

**EXECUTIVE SESSION - JUNE 17, 1991 - 7:00 P.M. TO 7:30 P.M.**

Memo from City Attorney

Reference: Department of Natural Resources

ADJOURNMENT: 7:40 P.M.

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**REGULAR SESSION - JUNE 17, 1991**

The regular session of the Ann Arbor City Council was called to order at 7:40 p.m. by Mayor pro tem Larry Hunter.

Council stood for a moment of silence.

Mayor pro tem Hunter led the Pledge of Allegiance.

**ROLL CALL OF COUNCIL**

Present: Councilmembers Ann Marie Coleman, Ingrid Sheldon, Kirk Dodge, Robert Grady, Nelson Meade, Kurt Zimmer, Mark Ouimet, Thais Anne Peterson, Robert Eckstein, Mayor pro tem Larry Hunter, 10

Absent: Mayor Elizabeth S. Brater, 1 (National Conference of Mayors)

**INTRODUCTIONS**

**SEAN MCCARTHY - FOURTH OF JULY PARADE**

Sean McCarthy presented a brief up-date on preparations for the Fourth of July Parade. He asked for Council approval of the resolution on the agenda this date to allow the Street closings and appropriate funds.

**EUNICE BURNS - HURON RIVER DAY PRESENTATION**

Eunice Burns, co-chair of the Huron River Day Committee and the Huron River Community Coalition, presented information on the upcoming Annual Huron River Day to be held on July 14, 1991. She listed all of the events to be held that day and invited all to attend.

**AUDIENCE PARTICIPATION - RESERVED TIME**

**ADAM BANNER - MUNICIPAL WASTE AND THE DNR**

Adam Banner, 600 W. Huron, gave a history of the City's and Department of Natural Resources actions over the last 4 years. He said that the clean-up rules enforced by the DNR were not lawfully adopted at the time that they were being enforced. He expressed the opinion that the DNR "strung" the City along while the Phase II was in the planning stage and questioned DNR authority to oppose the extension under the circumstances. He suggested legal action against the agency.

**ROBERT MCNUTT - MAY 10 BID ON RUBBER TIRE ASPHALT PAVER**

Robert McNutt, vice president and part-owner of the Wolverine Tractor Equipment Company, asked that the decision to lease the rubber tire asphalt paver on the agenda this date be delayed long enough for a re-examination of the bids. He said that his company's bid would result in a substantial savings and economic benefit to the City over that of the chosen bidder.

**ANN SAVAGEAU - FRATERNITIES IN BURNS PARK AREA**

Ann Savageau, 900 Lincoln, said that the neighborhood has experienced a growing number of loud parties and underage drinking at fraternity houses located there. She said that police enforcement is not always the answer. She expressed support for the resolution on the agenda this date to create a task force to deal with the problem.

**ALLEN LUTZ - FRATERNITIES AND NOISE ORDINANCE**

Allen Lutz, 315 W. Huron Street, representing the Alumni Inter-Fraternity Council, spoke in support of the resolution on the agenda this date to appoint a task force to deal with the problem of loud fraternity parties in the neighborhoods and other related concerns.

**PUBLIC HEARINGS****NEWPORT HILLS CONDOMINIUMS PHASE I SITE PLAN**

A public hearing was conducted on the proposed Newport Hills Condominiums (Phase I) Site Plan, 53.19 acres, west side of Newport Road between Holyoke and Lowell.

The following person appeared:

Barry Michael Levine, on behalf of the petitioner, asked for approval of the plan. He said that all of the requirements of the planning process have been met and that he and Al

Suggit would be available to answer questions.

There being no further speakers, the Chair declared the hearing closed.

ORCHARD PLACE CONDOMINIUMS REVISED SITE PLAN

A public hearing was conducted on the proposed Orchard Place Condominiums Revised Site Plan, 12.4 acres, east side of Pontiac Trail, between Starwick and Arrowwood.

There being no one to speak at this public hearing, the Chair declared the hearing closed.

**APPROVAL OF AGENDA**

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

CONSENT AGENDA

Add: Resolution to approve Ashley's Restaurant Ltd. Request to Add Partner at 338 S. State Street

MOTIONS AND RESOLUTIONS

Add: Resolution Authorizing Condemnation of Certain Land for the Construction of Huron Parkway from Nixon to Tuebingen

Revised: Resolution Authorizing Purchase of Property from Arthur and Elizabeth Katz (\$313,600.00)

Add Sponsor: Resolution to Approve Street Closings for the Fourth of July Parade (**COUNCILMEMBER ECKSTEIN**)

Add: Resolution Regarding the First and William Parking Lot (Councilmember Hunter)

Add: Resolution Regarding the First and Huron Lot (Councilmember Hunter)

Add: Resolution to Approve Bid for Oil and Grease - Bid No. 2143 (\$21,811.65)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: Monthly Environmental Bond Report

Add: Resignation Letter Dated June 17, 1991

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

**APPROVAL OF COUNCIL MINUTES**

Councilmember Sheldon moved that the regular session of May 20, 1991 and its continuations of May 29 and 30, 1991 be approved.

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

**CONSENT AGENDA**

The following Consent Agenda was considered:

R-331-6-91 APPROVED

**RESOLUTION TO APPROVE DAY ANNEXATION**

A communication was received from the City Planning Commission transmitting its recommendation of approval (9 years and 0 nays) of the Day annexation, 0.19 acres, 350 Rose Drive.

Whereas, The territory hereinafter described is located in the Township of Scio and is adjacent to the corporate limits of the City of Ann Arbor;

Whereas, Dorothy D. Day is the owner of the property; and

Whereas, It is the desire of Dorothy D. Day to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1989, as amended;

RESOLVED, That the following described lands and premises situated and being in the Township of Scio and annexed to the City of Ann Arbor, to-wit:

Lot 179, the Evergreens Subdivision, Washtenaw County, Michigan, including adjacent Rose Drive right-of-way.

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R-332-6-91 APPROVED

**RESOLUTION TO APPROVE HUIZENGA ANNEXATION**

A communication was received from the City Planning Commission transmitting its recommendation of approval - (9 yeas and 0 nays) of the Huizenga Annexation, 0.17 acre, northwest corner of Robert and Victoria Streets.

Whereas, The territory hereinafter described is located in the Township of Pittsfield and is adjacent to the corporate limits of the City of Ann Arbor;

Whereas, Dora M. Rautiola is the owner of the property; and

Whereas, it is the desire of Dora M. Rautiola to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

RESOLVED, That the following described lands and premises situated and being in the township of Pittsfield, Washtenaw County, Michigan, be detached from said Township of Pittsfield and annexed to the City of Ann Arbor, to-wit:

Lot 18, Packard Hills Subdivision, including adjacent Victoria Avenue and Robert Street rights-of-way.

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R-333-6-91 APPROVED

RESOLUTION TO APPROVE KAPP ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval (9 yeas and 0 nays) of the Kapp Annexation, 0.39 acre, 330 Rose Drive.

Whereas, The territory hereinafter described is located in the Township of Scio and is adjacent to the corporate limits of the City of Ann Arbor;

Whereas, Hazen and Marian Kapp are the owners of the property; and

Whereas, It is the desire of Hazen and Marian Kapp to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

RESOLVED, That the following described lands and premises situated and being in the Township of Scio, Washtenaw County, Michigan, be detached from said Township of Scio and annexed to the City of Ann Arbor, to-wit:

Lots 181 and 183, the Evergreens Subdivision, Washtenaw County, Michigan, including adjacent Rose Drive right-of-way.

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R-334-6-91 APPROVED

RESOLUTION TO APPROVE SPRIK ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval (9 yeas and 0 nays) of the Sprik Annexation, 0.20 acre, 3245 Kingwood.

Whereas, The territory hereinafter described is located in the Township of Scio and is adjacent to the corporate limits of the City of Ann Arbor;

Whereas, Timothy and Jill Sprik are the owners of the property;

Whereas, It is the desire of Timothy and Jill Sprik to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

RESOLVED, That the following described lands and premises situated and being in the Township of Scio, Washtenaw County, Michigan, be detached from said Township of Scio and annexed to the City of Ann Arbor to-wit:

Lot 177, the Evergreens Subdivision, Washtenaw County, Michigan, including adjacent Rose Drive and Kingwood rights-of-way.

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R-335-6-91 APPROVED

RESOLUTION NO. 1 - PREPARE PLANS AND SPECIFICATIONS FOR EVERGREEN/SCIOTO HILLS STORMWATER SEWER PROJECT (\$58,487.74)

Whereas, Council deems it necessary to acquire and construct the following improvement: Storm Sewer, District No. 73; File No. 90038; described as:

Evergreen/Scioto Hills Storm Sewer Project, to alleviate drainage problems between Dexter Road, Valley Drive, Rose Drive and North Maple Road;

RESOLVED, That:

1. The City Administrator is directed to have prepared plans and specifications for said improvement project, and an estimate of the cost thereof;
2. The City Administrator is directed to file a report of same with the City Clerk, including a recommendation as to what proportion of the cost should be paid by special assessment and what part, if any, should be a general obligation of the City, the number of installments in which the assessments may be paid, and the land which should be included in the special assessment district;
3. The City Clerk shall present said report to the Council and make it available for public examination;
4. The sum of \$58,487.74 is appropriated for the planning and design of said project, such sum having been received from the Washtenaw County Drain Commissioner as agreed to in the Contract between the City of Ann Arbor and Sisters Lake Drain Drainage District approved by City Council on February 21, 1991 and executed on April 22, 1991; and

- 5. Any unspent portion of said sum is re-appropriated and re-advanced as above for said project for succeeding fiscal year until the funds have been expended or until said project is officially closed.

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R-336-6-91 APPROVED

RESOLUTION TO AWARD CONTRACT FOR  
 ARGO DAM DIKE REPAIR BID NO. 2120  
 (\$44,821.50)

Whereas, It has been found necessary to repair the dike at Argo Dam;

Whereas, Spartan Specialties Ltd. has submitted to the City on May 10, 1991 a bid for said work in the total amount of \$39,821.50;

Whereas, The contractual proposal specifies the services to be performed by the said company, and the payments to be made by the City, and all are agreeable to the City;

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

Whereas, On May 17, 1991 the Personnel/Human Rights Department approved Spartan Specialties Ltd. for said contract;

RESOLVED, That the Council accept the proposal and award a contract to Spartan Specialties Ltd. in the amount of \$39,821.50 for the repair work at Argo Dam;

RESOLVED, That the Council approve the appropriation of a contingency in the amount of \$5,000.00 to finance change orders to be approved by the City Administrator;

RESOLVED, That \$44,821.50 is budgeted for said contract from Utilities Department FY 91-92 Operating Budget (account #042-073-4910-5190); and

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

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R-337-6-91 APPROVED

RESOLUTION TO AWARD CONTRACT FOR  
 WATER SUPPLY SOFTENING SYSTEM  
 FOR THE WASTEWATER TREATMENT PLANT  
 BID NO. 2094 (\$25,000.00)

Whereas, At the Ann Arbor Wastewater Treatment Plant, the existing potable well water supply softeners need to be replaced with a new automated softening system with disinfection;

Whereas, The Utilities Department Wastewater Division, through the Purchasing Department, advertised for bids to perform this work as specified in Bid No. 2094;

Whereas, Four (4) bids were received and reviewed, and Village and Country Water Treatment Co., Inc. is recommended as the lowest responsible bidder at a bid of \$21,424.98; and

Whereas, On June 10, 1991 the Personnel/Human Rights Department approved Village and Country Water Treatment Co., Inc. to perform this work;

RESOLVED, That Council accept the bid and award the contract to Village and Country Water Treatment Co., Inc. for \$21,424.98 to perform the work as specified in Bid No. 2094;

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

|               |                 |      |
|---------------|-----------------|------|
| Contract Work | \$21,424.98     |      |
| Contingency   | <u>3,575.02</u> |      |
|               | \$25,000.00     | ;and |

RESOLVED, That the Mayor and Clerk are authorized and directed to sign said contract approved as to form by the City Attorney, and approved as to substance by the Administrator, Utilities Director, and Personnel/Human Rights Director.

Source of Funds: Wastewater Treatment Plant Operations and Maintenance Fiscal Year 90-91 Budget.

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R-338-6-91 APPROVED

RESOLUTION AUTHORIZING IMPROVEMENT CHARGES FOR LOTS 95, 97, 103 AND 104 WESTOVER HILLS SUBDIVISION (WAGNER AND JACKSON ROADS) (\$8,406.24 TO BE LEVIED)

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

City Assessor Code: 08-25-218-004

Lot 95

Sanitary Sewer: 8" sanitary sewer in Wagner Rd., \$2,802.08/connection; one connection = \$2,802.08

City Assessor Code: 08-25-218-005

Lot 97

Sanitary Sewer: 8" sanitary sewer in Wagner Rd., \$2,802.08/connection, one connection = \$2,802.08

City Assessor Code: 08-25-218-006

Lot 103

Sanitary Sewer: 8" sanitary sewer in Wagner Rd., \$2,802.08/connection, one connection = \$2,802.08

City Assessor Code: 08-25-218-007

Lot 104

Sanitary Sewer: Not available

Total Sanitary Sewer Charges = \$8,406.24

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: Wagner Road and Westover Ave.

City Assessor Code: 08-28-218-004, 005, 006, & 007

Annexation Number: A90-19

Planning File No.: 8252W2.1 & .2

Lots 95, 97, 103, 104 of Westover Hills Subdivision and including that portion of adjacent Westover Avenue and Wagner Roads rights-of-way. Now situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of 8,406.24 and be hereby designated as Utilities Improvement Charge No. 558;
3. That said improvement charge be divided into 15 equal installments, the first to be due on August 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 August 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 William S. Ager, 4555 Bridgeway, Dexter, MI. 48130 and be credited in the amount of \$8,406.24 to Fund 043-073-7151.

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R-339-6-91 APPROVED

RESOLUTION AUTHORIZING SANITARY SEWER  
IMPROVEMENT CHARGES FOR LOTS 111, 112,  
113, AND 114 WESTOVER HILLS SUBDIVISION  
(WAGNER AND JACKSON ROADS)  
(\$5,604.16 TO BE LEVIED)

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

City Assessor Code: 08-25-218-012

Lot 111

8" sanitary sewer in Wagner Rd., \$2,802.08/connection; one connection = \$2,802.08

City Assessor Code: 08-25-218-013

Lot 112

Sanitary Sewer: Not available

City Assessor Code: 08-25-218-014

Lot 113

8" sanitary sewer in Wagner Rd., \$2,802.08/connection, one connection = \$2,802.08

City Assessor Code: 08-25-218-015

Lot 144

Sanitary sewer: Not available

Total Sanitary Sewer Charges: \$5,604.16

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: Wagner Road and Westover Ave.

City Assessor Code: 08-28-218-012, 013, 014, & 015

Annexation Number.: A90-19

Planning File No.: 8252T3.1 & .2

Lots 111, 112, 113, 114 of Westover Hills Subdivision and including that portion of adjacent Westover Avenue and Wagner Roads rights-of-way. Now situated in the City of Ann Arbor.

- 2. That the improvement charge so levied be in the amount of \$5,604.16 and be hereby designated as Utility Improvement Charge No. 559

- 3. That said improvement charge be divided into 15 equal installments, the first to be due on August 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 August 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 Scott L. Ehnis and Garda Ehnis, 3081 Dexter Road, Ann Arbor, MI. 48103 and be credited in the amount of \$5,604.16 to Fund 043-073-7151.

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R-340-6-91 APPROVED

RESOLUTION AUTHORIZING SANITARY SEWER  
IMPROVEMENTS CHARGES FOR LOTS 99, 101  
WESTOVER HILLS SUBDIVISION  
(WAGNER AND JACKSON ROADS)

(\$2,802.08 TO BE LEVIED)

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

City Assessor Code: 08-25-218-008

Lot 99

8" sanitary sewer in Wagner Rd., \$2,802.08/connection; one connection = \$2,802.08.

City Assessor Code: 08-25-218-009

Lot 100

Sanitary Sewer: Not Available

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: Wagner Road and Westover Ave.

City Assessor Code: 08-28-218-008, 009

Annexation Number: A90-19

Planning File No.: 8252V3.1 & .2

Lots 99 & 100 of Westover Hills Subdivision and including that portion of adjacent Westover Avenue and Wagner Roads rights-of-way. Now situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of \$2,802.08 and be hereby designated as Utilities Improvement Charge No. 561;

3. That said improvement charge be divided into 15 equal installments, the first to be due on August 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 August 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 Roger D. West and Ruth West, 1387 Marlborough, Ann Arbor, MI. 48104 and be credited in the amount of \$2,802.08 to Fund 043-073-7151.

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R-341-6-91 APPROVED

RESOLUTION AUTHORIZING SANITARY SEWER IMPROVEMENT CHARGE FOR LOT 101 WESTOVER HILLS SUBDIVISION (WAGNER AND JACKSON ROADS) (\$2,802.08 TO BE LEVIED)

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

City Assessor Code: 08-25-218-010

Lot 101

Sanitary Sewer: 8" sanitary sewer in Wagner Rd., \$2,802.08/connection; one connection = \$2,802.08.

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: Wagner Road and Westover Ave.

City Assessor Code: 08-28-218-010

Annexation Number: A90-19

Planning File No.: 8252U2.1 & .2

Lot 101 of Westover Hills Subdivision and including that portion of adjacent Westover Avenue and Wagner Roads rights-of-way. Now situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of \$2,802.08 and be hereby designated as Utility Improvement Charge No. 560;

3. That said improvement charge be divided into equal installments, the first to be due on and the 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

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 Jean Gagalis, 1940 Coronada, Ann Arbor, MI 48103 and be credited in the amount of \$2,802.08 to Fund 043-073-7151.

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R-342-6-91 APPROVED

RESOLUTION TO APPROVE BOARD OF INSURANCE  
ADMINISTRATION MINUTES AND AUTHORIZE  
PAYMENTS

RESOLVED, That the Board of Insurance Administration Minutes of June 6, 1991 be accepted and that the payments therein be authorized.

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R-343-6-91 APPROVED

RESOLUTION TO GRANT WATER AND SEWER  
SERVICE OUTSIDE CITY LIMITS TO  
1605 NORTH MAPLE ROAD

Whereas, Casper Grammatico, owner of the property at 1605 North Maple Road, has requested the City on June 6, 1991 to extend public water and sewer services for his use to the property in Scio Township prior to the completion of the annexation process;

Whereas, Mr. Grammatico desires to enter into the standard agreements with the City which provide an equitable method of obtaining City services outside of its corporate boundaries; and

Whereas, On April 30, 1991 Mr. Grammatico petitioned the City for annexation under Planning Department file number 8241K22.1 & .2;

RESOLVED, That the Mayor and Clerk be hereby authorized and directed to sign the agreements 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 agreements 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 agreements recorded in the office of the Register of Deeds of Washtenaw County, Michigan.

Attachment "A"

The South part of Lot 33, Garden Homes Sub., unrecorded, described as: Commencing at the N.E. corner of Section 24; thence N 86°E 56' 20" W. 33 feet; thence S 02°E 47' 10" W. 1372.11 feet for a Point of Beginning; thence S 02°E 47' 10" W. 111.95 feet; thence N 86°E 56' 20" W 184.54 feet; thence N 01°E 33' 20" E. 112.0 feet; thence S 87°E 00' 00" E. 187.07 feet to the Point of Beginning.

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R-344-6-91 APPROVED

RESOLUTION ACCEPTING EASEMENTS FOR  
PUBLIC UTILITIES FROM ANN ARBOR  
PUBLIC SCHOOLS (LAKEWOOD SCHOOL)

Whereas, The Public Schools of the City of Ann Arbor, a Michigan municipal corporation, is the owner of property described below; and

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

AN EASEMENT FOR PUBLIC UTILITIES  
IN SECTION 25 SCIO TOWNSHIP FOR LIBERTY GLEN SUBDIVISION

A 40.00 foot wide easement for public utilities over a portion of Section 25, T2S, R5E, Scio Township, Washtenaw County, Michigan, the sidelines of said easement being 20.00 feet each side of the centerline described as follows: Commencing at the Center of said Section 25; thence S 88°E 41' 00" E 128.65 feet along the E-W 1/4 line of said Section 25; thence S 01°E 11' 40" W 338.49 feet for a PLACE OF BEGINNING; thence N 88°E 48' 20" W 17.00 feet; thence S 79°E 56' 40" W 110.00 feet; thence N 88°E 48' 20" W 100.00 feet; thence N 43°E 48' 20" W 45.00 feet thence N 88°E 48' 20" W 28.00 feet for a Place of Ending, being a part of the S 1/2 of said Section 25, containing 0.26 acres of land more or less, being subject to easements of record, if any,

AN EASEMENT FOR PUBLIC UTILITIES  
IN SECTION 25, T2S, R5E SCIO TOWNSHIP

A 40.00 foot side easement for public utilities over a portion of Section 25, T2S, R5E, Scio Township, Washtenaw County, Michigan, the sidelines of said easement being 20.00 feet each side of the centerline described as follows: Commencing at the Center of said Section 25; thence S 88°E 40' 59" E 108.65 feet along the E-W 1/4 line of said Section 25; for a PLACE OF BEGINNING; thence S 01°E 11' 40" W 358.49 feet for a Place of Ending, being a part of the SE 1/4 of said Section 25, containing 0.33 acres of land more or less, being subject to easements of record if any.

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

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## R-345-6-91 APPROVED

RESOLUTION ACCEPTING EASEMENTS FOR  
PUBLIC UTILITIES FROM MASTER KEY  
NORTHERN, INC. (OLDE HICKORY COURT)

Whereas, Master Key Northern, Inc., a Michigan Corporation, is the owner of property described below; and

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

Commencing at the West 1/4 corner of Section 2, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 88<sup>E</sup> 50' 00" E 1211.71 feet along the E-W 1/4 line of said Section 2 and the north line of Darlington Subdivision, a subdivision recorded in Liber 5 of Plats, page 5, Washtenaw County records, to the northeast corner of Lot 221 of said Subdivision; thence S 00<sup>E</sup> 00' 27" W 159.67 feet along the east line of said Lot 221 for a PLACE OF BEGINNING; thence N 88<sup>E</sup> 43' 31" E 201.79 feet along the north line, and its westerly prolongation, of Lot 225 of Darlington Number 1, a subdivision recorded in Liber 6 of Plats, page 39, Washtenaw County records; thence S 03<sup>E</sup> 58' 21" W 57.72 feet along the east line of said Lot 225 and the west line of Parkwood Avenue as shown on said Plat; thence S89<sup>E</sup> 51' 22" W 148.15 feet; thence S 64<sup>E</sup> 51' 26" W 63.29 feet; thence N 79<sup>E</sup> 40' 43" W 35.13 feet; thence N 04<sup>E</sup> 05' 25" W 40.00 feet; thence N 20<sup>E</sup> 01' 23" E 27.36 feet; thence N 76<sup>E</sup> 41' 41" E 36.73 feet to the Place of Beginning, being a part of Lot 221 of said Darlington Subdivision, and a part of Lots 222 and 225 of said Darlington Number 1 Subdivision, containing 0.34 acres of land more or less, and being subject to easements and restrictions of record, if any.

Also:

Commencing at the West 1/4 corner of Section 2, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, thence N 88<sup>E</sup> 50' 00" E 1110.69 feet along the E-W 1/4 line of said Section 2 and the north line of Darlington Subdivision, a subdivision recorded in Liber 5 of Plats, page 5, Washtenaw County records, for a PLACE OF BEGINNING; thence continuing N 88<sup>E</sup> 50' 00" 30.69 feet along said E-W 1/4 line and said north line; thence S 13<sup>E</sup> 20' 59" E 170.17 feet; thence S 76<sup>E</sup> 41' 41" W 4.88 feet; thence S 20<sup>E</sup> 01' 23" W 27.36 feet; thence S 04<sup>E</sup> 04' 25" E 17.54 feet; thence S 89<sup>E</sup> 59' 19" W 25.06 feet; thence N 00<sup>E</sup> 00' 41" W 12.50 feet; thence S 89<sup>E</sup> 59' 19" W 32.57 feet; thence S 00<sup>E</sup> 00' 41" E 12.50 feet; thence S 89<sup>E</sup> 59' 19" W 38.59 feet;

thence N 00E 00' 41" W 40.00 feet; thence N 89E 59' 19" E 47.95 feet; thence S 00E 00' 41" E 12.50 feet; thence N 89E 59' 19" E 23.30 feet; thence N 00E 00' 41" W 12.50 feet; thence N 89E 59' 19" E 8.04 feet; thence N 13E 20' 59" W 173.98 feet to the Place of Beginning, being a part of Lots 220 and 221 of said Darlington Subdivision, containing 8,410 square feet of land, more or less, and being subject to easements and restrictions of record, if any;

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

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R-346-6-91 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR PUBLIC UTILITIES FROM SIGNATURE VILLAS ASSOCIATES

Whereas, Signature Villas Associates, a Michigan co-partnership, is the owner of property described below; and

Whereas, The owner has delivered an easement for public utilities over property located in the City of Ann Arbor, Washtenaw County, Michigan and more fully described as follows:

DESCRIPTION OF A 40 FOOT WIDE EASEMENT TO BE DEDICATED TO THE CITY OF ANN ARBOR FOR THE CONSTRUCTION AND MAINTENANCE OF WATER MAIN FOR SIGNATURE VILLA APARTMENTS IN THE NW 1/4 OF SECTION 8, T3S, R6E, CITY OF ANN ARBOR FOR SIGNATURE VILLAS, INC.

Commencing at the North 1/4 corner of Section 8, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 86E 38' 10"W 679.67 feet along the North line of said Section 8; thence S 0E 50' 20" E 642.16 feet; thence S 0E 56' 50" 929.69 feet; thence S 86E 38' 10" W 378.10 feet for a PLACE OF BEGINNING; thence continuing S 86E 38' 10" W 50.36 feet; thence N 40E 46' 41" W 220.31 feet; thence N 63E 01' 30" W 28.56 feet; thence N 26E 58' 30" E 40.00 feet; thence S 63E 01' 30" E 25.25 feet; thence N 26E 58' 30" E 97.38 feet; thence N 60E 25' 37" W 18.65 feet; thence 117.92 feet along the arc of a circular curve to the right, radius 226.00 feet, chord N 45E 28' 45" W 116.59 feet; thence N 30E 31' 53" W 88.90 feet; thence N 63E 01' 30" W 57.56 feet; thence S 26E 58' 30" W 84.00 feet; thence N 63E 01' 30" W 40.00 feet; thence N 26E 58' 30" E 84.00 feet; thence N 63E 01' 30" W 187.47 feet; thence N 14E 41' 00" E 189.73 feet; thence 40.58 feet along the arc of a non-tangential circular curve to the left, radius 520.00 feet, chord S 84E 56' 33"

E 40.57 feet; thence non-tangentially S 14<sup>E</sup> 41' 00" W 164.29 feet; thence S 63<sup>E</sup> 01' 30" E 264.46 feet; thence S 30<sup>E</sup> 31' 53" E 100.55 feet; thence 97.05 feet along the arc of a circular curve to the left, radius 186.00 feet, chord S 45<sup>E</sup> 28' 45" E 95.95 feet; thence S 60<sup>E</sup> 25' 37" E 16.83 feet; thence N 26<sup>E</sup> 58' 30" E 251.48 feet; thence N 51<sup>E</sup> 46' 30" W 44.98 feet; thence N 26<sup>E</sup> 57' 13" W 168.89 feet; thence 36.62 feet along the arc of a non-tangential circular curve to the left, radius 597.00 feet, chord N 17<sup>E</sup> 41' 23" E 36.61 feet; thence 40.01 feet along the arc of a non-tangential circular curve to the right, radius 445.00 feet, chord S 73<sup>E</sup> 40' 17" E 40.00 feet; thence 21.42 feet along the arc of a non-tangential circular curve to the right, radius 637.00 feet, chord S 16<sup>E</sup> 55' 15" W 21.42 feet; thence non-tangentially S 26<sup>E</sup> 57' 13" E 143.27 feet; thence S 51<sup>E</sup> 46' 30" E 84.45 feet; thence S 63<sup>E</sup> 01' 30" E 113.20 feet; thence S 26<sup>E</sup> 58' 30" W 40.00 feet; thence N 63<sup>E</sup> 01' 30" W 117.14 feet; thence N 51<sup>E</sup> 46' 30" W 11.42 feet; thence S 26<sup>E</sup> 58' 30" W 244.45 feet; thence S 63<sup>E</sup> 01' 30" E 243.67 feet; thence S 26<sup>E</sup> 58' 30" W 47.70 feet; thence N 63<sup>E</sup> 01' 30" W 40.00 feet thence N 26<sup>E</sup> 58' 30" E 7.70 feet; thence N 63<sup>E</sup> 01' 30" W 203.67 feet; thence S 26<sup>E</sup> 58' 30" W 108.29 feet; thence S 40<sup>E</sup> 46' 41" E 227.63 feet to the Place of Beginning, being part of said Section 8, and subject to easements of record, if any.

DESCRIPTION OF A 40 FOOT WIDE EASEMENT  
TO BE DEDICATED TO THE CITY OF ANN ARBOR FOR  
THE CONSTRUCTION AND MAINTENANCE OF WATER MAIN  
FOR SIGNATURE VILLA APARTMENTS IN THE NW 1/4 of  
SECTION 7, T3S, R6E, CITY OF ANN ARBOR FOR LIFECARE

Commencing at the north 1/4 corner of Section 8, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 86<sup>E</sup> 38' 10" W 679.67 feet along the North line of said Section 8; thence S 0<sup>E</sup> 50' 20" E 642.16 feet; thence S 0<sup>E</sup> 56' 50" E 417.74 feet; thence along the following five courses along the South line of proposed Waymarket Way 16.60 feet along the arc of a non-tangential circular curve to the right, radius 454.00 feet, chord N 64<sup>E</sup> 04' 21" W 16.60 feet, N 63<sup>E</sup> 01' 30" W 405.43 feet, 232.81 feet along the arc of a circular curve to the left, radius 445.00 feet, chord N 78<sup>E</sup> 00' 45" 230.16 feet, S 87<sup>E</sup> 00' 00" W 159.82 feet and 309.96 feet along the arc of a circular curve to the right radius 520.00 feet, chord N 75<sup>E</sup> 55' 25" W 305.39 feet for a PLACE OF BEGINNING; thence S 33<sup>E</sup> 21' 23" W 115.19 feet; thence N 56<sup>E</sup> 38' 37" W 40.00 feet; thence N 33<sup>E</sup> 21' 23" E 115.19 feet;

thence 40.01 feet along the arc of a non-tangential circular curve to the left, radius 520.00 feet, chord S 56E 38' 35" E 40.00 feet along the South line of said Waymarket Way to the Place of Beginning, being part of the NW 1/4 of said Section 8, and subject to easements of record, if any.

RESOLVED, That said easement is accepted by the City of Ann Arbor.

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R-347-6-91 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR  
PUBLIC UTILITIES FROM THE MEADOWS  
DEVELOPMENT COMPANY, ET AL

Whereas, The Meadows Development Company, et al, a Michigan Corporation, is the owner of property described below; and

Whereas, The owner has delivered an easement for public utilities over property located in the City of Ann Arbor, Washtenaw County, Michigan and more fully described as follows:

Commencing at the North 1/4 corner of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 89E 39' 00" W 1357.45 feet along the North line of said Section and the centerline of Scio-Church Road; thence S 01E 16' 30" W 33.01 feet to a point on the Southerly right-of-way line of Scio-Church Road; thence S 89E 39' 00" W 391.21 feet along said right-of-way line to a point on the East line of "LANSDOWNE" a subdivision as recorded in Liber 16 of plats, pages 43, 44 and 45, Washtenaw County Records; thence S 00E 31' 35" E 15.00 feet along said East line; thence N 89E 39' 00" E 30.00 feet; thence S 00E 31' 35" E 59.67 feet; thence S 63E 51' 15" E 70.59 feet to the Point of Beginning; thence N 26E 08' 45" E 12.50 feet; thence S 63E 51' 15" E 20.19 feet; thence S 88E 43' 30" E 94.11 feet; thence N 01E 16' 30" E 14.00 feet; thence S 88E 43' 30" E 40.00 feet; thence S 01E 16' 30"W 14.00 feet; thence S 88E 43' 30" E 15.56 feet; thence S 43E 43' 30" E 14.77 feet; thence S 01E 16' 30" W 300.49 feet; thence S63E 48' 35" W 81.86 feet; thence S 09E 22' 20" W 95.03 feet; thence N 78E 36' 15" W 30.02 feet; thence N 09E 22' 20" E 93.11 feet; thence N 68E 43' 30" W 67.45 feet; thence N 21E 16' 30" E 21.30 feet; thence N 80E 37' 40" W 32.19 feet; thence N 09E 22' 20" E 40.00 feet; thence S 80E 37' 40" E 146.25 feet; thence N 01E 16' 30" E 238.69 feet; thence N 88E 43' 30" W 128.93 feet; thence N63E 51' 15" W 29.01 feet; thence N 26E 08' 45" E 27.50 feet; to the Point of Beginning.

RESOLVED, That said easement is accepted by the City of Ann Arbor.

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R-348-6-91 APPROVED

RESOLUTION TO APPROVE THE ADDITION  
OF ANN ARBOR PROJECTS TO UATS  
(URBAN AREA TRANSPORTATION SYSTEM)  
TRANSPORTATION IMPROVEMENT PROGRAM (TIP)  
FOR FISCAL YEARS 1992-1994

Whereas, UATS, as part of federal funding requirements, must submit annually a three year Transportation Improvement Plan;

Whereas, City Council by prior action approved City projects for inclusion in the 1992-1994 TIP;

Whereas, Staff will resubmit projects to Council for approval for authorization to proceed should federal aid become available for any project listed on the TIP; and

Whereas, UATS requires that all projects included in the TIP be submitted with a Council Resolution;

RESOLVED, That the 1992-1994 Transportation Improvement Program for Ann Arbor, as filed with the City Clerk, is hereby approved.

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R-349-6-91 APPROVED

RESOLUTION TO APPROVE ASHLEY'S  
RESTAURANT LTD. REQUEST TO  
ADD PARTNER AT 338 S. STATE STREET

RESOLVED, That the request from Ashley's Restaurants, LTD. (a Michigan Corporation) to add Flora N. More as joint stockholder with existing stockholder, Keith More (\$5,075 shares), in conjunction with a 1990 Class C licensed business, located at 338 S. State, Ann Arbor, MI. 48104, Washtenaw County, be approved.

Councilmember Sheldon moved that the Consent Agenda be approved.

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

**ORDINANCES - SECOND READING**

None.

**ORDINANCES - FIRST READING**

33-91 APPROVED

CERTIFICATION OF REGISTRATION OF PROOF OF INSURANCE  
REGARDING AUTOMOBILES

AN ORDINANCE TO AMEND SECTION 10:80 OF CHAPTER 126 OF  
TITLE X OF THE CODE OF THE CITY OF ANN ARBOR

This amendment would eliminate reference to payment to the State in lieu of obtaining motor vehicle insurance because this practice is no longer permissible.

Councilmember Sheldon moved that the ordinance be approved at first reading.

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

34-91 APPROVED AS AMENDED

BOARDWALK COMMERCE CENTER/GRAINGER, INC. PROPERTY REZONING

AN ORDINANCE TO AMEND THE ZONING MAP BEING A  
PART OF CHAPTER 55 OF TITLE V OF THE  
CODE OF THE CITY OF ANN ARBOR.

This is the rezoning of 1.5 acres of land known as the Boardwalk Commerce Center/Grainger, Inc. property, located at the northeast corner of Eisenhower Parkway and Boardwalk Drive, from O (Office District) to M1 (Limited Industrial District). (Planning Commission recommendation: Denial - 4 yeas and 5 nays)

Councilmember Eckstein moved that the ordinance be approved at first reading.

Councilmember Peterson moved that the ordinance be amended so that the sentence immediately following the legal description reads as follows:

....in the City of Ann Arbor, Washtenaw County, Michigan, as M1 (Limited Industrial District) in order to construct ~~three~~ **ONE** building<s> for office, warehouse, storage and wholesale distribution use.

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

The question on the floor is approval of the ordinance as amended. On a voice vote, the Chair declared the motion carried and the ordinance approved at first reading.

35-91 APPROVED

NEWPORT HILLS CONDOMINIUMS REZONING

AN ORDINANCE TO AMEND THE ZONING MAP BEING A PART OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR.

This is the rezoning of 3.08 acre public park from R1A (Single-Family Dwelling District) to PL (Public Land District), Newport Hills Condominiums Property, west side of Newport Road between Holyoke and Lowell. (Planning Commission Recommendation: Approval - 9 yeas and 0 nays)

Councilmember Coleman moved that the ordinance be approved at first reading.

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

36-91 APPROVED

RETIREMENT ORDINANCE

AN ORDINANCE TO AMEND SECTIONS 1:562, 1:571, AND 1:572 OF CHAPTER 18 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR AND TO AMEND CHAPTER 18 OF TITLE I BY ADDING NEW SECTIONS 1:583, 1:584, 1:586, 1:587, 1:588 AND 1:589.

These amendments are necessary to make the pension plan a "qualified plan" under the Internal Revenue Code. The changes were approved by the IRS and it qualified the plan based on the City's commitment to adopt the changes.

Councilmember Dodge moved that the ordinance be approved at first reading.

Councilmember Coleman moved that the ordinance be tabled and that a working session with the Retirement Board be scheduled.

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

The question on the floor is approval of the ordinance at first reading.

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

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Council recessed at 8:45 p.m.

Council reconvened at 9:00 p.m.

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**MOTIONS AND RESOLUTIONS**

R-350-6-91 APPROVED

**RESOLUTION AUTHORIZING PURCHASE OF PROPERTY  
FROM IRONWOOD ASSOCIATES, LIMITED PARTNERSHIP  
FOR HURON PARKWAY EXTENSION (\$195,000.00)**

Whereas, Ironwood Associates Limited Partnership is the owner of property located in the City of Ann Arbor, Michigan more fully described as follows:

Commencing at the N 1/4 corner, Section 15, T2S, R6E, City of Ann Arbor, Washtenaw county, Michigan; thence S 01E 11' 07" E 2715.03 feet along the N-S 1/4 line of said Section 15 to the Center of said Section 15; thence S 01E 10' 27" E 751.04 feet along the N-S 1/4 line of said Section 15 for a Place of Beginning; thence continuing along said N-S 1/4 line 96.99 feet to a point bearing N 01E 10' 27" W 1840.43 feet from the S 1/4 of said section; thence N 51E 49' 27" W 874.23 feet; thence 673.07 feet along the arc of a 900.00 feet radius circular curve to the left, Delta 42E 50' 55", Chord bearing N 73E 14' 55" W 657.49 feet; thence N 00E 54' 42" W 76.11 feet along the west line of the east 1/2 of the southwest 1/4 of said Section 15; thence N 88E 09' 15" E 40.18 feet along the E-W 1/4 line of said section 15; thence nontangentially 684.01 feet along the arc of a 975.00 feet radius circular curve concave to the south, Delta 40E 11' 45", Chord bearing S 71E 55' 20" E 670.07 feet; thence S 51E 49' 27" E 812.73 feet to the PLACE OF BEGINNING. Being a part of the S.W. 1/4 of said Section 15 and containing 2.655 acres of land, more or less; and

Whereas, Said owners have agreed to sell the above described property to the City for \$195,000;

RESOLVED, That this Council authorizes the purchase of the above described property for \$195,000 upon the terms substantially the same as those contained in the agreement now on file with the City Clerk. The Mayor and City Clerk are authorized to execute the agreement approved as to form by the City Attorney and as to substance by the City Administrator; and

RESOLVED, That \$195,000 and such other sums as may be incidental to the purchase of the property are appropriated from the Spring 1991 Special Assessment Bond Issue.

Councilmember Eckstein moved that the resolution be approved.

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

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R-351-6-91 APPROVED

RESOLUTION AUTHORIZING CONDEMNATION OF CERTAIN LAND FOR THE CONSTRUCTION OF HURON PARKWAY FROM NIXON TO TUEBINGEN

Whereas, The Ann Arbor City Council has adopted various resolutions which approved the design and authorized the construction of Huron Parkway from Nixon Road to Tuebingen Parkway;

Whereas, The City has attempted to acquire the parcel described in Schedule A by negotiations which have been unsuccessful;

Whereas, The schedule adopted for the road improvement project requires that the parcel be acquired forthwith so the project can proceed on schedule; and

Whereas, The City has obtained appraisals by independent appraisers which estimate the value of the fee simple of the parcel to be \$195,000;

RESOLVED, That the Ann Arbor City Council declares it necessary to construct Huron Parkway from Nixon Road to Tuebingen Parkway and declares it necessary to take the property described in Schedule A for that public improvement, and further declares that the public improvement is for public purpose and is for use and benefit of the public;

RESOLVED, That this Council approves the acquisition of the parcel shown on Schedule A and authorizes the Mayor and City Clerk to execute sales agreements or any other documents necessary to acquire the property, for the amount shown as estimated just compensation on Schedule A, on forms approved as to form by the City Attorney and as to substance by the City Administrator;

RESOLVED, That the funds in the amount of \$195,000.00 for the purchase of the property and such other sums as may be incidental to the acquisition are appropriated from the 1991 Special Assessment Bond Issue; and

RESOLVED, That if the owners and any other persons with interests in the parcel do not accept the offer of the City to purchase the property, the City shall proceed to acquire the property described in Schedule A as follows:

1. The Office of the City Attorney shall commence all necessary proceedings on behalf of the City in Washtenaw County Circuit Court to take the private property for the public purpose of constructing Huron Parkway from Nixon Road to Tuebingen Parkway;

2. The proceedings shall be instituted under the provisions of Act 87, Public Acts of 1980, as amended, being Michigan Compiled Laws §§ 213.51 through 213.77 and Michigan Statutes Annotated §§ 8.265(1) through 8.265(27) or any other appropriate statute; and

3. The City Administrator of the City of Ann Arbor is hereby directed to execute the Declaration of Taking authorized under § 5 of said Act 87 on behalf of the City.

SCHEDULE A

PARCEL TO BE RELEASED FOR THE PROPOSED HURON PARKWAY RIGHT-OF-WAY

Commencing at the N 1/4 corner , Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, thence S 01E 11' 07" E 2715.03 feet along the N-S 1/4 line of said Section 15 to the center of said Section 15; thence S 01E 10' 27" E 751.04 feet along the N-S 1/4 line of said Section 15 for a place of beginning; thence continuing along said N-S 1/4 line 96.99 feet to a point bearing N 01E 10' 27" W 1,840.43 feet from the S 1/4 of said section; thence N 51E 49' 27" W 874.23 feet; thence 673.07 feet along the arc of a 900.00 feet radius, circular curve to the left, delta 42E 50' 55", Chord bearing N 73E 14' 55" W 657.49 feet, thence N 00E 54' 42" W 76.11 feet along the west line of the east 1/2 of the southwest 1/4 of said Section 15; thence N 88E 09' 15" E 40.18 feet along the E-W 1/4 line of said Section 15; thence nontangentially 684.01 feet along the arc of a 975.00 feet radius circular curve concave to the south, Delta 40E 11' 45", chord bearing S 71E 55' 20" E 670.07 feet; thence S 51E 49' 27" E 812.73 feet to the Place of Beginning, being a part of the S.W. 1/4 of said Section 15 and containing 2.655 acres of land, more or less.

Interest taken

Fee simple including fluid mineral and gas rights.

Known Parties in Interest

Ironwood Associates Limited Partnership,                      Owner  
a Michigan limited partnership

Government National Mortgage Association,

a National Mortgage Association

Mortgagee

Estimated Just Compensation

\$195,000.00

Councilmember Eckstein moved that the resolution be approved.

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

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R-352-6-91 APPROVED

RESOLUTION TO PROCLAIM HURON RIVER DAY  
JULY 14, 1991

Whereas, The Huron River is a major environmental asset of the Ann Arbor Community;

Whereas, All residents of the Ann Arbor community should know how our river works and of our responsibilities, individual and joint, in making it work better;

Whereas, Many groups have been planning educational exhibits and guided walks in which individuals can learn about the river's ecology and their stewardship role;

Whereas, This is a day, above all, for residents of the Ann Arbor community to come and enjoy being on the river and it's shores with games, races, exhibits, walks, music and ceremonies; and

Whereas, This is the 11th annual celebration of Huron River Day;

RESOLVED, That Sunday, July 14, 1991, be declared Huron River Day and all residents be invited to spend the day at Gallup Park in celebration of the river.

Councilmember Peterson moved that the resolution be approved.

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

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R-353-6-91 APPROVED

RESOLUTION SUPPORTING ADOPTION OF A  
COMPREHENSIVE SURFACE TRANSPORTATION ACT

Whereas, Current federal transportation legislation expires September 30, 1991;

Whereas, It is critical that without the passage of the proposed Surface Transportation Act of 1991 a wide range of transportation programs in Ann Arbor could be affected; and

Whereas, The Technical Subcommittee and the Policy Committee of the Ypsilanti-Ann Arbor Urban Area Transportation Study Committee have met, thoroughly discussed and debated the proposed legislation and its impact on area transportation projects;

RESOLVED, That the Mayor and Ann Arbor City Council support the UATS consensus position which generally supports the proposed legislation while identifying specific concerns; and

RESOLVED, That the position paper and the Council's resolution of support be forwarded to Senators Carl Levin and Donald Riegle, Jr., Representative Carl Pursell, and chairpersons of transportation related committees within the Senate and House of Representatives.

#### POSITION

The City of Ann Arbor supports and encourages the cooperative efforts of the U.S. Department of Transportation and Congress to develop and adopt a comprehensive Surface Transportation Act by September 30, 1991, when the current surface transportation legislation expires.

The City of Ann Arbor supports reauthorization language that:

- increases emphasis on traffic operational and safety improvements;
- provides additional funding for transportation planning and research;
- increases emphasis on Intelligent Vehicle Highway Systems (IHVS);
- discourages demonstration projects that are exempt from the federal transportation planning process;
- establishes a National Planning and Research Program for transit;
- increases in Section 18 funding for rural transit operators;
- eliminates Section 9 tiers for transit;

In supporting the proposed legislation, the City of Ann Arbor recommends the following changes:

- legislatively remove both the Highway and Transit Trust Funds from the Unified Federal Budget and discontinue the inappropriate use of these funds to offset the federal deficit;
- draw down the excessive balances of both the Highway and Transit Trust accounts to fund documented and currently unfunded or underfunded transportation needs nationwide;
- increase the allowable milage in the National Highway Program to accurately reflect common functional criteria and increase funding proportionately;
- in establishing the national highway system and a bridge program, maintain separate categorical programs and allocation formulas for the federal-aid urban and rural systems;
- recognize the broad negative consequences of urban congestion, particularly on air quality, and provide a meaningful increase in the funding for both urban and rural congestion relief programs and extend the current 100 percent federal share for traffic signalization projects to all operational, safety, and demand management activities in air quality non-attainment areas.

Councilmember Sheldon moved that the resolution be approved.

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

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R-354-6-91 APPROVED

RESOLUTION TO CREATE AN INFORMATION SERVICES  
ADVISORY COMMITTEE

Whereas, Because rapid changes have occurred in technology in the computer and information fields, a committee needs to be established to aid City Council in understanding the technology and how it is applied in city government;

RESOLVED, That an Information Services Advisory Committee be set up whose charge shall be to interpret and evaluate the technologies and policies of the City's Information Services Department and advise City Council on Information Services matters; and

RESOLVED, That the Information Services Advisory Committee shall consist of 9 members whose membership shall be as follows:

Five members shall be citizens concerned with issues of technology

Of those five, at least three should be computer professionals with varying backgrounds (mainframes, p.c.s, networks, ...);

Of those five, at least one should be non-computer-professional computer user;

One member shall be an employee of the City's Information Services Department;

One member shall be a department head from a City department other than Information Services;

Two members shall be City Councilmembers; one from each caucus.

Councilmember Zimmer moved that the resolution be approved.

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

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R-355-6-91 SUBSTITUTE APPROVED AS AMENDED

RESOLUTION ESTABLISHING A TASK FORCE TO DEVELOP AN ACTION PLAN TO DEAL WITH DISTURBANCES FROM NOISY PARTIES

Councilmember Grady moved that the resolution be approved.

Councilmember Grady moved that a substitute resolution be considered.

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

The question on the floor is approval of the substitute resolution.

Councilmember Grady moved that the resolution be amended as follows:

Title:

RESOLUTION ESTABLISHING A TASK FORCE TO ~~DEVELOP AN ACTION PLAN~~ **FACILITATE EFFORTS** FOR DEALING WITH DISTURBANCES FROM NOISY PARTIES

First Resolve:

IT IS RESOLVED, That the Mayor and City Council ~~<charge the City/University Committee to>~~ establish a Task Force to facilitate efforts, by the Police and Planning Departments, the University, the Inter-Fraternity Council and the Pan-Hellenic League, to deal with excessive noise and disturbances emanating from off-campus housing;

Second Resolve:

IT IS RESOLVED, That the **MAYOR** ~~<City/University Committee>~~ appoint to the Task Force the two Councilmembers of the **CITY/UNIVERSITY** Committee, one Third Ward Councilmember, one member of the Police Department, and three citizen representatives from the related wards;

Third Resolve:

IT IS RESOLVED, That the ~~<City/University>~~ **MAYOR** forthwith invite participation in the Task Force by one representative each from the University of Michigan administration, the University of Michigan Department of Public Safety, the Inter-Fraternity Council, and the Pan-Hellenic League;

On a voice vote, 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:

R-355-6-91

RESOLUTION ESTABLISHING A TASK FORCE TO  
FACILITATE EFFORTS FOR DEALING WITH DISTURBANCES  
FROM NOISY PARTIES

Whereas, Excessive noise emanating from off-campus housing has disrupted the peace and tranquility of residential neighborhoods;

Whereas, Pedestrian and vehicular traffic entering and exiting parties in off-campus housing has contributed excessive noise, litter and other disturbances;

Whereas, The Planning Department and the Police Department have examined sources of and possible steps for dealing with the aforementioned disturbances; and

Whereas, Representatives of the University of Michigan, the Inter-Fraternity Council and the Pan-Hellenic League have indicated support for City efforts to deal with the

aforementioned disturbances and willingness to reexamine their responsibilities;

RESOLVED, That the Mayor and City Council establish a Task Force to facilitate efforts, by the Police and Planning Departments, the University, the Inter-Fraternity Council and the Pan-Hellenic League, to deal with excessive noise and disturbances emanating from off-campus housing;

RESOLVED, That the Mayor appoint to the Task Force the two Councilmembers of the City/University Committee, one Third Ward Councilmember, one member of the Police Department, and three citizen representatives from the related wards;

RESOLVED, That the Mayor forthwith invite participation in the Task Force by one representative each from the University of Michigan administration, the University of Michigan Department of Public Safety, the Inter-Fraternity Council, and the Pan-Hellenic League;

RESOLVED, That the Task Force report to City Council, by its first September 1991 meeting, on proposed actions to deal with the aforementioned disturbances;

RESOLVED, That the Task Force evaluate these actions and report to City Council, by its second January 1992 meeting, on the effectiveness of the actions, making recommendations as appropriate; and

RESOLVED, That the Task Force be dissolved upon completion of its report to City Council in January 1992, and that, thereafter, the City/University Committee monitor actions to deal with excessive noise and disturbances and report its findings to Council each June and December.

\*\*\*\*\*

TABLED INDEFINITELY

RESOLUTION TO IMPROVE TERMINOLOGY IN CHAPTER 55 ZONING

Whereas, Proposals for land use frequently involve disagreements between petitioners and residents;

Whereas, Disagreements based on conflicting values and interests are expected to be part of the normal planning process; and

Whereas, Disagreements based on differing interpretations of the meaning, use and application of terminology and regulations in Chapter 55 Zoning can be mitigated to the extent that vague, unclear, ill-defined and contradictory wording is remedied;

RESOLVED, That the City Council requests the Planning Commission to identify vague, unclear, ill-defined and contradictory wording in Chapter 55, and to propose amendments thereto that remedy these deficiencies.

Councilmember Eckstein moved that the resolution be approved.

Councilmember Eckstein moved that the resolution be tabled indefinitely.

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

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R-356-6-91 APPROVED - SITE DEVELOPMENT AGREEMENT AMENDED

RESOLUTION TO APPROVE NEWPORT HILLS CONDOMINIUMS  
(PHASE I) SITE PLAN AND SITE DEVELOPMENT AGREEMENT

A communication was received from the City Planning Commission transmitting its recommendation of approval (9 yeas and 0 nays) of the Newport Hills Condominiums (Phase I) Site Plan and Site Development Agreement, 53.19 acres, west side of Newport Road between Holyoke and Lowell.

Whereas, Rem-Vero, Inc. has requested site plan approval in order to develop 11 single-family site condominium lots as Phase I of an overall 72-lot project; and

Whereas, The Ann Arbor City Planning Commission, at its meeting of May 28, 1991, recommended approval of said request;

RESOLVED, That the Newport Hills Site Condominiums (Phase I) Site Plan and Site Development Agreement are hereby approved.

Councilmember Peterson moved that the resolution be approved.

Councilmember Dodge moved that the site development agreement be amended as follows:

Amendments to D-7 - Newport Hills (Phase I) Site Condominium Site Development Agreement:

(P-18) To create an organization composed of all owners of Newport Hills (Phase I) Site Condominium, membership in which shall be required by covenants and restrictions recorded as part of the master deed for Newport Hills (Phase I) Site Condominium. Said

organization or association shall be responsible for the perpetual maintenance and ownership of the storm water collection and detention facilities, private streets, and other private common improvements and areas. <The owners shall also be responsible for obtaining an easement for drainage discharge onto adjacent property from the east detention pond area.> (Sentence deleted by the unanimous consent of Council.)

The Owners of Newport Hills (Phase I) Site Condominium...

(P-19) Existing trees shown on the site plan as trees to be saved shall be maintained by the PROPRIETOR in good condition for a minimum of three years after acceptance of the subdivision improvements by the CITY. Existing landmark trees that are determined by the City to be dead, dying or severely damaged due to construction activity within three years of acceptance of the public street shall be replaced by the PROPRIETOR with a tree species approved by the CITY and with the number of trees three-inch diameter at breast height (DBH) measured four feet above the existing grade or greater necessary to achieve one half of the DBH of the original landmark tree. **IF THE PROPRIETOR FAILS TO MAINTAIN TREES AS REQUIRED BY THIS PARAGRAPH, THE CITY MAY DECLARE THAT FUTURE PERMITS WILL NOT BE ISSUED AND THAT FURTHER CERTIFICATES OF OCCUPANCY WILL NOT BE APPROVED UNTIL SUFFICIENT FUNDS ARE DEPOSITED WITH THE CITY TO INSURE THAT TREES THAT ARE NOT MAINTAINED WILL BE REPLACED WITH TREES OF SUITABLE DIMENSIONS.**

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

The question on the floor is approval of the resolution and the site development agreement as amended.

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

\*\*\*\*\*

R-357-6-91 APPROVED

RESOLUTION TO APPROVE ORCHARD PLACE SITE CONDOMINIUMS  
REVISED SITE PLAN AND SITE DEVELOPMENT AGREEMENT

A communication was received from the City Planning Commission transmitting its recommendation of approval (9 yeas and 0 nays) of the Orchard Place Condominiums Revised Site Plan and Site Development Agreement, 12.4 acres, east side of Pontiac Trail, between Starwick and Arrowwood.

Whereas, David Friedrichs has requested site plan approval in order to develop a 35-lot site condominium project for single-family detached dwellings; and

Whereas, The Ann Arbor City Planning Commission, at its meeting of May 28, 1991, recommended approval of said request;

RESOLVED, That the Orchard Place Site Condominiums Revised Site Plan and Site Development Agreement are hereby approved.

Councilmember Coleman moved that the resolution be approved.

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

\*\*\*\*\*

R-358-6-91 APPROVED AS REVISED

RESOLUTION AUTHORIZING PURCHASE OF KATZ PROPERTY  
(\$313,600.00)

Whereas, Arthur and Elizabeth Katz are the owners of property located in the City of Ann Arbor, Michigan more fully described as follows:

Commencing at the southeast corner of Section 10, T3S, R6E, City of Ann Arbor, Michigan; thence S 89° 56' 05" W 415.88 feet along the south line of said Section 10 and the centerline of Ellsworth Road and the City Limits of Ann Arbor, Michigan for a PLACE OF BEGINNING; thence continuing along said section line and said centerline and said City Limits S 89° 56' 05" W 933.67 feet; thence along said City Limits and along the west line of the Southeast 1/4 of the Southeast 1/4 of said Section N 01° 22' 40" E 1340.11 feet; thence along the north line of the Southeast 1/4 of the Southeast 1/4 of said Section and said City Limits N 89° 59' 30" E 580.72 feet; thence along the northeast line of the I-94 Expressway and its southeasterly extension S 55° 16' 00" E 991.80; thence along the east right-of-way line of Platt Road and its northerly extension S 01° 00' 00" W 458.23 feet; thence S 89° 56' 05" W 32.0 feet

along said right-of-way line; thence S 01E 00' 00" W 45.41 feet along said right-of-way line; thence N 89E 00' 00" W 448.81 feet; thence S 01E 00' 00" W 277.93 feet to the Place of Beginning; being a part of the Southeast 1/4 of said Section 10;

and

Whereas, Said owners have agreed to sell the above described property to the City for \$280,000 with the City to assume that cost of outstanding improvement charges;

RESOLVED, That Council authorizes the purchase of the above described property for \$280,000 plus outstanding improvement charges upon the terms substantially the same as those contained in the agreement now on file with the City Clerk. The Mayor and City Clerk are authorized to execute the agreement approved as to form by the City Attorney and as to substance by the City Administrator; and

RESOLVED, That \$313,600 and such other sums as may be incidental to the purchase of the property are appropriated from the Parkland Acquisition Fund, Account 024-060-5010-5110 and the Environmental Bond Fund, Account 095-071-0678-5110, each fund to pay 1/2 the cost of the acquisition; and

RESOLVED, That the appropriation from the Parkland Acquisition Millage Fund is contingent upon receiving satisfactory assurances that land is safe for park use.

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

On roll call the vote was as follows: Yeas, Councilmembers Coleman, Sheldon, Grady, Meade, Zimmer, Peterson, Eckstein, Mayor pro tem Hunter, 8  
Nays, Councilmembers Dodge, Ouimet, 2

The Chair declared the motion carried.

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R-359-6-91 APPROVED

RESOLUTION TO APPROVE STANDING PURCHASE ORDERS FOR DIESEL FUEL AND GASOLINE PURCHASES FOR FISCAL YEAR 1991-92 (TOTAL NOT TO EXCEED: MUNICIPAL GARAGE - DIESEL FUEL \$262,200 AND GASOLINE \$228,000; UTILITIES DEPARTMENT - DIESEL FUEL AND GASOLINE \$63,090)

Whereas, The Municipal Garage and Utilities Department purchase required City of Ann Arbor diesel fuel and gasoline;

Whereas, It has been determined that it is advantageous to obtain spot verbal bid quotes at time of diesel and gasoline purchases; and

Whereas, The Personnel/Human Rights Department has approved the listed companies;

RESOLVED, That City Council approves the issuance of Standing Purchase Orders for the purchase of diesel fuel and gasoline requirements, with cumulative purchase order totals not to exceed: Municipal Garage - Diesel Fuel \$262,200 and Gasoline \$226,000. Utilities Department: Diesel Fuel and Gasoline - \$63,090; and

RESOLVED, That the Municipal Garage and Utilities Department are authorized to purchase fuels by spot verbal bidding, and purchase city requirements from the company with the lowest price, without further Council approval this fiscal year (1991-92).

Councilmember Coleman moved that the resolution be approved.

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

\*\*\*\*\*

R-360-6-91 APPROVED

RESOLUTION TRANSFERRING STREET MILLAGE FUNDS INTO MAJOR STREET FUNDS (\$115,000.00)

RESOLVED, That \$115,000 be transferred from the 1990/91 street millage fund into the 1990/91 major street fund to reimburse for traffic signal improvements occasioned by the reconstruction of Plymouth Road.

Councilmember Dodge moved that the resolution be approved.

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

\*\*\*\*\*

TABLED

RESOLUTION TO APPROVE LEASE OF ONE (1) RUBBER TIRE ASPHALT PAVER - BID NO. 2136 (\$37,149.48)

Whereas, Contractor Machinery Company of Oak Park, Michigan, received Human Rights approval on June 4, 1991;

RESOLVED, That Bid No. 2136 be awarded to Contractor Machinery Company of Oak Park, Michigan in the amount of \$37,149.48 for one rubber tire asphalt paver.

Councilmember Sheldon moved that the resolution be approved.

Councilmember Dodge moved that the resolution be tabled pending receipt of further information and comparison of bids.

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

\*\*\*\*\*

R-361-6-91 APPROVED

RESOLUTION TO AUTHORIZE PURCHASE ORDER FOR STREETLIGHT FEES FOR PLYMOUTH ROAD (\$20,389.42)

RESOLVED, That a purchase order be issued to Detroit Edison for streetlight work on Plymouth Road in the amount of \$20,389.42.

Councilmember Dodge moved that the resolution be approved.

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

\*\*\*\*\*

TABLED

RESOLUTION TO APPROVE LEASE OF ONE (1) DUAL DRUM VIBRATORY ROLLER - BID NO. 2135 (\$8,149.56 FOR ONE YEAR ON A FIVE YEAR LEASE)

Whereas, Contractor Machinery Company of Oak Park received Human Rights approval on June 4, 1991;

RESOLVED, That Bid No. 2135 for one dual drum vibratory roller be awarded to Contractor Machinery Company of Oak Park, Michigan, in the amount of \$8,149.56.

Councilmember Zimmer moved that the resolution be approved.

Councilmember Peterson moved that the resolution be tabled pending receipt of further information and comparison of bids.

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

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R-362-6-91 APPROVED AS AMENDED

RESOLUTION TO APPROVE STREET CLOSINGS FOR THE FOURTH OF JULY PARADE

Councilmember Peterson moved that the resolution be approved.

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Council recessed at 10:30 p.m.

Council reconvened at 10:35 p.m.

\*\*\*\*\*

The question on the floor is the resolution to Approve Street Closings for the Fourth of July Parade.

Councilmember Peterson moved that the resolution be amended as follows:

Last Paragraph:

BE IT FURTHER RESOLVED, That the City of Ann Arbor support the event in the amount of <\$6,000.00> **UP TO \$4,000.00 REIMBURSEMENT OF CITY EXPENDITURES** with funds to come from the <1991-92> **1990-91** Community Events Budget.

On a voice vote, 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:

R-362-6-91

RESOLUTION TO APPROVE STREET CLOSINGS FOR THE FOURTH OF JULY PARADE

Whereas, A parade and festival celebrating the Fourth of July will be held in the City of Ann Arbor;

Whereas, The City has received a request from G. W. Freshburger's Inc. and Molly Maid, Inc. to hold parade and festival on Independence Day, Thursday, July 4, 1991; the parade commencing at 2:00 p.m.; and

Whereas, The event sponsors have agreed to indemnify the City against any claim arising out of their sponsorship of this event;

RESOLVED, That City Council approve the Independence Day Fourth of July Parade and Festival;

RESOLVED, That the parade route on South University, State, Liberty, Main, William, and North University streets on Thursday, July 4, 1991 is hereby approved;

RESOLVED, That East University and Tappan from South University to Hill Street be closed for the staging of the parade; and

RESOLVED, That the City of Ann Arbor support the event in the amount of up to \$4,000.00 for reimbursement of City expenditures with funds to come from the 1990-91 Community Events Budget.

\*\*\*\*\*

R-363-6-91 APPROVED

RESOLUTION REGARDING THE FIRST AND WILLIAM PARKING LOT

Whereas, The City of Ann Arbor owns the parking lot located at the corner of First & William Street;

Whereas, The City currently leases the First and William Lot to the Ann Arbor Downtown Development Council;

Whereas, The First & William Lot capacity of 95 spaces appears to be under utilized; and

Whereas, The current revenue rate received from the First & William Lot are significantly less than other City-owned parking lots;

RESOLVED, That the Mayor and the Ann Arbor City Council hereby direct the City Administrator to give official notice in writing that the lease between the City of Ann Arbor and the Ann Arbor Downtown Development Council will be terminated;

RESOLVED, That the City Administrator in conjunction with the staff shall develop a plan to reconfigure the parking spaces and recommend a rate structure for the First & William Lot in order to provide for maximum parking use;

RESOLVED, That the First & William Lot plan shall be submitted to the Ann Arbor City Council for final approval within 60 days;

RESOLVED, That a public hearing shall be conducted prior to final approval of First and William Lot plan; and

RESOLVED, That the First and William Lot plan shall give priority to all individuals currently issued permits by the Ann Arbor Downtown Development Council.

Councilmember Coleman moved that the resolution be approved.

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

\*\*\*\*\*

R-364-6-91 APPROVED

RESOLUTION REGARDING THE FIRST AND HURON LOT

Whereas, The lot located at the corner of First & Huron Street formerly occupied by "Whiffle Tree" restaurant is currently vacant;

Whereas, The current owners of the lot have no plans for use of this vacant lot and have expressed a desire to lease it to the City of Ann Arbor for use as permit parking; and

Whereas, The First and Huron lot could potentially provide an additional 85 long term permit parking spaces in the downtown area;

RESOLVED, That the Mayor and the Ann Arbor City Council direct the City

Administrator to negotiate with the owners of the lot located at the corner of First & Huron for the purpose of establishing a lease in order to use this property for long term permit parking;

RESOLVED, That the Mayor and the Ann Arbor City Council hereby direct the Transportation Department to develop a parking lot plan for the lot located at First & Huron;

RESOLVED, That the lot plan shall include the cost of making the lot operational and the maximum utilization of the lot for use as permit parking for a period not less than five years; and

RESOLVED, That the plan shall be submitted to the Ann Arbor City Council within a period of 90 days and that a public hearing shall be held prior to Council approval.

Councilmember Coleman moved that the resolution be approved.

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

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R-365-6-91 APPROVED

RESOLUTION TO APPROVE BID FOR OIL AND GREASE  
BID NO. 2143 (\$21,811.65)

Whereas, The Purchasing Department solicited bids for oil and grease;

Whereas, Bids were solicited from six (6) vendors with three (3) being received on or before Friday, May 31, 1991 with Kelly Distributing submitting the lowest responsible bid;

Whereas, The Municipal Garage is unable to use any other type of motor oil except Pennzoil. Therefore, making it necessary to purchase only from Kelly Distributing; and

Whereas, The Personnel/Human Rights Department approved Kelly Distributing on, May 22, 1991;

RESOLVED, That City Council award this bid for oil and grease to Kelly Distributing; and

RESOLVED, That the City Administrator be authorized to issue a purchase order in the amount of \$21,811.65 to Kelly Distributing in accordance with this resolution and Bid No. 2143, for the fiscal year 1991-92.

Councilmember Eckstein moved that the resolution be approved.

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

### **REPORTS FROM COUNCIL COMMITTEES**

Councilmember Ouimet reported that the Washtenaw Development Council has been exploring more equitable ways of financing its operations throughout the County.

Mayor pro tem Hunter reported that the Human Services Task Force has compiled a list of recommendations and information to be distributed to Councilmembers for input.

### **COMMUNICATIONS FROM THE MAYOR**

#### APPOINTMENTS APPROVED

The following names were placed in nomination at the last Council Session. In a memo to the City Council, Mayor Brater asked for confirmation of these appointments this date:

#### DOMESTIC VIOLENCE COORDINATING BOARD

Lt. Dan Branson  
Ann Arbor Police Dept.  
Term: 6/17/91 to 6/16/94

Detective Mary Smith  
Ann Arbor Police Dept.  
Term: 6/17/91 to 6/16/94

Elizabeth Pollard  
Washtenaw County Courthouse  
P.O. Box 8645  
Term: 6/17/91 to 6/16/94

Stefani Carter  
City Attorney's Office  
Term: 6/17/91 to 6/16/94

Thomas Blessing  
City Attorney's Office  
Term: 6/17/91 to 6/16/94

Bob Randolph  
15th District Court  
Term: 6/17/91 to 6/16/94

Ron Rinker  
Probation Dept.  
15th District Court  
202 E. Huron Street  
Term: 6/17/91 to 6/16/94

Honest Candy (Former resident - SAFE House)  
822 Arch  
Term: 6/17/91 to 6/16/94

Carla McLaine (Former resident - SAFE House)  
1455 South Blvd.  
Term: 6/17/91 to 6/16/94

Amy Coha  
Associate Director  
The Domestic Violence Project  
P.O. Box 7052  
Term: 6/17/91 to 6/16/94

Kathleen Hagenian  
Assistant Director  
The Domestic Violence Project  
P.O. Box 7052  
Term: 6/17/91 to 6/16/94

Sgt. Vern Baisden (UM Security)  
525 Church Street  
Term: 6/17/91 to 6/16/94

Barbara Kessler (Family Law Project)  
402 W. Liberty Street  
Term: 6/17/91 to 6/16/94

David Garvin (Alternatives to Domestic Aggression)  
Catholic Social Services  
117 N. Division  
Term: 6/17/91 to 6/16/94

ANN ARBOR ENERGY COMMISSION

Kenneth J. Saulter (reappointment)  
1925 Ivywood Dr.  
Term: 6/17/91 to 6/16/94

Thais Peterson  
City Council Representative  
Term: 6/17/91 to 4/1992

ANN ARBOR COMMISSION ON HANDICAPPER CONCERNS

Ann Marie Coleman  
City Council Representative

BICYCLE COORDINATING COMMITTEE

Manfred Schmidt (reappointment)  
3214 Williamsburg  
Term: 6/17/91 to 6/16/94

Councilmember Coleman moved that the appointments be approved.

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

Mayor pro tem Hunter asked for and received the unanimous consent of Council to waive the Council rules in order to consider and vote on the following appointments this date:

ZONING BOARD OF APPEALS

Douglas B. Shapiro (to replace Jerry Weidenbach)  
616 South Division  
Term: 06-17-91 to 06-17-94

Charles A. Carver (reappointment)  
1225 Wynnstone Drive  
Term: 06-17-91 to 06-17-94

Councilmember Meade moved that the appointments be approved.

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

APPOINTEES NOMINATED

The following appointments were placed on the table for appointment at a later date:

BICYCLE COORDINATING COMMITTEE

Albert E. Gallup (reappointment)  
1201 Bydding  
Term: 7/1/91 to 7/1/94

SOLID WASTE COMMISSION

Donald H. Gray (to replace Marc Ross)  
1704 Morton Street  
Term: 7/1/91 to 7/1/93

CITY PLANNING COMMISSION

Barry Checkoway (to replace Tom Shipley)  
1044 Olivia  
Term: 7/1/91 to 6/30/94

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

COMMUNICATIONS PRESENTED

Acting City Administrator Don Mason presented the following information communications. These communications were filed with the City Clerk:

- \* Solid Waste Department Progress Report - June 1991
- \* Traffic Circulation at Washtenaw and South University
- \* Parking on Santa Rosa and Champagne Drive
- \* Outdoor Sales and Service Fees
- \* Quality Control Procedure for Appraisals
- \* Child and Family Service of Washtenaw, Inc. Vacant Land on Burton Road near Packard
- \* Monthly Environmental Bond Report
- \* Resignation Letter of James Valenta Dated June 17, 1991. The Transportation Director is resigning to accept a position of Manager of Transportation for the consulting firm of Finkbeiner, Pettis and Strout, Ltd. of Toledo, Ohio.

RESIGNATION ACCEPTED

Councilmember Coleman moved that the resignation of the Transportation Director, effective July 12, 1991, be accepted.

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

### SPECIAL SESSION INFORMATION

Acting City Administrator Don Mason confirmed that the June 24, 1991 special session would be held at 7:30 p.m. for the purpose of considering the purchase of the Black Pond park property, Agreements with the University of Michigan for police and parking services and plans for surface parking at Ashley and William Streets.

### **COMMUNICATIONS FROM THE CITY ATTORNEY**

City Attorney reported on the completion of the Hendrick Annexation, 431 Parkwood Street.

### **COMMUNICATIONS FROM COUNCIL**

Councilmember Grady, referring to the Newport Condominiums Phase I Site Development Agreement, Paragraph P-19, said that it would be useful to include the language that was added this date in the form of an amendment in future site development agreements.

Councilmember Dodge concurred and said that the costs incurred for violation of the agreement would be borne by the developer rather than the home purchaser.

Councilmember Sheldon spoke to the urgency of appointments to the Parking Advisory Committee.

Councilmember Coleman distributed pledge sheets for the capital campaign for SAFE House, an organization that is soliciting pledges for the purchase of the Days Inn.

Councilmember Hunter inquired into the status of the Ann Arbor Inn with regard to City acquisition and use. Councilmember Hunter asked the City Administration to determine if the company involved in the Wastewater Treatment Plant construction is still doing business with the City.

Councilmember Zimmer asked if the change in fees for airplane towing signs around the stadium would divert this practice to other airports that may provide the service at a cheaper price.

### **CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS**

The following communications were received:

1. U.S. Senator Donald W. Riegle, Jr. regarding the Community Development Block Grant (CDBG) Program - File

2. Resolution Regarding the State's Presidential Preference Primary Election Funding were received from the following Michigan Cities;
  - a. Ingster, Wayne County
  - b. Hancock, Houghton County
  - c. Big Rapids, Mecosta County
  - d. Tecumseh, Lenawee County
  - e. Rochester, Oakland County
  - f. Iron Mountain, Dickinson County
  - g. Grand Ledge, Eaton County - File
3. D. Frischer - Complimenting New Playground at Frisinger Park - File
4. Mary K. and Jerry M. Gray - Fellowship Bible Church and the former Bader School grounds - File
5. Charles Sayre - Personal Property Tax Assessment - File

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

1. Housing Board of Appeals - April 2, 1991
2. Ann Arbor Market Commission - March 20, 1991 (Corrected), April 25, 1991
3. Community Development Block Grant Executive Committee - May 20, 1991
4. Ann Arbor Commission on Handicapper Concerns - April 15, 1991
5. Community Development Waiver and Review Board - May 23, 1991
6. Ann Arbor Energy Commission - May 9, 1991

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

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

#### **AUDIENCE PARTICIPATION - GENERAL**

None.

#### **ADJOURNMENT**

There being no further business, Councilmember Coleman moved that the meeting be

adjourned.

On a voice vote, the Chair declared the motion carried and the meeting was adjourned at 11:25 p.m.

Paul Courtland McCoy, Jr.  
Acting Clerk of the Council

Linda J. Wise  
Recording Secretary