

REGULAR SESSION - JULY 1, 1991

The regular session of the Ann Arbor City Council was called to order at 6:08 p.m. in the City Hall Council Chamber by Mayor Elizabeth S. Brater.

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Larry Hunter, Ingrid B. Sheldon, Robert C. Grady, Mark Ouimet, Kurt Zimmer, Robert Eckstein, Mayor Elizabeth S. Brater, 7.

ABSENT : Councilmembers Ann Marie Coleman, Kirk D. Dodge, Nelson K. Meade, Thais Anne Peterson, 4.

RECESS FOR EXECUTIVE SESSION

Councilmember Zimmer moved that the regular session of Council be recessed for an executive session concerning the DNR Consent Order for the City landfill.

On a voice vote the Chair declared the motion carried.

REGULAR SESSION RECONVENED

Councilmember Eckstein moved that the regular session of Council be reconvened.

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

Council stood for one moment of silence.

Mayor Brater led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Larry Hunter, Ingrid B. Sheldon, Kirk D. Dodge, Robert C. Grady, Kurt Zimmer, Mark Ouimet, Thais Anne Peterson, Robert Eckstein, Mayor Elizabeth S. Brater, 9.

ABSENT : Councilmembers Ann Marie Coleman, Nelson K. Meade, 2.

INTRODUCTIONS

ANN ARBOR COMMISSION ON HANDICAPPER CONCERNS

Members of the Ann Arbor Commission on Handicapper Concerns presented the Commission's goals and objectives, and spoke in support of the resolutions appropriating funds and renaming the Commission to the "Ann Arbor Commission on Disability Issues." Verna Spayth, Commission Co-Chair, stated that the name change will more accurately describe the current emphasis of the Commission. (Mission Statement, Goals and Objectives on file in the City Clerk's Office).

1991 MENTOR PROGRAM GRADUATION

Safiya Cabell-Khalid, Executive Director of the Network for Equal Economic Development (sponsor of the "Camp Challenge" - The Mentor Program), thanked Council for its past support and for considering more funding for the program. Ms. Cabell-Khalid explained that the Mentor Program, which operates with community volunteers, is a substance abuse and pregnancy prevention program for Washtenaw County high-risk youths. Ms. Cabell-Khalid invited Council to the program's graduation ceremony on July 14 at the Mendelssohn Auditorium. (Graduation program on file in the City Clerk's Office)

CITY INTERNS INTRODUCED

Rob Bauman, Assistant City Administrator for Environmental Services, introduced several of the summer interns serving in the various City Departments. ("Profiles of 1991 Summer Interns" on file in the City Clerk's Office)

HIKONE SUBSTANCE ABUSE PROGRAM

Cathy Baldwin, Director of the Hikone Substance Abuse Prevention Program, presented a quilt, made by a group of girls from the Hikone program, to be hung in City Hall in appreciation of City funding for the Hikone Community and its substance abuse program.

NEW CABLE COMMUNICATIONS DIRECTOR INTRODUCED

City Clerk Winifred Northcross introduced the new Cable Communications Director, Harry Haasch. Mr. Haasch stated that he is looking forward to meeting and working with Councilmembers.

AUDIENCE PARTICIPATION - Reserved Time

DON MEARS - RUBBER TIRE ASPHALT PAVER

Don Mears, representing Cedarapids, Inc. and Contractor Machinery Company, spoke in favor of awarding the bid for the asphalt paver to Contractor Machinery Company, and explained the advantages of the Cedarapids paving machine over the competition.

DOWNS HEROLD - ECONOMIC DEVELOPMENT

Downs Herold, Chairman of the Ann Arbor Chamber of Commerce Innovations Center Advisory Board, read a statement from the Chamber of Commerce encouraging the City to continue its policy of approving employment releases for companies wanting to obtain a tax abatement when relocating from Ann Arbor to another community.

GEORGE KEMPF - KLINE'S PARKING LOT ATTENDANT

George Kempf, 1722 Sanford Pl., Vice-President of the Main Street Area Business Association, requested Council's consideration of implementing an attended lot on the Kline's site, as a service to downtown customers and to increase the use of the lot. Mr. Kempf stated that with an attended lot, customers would not have to worry about expired meters and merchants could implement a parking validation program for their customers.

CHARLENE HARRIS - 4TH OF JULY PARADE

Charlene Harris, representing the organizers of the Fourth of July Parade, thanked Council for its support and reported that the parade has 39 entries and 52 sponsors. Ms. Harris stated that the parade provides an excellent opportunity for Ann Arbor citizens to come together as a community.

ROBERT MC NUTT - RUBBER TIRE ASPHALT PAVER

Robert McNutt, representing Wolverine Tractor, thanked City Council for delaying its decision on the asphalt paver purchase to allow a thorough review. Mr. McNutt encouraged Council to award the bid to Wolverine Tractor, as the low bidder meeting specifications.

MARVIN BLUNK - WASHINGTON/NORTH MAIN STREET IMPROVEMENTS

Marvin Blunk, 221 E. Washington St., representing business and property owners on Washington Street, spoke in favor of the resolution approving the DDA pedestrian improvements along Washington and North Main Streets. Mr. Blunk stated that improvements to the surrounding streets have been completed and that improvements to Washington Street will enhance and tie these streets together.

KATHY BARDEN - IMPROVING NORTH MAIN STREET

Kathy Barden, 311 N. Main St., spoke in favor of the proposed DDA pedestrian improvements for Washington and Main Streets. Ms. Barden stated that North Main, as the entrance to downtown, should be safe and well-groomed, and that these improvements will contribute to the success of downtown business.

PUBLIC HEARINGS**ATWELL-HICKS, INC. ZONING (ORDINANCE NO. 22-91)**

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 2 acres from TWP (Township District) to R4A/B (Multiple-Family Dwelling District), Atwell-Hicks, Inc. property, 1241 South Maple Road. Notice of public hearing was published June 20, 1991. (This public hearing was previously held on May 6 and June 3, 1991 and recessed).

There being no one to speak the Chair declared the hearing closed.

ABED ZONING (ORDINANCE NO. 29-91)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.37 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Abed property, southwest corner of Packard and Shady Lane. Notice of public hearing was published June 16, 1991.

There being no one to speak the Chair declared the hearing closed.

KOVAC ZONING (ORDINANCE NO. 30-91)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of

0.6 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Kovac property, northeast corner of Gladstone and Packard. Notice of public hearing was published June 16, 1991.

There being no one to speak the Chair declared the hearing closed.

TAYLOR ZONING (ORDINANCE NO. 31-91)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.44 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Taylor property, 315 Barber Street. Notice of public hearing was published June 16, 1991.

There being no one to speak the Chair declared the hearing closed.

WALKER ZONING (ORDINANCE NO. 32-91)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.77 acre from TWP (Township District) to R1B (Single-Family Dwelling District), Walker property, 1815 North Maple Road. Notice of public hearing was published June 16, 1991.

There being no one to speak the Chair declared the hearing closed.

HARBOR CLUB APARTMENTS LAND DIVISION

A public hearing was conducted on the proposed Harbor Club Apartments land division, 42.89 acres, east side of South Main Street, north of Oakbrook Drive. Notice of public hearing was published June 24, 1991.

There being no one to speak the Chair declared the hearing closed.

The Chair declared a recess at 8:20 p.m.

The Chair again called the meeting to order at 8:28 p.m.

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

CONSENT AGENDA

Revised: Resolution to Approve Outdoor Alcoholic Service for the Ann Arbor Art Fair, July 24-27, 1991

MOTIONS AND RESOLUTIONS

Revise: Resolution to Appropriate Funds for the Ann Arbor Commission on Disability Issues **(\$4,244.00)**

Add: Resolution to Approve Fiscal Year 1991-92 CDBG Allocations (\$456,250.00)

Add: Resolution to Approve Fiscal Year 1991-92 CDBG General Fund Human Services Economic Development Allocations (\$660,500.00)

Add: Resolution to Approve Racial Harassment Policy

Add: Resolution Approving Distribution of Assessment Against Ketelaar Associates (\$27,002.70)

Add: Resolution Approving Employment Agreement Between the City of Ann Arbor and Alfred A. Gatta (Mayor Brater)

Add: Resolution to Establish Mayor's Blue Ribbon Committee on City Finance and Management (Mayor Brater)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: Signage - 2350 Washtenaw Ave.

Add: Community High School Sanitary Sewer Connection

Add: Construction Work on Gardner Street

Add: Tree Removal at Ashley/William Surface Parking Lot

Add: 1992 Presidential Primary

Add: First and William Vegetation Clean Up and Broadway Sidewalk Clean Up

On a voice vote the Chair declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF JUNE 3, 10, 12 AND 17 APPROVED

Councilmember Hunter moved that the regular session minutes of June 3 1991, the continued regular session and working session minutes of June 10, 1991, the special session minutes of June 12, 1991, and the regular session minutes of June 17, 1991 be approved as presented.

On a voice vote the Chair declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

Councilmember Hunter moved that the following Consent Agenda items be approved:

R-371-7-91 APPROVED

RESOLUTION TO APPROVE GRAMMATICO ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Grammatico annexation, 0.48, 1605 North Maple Road.

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, Casper Grammatico is the owner of the property; and

Whereas, It is the desire of Casper Grammatico 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:

The south part of Lot 33, Gardens Homes Sub., unrecorded, described as: Commencing at the N.E. corner of Section 24; thence N 86E56'20" W 33 feet; thence S 02E47'10" W 1,372.11 feet for a Point of Beginning; thence S 02E47'10" W 111.95 feet; thence N 86E56'20" W 184.54 feet; thence N 01E33'20" E 112.0 feet; thence S 87E00'00" E 187.07 feet to the Point of Beginning, Washtenaw County, Michigan.

R-372-7-91 APPROVED

RESOLUTION TO APPROVE MUSGRAVE ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Musgrave annexation, 0.27 acre, 2460 James Street.

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, John and Elizabeth Musgrave are the owners of said property; and

Whereas, It is the desire of John and Elizabeth Musgrave 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 3 and northerly 30 feet of Lot 4 of Packard Hills Subdivision, Washtenaw County, Michigan, including that portion of adjacent James Street right-of-way.

R-373-7-91 APPROVED

RESOLUTION TO APPROVE PROJECT AGREEMENT WITH DNR TO ACCEPT A RECREATION BOND MATCHING GRANT FOR IMPROVEMENTS TO VETERANS POOL AND ICE ARENA

RESOLVED, That the City of Ann Arbor, Michigan, does hereby accept the terms of the agreement as received from the Michigan Department of Natural Resources, and that the Mayor and City Council does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate the sum of \$402,500.00 to match the grant authorized by the Department and to appropriate such additional funds as shall be necessary to complete the project.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the Department for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To authorize Ronald Olson, Superintendent of Parks and Recreation, to be the local Authorized Representative to sign documents in behalf of the City of Ann Arbor, Michigan.
5. To comply with any and all terms of said Agreement, including all terms not specifically set forth in the foregoing portions of this resolution.

R-374-7-91 APPROVED

RESOLUTION TO APPROPRIATE PHASE II FUNDING
AND AWARD CONTRACT FOR SITE IMPROVEMENTS FOR
GARDEN HOMES PARK - BID NO. 2058

Whereas, \$50,000.00 is identified in Year 3 (1991-92) of the 1989-95 Park Rehabilitation and Development Millage for site improvements for Garden Homes Park;

Whereas, Neighborhood input has been obtained and plans have been prepared with the approval of the Park Advisory Commission for completion of desired site improvements as one project; and

Whereas, Bids have been received for Garden Homes Park Site Improvements (Bid No. 2058); L. & W. Lawn Maintenance has been identified as the lowest responsible bidder with approval from the Personnel/Human Rights Department, as of June 24, 1991;

RESOLVED, That the recommendation of the City Administrator be approved; and that \$50,000.00 be appropriated from the unreserved balance of the Park Millage (Fund 041) for Garden Homes Park improvements, for the life of the project; and

RESOLVED, That the proposal from L. & W. Lawn Maintenance for Bid No. 2058 be accepted; that the Mayor and City Council approve of awarding a contract in the amount of \$55,812.00 for completion of site improvements at Garden Homes Park (as identified in Bid No. 2058) to L. & W. Lawn Maintenance; and that the Mayor and City Clerk be authorized to sign the contract substantially in the form on file with the City Clerk.

R-375-7-91 APPROVED

RESOLUTION TO AUTHORIZE AGREEMENT WITH
ETNA LIFE INSURANCE FOR SERVICE COMPLETION
DEFERRED COMPENSATION PLAN

Whereas, The City of Ann Arbor wishes to accommodate the employment agreement with the Police Chief which requires certain amounts to be contributed to his retirement;

RESOLVED, That the Mayor and City Clerk be authorized to enter into an agreement with Aetna Life Insurance and Annuity Company for a 457(f) Service Completion Deferred Compensation Plan.

R-376-7-91 APPROVED

RESOLUTION TO ESTABLISH A DESIGN BUDGET
FOR ELLSWORTH ROAD SANITARY SEWER EXTENSION
TO SERVE PHASE I INTERIM REMEDIATION
PUMPING WELLS AT ANN ARBOR LANDFILL

Whereas, The Landfill Phase I Interim Remediation Program will install pumping wells north of Phase I to intercept impacted groundwater and prevent it from travelling north;

Whereas, The sanitary sewer will have to be extended easterly along Ellsworth Road to receive the water pumped from the interim remediation wells; and

Whereas, It is now necessary to establish the design budget for this sanitary sewer extension project;

RESOLVED, That the \$21,000.00 be approved for design of the Ellsworth Road Sanitary Sewer Extension and appropriated from the Environmental Bond Issue Series A; and

RESOLVED, That any unobligated balance be reappropriated for succeeding fiscal years until the project is officially closed.

R-377-7-91 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ATWELL-HICKS, INC. FOR CONSTRUCTION STAKING SERVICES FOR NORTHEAST TRANSMISSION MAIN - DIVISION V

Whereas, It is desirable to employ a qualified professional engineering consulting firm to perform essential construction staking services for the Northeast Transmission Main - Division V;

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 on May 1, 1991 to perform said services; and

Whereas, On April 15, 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 \$4,000.00 with Atwell-Hicks, Inc. for construction staking services for the Northeast Transmission Main - Division V Project; and

RESOLVED, That the Mayor and Clerk be 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-378-7-91 APPROVED AS AMENDED

RESOLUTION TO APPROVE TEMPORARY OUTDOOR
SERVICE OF ALCOHOLIC BEVERAGES DURING
THE ANN ARBOR ART FAIR - JULY 24-27, 1991

Councilmember Hunter moved that the Nectarine Ballroom, located at 510 E. Liberty St., be removed from the list of establishments being approved for temporary outdoor sales of alcoholic beverages during the art fair.

On a voice vote the Chair declared the motion carried.

The resolution as amended reads as follows:

RESOLUTION TO APPROVE TEMPORARY OUTDOOR
SERVICE OF ALCOHOLIC BEVERAGES DURING
THE ANN ARBOR ART FAIR - JULY 24-27, 1991

RESOLVED, That the request of the following liquor licensed establishments for temporary authorization for outdoor sales, service and consumption of alcoholic beverages be approved within the defined area filed with the Ann Arbor Police Department:

<u>Business Name</u>	<u>Address</u>
Thano's Lamplighter	421 E. Liberty St.
Ashley's Restaurant, Ltd.	338 S. State St.
The Swordfish Group, Inc. (Full Moon Cafe)	207 S. Main St.
Afternoon Delight, Inc.	251 E. Liberty St.
Cottage Inn	512 E. William St.

R-379-7-91 APPROVED

RESOLUTION TO APPROVE PERMANENT OUTDOOR
ALCOHOLIC SERVICE FOR AFTERNOON DELIGHT,
251 EAST LIBERTY STREET

RESOLVED, That the request from Afternoon Delight, Inc. for permanent outdoor sales, service and consumption of alcoholic liquor on the City's sidewalk in front of 251 E.

Liberty St., Ann Arbor, be hereby approved.

The question being the foregoing Consent Agenda items, with Resolution No. R-378-7-91 as amended, on a voice vote the Chair declared the motion carried.

ORDINANCES - Second Reading

17-91 APPROVED

STEERE GARDENS ZONING

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 ordinance would change the zoning of 3.62 acres, located at the southeast corner of Packard and Independence, from TWP (Township District) to R3 (Townhouse Dwelling District).

Councilmember Sheldon moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Sheldon, Dodge, Grady, Ouimet, Zimmer, Peterson, Eckstein, Mayor Brater, 9;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

22-91 TABLED

ATWELL-HICKS, INC. ZONING

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 ordinance would change the zoning of 2 acres, located at 1241 South Maple Road,

from TWP (Township District) to R4A (Multiple-Family Dwelling District).

Councilmember Hunter moved that the ordinance be adopted at second reading.

Councilmember Hunter moved that the ordinance be tabled indefinitely for further study.

On a voice vote, the Chair declared the motion carried and the ordinance tabled at second reading.

29-91 APPROVED

ABED ZONING

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 ordinance would change the zoning of 0.37 acre, located at the southwest corner of Packard and Shady Lane, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Hunter moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Sheldon, Dodge, Grady, Ouimet, Zimmer, Peterson, Eckstein, Mayor Brater, 9;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

30-91 APPROVED

KOVAC ZONING

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 ordinance would change the zoning of 0.6 acre, located at the northeast corner of

Gladstone and Packard, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Hunter moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Sheldon, Dodge, Grady, Ouimet, Zimmer, Peterson, Eckstein, Mayor Brater, 9;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

31-91 APPROVED

TAYLOR ZONING

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 ordinance would change the zoning of 0.44 acre, located at 315 Barber Street, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Hunter moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Sheldon, Dodge, Grady, Ouimet, Zimmer, Peterson, Eckstein, Mayor Brater, 9;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

32-91 APPROVED

WALKER ZONING

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 ordinance would change the zoning of 0.77 acre, located at 1815 North Maple Road, from TWP (Township District) to R1B (Single-Family Dwelling District).

Councilmember Sheldon moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Sheldon, Dodge, Grady, Ouimet, Zimmer, Peterson, Eckstein, Mayor Brater, 9;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

ORDINANCES - First Reading

37-91 APPROVED

HENDRICK ZONING

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 ordinance would change the zoning of 0.22 acre, located at 431 Parkwood, from TWP (Township District) to R1C (Single-Family Dwelling District).

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

On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

38-91 APPROVED

HANDRAIL HEIGHTS

An Ordinance to Amend Section 8:504 of Chapter 105 Title VIII of the Code of the City of Ann Arbor

This ordinance would allow existing handrails, at least 26 inches above the nosing of the treads, to remain provided they are in good repair and meet the remaining requirements.

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

On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

MOTIONS AND RESOLUTIONS

R-380-7-91 APPROVED - DEVELOPMENT AGREEMENT AMENDED

RESOLUTION TO APPROVE STEERE GARDENS SITE PLAN AND SITE DEVELOPMENT AGREEMENT

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Steere Gardens site plan and site development agreement, 3.62 acres, southeast corner of Packard and Independence.

Whereas, Robert Chizek has requested site plan approval in order to construct 28 townhouse dwelling units in a condominium arrangement; and

Whereas, The Ann Arbor City Planning Commission, at its meeting of September 25, 1990, recommended approval of said request;

RESOLVED, That the Steere Gardens Site Plan and Site Development Agreement be hereby approved.

Councilmember Sheldon moved that the resolution be adopted.

Councilmember Grady moved that paragraph (P-1) of the Condominium Development Agreement be amended as follows:

(P-1) To make a cash contribution of \$7,056.00 in lieu of providing parkland prior to the issuance of certificates of occupancy for the ~~<tenth>~~ **TWENTY-EIGHTH** dwelling. This contribution is to be used by the City for neighborhood park improvements to the nearby Ponds Park which will provide neighborhood park facilities for the residents of Steere Gardens. Proprietor ~~<is to construct approximately 400 feet of a five-foot wide by four-~~

~~inch thick concrete walk between Units 12 and 13 and 100 feet of walk within the Joseph Street right-of-way according to plans to be approved by the City Engineer. The park contribution amount above will be reduced by \$5,000.00 if the above walks are constructed.>~~ **AGREES TO A 50% CONTRIBUTION OR \$3,528.00 PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FOURTEENTH DWELLING, IF THE CITY APPROVES A CONTRACT FOR IMPROVEMENTS TO THE PONDS PARK. THE REMAINING 50% OR \$3,528.00 SHALL BE CONTRIBUTED PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE TWENTY-EIGHTH DWELLING.**

On a voice vote the Chair declared the motion carried.

The question being the resolution with the amended development agreement, on a voice vote the Chair declared the motion carried.

R-381-7-91 APPROVED

RESOLUTION TO APPROVE HARBOR CLUB APARTMENTS LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Harbor Club Apartments land division, 42.89 acres, east side of South Main Street, north of Oakbrook Drive.

Whereas, William Karll of Karll Properties has requested approval of a land division in order to divide the 42.89 acre parcel on the east side of South Main Street, north of Oakbrook Drive into three separate parcels and a public right-of-way; and

Whereas, The Ann Arbor City Planning Commission, at its meeting of June 11, 1991, recommended approval of said request;

RESOLVED, That the Harbor Club Apartments Land Division be hereby approved for a Phase I parcel of 17.2 acres, Phase II parcel of 19.91 acres, Oakbrook Drive right-of-way of 1.52 acres, and a park parcel of 4.26 acres, subject to the following: (1) the granting and recording of a private access easement for the property to the north to use the private drive between the future Oakbrook Drive to the south and the Phase II property to the north prior to issuance of any certificate of occupancy for Phase I, and (2) proof of payment of taxes and special assessments past and currently due.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

TABLED

RESOLUTION TO APPROVE PEDESTRIAN IMPROVEMENTS
ALONG NORTH MAIN AND WASHINGTON STREETS BY
THE DOWNTOWN DEVELOPMENT AUTHORITY

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; 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 DDA plan to construct pedestrian improvements 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 be requested to advance funds for the costs of design, engineering and construction contracts to be awarded by the City and that such advances be reimbursed from the sale of DDA Pedestrian Improvement Bonds at a later date without regard to fiscal year.

Councilmember Dodge moved that the resolution be adopted.

Councilmember Zimmer moved that pedestrian improvements on Main Street from Miller to Kingsley and from William to Packard (\$850,000.00) be deleted from the resolution.

With unanimous consent of Council, Downtown Development Authority member Mary Reilly answered questions concerning the proposed pedestrian improvements.

The question being the amendment to the resolution, on a voice vote the Chair declared the motion defeated.

Councilmember Hunter moved that the resolution be tabled indefinitely to develop new language to address Council concerns.

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

R-382-7-91 APPROVED AS AMENDED

RESOLUTION AMENDING PARKING FEES

A resolution amending the parking fees was considered

Councilmember Eckstein moved that the resolution be adopted.

Councilmember Hunter moved that all rate increases be deleted from the resolution with the exception of the Art Fair Drive-in fee increases.

On a voice vote the Chair declared the motion carried.

The question being the resolution as amended, on a voice vote the Chair declared the motion carried.

The resolution as adopted reads as follows:

R-382-7-91

RESOLUTION TO AMEND PARKING FEES

RESOLVED, That in accordance with Chapter 30, Section 2:82, the following proposed parking rates be established:

<u>Existing</u>	<u>Proposed</u>
ANN/ASHLEY CARPORT	
Art Fair Drive-in - \$5.00	\$6.00
FOREST CARPORT	

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Art Fair Drive-in - \$5.00

\$6.00

FOURTH AND WASHINGTON CARPORT

Art Fair Drive - in hourly rate

\$6.00 drive-in

FOURTH AND WILLIAM CARPORT

Art Fair Drive-in - \$5.00

\$6.00

LIBERTY SQUARE CARPORT

Art Fair Drive-in - \$5.00

\$6.00

MAYNARD CARPORT

Art Fair Drive-in - \$5.00

\$6.00

R-383-7-91 APPROVED

RESOLUTION TO APPROVE LEASE OF ONE RUBBER
TIRE ASPHALT PAVER - BID NO. 2136

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 Eckstein moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-384-7-91 APPROVED

RESOLUTION TO APPROVE LEASE OF ONE DUAL
DRUM VIBRATORY ROLLER - BID NO. 2135

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 Dodge moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-385-7-91 APPROVED

RESOLUTION REGARDING ANN ARBOR COMMISSION
ON HANDICAPPER CONCERNS NAME CHANGE

Whereas, The Ann Arbor Commission on Handicapper Concerns has undergone several structural changes as well as changes in emphasis since its initial inception on November 4, 1969;

Whereas, The purpose of this Commission continues to be to promote and advocate for equal opportunities for all individuals with physical, mental and/or emotional disabilities;

Whereas, The Commission is committed to positive actions to accomplish its goals;

Whereas, The laws, regulations and orders which govern the Commission have almost all been revised to replace the term handicap with the term disability; and

Whereas, The Commission supports this name change as being clearer and more inclusive;

RESOLVED, That the Mayor and City Council do hereby officially change the Ann Arbor Commission on Handicapper Concerns to the Ann Arbor Commission on Disability Issues; and

RESOLVED, That the Mayor and City Council continue to be kept informed of Commission activities through City Administrator communication, and by receipt of copies of Commission minutes.

Councilmember Zimmer moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-386-7-91 APPROVED

RESOLUTION TO APPROPRIATE FUNDS FOR THE ANN ARBOR COMMISSION ON DISABILITY ISSUES

Whereas, The Ann Arbor Commission on Disability Issues (formerly Ann Arbor Commission on Handicapper Concerns) was created by City Council resolution on November 4, 1969 to promote and advocate for equal opportunities for all individuals with physical, mental and/or emotional disabilities;

Whereas, In previous years the Ann Arbor Commission on Handicapper Concerns has traditionally set aside City General Fund monies in Fund 073 to assist the Commission in delivering services to meet the needs of the disability community;

Whereas, The Ann Arbor Commission on Disability Issues supports the establishment of an appropriation and the creation of a budget for FY 1991-92;

Whereas, Fund 073 has an estimated unexpended balance of \$3,044.00 as of June 30, 1991 and FY 1990-91;

Whereas, \$1,200.00 was transferred from FY 1991-92 nondepartmental budget to Fund 073; and

Whereas, It is the desire of the Ann Arbor Commission on Disability Issues to rename the Fund to the Ann Arbor Disability Issues Fund;

RESOLVED, That the Mayor and City Council do hereby appropriate the estimated unexpended FY 1990-91 fund balance of \$3,044.00 from Fund 073 and the \$1,200.00 transfer from the FY 1991-92 nondepartmental budget and amend the FY 1991-92 Community Development budget, and rename the fund the Ann Arbor Disability Issues Fund to be administered through the City's Community Development Department for FY 1991-92.

Councilmember Peterson moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-387-7-91 APPROVED AS AMENDED

RESOLUTION TO PRESERVE NATURAL FEATURES

A resolution to preserve natural features was considered.

Councilmember Eckstein moved that the resolution be adopted.

Council unanimously agreed that the fifth paragraph of the resolution be amended as follows:

RESOLVED, That the City Council direct the Planning Commission and the Planning Department staff to include in all development agreements provisions for preserving significant natural features, **AS SPECIFIED IN THE NATURAL FEATURES GUIDELINES AND THE LAND DEVELOPMENT REGULATIONS....**

The question being the resolution as amended, on a voice vote the Chair declared the motion carried.

The resolution as adopted reads as follows:

R-387-7-91

RESOLUTION TO PRESERVE NATURAL FEATURES

Whereas, The City Council desires to preserve significant natural features where they are present on land subject to development;

Whereas, The current fine schedule may not be a sufficient deterrent to prevent removal of natural features; and

Whereas, The City Council does not wish to add expensive burdens to development which would increase the price of home ownership; and

Whereas, Developers who carefully preserve natural features may currently be at a competitive disadvantage to other developers who do not conform to the natural features guidelines or to development agreements;

RESOLVED, That the City Council direct the Planning Commission and the Planning Department staff to include in all development agreements provisions for preserving significant natural features, as specified in the Natural Features Guidelines and the Land Development Regulations. The agreements should include remedies for violation of the natural feature provisions. Such remedies may include the requirement for posting bonds and shall include a requirement that further permits or certifications will be stayed if the natural features are moved or damaged in violation of the agreements; and

RESOLVED, That if significant natural features have been removed or damaged prior to beginning the development process, the development agreement must include means for restoring those natural features according to City guidelines.

R-388-7-91 APPROVED

RESOLUTION TO APPROVE CONSENT ORDER
FROM THE MICHIGAN DEPARTMENT OF NATURAL
RESOURCES FOR THE ANN ARBOR LANDFILL

RESOLVED, That the Mayor and Clerk be authorized to sign the consent order, in the form on file with the City Clerk, approved as to form by the City Attorney, and approved as to substance by the Acting City Administrator; and

RESOLVED, That the Acting City Administrator be directed to receive a landfill operating license signed by the Director of the Department of Natural Resources and a letter from the Department clarifying the expansion of the Recycle Ann Arbor processing facility concurrent with the presentation of said consent order to the Director of the Department.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-389-7-91 APPROVED AS AMENDED

RESOLUTION TO PROCEED WITH PHASE II OF
THE PARKING STRUCTURE RENOVATION

A resolution to authorize Phase II of the parking structure renovation was considered.

Councilmember Hunter moved that the resolution be adopted.

Councilmember Dodge moved that the following paragraph be added to the resolution:

RESOLVED, That the Downtown Development Authority be encouraged to investigate proceeding with the aesthetic and cosmetic improvements to the Fourth and William Parking Structure, and the adjacent surface lot, to make it more user-friendly.

On a voice vote the Chair declared the motion carried.

The question being the resolution as amended, on a voice vote the Chair declared the motion carried.

The resolution as amended reads as follows:

R-389-7-91

RESOLUTION TO PROCEED WITH PHASE II OF PARKING STRUCTURE RENOVATION

RESOLVED, That the Acting City Administrator be directed to issue an appropriate Request for Proposal to qualified structural engineering firms that would result in the preparation of the 1992 Parking Structure Restoration Project to include restoration work in the Fourth and William Carport and in the Maynard Carport. A contract for engineering services would be included in the estimated cost of the restoration project which is \$2,772,000.00 to be advanced from the parking fund with repayment from a future bond issue anticipated in the Spring of 1992; and

RESOLVED, That the Downtown Development Authority be encouraged to investigate proceeding with the aesthetic and cosmetic improvements to the Fourth and William Parking Structure, and the adjacent surface lot, to make it more user-friendly.

R-390-7-91 APPROVED

RESOLUTION TO AMEND THE FISCAL YEAR 1990-91 COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACTS

Whereas, City Council approved the Fiscal Year 1990-91 CDBG agreements with

Arrowwood Hills Cooperative and Washtenaw Affordable Housing Corporation on June 17, 1990, for the period of July 1, 1990 to June 30, 1991; and

Whereas, The funding for each of the projects underway by these organizations will not be fully expended by the end of the contract period of June 30, 1991;

RESOLVED, That City Council approve the amendment to the FY 1990-91 CDBG agreement with Arrowwood Hills Cooperative to extend the term until September 1, 1991, and modify the scope of services to include the additional work;

RESOLVED, That City Council approve the amendment to the FY 1990-91 CDBG agreement with Washtenaw Affordable Housing Corporation to extend the term until September 30, 1991; and

RESOLVED, That City Council authorize the Mayor and City Clerk to execute the amendments substantially in the form on file in the Office of the City Clerk.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-391-7-91 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 1991-92
COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATIONS

Whereas, The CDBG Executive Committee has recommended specific CDBG funding amounts for the following organizations for the FY 1991-92 program year;

Whereas, The City Council has approved the FY 1991-92 Statement of Objectives and Projects Use of Funds at its meeting on May 30, 1991 for submission to HUD; and

Whereas, The Personnel/Human Rights Department has reviewed and approved these contractors as of April 11, 1991;

RESOLVED, That the Mayor and City Council approve the allocations of FY 1991-92 Community Development Block Grant funds to the agencies listed below and authorize the Community Development Department to negotiate contractual agreements with subgrantees in accordance with the City's standard purchasing procedures;

RESOLVED, That the Mayor and City Council authorize the transfer of

appropriations to these accounts from 030-002-0600-4421 - \$396,000.00, 018-002-0600-4421 - \$20,250.00, and 0HS-002-0100-4421 - \$40,000.00

<u>AGENCY</u>	<u>AMOUNT</u>	<u>ACCOUNT NO.</u>
Ann Arbor Center for Independent Living	\$ 32,100.00	030-002-0600-7000
Ann Arbor Housing Commission	10,000.00	030-002-0600-7015
Child Care Coordinating and Referral Service	140,000.00	030-002-0600-7045
Community Dental Center	25,000.00	030-002-0600-7065
Housing Bureau for Seniors	12,150.00	030-002-0600-7110
Legal Services of Southeastern Michigan	42,000.00	030-002-0600-7130
Neighborhood Senior Services	52,000.00	030-002-0600-7140
Options Center	20,000.00	030-002-0600-7150
Packard Community Clinic	18,000.00	030-002-0600-7160
Soundings	35,000.00	030-002-0600-7210
Student-Parent Center	18,000.00	030-002-0600-7215
Visiting Care	12,000.00	030-002-0600-7225
Washtenaw Affordable Housing Corporation 7230	<u>40,000.00</u>	0HS-002-0600-
	\$456,250.00	

RESOLVED, That all programs funded by the Community Development Block Grant shall give priority in targeting services to very low-income families and individuals; and

RESOLVED, That all programs be required to report progress in providing these services on a quarterly basis and that programs be monitored by Community Development Department staff.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-392-7-91 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 1991-92
COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACTS

Whereas, The CDBG Executive Committee and City Council have approved the

allocation of specific CDBG funding amounts for the following organizations for the FY 1991-92 program year;

Whereas, The City Council has approved the FY 1991-92 Statement of Objectives and Projected Use of Funds at its meeting on May 30, 1991 for submission to HUD;

Whereas, Service contracts between the City and each organization have been negotiated as directed by City Council; and

Whereas, The Personnel/Human Rights Department has reviewed and approved these contractors as of April 11, 1991;

RESOLVED, That the Mayor and City Council approve the contracts with the agencies listed below and authorize the Mayor and City Clerk to execute these contracts substantially in the form on file in the Office of the City Clerk for the amounts indicated beginning July 1, 1991 and terminating June 30, 1991:

<u>AGENCY</u>	<u>AMOUNT</u>	<u>ACCOUNT NO.</u>
Ann Arbor Center for Independent Living	\$ 32,100.00	030-002-0600-7000
Child Care Coordinating & Referral Service	140,000.00	030-002-0600-7045
Legal Services of Southeastern Michigan	42,000.00	030-002-0600-7130
Neighborhood Senior Services	52,000.00	030-002-0600-7140
Options Center	20,000.00	030-002-0600-7150
Packard Community Clinic	18,000.00	030-002-0600-7160

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-393-7-91 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 1991-92
CITY GENERAL FUND HUMAN SERVICES AND
ECONOMIC DEVELOPMENT ALLOCATIONS

Whereas, The Human Services Task Force has recommended the allocation of

specific General Fund amounts for the following organizations for the FY 1991-92 program year; and

Whereas, The Personnel/Human Rights Department has reviewed and approved these contractors;

RESOLVED, That the Mayor and City Council approve the allocation of FY 1991-92 General Funds to the following agencies in the following amounts and authorize the Community Development Department to negotiate contractual agreements with subgrantees in accordance with the City's purchasing procedures; and

RESOLVED, That the Mayor and City Council authorize the transfer of appropriations from 010-002-0600-various, 010-002-4070-various, and 010-019-0222-4421 to these accounts:

<u>AGENCY</u>	<u>AMOUNT</u>	<u>ACCOUNT NO.</u>
Ann Arbor Community Development Corporation	\$ 25,000.00	010-002-4070-7010
Ann Arbor Housing Commission	5,000.00	010-002-0600-7015
Ann Arbor Parks & Recreation Dept. (Bryant)	8,000.00	010-002-0600-7035
Ann Arbor Y	65,000.00	010-019-0222-7020
Arrowwood Hills Cooperative	15,000.00	010-002-0600-7025
Assault Crisis Center	7,500.00	010-002-0600-7030
Catholic Social Services	30,500.00	010-002-0600-7040
Ctr. for Occupational & Personalized Education	19,000.00	010-002-0600-7042
Child and Family Services	5,000.00	010-002-0600-7050
Community Action Network	53,000.00	010-002-0600-7055
Community Dental Center	5,000.00	010-002-0600-7065
Community Learning Post	2,000.00	010-002-0600-7070
Domestic Violence Project	30,000.00	010-002-0600-7075
Food Gatherers	8,000.00	010-002-0600-7095
Legal Services of Southeastern Michigan	7,500.00	010-002-0600-7130
Network for Equal Economic Development	5,000.00	010-002-0600-7137
Ozone House	21,000.00	010-002-0600-7155

<u>AGENCY (Cont.)</u>	<u>AMOUNT</u>	<u>ACCOUNT NO.</u>
Packard Community Clinic	10,000.00	010-002-0600-7160
Peace Neighborhood Center	64,000.00	010-002-0600-7165
Pinelake Village Cooperative	23,000.00	010-002-0600-7170
Project Transition	6,000.00	010-002-0600-7175
Salvation Army	27,500.00	010-002-0600-7190

Second Baptist Human Services	12,000.00	010-002-0600-7195
Shelter Association	98,500.00	010-002-0600-7200
SOS Community Crisis Center	43,000.00	010-002-0600-7205
St. Andrews Breakfast Program	8,000.00	010-002-0600-7185
Trailblazers	7,000.00	010-002-0600-7220
Washtenaw Development Council	<u>50,000.00</u>	010-002-4070-7232
TOTAL	\$660,500.00	

RESOLVED, That all human services programs funded by the General Fund shall give priority in targeting services to very low-income families and individuals; and

RESOLVED, That all programs be required to report progress in providing these services on a quarterly basis and that programs be monitored by Community Development Department staff.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-394-7-91 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 1991-92
GENERAL FUND HUMAN SERVICES AND COMMUNITY
DEVELOPMENT CONTRACTS

Whereas, The Human Services Task Force and City Council have approved the allocation of specific General Fund amounts for the following organizations for FY 1991-92 program year;

Whereas, Service contracts between the City and each organization have been negotiated as directed by City Council; and

Whereas, The Personnel/Human Rights Department has reviewed and approved these contractors as of April 11, 1991;

RESOLVED, That the Mayor and City Council do hereby approve the contracts with the agencies listed below and authorize the Mayor and City Clerk to execute the contracts substantially in the form on file in the Office of the City Clerk for the amounts indicated beginning July 1, 1991 and terminating June 30, 1991;

<u>AGENCY</u>	<u>AMOUNT</u>	<u>ACCOUNT NO.</u>
Arrowwood Hills Cooperative	\$15,000.00	010-002-0600-7025
Community Action Network	53,000.00	010-002-0600-7055
Ozone House	21,000.00	010-002-0600-7155
Pinelake Village Cooperative	23,000.00	010-002-0600-7170
SOS Community Crisis Center	43,000.00	010-002-0600-7205

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-395-7-91 APPROVED

RESOLUTION TO APPROVE LEASE AGREEMENT
WITH THE REGENTS OF THE UNIVERSITY OF MICHIGAN
FOR THE COMMUNITY DENTAL CENTER

Whereas, The University of Michigan has leased the City-owned building at 406 N. Ashley St. since 1981 for use by the Community Dental Center; and

Whereas, the City of Ann Arbor has entered into a contract with the University of Michigan which begins July 1, 1991, to provide dental services to low-income Ann Arbor residents at the Community Dental Center;

RESOLVED, That the Mayor and City Council do hereby approve the lease agreement for the building located at 406 N. Ashley, St., Ann Arbor with the Board of Regents of the University of Michigan to begin July 1, 1991 and terminate June 30, 1992, and authorize the Mayor and City Clerk to execute the lease agreement substantially in the same form as on file in the Office of the City Clerk.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-396-7-91 APPROVED

RESOLUTION TO APPROVE AGREEMENT WITH NATIONAL BANK OF DETROIT FOR USE OF MASTER CARD/VISA AT LESLIE PARK GOLF COURSE

Whereas, The City of Ann Arbor Department of Parks and Recreation operates Leslie Park Golf Course;

Whereas, The use of Mastercard/Visa by its patrons will increase sales; and

Whereas, An agreement can be made with NBD banks to allow acceptance of Mastercard/Visa and is recommended by the City Treasurer;

RESOLVED, That the Mayor and Council approve the recommendation of the City Administrator and authorize the Mayor and City Clerk to sign the agreement with NBD Banks substantially in the form on file with the City Clerk.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

With unanimous consent of Council, the Resolution to Approve the Contract for Final Closure of the Landfill - Phase II; Cells 1, 2 and 3 was deferred to the end of Motions and Resolutions.

R-397-7-91 APPROVED

RESOLUTION TO APPROVE PURCHASE OF RECYCLING COLLECTION TRUCK - BID NO. 2048

Whereas, At the request of the Solid Waste Department, the Purchasing Department solicited bids for recycling collection vehicles under Bid No. 2048 that included an option for purchase of additional vehicles;

Whereas, The City Council approved a recycling collection contract on February 21, 1991 that included a commitment to lease an eighth recycling collection vehicle in addition to the seven that were approved by City Council on December 17, 1990;

Whereas, Recycle Ann Arbor, the recycling service provider, has requested an

additional LoDal SA-33 as the eighth vehicle to be leased to them;

Whereas, Scavenger, Inc., the lowest responsible bidder under Bid No. 2048, has specified that an additional LoDal SA-33 can be purchased at the existing bid price of \$87,062.00, until July 2, 1991;

Whereas, Funding for this additional vehicle will be made available by transferring \$87,062.00 out of the Multi-Family Recycling Site Preparation category of the City Environmental Bond into the Truck category of the same bond;

Whereas, Site preparation funding needs for multi-family recycling sites have been reduced because the program has been modified to include primarily recycling curbcarts instead of dumpsters and, therefore, do not require as much site preparation; and

Whereas, The Human Rights Department approved Scavenger, Inc. on November 26, 1990;

RESOLVED, That City Council approve the bid of Scavenger, Inc. for the purchase of one additional LoDal Semi-Automated Recycling Collection Vehicle at \$87,062.00; and

RESOLVED, That the City Administrator be directed to issue a purchase order in the amount of \$87,062.00 to Scavenger, Inc. to furnish and deliver one LoDal SA-33 Semi-Automated Recycling Collection Vehicle, in accordance with this resolution and Bid No. 2048.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-398-7-91 APPROVED AS AMENDED

RESOLUTION TO APPROVE RACIAL HARASSMENT POLICY

A resolution to approve a racial harassment policy was considered.

Councilmember Eckstein moved that the resolution be adopted.

Councilmember Eckstein moved that the last sentence of the policy on racial harassment in the resolution be amended as follows:

...Incidents of this type of harassment will be considered ~~as~~ serious misconduct and ~~can~~ **WILL** result in disciplinary action up to and including dismissal.

On a voice vote the Chair declared the motion carried.

The question being the resolution as amended, on a voice vote the Chair declared the motion carried.

The resolution as amended reads as follows:

R-398-7-91

RESOLUTION TO APPROVE RACIAL HARASSMENT POLICY

Whereas, There have been recent incidents of racial harassment of City employees;
and

Whereas, The City of Ann Arbor has a long-standing concern about fair and equal treatment of all City employees;

RESOLVED, That the Council adopt the following policy on racial harassment:

RACIAL HARASSMENT POLICY

The City of Ann Arbor has had a long standing concern about the fair and equal treatment of employees. Harassment of any individual or group of individuals in the work environment because of race, religion, color, age, sex, national origin, sexual orientation or handicap is considered contrary to the City's nondiscrimination policies.

In keeping with the above policies, it is the intent of the City of Ann Arbor that a work atmosphere be maintained in which employees do not engage in conduct which is offensive to coworkers such as disparaging use of racial, ethnic or sexual remarks or humor. This of course includes both oral and printed remarks. Incidents of this type of harassment will be considered serious misconduct and will result in disciplinary action up to and including dismissal.

R-399-7-91 APPROVED

RESOLUTION APPROVING DISTRIBUTION OF ASSESSMENT
AGAINST KETELAAR ASSOCIATES

Whereas, On March 19, 1990 the Council adopted Resolution No. R-121-3-90 confirming the assessment roll for the Chaucer Court storm sewer project, District 72, File No. 89067;

Whereas, The resolution included an assessment of \$27,002.70 against parcel 81-12-05-203-093 owned by Ketelaar Associates;

Whereas, This parcel has now been subdivided and sold to a number of parties;
and

Whereas, The new owners have agreed to pay their proportionate share of the assessments as it pertains to their parcels;

RESOLVED, That the original assessment be now assessed to the properties shown below in Exhibit A in the amount shown against each property; and

RESOLVED, That the terms and conditions of the original resolution (R-21-3-90) be used for the revised assessments.

EXHIBIT A
RESPREAD CHAUCER COURT STORM SEWER
DISTRICT NO. 72, FILE NO. 89067

The Meadows Condominiums

12-05-203-093 Unit 1	2001 Marra Dr. Marcon Building Services, Inc. 339 E. Liberty St., Suite 300 Ann Arbor, MI 48104	\$1,578.08
12-05-203-094 Unit 2	2003 Marra Dr. D. J. White Construction 2013 Marra Dr. Ann Arbor, MI 48103	\$2,045.66
12-05-203-095 Unit 3	2005 Marra Dr. Meadows Development Co.	\$1,227.40

	c/o Dan Ketelaar 225 S. Ashley, St., Suit 203 Ann Arbor, MI 48104	
12-05-203-096 Unit 4	2007 Marra Dr. Marcon Building Services, Inc. 339 E. Liberty St., Suite 300 Ann Arbor, MI 48104	\$1,578.08
12-05-203-097 Unit 5	2009 Marra Dr. D.J. White Construction 2013 Marra Dr. Ann Arbor, MI 48103	\$2,045.66
12-05-203-101 Unit 9	2017 Marra Dr. Douglas R. Ingram 2061 S. Seventh St. Ann Arbor, MI 48103	\$1,227.39
12-05-203-102 Unit 10	2019 Marra Dr. Marcon Building Services, Inc. 339 E. Liberty St., Suite 300 Ann Arbor, MI 48103	\$1,578.08
12-05-203-104 Unit 12	2020 Marra Dr. D.J. White Construction 2013 Marra Dr. Ann Arbor, MI 48103	\$2,045.66
12-05-203-105 Unit 13	2016 Marra Dr. D.J. White Construction 2013 Marra Dr. Ann Arbor, MI 48103	\$2,045.66
12-05-203-106 Unit 14	2012 Marra Drive Marcon Building Services, Inc. 339 E. Liberty St., Suite 300 Ann Arbor, MI 48103	\$1,578.08
12-05-203-107 Unit 15	2010 Marra Dr. Raymond Maturo & Ann Mulhern	\$1,227.39

	2010 Marra Dr. Ann Arbor, MI 48103	
12-05-203-108 Unit 16	2006 Marra Dr. Marcon Building Services, Inc. 339 E. Liberty St., Suite 300 Ann Arbor, MI 48103	\$1,578.08
12-05-203-111 Unit 19	406 Vick Ct. Marcon Building Services, Inc. 339 E. Liberty St., Suite 300 Ann Arbor, MI 48103	\$1,578.08
12-05-203-112 Unit 20	404 Vick Ct. D.J. White Construction 2013 Marra Dr. Ann Arbor, MI 48103	\$2,045.66
12-05-203-113 Unit 21	402 Vick Ct. Marcon Building Services, Inc. 339 E. Liberty St., Suite 300 Ann Arbor, MI 48103	\$1,578.08
12-05-203-114 Unit 22	2002 Marra Dr. D.J. White Construction 2013 Marra Dr. Ann Arbor, MI 48103	\$2,045.66

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-400-7-91 APPROVED

RESOLUTION APPROVING EMPLOYMENT AGREEMENT
WITH ALFRED A. GATTA

RESOLVED, That the Ann Arbor City Council approve the employment agreement with Alfred A. Gatta, and that the Mayor and Clerk be authorized to execute the agreement

in the form on file with the City Clerk.

Councilmember Peterson moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-401-7-91 APPROVED

RESOLUTION TO ESTABLISH MAYOR'S BLUE RIBBON COMMITTEE ON CITY FINANCE AND MANAGEMENT

Whereas, The City of Ann Arbor, like most municipalities across the nation, faces severe budgetary and management challenges;

Whereas, Many ann Arbor residents feel strained by the level of taxation, the solid waste budget is \$4 million short of its revenue stream, and the City's infrastructure is badly deteriorated;

Whereas, The City is fortunate to be the home of many prominent experts who could aid the city in analyzing some of the fiscal and managerial problems we are facing; and

Whereas, These experts could help the Mayor and Council understand the economic climate we are working in and seek efficiencies and other ways to improve the financial condition of the City;

RESOLVED, That the Ann Arbor City Council establishes the Mayor's Blue Ribbon Committee on City Finance and Management; and

RESOLVED, That this committee will examine the revenue stream of the City, the expenditure level, and the tax base and compare the performance of the City of Ann Arbor to comparable communities.

Councilmember Eckstein moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-402-7-91 APPROVED

RESOLUTION TO AWARD CONSTRUCTION CONTRACT
TO GROUND IMPROVEMENT TECHNIQUES, INC. AND ESTABLISH
CONSTRUCTION BUDGET FOR FINAL CLOSURE OF THE LANDFILL
PHASE II - CELLS I, II AND III - BID NO. 2149

Whereas, Cells I, II and III of the Phase II Landfill were filled to final grades in 1989 and must now be closed with an engineered final cover;

Whereas, Ground Improvement Techniques, Inc. of Kissimmee, Florida has submitted to the City on June 27, 1991, a bid for said work in the total amount of \$4,387,510.00 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 construction project; and

Whereas, Said company was approved by the Personnel/Human Rights Department on June 28, 1991 for said construction project;

RESOLVED, That a contract in the amount of \$4,387,510.00 be awarded to Ground Improvement Techniques, Inc. for construction of the final cover of Cells I, II and III of the Phase II Landfill;

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

RESOLVED, That the following additional appropriation and construction budget to the Phase II Closure project be approved, over and above the amount which was appropriated by Council on March 25, 1991 for design and construction inspection (R-154-3-91), and that these funds be available until expended without regard to fiscal year:

SECTION I - REVENUE

\$5,096,931.00	Environmental Bond, Series A
\$5,096,931.00	TOTAL

SECTION II - EXPENSE

\$4,387,510.00	Construction Contract
526,500.00	Contingencies to be approved in writing by City Administrator
<u>182,921.00</u>	User Fee/Overhead Charge
\$5,096,931.00	TOTAL

Councilmember Peterson moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

NOMINATIONS PLACED ON TABLED

Mayor Brater placed the following nominations on the table for approval at a later date:

MAYOR'S BLUE RIBBON COMMITTEE ON CITY FINANCE AND MANAGEMENT

Edward Gramlich, Chair
Professor of Economics and Public Policy

Ted Annis
Vice President, Supply Tech Inc.

MAYOR'S BLUE RIBBON COMMITTEE ON CITY FINANCE AND MANAGEMENT (Cont.)

Paul N. Courant
Research scientist, Institute for Public Policy Study and
Professor of economics and public policy

Margaret E. Dewar
Associate professor of urban planning

Alfred L. Edwards
Professor emeritus of business administration

Alan Mandel
Group supervisor, Jacobson's

Janet A. Weiss
Professor of organizational behavior and public policy,
School of Business Administration

Alfred Gatta
City Administrator

Elizabeth Brater
Mayor

PARK ADVISORY COMMISSION

Jerene Calhoun (to replace Jane Lumm)
7 Metroview Ct.
Term: 7-15-91 to 7-15-94

Anne Heise (to replace Linda Carver)
602 Linda Vista
Term: 7-15-91 to 7-15-94

TAXICAB BOARD

Thomas H. Green (reappointment)
2318 Buckingham Rd.
Term: 7-15-91 to 4-94

TAXICAB BOARD (Cont.)

Ronald Naylor (reappointment)
1815 Anderson
Term: 7-15-91 to 4-94

HOUSING BOARD OF APPEALS

Barbara Vicory (to replace Jean Wilkins)
1331 Geddes Ave., #2
Term: 7-15-91 to 6-30-94

Barry Johnson (reappointment)
County Health Department
P.O. Box 8645
Term: 7-15-91 to 6-30-94

COMMUNITY DEVELOPMENT CITIZEN PARTICIPATION
EXECUTIVE COMMITTEE

Herm Steinman (reappointment)
1311 Franklin
Term: 7-15-91 to 7-15-93

N. Renuka Uthappa
(to complete term of Colleen McGee - at her request)
715 Lawrence St., #1A
Term: 7-15-91 to 2-3-93

ZONING BOARD OF APPEALS

Wendy Carman (to replace Jim Cameron)
2340 Georgetown Blvd.
Term: 7-15-91 to 7-15-94

HISTORIC DISTRICT COMMISSION

J. Michael Schroer (reappointment)
1911 Geddes Ave.
Term: 7-15-91 to 7-15-94

APPOINTMENTS APPROVED

Mayor Brater recommended the following appointments at the June 17, 1991 regular session of Council:

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 St.
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

Councilmember Hunter moved that Council concur with the recommendations of the Mayor.

On a voice vote the Chair declared the motion carried.

Council unanimously agreed to waive the Council Rules to consider the following nominations:

CITY PLANNING COMMISSION

Julie Creal (reappointment)
3224 Alpine
Term: 7-1-91 to 6-30-94

Leon Holman (to replace Claire Turcotte)
3455 Yellowstone Dr.
Term: 7-1-91 to 6-30-94

Council unanimously concurred with the above recommendations of the Mayor.

Council unanimously agreed to waive the Council Rules to consider the following nominations:

HOUSING BOARD OF APPEALS

Barbara Vicory (to replace Jean Wilkins)
1331 Geddes Ave., #2
Term: 7-1-91 to 6-30-94

Barry Johnson (reappointment)
County Health Department
P.O. Box 8645
Term: 7-1-91 to 6-30-94

Council unanimously concurred with the above recommendations of the Mayor.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

Acting City Administrator Mason submitted the following reports for information of Council:

1. Outdoor Sales and Service Fees
2. Request for Proposal for Fee Study and Cost Allocation Plan
3. Whiffletree Lot - North Huron
4. Pavement Widening at Geddes and Earhart
5. False Alarm Response Fees
6. Notice Process for False Alarm Fees
7. Signage - 2350 Washtenaw Ave.
8. Community High School Sanitary Sewer Connection
9. Construction Work on Gardner Street
10. Tree Removal at Ashley/William Surface Parking Lot
11. 1992 Presidential Primary
12. First and William Vegetation Clean Up and Broadway Sidewalk Clean Up

(Reports on file in the City Clerk's Office)

COMMUNICATIONS FROM THE CITY ATTORNEY

BLACK POND PROPERTY

City Attorney R. Bruce Laidlaw reported that the closing for the Black Pond property took place today and that the City is now the owner of the Black Pond Woods.

REPORT ON COMPLETED ANNEXATIONS

City Attorney R. Bruce Laidlaw submitted reports on the following completed annexations:

1. Bjork property, 2963 Dexter Rd. (0.23 acre)
2. Kasischke property, 2819 Dexter Rd. (0.18 acre)
3. Neely property, Pinewood south of Dexter Rd. (0.41 acre)
4. West Property, 401 Glenwood St. (0.33 acre)

(Reports on file in the City Clerk's Office)

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER ZIMMER

Councilmember Zimmer stated that the newly established Information Services Advisory Committee still needs qualified citizens to serve. Mr. Zimmer stated that applicants should have computer expertise, with practical and theoretical experience.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Christopher Brockman, 2865 Gladstone, regarding business card from police officer - File.

2. Communication from John Baselle, Medical Director of Midwest Medflight, commending Airport staff - File.
3. Resolutions Regarding State Presidential Preference Primary Elections were received from the following Michigan cities: Romulus, Niles, Durand, Mason, Allen Park, Manistique and Wyoming - File.

The following minutes were received for file:

1. Planning Commission - May 14 and 28, 1991
2. Employees' Retirement System Board - May 8, 1991
3. Sign Board of Appeals - May 14, 1991
4. Commission on Handicapper Concerns - May 28, 1991
5. Ann Arbor Transportation Authority Board - May 22, 1991
6. Building Board of Appeals - April 23, 1991
7. Historic District Commission - May 9, 1991
8. Human Services Task Force - June 3, 1991

Councilmember Hunter moved that the Clerk's Report be accepted.

On a voice vote the Chair declared the motion carried.

AUDIENCE PARTICIPATION - General

None.

ADJOURNMENT

There being no further business to come before Council, it was moved by Councilmember Zimmer that the meeting be adjourned.

On a voice vote the Chair declared the motion carried and the meeting adjourned at 10:40

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Council - July 1, 1991

p.m.

W. Northcross
Clerk of the Council

Janet L. Chapin
Recording Secretary