

REGULAR SESSION - SEPTEMBER 16, 1991

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

Council stood for a moment of silence.

Mayor Brater led the Pledge of Allegiance.

ROLL CALL OF COUNCIL

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

Absent: 0

INTRODUCTIONS

PRESENTATION OF ANNUAL 1991 GOLDEN TROWEL AWARDS

Mayor Brater, Parks and Recreation Director Ron Olson and Park Advisory Commission Member Phyllis Timmer presented the Annual 1991 Golden Trowel Awards to individuals and places of business in the City who beautified a portion of public property with landscaping and gardening.

EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEES PRESENTATION

Chair Cecil Nesbitt, Vice-chair E L Weathers, Actuary Alan Sonnanstine, Board Counsel Jerold Lax and the members of the Employees Retirement System Board of Trustees all made brief presentations regarding adoption of an early retirement window in the Pension ordinance that would allow early retirement without penalty for a brief period of time for eligible employees.

AUDIENCE PARTICIPATION - RESERVED TIME

BRIAN MAKI - POLICE DEPARTMENT

Brian Maki, 3835 Green Brier Blvd., paid tribute to the German residents that established the park system in the City of Ann Arbor, expressed concerns over the amount of espionage and espionage related events within the City's borders and Police Department,

suggested that the Police not carry handguns but be provided with billy clubs, knives or shotguns, objected to the City's dog licensing ordinance, and suggested that the Comerica Bank construction hole at the corner of Huron and Fifth be better fenced to avoid accidents.

DAVID NOEL - DAY SHELTER

David Noel, 410 W. Washington Street, Apt. 24, suggested that the City provide an interim homeless day shelter while the current shelter is under renovation. He said that the renovations are not expected to be completed before winter.

JEFF GEARHART - COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY (CHAS)

Jeff Gearhart, 2118 N. Circle Dr., said that the CHAS process provides the City a chance to review housing and its housing policy with regard to all of the housing subsidy programs. He said that the study should examine in more specific detail the resources in the community including existing housing as well as land, analysis of fair housing requirements and seek to assure long-time affordability.

ARTHUR COLLINS - AIRPORT

Arthur Collins, 3233 Miller Road, Scio Twp., said that he has a background in accounting and is a professional engineer. He spoke against raising the user fees at the airport. He questioned the entries and use of the funds in the budget items under Depreciation and Municipal Administrative Services.

COLLENE CONRAD - AIRPORT

Collene Conrad, 742 Greenhills Drive, former member and vice-chair of the Airport Advisory Board, said that the budget for the airport and the revenues all come from user fees. She said that all of the money is needed by the Airport for maintenance and repair. She objected to that money being used for non-airport purposes.

JOHN WOLTER - AIRPORT

John Wolter, 1541 Jones Dr., said that a reasonable increase in airport user fees would seem acceptable but an excessive increase may prove detrimental. The concern is that the fees are being raised but that the necessary maintenance and repairs to facilities may not be made.

REPORT OF PUBLIC HEARINGS

ORDINANCE NO. 44-91 - PRESTON PROPERTY REZONING

A public hearing was conducted on the proposed Amendment to Chapter 55, the rezoning of 1.75 acres from TWP (Township District) to R1C (Single-Family Dwelling District), Preston property, 2625 Traver Boulevard. (Ordinance No. 44-91)

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

APPROVAL OF AGENDA

AGENDA APPROVED AS AMENDED

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

Add:

**ANN ARBOR CITY COUNCIL AGENDA
EXECUTIVE SESSION**

ROLL CALL OF COUNCIL

Pi Kappa Phi Fraternity Lawsuit

ADJOURNMENT

INTRODUCTIONS

Add: Cecil Nesbitt, Chair of the Employees Retirement System Board of Trustees

CONSENT AGENDA

Revised: Resolution to Grant Water and Sewer Services Outside City Limits to **2460** James Street

ORDINANCES - SECOND READING

Please Note: Memorandum from the Ann Arbor Employees Retirement System Board of Trustees regarding the proposed Amendment to Chapter 18, Section 1:564 -Early Retirement Window, and, letter from Christopher L. Rizik, of Dickinson, Wright, Moon, VanDusen & Freeman, Counsellors at Law - regarding City of Ann Arbor Retirement System - Distributed 9-13-91 - Filed

MOTIONS AND RESOLUTIONS

Delete: Resolution to Approve Kay Annexation, 0.55 acre, 2505 Victoria (Planning Commission recommendation: Approval - 7 yeas, 0 nays) Tabled September 3, 1991)

Delete: Resolution to Approve a Purchase Order to Duncan Industries of Harrison, Arkansas for 74 parking Meters (\$16,593.64) (Tabled August 19, 1991 and September 3, 1991)

Move: Resolution to Proclaim American Businesswomen's Day (Councilmember Sheldon) **Moved to beginning of Consent Agenda**

Add: Resolution Encouraging the State Legislature to Support a Gas Tax Increase (Councilmembers Sheldon, **GRADY AND THE STREETS ADVISORY COMMISSION**)

Add: Resolution Regarding Ward Boundary Commission (Mayor Brater)

Add: Resolution to Work with the Downtown Development Authority (DDA) to Reconstruct Parking Structures and Implement the Transportation Plan (Democratic Caucus)

Add: Resolution Proclaiming Thursday, September 19, 1991
Revised: as Special Olympics Day

Add: Resolution Concurring with Downtown Development Authority (DDA) Resolution dated September 16, 1991

G - COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: Presidential Primary Election

Add: Information Letter to all Alarm Connection Permittees

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

APPROVAL OF COUNCIL MINUTES

MINUTES APPROVED AS PRESENTED

Councilmember Sheldon moved that the regular session minutes of September 3, 1991 be approved as presented.

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

AGENDA ALTERED TO CONSIDER THE FOLLOWING:

R-547-9-91 APPROVED

RESOLUTION TO PROCLAIM AMERICAN BUSINESSWOMEN'S DAY

Whereas, Approximately 55 million working women are integrally involved in determining the directions in which the private and public sectors of this country will move;

Whereas, These enterprising women hold active, responsible positions on all levels of business, and will play an increasingly powerful role in the American work force; and

Whereas, Women have made an important contribution to building the strength and greatness of the United States and all evidence indicates that the American businesswoman will continue her significant contribution to the progress of our nation;

In salute to the over 55 million American businesswomen for their contributions to the private and public sectors of this country;

RESOLVED, That the Mayor and Council of the City of Ann Arbor hereby proclaim September 22, 1991, as American Businesswomen's Day in this community, and urge all citizens to join in thanking the members of the local chapters of the American Businesswomen's Association for their contributions to Ann Arbor.

Councilmember Sheldon moved that the resolution be approved.

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

RETURNING TO THE ORDER OF THE AGENDA:

CONSENT AGENDA

CONSENT AGENDA APPROVED

The following Consent Agenda was considered:

R-532-9-91 APPROVED

RESOLUTION TO APPROVE
ASPEN EQUITIES, INC. ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval (6 yeas and 0 nays) of the Aspen Equities, Inc. Annexation, 0.5 acre, Riverview Drive, north of Dover Place.

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

Whereas, Aspen Equities, Inc. is the owner of the property;

Whereas, It is the desire of Aspen Equities, Inc. 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 Ann Arbor, Washtenaw County, Michigan, be detached from said Township of Ann Arbor and annexed to the City of Ann Arbor, to-wit:

Lot 1, Geddes Avenue River View Heights, according to the plat thereof as recorded in Liber 6 of Plats, Page 37, Washtenaw County Records, including adjacent Riverview Drive right-of-way.

Annexation No. 9274G.14.1 and .2

R-533-9-91 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION
CONTRACT TO PARKS INSTALLATION FOR
THE INSTALLATION OF FUEL STORAGE
TANKS - BID NO. 2158 (\$61,248.50)

Whereas, Current State and Federal legislation requires the upgrading and or removal of the City's underground fuel storage tanks system;

Whereas, To meet our fueling needs at City Hall and for the Ann Arbor Fire Department, two below ground tanks and one above ground tank need to be installed;

Whereas, Parks Installation, Inc. of Milford, Michigan submitted to the City on August 22, 1991 a bid (Bid No. 2158) in the amount of \$61,248.50, and was deemed to be the lowest responsible bidder;

Whereas, The contract set forth services to be performed by Parks Installation Inc., and payment to be made by the City; and

Whereas, Human Rights approval was obtained on August 28, 1991;

RESOLVED, That Bid No. 2158 for the installation of fuel storage tanks be awarded to Parks Installation, Inc. in the amount of \$61,248.50;

RESOLVED, A contingency amount be established in the amount of \$6,100 to cover contingency expense related to the installation of fuel storage tanks under this bid; and

RESOLVED, That the Mayor and City Clerk are hereby authorized and directed to sign a contract with Parks Installation Inc. for the installation for fuel storage tanks on a contract approved as to form by the City Attorney and approved as to substance by the City Administrator, who may undertake necessary administrator action to successfully complete the project.

R-534-9-91 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION
CONTRACT TO CARLO ENVIRONMENTAL
TECHNOLOGIES, INC. FOR THE REMOVAL
OF THE UNDERGROUND STORAGE TANKS
(UST'S) - BID NO. 2157 (\$84,192.50)

Whereas, Current State and Federal legislation requires the upgrading or removal of the City's UST inventory;

Whereas, Carlo Environmental Technologies, Inc. of Mt. Clemens, Michigan, submitted to the City on August 22, 1991 a bid (Bid No. 2157) in the amount of \$84,192.50, and was deemed to be the lowest responsible bidder;

Whereas, The Contract set forth services to be performed by Carlo Environmental Technologies, Inc. and payment to be made by the City; and

Whereas, Human Rights Department approval was obtained on August 28, 1991;

RESOLVED, That Bid No. 2157 for the removal of Underground Storage Tanks (UST's) be awarded to the Carlo Environmental Technologies, Inc. in the amount of \$84,192.50;

RESOLVED, A contingency amount of \$8,400 be established to cover contingency expenses related to the City's UST program and this contract; and

RESOLVED, That the Mayor and City Clerk are hereby authorized and directed to sign a contract with Carlo Environmental Technologies Inc. for the removal of City UST's on a contract approved as to form by the City Attorney, and approved as to substance by the City Administrator, who may undertake necessary administrative action to successfully complete the project.

R-535-9-91

RESOLUTION TO APPROVE FISCAL YEAR
90-91 APPROPRIATION FOR THE HURON
RIVER POLLUTION ABATEMENT PROJECT
(\$29,818.00)

Whereas, On February 24, 1986 Council approved the City of Ann Arbor's participation and financial commitment to the Huron River Pollution Abatement Project;

Whereas, \$29,818.00 needs to be appropriated to the FY 90-91 Stormwater Utilities Budget for the May and June 1991 payments for this project; and

Whereas, Sufficient funds are available in the Stormwater Utility Fund to finance this appropriation;

RESOLVED, That \$29,818.00 is appropriated to the FY 90/91 Stormwater Utility Budget for the Huron River Pollution Abatement Project

Source of Fund: Unreserved Retained Earnings - Stormwater Utility Fund

R-536-9-91 APPROVED

RESOLUTION TO ALLOCATE CITY GENERAL
FUNDS TO PROJECT GROW COMMUNITY
GARDENS (\$22,500.00)

Whereas, The City of Ann Arbor has received and approved a request for City General Funds to Project Grow Community Gardens to provide gardening services to Ann Arbor residents during FY 91/92 budget year;

Whereas, Project Grow Community Gardens has been contracted by the City in the past to provide gardening services to Ann Arbor residents;

Whereas, Twenty-two Thousand Five Hundred (\$22,500) Dollars has been appropriated to Project Grow Community Gardens to provide gardening services to Ann Arbor residents during FY 91/92;

Whereas, Project Grow Community Gardens fulfilled the conditions of its FY 90/91 contract with the city; and

Whereas, Human Rights approval was obtained on August 12, 1991;

RESOLVED, That the City Council of Ann Arbor authorize the Mayor and City Clerk to execute the agreement with Project Grow Community Gardens in the form on file in the City Clerk's Office; and

RESOLVED, That the Mayor and Council direct the City Administrator to allocate Twenty-two Thousand Five Hundred (\$22,500) Dollars from the approved FY 91/92 budget to Project Grow Community Gardens (010-061-0245-4421).

R-537-9-91 APPROVED

RESOLUTION TO APPROVE REHABILITATION AGREEMENT WITH TARA TUCKER (\$21,765.00)

Whereas, An application was received in October, 1990 from Tara Tucker for rehabilitation assistance to her home located at 701 Pomona;

Whereas, The Waiver and Review Board at its meeting on August 26 approved the waiver of the guidelines related to the \$15,000 maximum deferred loan amount and recommended approval of the agreement;

RESOLVED, The Mayor and City Council approve the Rehabilitation Agreement with Tara Tucker in the amount of \$21,765 and authorize the Mayor and City Clerk to execute the required documents substantially in the form on file in the office of the City Clerk.

Account Number OJC-002-1505-7410

R-538-9-91 APPROVED

RESOLUTION AUTHORIZING SANITARY SEWER IMPROVEMENT CHARGE FOR LOTS 56 AND 58 THE EVERGREENS SUBDIVISION (415 PINWOOD) (\$13,178.64 TO BE LEVIED)

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

8" Sanitary Sewer in Pinewood Street, File No. 86035, District No. 444 at

\$6,589.32/connection; two (2) connections = \$13,178.64; and

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

Annexation Address: 415 Pinewood
City Assessor Code: 08-24-418-005 & 08-24-418-006
Annexation Number : A91-04
Planning File No. : 8422J1.1

Lot 56 and Lot 58 of Evergreen Subdivision, including adjacent Pinewood Street right-of-way. Now situated in the City of Ann Arbor;

2. That the improvement charge so levied be in the amount of \$13,178.64 and be hereby designated as Utilities Improvement Charge No. 565;

3. That said improvement charge be divided into 15 equal installments, the first to be due on November 1, 1991 and the 14 subsequent installments to 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 November 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 E. and Arlene G. Neely, 1447 Strieter Road, Ann Arbor, MI. 48103 and be credited in the amount of \$13,178.64 to Fund 043-073-7151.

R-539-9-91 APPROVED

RESOLUTION AUTHORIZING WATER MAIN AND
SANITARY SEWER IMPROVEMENT CHARGES
FOR LOT 18 PACKARD HILLS SUBDIVISION
(1881 ROBERT STREET)
(\$10,302.58 TO BE LEVIED)

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

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

Sanitary Sewer: 8" water main in Robert St.; District No. 452, File No. 87100; \$5,185.16/connection; one (1) connection = \$5,185.16;

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

Annexation Address: 1881 Robert St.
City Assessor Code: 12-04-112-005
Annexation Number : A91-14
Planning File No. : 12041H22.1

Lot 18, Packard Hills Subdivision, including adjacent Victoria Avenue and Robert Street rights-of-way. Now situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of \$10,302.58 and be hereby designated as Utilities Improvement Charge No. 568;
3. That said improvement charge be divided into 15 equal installments, the first to be due on November 1, 991 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 November 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 Dora M. Rautiola, 454 Cornell, Canton, MI. 48188 and be credited in the amounts of \$5,117.42 to Fund 042-073-7151, and \$5,185.16 to Fund 043-073-7151.

R-540-9-91 APPROVED

RESOLUTION ORDERING CREDIT ON ASSESSMENT
FOR CHAUCER COURT STORM SEWER -
DISTRICT NUMBER 72, FILE NUMBER 89067
(CREDIT: \$7,487.65)

Whereas, The Special Assessment Roll for Storm Sewer, being District Number 72, File Number 89067, was confirmed by Council on March 19, 1990 in the amount of \$52,115.21;

Whereas, The final cost of this project as distributed between City Share and Property Share has fixed the final Property Share as amounting to \$44,627.56; and

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

RESOLVED, That such excess, in accordance with section 1.301 of the City Code, in the amount of \$7,487.65, be applied to the unpaid installments of said special assessment against each lot or parcel of land; and

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

CHAUCER COURT STORM SEWER
DISTRICT NUMBER 71 - FILE NO. 89067
DISTRIBUTION OF FINAL COST

		Preliminary <u>Estimate</u>	<u>Final Cost</u>
12-05-203-064	J.B. & L. Grammatico 2275 Chaucer Ct.	\$1,404.14	\$1,202.40
12-05-203-065	Master Key Northern 2580 W. Ellsworth Rd.	1,080.11	924.92
12-05-203-066	R.L. & P.M. Bennett 466 Village Oaks Ct.	1,134.11	971.17
12-05-203-067	Ronald & Pia Bennett 468 Village Oaks Ct.	1,080.11	924.92
12-05-203-068	Elizabeth W. Cavanaugh 482 Village Oaks Ct.	1,026.10	878.68
12-05-203-069	Kenneth & A. Jennings 490 Village Oaks Ct.	1,134.11	971.17
12-05-203-070	Scott & Cheryl Bonisteel 498 Village Oaks Ct.	1,566.16	1,341.14
12-05-203-071	Richard & Ruth Petit 495 Village Oaks Ct.	918.09	786.18
12-05-203-072	Alexander DeParry 921 Forest Rd.	1,404.14	1,202.40
12-05-203-073	Nancy E. McLeod 7639 Forest Dexter, Mi. 48130	1,080.11	924.92
12-05-203-074	Susan J. Davis 471 Village Oaks Ct.	1,080.11	924.92
12-05-203-075	Susan J. Davis 471 Village Oaks Ct.	1,080.11	924.93

12-05-203-076	John & S. Richwine 455 Village Oaks Ct.	1,296.13	1,109.91
12-05-203-078	Margaret Wolf 2001 Audubon Dr.	702.07	601.20
12-05-203-079	Rolland & Joan Frey 2003 Audubon Dr.	702.07	601.20
12-05-203-080	Charles Mancherian 1485 King George Blvd.	702.07	601.20
12-05-203-081	John and Joan Cellars 2007 Audubon Dr.	702.07	601.20
12-05-203-082	Master Key Northern c/o J. Grammatico 2275 Chaucer Ct.	702.07	601.20
12-05-203-083	Roger & Joan Craig 2012 Audubon Dr.	702.07	601.20
12-05-203-084	Jacqueline K. Aldridge 2014 Audubon Dr.	702.07	601.20
12-05-203-085	Joyce Wilson 2016 Audubon Dr.	702.07	602.20
12-05-203-086	William J. Gudenau 2018 Audubon Dr.	702.07	601.20
12-05-203-087	Nancy Cunningham 2020 Audubon Dr.	702.07	601.20
12-05-203-088	Joan Y. Voight 2810 Page Ave.	702.07	601.20
12-05-203-089	Anne Breiholz 2024 Audubon Dr.	702.07	601.20
12-05-203-090	David & Sook Shin 2026 Audubon Dr.	702.07	601.20

12-05-203-091	Bradley Canale 2028 Audubon Dr.	702.07	601.20
12-05-203-093	Marcon Building Services, Inc. Suite 300 339 E. Liberty St.	1,578.08	1,351.35
12-05-203-094	D.J. White Construction 2013 Marra Drive	2,045.66	1,751.75
12-05-203-095	Meadows Development Company c/o Dan Ketelaar 225 S. Ashley, Suite 203	1,227.40	1,051.05
12-05-203-096	Marcon Building Services, Inc., Suite 300 339 E. Liberty	1,578.08	1,351.35
12-05-203-097	D.J. White Construction 2013 Marra Drive	2,045.66	1,751.75
12-05-203-101	Douglas R. Ingram 2061 S. Seventh Street	1,227.39	1,051.05
12-05-203-102	Marcon Building Services, Inc. Suite 300 339 E. Liberty	1,578.08	1,351.35
12-05-203-104	D.J. White Construction 2013 Marra Drive	2,045.66	1,751.75
12-05-203-105	D.J. White Construction 2013 Marra Drive	2,045.66	1,751.75
12-05-203-106	Marcon Building Services, Inc. Suite 300 339 E. Liberty	1,578.08	1,351.35

12-04-203-107	Raymond Maturo & Ann Mulhern 2010 Marra Drive	1,227.39	1,051.05
12-05-203-108	Marcon Building Services, Inc. Suite 300 339 E. Liberty	1,578.08	1,351.35
12-05-203-111	Marcon Building Services, Inc. Suite 300 339 E. Liberty	1,578.08	1,351.35
12-05-203-112	D.J. White Construction 2013 Marra Drive	2,045.66	1,751.75
12-05-203-113	Marcon Building Services, Inc. 339 E. Liberty	1,578.08	1,351.35
12-05-203-114	D.J. White Construction 2013 Marra Drive	2,045.66	1,751.75
	TOTAL	\$52,115.21	\$44,627.56

R-541-9-91 APPROVED

RESOLUTION AUTHORIZING DEFICIENCY ASSESSMENT
FOR THE LIBERTY ROAD WATER MAIN -
DISTRICT NUMBER 88014, FILE NUMBER 88014
(DEFICIENCY: \$2,464.07)

Whereas, The Special Assessment Roll for Water Main, District Number 88014, File Number 88014, confirmed by Council on January 12, 1989, was in the amount of \$33,343.86;

Whereas, The final cost of the project as distributed between the City Share and the Property Share has fixed the final Property Share as amounting to \$35,807.93; and

Whereas, The assessments levied prove to be insufficient to pay the cost of the

improvement for which they were made, there being a deficiency of \$2,464.07 in the property share;

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

DISTRIBUTION OF FINAL COST

		<u>Preliminary Estimate</u>	<u>Final Cost</u>
08-25-404-059	Arabelle Wagner Trust 683 West Huron Pontiac, MI. 48053	\$33,343.86	\$35,807.93

R-542-9-91 APPROVED

**RESOLUTION TO GRANT WATER AND SEWER
SERVICE OUTSIDE CITY LIMITS TO
2460 JAMES STREET**

Whereas, John and Elizabeth Musgrave, owners of the property at 2460 James Street, have requested on August 30, 1991 that the City extend public water and sewer services for their use to the property in Pittsfield Township prior to the completion of the annexation process;

Whereas, The Musgraves desire 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 July 23, 1990, the Musgraves petitioned the City for annexation under Planning Department file number 12041D18.1 and .2;

RESOLVED, That the Mayor and Clerk are authorized and directed to sign the agreements on behalf of the City allowing City water and sewer services to the land during the time it is still outside of the Corporate Limits; the City Clerk is directed and ordered to send a copy of this resolution and the agreements by first class mail to the property owner; 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.

R-543-9-91 APPROVED

RESOLUTION TO ACCEPT BOARD OF
INSURANCE ADMINISTRATION MINUTES OF
SEPTEMBER 3, 1991 AND TO AUTHORIZE PAYMENTS

RESOLVED, That the Board of Insurance Administration Minutes of September 3, 1991 be accepted and that the payments therein be authorized.

R-544-9-91 APPROVED

RESOLUTION TO APPROVE GRANTING A 12 FOOT
WIDE UNDERGROUND UTILITY EASEMENT TO
DETROIT EDISON WITHIN FULLER PARK
SOUTH OF FULLER ROAD

Whereas, The City of Ann Arbor owns Fuller Park between the CONRAIL ROW and Fuller Road;

Whereas, The Detroit Edison Company needs to provide service to Michigan Consolidated Gas within Fuller Road;

Whereas, A 12 foot wide underground easement within the City-owned Fuller Park is necessary to provide this service; and

Whereas, There will be no impact on existing or future park use in Fuller Park by granting the easement;

RESOLVED, That the Detroit Edison is hereby granted a 12 foot wide easement within Fuller Park as described in the Underground Easement Agreement that has been reviewed and approved by the City Attorney.

R-545-9-91 APPROVED

RESOLUTION TO GRANT WATER SERVICE
OUTSIDE CITY LIMITS TO LOT 179 THE
EVERGREENS SUBDIVISION (350 ROSE DRIVE)

Whereas, Dorothy D. Day, owner of the property at 350 Rose Drive, has requested on August 23, 1991, that the City extend public water service for her use to the property in Scio Township prior to the completion of the annexation process;

Whereas, Ms. Day desires to enter into the standard agreement with the City which

provides an equitable method of obtaining City service outside of its Corporate Boundaries;
and

Whereas, On April 19, 1991, Ms. Day petitioned the City for annexation under Planning Department file number 8243F15.1 and .2;

RESOLVED, That the Mayor and Clerk are authorized and directed to sign the agreement on behalf of the City allowing City water service to the land during the time it is still outside of the Corporate Limits; the City Clerk is directed and ordered to send a copy of this resolution and the agreement by first class mail to the property owner; and the Utilities Department shall promptly have this resolution and the agreement recorded in the office of the Register of Deeds of Washtenaw County, Michigan.

Councilmember Peterson moved that the Consent Agenda be approved.

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

ORDINANCES - SECOND READING

44-91 APPROVED PRESTON 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 1.75 acres from TWP (Township District) to R1C (Single-Family Dwelling District), Preston Property, 2625 Traver Boulevard.

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

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Coleman, Sheldon, Grady, Meade, Zimmer, Ouimet, Peterson, Eckstein, Mayor Brater, 10

Nays, 0

Absent for the roll call, Councilmember Dodge, 1

The Chair declared the motion carried.

46-91 APPROVED AS AMENDED

SERVICE RETIREMENT ALLOWANCE
EARLY RETIREMENT WINDOW

AN ORDINANCE TO AMEND SECTION 1:564 OF CHAPTER 18 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR.

This amendment would open a window to allow early retirement without penalty to Pension System members whose retirements become effective between September 15, 1991 and December 31, 1991.

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

Councilmember Hunter moved that the ordinance be amended as follows:

Section 1:564(b)(2) - last sentence

The provisions of this paragraph shall not be applicable to ordinary death benefits provided in section 1:568, nor to members eligible for early retirement who are officers appointed by the City Council pursuant to Chapter 12 of the City Charter and whose retirements become effective between September 15, 1991 and December 31, 1991.

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

The question on the floor is approval of the ordinance at second reading as amended.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Coleman, Grady, Meade, Peterson, Eckstein, Mayor Brater, 7
Nays, Councilmembers Sheldon, Dodge, Zimmer, Ouimet, 4

The Chair declared the motion carried.

45-91 APPROVED
MEMBERSHIP IN THE RETIREMENT SYSTEM
POLICE CHIEF POSITION

AN ORDINANCE TO AMEND SECTION 1:559 OF CHAPTER 18 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR

This amendment would allow the Police Chief, upon commencement of employment, to elect not to be a member of the retirement system.

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

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Coleman, Sheldon, Dodge, Grady, Meade, Zimmer, Ouimet, Peterson, Eckstein, Mayor Brater, 11
Nays, 0

The Chair declared the motion carried.

49-91 APPROVED
WEIGHT RESTRICTIONS

AN ORDINANCE TO AMEND SECTION 10:2(13) OF CHAPTER 126 OF TITLE X OF THE CODE OF THE CITY OF ANN ARBOR

This amendment would allow issuance of traffic control orders to impose additional weight limitations on trucks or other commercial vehicles.

Councilmember Meade moved that the ordinance be approved at second reading.

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

The Chair declared the motion carried.

ORDINANCES - FIRST READING

50-91 APPROVED
DOMESTIC VIOLENCE COORDINATING BOARD MEMBERSHIP

AN ORDINANCE TO AMEND SECTION 1:235 OF CHAPTER 8 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR.

This amendment would increase membership on the Domestic Violence Coordinating Board from 13 to 15 members and would update the organizations represented on the Board.

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

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

51-91 APPROVED
DAY 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 0.19 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Day property, 350 Rose Drive. (Planning Commission recommendation: Approval - 9 years 0 nays)

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

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

52-91 APPROVED
GRAMMATICO 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 0.48 acre from TWP (Township District) to R1B (Single-Family Dwelling District), Grammatico Property, 1605 North Maple Road. (Planning Commission recommendation: Approval - 6 years, 0 nays)

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

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

53-91 APPROVED
HAMMOND 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 0.41 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Hammond Property, 426 Rose Drive. (Planning Commission recommendation: Approval - 6 years, 0 nays)

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

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

54-91 APPROVED
HUIZINGA 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 0.17 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Huizinga Property, northwest corner of Robert and Victoria Avenue. (Planning Commission recommendation: Approval - 9 yeas and 0 nays)

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

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

55-91 APPROVED
KAPP 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 0.39 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Kapp property, 330 Rose Drive. (Planning Commission recommendation: Approval - 9 yeas, 0 nays)

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

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

56-91 APPROVED
MCGEE 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 0.53 acre from TWP (Township District) to R1C (Single-Family Dwelling District), McGee property, 3270 Valley Drive (Planning Commission recommendation: Approval - 7 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.

57-91 APPROVED
SINDLINGER 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 0.25 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Sindlinger property, 390 Glenwood (Planning Commission recommendation: Approval - 7 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.

58-91 APPROVED
SPRIK 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 0.20 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Sprik Property, 3245 Kingwood (Planning Commission recommendation: Approval - 9 yeas and 0 nays)

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

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

MOTIONS AND RESOLUTIONS

R-546-9-91 APPROVED

RESOLUTION TO APPROVE ACQUISITION AND MAINTENANCE
OF VIDEO DISPLAY TERMINALS AND PRINTERS -
MEMOREX-TELEX CORPORATION (\$22,530.00)

Whereas, The Information Services Department wishes to renew their equipment maintenance contract with Memorex-Telex Corporation; and

Whereas, The Information Services Department wishes to purchase the current 16

new video display terminals and 8 new printers; and

Whereas, Memorex-Telex Corporation has been approved by the Personnel and Human Rights Department on June 25, 1991;

RESOLVED, That the recommendation of the City Administrator be approved to purchase 16 new video display terminals and 8 new printers from Memorex-Telex Corporation for the amount of \$16,710 from the Information Services Department fund; and

RESOLVED, That the recommendation of the City Administrator be approved and that a purchase order be authorized for maintenance for one year of 27 printers to Memorex-Telex Corporation in the amount of \$5,820 from the Information Services Department fund.

Councilmember Coleman moved that the resolution be approved.

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

R-548-9-91 APPROVED

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BLACK & VEATCH (\$239,000.00)

Whereas, The USEPA has published regulations for Stormwater Permit Applications for Municipal Separate Storm Sewer Systems and for Municipal Industrial Activities;

Whereas, Ann Arbor is named in the USEPA regulations as a municipality that is required to apply for a stormwater NPDES permit;

Whereas, The City of Ann Arbor engages in certain industrial type activities, specifically the Landfill, Airport, Wastewater Treatment Plant and the Municipal Garage, that are each required to apply for a stormwater NPDES permit;

Whereas, Black & Veatch submitted a proposal to perform engineering services to prepare said NPDES permit application at a total cost of \$224,644.00; and the Black & Veatch proposal has been determined to be the most qualified and most acceptable of the three firms' proposals responding to Request for Proposal No. 282;

Whereas, On August 28, 1991 the Personnel/Human Rights Department approved Black & Veatch to provide engineering services to prepare these NPDES permits; and

Whereas, To finance this project, funds are available in the FY 91/92 budgets for the stormwater sewer system, sewage disposal system, Transportation and Solid Waste Departments; and funds need to be appropriated for the municipal garage permit application;

RESOLVED, That Council appropriates \$18,000.00 from the undesignated fund balance in the Motor Equipment Fund to the Municipal Garage FY 91/92 budget account 012-091-0110-2100 to finance the preparation of the stormwater NPDES permit for the Municipal Garage;

RESOLVED, That Council approves a project budget of \$224,644 for consultant services and a contingency of \$14,336.00 to finance change orders to be approved by the City Administrator; and that the project budget is adopted for the life of the project to be expended without regard to fiscal year; and

RESOLVED, That Council accept the proposal of Black & Veatch and authorize and direct the Mayor and Clerk to sign the Professional Services agreement with Black & Veatch to perform said services for \$224,644.00; approved as form by the City Attorney; and approved as to substance by the City Administrator.

Councilmember Coleman moved that the resolution be approved.

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

R-549-9-91 APPROVED AS AMENDED

RESOLUTION TO APPROVE PURCHASE OF 115 PARKING METERS
(\$32,953.00)

Councilmember Coleman moved that the resolution be approved.

Mayor Brater suggested the following amendment; Councilmember Hunter moved that it be approved:

Whereas, locations have been identified for 115 of the 125 new on-street meters;to be installed in the following areas:

- _____ W/S of S. State from McKinley to Dewey
- _____ W/S of S. Fifth from Washington to William
- _____ N/S of William from First to Second
- _____ W/S of First between G.T. Products & William

~~_____ E/S of Division from Liberty to Washington~~
~~_____ S/S of Madison from Thompson to State; and~~
~~_____ 700-900 Blocks of North University~~
~~_____ (from South State to Fletcher)~~

and to add a final paragraph as follows:

RESOLVED, THAT THE ADMINISTRATOR WILL COMMUNICATE WITH COUNCIL BEFORE THE FINAL PLACEMENT OF THESE METERS IS MADE.

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 approved:

R-549-9-91

**RESOLUTION TO APPROVE PURCHASE OF 115 PARKING METERS
(\$32,953.00)**

Whereas, The Ann Arbor Parking Systems is designed as a self-sufficient system, in that the revenues from the system should cover the cost of operation, maintenance, and capital costs;

Whereas, The 1991-92 budget was submitted and adopted with revenue projections based on increasing the number of on-street meters from 1,475 to 1,600, an increase of 125;

Whereas, Locations have been identified for 115 of the 125 new on-street meters;

Whereas, The cost to purchase will be \$32,953.00 while annual revenue will be approximately \$98,325.00; and

Whereas, The existing 1,475 on-street meters are EMM's (electro mechanical mechanisms) manufactured by Duncan Industries of Harrison, Arkansas;

RESOLVED, That Council authorize the purchase of 115 new parking meters from Duncan Industries for a grand total of \$32,953.00; and

RESOLVED, That the Administrator will communicate with Council before the final placement of these meters is made.

R-550-9-91 APPROVED

RESOLUTION TO APPROVE FEES FOR FULLER PARK
PARKING PERMITS

Whereas, The Department of Parks & Recreation has been selling parking permits at Fuller Pool for a number of years; and

Whereas, The fee structure at Fuller should comply with the objectives of the Transportation plan and be commensurate with other parking fees;

RESOLVED, That a fee of \$160.00 per nine-month season for individual and car pool permits be approved for the Fuller lot in fiscal year 1991-92.

Councilmember Coleman moved that the resolution be approved.

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

R-551-9-91 APPROVED

RESOLUTION TO APPROVE FEE INCREASES FOR COBBLESTONE
FARM AND LESLIE SCIENCE CENTER

Whereas, Specific programs, and their respective fees, have been implemented at Cobblestone Farm and leslie Science Center within the past six years;

Whereas, These program fees are now inadequate to meet program and facility operation costs; and

Whereas, The proposed fee increases are reasonable to cover cost increases and should not be prohibitive to the current user audience;

RESOLVED, That new fees be adopted as follows:

Cobblestone Farm admissions \$1.00 Youth/Senior

Leslie Science Center KidScience \$2.00 Youth-AA Res.

		\$2.50 Youth-Non-Res.
	Group Minimum	\$20.00 AA Res.
	Group Minimum	\$25.00 Non-Res.
Cobblestone Farm Day Camp		
	AM session	\$32.00 AA Res.
		\$38.00 Non-Res.
	PM session	\$42.00 AA Res.
		\$50.00 Non-Res.
Leslie Science Center Day Camp		
	Ages 8-12	\$65.00 AA Res.
		\$78.00 Non-Res.
	Ages 5-7	\$36.00 AA Res.
		\$43.00 Non-Res.

Councilmember Coleman moved that the resolution be approved.

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

R-552-9-91 APPROVED

RESOLUTION ESTABLISHING 1991 FEES AND CHARGES FOR DEPARTMENT OF PARKS AND RECREATION VETERANS ICE ARENA

Whereas, The Department of Parks and Recreation recommends the proposed fees for 1991 to achieve budgeted levels of recreational facility self support;

Whereas, Support material has been prepared which summarizes facility self support levels for the past ten years and pre-audited levels for 1990-91;

Whereas, The appropriate citizen advisory groups have recommended the proposed fees;

Whereas, The following significant issues and conclusions have been identified:

ISSUE

CONCLUSION

Facility Self Support

In order to maintain the self support level, as established by

resolution in March 17, 1980; March 23, 1981; February 22, 1982; February 14, 1983; February 11, 1985, September 5, 1989; and September 17, 1990, the proposed fee schedule is recommended for implementation for the 1991-92 budget year.

Whereas, The Department of Parks and Recreation has previously been directed as outlined in resolutions on March 17, 1980; March 23, 1981; February 22, 1982; February 14, 1983; February 23, 1984; February 11, 1985; September 5, 1989; and September 17, 1990, to implement policies to achieve a 100% level self support at Veterans Ice Arena not including debt service;

RESOLVED, That the schedule of recreation facilities fees, on file with the City Clerk's Office, be adopted and implemented for the 1991-92 budget year.

Councilmember Sheldon moved that the resolution be approved.

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

R-553-9-91 APPROVED AS AMENDED

RESOLUTION TO ESTABLISH UNIFORM AIRPORT RATES

Councilmember Zimmer moved that the resolution be approved.

Councilmember Zimmer moved that the resolution be amended by inserting the following preamble:

Earlier this year our transportation director submitted fee increases to Council for a variety of city services. Among them were increases in user fees for the airport. Council rejected the fee increases and requested him to modify the rates to contain differential rates for Ann Arbor city residents and non-residents;

The differential rates were requested for two reasons. First, the airport loses money (See below). This has forced the taxpayers of Ann Arbor to subsidize the airport's operation. Second, most of the traffic at the airport is from non-Ann Arbor residents. Only one-third of the aircraft based at the airport are owned by Ann Arbor residents and very few aircraft using our airport, but not based there, are owned by residents.

Most of the subsidies paid by Ann Arbor residents to the airport are going to individuals who do not share in the tax burden. The differential rates were an attempt to alleviate this disparity. It would also put airport user fees in line with those of other city services from ice skating to utility fees (also federally subsidized). Council passed this differential rate structure in Resolution R-329-6-91.

On June 28, 1991 Dean Nitz of the F.A.A. sent the City a letter stating that we are not allowed to set differential rates. This resolution is Council's reluctant response to this demand.

The airport's budget balance for the last few years is as follows:

87-88: \$(65,332)

88-89: \$(78,469)

89-90: \$(45,184)

We don't have figures for the 90-91 fiscal year yet. Al Gatta and Dean Moore are working on them;

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

The question on the floor is approval of the resolution as amended.

Councilmember Sheldon moved that the resolution be tabled pending receipt of further information on the Municipal Services Charges line-item as well as other line-items in the Airport budget.

On roll call the vote was as follows: Yeas, Councilmembers Sheldon, Dodge, Grady, Ouimet, 4

Nays, Councilmembers Coleman, Meade, Zimmer, Peterson, Eckstein, Brater, 6

Absent for the roll call, Councilmember Hunter, 1

The Chair declared the motion defeated.

The question on the floor is approval of the resolution as amended, on roll call the vote was as follows: Yeas, Councilmembers Coleman, Grady, Meade, Zimmer, Peterson, Mayor Brater, 6

Nays, Councilmembers Sheldon, Dodge, Ouimet, Eckstein, 4

The Chair declared the motion carried.

Following is the resolution as approved:

R-553-9-91

RESOLUTION TO ESTABLISH UNIFORM AIRPORT RATES

Whereas, Earlier this year our transportation director submitted fee increases to Council for a variety of city services. Among them were increases in user fees for the airport. Council rejected the fee increases and requested him to modify the rates to contain differential rates for Ann Arbor city residents and non-residents;

Whereas, The differential rates were requested for two reasons. First, the airport loses money (See below). This has forced the taxpayers of the Ann Arbor to subsidize the airport's operation. Second, most of the traffic at the airport is from non-Ann Arbor residents. Only one-third of the aircraft based at the airport are owned by Ann Arbor residents and very few aircraft using our airport, but not based there, are owned by residents.

Whereas, Most of the subsidies paid by Ann Arbor residents to the airport are going to individuals who do not share in the tax burden. The differential rates were an attempt to alleviate this disparity. It would also put airport user fees in line with those of other city services from ice skating to utility fees (Also federally subsidized). Council passed this differential rate structure in Resolution R-329-6-91.

Whereas, On June 28, 1991 Dean Nitz of the F.A.A. sent the City a letter stating that we are not allowed to set differential rates. This resolution is Council's reluctant response to this demand.

Whereas, The airport's budget balance for the last few years is as follows:

87-88: \$(65,332)
88-89: \$(78,469)
89-90: \$(45,184); and

Whereas, We don't have figures for the 90-91 fiscal year yet. Al Gatta and Dean Moore are working on them;

RESOLVED, That the following Airport User Fees be established and charged to all tenants at the Ann Arbor Municipal Airport effective November 1, 1991:

Monthly Aircraft Hangar Rental Rates

<u>Hangar Building</u>	Approved Rate <u>Resident</u> <u>Resident/Nonresident</u>	Approved Rate <u>Nonresident</u>	Proposed Rate	
International and Hangar C	\$160.00	\$184.00		\$184.00
Butler Hangar	\$80.00	92.00		92.00
Hangar A and B	177.00	204.00		204.00
Hangar D and K through O	190.00	219.00	219.00	
Hangar P and Q	220.00	253.00	253.00	
Hangar E	300.00	345.00	345.00	

Monthly Storage Area Rental Rates

<u>Hangar Building</u>	Approved Rate <u>Resident</u> <u>Resident/Nonresident</u>	Approved Rate <u>Nonresident</u>	Proposed Rate	
International and Hangar C	\$40.00	\$46.00		\$46.00
Hangar A and B	31.00	36.00		36.00
Hangar D and K through O	33.00	38.00	38.00	
Hangar P, Q and E	73.00	84.00	84.00	

Monthly Tie Down Rental Rates

	Approved Rate <u>Resident</u> <u>Resident/Nonresident</u>	Approved Rate <u>Nonresident</u>	Proposed Rate	
Tie Down Sod	\$50.00	\$58.00		\$58.00

Fuel Flowage Fee Per Gallon

	Approved Rate	Approved Rate	Proposed Rate
	<u>Resident</u>	<u>Nonresident</u>	<u>Resident/Nonresident</u>
Aviation Fuel	\$.09	\$.09	No Change
Jet A Fuel	\$.09	\$.09	No Change

Land Lease Rates Per year Per Square Foot

	Approved Rate <u>Resident</u>	Approved Rate <u>Nonresident</u>	Proposed Rate <u>Resident/Nonresident</u>
Unimproved Land	\$0.145	\$0.17	\$0.17
Commercial Fees	200.00	200.00	No Change
Banner Towing Permit	250.00	250.00	No Change
Special Event Aircraft Parking	\$25.00	25.00	No Change

R-554-9-91 APPROVED

RESOLUTION TO INCREASE THE NUMBER OF MEMBERS
ON THE NATURAL FEATURES ORDINANCE COMMITTEE

Whereas, The Natural Features Ordinance Committee is now composed of nine members;
and

Whereas, The Committee feels it would be valuable to have additional input to its
deliberations from the development community;

RESOLVED, That City Council increase the size of the Natural Features Ordinance
Committee to ten members, and that the tenth member be an interested and responsible
representative of the development community.

Councilmember Eckstein moved that the resolution be approved.

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

R-555-9-91 APPROVED

RESOLUTION ENCOURAGING THE STATE LEGISLATURE
TO SUPPORT A GAS TAX INCREASE

Whereas, Michigan motorists drive more than ever before, but pay less to maintain the roads they drive on because of increased fuel economy and because the user fee paid as a gas tax has been frozen at 15 cents per gallon for over 7 years;

Whereas, Michigan roads continue to crumble and deteriorate under the strain, so that over 80% may need repair or replacement in the next decade; while at the same time construction, maintenance, and labor costs increase and revenues fall far short of the existing need and gas tax collections are actually in decline;

Whereas, State and local road agencies will lose federal highway aid in 1992 because they will not have the required matching funds and millions of federal gas tax dollars paid by Michigan taxpayers will be used to improve roads in other states;

Whereas, Michigan's state and local government spending per resident on roads ranks 43rd among the 50 states, our gas tax rate is the lowest in Great Lakes region, and 45 other states have raised their gas tax since the last time Michigan's was increased;

Whereas, Michigan is "On the road to ruin" if quick and decisive action is not taken by the Legislature and Governor;

Whereas, Ann Arbor is an employment center or a trip generator, and there are limited reasonable methods to recapture monies spent on behalf of non-residents; and

Whereas, Through revenue sharing with localities an increase in the state gas tax, a form of user fee, is an appropriate means of underwriting costs incurred by the City of Ann Arbor on behalf of non-residents for street maintenance;

RESOLVED, That the Ann Arbor Council, recognizing the tremendous transportation needs of Michigan and our community, urges each citizen of Michigan to consider the serious state and local consequences of failing to maintain and rebuild our transportation infrastructure; and

RESOLVED, That on behalf of the citizens of Ann Arbor, our state legislators are encouraged to support an increase paid by road users when they purchase gas in order that we may avert a transportation crisis, recover the federal gas taxes we have paid, and provide the critical funding needed to keep Michigan and Ann Arbor headed down the right road and ensure that our transportation system is safe and functioning.

Councilmember Sheldon moved that the resolution be approved.

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

R-556-9-91 APPROVED

RESOLUTION REGARDING WARD BOUNDARY COMMISSION

Whereas, Michigan law requires the City Council to redraw the city's ward boundaries after each decennial census to adjust population differences between the wards in accordance with one-person, one-vote principles;

Whereas, A Ward Boundary Commission created to prepare a plan or plans for redrawing ward boundaries would be helpful to City Council in meeting its responsibilities and in providing an opportunity for citizen input;

Whereas, Numerous errors have been discovered in the U.S. Census Bureau's assignment of counted City residents to appropriate tracts and blocks;

Whereas, Michigan law allows the City to prepare its own census figures if the official figures are inadequate to properly redraw ward boundaries; and

Whereas, City staff have examined the official Census Bureau figures and have prepared revised assignments of the counted population which more accurately reflect the actual location of City residents;

RESOLVED, That the Ann Arbor City Council hereby creates a Ward Boundary Commission, consisting of five residents of the City of Ann Arbor, to be appointed by the Mayor with approval of a majority of Council, to prepare a proposed plan or plans for redrawing the City's wards in accordance with Michigan law and the Ann Arbor City Charter for submission to the Council on or before October 15, 1991; and

RESOLVED, That the proposed revised reassignments of City population prepared by City Hall staff are hereby declared to be the proper data to use in redrawing the City's wards, and the Ward Boundary Commission is directed to use said data in preparing any plan or plans for submission to Council.

Councilmember Hunter moved that the resolution be approved.

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

R-557-9-91 APPROVED

RESOLUTION TO WORK WITH THE DOWNTOWN DEVELOPMENT
AUTHORITY (DDA) TO RECONSTRUCT PARKING STRUCTURES
AND IMPLEMENT THE TRANSPORTATION PLAN

Whereas, The City of Ann Arbor is afflicted with a system of aging and deteriorating parking structures in its downtown;

Whereas, The existing structures, if fixed and better managed and operated, could be a boon to the downtown in attracting shoppers and other visitors;

Whereas, The City has a five-year plan to address this problem, at an estimated cost of \$12-19 million; and

Whereas, There are insufficient funds, without raising parking fees to pay for the third through fifth years;

RESOLVED, That the Council and DDA examine the possibility of DDA funding to reconstruct at least two of the existing structures;

RESOLVED, That a liaison be established between the DDA, the downtown merchants' associations, the Transportation Department, and the AATA, to follow-up on policies laid out in the Transportation Plan, such as traffic demand management and increased use of express buses and downtown shuttle services; and

RESOLVED, That the Council invites the DDA and AATA representatives to meet in a joint working session to hear a presentation on parking system management and to discuss where we are going with the parking system, the Transportation Plan, and other downtown matters.

Councilmember Coleman moved that the resolution be approved.

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

R-558-9-91 APPROVED AS REVISED

RESOLUTION PROCLAIMING THURSDAY, SEPTEMBER 19, 1991
AS SPECIAL OLYMPICS DAY

Whereas, The Michigan Special Olympics is a year-around community-based sports training and competition program for children and adults with mental retardation;

Whereas, Within Michigan this year, approximately 20,000 athletes with mental retardation will train and compete in Special Olympic programs in more than 300 tournaments and events;

Whereas, The Michigan Special Olympics receives no State or Federal funding and relies solely on contributions of time, materials, and financing from individuals, businesses and organizations throughout the State;

Whereas, During the week of September 14-20, 1991, the Michigan Association of Chiefs of Police will be hosting the sixth Annual Law Enforcement and Torch Run for Special Olympics;

Whereas, Community-based Torch Runs will be held throughout Michigan whose purpose is to create public awareness and raise funds for Special Olympics; and

Whereas, The Ann Arbor Police Department along with Washtenaw County Sheriff's Department, Michigan State Police, Ypsilanti Police Department, Saline Police Department, Chelsea Police Department, and University of Michigan Department of Public Safety will be conducting the Torch Run in Washtenaw County on Thursday, September 19, 1991;

Whereas, The City of Ann Arbor's Commission on Disability Issues at its September 16, 1991 meeting endorsed both the concept of the Special Olympics and those who support it;

RESOLVED, That the Ann Arbor City Council proclaims Thursday, September 19, 1991 to be Michigan Special Olympic Day in Ann Arbor; and

RESOLVED, The Ann Arbor City Council thanks the members of the Community and Ann Arbor Police Department who are participants in, and have contributed to the Michigan Special Olympics.

Councilmember Hunter moved that the resolution be approved as revised.

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

R-559-9-91 APPROVED AS REVISED

RESOLUTION CONCURRING WITH DOWNTOWN DEVELOPMENT
AUTHORITY (DDA) RESOLUTION

RESOLVED, That the Ann Arbor City Council concurs with the September 16, 1991 revised resolution adopted by the DDA Board regarding surface parking on the leased lot located on the corner of Main and William Streets:

Whereas, The Downtown Development Authority leases a vacant lot from the Anthony Brown Development Company and its affiliate Alexa Associates which is located on the corner of Main Street and William Street;

Whereas, The Downtown Development Authority believes that improving that lot in order to provide additional surface parking spaces downtown would be in the public interest and would enhance the vitality of the downtown; and

Whereas, City Council by Resolution No. R-521-9-91 dated September 3, 1991 approved the award of a construction contract to Posen Construction Co., Inc. (the lowest bidder) for improvements to the above mentioned lot;

RESOLVED, That the Downtown Development Authority will reimburse the City of Ann Arbor up to \$65,000 for the cost of improving the above mentioned lot and preparing approximately 45 surface parking spaces on it;

RESOLVED, That as part of the arrangement to reimburse the City up to \$65,000 that the Parking Division be directed by City Council to remit monthly to the Downtown Development Authority the net income (gross income minus direct expenses) from the parking fees collected from the parking spaces in the above mentioned lot; and

RESOLVED, That the staff be asked to enter immediately into negotiations with the owners of the lot for a 42-month extension of the DDA lease, provided however that such negotiations be satisfactorily concluded no later than December 1, 1991, and if a satisfactory lease extension cannot be reached, all negotiations with the owners be terminated as of that date.

Councilmember Coleman moved that the resolution be approved as revised.

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

ADJOURNMENT TO EXECUTIVE SESSION

Councilmember Hunter moved that the meeting be adjourned to an executive session to discuss legal matters.

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

The executive session was called to order at 10:30 p.m. to discuss the Pi Kappa Phi Fraternity Lawsuit.

Councilmember Coleman moved adjournment of the Executive Session and that the regular session of Council be reconvened.

On a voice vote, the Chair declared the motion carried and the meeting was reconvened at 10:35 p.m.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

For a Future Meeting:

Resolution in Support of a Proposed State Bill to Eliminate Commercial Billboards
(Councilmember Dodge)

COMMUNICATIONS FROM THE MAYOR

Mayor Brater commented on the events over the weekend that occurred in the South University area, and on the problems in the community related to alcohol abuse. She said reports indicate that the problems escalated as persons left the bars and entered the streets. She said that many have expressed concern over the Police Department's use of tear gas and inquiries have been made of the Police Department on policies regarding the use of tear gas. She intends to meet with Police Chief Smith and invited members of Council to join in the discussion if they wished.

Councilmember Hunter, as a member of the Special Liquor Committee, has suggested that members of the Michigan Liquor Control Commission be invited to Ann Arbor to meet with City officials to inform the City of its rights and options in relation to regulations and collection of fees in prevention and enforcement. This meeting could include representatives from the University of Michigan, Eastern Michigan and the Ann Arbor Public Schools.

APPOINTMENT NOMINATED

Mayor Brater placed the following name in nomination for approval at the next Council meeting:

LOCAL OFFICERS' COMPENSATION COMMISSION

Elizabeth Greer (to complete commission membership requirements)
415 Felch Street
Term: 10-07-91 to 09-30-98

APPOINTMENT APPROVED

Mayor Brater placed the following name in nomination. She asked that the rules be suspended so that the nominee may be confirmed this date:

NATURAL FEATURES ORDINANCE COMMITTEE

Chris Grant
581 Huntington Drive

Councilmember Coleman moved that the rules be waived and that Council concur in the recommendation of the Mayor.

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

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Alfred Gatta presented the following reports for the information of Council:

1. Radioactive Material in Sewage Sludge
2. Final Cost Depot Street Curb and Gutter, District No. 498, File No. 83045
3. Noise Problems Encountered by an Individual Living on West Stadium Blvd.
4. Monthly Progress Report on the Solid Waste Department Projects
5. Left turn lane on Ann Arbor - Saline Road
6. Stop Sign at Golden and Rose

7. Whiffletree Lot
8. National Bank of Detroit Investments
9. Presidential Primary Election
10. Information Letter to all Alarm Connection Permittees

City Administrator Gatta received requests for additional information from Councilmembers.

COMMUNICATIONS FROM THE CITY ATTORNEY

Acting City Attorney Mel Laracey reported the following annexation completions:

1. Rautiola/Huizenga property from Pittsfield Charter Township
2. Grammatico property from Scio Township
3. Kapp property from Scio Township
4. Day property from Scio Township
5. McGee property from Scio Township
6. Sindlinger property from Scio Township
7. Preston/Hoeft property from Ann Arbor Charter Township
8. Sprik property from Scio Township
9. Hammond property from Scio Township

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HUNTER

Councilmember Hunter announced a softball game to be held on Monday, September 23, between Council and news media members. The time and location have not been determined and will be announced at a later time. The game with University of Michigan officials is still a possibility.

Councilmember Hunter announced the City of Ann Arbor employee's United Fundraiser to be held on the promenade deck of City Hall on Friday, September 20. He said that he has volunteered time in the "dunk" tank.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were received:

1. Senator Donald W. Riegle, Jr., regarding the Surfacing Transportation Efficiency Act of 1991 - File
2. Sharon Ouellette - Parking Citation - File

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

1. Ann Arbor Market Commission - June 27, 1991
2. Waiver and Review Board - August 26, 1991
3. Zoning Board of Appeals - June 19, 1991
4. Employees Retirement System - Board of Trustees - August 14, 1991

Councilmember Hunter 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 Hunter moved that the meeting be adjourned.

On a voice vote, the Chair declared the motion carried and the meeting was adjourned at 10:56 p.m.

Paul Courtland McCoy, Jr.
Acting Clerk of the Council

Linda J. Wise
Recording Secretary