



# City of Ann Arbor

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

## Meeting Agenda City Council

---

Monday, May 18, 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**

**PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

**PH-1** [09-0331](#) An Ordinance to Amend Section 1:17 of Chapter 1 (Adoption, Contents, and Interpretation) of Title I of the Code of the City of Ann Arbor for the Public Services Field Operations Solid Waste Unit (Ordinance No. ORD-09-15)

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

(See B-1)

**PH-2** [09-0370](#) An Ordinance to Amend Sections 1:312, 1:313 and 1:314 of Chapter 14, Purchasing, Contracting, and Selling Procedure, of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-09-16)

(City Attorney Services - Stephen K. Postema)

(See B-2)

- PH-3**    [09-0407](#)    An Ordinance to Amend Sections 1:552, 1:561, 1:562, 1:563, and 1:564 of Chapter 18 (Employees Retirement System) of Title I of the Code of the City of Ann Arbor (to Add the early retirement option Program for Ann Arbor Police Officers Association and the Command Officers Association of Michigan) (Ordinance No. ORD-09-17)  
(City Attorney Services - Stephen K. Postema)  
**Sponsors:**    Greden, Hieftje, Higgins, Rapundalo and Teall  
(See B-3)
- PH-4**    [09-0409](#)    An Ordinance to Repeal Chapter 109, Liquor, of Title IX of the Code of the City of Ann Arbor in its Entirety and Add a New Chapter 109, Liquor, Title IX of said Code (Ordinance No. ORD-09-18)  
(City Council)  
**Sponsors:**    Council Liquor License Review Committee  
(See B-4)
- PH-5**    [09-0385](#)    Resolution to Approve Parkwood Street Vacation, Located Between Kingwood Street and Valley Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)  
(Community Services - Jayne Miller, Area Administrator)  
(See DB-1)

#### **COMMUNICATIONS FROM COUNCIL**

#### **A    APPROVAL OF COUNCIL MINUTES**

- A-1**    [09-0433](#)    City Council Minutes of May 4, 2009  
(City Clerk - Jacqueline Beaudry)

#### **CA    CONSENT AGENDA**

- CA-1**    [09-0020](#)    Resolution Authorizing Sanitary Sewer Improvement Charge for 2999 Override Drive (\$17,877.00)  
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-2**    [09-0383](#)    Resolution to Award a Purchase Order for Water Main Materials and Supplies to ETNA Supply Company (ITB - 4014, \$77,754.62)  
(Public Services - Sue F. McCormick, Area Administrator)

- CA-3 [09-0384](#) Resolution to Award a Purchase Order for Water Main Materials and Supplies to East Jordan Iron Works (ITB - 4014, \$40,225.34)  
(Public Services - Sue F. McCormick, Area Administrator)
- CA-4 [09-0422](#) Resolution Ratifying the Issuance of an Emergency Purchase Order to the Detroit Edison Company for the Installation of Underground Electric Service by the City Administrator and Authorizing the City Administrator to take all Necessary Actions for the Installation of this Service (\$25,059.53)  
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-5 [09-0397](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of April 24, 2009  
(Financial and Administrative Services - Tom Crawford, CFO)

**B ORDINANCES - SECOND READING**

- B-1 [09-0331](#) An Ordinance to Amend Section 1:17 of Chapter 1 (Adoption, Contents, and Interpretation) of Title I of the Code of the City of Ann Arbor for the Public Services Field Operations Solid Waste Unit (Ordinance No. ORD-09-15)  
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)  
(See PH-1)
- B-2 [09-0370](#) An Ordinance to Amend Sections 1:312, 1:313 and 1:314 of Chapter 14, Purchasing, Contracting, and Selling Procedure, of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-09-16)  
(City Attorney Services - Stephen K. Postema)  
(See PH-2)
- DS-1 [09-0421](#) Resolution Authorizing Summary Publication of Ordinance No. ORD-09-16 Amending Sections 1:312, 1:313 and 1:314 of Chapter 14, Purchasing, Contracting and Selling Procedure, of Title I of the Code of the City of Ann Arbor  
(City Attorney Services - Stephen K. Postema)

- B-3**     [09-0407](#)     An Ordinance to Amend Sections 1:552, 1:561, 1:562, 1:563, and 1:564 of Chapter 18 (Employees Retirement System) of Title I of the Code of the City of Ann Arbor (to Add the early retirement option Program for Ann Arbor Police Officers Association and the Command Officers Association of Michigan) (Ordinance No. ORD-09-17)  
(City Attorney Services - Stephen K. Postema)

**Sponsors:**     Greden, Hieftje, Higgins, Rapundalo and Teall  
(See PH-3) (Revised 5/15/09)

- DS-2**     [09-0427](#)     Resolution Authorizing Summary Publication of Ordinance No. ORD-09-17 Amending Sections 1:552, 1:561, 1:562, 1:563, and 1:564 of Chapter 18, Employees Retirement System, of Title I of the Code of the City of Ann Arbor  
(City Attorney Services - Stephen K. Postema)

- B-4**     [09-0409](#)     An Ordinance to Repeal Chapter 109, Liquor, of Title IX of the Code of the City of Ann Arbor in its Entirety and Add a New Chapter 109, Liquor, Title IX of said Code (Ordinance No. ORD-09-18)  
(City Council)

**Sponsors:**     Council Liquor License Review Committee  
(See PH-4)

- DS-15**     [09-0438](#)     Resolution Authorizing Summary Publication of Ordinance No. ORD-09-18, An Ordinance to Repeal Chapter 109, Liquor, of Title IX of the Code of the City of Ann Arbor in its Entirety and Add a New Chapter 109, Liquor, Title IX of said Code.  
(City Attorney Services - Stephen K. Postema)

## **C     ORDINANCES - FIRST READING**

- C-1**     [09-0439](#)     An Ordinance to Amend Sections 2:61, 2:62, 2:63, 2:64 and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor - Water, Sewer and Stormwater Rate Adjustments due to Capital Improvement Requirements  
(Public Services - Sue F. McCormick, Public Services Administrator)

## **D     MOTIONS AND RESOLUTIONS**

- DC     New Business - Council:**

- DC-1 [09-0423](#) Resolution to Appoint John W. Koupal as a Member of the City of Ann Arbor Environmental Commission  
(City Council)  
**Sponsors:** Hohnke and Teall

**Added After Newspaper Deadline:**

- DC-2 [09-0459](#) Resolution Requesting City Planning Commission and City Administrator to Evaluate Potential Amendments to the Zoning Ordinance Regarding Temporary Outdoor Sales in the C3 District  
(City Council)  
**Sponsors:** Hohnke and Derezinski  
(Added 5/15/09)
- DC-3 [09-0460](#) Resolution to Approve Amendments to the Solid Waste Regulations That Were Filed with the City Clerk on May 4, 2009  
(City Council)  
**Sponsors:** Higgins  
(Added 5/15/09)

**DB New Business - Boards and Commissions:**

- DB-1 [09-0385](#) Resolution to Approve Parkwood Street Vacation, Located Between Kingwood Street and Valley Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)  
(Community Services - Jayne Miller, Area Administrator)  
(See PH-5)
- DB-2 [09-0326](#) Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Webster United Church of Christ Property in Webster Township, Approve the Purchase Agreement and Appropriate Funds in the Amount of \$617,257.00 Contingent Upon Award of Grant Funds **(8 Votes Required)**  
(Community Services - Jayne Miller, Area Administrator)

- DB-3 [09-0327](#) Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Penz Development Company n/k/a J.A. Bloch and Company Property in Superior Township, Approve the Purchase Agreement, and Appropriate Funds in the Amount of \$386,867.00 Contingent upon Award of Grant Funds **(8 Votes Required)**

(Community Services - Jayne Miller, Area Administrator)

- DB-4 [09-0328](#) Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) for the Stephen, Frederick and Christopher Girbach Property in Lodi Township, Approve the Purchase Agreement and Appropriate Funds in the Amount of \$992,119.00 Contingent Upon Award of Grant Funds **(8 Votes Required)**

(Community Services - Jayne Miller, Area Administrator)

- DB-5 [09-0329](#) Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Honke Family LLC Property in Northfield Township, Approve Purchase Agreement and Appropriate Funds in the Amount of \$958,747.00 Contingent Upon Award of Grant Funds **(8 Votes Required)**

(Community Services - Jayne Miller, Area Administrator)

- DB-6 [09-0330](#) Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the William C. and Cherie L. Nixon Property in Webster Township, Approve the Purchase Agreement and Appropriate Funds in the Amount of \$2,138,087.00 Contingent Upon Award of Grant Funds **(8 Votes Required)**

(Community Services - Jayne Miller, Area Administrator)

**D Old Business - Staff:**

- DS-3 [09-0240](#) Resolution to Approve a Memorandum of Understanding with the City of Ann Arbor, Ann Arbor Transportation Authority, Ann Arbor Downtown Development Authority, and the University of Michigan to Conduct the Ann Arbor Connector Feasibility Study and Appropriate \$80,000.00 from the General Fund for the City Share of the Study (\$80,000.00) **(8 Votes Required)**

(Systems Planning Services - Craig Hupy, Manager)

*(Postponed from the 5/4/09 regular session.)*

**DS New Business - Staff:**

- DS-4 [09-0309](#) Resolution to Award a Construction Contract to Saladino Construction Co. for Miscellaneous Concrete Repairs (Bid No. ITB 3978 - \$208,800.00)  
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-5 [09-0359](#) Resolution to Approve Dumpster Refurbishing Program - ITB 4018 (\$129,720.00)  
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
- DS-6 [09-0412](#) Resolution to Approve Contract with Schumaker & Company in the Amount of \$117,040.00 to Provide Operational Needs Assessment Consulting Services for the Ann Arbor Housing Commission, per Bid #731 and to Appropriate Funds from the General Fund Reserve (**8 Votes Required**)  
(Community Services - Jayne Miller, Area Administrator)
- DS-7 [09-0414](#) Resolution Accepting Easement from the United States Geological Survey 1451 Green Road (**8 Votes Required**)  
(City Attorney Services - Stephen K. Postema, City Attorney)
- DS-8 [09-0415](#) Resolution Accepting Easement from Sanitary Sewer from 201 DEPOT, LLC (201 Depot Street) (**8 Votes Required**)  
(City Attorney Services - Stephen K. Postema, City Attorney)
- DS-9 [09-0434](#) Resolution Approving a Grant of Easement to the Detroit Edison Company for Underground Electric Service Line (Located at the City of Ann Arbor Municipal Airport) (**8 Votes Required**)  
(City Attorney Services - Stephen K. Postema, City Attorney)
- DS-10 [09-0437](#) Resolution to Approve a Contract with Gabriel, Roeder, Smith & Company for Supplemental Benefit Calculations (NTE \$30,000.00)  
(Financial and Administrative Services - Tom Crawford, CFO)
- DS-11 [09-0288](#) Resolution to Approve Fiscal Years 2010 and 2011 Fee Adjustments for the Community Services Area  
(Community Services - Jayne Miller, Area Administrator)

- DS-12 [09-0302](#) Resolution to Approve Fiscal Year 2010 Fee Adjustments for Public Services Project Management, Customer Service, Systems Planning and Field Operations Units

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

- DS-13 [09-0375](#) Resolution to Adopt the Proposed Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2010

(Financial and Administrative Services - Tom Crawford, CFO)

- DS-14 [09-0440](#) Resolution to Approve Amendment No. 3 to the Option to Purchase Agreement with Village Green Residential Properties LLC **(8 Votes Required)**

(Financial and Administrative Services - Tom Crawford, CFO)

**E COMMUNICATIONS FROM THE MAYOR**

**COMMUNICATIONS FROM COUNCIL**

**F 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 [09-0424](#) Communication from the Michigan Department of Environmental Quality, Land and Water Management Division, regarding a Public Notice dated April 30, 2009 in reference to the University of Michigan Drain Relocation, Application No. 09-81-0011-P

(City Clerk - Jacqueline Beaudry)

- H-2 [09-0430](#) Communication from Pete Sutherland acknowledging the staff at the Recycle Ann Arbor Washtenaw County Regional Drop-off Station and mulch compost sales at the Transfer Station at Platt and Ellsworth - Public Services

(City Clerk)

- H-3     [09-0431](#)     Communication from Nesa & Associates, Inc. regarding notice to Local Unit of Government of Land Use Restriction at the former Shell Station located at 3240 Washtenaw - Systems Planning  
(City Clerk)
- H-4     [09-0432](#)     Communications from Comcast regarding additions and changes to the channel line up effective May 27 and June 2, 2009 - CTN  
(City Clerk)
- I        **The following minutes were received for file:**
- I-1     [09-0374](#)     Zoning Board of Appeals Minutes - October 22, 2008; November 19, 2008  
(Community Services - Jayne Miller, Area Administrator)
- I-2     [09-0381](#)     Ann Arbor Downtown Development Authority Meeting Minutes - March 4, 2009  
(Downtown Development Authority - Susan Pollay)
- I-3     [09-0395](#)     Ann Arbor Housing Commission Regular Board Meeting Minutes - March 18, 2009  
(Housing Services - Betsey Lindsley)
- I-4     [09-0396](#)     Ann Arbor Housing Commission Special Board Meeting Minutes - April 7, 2009  
(Housing Services - Betsey Lindsley)
- I-5     [09-0404](#)     Council Liquor License Review Committee - March 13 and April 17, 2009  
(City Clerk - Jacqueline Beaudry)
- I-6     [09-0428](#)     SmartZone LDFA Board Minutes - March 17, 2009 and April 2, 2009  
(Financial and Administrative Services - Tom Crawford, CFO)
- I-7     [09-0435](#)     Cable Commission minutes of January 27, 2009  
(CTN - Lisa Wondrash, Communications Manager)

**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, MAY 18, 2009 7:00 PM**

**REPLAYS: TUESDAY, MAY 19, 2009 10:00 AM AND FRIDAY, MAY 22, 2009 7:30 PM**

**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.**