 1% Art Budget

10. Henry Herskovitz - Palestine

Alternate:

1. Thomas Partridge - Discriminatory policies of Ann Arbor and Washtenaw County in public transportation, housing, and health care must not stand. Enact fair progressive policies in zoning, planning, tax assessments, and service charges.

2. Patrick Thompson - Dreiseitl Fiasco

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [09-0163](#) An Ordinance to Amend Section 1:292 of Chapter 13 of Title I (Special Assessments) and Section 2:72 of Chapter 29 of Title II (Water, Sewer and Stormwater Rates) of the Code of the City of Ann Arbor (Ordinance No. ORD-09-10)

(Financial and Administrative Services - Tom Crawford, CFO)

(See B-1)

PH-2 [09-0169](#) An Ordinance to Amend Sections 1:651 of Chapter 19 (Tax Exemptions for Housing Projects) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-09-11)

(Community Services - Jayne Miller, Area Administrator)

(See B-2)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

A-1 [09-0281](#) Ann Arbor City Council Regular Session of March 16, 2009

(City Clerk - Jacqueline Beaudry)

CA CONSENT AGENDA

CA-1 [08-0659](#) Resolution Authorizing Sanitary Sewer & Water Improvement Charges for 234 Westover Avenue (\$21,075.29)

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

- CA-2 [09-0148](#) Resolution to Approve a Professional Services Agreement for Construction Materials Testing with Inspection Services Company (ISC) for the 2009 Local Street Resurfacing Project (RFP No. 721, \$47,565.00)
(Project Management Services - Homayoon Pirooz, Manager)
- CA-3 [09-0192](#) Resolution to Approve an Amendment to the Professional Services Agreement with Hubbell Roth & Clark, Inc. for the West Stadium Blvd. at Pauline Blvd. Improvements Project (\$93,316.00)
(Project Management Services - Homayoon Pirooz, Manager)
- CA-4 [09-0212](#) Resolution to Approve the Purchase of Two Allen Bradley, Power Flex 700, Variable Frequency Drives from McNaughton-McKay Electric Co. for Effluent Pump Motors at the Wastewater Treatment Plant (\$45,000.00)
(Public Services - Sue F. McCormick, Area Administrator)
- CA-5 [09-0223](#) Resolution to Approve the Purchase of Two Vault Restrooms from Quality Precast, Incorporated in the Amount of \$34,558.00 for Leslie Park Golf Course, per Bid #4005
(Community Services - Jayne Miller, Area Administrator)
- CA-6 [09-0246](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of February 27, 2009.
(Financial and Administrative Services - Tom Crawford, CFO)
- CA-7 [09-0265](#) Resolution to Approve Uniform Video Service Local Franchise Agreement with T2TV L.L.C., d/b/a T2TV L.L.C. or T2TV
(Communications (CTN) Services - Roger Fraser, City Attorney)

B ORDINANCES - SECOND READING

- B-1 [09-0163](#) An Ordinance to Amend Section 1:292 of Chapter 13 of Title I (Special Assessments) and Section 2:72 of Chapter 29 of Title II (Water, Sewer and Stormwater Rates) of the Code of the City of Ann Arbor (Ordinance No. ORD-09-10)
(Financial and Administrative Services - Tom Crawford, CFO)
(See PH-1)

DS-1 [09-0268](#) Resolution Authorizing Summary Publication of Ordinance No. 09-10 amending Provisions Section 1:292 of Chapter 13 of Title I (Special Assessments) and Section 2:72 of Chapter 29 of Title II (Water, Sewer and Stormwater Rates) of the Ann Arbor City Code
(Financial and Administrative Services - Tom Crawford, CFO)

B-2 [09-0169](#) An Ordinance to Amend Sections 1:651 of Chapter 19 (Tax Exemptions for Housing Projects) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-09-11)
(Community Services - Jayne Miller, Area Administrator)
(See PH-2)

C ORDINANCES - FIRST READING

C-1 [09-0227](#) An Ordinance to Amend Sections 5:1, 5:2, 5:3, 5:4, 5:6, 5:50, 5:61, 5:64, 5:65, 5:67 And 5:88; to Repeal Sections 5:10.19, 5:10.20, 5:44 And 5:44A and to Replace them with New Sections 5:10.19, 5:10.20 And 5:44; and to Repeal Section 5.10.22 And 5:45A of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor (To Revise Zoning Definitions, to Eliminate C2A, C2A/R and C2B/R Zoning Districts, to Create D1 [Downtown Core] and D2 [Downtown Interface] Zoning Districts and Permitted Uses and Standards, to Add Downtown Character Overlay Districts and Standards, and to Revise Floor Area Premiums) and to Amend Sections 5:167 And 5:169 of Chapter 59 (Off-Street Parking) of Title V of the Code of the City of Ann Arbor (To Revise Off-Street Parking Requirements for the Downtown Special Parking District), and to Amend the Zoning Map of Section 5:4 of Title V of the Code of Ann Arbor to Designate Certain Properties as D1, D2 and PL (Public Land) and to Further Designate Certain Properties as being Part of the Downtown Character Overlay Zoning Districts(CPC Recommendation: Approval - 8 Yeas and 1 Nay)
(Community Services - Jayne Miller, Area Administrator)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [09-0252](#) Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Wintawat, LLC (d/b/a Marnee Thai Restaurant)
(City Clerk - Jacqueline Beaudry)
Sponsors: Council Liquor License Review Committee
- DC-2 [09-0255](#) Resolution to Approve the Request to Transfer Ownership and Location of a Class C Liquor Licensed Business with a Dance-Entertainment Permit, located at in Escrow at 3965 S. State, to 3393 Plymouth Road, Unit B, from Champ's Club, Inc. to UMI Trading, Inc. - D/B/A UMI Sushi
(City Clerk - Jacqueline Beaudry)
Sponsors: Council Liquor License Review Committee
- DC-3 [09-0276](#) Resolution Opposing SJR H
(City Council)
Sponsors: Greden, Higgins, Hohnke, Rapundalo and Taylor

Added After Newspaper Deadline:

- DC-4 [09-0298](#) Resolution Recognizing Ann Arbor Active Against ALS as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
(City Council)
Sponsors: Taylor and Hohnke
- DB New Business - Boards and Commissions:**
- DS New Business - Staff:**
- DS-2 [09-0190](#) Resolution to Award a Construction Contract to Barrett Paving Materials, Inc. (Bid No. 3995, \$2,392,393.50) for the 2009 Local Street Resurfacing Project
(Project Management Services - Homayoon Pirooz, Manager)
- DS-3 [09-0195](#) Resolution to Award a Construction Contract to Ajax Paving Industries, Inc. (Bid No. 3997, \$2,422,403.75) for the 2009 Major Street Resurfacing Program
(Project Management Services - Sue F. McCormick, Public Services Administrator)

- DS-4 [09-0202](#) Resolution to Award a Construction Contract to Douglas N. Higgins, Inc. (\$492,494.95; Bid No. ITB-3999) for the Glendaloch Cir./Loyola Dr./Colgate Cir./Elmcrest Dr./Anderson Ave./Clair Cir./Hiawatha Pl. (GLEACH) Water Main Replacement Project
(Project Management Services - Homayoon Pirooz, Manager)
- DS-5 [09-0260](#) Resolution to Approve the Purchase of Three Automated Side Load Refuse Trucks from Fredrickson Supply (\$797,016.00)
(Fleet & Facilities Services - Sue F. McCormick, Public Services Administrator)
- DS-6 [09-0257](#) Resolution to Approve City/County IT Enterprise Content Management Partnership, Authorize a Purchase Order with ImageSoft, Inc. for Consulting and System Integration Services (Not to Exceed \$263,371.00) and to Establish a Project Budget of \$270,000.00 for the first phase of the City's Enterprise Content Management Initiative
(Information Technology Services - Dan Rainey, IT Director)
- DS-7 [09-0164](#) Resolution of Intent to Vacate Parkwood Street, Located Between Kingwood Street and Valley Drive (**8 Votes Required**)
(Community Services - Jayne Miller, Area Administrator)
- DS-8 [09-0218](#) Resolution to Approve Fuller Park Parking Lot Land Lease with the University of Michigan (**8 Votes Required**)
(Parks and Recreation Services - Jayne Miller, Community Services Administrator)
- DS-9 [09-0225](#) Resolution to Approve Street Closings for the Burns Park Run - Sunday, May 3, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-10 [09-0228](#) Resolution to Close Streets for the 9th Annual Mayor's Green Fair- Friday, June 12, 2009
(Community Services - Jayne Miller, Area Administrator)
- DS-11 [09-0267](#) Resolution Accepting Warranty Deed from Charter Oaks Homes, Inc. for Woodcreek Boulevard Extension (Brentwood Square Condominiums) (**8 Votes Required**)
(City Attorney Services - Stephen K. Postema, City Attorney)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [09-0304](#) 4/6/09 Appointments & Nominations
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL

F COMMUNICATIONS FROM THE CITY ADMINISTRATOR

- F-1 [09-0207](#) Living Wage Annual Increase
(Financial and Administrative Services - Tom Crawford, CFO)
- F-2 [09-0277](#) Public Comment Session on A2D2 Amendments - March 23, 2009
(Community Services - Jayne Miller, Area Administrator)
(Added 4/2/09)

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 [09-0216](#) Communications from Comcast regarding the following:
1. A decrease in prices for three of their triple play bundle packages and the introduction of a new service offering.
 2. Additions and changes to the channel line up in Ann Arbor.
- (City Clerk)
- H-2 [09-0217](#) Communication from Integrys Energy Systems regarding notice of opportunity to comment on the Renewable Portfolio Standard Compliance Plan of Integrys Energy Services, Inc. - Environmental Coordination Services
(City Clerk)
- H-3 [09-0248](#) Bureau of Justice Assistance Grant (JAG) Notice - Safety Services
(City Clerk)
- H-4 [09-0250](#) Communication from Denise Brazer regarding the 9th edition of Connecting Neighbors, the newsletter about the progress of MDOT's I-75 Ambassador Bridge Gateway Project
(City Clerk)

- H-5 [09-0251](#) Communication from Jason Brooks, Deputy Clerk of Washtenaw County, regarding resolution 09-0036, a resolution to accept comments from the Washtenaw County Planning Advisory Board on the City of Ann Arbor Master Plan Land Use Element and direct the County Clerk to send comments to the City of Ann Arbor and contiguous local units of government.
(City Clerk)
- H-6 [09-0254](#) Communication from Congressman John Dingell regarding receipt of City Council Resolution honoring him for serving the people of southeast Michigan with honor and distinction as a Member of the United States House of Representatives since December 1955
(City Clerk)
- H-7 [09-0256](#) Communication from S.E.M.C.O.G. regarding a copy of SEMCOG Public Notice: SEMCOG invites public comment on transportation projects selected for funding using American Recovery and Reinvestment Act dollars
(City Clerk)
- H-8 [09-0261](#) Communication from Christine Brummer of the Old West Side Association, regarding proposed changes to City of Ann Arbor Zoning Ordinances, Chapters 55/57 - File
(City Clerk)
- H-9 [09-0278](#) Communication from the Main Street Area Association Board of Directors regarding 2010 City Budget Proposal
(City Clerk - Jacqueline Beaudry)
- H-10 [09-0279](#) Communication from Airton Arruda regarding objections to spending Federal and State taxpayer dollars to extend the runway at Ann Arbor Municipal Airport - Airport Services
(City Clerk - Jacqueline Beaudry)
- H-11 [09-0280](#) Communication from Comcast regarding the status of the NFL Network
(City Clerk - Jacqueline Beaudry)
- H-12 Communication from Bruce Thompson regarding support of the proposed A2D2 Zoning

(See File 09-0227 for a copy of the letter.)

I The following minutes were received for file:

- I-1 [09-0215](#) City Planning Commission minutes from January 22, February 19, and March 3, 2009
(Community Services - Jayne Miller, Area Administrator)
- I-2 [09-0219](#) Ann Arbor Downtown Development Authority Meeting Minutes - February 4, 2009
(Downtown Development Authority - Susan Pollay, Executive Director)
- I-3 [09-0220](#) Downtown Area Citizens Advisory Council Minutes - February 4, 2009
(Downtown Development Authority - Susan Pollay, Executive Director)
- I-4 [09-0235](#) Public Market Advisory Commission Minutes - January 15, 2009; February 19, 2009
(Community Services - Jayne Miller, Service Area Administrator)
- I-5 [09-0239](#) Council Liquor License Review Committee - January 9, 2009 and March 6, 2009
(City Clerk - Jacqueline Beaudry)
- I-6 [09-0242](#) Sign Board of Appeals Minutes - October 14, 2008; December 9, 2008
(Community Services - Jayne Miller, Area Administrator)
- I-7 [09-0244](#) Building Board of Appeals Minutes - September 10, 2008; November 12, 2008; January 14, 2009
(Community Services - Jayne Miller, Area Administrator)
- I-8 [09-0262](#) LDFA Board Meeting Minutes - January 27, 2009
(Financial and Administrative Services - Tom Crawford, CFO)

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

CLOSED SESSION TO DISCUSS PENDING LITIGATION AND ATTORNEY / CLIENT PRIVILEGED COMMUNICATION AND/OR LAND ACQUISITION

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, APRIL 6, 2009 7:00 P.M.

REPLAYS: TUESDAY, APRIL 7, 2009 10:00 A.M. AND FRIDAY, APRIL 10, 2009 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.