

REGULAR SESSION - MAY 20, 1991

The regular session of the Ann Arbor City Council was called to order at 7:30 p.m. by Mayor Elizabeth S. Brater.

Council stood for a moment of silence.

Mayor Brater led in the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: Councilmembers Larry Hunter, Ann Marie Coleman, Ingrid Sheldon, Kirk Dodge, Robert Grady, Nelson Meade, Kurt Zimmer, Mark Ouimet, Thais Anne Peterson, Robert Eckstein, Mayor Elizabeth S. Brater, 11

Absent: 0

RECESSED TO EXECUTIVE SESSION

Councilmember Hunter moved that the regular session be recessed to an executive session to discuss the Michigan Department of Natural Resources Consent Order.

On a voice vote, the Chair declared the motion carried and the meeting recessed at 7:30 p.m.

The regular session was reconvened at 8:00 p.m.

INTRODUCTIONS

MICHAEL BOLTON - ANN ARBOR TRANSPORTATION AUTHORITY

Michael Bolton, Executive Director of the AATA, accompanied by Gary Hentz, chair, and Richard Beaupre, treasurer, of the AATA Board, explained their intent to levy 2 mills in the fiscal year beginning July 1, 1991. Bolton said that the AATA is authorized to collect 2.5 mills property tax since the passage of millage in 1973. In the last 3 years the millage collected has been held to 1 to 1½ mills at the request of the Board. However, this year, 2 mills will be levied for the purpose of replacing 7 busses, to implement express bus service, to increase overall service and to offset anticipated future budget deficits.

AUDIENCE PARTICIPATION - RESERVED TIME

M. TERRY MARTIN - ANTI-SUBSTANCE ABUSE FUNDING

M. Terry Martin, 1833 Roxbury Road, cited statistics of substance abuse in the City. She requested that funding of anti-substance abuse programs and a coordinating position be included in this year's budget.

DAVID NOEL - HOUSING CRISIS

David Noel, 410 W. Washington, thanked the Mayor for her stand on the proposed Kline's Parking Structure. He said that people opposed to the Kline's Structure would have been satisfied if housing had been included in the plan. He said that the structures financed by the DDA such as Tally Hall and Ann Ashley have not been instrumental in enhancing businesses within close proximity.

THOMAS WIEDER - DDA AND KLINE'S LOT

Thomas Wieder, 1200 Linwood, explained the function of the Downtown Development Authority, particularly as it pertains to the proposed Kline's Lot. He said that the ordinance setting up the DDA was approved by the City Council with input from the Schools and the County. The Council may change the ordinance at any time. He said that the DDA plan does not only include parking structures but other improvements such as pedestrian.

JIM SHIELDS - KLINE'S LOT AND BICYCLE PORT

Jim Shields, 849 Brookwood, suggested that a Bicycle Port be established at the Kline's Lot.

PUBLIC HEARINGS

None

APPROVAL OF AGENDA

Councilmember Hunter moved that the agenda be approved with the following changes:

CONSENT AGENDA

Delete: Resolution to Approve Information Services Projects (\$237,790.00) - **rescheduled for June 3, 1991**

Add: Resolution to Approve The Execution of a Consolidated Annual

Contributions Contract to Renew Expiring Section 8 Voucher Projects

MOTIONS AND RESOLUTIONS

Distribution of: Resolution Awarding the Sale of City of Ann Arbor Sewage Disposal System Revenue Bonds, **SERIES XIII (\$645,000.00)**

Distribution of: Resolution Awarding the Sale of City of Ann Arbor Water Supply System Revenue Bonds, **SERIES Q, \$685,000.00)**

Distribution of: Resolution Awarding the Sale of City of Ann Arbor **\$3,320,000 1991** Special Assessment (Limited Tax General Obligation Bonds and **\$600,000.00 1991 Limited Tax General Obligation Bonds**

Title Revised: Resolution Approving Consent Judgement in Condemnation Action for the Ashley-William Parking Structure (Wilton-Derr and Anthony Brown) (\$57,000.00 for Parcel C and \$18,600.00 for Parcel A)

Delete: Resolution Amending Resolution to Settle Condemnation of the Anthony Brown Property for Ashley-William Parking Structure (\$18,600.00) - **See Resolution No. 297-5-91**

Added After Newspaper Publication Deadline:

Add: Resolution Recognizing Eberwhite P.T.O. of Ann Arbor as a Non-Profit Organization

Add: Resolution to Reactivate the Parking Advisory Committee (Councilmember Sheldon)

Add: Resolution to Authorize the Ashley/William Surface Parking Lot Project and Establish a Project Budget (\$500,000.00)
Revised

Add: Resolution Authorizing Analysis of Preferred Materials Recovery Facility Site and Hiring of Resource Recycling Systems to Assist in Vendor Selection (Up to \$38,145.00)

COMMUNICATIONS FROM THE ADMINISTRATOR

Add Info: Final Cost Jackson Road Sanitary Sewer, District No. 456, File No. 88051

Add: Day Shelter

CLERK'S REPORT OF COMMUNICATIONS AND REFERRALS

Add: Dorothy Griffin - Proposed User Fee - File

Add: Kay Williams - Proposed User Fee - File

On a voice vote, the Chair declared the motion carried.

APPROVAL OF COUNCIL MINUTES

Councilmember Coleman moved that the special and working sessions of April 29, 1991, working session of May 1, 1991 and the regular session of May 6, 1991 be approved as presented.

On a voice vote, the Chair declared the motion carried.

CONSENT AGENDA

The following Consent Agenda items were considered:

R-259-5-91 APPROVED

RESOLUTION TO AWARD A CONTRACT TO
TERRA CONSTRUCTION INC. AND APPROVE
A PROJECT BUDGET FOR SEDIMENT BASIN
EXCAVATION AT THE CITY OF ANN ARBOR
LANDFILL - BID NO. 2100
(\$134,150 CONTRACT; \$194,150 BUDGET)

Whereas, As part of regular maintenance, the accumulated sediment within the landfill sediment basins must be removed to assure that these basins function properly;

Whereas, Terra Construction, Inc. of Algonac, Michigan has submitted to the City on May 8, 1991 a bid for said work in the total amount of \$134,150, which amount is the lowest responsible bid;

Whereas, The contractual proposal sets forth the services to be performed by said company, and the payments to be made by the City therefor, all of which are agreeable to the City;

Whereas, It is now necessary to enter into a contract with said company for said work; and

Whereas, The Personnel/Human Rights Dept. approved said company for said work on May 13, 1991;

RESOLVED, That a contract in the amount of \$134,150 be awarded to Terra Construction, Inc. for the Sediment Basin Excavation project;

RESOLVED, That the Mayor and City Clerk are hereby authorized and directed to sign said contract after approval as to form by the City Attorney and as to substance by the City Administrator; and

RESOLVED, That the following project budget be adopted and funds appropriated for the life of the project, to be available until expended without regard to fiscal year:

SECTION I - REVENUE

\$194,150	Solid Waste Operating Budget for Landfill Phase I Contract Work (Fund 072)
\$194,150	TOTAL

R-260-5-91 APPROVED

RESOLUTION TO INCREASE AMOUNT OF PURCHASE ORDER #0-2569-71 - CONSTRUCTION WASTE HAULING (UP TO \$70,000.00)

Whereas, There is a need for local disposal of building and construction waste materials;

Whereas, "Calvert's Rolloff Containers" was the low bidder on this program and has

a contract to haul this material for the City as per P.O. #0-2569-71;

Whereas, This purchase order has reached its maximum limit of \$62,000;

Whereas, This program is solely supported by user fees, with no City funds used;

Whereas, This resolution simply enables the Solid Waste Department to pay for this program with revenues generated through the fee structure; and

Whereas, "Calvert's Rolloff Containers" has done an excellent job of responding to the City's needs on this program;

RESOLVED, That the City Administrator is directed to issue a purchase order in the amount of \$70,000 to cover program costs up to May 1, 1992; and

RESOLVED, That the revenues for this shall come from the "tipping fees" charged for "construction waste" and that this purchase order and any unappropriated amounts shall carry over into the next fiscal year.

R-261-5-91 APPROVED

RESOLUTION TO APPROVE SUBMISSION
OF FISCAL YEAR 1991-1992 RENTAL
REHABILITATION PROGRAM DESCRIPTION
(\$61,000.00)

Whereas, The notice of formula allocations for the Rental Rehabilitation Program for Fiscal Year 1991 was published in the Federal Register on April 29, 1991;

Whereas, The City of Ann Arbor has been allocated \$61,000 in Rental Rehabilitation Program grant funds;

Whereas, The City is required to submit a Program Description within 45 days which details program activities; and

Whereas, The Community Development Executive Committee has reviewed and approved the Program Description at its May 20, 1991 meeting;

RESOLVED, That the Mayor and City Council approve the submission of the 1991 Rental Rehabilitation Program Description to the Department of Housing and Urban

Development substantially in the form on file in the Office of the City Clerk; and

RESOLVED, That upon approval by the Department of Housing and Urban Development, the City Council accept the \$61,000, amend the FY 1991-92 CDBG Budget and appropriate the funds and authorize the Mayor and City Clerk to execute any required grant agreements for the program.

R-262-5-91 APPROVED

RESOLUTION ORDERING CREDIT ON
ASSESSMENT EISENHOWER PARKWAY
ROAD RECONSTRUCTION, DISTRICT
NUMBER 9, FILE NUMBER 87027
(\$56,344.98 CREDITED)

Whereas, The Special Assessment Roll for Road Reconstruction, being District Number 9, File Number 87027, was confirmed by Council on May 2, 1988 in the amount of \$1,534,713.52;

Whereas, The final cost of this project as distributed between City Share and Property Share has fixed the final Property Share as amounting to \$1,478,368.54; and

Whereas, The assessment thus levied proved to be larger than necessary to defray the cost of the improvement;

RESOLVED, That such excess, in accordance with section 1.301 of the City Code, in the amount of \$56,344.98, be applied to the unpaid installments of said special assessment against each lot or parcel of land; and

RESOLVED, That any amount of such excess as to any lot or parcel of land which cannot be applied as aforesaid be refunded in cash to the person, persons, or corporation who previously paid said assessment in full.

DISTRIBUTION OF FINAL COST

EISENHOWER PARKWAY/AA-SALINE ROAD/SOUTH MAIN STREET
ROAD RECONSTRUCTION
DISTRICT NUMBER 9 - FILE NUMBER 870278

Preliminary	
<u>Estimate</u>	<u>Final Cost</u>

12-05-300-026	A.C. Investment 315 E. Eisenhower Pkwy Suite 120 Ann Arbor, MI 48108	\$176,988.30	\$158,913.79
12-05-300-027	A.C. Investment 315 E. Eisenhower Pkwy Suite 120 Ann Arbor, Mi 48108	52,543.77	47,135.44
12-05-300-028	A.C. Investment 315 E. Eisenhower Pkwy Suite 120 Ann Arbor, MI 48108	98,843.46	88,749.31
12-05-302-001	Cranbrook Venture 32100 Telegraph Rd. Birmingham, MI 48010	527,058.97	527,058.97*
12-05-304-001	Cranbrook Venture 32100 Telegraph Rd. Birmingham, MI 48010	323,149.27	323,149.27*
12-05-304-002	Cranbrook Towers 31555 14 Mile Rd. Suite 213 Farmington Hills, MI 48040	132,766.76	132,766.76*
12-05-304-003	Brayton Partnership 123 N. Ashley Ann Arbor, MI 48104	8,174.46	7,339.66
12-05-304-004	First of America-AA 101 S. Main St. Ann Arbor, MI 48104	39,222.41	35,216.91
12-06-401-008	Circle Partners 325 E. Eisenhower Pkwy Suite 108 Ann Arbor, MI 48108	26,744.38	24,039.08
12-06-401-009	Eisenhower Associates P.O. Box 1386 Ann Arbor, MI 48106	11,803.18	10,571.81

12-06-401-010	Circle Partners 325 E. Eisenhower Pkwy Suite 108 Ann Arbor, MI 48108	15,101.65	13,601.94
12-08-200-010	Briarwood P.O. Box 200 Bloomfield Hills, MI 48303	35,622.64	31,984.77
12-08-200-012	BPO Elks 325 W. Eisenhower Pkwy Ann Arbor, MI 48103	11,174.26	10,033.12
12-08-200-014	Life Care Develop. Corp 17400 W. 13 Mile Rd. Birmingham, MI 48009	65,845.65	59,121.32
12-08-200-015	Connelly, Brian & Janet 500 Parklake Ann Arbor, MI 48103	9,674.36	8,686.39
	Total Property Share	\$1,534,713.52	\$1,478,368.54

* - No respread per prior Cranbrook site development agreement.

R-263-5-91 APPROVED

RESOLUTION ORDERING CREDIT ON
ASSESSMENT PACKARD ROAD SANITARY
SEWER, DISTRICT NUMBER 457, FILE
NUMBER 89010 (\$4,011.44 CREDITED)

Whereas, The Special Assessment Roll for Sanitary Sewer, being District Number 457, File Number 89010, was confirmed by Council on October 2, 1989 in the amount of \$16,000;

Whereas, The final cost of this project as distributed between City Share and Property Share has fixed the final property Share as amounting to \$11,988.56; and

Whereas, The assessment thus levied proved to be larger than necessary to defray the cost of the improvement;

RESOLVED, That such excess, in accordance with section 1.301 of the City Code, is the amount of \$4,011.44 be applied to the unpaid installments of said special assessment against each lot or parcel of land; and

RESOLVED, That any amount of such excess as to any lot or parcel of land which cannot be applied as aforesaid be refunded in cash to the person, persons, or corporation who previously paid said assessment in full.

DISTRIBUTION OF FINAL COST

		Preliminary <u>Estimate</u>	<u>Final Cost</u>
12-02-408-072	Issa Marwan, et al 341 Huron Ann Arbor, MI 48104	\$16,000	\$11,988.56
	Total Property Share	\$16,000	\$11,988.56

R-264-5-91 APPROVED

RESOLUTION AUTHORIZING DEFICIENCY
ASSESSMENT FOR JONES DRIVE SANITARY
SEWER, DISTRICT NUMBER 454, FILE
NUMBER 88045 (\$1,065.73 LEVIED)

Whereas, The Special Assessment Roll for Sanitary Sewer, District Number 454, File Number 88045, confirmed by Council on March 6, 1989, was in the amount of \$7,913.75;

Whereas, The final cost of the project as distributed between the City Share and the Property Share has fixed the final Property Share as amounting to \$8,979.48; and

Whereas, The assessments levied prove to be insufficient to pay the cost of the improvement for which they were made, there being a deficiency of \$1065.73 in the property share;

RESOLVED, That this Council hereby order the levying of additional assessments against the several lots and parcels of land within the special assessment district in the same ratio as the original assessments to supply the said deficiency.

DISTRIBUTION OF FINAL COST

		Preliminary <u>Estimate</u>	<u>Final Cost</u>
09-21-300-021	Maghes, Albert T. 120 N. Glendale Ann Arbor, MI. 48103	\$7,913.75	\$8,979.48

R-265-5-91 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ATWELL-HICKS, INC. FOR CONSTRUCTION INSPECTION AND CONSTRUCTION STAKING SERVICES FOR THE INDEPENDENCE BOULEVARD IMPROVEMENTS PROJECT (\$54,500.00)

Whereas, It is desirable to employ a qualified professional engineering consulting firm to perform essential construction inspection and staking services for the Independence Boulevard Improvement Projects;

Whereas, The firm of Atwell-Hicks, Inc. has demonstrated the required experience, personnel and competitive fee schedule to perform the work;

Whereas, The Personnel/Human Rights Department approved said firm for said work on May 1, 1991; and

Whereas, On May 6, 1991 with the approval of the project's construction budget, Council appropriated sufficient funds to cover the cost of said professional services;

RESOLVED, That Council authorize a professional services agreement in the standard City form in the amount of \$54,500 with Atwell-Hicks, Inc. for construction inspection and staking services for the Independence Boulevard Improvements Project; and

RESOLVED, That the Mayor and Clerk are authorized and directed to execute said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator.

R-266-5-91 APPROVED

RESOLUTION TO APPROPRIATE FUNDS FOR
THE DESIGN OF THE MAPLE RIDGE SANITARY
SEWER (\$25,000.00)

Whereas, It has been determined that a gravity flow sanitary sewer system is needed to eliminate a sewage lift station located at the intersection of Maple Ridge and Arbor View Boulevard;

RESOLVED, That \$25,000 be appropriated from the 1991 Sewer Revenue Bonds, for the design phase of the Maple Ridge Sanitary Sewer project; and

RESOLVED, That the funds be available until expended without regard to fiscal year.

R-267-5-91 APPROVED

RESOLUTION TO AWARD CONTRACT TO THE
UNIVERSITY OF MICHIGAN'S INSTITUTE OF
ENVIRONMENTAL AND INDUSTRIAL HEALTH
TO CONDUCT AN AQUATIC BASELINE STUDY
OF BARTON POND (\$20,928.00)

Whereas, Barton Pond is the main source of the City's raw water supply;

Whereas, Assurance of good quality water supply is important and effective in the treatment of drinking water;

Whereas, Water supply management begins with a thorough understanding of the raw water quality and a characterization of the source of supply;

Whereas, To obtain this understanding and characterization of Barton Pond a study needs to be performed of the physical, chemical, and biological parameters that influence water quality;

Whereas, The University of Michigan's Institute of Environmental and Industrial Health has submitted a comprehensive proposal to perform this study; and

Whereas, The Institute of Environmental and Industrial Health has been approved by the Personnel/Human Rights Department on April 24, 1991;

RESOLVED, That Council accepts the proposal and awards a contract to the Institute of Environmental and Industrial Health to perform the aquatic study of Barton Pond in the amount of \$20,928.00;

RESOLVED, That Council approves the \$20,928 as the projected budget until expended and without regard to fiscal year; and

RESOLVED, That the Mayor and Clerk are authorized to sign said contract approved as to form by the City Attorney and approved as to substance by the City Administrator.

Source of Funds: FY 91/92 Requested Operating and Maintenance Budget for the Utilities Department Water Treatment Plant.

R-268-5-91 APPROVED

RESOLUTION TO APPROVE E. J. WARD
SYSTEM SOFTWARE UPGRADE AGREEMENT
(\$18,150.00)

Whereas, The Municipal Garage Department wishes to upgrade the Fuel System Software from E. J. Ward Company;

Whereas, E. J. Ward is the sole vendor for the E. J. Ward fuel system software; and

Whereas, E. J. Ward Company has been approved by the Personnel/Human Rights Department on April 9, 1991;

RESOLVED, By the Council for the City of Ann Arbor that the Mayor and Clerk are authorized to execute the System Software Upgrade Agreement with the E. J. Ward Company for \$18, 150.00.

Source of Funds: Municipal Garage Fund (012-091-0190-2650)

R-269-5-91 APPROVED

RESOLUTION AUTHORIZING WATER MAIN,
SANITARY SEWER AND STORM SEWER
IMPROVEMENT CHARGES FOR 1870
INDEPENDENCE BLVD. (\$14,621.81 LEVIED)

Whereas, The City has previously constructed water main, sanitary sewers and storm sewers described as follows:

Improvement Charges for Lots 9, 10 and 11

Water Main: 20" water main in Independence Blvd., Non-Dist., Job No. A-135
\$360.74/connection; 2 connections = \$721.48

Sanitary Sewer: 8" sanitary sewer in Independence Blvd.; Dist. No. 355; Job No. 2776-S
\$516.54/connection; 2 connections = \$1,033.08

Storm Sewer: Storm sewer in Packard & Independence Dist. No. 56; Job No. 3568, 3569

Trunkline Charges - District 14, Job 2139 $\$0.01389358/\text{SF}$; 21780 SF; = 302.60

Lateral sewer on Independence Cost x conservation factor = (0.0836559289)
 $(0.761219156) = \$0.063680494/\text{SF}$; 21780 SF = \$1,386.96

Curb & Gutter: Dist. No. 481; Job No. 3600 $\$3.75431239/\text{L.F.}$; 198 L.F. = \$743.39

Driveway: Dist. No. 481; Job No. 3600 11 FT (77SF) = \$61.22

TOTAL IMPROVEMENT CHARGES FOR LOTS 9, 10, & 11 - \$4,248.73

Improvement Charge for Lot 16

Water Main: 8" water main in Robert St. Dist. No. 452; File No. 87100;
\$5,117.42/connection; 1 connection = \$5,117.42

Sanitary Sewer: 8" sanitary sewer in Robert St. Dist. No. 452; File No. 87100
\$5,185.16/connection; 1 connection = \$5,185.16

Stormsewer: Land contributing to oversize on Packard from Kensington to Independence
and on Independence from Packard to James. Dist. No. 56; Job No. 3568, 3569
 $\$0.0097920094/\text{S.F.}$ 7200 SF = 70.50

TOTAL IMPROVEMENT CHARGES FOR LOT 16 = \$10,373.08

GRANT TOTAL IMPROVEMENT CHARGES FOR LOTS 9, 10, 11 & 16 = \$14,621.81

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12, of the code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said improvements, such fair share not having heretofore been paid nor contracted for;

RESOLVED,

1. That this Council hereby levy an improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

Annexation Address: 1870 Independence

City Assessor Code: 12-04-112-004

Annexation Number: A90-26

Planning File No.: 12041J21.1 & .2

Lots 9, 10, 11 and 16, Packard Hills Subdivision now situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of \$14,621.81 and be hereby designated as utilities Improvement Charge No. 551;

3. That said improvement charge be divided into 15 equal installments, the first to be due on July 1, 1991 and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 8% per annum commencing July 1, 1991.

4. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and

5. That the improvement charge so levied be invoiced to Erika Wiedmann, 1870 Independence, Ann Arbor, Michigan 48104 and be credited in the amounts of \$5,838.90 to Fund 042-073-7151, \$6,218.24 to Fund 043-073-7151, \$1,760.06 to Fund 031-073-7151 and \$804.61 to Fund 060-019-7151.

R-270-5-91 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL
SERVICES AGREEMENT FOR TESTING WITH
PSI FOR INDEPENDENCE BLVD. IMPROVEMENTS
PROJECT (\$10,400.00)

Whereas, It is necessary to employ a qualified testing firm to perform essential testing for the Independence Boulevard Improvements Project;

Whereas, Proposals for this testing were received and evaluated by the Engineering Department on the basis of qualifications and fees;

Whereas, Professional Service Industries, Inc. has demonstrated the required experience, personnel and competitive fee schedule to perform the work;

Whereas, On March 28, 1991, the Personnel/Human Rights Department gave approval of said company for said work; and

Whereas, On May 6, 1991, with the approval of the project's construction budget, Council appropriated sufficient funds to cover the cost of this contract;

RESOLVED, That Council authorize a professional services agreement in the standard City form in the amount of \$10, 400.00 with Professional Service Industries, Inc. for construction testing and inspection services on the Independence Boulevard Improvements Project; and

RESOLVED, That the Mayor and Clerk are authorized and directed to execute said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator.

R-271-5-91 APPROVED

RESOLUTION AUTHORIZING WATER MAIN,
SANITARY SEWER AND STORM SEWER
IMPROVEMENT CHARGES FOR
2509 JAMES STREET
(\$10,373.08 LEVIED)

Whereas, The City has previously constructed water main, sanitary sewers and storm sewers described as follows:

Water Main: 8" water main in Robert St., District No. 452; File No. 87100; \$5,117.42/connection, one connection = \$5,117.42.

Sanitary Sewer: 8" sanitary sewer in Robert St., District No. 452, File No. 87100 \$5,185.16/connection, one connection = \$5,185.16

Storm Sewer: Land contributing to oversize on Packard from Kensington to Independence from packard to James; District No. 56; Job No. 3568, 3569; 7200 S.F. @ \$0.0097920094/S.F. = \$70.50.

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said improvements, such share not having heretofore been paid nor contracted for;

RESOLVED,

1. That this Council hereby levy an improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

Annexation Address: 2509 James Street
City Assessor Code: 12-04-123-003
Annexation Number A90-23
Planning File No.: 12041C20.1 & .2

The North half of Lot 19 and the North half of Lot 20, Packard Hills Subdivision, including that portion of adjacent James and Robert Streets rights-of-way. Now situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of \$10,373.08 and be hereby designated as Utilities Improvement Charge No. 554;

3. That said improvement charge be divided into 15 equal installments, the first to be due on July 1, 1991 and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 8% per annum commencing July 1, 1991.

4. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and

5. That the improvement charge so levied be invoiced to Henry J. Gaynor, Sarah M. Gaynor and Mary A. Gaynor, 2509 James Street, Ann Arbor, MI 48105 and be credited in the amounts of \$5,117.42 to Fund 042-073-7151, and \$5,185.16 to Fund 043-073-7151 and \$70.50 to Fund 031-073-7151.

RESOLUTION AUTHORIZING WATER MAIN
AND SANITARY SEWER IMPROVEMENT CHARGES
FOR 2740 VALLEY DRIVE (\$1,081.82 LEVIED)

Whereas, The City has previously constructed water main and sanitary sewers described as follows:

Water Main: 8" water main in Valley Drive, job No. A-353, \$392.07/connection, one connection = \$392.07

Sanitary Sewer: West Park/Relief; Job No. 3127, \$17.41/connection one connection = \$17.41

District No. 326; \$19.39/connection, one connection = \$19.39

District No. 359; Job No. 2903, \$69.66/connection, one connection = \$69.66

Lateral Charges; District No. 394 = \$583.29

Total Sanitary = \$689.75

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12 of the Code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said improvements, such fair share not having heretofore been paid nor contracted for;

RESOLVED,

1. That this Council hereby levy an improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

Annexation Address: 2740 Valley Drive

City Assessor Code: 08-24-416-014

Annexation Number: A90-24

Planning File No.: 8244E8.1 & .2

Lot 63 and the west 10 feet of Lot 74 of Scioto Subdivision, and including that portion of adjacent Valley Drive right-of-way. Now situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of \$1,081.82 and be hereby designated as utilities Improvement Charge No. 555;

3. That said improvement charge be divided into 15 equal installments, the first to be due on July 1, 1991 and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 8% per annum commencing July 1, 1991.

4. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and

5. That the improvement charge so levied be invoiced to Mark and Sandra L. Grambau, 2740 Valley Dr., Ann Arbor, Michigan 48103 and be credited in the amounts of \$392.07 to Fund 042-073-7151, and \$689.75 to Fund 043-073-7151.

R-273-5-91 APPROVED

RESOLUTION PLACING UNPAID COURT ORDERED
CLEANUP CHARGES ON NEXT TAX ROLL
(\$768.78)

Whereas, The City Administrator is reporting to the City Council that there are unpaid charges for services furnished to certain premises in the City of Ann Arbor which on the 29th day of March, 1991 have remained unpaid for a period of five (5) months;

RESOLVED, That, Pursuant to Section 2:27 of Chapter 29 of Title II of the Code of the City of Ann Arbor, due notice be given by the Solid Waste Department by first class mail to the owner(s) of record in the Assessor's Office, of the premises so served; stating the total amount due for such service and further notice that such amount shall be assessed by this Council on May 20, 1991, unless sooner paid, plus a 10% penalty fee, as a tax against said premises and placed on the next tax roll of the City; and

RESOLVED, That the City Clerk shall certify to the Assessor's Office such unpaid charges and the name of the owner of the property so served:

ATTACHMENT A

Assessor Number: 12-10-303-100
Property Address: 9 Plainview Ct.
Invoice No.: No. 14148
Date: November 30, 1990
Amount: \$768.78
Owner: William Meredith

R-274-5-91 APPROVED

RESOLUTION RECOGNIZING GLACIER HILLS,
INC. OF ANN ARBOR AS A NONPROFIT

ORGANIZATION

Whereas, Glacier Hills, Inc. of Ann Arbor is a nonprofit retirement community serving senior citizens in Southeastern Michigan since 1973;

Whereas, The United States Department of Treasury-Internal Revenue Service has recognized Glacier Hills, Inc. as a nonprofit organization by giving it tax exempt status; and

Whereas, Glacier Hills, Inc. needs the City to recognize it as a nonprofit organization so it can conduct fund-raisers with state approval;

RESOLVED, That the City of Ann Arbor recognizes Glacier Hills, Inc. of Ann Arbor as a nonprofit organization in the City of Ann Arbor.

R-275-5-91 APPROVED

RESOLUTION TO GRANT SEWER SERVICE
OUTSIDE CITY LIMITS TO 426 ROSE DRIVE

Whereas, Frederick W. and Linda K. Hammond, owners of the property at 426 Rose Drive have requested the city on May 6, 1991 to extend public sewer service for their use to the property in Scio Township prior to the completion of the annexation process;

Whereas, The Hammond's desire to enter into the standard agreement with the City which provide an equitable method of obtaining City service outside of its corporate boundaries; and

Whereas, On March 25, 1991 petitioned the City for annexation under Planning Department File #8243L15.1.2

RESOLVED, That the Mayor and Clerk be hereby authorized and directed to sign the agreement on behalf of the City allowing City water and sewer service to the land during the time it is still outside of the corporate limits and that the City Clerk be hereby directed and ordered to send a copy of this resolution and the agreement by first class mail to the customer chargeable therewith of the amounts therein determined and the Utilities Department shall promptly have this resolution and the agreement recorded in the office of the Register of Deeds of Washtenaw County, Michigan.

R-276-5-91 APPROVED

RESOLUTION TO APPROVE REQUEST FROM
DAHLMANN APARTMENTS LTD. AND FROM
MACHUS ENTERPRISES, INC. (CO-LICENSEES)

TO TRANSFER OWNERSHIP OF A 1990 B-HOTEL
LICENSED BUSINESS, WITH ENTERTAINMENT
PERMIT, AND ISSUE NEW DANCE PERMIT
LOCATED AT 615 E. HURON STREET FROM
MAIZE AND BLUE PROPERTIES

RESOLVED, That the request from Dahlmann Apartments, Ltd. (Co-Licensee) and Machus Enterprises, Inc. (Co-Licensee) to transfer ownership of 1990-B-Hotel licensed business with Entertainment Permit, located at 615 E. Huron, Ann Arbor, Mi. 48104, Washtenaw County, from Maize & Blue Properties, Inc.; and request a new Dance Permit.

R-277-5-91 APPROVED

RESOLUTION TO APPROVE REQUEST FROM
SIAM KITCHEN, INC. TO TRANSFER OWNERSHIP
OF A 1988 CLASS C LICENSED BUSINESS TO
2507-2509 JACKSON ROAD

RESOLVED, That the request from SIAM Kitchen, Inc. to transfer ownership of a 1988 Class C licensed business, located in escrow at 208-210-214 W. Huron, Ann Arbor, MI., 48104, Washtenaw County, from the Whiffletree, incorporated; and transfer location to 2507-2509 Jackson, Ann Arbor, MI. 48104, Washtenaw County.

R-278-5-91 APPROVED

RESOLUTION TO APPROVE LIQUOR LICENSE
TRANSFER AT 2333 E. STADIUM BLVD.
TO ALLEN AND RUMSEY CORPORATION

RESOLVED, That the request from Allen & Rumsey Corp. to transfer ownership of a 1989 Class C licensed business, located in escrow at 2333 E. Stadium, Ann Arbor, MI. 48104, Washtenaw County, from Pat Anderson Enterprises, Inc. and to drop Dance Permit be approved.

R-279-5-91 APPROVED

RESOLUTION AUTHORIZING STREET CLOSINGS
FOR ANNUAL "A TASTE OF ANN ARBOR" EVENT

Whereas, The Main Street Area Association will be sponsoring their annual "A Taste of Ann Arbor event on Sunday, June 16, 1991, 12 Noon until 5:00 p.m.;

Whereas, It is necessary to close the following streets from 7:00 a.m. to 9:00 p.m.:

South Main Street from William Street to Washington Street
Liberty Street from Ashley to Fourth Avenue;

Whereas, The street closures will be signed and barricaded by the Main Street Area Association and properly supervised both by members of the Main Street Area Association and the Ann Arbor Police Department;

Whereas, The sponsors of the event shall comply with all City and State regulations governing these roadways; and

Whereas, The sponsors will obtain the necessary City permits for the above named street closing, submit proof of insurance as required, and pay for required extra costs for the services provided by the City Police and Solid Waste and Transportation Departments;

RESOLVED, That City Council authorize the closing of South Main Street between William and Washington Street and Liberty Street between Ashley Street and Fourth Avenue during the hours of 7:00 a.m. and 9:00 p.m. on Sunday, June 16, 1991 for the "A Taste of Ann Arbor" event.

R-280-5-91 APPROVED

RESOLUTION AUTHORIZING RELOCATION OF
UTILITY EASEMENT FOR TAGGERT PROPERTY

Whereas, The owners of Lot 27, Huntington Woods Subdivision Number 2, Herbert and Sarah Taggart, have requested the relocation of a utility easement on the westerly portion of property located in the City of Ann Arbor, Michigan, designated as Parcel A, and described more fully as follows:

Lot 27, Huntington Woods Subdivision No. 2, City of Ann Arbor, Washtenaw County, Michigan, according to the Plat thereof as recorded in Liber 17 of Plats, Pages 1 and 2, Washtenaw County Records; excepting therefrom: Commencing at the center of Section 27, Town 2 South, Range 5 East, Ann Arbor Township/Washtenaw County, Michigan; thence South 0E 57' 35" East 109.10 feet along the West line of Lot 27 of Huntington Woods No. 2, a Subdivision of part of the Southeast one-quarter of Section 27, Town 2 South, Range 6 East, Ann Arbor Township, Washtenaw County, Michigan, recorded in Liber 17 of Plats, Pages 1 and 2, Washtenaw County Records for a Place of Beginning; thence South 57E 57' 35" East 53.21 feet; thence along the Northwesterly line of Riverview Drive 73.16 feet along the arc of a circular curve to the left, radius 50.0 feet, chord South 40E 57' West 66.81 feet; thence North 0E 57' 35" West 78.70 feet along the West line of said Lot

27 for a Place of Ending, being a part of Lot 27 of Huntington Woods No. 2 Subdivision, containing 1,170 square feet of land more or less;

and

Whereas, The owners of the above described property also own the property adjacent of the west, which parcel is designated parcel B, and is located in the City of Ann Arbor, Michigan and more fully described as follows:

Beginning at the center of Section 27, Town 2 South, Range 6 East, Ann Arbor Township, Washtenaw County, Michigan; thence South 0E 57' 35" East 109.10 feet along the North and South one-quarter line of said Section and the West line of Lot 27 of Huntington Woods No. 2, a Subdivision of part of the Southeast one-quarter of Section 27, Town 2 South, Range 6 East, Ann Arbor Township, Washtenaw County, Michigan as recorded in Liber 17 of Plats, Pages 1 and 2, thence North 57E 57' 35" West 80.0 feet along the north line of the proposed extension of Riverview Drive; thence North 13E 49' 40" East 67.0 feet; thence North 88E 10' 25" East 50.0 feet along the east and West one-quarter line of said section 27 to the Place of Beginning, being a part of the southwest one-quarter of Section 27, Town 2 South, Range 6 East, Ann Arbor Township, Washtenaw County, Michigan, containing 5,270 square feet of land more or less; and

Whereas, Said owner has requested the relocation of a utility easement from the westerly portion of Parcel A to the westerly portion of Parcel B;

RESOLVED, That the City hereby releases and quit claims its rights in that portion of a private easement for public utilities over parcel A described as follows:

Commencing at the northwest corner of Lot 27 of Huntington Woods Subdivision No. 2, thence south 0E 57' 35" east 30.00 feet along the west line of the southeast 1/4 of said section 27 to the point of beginning, thence south 0E 57' 35" east 79.10 feet, thence south 57E 57' 35" east 35.77 feet along the northerly right-of way line of Riverview Drive, thence north 0E 57' 35" west 99.04 feet along the east line of the existing easement, thence south 88E 10' 25" west 30.00 feet to the point of beginning;

upon the condition that the City receive a grant of easement for the installation and maintenance of utilities over Parcel B;

RESOLVED, That the City of Ann Arbor accepts a grant of a utility easement over the westerly 30 feet of parcel B; and

RESOLVED, That the Mayor and City Clerk are authorized to execute the documents necessary for the release and acceptance of these easements.

R-281-5-91 APPROVED

RESOLUTION AUTHORIZING RELEASE OF
PORTION OF UTILITY EASEMENT IN FAIR
GLEN SUBDIVISION

Whereas, The owner of Lot 5, Fair Glen Subdivision, as recorded in Liber 23 of Plats, Pages 68 through 71, has requested the City vacate a portion of the easement over that lot; and

Whereas, The Engineering Department has reviewed this request and has no objection to it;

RESOLVED, That the City hereby quit claims and releases its interest in that portion of a utility easement which is located in the City of Ann Arbor, Michigan and more fully described as follows:

Commencing at the Northeast Corner of Lot 5 in Fair Glen Subdivision as recorded in Liber 23 of Plats, Pages 68 through 71, Washtenaw County Records, Washtenaw County, Michigan; thence S 80E 41' 51" W 20.26 feet along the north line of said lot no 5; thence S 0E08' 30" E21.82 feet for a PLACE OF BEGINNING; thence continuing S0E 08' 30" E 70.25 feet thence S 75E 19' 18" W 10.33 feet; thence N 0E 08' 30" W 70.25 feet; thence N 75E 19' 18" E 10.33 feet to the Place of Beginning, being a part of the west 10.0 feet of the east 30.0 feet of said lot 5, subject to easements of record.

R-282-5-91 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT
FROM ASHFORD PLACE

Whereas, Ashford Place, Inc., a Michigan corporation is the owner of property from which the public utility easements described below have been conveyed; and

Whereas, The owner has delivered the easements for public utilities over property located in Ann Arbor, Michigan more fully described as follows:

Watermain Easement I

An easement for Watermain located in part of Section 15, T2S, R6E, City of Ann Arbor Washtenaw County, Michigan described as commencing at the N.E. corner of said Section 15 and proceeding thence S 00^E 05' 10" W. 365.26 feet along the East line of said Section 15; thence N, 89^E 36' 10" W. 148.50 feet along the South R. O. W. line of Green Road (100' wd.) to the point of beginning of said easement, being 20 feet either side of a line proceeding S. 00^E 23' 50" W. 7.00 feet; thence S 40^E 32' 55" W. 42.86 feet to point "A" thence from said point "A" 17.50 feet either side of line proceeding S. 03^E 19' 22" E. 130.00 feet to point "B"; thence from said point "B" 20 feet either side of a line proceeding S. 86^E 40' 38" W 22.87 feet; thence S 76^E 08' 44" W. 42.63 feet; thence S 89^E 32' 38" W. 122.00 feet; thence N. 01^E 41' 52" E 139.78 feet; thence N. 40^E 11' 12" E. 37.14 feet; thence N 00^E 23' 50" E. 15.00 feet to the point of ending on said south line of Green Road.

Watermain Easement II

A 40 feet wide easement for Watermain located in part of Section 15, T2S R6E, City of Ann Arbor, Washtenaw County, Michigan, described as commencing at the NE corner of said section 15 and proceeding thence S 00^E 05' 10" W. 365.26 feet along the East line of said Section 15; thence the following 3 courses along the south ROW line of Green Road (100' wd.) N. 89^E 36' 10" W. 337.88 feet and 385.88 feet along the arc of a curve to the right, said curve having a radius of 1250.00 feet a central angle of 17^E 41' 15", a chord length of 384.35 feet and a chord bearing of N, 80^E 45' 33" W. and N 71^E 54' 55" W. 22.00 feet to the point of beginning of said easement being 20 feet either side of a line proceeding S. 18^E 05' 05" W. 5.00 feet; thence S 29^E 10' 55" E 55.11 feet; thence S 18^E 20' 00" W 107.12 feet; thence S 48^E 21' 17" W 133.91 feet; thence S 88^E 59' 24" W 244.24 feet; thence N 06^E 50' 00" W 126.51 feet; thence N 05^E 20' 00" E 53.83 feet; thence N 34^E 30' 00" E 143.00 feet; thence N 43^E 00' 09" E 39.32 feet; thence N 18^E 05' 05" E 5.00 feet to the point of ending on said south line of Green Road.

Sanitary Sewer Easement I

An easement for sanitary sewer located in part of Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, described as commencing at the NE corner of said Section 15 and proceeding thence S 00E 05' 10" W 365.26 feet along the East line of said Section 15; thence N 89E 36' 10" W 310.11 feet along the south ROW line of Green Road (100' wd.) to the point of beginning of said easement being 20 feet either side of a line proceeding S 00E 23' 50" W. 7.82 feet; thence S 11E 50' 00" W 170.77 feet to point "C"; thence from said point "C" 15 feet either side of a line proceeding N 89E 00' 00" E. 143.27 feet to the point of ending.

Sanitary Sewer Easement II

An Easement for Sanitary Sewer located in part of Section 15 T2S, City of Ann Arbor, Washtenaw County, Michigan, described as commencing at the NE corner of said Section 15 and proceeding thence S. 00E 05' 10" W 365.26 feet along the East line of said Section 15; thence the following 2 courses along the South ROW line of Green Road (100'wd.) N 89E 36' 10" W 337.88 feet and 231.95 feet along the arc of a curve to the right, said curve having a radius of 1250.00 feet, a central angle of 10E 37' 55", a chord length of 231.62 feet and a chord bearing of N 84E 17' 13" W; thence S 20E 32' 10" W 9.50 feet to the point of beginning of said easement being 20 feet either side of a line proceeding N 78E 17' 19" W 125.67 feet; thence N 73E 20' 00" W 4.64 feet to point "D"; thence continuing N 73E 20' 00" W 328.53 feet to point "E"; thence from said point "D" 15 feet either side of a line proceeding S 18E 20' 00" W 167.55 feet; thence S 47E 40' 00" W 68.69 feet to a point of ending; thence from said point "E" 15 feet either side of a line proceeding S 34E 30' 00" W 162.05 feet; thence S 05E 20' 00" W 55.66; feet; thence S 06E 50' 00 E. 140.47 feet to e point of ending;

RESOLVED, That said easements are accepted by the City of Ann Arbor.

R-283-5-91 APPROVED

RESOLUTION CONTINUING THE APPROPRIATION
FOR PARKING STRUCTURE REPAIR

RESOLVED, That funds for the 1991 Parking Structure Restoration Project be appropriated for the life of the project to be available until expended without regard to fiscal year.

R-284-5-91 APPROVED

RESOLUTION TO ACCEPT BOARD OF INSURANCE
ADMINISTRATION MINUTES OF MAY 7, 1991
AND TO APPROVE PAYMENTS

RESOLVED, That the Board of Insurance Administration Minutes of May 7, 1991 be accepted and that the payments therein be authorized.

R-285-5-91 APPROVED

RESOLUTION TO APPROVE THE EXECUTION OF
A CONSOLIDATED ANNUAL CONTRIBUTIONS
CONTRACT TO RENEW EXPIRING SECTION 8
VOUCHER PROJECTS

Whereas, The Ann Arbor Housing Commission administers a Section 8 Housing Voucher program;

Whereas, The Department of Housing and Urban Development has executed with the Housing commission an Annual Contributions Contract to administer such a program; and

Whereas, Project number M128-V064-001 and M128-V-064-002 are expiring July 20, 1991 and September 29, 1991 respectively;

RESOLVED, That the City of Ann Arbor approve the renewal of such projects through the execution of the Consolidated Annual Contributions Contract submitted by H.U.D. for same purpose.

Councilmember Coleman moved that the Consent Agenda be approved.

On a voice vote, the Chair declared the motion carried.

ORDINANCES - SECOND READING

None.

ORDINANCES - FIRST READING

None.

MOTIONS AND RESOLUTIONS

R-286-5-91 APPROVED AS REVISED

**RESOLUTION TO APPROVE CONSENT ORDER WITH
THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES**

Whereas, The Department of Natural Resources has requested the City to approve a Consent Order regarding landfill operations and remediation;

Whereas, That order has been reviewed by the City Administration and by the attorneys retained by the City; and

Whereas, Based on that review, the City Attorney has prepared and recommended a revised version of the Consent Order;

RESOLVED, That the Mayor and City Clerk are authorized to execute the Consent Order substantially in the revised form prepared by the City Attorney. A copy of that order is on file with the City Clerk.

Councilmember Coleman moved that the revised resolution placed on the table this date be approved.

On a voice vote, the Chair declared the motion carried.

RESOLUTION DEFEATED

**RESOLUTION DIRECTING CITY OFFICIALS TO
PROCEED WITH SALE OF BONDS**

Whereas, The Ann Arbor City Council on April 29, 1991, directed City officials and the Building Authority to take no further action on the sale of the bonds needed to construct the parking structure on Ashley and William Streets;

Whereas, The action of City Council was taken in anticipation of the holding of an advisory election on June 24, 1991;

Whereas, The advisory election cannot be held on June 24, and no other election date is planned; and

Whereas, The low bid for building the parking structure was one half million dollars less than the estimate and that bid will only be valid for 60 days from May 2, 1991;

RESOLVED, That Council directs the City Administration and the Building Authority

to proceed with the sale of the bonds which were the subject of the April 29 resolution.

Councilmember Ouimet moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Sheldon, Dodge, Meade, Zimmer, Ouimet, 5

Nays, Councilmembers Hunter, Coleman, Grady, Peterson, Eckstein, Mayor Brater, 6

The Chair declared the motion defeated.

R-287-5-91 APPROVED

RESOLUTION TO CONSIDER ALTERNATIVES FOR ACQUIRING THE GREENVIEW SITE FOR PARKLAND

Whereas, The Greenview site is a 24+ acre area owned by the Ann Arbor Public Schools located west of 7th Street abutting Pioneer High School;

Whereas, The site has been maintained by the city since 1963 for park use and Project Grow use;

Whereas, The site was considered to locate the proposed senior Citizen Center that was defeated by the voters on April 1, 1991;

Whereas, Numerous citizens in the area desire to have the site protected and preserved as park land, since it is a unique natural area and one of the remaining significant open space areas in southwest Ann Arbor; and

Whereas, The Park Advisory Commission reviews and recommends potential park land acquisitions to the City Council;

RESOLVED, That the Mayor and City Council request the Park Advisory Commission and staff to review alternative ways of preserving the Greenview site as public park space; and

RESOLVED, That the Park Advisory Commission work with the Ann Arbor Public Schools and the residents to develop alternatives and recommendations to the mayor and Council for consideration.

Councilmember Ouimet moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

RESOLUTION TABLED

RESOLUTION TO APPROVE FISCAL YEAR 1991-1992 BUDGET

Whereas, City Council has reviewed the proposed budget for the City of Ann Arbor;

Whereas, A public hearing has been held to obtain citizen input on the proposed budget; and

Whereas, A public hearing on increasing property taxes was held in accordance with Public Act 5 of 1982;

RESOLVED That the following appropriations shall constitute the General Fund Budget for 1991-92:

Revenues

Property Taxes	\$36,902,359
Licenses, Fees & Permits	986,162
State Shared	9,813,064
Charges for Services	6,842,095
Fines & Forfeits	5,161,250
Investment Income	685,000
Miscellaneous	27,720
Other	<u>446,998</u>
Total	<u>\$60,864,648</u>

Expenditures

Mayor/Council	\$204,504
Administrator	669,428
Personnel/Human Rights	468,814
Central Services	1,681,103
Attorney	554,558
City Clerk/Elections	726,954
Treasurer/Violations Bureau	1,004,718
Assessor	732,587
Controller	1,174,394
District Court	1,748,987
Police Department	12,244,323
Fire Department	7,198,488
Building Department	1,531,163
Street Lighting	1,483,713
Parking Enforcement	1,140,724
Engineering	851,185
Planning	460,037
Parks and Recreation	2,768,099

Parks - Pools & Rinks	1,209,471
Community Development	<u>648,927</u>
Total	<u>\$38,502,177</u>

Transfers to Other Departments

Solid Waste Levy	\$5,815,700
AATA Levy	4,591,946
Pension/Social Security	4,844,503
Street Resurfacing Levy	4,027,137
Transfer/Parks Rehab Millage	1,005,637
Transfer/Parks Acquisition Millage	<u>1,063,035</u>
Total	<u>\$21,347,958</u>

Non-Department

Contingency/General	\$50,000
Contingency/Pay Increases	707,963
Retirement Expense	20,000
Ann Arbor "Y" Contract	65,000
Bad Debts	7,000
Hospitality Committee	5,000
City Share Special Assessments	194,200
Discretionary Fund	5,000
Computers	90,000
Community Events	30,000
Employee Development	20,000
Employee Attrition	<u>(179,650)</u>
Total	\$1,014,513

Total General Fund Expenses	<u>\$60,864,648</u>
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RESOLVED, That the following appropriations shall constitute the 1991-92 budgets for the operating funds of the City:

<u>Intergovernmental Service Funds</u>	<u>Revenues</u>	<u>Expenditures</u>
Central Duplicating/Supplies	\$437,195	\$437,195
Radio Maintenance	697,919	653,823
Motor Equipment	3,717,161	3,717,161
Information Services	2,041,838	2,041,838
Parks Service Building	135,500	124,877
Insurance	<u>7,819,050</u>	<u>7,442,927</u>
Total	\$14,848,663	\$14,417,821

<u>Enterprise Funds</u>	<u>Revenues</u>	<u>Expenditures</u>
Water System	\$11,732,957	\$11,732,957
Sewage Disposal System	13,337,500	13,272,723
Storm Water Utility	1,339,438	1,339,438
Parking System	13,356,833	13,356,833

Hydropower	545,605	545,605
Municipal Market	63,100	54,480
Golf Course	1,271,380	1,257,522
Airport	520,465	454,970
Veterans Arena	559,325	559,325
Pools & Canoe Livery	<u>337,903</u>	<u>337,903</u>
Total	\$43,064,506	\$42,911,756

Special Revenue Funds

Solid Waste	\$10,557,931	\$10,522,048
Community Development	2,702,304	2,702,304
Cable Communications	489,230	489,230
Downtown Development	3,084,800	3,067,903
Park Rehabilitation & Development	3,818,545	2,576,500
Parkland Acquisition	2,477,682	980,000
Major Streets--Gas & Weight Tax	3,588,763	3,588,763
Local Streets--Gas & Weight Tax	1,697,894	1,697,894
Leslie Homestead	62,000	61,095
Street Resurfacing	4,027,137	4,027,137
Drug Enforcement	41,000	41,000
Justice Training	40,000	40,000
Public Works Billable	250,000	250,000
Special Assistance	400	400
Affordable Housing	<u>255,500</u>	<u>255,500</u>
Total	\$33,093,186	\$30,299,774

Trust & Agency Fund

Elizabeth R. Dean Trust	\$160,795	\$160,795
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General Debt Service Fund

	\$5,776,250	\$5,776,250
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and;

RESOLVED, That the following shall be levied for the City of Ann Arbor for the fiscal year 1991-92:

1991-92 Rates

General Operation	6.3320
Parks Levy--Rehab/Development	.4380
Parks Levy--Land Acquisition	.4630
Major Street Repair	1.7540
Employee Benefits	2.1100
Refuse Collection	2.5330
Transportation--AATA	2.0000
Debt Service	<u>1.0300</u>
Total	16.6600

Councilmember Peterson moved that the resolution be approved.

Councilmember Hunter moved that the resolution be tabled to the end of the agenda.

On a voice vote, the Chair declared the motion carried.

R-288-5-91 APPROVED

RESOLUTION AWARDING THE SALE OF CITY OF ANN ARBOR
SEWAGE DISPOSAL SYSTEM REVENUE BONDS,
SERIES XIII (\$645,000.00)

Whereas, May 20, 1991, at 2:30 o'clock p.m., Eastern Daylight Time, has been set as the date and time for opening bids for the purchase of the Issuer's Sewage Disposal System Bonds, Series XIII;

Whereas, Said Bids have been publicly opened and read;

Whereas, The bids were received and filed with the City Clerk;

Whereas, The bid of Roney & Co. has been determined to produce the lowest interest cost to the Issuer;

RESOLVED, THAT:

1. The bid of Roney & Co., as above stated, be and the same is hereby accepted;
2. Checks of the unsuccessful bidders be returned to each bidder's representative or by registered mail;
3. The Issuer hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds; and
4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Councilmember Sheldon moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Coleman, Sheldon, Dodge, Grady, Meade, Zimmer, Ouimet, Peterson, Eckstein, Mayor Brater, 11

Nays, 0

The Chair declared the motion carried.

R-289-5-91 APPROVED

RESOLUTION AWARDING THE SALE OF CITY OF ANN ARBOR
WATER SUPPLY SYSTEM REVENUE BONDS,
SERIES Q (\$685,000.00)

Whereas, May 20, 1991, at 2:30 o'clock p.m., Eastern Daylight Time, has been set as the date and time for opening bids for the purchase of the Issuer's Water System Revenue Bonds, Series, Q;

Whereas, Said Bids have been publicly opened and read;

Whereas, The bids were received and filed with the City Clerk;

Whereas, The bid of Roney & Co. has been determined to produce the lowest interest cost to the Issuer;

RESOLVED, THAT:

1. The bid of Roney & Co., as above stated, be and the same is hereby accepted;
2. Checks of the unsuccessful bidders be returned to each bidder's representative or by registered mail;
3. The Issuer hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds; and
4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

On roll call the vote was as follows: Yeas, Councilmembers Coleman, Sheldon, Dodge, Meade, Zimmer, Ouimet, Peterson, Eckstein, Mayor Brater, 9

Nays, 0

Absent for the vote: Councilmembers Hunter and Grady, 2

The Chair declared the motion carried.

R-290-5-91 APPROVED

RESOLUTION AWARDING THE SALE OF CITY OF ANN ARBOR \$3,320,000 1991 SPECIAL ASSESSMENT LIMITED TAX GENERAL OBLIGATION BONDS AND \$600,000.00 1991 LIMITED TAX GENERAL OBLIGATION BONDS

Whereas, May 20, 1991, at 3:00 o'clock p.m., Eastern Daylight Time, has been set as the date and time for opening bids for the purchase of the Issuer's \$3,320,000 1991 Special Assessment (Limited Tax General Obligation) Bonds and \$600,000 1991 Limited Tax General Obligation Bonds;

Whereas, Said bids have been publicly opened and read;

Whereas, The bids were received and filed with the City Clerk;

Whereas, The bid of Merrill Lynch has been determined to produce the lowest interest cost to the Issuer;

RESOLVED, That:

1. The bid of Merrill Lynch, as above stated, be and the same is hereby accepted;
2. Checks of the unsuccessful bidders be returned to each bidder's representative or by registered mail;
3. The Issuer hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to the rebate of arbitrate earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond Proceeds; and
4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Councilmember Hunter moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Coleman, Sheldon, Dodge, Meade, Zimmer, Ouimet, Peterson, Eckstein, Mayor Brater, 10
Nays, 0
Absent for the vote: Councilmember Grady, 1

The Chair declared the motion carried.

R-291-5-91 APPROVED

RESOLUTION TO AWARD A CONTRACT TO DOUGLAS N. HIGGINS, INC. FOR HURON PARKWAY EXTENSION AND TRAVERWOOD DRIVE ROAD IMPROVEMENTS - BID NO. 1881 (\$1,484,839.70 CONTRACTS; \$3,010,252.00 BUDGET)

Whereas, It has been found necessary to construct the extension of Huron Parkway between Nixon Road and Tubingen Parkway, and Traverwood Drive between Plymouth Road and the proposed Huron Parkway Extension;

Whereas, Douglas N. Higgins, Inc. of Ann Arbor, Michigan, has submitted to the City on March 12, 1990 a bid for said work in the total amount of \$1,484,839.70 which amount is the lowest responsible bid;

Whereas, The contractual proposal sets forth the services to be performed by said company, and the payments to be made by the City therefor, all of which are agreeable to the City;

Whereas, It is now necessary to enter into a contract with said company for said work; and

Whereas, The Personnel/Human Rights Department approved said company for said contract on May 20, 1991;

RESOLVED, That a contract in the amount of \$1,484,839.70 be awarded to Douglas N. Higgins, Inc. for the construction of the Huron Parkway Extension and Traverwood Drive Road Improvements Project (Bid No. 1881);

RESOLVED, That the Mayor and Clerk are hereby authorized and directed to sign said contract on forms approved as to form by the City Attorney, and approved as to substance by the City Administrator;

RESOLVED, That the following project budget be adopted and funds appropriated for the life of the project, to be available until expended without regard to fiscal year:

SECTION I - REVENUE

\$2,668,744	Spring 1991 Special Assessment Bonds
<u>\$341,508</u>	Spring 1991 General Obligation Bonds
\$3,010,252	TOTAL

SECTION II - EXPENSE

\$1,485,000	Construction
877,690	Land Purchases
185,000	Design Engineering
200,000	Construction Engineering
75,000	Testing
92,162	Contingencies to be approved by the City Administrator
<u>95,400</u>	User Fee
\$3,010,252	TOTAL

Councilmember Hunter moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

R-292-5-91 APPROVED

RESOLUTION AUTHORIZING THE CARRY-OVER OF
ENVIRONMENTAL BOND AND PROTECTING MICHIGAN'S
FUTURE GRANT FUNDS INTO SUCCEEDING FISCAL YEARS
\$13,650,000.00 - SERIES A BONDS ISSUED IN
JANUARY 1991 AND \$799,839.00 STATE OF
MICHIGAN GRANT FUNDS)

Whereas, The voters of Ann Arbor approved the \$28 million environmental bond in April, 1990;

Whereas, Series A bonds were issued in January, 1991;

Whereas, Expenditures under the bond will be made over several fiscal years;

Whereas, State grant awards for Recycling, Composting, and Resource Recovery Education projects were accepted by the City in May, 1990;

Whereas, Grant dollars awarded to the City totaled \$799,839;

Whereas, Expenditures under these grants will carry over into fiscal year 1991-92;

Whereas, Council authorization is needed to carry over funds under the Environmental Bond and State grant accounts from one fiscal year to the next; and

Whereas, Individual expenditures under the bond and State grants will continue to be brought before City Council for approval;

RESOLVED, That environmental bond funds and unexpended State Protecting Michigan's Future grant funds are authorized to be carried over from one fiscal year to the next without additional City Council authorization for the authorized length of bond expenditures;

RESOLVED, That individual Environmental Bond and grant expenditures will continue to be brought before City Council for approval; and

RESOLVED, That the overall budget for the environmental bond funds (Series A) is established as follows:

<u>Category</u>	<u>Budget</u>
Reimbursement to Solid Waste (prior advances)	855,000
Phase I Remediation	1,200,000
Phase II Closure	4,400,000
Phase III Development	1,500,000
Material Recovery Facility	1,500,000
Recycle Ann Arbor Expansion	367,500
Recycling Collection	2,218,000
Composting Facility	1,000,000
Rate Study/Implementation	50,000
Contingency	<u>559,500</u>
Total	\$13,650,000

Councilmember Hunter moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

RESOLUTION TABLED

RESOLUTION TO APPROVE DOWNTOWN DEVELOPMENT
AUTHORITY PEDESTRIAN IMPROVEMENTS FOR
NORTH MAIN STREET (\$1,730,000.00) AND
WASHINGTON STREET (\$1,000,000.00)

Whereas, The Downtown Development Authority Plan adopted in 1982 included Pedestrian Improvements along Main Street which were designated as "Extension of the Dean Promenade";

Whereas, The 1982 DDA Plan also included other pedestrian improvements for streets in the Downtown District;

Whereas, The business owners along Main Street and Washington Street have approached the DDA Board and requested that pedestrian improvements be constructed on these streets; and

Whereas, The DDA Board believes that the proposed pedestrian improvements and streetscape improvements are important to the economic activity and vitality of the Downtown District;

RESOLVED, That the Mayor and Council support and approve the construction of pedestrian improvements by the DDA along North Main Street from Huron to Kingsley, along South Main from William to Packard, and along Washington Street from Fifth Avenue to First Street; and

RESOLVED, That the DDA is authorized to advance funds for the costs of design and engineering contracts to be awarded by Council and that such advances be reimbursed from the sale of DDA Pedestrian Improvement Bonds at a later date.

Councilmember Sheldon moved that the resolution be approved.

Councilmember Hunter moved that the resolution be tabled to June 3, 1991 pending receipt of a maintenance schedule for the proposed improvements and cost estimates on improvements to more commercially dominated areas.

On a voice vote, the Chair declared the motion carried.

R-293-5-91 APPROVED

RESOLUTION TO AWARD BID NO. 2113 - BUHR
PARK ICE RINK/REPLACEMENT AND ROOF
COVERING (\$660,500.00)

Whereas, The City of Ann Arbor contracted with Independent Consulting Engineering, Inc. to design the roof covering and slab replacement at Buhr Park;

Whereas, The City of Ann Arbor bid the project as Bid No. 2113;

Whereas, Phoenix Contractors, Inc. of Ypsilanti, Michigan, presented the lowest responsible bid; and

Whereas, Human Rights approval was obtained on May 1, 1991;

RESOLVED, That the Mayor and Council approve the recommendation of the City Administrator to award Bid No. 2113 to Phoenix Contractors in the amount of \$660,500 and authorize the Mayor and City Clerk to sign the agreement with Phoenix Contractors substantially in the form on file with the City Clerk; and

RESOLVED, That the additional \$203,106 be appropriated for the life of the project from the Park Millage contingency and that the \$457,394 project balance be appropriated for the life of the project from the Park Millage fund (041) to cover the cost of the project.

Councilmember Coleman moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

R-294-5-91 APPROVED

RESOLUTION TO APPROVE AWARD OF CONTRACT FOR
BID NO. 2098 AND APPROPRIATE ADDITIONAL FUNDS
FOR CONSTRUCTION OF BARTON PARK OXBOW FOOTBRIDGES
AND CONNECTION TRAIL (CONTRACT AMOUNT: \$384,629;
\$80,000.00 ADDITIONAL APPROPRIATION)

Whereas, The project known as "Barton Park Oxbow Footbridges and Connecting Trail" (hereinafter referred to as the "project") was identified in the 1984-89 Park Millage and budgeted for \$420,000;

Whereas, Preliminary planning and design work which included the input of several public meetings and consideration of alternatives, has been completed, and the Project has been supported by PAC, City Council, and various public groups involved in the review process;

Whereas, design and engineering for the footbridges has been completed and the low bid obtained from Posen Construction, Inc. (a reputable contractor with experience on similar projects and Human Rights approval as of May 8, 1991) is \$1855 less than the engineer's official estimate;

Whereas, Additional costs, unforeseen at the time the budget for the project was originally prepared (in 1988), as well as increased costs due to inflation, have resulted in the need for additional funds in order to complete the Project (as explained in the memorandum and Budget Summary on file in the City Clerk Office);

Whereas, The park Rehabilitation and Development Millage (Fund 041) has an unobligated balance of \$3,277,591 (as of 3-31-91 per Controller's office printout); and

Whereas, An amount of \$283,000 is available in the 1989-95 park Rehabilitation and Development Millage under the "Targets of Opportunity" projects account (of which \$200,000 is specifically described as "a project contingency fund for project change orders;")

RESOLVED, That the recommendation of the City Administrator be approved; that City Council appropriate (for the life of the project) an additional \$80,000 out of the unobligated balance of fund 041 under the "Targets of Opportunity" projects account for the Barton park Oxbow Footbridges and Connecting Trail (for a total project budget of \$500,000) in order to complete the installation of two footbridges and a connecting grass pathway; and

RESOLVED, That, contingent upon receiving the necessary permit revision and approval from the DNR, the proposal from Posen Construction, Inc. for Bid No. 2098 be accepted; that the Mayor and City Council approve of awarding a contract in the amount of \$384,629 for the construction of the Barton Oxbow Footbridges to Posen Construction and authorize the Mayor and City Clerk to sign the contract substantially in the form on file with the City Clerk.

Councilmember Meade moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

R-295-5-91 APPROVED

RESOLUTION TO APPROVE AGREEMENT FOR
ADDITIONAL SERVICES TO BE PERFORMED
BY CONSULTANT FOR BARTON PARK OXBOW
FOOTBRIDGES (\$30,900.00)

Whereas, In accordance with a previous resolution (R-218-4-89), engineering services for the Barton oxbow Footbridges project (hereinafter referred to as the "Project") have been performed by McLravy Engineering Associates (now part of Spalding, DeDecker and Associates, Inc. hereinafter referred to as "Consultant;")

Whereas, At the request of the City, additional services are to be performed by the Consultant in association with the Project as described in the memorandum filed with the City Clerk;

Whereas, It is in the best interest of the City to have such work performed by the consultant; and

Whereas, The Consultant has obtained an updated approval from the Department of Personnel and Human Rights (as of 1-9-91);

RESOLVED, that the recommendation of the City Administrator be approved; that the Mayor and City Council approve a new Agreement for Professional Services with Spalding, DeDecker, and Associates for an amount not to exceed \$30,900 and authorize the Mayor and City Clerk to sign the Agreement substantially in the form on file with the City Clerk.

Councilmember Hunter moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

R-296-5-91 APPROVED

RESOLUTION TO APPROVE ENGINEERING CONTRACT
AMENDMENT NO. 2 FOR THE WASTEWATER
TREATMENT PLANT (\$63,000.00)

Whereas, The City and McNamee Porter & Seeley have an existing agreement dated November 23, 1988 to provide engineering design services for energy conservation measures and related improvements at the Wastewater Treatment Plant;

Whereas, Additional general engineering services are necessary to properly complete the construction of contracts 89-S-1, 89-S-2, 89-S-3 and 89-S-4 for Wastewater Treatment Plant energy conservation measures and selected improvements projects;

Whereas, Engineering services are needed to provide start-up training and assistance for the update and revision of the Wastewater Plant's operations and maintenance manuals;

Whereas, A study of the actual energy and related operational savings of the biological phosphorus removal and fine bubble aeration systems as well as the feasibility of improved dissolved oxygen control is proposed;

Whereas, McNamee, Porter & Seeley, as the design and general construction engineering consultant for contracts 89-S-1, 89-S-2, 89-S-3 and 89-S-4, is most capable of providing the engineering services required to perform the above described tasks;

Whereas, McNamee Porter & Seeley have submitted a proposal to perform these additional services for a total cost not-to-exceed \$63,000.00; and

Whereas, On May 10, 1991 the Personnel/Human Rights Department approved McNamee Porter & Seeley to provide such services;

RESOLVED, That Council accept the proposal of McNamee Porter & Seeley and approve the engineering contract amendment for the aforesaid services for a total cost not-to-exceed \$63,000.00;

RESOLVED, That Council approve the financing of this Amendment No. 2 using currently budgeted funds in the Sewer Revenue Bond Series XII fund, and that these amounts are approved for the life of the project and are available until expended without regard to fiscal year; and

RESOLVED, That Council direct the Mayor and City Clerk to sign said amendment which has been approved as to form by the City Attorney and approved as to substance by the City Administrator.

Source of Funds: Sewer Revenue Bond Series XII Fund 077

Councilmember Sheldon moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

R-297-5-91 APPROVED

RESOLUTION APPROVING CONSENT JUDGEMENT
IN CONDEMNATION ACTION FOR THE ASHLEY-WILLIAM
PARKING STRUCTURE (WILTON-DERR AND ANTHONY
BROWN) (\$57,000.00 FOR PARCEL C AND
\$18,600.00 FOR PARCEL A)

Whereas, On June 19, 1990, an action to condemn certain parcels of land for the Ashley-William Parking Structure was commenced in Washtenaw County Circuit Court, at the direction of the Ann Arbor City Council; and

Whereas, This Council passed a resolution at its May 6, 1991 meeting which approved the payment of an additional \$18,600.00 as full payment for parcel A in Washtenaw County Circuit Court No. 90-39146-CC; and

Whereas, The former owner of Parcel C in that same lawsuit has agreed to accept an additional \$57,000.00 as full compensation for the property;

RESOLVED, That resolution number R-252-5-91 is amended to appropriate \$18,600 as an advance for payment from the Parking System Fund (Unreserved Retained Earnings) pending reimbursement from the Downtown Development Authority;

RESOLVED, That this Council approves the payment of an additional \$57,000.00 to the former owner of Parcel C, Washtenaw County Circuit Court No. 90-29146-CC, in full payment for the property and the costs of litigation incurred by the owner;

RESOLVED, That the sum of \$57,000.00 is appropriated as an advance from the parking System Fund (Unreserved Retained Earnings) to pay the judgments pending reimbursement from the Downtown Development Authority; and

RESOLVED, That the Office of the City Attorney is authorized to enter consent judgments for payment of the amounts indicated to the former owners.

Councilmember Hunter moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Coleman, Grady, Meade, Zimmer, Peterson, Eckstein, Mayor Brater, 8
Nays, Councilmembers Sheldon, Dodge, Ouimet, 3

The Chair declared the motion carried.

R-298-5-91 APPROVED

RESOLUTION TO APPROVE THE PURCHASE OF FILTER CLOTH REPLACEMENTS FOR THE WASTEWATER TREATMENT PLANT, BID NO. 1890 (\$11,812.50)

Whereas, Filter cloth replacements are required to maintain the continued operation of the Passavant plate and frame filter presses for sludge dewatering and processing;

Whereas, The Utilities Department, Wastewater Treatment Plant Division requested through the Purchasing Department that bid specifications be advertised for furnishing filter cloth replacements;

Whereas, The bid from Cros-ible, Inc. Filtration to furnish 125 filter cloth replacements for \$11,812.50 is lowest responsible bidder; and

Whereas, On February 14, 1991, the Personnel/Human Rights Department approved Cros-ible, Inc. Filtration to be the supplier of the filter cloth replacements;

RESOLVED, That the Council accept Bid No. 1890 quotation from Cros-ible, Inc. Filtration of \$11,812.50 for filter cloth replacements; and

RESOLVED, That the City Administrator be directed to issue a purchase order to Cros-ible, Inc. Filtration in the amount of \$11,812.50 to furnish filter cloths and that the \$11,812.50 be expended from the Utilities Department, Wastewater Treatment Plant operating budget for FY 1990/91.

Source of Funds: Utilities Department, Wastewater Treatment Plant Operations and Maintenance Budget.

Councilmember Hunter moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

RESOLUTION TABLED

RESOLUTION APPROVING SETTLEMENT OF LIQUOR CONTROL COMMISSION ACTION ON DOOLEY'S

Whereas, There are lawsuits and other proceedings pending against Dooley's of Ann Arbor concerning liquor law violations on the Dooley's premises;

Whereas, The Attorney General and the attorney for Dooley's have reached a

settlement concerning all the proceedings;

Whereas, The settlement would require that Dooley's permanently observe a rule that would limit admission to the premises to persons over 21 years of age;

Whereas, It would require Dooley's to serve an additional 30-day suspension and to pay fines; and

Whereas, One of the terms of the settlement is that it will not take effect until the City of Ann Arbor indicates its approval of the settlement terms;

RESOLVED, That the City Council approves of the settlement of the Dooley's litigation; and

RESOLVED, That the City Attorney is directed to communicate this approval to the Michigan Liquor Control Commission.

Councilmember Hunter moved that the resolution be approved.

Councilmember Hunter moved that the resolution be tabled to June 3, 1991 to allow the City Attorney time to discuss with Dooley's the possibility of holding the City harmless in a complaint against it as a result of an incident that started in the Dooley's place of business and ended in the parking structure.

On a voice vote, the Chair declared the motion carried and the resolution tabled.

R-299-5-91 APPROVED

RESOLUTION RECOGNIZING EBERWHITE P.T.O.
OF ANN ARBOR AS A NON-PROFIT ORGANIZATION

Whereas, Eberwhite Elementary School PTO, Ann Arbor Public Schools, is a nonprofit institution;

Whereas, The United States Department of Treasury-Internal Revenue Service has recognized Eberwhite Elementary School PTO as a nonprofit organization by giving it tax exempt status; and

Whereas, Eberwhite Elementary School PTO needs the City to recognize it as a nonprofit organization so it can conduct fund-raisers with state approval;

RESOLVED, That the City of Ann Arbor recognizes Eberwhite Elementary School PTO as a nonprofit organization in the City of Ann Arbor.

Councilmember Meade moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

R-300-5-91 APPROVED AS AMENDED

The resolution to **Reactivate the Parking Advisory Committee** was considered.

Councilmember Sheldon moved that the resolution be approved.

Councilmember Coleman moved that the resolution be tabled pending further discussion on membership composition and the charge to the committee.

On a voice vote, the Chair declared the motion defeated.

The question on the floor is approval of the resolution.

Councilmember Coleman moved that the membership composition be expanded to ~~one~~ **THREE** members representing near downtown neighborhoods,

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Coleman, Meade, Peterson, Eckstein, Mayor Brater, 6
Nays, Councilmembers Sheldon, Dodge, Grady, Zimmer, Ouimet, 5

The Chair declared the motion carried.

The question on the floor is approval of the resolution as amended. On a voice vote, the Chair declared the motion carried.

Following is the resolution as amended and approved by Council:

R-300-5-91 APPROVED

RESOLUTION TO REACTIVATE THE PARKING ADVISORY COMMITTEE

Whereas, The entire City-wide parking issue, involving availability, enforcement, cost, and the City's responsibility is controversial and complex; and

Whereas, The City Council and the Transportation Department could benefit from knowledgeable community input;

RESOLVED, That the Parking Advisory Committee be recreated. The Committee will consist of ten members: two members representing the downtown mercantile community (to include one employee and one employer), one member representing the

interests of mass transportation, one member representing the crisis intervention community concerned with safety and security issues, three members representing near downtown neighborhoods, one community member, and two City Councilmembers (one representing each caucus). A representative of the Downtown Development Authority shall serve as a ex officio member. A representative of the Transportation Department will serve as secretary to the committee and provide staff support for the committee;

RESOLVED, That the Mayor with the approval of Council appoint the non-City Councilmembers to serve three year terms. Three members will initially be appointed for three years, two for two years and two for one year creating staggered terms to provide continuity in the membership; and

RESOLVED, That this committee make recommendations to City Council and the Transportation Department on the operation of the parking system, parking rates, security measures, construction of facilities, enforcement and appeal procedures, on-street parking controls relating to parking meters, loading zones, general parking system maintenance, and other matters relating to both on and off street parking. The Committee shall make regular reports to City Council.

R-301-5-91 APPROVED AS REVISED

RESOLUTION TO AUTHORIZE THE ASHLEY/WILLIAM SURFACE PARKING LOT PROJECT AND ESTABLISH A PROJECT BUDGET (\$500,000.00)

Whereas, It is necessary to expand and reconstruct the City surface parking at the northeast corner of Ashley and William Streets;

RESOLVED, That the following project budget be adopted and funds appropriated for the life of the project, to be available until expended without regard to fiscal year:

SECTION I - REVENUE

\$500,000	General Fund Undesignated Fund Balance, to be reimbursed from funds lawfully available therefor including a bond issue or tax increment revenues
\$500,000	Total

SECTION II - EXPENSE

\$35,000	Planning & Design
50,000	Construction Engineering
15,000	Testing
50,000	Contingencies to be approved in writing by the City Administrator
<u>350,000</u>	Construction
\$500,000	TOTAL; and

RESOLVED, That the Acting City Administrator is authorized to execute a contract for planning and design phase consulting services in an amount not exceeding \$30,000, subject to the consulting firm's being approved by the Personnel/Human Rights Department and the contract being approved as to form by the City Attorney.

Councilmember Coleman moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

R-302-5-91 APPROVED

RESOLUTION AUTHORIZING ANALYSIS OF PREFERRED MATERIALS RECOVERY FACILITY SITE AND HIRING OF RESOURCE RECYCLING SYSTEMS TO ASSIST IN VENDOR SELECTION (UP TO \$38,145.00)

Whereas, The Environmental Bond approved by the voters in April of 1990 authorizes up to \$5.5 million to be spent on a materials recovery facility (MRF) for the City of Ann Arbor;

Whereas, City Council affirmed its commitment to this facility in March, 1991, including the public ownership and private operation of the facility;

Whereas, The decision of the DNR on expanding Phase III of the Ann Arbor Landfill may create the need for waste transfer capability within the City of Ann Arbor;

Whereas, City staff have identified a preferred site for the MRF/Transfer Facility on City property within the boundaries of the proposed Phase III;

Whereas, Analysis of this location does not obligate the City to select this site or necessarily reject the eventual siting of Phase III of the Ann Arbor Landfill;

Whereas, Resource Recycling Systems has been involved in all phases of the City's waste management efforts, including development of the City's Solid Waste Management Strategy, writing of the Washtenaw County Solid Waste Plan, expansion of the Recycle

Ann Arbor processing facility, and preliminary design of the City's compost facility;

Whereas, Resource Recycling Systems has been involved in materials recovery facility development throughout the State of Michigan;

Whereas, Resource Recycling System's hourly rate is consistent with the rates typically charged by other environmental consulting firms;

Whereas, The City has up to \$100,000 budgeted in the Environmental Bond for MRF Request for Proposal Development Services; and

Whereas, The Personnel/Human Rights Department has on May 20, 1991 approved said consultants for this project;

RESOLVED, That City staff and Resource Recycling Systems should proceed with an analysis of the proposed site to assure potential facility operators that they could receive permit approvals from the Michigan DNR and the Washtenaw County Siting Committee;

RESOLVED, That City staff should proceed with the drafting of a Request for Proposals and preliminary site plan for a MRF/Transfer Facility with assistance from Resource Recycling Systems;

RESOLVED, That recommendations concerning the siting of the MRF and potential transfer facility be brought back to City Council for action no later than September, 1991;

RESOLVED, That up to \$38,145 from the Environmental Bond be allocated to Resource Recycling Systems to assist the City in a site evaluation, the development of a preliminary site plan, a review of the City's RFP, and analysis of vendor qualifications, and assistance with contractual negotiations for the City's MRF/Transfer Facility;

RESOLVED, That funds to Resource Recycling Systems for this project not expended in fiscal year 1990/91 be carried over to the succeeding fiscal year; and

RESOLVED, That the Mayor and City Clerk are authorized to sign a contract with Resource Recycling Systems under the conditions stipulated above.

Councilmember Coleman moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried.

RESOLUTION TABLED

RESOLUTION TO APPROVE THE 1991-1992 STATEMENT OF OBJECTIVES AND PROJECTED USE OF FUNDS FOR SUBMISSION TO THE DEPARTMENT OF

HOUSING AND URBAN DEVELOPMENT
(\$1,163,000.00)

Whereas, The Community Development Department has prepared the Statement of Community Development Objectives and projected use of Funds for the Period July 1, 1991 through June 30, 1992;

Whereas, Public hearings have been held to solicit the views of Ann Arbor residents and agencies involved and interested in the programs; and

Whereas, The CDBG Executive Committee has reviewed the proposed statement at its meeting on May 20, 1991 and recommended its approval to City Council;

RESOLVED, That the City Council hereby approves the 1991-92 Statement of Community Development Objectives and Projected Use of Funds and authorizes its submission to the U.S. Department of Housing and Urban Development (HUD);

RESOLVED, That, upon approval by the Department of Housing and Urban Development, the City Council accept the \$1,163,000 allocation and authorize the Mayor and City Clerk to enter into the required agreements for the CDBG fiscal year 1991-92 entitlement; and

RESOLVED, That the Community Development Department negotiate contractual agreements with subgrantees including specific services to be provided and specific funding amounts, detailed for subsequent council review and approval.

Councilmember Hunter moved that the resolution be approved.

Councilmember Coleman moved that the resolution be tabled to the end of the agenda.

On a voice vote, the Chair declared the motion carried and the resolution tabled.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

June 3, 1991:

Resolution Regarding Parking Lot at Fourth and Williams Street (Councilmember Hunter)

COMMUNICATIONS FROM THE MAYOR

Mayor Brater placed the following names in nomination to be approved at the next session of Council:

AIRPORT ADVISORY COMMITTEE

William J. Pollard
2139 Ascot Road
Term: 06-03-91 to 06-02-94

Robert C. Gunn
1308 E. Stadium Blvd.
Term: 06-03-91 to 06-02-94

Clan Crawford, Jr.
2024 Geddes
Term: 06-03-91 to 06-02-94

Barbara Perkins
1316 King George Blvd.
Term: 06-03-91 to 06-02-94

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Acting City Administrator Don Mason presented the following information memorandums:

1. Final Cost Jackson Road Sanitary Sewer, District No. 456, File No. 88051
2. Risk Management Relationship to Human Resources in Other Public Entities
3. 1417 Granger
4. Construction Bids for Ashley/William Parking Structure
5. Ann Arbor Summer Festival
6. Huron Parkway Bridge Streetlight Inspections
7. Day Shelter

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

Sheldon: Presentation by S.E.M.C.O.G - Regional Development workshops on Future Trends suggested.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were received:

1. Michigan Liquor Control Commission rescinding its denial of the Perry Drug Stores, Inc. license at the NW corner of Huron Parkway and Washtenaw - File
2. Andreas Pocsatko appealing Transportation Decision not to establish a multi-way stop at the corner of Independence with Kimberly (Not Gladstone) - File (Copy of Ms. Gibson's letter was not included)
3. Congressman William D. Ford regarding Community Development Block Grant Program Funding - File
4. Dorothy Griffin - Proposed User Fee - File
5. Kay Williams - Proposed User Fee - File

The following minutes were received and are filed with the City Clerk:

1. Ann Arbor Employees' Retirement System Board of Trustees - April 10, 1991
2. Community Development Waiver and Review Board - April 29, 1991
3. 1991 Board of Review minutes (Filed in the City Clerk's Office)
4. Community Development Block Grant Executive Committee - April 15, 1991

Councilmember Coleman moved that the Clerk's Report be approved.

On a voice vote, the Chair declared the motion carried.

MEETING RECESSED

Councilmember Coleman moved that the meeting be recessed to May 29, 1991 at 7:30 p.m.

On a voice vote, the Chair declared the motion carried and the meeting recessed at 11:29 p.m.

W. Northcross
Clerk of the Council

Linda J. Wise
Recording Secretary