

REGULAR SESSION - NOVEMBER 18, 1991

The regular session of the Ann Arbor City Council was called to order at 7:34 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

SEMCOG PRESENTATION

Paul Tait, Deputy Director of Southeast Michigan Council of Governments (SEMCOG), and James Rogers, Data Center Manager and Team Leader in the preparation of the initiative, presented a slide presentation on the "Regional Development Initiative Final Conclusions and Recommendations." He said that the method of pursuit of the recommendations will be addressed at SEMCOG's December meeting.

NATIONAL DIABETES MONTH PROCLAMATION

Mayor Brater proclaimed November as National Diabetes Month. She presented the proclamation to Emily Kennedy.

REPORT FROM JUIGALPA DELEGATION

Gregory Fox and the Juigalpa Sister City Committee showed slides and gave a report on the status of the City's relationship, and conditions in Juigalpa. The Sister City was adopted by voter referendum in 1986.

AUDIENCE PARTICIPATION - RESERVED TIME**JEN RUBIN - HOMELESSNESS**

Jen Rubin, 807 Dewey, stated the opinion that government has made it illegal to be homeless in America because those who seek shelter on public or private properties are always arrested. She said that the property located at 110 N. Fourth Avenue has been foreclosed on and should now be converted to single-room occupancy.

JENNIFER HALL - HOMELESSNESS

Jennifer Hall, on behalf of Jennifer Collins, gave a history of the Downtown Club's conversion from single-room occupancy building to office. She said that First of America Bank has since foreclosed on the building. She suggested that the building be converted to its former use as permanent affordable low-income housing.

MICHAEL-DAVID SASSON - HOMELESSNESS

Michael-David Sasson, 902 Baldwin, expressed the opinion that justice in the community excludes homelessness.

RENUKA UTHAPPA - HOMELESSNESS

Renuka Uthappa, 715 Lawrence, said that she and others were arrested this date for trespassing at the downtown office building that was recently foreclosed on by First of America Bank. She read a letter that she wrote to the First of America Bank, the DDA and the City Council which suggested the conversion of this building to a single-room occupancy residence, with the bank's assistance.

EDE FOX - HOMELESSNESS

Ede Fox, 305 Geddes, speaking on behalf of a student group called the Progressive People of Color, protested what she said was a system that could allow "working poor" people to be homeless because their wages could not cover the cost of housing.

DAVID NOEL - HOMELESSNESS

David Noel said that he is a former resident of the Downtown Club who was evicted upon its conversion to offices. He suggested that DDA funds be directed toward converting the building back to single-room occupancy status.

LAURA BROWN - MICHIGAN BUDGET REDUCTIONS

Laura Brown, 1961 Liberty Street, representing the Ozone House, thanked Council for recognizing the "threat" of the Michigan State Budget reductions on service agencies, Ozone House included among them. She urged approval of the resolution on the agenda this date which would call the Governor's attention to these cuts.

PUBLIC HEARINGS

CITY-OWNED PARCEL (FORMER KATZ) PROPERTY ZONING - (ORDINANCE 63-91)

A public hearing was conducted on the proposed Amendment to Chapter 55, the rezoning of 27.94 acres from UNZ (Unzoned) to PL (Public Land District), City-Owned Parcel (Former Katz Property), northwest corner of Ellsworth and Platt Roads. (Ordinance No. 63-91)

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

MUSGRAVE REZONING - ORDINANCE 64-91)

A public hearing was conducted on the proposed Amendment to Chapter 55, the rezoning of 0.27 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Musgrave Property, 2460 James Street. (Ordinance No. 64-91)

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

Revised: Resolution Accepting Deed from Statutory Drainage Board for the Traver Creek Drain

ORDINANCES - FIRST READING

Add: Amendment to Chapter 18 - Plan Revisions

MOTIONS AND RESOLUTIONS

Delete: Resolution to Amend City Pesticide Policy (Councilmember Peterson - rescheduled for December 2, 1991)

Revised: Resolution to Accept Sculpture Donation for City Hall

Added and Revised: Resolution Regarding Impact of State of Michigan Budget Reductions (Councilmembers Coleman, Hunter and Sheldon)

COMMUNICATIONS FROM THE MAYOR

Revised: Appointments

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: Pension Plan Amendment and Impact on Budget

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

APPROVAL OF COUNCIL MINUTES

Councilmember Sheldon moved that the working session of October 14, 1991, regular session of October 21, 1991, working session of October 28, 1991 and regular session of November 4 and 6, 1991 be approved as presented.

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

CONSENT AGENDA

The following items on the Consent Agenda were considered:

R-650-11-91 APPROVED

RESOLUTION TO APPROVE THE PURCHASE OF
SODIUM CHLORIDE - BID NO. 2188
\$24.42/TON

Whereas, The Transportation Department utilizes sodium chloride in its snow and ice control programs;

Whereas, The Transportation Department uses sodium chloride in compliance with the standards of practice endorsed by the National Salt Institute with care given to achieving the balance between traffic safety and environmental effects;

Whereas, Competitive bids were sought for the supply of sodium chloride and Morton International, Inc. submitted the lowest responsible bid; and

Whereas, Morton International, Inc. received Human Rights Approval on October 14, 1991;

RESOLVED, That the Council approve the contract for sodium chloride with Morton International, Inc. in the amount of \$24.42 per ton in accordance with the terms of Bid No. 2188; and

RESOLVED, That the City Administrator be directed to obtain sodium chloride materials from the next lowest bidder if Morton International Inc. is not able to furnish adequate supplies.

R-651-11-91 APPROVED

RESOLUTION AWARDING CONTRACT FOR
SUPPLY OF ICE CONTROL SAND
BID NO. 2176 (\$4.00/TON)

Whereas, The City places ice control sand on local streets during the winter in response to snow and ice accumulation events; and

Whereas, The 1991-92 operating budget of the Transportation Department contains sufficient funds to purchase ice control materials;

Whereas, Competitive bids were sought for the supply of approximately 5,300 tons of the ice control sand and Crownover Concrete and Block submitted the lowest responsible bid; and

Whereas, Crownover received Human Rights approval on May 13, 1991;

RESOLVED, That the contract for the supply of ice control sand be awarded to Crownover Concrete and Block Company in the unit price of \$4.00/ton.

R-652-11-91 APPROVED

RESOLUTION TO APPROVE PURCHASE
OF FIVE 1992 GMC PICKUPS
BID NO. 2190 - (\$62,625.00)

Whereas, The Purchasing Department solicited bids for the purchase of three (3) 1992, 1/2 ton pickup trucks, and two (2) 1992, 4x4 pickup trucks;

Whereas, Red Holman was the lowest responsible bidder, bid #2190, for the purchase of three (3) 1992 GMC 1/2 ton pickups, and two (2) 1992 GMC 4x4 Pickups; and

Whereas, Red Holman Pontiac GMC received City of Ann Arbor Human Rights approval on October 23, 1991;

RESOLVED, That City Council approves the issuance of a purchase order to Red Homan Pontiac GMC in the amount of \$62,625.

R-653-11-91 APPROVED

RESOLUTION TO APPROPRIATE FUNDS
ESTABLISH A DESIGN BUDGET FOR THE
LORRAINE STREET WATER MAIN PROJECT
(\$25,000.00)

Whereas, It is necessary to begin the Design Phase of the Lorraine Street Water Main Project;

RESOLVED, That Council appropriates \$25,000 from the Water Supply System Fund (Fund 042) for the Design Phase of the Lorraine Street Water Main Project; and

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

Section I - Revenue

<u>\$25,000</u>	Advanced from the Water Supply System Fund (fund 042) pending the sale of the Water Revenue Bond, Series R
\$25,000	TOTAL; and

Section II - Appropriation

\$8,000	Design Engineering
\$3,000	Consulting
\$1,000	City Owned Vehicles
\$1,000	Printing and Binding
\$1,000	Materials and Supplies
\$9,600	Department Overhead
<u>\$1,400</u>	Miscellaneous Charges
\$25,000	TOTAL

R-654-11-91 APPROVED

RESOLUTION TO APPROPRIATE FUNDS
AND ESTABLISH A DESIGN BUDGET FOR THE
MASON AVENUE WATER MAIN PROJECT
(\$43,000.00)

Whereas, It is necessary to begin the Design Phase of the Mason Avenue Water Main Project;

RESOLVED, That Council appropriates \$43,000 from the Water Supply System Fund (Fund 042) for the Design Phase of the Mason Avenue Water Main Project; and

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

Section I - Revenue

<u>\$43,000</u>	Advanced from the Water Supply System Fund (Fund 042) pending the sale of the Water Revenue Bond, Series R
\$43,000	TOTAL;

Section II - Appropriation

\$13,000	Design Engineering
\$7,000	Consulting
\$1,300	City Owned Vehicles
\$2,000	Printing and Binding
\$2,000	Material and Supplies
\$15,600	Department Overhead
<u>\$2,100</u>	Miscellaneous Charges
\$43,000	TOTAL

R-655-11-91 APPROVED

RESOLUTION TO APPROVE PURCHASE OF
TWO 2-3 CUBIC YARD DUMP TRUCKS
BID NO. 2197 (\$34,750.00)

Whereas, Two existing 2-3 cubic yard dump trucks used by the Utilities Department are fully-depreciated and their economically usable service lives have been expended;

Whereas, The Purchasing Department, as requested by the Utilities Department Field Division, secured competitive bids, No. 2197, which were received October 16, 1991, and in counsel has determined that Red Holman Pontiac/GM is the low responsible bidder meeting specifications for the two 2-3 cubic yard dump trucks in the amount of \$34,750.00;

Whereas, The Personnel/Human Rights Department has approved Red Holman Pontiac/GMC on October 23, 1991 as meeting the City's Human Rights Requirements; and

Whereas, The two 2-3 cubic yard dump trucks will be purchased with the fiscal year 1991/92 operating budget appropriation in the sanitary sewer system equipment replacement fund 043-073-9910-5130;

RESOLVED, That Council accepts the bid of Red Holman Pontiac/GMC in the amount of \$34,750.00 as the low responsible bidder for the 2-3 cubic yard dump trucks; and

RESOLVED, That the City Administrator is directed to issue a purchase order in the amount of \$34,750.00 to Red Homan Pontiac/GMC to supply two 2-3 cubic yard dump trucks as specified in Bid No. 2197.

Funding Source: Sewage Disposal Fund Equipment Replacement Capital.

R-656-11-91 APPROVED

RESOLUTION TO APPROVE FY 1991-92
AGREEMENT WITH THE DOMESTIC VIOLENCE
PROJECT (\$30,000.00)

Whereas, The Human Services Task Force and City Council has approved the allocation of \$30,000 in specific General Funds for the Domestic Violence Project for FY 1991-92 program year;

Whereas, A service contract between the City and this agency has been negotiated as directed by City Council; and

Whereas, The Personnel/Human Rights Department has reviewed and approved this contractor;

RESOLVED, That the Mayor and City Council do hereby approve the contract with the agency listed below and authorize the Mayor and City Clerk to execute the contract substantially in the form on file in the Office of the City Clerk for the amount indicated beginning July 1, 1991 and terminating June 30, 1992.

<u>Agency</u>	<u>Funding</u>	<u>Human Rights Approval Date</u>	<u>Account Number</u>
Domestic Violence Project	\$30,000	4/11/91	010-002-4000-7075

RESOLVED, That the Domestic Violence Project will give priority in targeting services to very low income families and individuals; and

RESOLVED, That the Domestic Violence Project be required to report progress in providing services on a quarterly basis and that the program be monitored by the City of Ann Arbor's Community Development staff.

R-657-11-91 APPROVED

RESOLUTION TO APPROVE REHABILITATION
AGREEMENT WITH DOROTHY JOHNSON
(\$27,200.00)

Whereas, An application was received in October, 1991 from Dorothy Johnson for rehabilitation assistance to her home located at 2158 E. Eden; and

Whereas, The Waiver and Review Board at its meeting on September 23, 1991 approved the waiver of the guidelines related to the maximum loan amount and

recommended approval of the agreement;

RESOLVED, That the Mayor and City Council approve the Rehabilitation agreement with Dorothy Johnson in the amount of \$27,200 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: OHS-002-4080-7420

R-658-11-91 APPROVED

RESOLUTION TO AWARD CONTRACT FOR
WASTEWATER TREATMENT PLANT
IMPROVEMENTS - BID NO. 2201
(\$25,000.00)

Whereas, The steam cast iron radiators in the west plant area of the Wastewater Treatment Plant which were installed in 1937 are inefficient, leaking and in need of replacement with more efficient hot water unit heaters;

Whereas, The Utilities Department - Wastewater Division, through the purchasing Department advertised for bids to perform this work as specified in Bid No. 2201;

Whereas, Six (6) bids were received and reviewed, and John E. Green Co. is recommended as the lowest responsible bidder at a bid of \$21,791.00; and

Whereas, On November 1, 1991 the Personnel/Human Rights Department approved John E. Green Co. to perform this work;

RESOLVED, That Council accept the bid and award the contract to John E. Green Co. for \$21,791.00 to perform the work as specified in Bid No. 2201;

RESOLVED, That Council approve a contingency for this work in the amount of \$3,209.00 to finance change orders to be approved by the City Administrator;

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

Contract Work	\$21,791.00
Contingency	<u>3,209.00</u>
	\$25,000.00

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

Funding Source: Wastewater Treatment Plant Fiscal Year 1991-92 Budget

R-659-11-91 APPROVED

RESOLUTION TO APPROVE PAYMENT TO THE
DETROIT EDISON COMPANY FOR STREET
LIGHT SYSTEM MODIFICATIONS AS PART
OF THE PLYMOUTH ROAD RECONSTRUCTION
PROJECT (\$18,153.42)

Whereas, During construction of the Plymouth Road Reconstruction Project (Phase I & II), it was necessary to have relocated and upgraded certain street lights and appurtenances; and

Whereas, Said street light system is owned and operated by the Detroit Edison Company, and as such, it is to be repaired and upgraded exclusively by their representatives, which was performed at a cost of \$18,153.42;

RESOLVED, That Council authorize payment in the amount of \$18,153.42 to the Detroit Edison Company, for the repair and upgrading of said street light system;

RESOLVED, That Council encumber \$18,153.42 from unobligated construction funds, as previously appropriated by Council Resolution (R-485-9-90), to cover the cost of said payment; and

RESOLVED, That the City Administrator is authorized to take necessary administrative actions to implement this resolution.

R-660-11-91 APPROVED

RESOLUTION TO APPROVE FORD 3930
DIESEL UTILITY TRACTOR - BID NO. 2200
(\$17,318.00)

Whereas, The Purchasing Department solicited bids for the purchase of a new Diesel Utility Tractor for the Parks Department;

Whereas, Saline Ford Sales Incorporated was the lowest responsible bidder for the purchase of a Diesel Utility Tractor at a cost of \$17,318.; and

Whereas, Saline Ford Sales received City of Ann Arbor Human Rights Approval on October 25, 1991;

RESOLVED, That the Mayor and City Council approves Bid No. 2200 to Saline Ford Sales, inc. for \$17,318.00 to purchase the specified tractor.

R-661-11-91 APPROVED

RESOLUTION TO APPROVE REHABILITATION
AGREEMENT WITH CHARLIE AND ANNIE CARTER
(\$15,985.00)

Whereas, An application was received in August, 1991 from Charlie and Annie Carter for rehabilitation assistance to their home located at 2648 Towner; and

Whereas, The Waiver and Review Board at its meeting on September 23, 1991 approved the waiver of the guidelines related to the maximum loan amount, and maximum income for a deferred loan and recommended approval of the agreement;

RESOLVED, That the Mayor and City Council approve the Rehabilitation agreement with Charlie and Annie Carter in the amount of \$15,985 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: OHS-002-4080-7419

R-662-11-91 APPROVED

RESOLUTION TO APPROVE FY 1991-92
COMMUNITY DEVELOPMENT BLOCK GRANT-
FUNDED AGREEMENT WITH VISITING
CARE (\$12,000.00)

Whereas, The CDBG Executive Committee and City Council have approved the allocation of \$12,000 in CDBG funding for Visiting Care for the FY 1991-92 program year; and

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, A service contract between the City and Visiting Care has been negotiated as directed by City Council; and

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

RESOLVED, That the Mayor and City Council do hereby approve the contract with Visiting Care and authorize the Mayor and City Clerk to execute this contract substantially in the form on file in the office of the City Clerk for the amount indicated below beginning July 1, 1991 and terminating June 30, 1992:

<u>AGENCY</u>	<u>FUNDING</u>	<u>ACCOUNT NO.</u>
Visiting Care	\$12,000	018-002-4030-7225

RESOLVED, That Visiting Care will give priority in targeting services to very low income families and individuals; and

RESOLVED, That Visiting Care be required to report progress in providing services on a quarterly basis and that the program be monitored by the City of Ann Arbor's Community Development staff.

R-663-11-91 APPROVED

RESOLUTION AUTHORIZING WATER MAIN AND
SANITARY SEWER IMPROVEMENT CHARGES
FOR 431 PARKWOOD (\$9,227.60)

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

Water Main: 10" water main in Parkwood; File No. 89054; District No. 89054, \$4,483.45 connection; one (1) connection = \$4,483.45

Sanitary Sewer: 8" Sanitary Sewer in Parkwood; File No. 89054, District No. 89054; \$4,637.69/connection, one (1) connection = \$4,637.69

Trunkline Improvement Charge = \$106.46

Total of Sanitary Sewer Improvement Charges = \$4,744.15

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;

Whereas, Due to the 1,4 Dioxane contamination in the owner's well, the State of Michigan Department of Public Health has agreed to pay the water improvement charges;

RESOLVED,

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

<u>Annexation Address:</u>	431 Parkwood
<u>City Assessor Code:</u>	08-24-307-002
<u>Annexation Number :</u>	A91-02
<u>Planning File No. :</u>	8243J21.1 & .2

Lot 128 of Evergreens Subdivision, and including adjacent Parkwood right-of-way. Now situated in the City of Ann Arbor;

2. That the improvement charge so levied be in the amount of \$9,227.60 and be hereby designated as Utilities Improvement Charge No. 562;

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

4. That said water main improvement charge be due upon receipt of an invoice to the State of Michigan Department of Public Health;

5. That the City Clerk be directed and ordered to sent 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;

6. That the sanitary sewer improvement charge so levied be invoiced to David and Ann Hendricks, 431 Parkwood, Ann Arbor, MI. 48103 and that the amount of \$4,744.15 be credited to Fund 043-073-7151; and

7. That the water main improvement charge so levied be invoiced to Ms. Lois Graham, R.S., Michigan Department of Public Health, Division of Water Supply, P.O. Box 30195, Lansing, MI. 48909; \$4,483.45 be credited to Fund 042-073-7151.

R-664-11-91 APPROVED

RESOLUTION AUTHORIZING WATER MAIN AND
SANITARY SEWER IMPROVEMENT CHARGES
FOR 310 GLENWOOD (\$3,072.92)

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

Water Main: 6" water main in Glenwood; File No. 80177; District No. 80177 \$2,335.66
Connection; one (1) connection = 2,335.66

Sanitary Sewer: 12" Sanitary Sewer in Glenwood; Non-Dist. Job No. 3680
\$737.26/connection, one (1) connection = \$737.26

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; and

Whereas, Due to the 1,4 Dioxane contamination in the owner's well, the State of Michigan Department of Public Health has agreed to pay the water main improvement charges;

RESOLVED,

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

<u>Annexation Address:</u>	310 Glenwood
<u>City Assessor Code:</u>	08-24-404-020
<u>Annexation Number :</u>	A90-25
<u>Planning File No. :</u>	8244D6.1 & .2

Lot 8 of Evergreens Subdivision, and including that portion of adjacent Glenwood right-of-way, now situated in the City of Ann Arbor.

- 2. That the improvement charge so levied be in the amount of \$3,072.92 and be hereby designated as Utilities Improvement Charge No. 553;
- 3. That said sanitary sewer improvement charge be divided into 15 equal installments, the first to be due on December 1, 1991 and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 8% per annum commencing December 1, 1991;
- 4. That said water main improvement charge be due upon receipt of an invoice to the State of Michigan Department of Public Health;
- 5. 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;
- 6. That the sanitary sewer improvement charge so levied be invoiced to Susan Price, 310 Glenwood, Ann Arbor, MI. 48103 and \$737.26 be credited to Fund 043-073-7151; and
- 7. That the water main improvement charge so levied be invoiced to Ms. Lois Graham, R.S. Michigan Department of Public Health, Division of Water Supply, P.O. Box 30195, Lansing, MI. 48909; \$2,335.66 be credited to Fund 042-073-7151.

R-665-11-91 APPROVED

RESOLUTION AUTHORIZING CREDIT ON
ASSESSMENT FOR BARTON DRIVE SANITARY
SEWER, DISTRICT NO. 453, FILE NO.
88035 (\$767.06 CREDIT)

Whereas, The Special Assessment Roll for Barton Drive Sanitary Sewer, being District Number 453, File Number 88035, was confirmed by Council on December 8, 1989 in the amount of \$12,375.00;

Whereas, The final cost of this project as distributed between City Share and Property Share has fixed the final Property Share as amounting to \$11,607.94; 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 \$767.06 be applied to the unpaid installments of said special assessment against each lot or parcel of land; and

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

DISTRIBUTION OF FINAL COST

		Preliminary <u>Estimate</u>	<u>Final Cost</u>
09-17-400-019	A. Hays & Judith A. Butler 187 Barton Drive Ann Arbor, MI. 48105	\$12,375.00	\$11,607.94

R-666-11-91 APPROVED

RESOLUTION AUTHORIZING DEFICIENCY ASSESSMENT FOR EMERALD AVENUE SANITARY SEWER, DISTRICT NO. 441, FILE NO. 85106 (\$317.19 DEFICIENCY)

Whereas, The Special Assessment Roll for Emerald Avenue Sanitary Sewer, District Number 441, File Number 85106, confirmed by Council on January 6, 1986 was in the amount of \$5,565.00;

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 \$5,882.19; and

Whereas, The assessment levied proves to be insufficient to pay the cost of the improvement for which it was made, there being a deficiency of \$317.19 in the property share;

RESOLVED, That this Council hereby order the levying of an additional assessment against the parcel of land within the special assessment district to supply the said deficiency;

DISTRIBUTION OF FINAL COST

		Preliminary Estimate	Final Cost
12-03-222-017	Richard Hunsche 2209 Ferdon Ann Arbor, MI. 48104	\$5,565.00	\$5,882.19

R-667-11-91 APPROVED

RESOLUTION TO GRANT WATER SERVICE
OUTSIDE CITY LIMITS TO 430 PARKWOOD

Whereas, Theodore R. Grammatico and Reine Grammatico, owners of the property at 430 Parkwood have requested that on October 14, 1991 the City extend public water service for their use to the property in Scio Township prior to the completion of the annexation process;

Whereas, The property owners desire to enter into the standard agreement with the City which provide an equitable method of obtaining City service outside of its Corporate Boundaries; and

Whereas, On October 14, 1992, the property owners petitioned the City for annexation under Planning Department File Number 8243H22.1 & .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 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-668-11-91 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENTS
FROM EISENHOWER CORPORATE PARK

Whereas, Eisenhower Corporate Park, a Michigan co-partnership, is the owner of

land located in the City of Ann Arbor, Washtenaw County, Michigan, and more particularly described as follows:

A forty (40) foot wide easement for water main described along its centerline as part of Lots 22 and 23 of "Dekoning Subdivision", part of the S.W. 1/4 of Section 4, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, (as recorded in Liber 21, of Plats, Pages 63 through 69, Washtenaw County Records), being more particularly described as: Beginning at a point distant S. 18E 23' 30" E. 24.00 feet from the N.E. corner of said Lot 22; thence S 71E 36' 30" W. 65.00 feet; thence S 87E 43' 00" W 200.00 feet to Point "A"; thence S 87E 43' 00" W. 100.00 feet; thence S 42E 43' 00" W. 93.00 feet; thence S 07E 58' 20" E 179.00 feet to point "B" thence S 07E 58' 20" E., 107.00 feet; thence S 52E 58' 20" E., 144.0 feet; thence N 85E 12' 56" E 260.00 feet to point "C"; thence N. 86E 12' 56" E 159.50 feet to the point of ending. Also, beginning at point "A"; thence S 02E 17' 00" E 35.00 feet to the point of ending. Also, beginning at point "B"; thence N 82E 01' 40" E 67.00 feet; thence S 07E 58' 20" E 30.00 feet to the point of ending. Also, beginning at point "C"; thence N 03E 47' 04" W 72.00 feet to the point of ending.

and

A forty (40)-foot wide easement for water main described along its centerline as part of Lots 1 and 2 of "Dekoning Subdivision", part of the S.W. 1/4 of Section 4, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, (as recorded in Liber 21 of Plats, Pages 63 through 69, Washtenaw County Records), being more particularly described as: Beginning at a point distant S 18E 23' 30" E 32.49 feet from the Northwest corner of said Lot 2; thence N 71E 36' 30" E, 85.00 feet; thence N 87E 43' 00" E 187.00 feet; thence S 01E 08' 00" E 93.00 feet; thence S 01E 08' 00" E 20.00 feet to the point of ending.

Whereas, Said owner has delivered to the City of Ann Arbor two easements for construction and maintenance of utilities on the above described premises;

RESOLVED, That the City of Ann Arbor hereby accepts said easements.

R-669-11-91 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT
FROM THE REGENTS OF THE UNIVERSITY
OF MICHIGAN (U-M HOSPITAL CHILD
CARE CENTER)

Whereas, The Regents of the University of Michigan, a Michigan constitutional corporation, is the owner of land located in the City of Ann Arbor, Washtenaw County, Michigan, and more particularly described as follows:

Commencing at the Southeast corner of Section 22, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence along the south line of said Section and the centerline of Glazier Way S 87E 30' 50" W 545.47 feet to the POINT OF BEGINNING; thence continuing S 87E 30' 50" W 844.01 feet; thence N 03E 28' 15" W 62.31 feet; thence N 86E 31' 45" E 425.54 feet; thence N 89E 21' 45" E 419.82 feet; thence S 02E 29' 10" E 56.07 feet to the Point of Beginning.

Whereas, Said owner has delivered to the City of Ann Arbor an easement for construction and maintenance of utilities on the above described premises;

RESOLVED, That the City of Ann Arbor hereby accepts said easement.

R-670-11-91 APPROVED

RESOLUTION ACCEPTING DEEDS FROM
R.E.M. VERO, INC.

Whereas, R.E.M. Vero, Inc., a Florida Corporation, is the owner of property described below; and

Whereas, The owner has delivered two deeds conveying to the City property which is located in the City of Ann Arbor, Washtenaw County, Michigan; and more fully described as follows:

Commencing at the North 1/4 corner of Section 18, T2S, R6E, in the City of Ann Arbor, Washtenaw County, Michigan; thence N 89E 32' 30" E 43.16 feet along the North line of said Section 18 and the centerline of Newport Road; thence S 26E 33' 30" E 523.55 feet along said centerline for a Place of Beginning; thence continuing S 26E 33' 30" E 453.00 feet along said centerline; thence S 63E 26' 30" W 50.00 feet; thence N 26E 33' 30" W 454.70 feet; thence N 65E 23' 00" E 50.03 feet to the Place of Beginning, being a part of the NE 1/4 of said Section 18, containing 0.52 acres of land, more or less, and

Commencing at the North 1/4 corner of Section 18, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 89E 32' 30" E 43.16 feet along the North line of said Section 18 and the centerline of Newport Road; thence S 26E 33' 30" E 523.55 feet along said centerline; thence S 65E 23' 00" W 383.89 feet (recorded as 383.74 feet); thence S 00E 31' 28" W 333.41 feet (recorded as S 00E 30' 45" W 333.38 feet); thence S 89E 34' 31" W

173.41 feet (recorded as S 89^E 32' 45" W); thence S 08^E 00' 43" E 223.66 feet; thence 43.36 feet along the arc of a nontangential circular curve to the right, radius 277.00 feet, chord bearing N 86^E 28' 22" E 43.32 feet; thence S 03^E 04' 48" E 187.46 feet for a Place of Beginning; thence S 89^E 53' 21" E 227.00 feet; thence 289.94 feet along the arc of a nontangential circular curve to the left, radius 1615.00 feet, chord bearing S 09^E 07'57" E 289.55 feet; thence nontangentially S 78^E 50' 00" W 376.33 feet; thence S 86^E 31' 44" W 167.12 feet; thence 133.00 feet along the arc of a nontangential circular curve to the left, radius 2066.00 feet, chord bearing N 05^E 18' 55" W 132.98 feet; thence nontangentially N 86^E 06' 54" E 175.00 feet; thence N 01^E56' 12" W 179.12 feet; thence N 66^E 41' 22" E 116.35 feet to the Place of Beginning, being a part of the North 1/2 of said Section 18, containing 3.07 acres of land, more or less, being subject to easements of record, if any,

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

R-671-11-91 APPROVED

RESOLUTION ACCEPTING DEED FROM
 STATUTORY DRAINAGE BOARD FOR THE
 TRAVER CREEK DRAIN

Whereas, Statutory Drainage Board for the Traver Creek Drain, a municipal corporation, is the owner of property described below; and

Whereas, The owner has delivered a deed conveying to the City property which is located in the City of Ann Arbor, Washtenaw County, Michigan, and more fully described as follows:

Beginning at the most westerly corner of Lot 8, Woodstream Subdivision, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 13 of Plats, Page 18 Washtenaw County Records;

thence northeasterly 205.81 feet along the northwest line of said Lot 8;

thence southeasterly 47.913 feet more or less to the east line of said Lot 8;

thence southwesterly 119.00 feet along the east line of said Lot 8;

Thence westerly 152.51 feet along the south line of said Lot 8 to the Point of Beginning, and containing 13,738.35 sq. ft. or 0.3154 acres of land, more or less. Subject to easements and restrictions of record, if any.

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

R-672-11-91 APPROVED

RESOLUTION TO REVISE THE FLOODPLAIN
MANAGEMENT PLAN

Whereas, The City of Ann Arbor desires to continue to participate in the National Flood Insurance Program and comply with all applicable statutory and regulatory requirements for the purposes of significantly reducing hazards to persons, property damage and public expenditures, and to provide for the availability of flood insurance and federal funds or loans;

RESOLVED THAT:

- 1. For purposes of this resolution, the following definitions shall apply:

"Base Flood" means the flood having a one-percent change of being equalled or exceeded in any given year.

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- (3) The collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood Hazard Boundary Map" FHBM means an official map of a community, issued by the Federal Emergency Management Agency where the boundaries of the areas of special flood hazards have been designated as Zone A.

"Flood Hazard Area" means land which on the basis of available floodplain information is subject to a one-percent or greater change of flooding in any given year.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, in which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by FEMA. The report contains flood profiles, the water surface elevation of the base flood, and may include a Flood Boundary - Floodway Map.

"Floodplain" means any land area susceptible to being inundated by water from any source (see definition of flood).

"Floodway" means the channel of a river or other watercourse and the adjacent land areas which must be reserved in order to discharge the base flood.

"Structure" means, for floodplain management purposes, a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

"Substantial Improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structures. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

2. The Building Official shall obtain, review, and reasonably utilize flood elevation data available from federal, state, or other sources pending receipt of data from the Federal Emergency Management Agency. The most recent flood elevation data received from the Federal Emergency Management Agency shall take precedence over data from other sources.
- 2a. The map(s) entitled Flood Hazard Boundary Map or Flood Insurance Rate Map of the City of Ann Arbor, Washtenaw County, dated January 2, 1992 shall be the official map for determinations and regulation pursuant to this resolution.
3. The Building Official shall insure that all necessary permits have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan

Department of Natural Resources under authority of Act 245, P.A. 1929, as amended by Act 167, P.A. 1968.

- 4. The Building Official shall review all permit applications to determine whether the proposed building will be reasonably safe from flooding. Where it is determined that the building will be located in an area subject to flooding as identified in Section 2, the Building Official shall implement the appropriate portions of Section 2102.0-Flood Resistant Construction of the 1987 edition of the BOCA Basic/National Building Code; or the appropriate flood resistant construction standards in succeeding editions of the BOCA Basic/National Building Code.

- 5. The Building Official shall maintain a record for new structures or substantial improvements erected in the flood hazard area indicating the actual elevation of the lowest structural member required to be elevated or as an alternative in nonresidential structures, the elevation to which the structure has been floodproofed.

R-673-11-91 APPROVED

RESOLUTION TO ACCEPT BOARD OF
INSURANCE ADMINISTRATION MINUTES
OF NOVEMBER 12, 1991 AND TO
AUTHORIZE PAYMENTS

RESOLVED, That the board of Insurance Administration Minutes of November 12, 1991 be accepted and that the payments therein be authorized.

Councilmember Hunter moved that the Consent Agenda be approved.

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

ORDINANCES - SECOND READING

48-91 APPROVED

1968 GREEN ROAD (ERIM SITE) 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 33.15 acres from RE (Research District) to ORL (Office/Research/Limited Industrial District), 1968 Green Road (ERIM Site).

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

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Sheldon, Dodge, Meade, Zimmer, Ouimet, Peterson, Mayor Brater, 8
Nays, Councilmember Coleman, 1
Absent for Roll Call: Councilmembers Grady, Eckstein, 2

The Chair declared the motion carried.

59-91 APPROVED

WATERSHED 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 2.35 acres from R3 (Townhouse District) to R1C (Single-Family Dwelling District), Watershed, West of Green Road, north of Narrow Gauge Way.

Councilmember Dodge 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, Mayor Brater, 10
Nays, 0
Absent for Roll Call: Councilmember Eckstein, 1

The Chair declared the motion carried.

63-91 APPROVED

CITY-OWNED PARCEL (FORMER KATZ 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 27.94 acres from UNZ (Unzoned) to PL (Public Land District), City-Owned Parcel (Former Katz Property), northwest corner of Ellsworth and Platt Roads.

Councilmember Hunter 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, Peterson, Mayor Brater, 9
Nays, 0
Absent for Roll Call: Councilmembers Ouimet, Eckstein, 2

The Chair declared the motion carried.

64-91 APPROVED

MUSGRAVE 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 0.27 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Musgrave Property, 2460 James Street.

Councilmember Dodge 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, Peterson, Mayor Brater, 9

Nays, 0

Absent for Roll Call: Councilmembers Ouimet and Eckstein, 2

The Chair declared the motion carried.

65-91 APPROVED

REAPPORTIONMENT OF WARDS

AN ORDINANCE TO AMEND CHAPTER 17 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR.

This is the reapportionment of the City's Five Voting Wards as prescribed by law.

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

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.

50-91 APPROVED

DOMESTIC VIOLENCE COORDINATING BOARD

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

This ordinance would increase the number of members from thirteen to fifteen and redefine the organizations to be represented on the Board.

Councilmember Coleman 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, Peterson, Mayor Brater, 8

Nays, 0

Absent for Roll Call: Councilmembers Dodge, Ouimet, Eckstein, 3

The Chair declared the motion carried.

ORDINANCES - FIRST READING

66-91 APPROVED

FALSE IDENTIFICATION

AN ORDINANCE TO ADD A NEW SECTION 9:84 TO CHAPTER 109 OF TITLE IX OF THE CODE OF THE CITY OF ANN ARBOR.

This ordinance would prohibit minors from using false identification to obtain admittance to businesses that serve alcohol and limit admission to persons 21 or older.

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

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

67-91 APPROVED

CONTROLLED SUBSTANCE AND ALCOHOLIC BEVERAGES
TRAFFIC VIOLATIONS

AN ORDINANCE TO AMEND SECTIONS 10:81, 10:87, 10:88 AND 10:156 OF CHAPTER 126 OF TITLE X OF THE CODE OF THE CITY OF ANN ARBOR.

This amendment would bring the ordinance into line with the amendments to the state drunk driving laws that go into effect January 1, 1992. The City code amendments will provide the same penalties that are permitted under state law.

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

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

68-91 TABLED

PENSION PLAN REVISIONS

AN ORDINANCE TO AMEND SECTION 1:552(25), 1:552(26), 1:559(c), 1:562, 1:564, 1:565, 1:566, 1:567, 1:568 and 1:575 OF CHAPTER 18 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR.

This amendment would provide a number of revisions to the Employees' Retirement Plan to include "Add On" provisions, 5-year vesting, "Pop-up" provision in cases of death or divorce, provide a residual refund of unpaid member contributions with interest in certain cases, change the equated option, provide for lump sum benefit payments to an estate in in-death service cases in which no named beneficiary exists, allow the Mayor's Secretary the option of being a member of the system, increase the maximum annual additional interest that may be credited to the retiree reserve fund to 3%.

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

Councilmember Coleman moved that the ordinance be tabled to December 2, 1991 pending receipt of further information on the costs of the revisions and for including the "Definitions" section into the ordinance.

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

MOTIONS AND RESOLUTIONS

RESOLUTION TABLED

RESOLUTION TO APPROVE WATERSHED LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval (8 yeas, 0 nays) of the Watershed land division, 2.35 acres, west side of Green Road, north of Narrow Gauge Way.

Whereas, David Peters has requested approval of a land division of existing Lots 20, 21, 22, and 26 of Watershed Subdivision into seven lots in order to construct single-family homes.

Whereas, The Ann Arbor City Planning Commission, at its meeting of September 24, 1991, recommended approval of said request;

RESOLVED, That the Watershed Land Division is hereby approved, subject to the following deed restrictions being recorded: (1) provision of a 30-foot wide buffer area along the westerly property lines of all proposed lots, in which deciduous trees shall be preserved, shrubs may be substituted with other landscape species, and no further cutting or grading permitted into the hill, and (2) a 40-foot rear setback restriction maintained where no buildings are allowed.

Councilmember Grady moved that the resolution be approved.

Councilmember Dodge moved that the resolution be tabled pending receipt of requested information on the remaining 3 of the previous 8 questions put forth by members of the Council.

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

R-674-11-91 APPROVED

**RESOLUTION TO APPROVE FIRST MARTIN
(TRAVER VILLAGE/TRAVERWOOD) LAND DIVISION**

A communication was received from the City Planning Commission transmitting its recommendation of approval (7 yeas and 0 nays) of the First Martin (Traver Village/Traverwood) Land Division, 21.0 acres, southwest corner of Nixon Road and Huron Parkway Extension.

Whereas, Traver Village Ltd. Partnership has requested approval of the division of the existing 21.0-acre Traverwood parcel (Assessor's Code No. 09-15-410-005) into two

separate parcels. The Ann Arbor City Planning Commission, at its meeting of October 22, 1991, recommended approval of said request;

RESOLVED, That the First Martin (Traver Village/Traverwood) Land Division is hereby approved;

RESOLVED, That the special assessment for the Huron Parkway extension (Road Improvement District #13), in the amount of \$788,781.00, is hereby divided into two separate assessments as follows: \$363,601.13 (12.36-acre parcel) and \$425,179.87 (8.03-acre parcel).

12.36-Acre Parcel (Zoned C3)

Commencing at the South 1/4 corner of Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence North 88° 11' 42" East 650.00 feet along the South line of said Section 15; thence North 01° 10' 27" West 53.84 feet to the Place of Beginning; thence North 01° 10' 27" West 1211.30 feet; thence along the South right-of-way line of Huron Parkway in the following four courses: South 51° 30' 20" East 208.28 feet, Southeasterly 245.65 feet along the arc of a circular curve concave to the Northeast, radius 669.36 feet central angle 21° 01' 38" chord South 62° 01' 09" East 244.28 feet, South 72° 31' 58" East 222.80 feet, S 36° 51' 53" E 81.23 feet; thence South 01° 12' 17" East 478.39 feet along the West right-of-way line of Nixon Road (33.00 feet, 1/2 width); thence South 88° 49' 33" West 209.84 feet; thence South 01° 10' 27" East 338.23 feet; thence South 88° 04' 30" West 422.60 feet along the North right-of-way line of Plymouth Road (100.00 feet total width) to the Place of Beginning, being a part of the Southeast 1/4 of Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan. Excepting therefrom the following described parcel of land: Commencing at the South 1/4 corner of Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 88° 11' 42" E 650.00 feet along the south line of said Section 15; thence N 01° 10' 27" W 53.84 feet; thence N 88° 04' 30" E 632.64 feet along the northerly right-of-way line of Plymouth Road; thence N 01° 12' 17" W 371.48 feet along the westerly right-of-way line of Nixon Road to the POINT OF BEGINNING; thence S 88° 49' 33" W 145.27 feet; thence N 1° 10' 27" W 112.34 feet; thence N 88° 49' 33" E 20.09 feet; thence N 47° 49' 33" E 73.16 feet; thence N 88° 49' 33" E 13.70 feet; thence N 01° 10' 27" W 36.00 feet; thence N 88° 49' 33" E 56.17 feet; thence S 01° 12' 17" E 196.34 feet along the westerly right-of-way line of Nixon Road, to the POINT OF BEGINNING; being a part of the SE 1/4 of said Section 14, T2S, R6E, and containing 0.53 acres of land, being subject to easements and restrictions of record, if any.

8.03-Acre Parcel (Zoned ORL)

Commencing at the S 1/4 corner of Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 88° 11' 42" E 650.00 feet along the south line of said Section 15; thence N 01° 10' 27" W 1000.00 feet, to the POINT OF BEGINNING; thence S 88° 11' 42" W 650.00 feet; thence N 01°

10' 27" W 811.30 feet along the N-S 1/4 line of said Section 15; thence S 51E 30' 20" E 844.37 feet along the south right-of way of Proposed Huron Parkway (100.00 feet total width); thence S 01E 10' 27" E 265.15 feet to the POINT OF BEGINNING; being a part of the S.E. 1/4 of said Section 15, T2S, R6E, and containing 8.03 acres of land.

Councilmember Sheldon moved that the resolution be approved.

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

R-675-11-91 APPROVED

RESOLUTION TO AMEND ANNUAL CONTRIBUTIONS
CONTRACT FOR 1991 COMPREHENSIVE IMPROVEMENT
ASSISTANCE PROGRAM (CIAP)
(\$3,579,500.00)

Whereas, The public housing rental units at Miller Manor, Broadway Terrace, and White/State/Henry need rehabilitation; and

Whereas, The Department of Housing and Urban Development, through the Comprehensive Improvement Assistance Program, has provided funds for this project;

RESOLVED, That the City Council approve the amendment of the Annual Contributions Contract in the amount of \$3,579,500; and

RESOLVED, That the City Clerk be authorized to attest the contract that is substantially in the form of that on file with the City Clerk.

Councilmember Coleman moved that the resolution be approved.

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

R-676-11-91 APPROVED

RESOLUTION TO AWARD CONTRACT FOR WATER
TREATMENT PLANT REMOTE STATIONS
TELEMETRY SYSTEM (\$223,807.47)

Whereas, The Utilities Department Water Treatment Division's existing telephone lines based telemetry to monitor and control 22 remote stations for raw water pumping, water distribution, pumping, pressure sensing dams and hydropower facilities, needs to be replaced;

Whereas, The Utilities Department Water Treatment Division requests that the existing telephone lines based telemetry system for the remote stations be replaced with an 800 MHz radio telemetry system;

Whereas, The 800 MHz radio trunk line system is capable of accommodating the station telemetry system and this proposed use was approved by the Area Wide 800 MHz Committee on September 15, 1988;

Whereas, The capital cost to buy into the 800 MHz radio trunk system for use at the Water Treatment Plant's remote stations and the Water Treatment Plant's telemetry system is \$778.89 per transceiver unit, a total of \$17,914.47 for 23 units;

Whereas, The 800 MHz radio trunk system is a proprietary system of Motorola Communications and Electronics, Inc.;

Whereas, Motorola Communications and Electronics, Inc. has submitted a quotation proposal to furnish and install this radio telemetry system for \$195,893.00; and

Whereas, The Personnel/Human Rights Department approved Motorola Communications and Electronics, Inc. to furnish and install equipment for the City on June 24, 1991;

RESOLVED, That City Council accepts the quotation proposal and award a contract in the amount of \$195,893.00 to Motorola Communications and Electronics, Inc. to furnish and install a radio telemetry system for the Water Treatment Plant and remote stations per their proposal dated October 3, 1991;

RESOLVED, That City Council approves payment of the \$17,914.47 capital buy-in cost for use of the 800 MHz radio trunk system for 23 transceivers; and directs the City Administrator to issue a purchase order in the amount of \$17,914.47 to the Washtenaw County 800 MHz Group;

RESOLVED, That Council approves a contingency for this project of \$10,000.00 to finance change orders to be approved by the City Administrator;

RESOLVED, That City Council approves an appropriation and project budget of

\$223,807.47 as an interim advance from the Water Supply System Fund to be repaid by Water Revenue Bond Series R: and that the project budget is approved for the life of the project to be available until expended without regard to fiscal year;

Motorola Communications & Electronics, Inc. Contract	\$195,893.00
Capital Cost Buy in 800 MHz radio trunk system	\$17,914.47
Contingency	<u>\$ 10,000.00</u>
Total Project Budget	\$233,807.47

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

Councilmember Meade moved that the resolution be approved.

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

R-677-11-91 APPROVED

RESOLUTION AWARDDING CONSTRUCTION
 CONTRACT TO DUNIGAN BROTHERS, INC.
 AND ESTABLISHING A PROJECT BUDGET
 FOR ELLSWORTH ROAD SANITARY
 SEWER EXTENSION - BID NO. 2207
 (\$49,789.00)

Whereas, The Consent Order requires that the City has interim remedial purge wells in operation by January 31, 992;

Whereas, The Washtenaw County Health Department requires that the Recycle Ann Arbor facility be connected to a sanitary sewer;

Whereas, Dunigan Brothers, Inc. of Jackson, Michigan has submitted to the City on November 6, 1991 a bid for the necessary work in the total amount of \$49,789, which amount is the lowest responsible bid;

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

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

Whereas, The Personnel/Human Rights Department has on November 12, 1991

approved said company for said work; and

Whereas, Sufficient funds exist for said work;

RESOLVED, That a contract in the amount of \$49,789 be awarded to Dunigan Brothers, Inc. for construction of the Ellsworth Road Sanitary Sewer Extension (Bid No. 2207);

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

RESOLVED, That the City Administrator is authorized to take necessary administrative actions to implement this resolution; and

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

SECTION I - REVENUE

\$ 4,500	Environmental Bond, Series A - Recycle Ann Arbor Expansion category
\$70,000	Environmental Bond, Series A - Phase I - Remediation category
\$21,000	Environmental Bond, Series A - Previous appropriation for Design Engineering (R-376-7-91)
\$95,500	Total

SECTION II - EXPENSE

\$50,000	Construction
\$21,000	Design Engineering (previously approved by Council)
\$ 7,500	Construction Engineering
\$ 2,500	Consulting and Testing
\$10,000	Contingencies to be approved in writing by the City Administrator
<u>\$ 4,500</u>	User Fee/Overhead Charge and Miscellaneous Costs
\$95,500	Total

Councilmember Peterson moved that the resolution be approved.

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

RESOLUTION AWARDING CONSTRUCTION
CONTRACT TO DUNIGAN BROTHERS, INC.
AND ESTABLISHING A PROJECT BUDGET FOR
THE 1991 STORM SEWER IMPROVEMENTS
PROJECT - BID NO. 2208 (\$40,962.00)

Whereas, Extensions of the City storm sewer system are needed in certain areas to correct drainage problems;

Whereas, Dunigan Brothers, Inc. of Jackson, Michigan has submitted to the City on November 6, 1991 a bid for the necessary work in the total amount of \$40,962, which amount is the lowest responsible bid;

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

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

Whereas, The Personnel/Human Rights Department has on November 12, 1991 approved said company for said work; and

Whereas, Sufficient funds are budgeted for said work in the F.Y. 91-92 Storm Water Field/Storm Water Capital budget;

RESOLVED, That a contract in the amount of \$40,962 be awarded to Dunigan Brothers, Inc. for construction of the 1991 Storm Sewer Improvements Project (Bid No. 2208);

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

RESOLVED, That the City Administrator is authorized to take necessary administrative actions to implement this resolution; and

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

SECTION I - REVENUE

<u>\$60,000</u>	Storm Water Field/Storm Water Capital budget
\$60,000	TOTAL

SECTION II - EXPENSE

\$41,000	Construction
\$ 4,100	Design Engineering
\$ 6,200	Construction Engineering
\$ 2,500	Consulting and Testing
\$ 4,100	Contingencies to be approved in writing by the City Administrator
<u>\$ 2,100</u>	User Fee/Overhead Charge and Miscellaneous Costs
\$60,000	TOTAL

Councilmember Peterson moved that the resolution be approved.

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

TABLED

RESOLUTION AUTHORIZING CHANGE ORDER
 TO RESOURCE RECYCLING SYSTEMS FOR
 ADDITIONAL CONSULTING SERVICES RELATING
 TO THE CITY'S MATERIALS RECOVERY
 FACILITY (\$43,140.00)

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

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

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

Whereas, \$38,145 was made available through City Council action on May 20, 1991 for consultant support in the procurement of this facility;

Whereas, Six months into the procurement, significant changes have been made, given the size and complexity of this project;

Whereas, Additional funds are necessary for economic analysis, engineering support, siting, vendor review, and document development; and

Whereas, Resource Recycling Systems has demonstrated outstanding responsiveness and professionalism to date;

RESOLVED, That a change order be approved for up to \$43,140 in additional funds to provide the services outlined in Resource Recycling Systems' change order memo dated November 8, 1991;

RESOLVED, That these funds will be taken from the Materials Recovery Facility line item in the Environmental Bond;

RESOLVED, That funds to Resource Recycling Systems for the tasks outlined above not expended in fiscal year 1991/92, be carried over to the succeeding fiscal year; and

RESOLVED, That the Mayor and City Clerk are authorized to sign this agreement on behalf of the City.

Councilmember Hunter moved that the resolution be approved.

Councilmember Hunter moved that the resolution be tabled to December 2, 1991 and that the Human Rights approval date be included in the resolution at that time.

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

R-679-11-91 APPROVED

RESOLUTION TO APPROVE 1992 FORD PASSENGER VAN - BID NO. 2190 (\$18,262.00)

Whereas, The Purchasing Department solicited bids for the purchase of a new 1992 15-Passenger Van;

Whereas, It has been determined to be in the best interest of the City of Ann Arbor to make this purchase locally, from Varsity Ford, for \$18,262, second low bid, and \$3.00 more than low bid; and

Whereas, Varsity Ford received City of Ann Arbor Human Rights Approval on October 11, 1991;

RESOLVED, That City Council approve the issuance of a purchase order to Varsity Ford for \$18,262.

Councilmember Sheldon moved that the resolution be approved.

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

R-680-11-91 APPROVED

RESOLUTION TO APPROVE REHABILITATION AGREEMENT WITH CLAIRE AND PAUL TINKERHESS (\$15,000) AND DEFER CITY FEES RELATING TO HOUSE MOVE PROJECT (\$6,200.00)

Whereas, An application was received in November, 1991 from Claire and Paul Tinkerhess for rehabilitation assistance to the house expected to be acquired from the Shelter Association and moved from 340 S. Ashley to a lot at 621 Miner;

Whereas, The Waiver and Review Board, through a special ballot of October 30, 1991 approved the waiver of the guidelines related to the length of residency in a structure before rehabilitation assistance can be provided and recommended approval of the rehabilitation agreement; and

Whereas, The following are cost estimates for city fees relating to the planned house move:

- \$2,200 - Transportation Department
- \$2,500 - Police Department
- \$1,500 - Forestry Division/Parks and Recreation Department
- \$6,200 - Estimated total

RESOLVED, The Mayor and City Council defer payment of the actual amounts of all city fees estimated to be \$6,200 for the Tinkerhess House move project for a period until the house is sold or refinanced and include these terms in the Rehabilitation Agreement and security interest lien; and

RESOLVED, The Mayor and City Council approve the Rehabilitation Agreement with Claire and Paul Tinkerhess in the amount of \$15,000 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.

Councilmember Coleman moved that the resolution be approved.

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

R-681-11-91 APPROVED

RESOLUTION TO APPROVE THIRD ANNUAL CHILDREN'S HOLIDAY PARADE STREET CLOSING AND FEE WAIVER (\$1,345.00 - COMMUNITY EVENTS ACCOUNT; \$590.00 - METER BAG DEPOSIT)

Whereas, The Main Street Association is sponsoring its Third Annual Children's Holiday Parade on December 8, 1991 commencing at 12 Noon and ending at approximately 12:30 p.m.;

Whereas, In order to accommodate the 300-500 children participating in the parade the Main Street Area Association has requested the downtown area streets be closed from 11:00 a.m. until approximately 1:00 p.m.; and

Whereas, The Main Street Area Association requests that all fees associated with this event be waived;

RESOLVED, That the following streets be closed from 11:00 a.m. until 1:00 p.m. on December 8, 1991:

- West William--from South Fourth Avenue to South Ashley
- East Liberty--from South Fifth Avenue to South Ashley
- East Washington--from South Fifth Avenue to South Ashley
- South Fourth Avenue--from East William to East Huron
- South Main--from William to East Huron;

RESOLVED, That fees for City services (Police: \$550; Barricades: \$475; meter bag rental: \$318) totaling approximately \$1,345 be allocated from the Community Events Account and that the requirement of \$590 deposit for meter bags be waived.

Councilmember Coleman moved that the resolution be approved.

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

R-682-11-91 APPROVED

RESOLUTION TO APPROVE TRANSFER OWNERSHIP
OF A 1991 CLASS B-HOTEL LICENSED
BUSINESS WITH DANCE PERMIT, LOCATED
AT 600-610 HILTON BOULEVARD

RESOLVED, That the request from Resource Savings Association (A Texas Savings and Loan Association); Resolution Trust Corporation, Conservator to transfer ownership of 1991 B-Hotel licensed business with Dance Permit, located at 600-610 Hilton, Ann Arbor, MI. 48104, Washtenaw County, from A-2 Hotel Associates, Inc.; American General Hospitality, Inc. (A Texas Corporation), Receiver be approved.

Councilmember Eckstein moved that the resolution be approved.

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

R-683-11-91 APPROVED

RESOLUTION REGARDING NON-UNION
RESIDENCY REQUIREMENT

RESOLVED, That the City Council amends Section 3 of the City's Personnel Rules and Regulations by eliminating paragraph 4 (four) which requires residency for non-union City employees adopted on June 20, 1988.

Councilmember Eckstein moved that the resolution be approved.

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

The Chair declared the motion carried.

R-684-11-91 APPROVED

RESOLUTION TO AMEND AGREEMENT BETWEEN
THE CITY OF ANN ARBOR AND STAUDER,

BARCH & ASSOCIATES

Whereas, The City Administration has negotiated a revised fee schedule with the City's Financial Advisor that reduces costs associated with bond issues and produces savings for the City of Ann Arbor;

RESOLVED, The final paragraph of the letter of agreement between the City of Ann Arbor and Stauder, Barch & Associates, dated November 16, 1989 is hereby amended to read:

"The fee per issue will be \$2,500 for amounts up to \$1,200,000 and \$2.00 per \$1,000 of bonds issued for each series in excess of \$1,250,000 up to \$4,000,000. The fee will be \$1.50 per \$1,000 of bonds issued for each series in excess of \$4,000,000 up to \$8,000,000. The fee will be \$1.00 per \$1,000 of issue for each series in excess of \$8,000,000, up to a maximum total fee per issue of \$20,000. Our fee includes all of our out-of-pocket expenses, and further will include any expenses incurred by us in making presentations to the rating agencies in New York when presentations are required."

Councilmember Sheldon moved that the resolution be approved.

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

R-685-11-91 APPROVED

RESOLUTION TO APPROVE GRANT AGREEMENT FOR EMERGENCY MANAGEMENT FUNDS

Whereas, The City of Ann Arbor under Public Act 390 of 1976, as amended, is an emergency management service district and Chapter 15 of the City of Ann Arbor Code establishes an Office of Disaster Preparedness to provide services identified in Public Act 390 of 1976; and

Whereas, In order to obtain reimbursement of funds expended for the Office of Disaster Preparedness, the City of Ann Arbor has elected to be part of a federal grant to the State of Michigan as a subgrantee to receive emergency management allocated funds;

RESOLVED, That the City of Ann Arbor agrees to enter into the grant contract with the State of Michigan and the Federal Emergency Management Agency by authorizing the Mayor and City Clerk to sign an agreement that substantially corresponds to the agreement that is on file with the City Clerk's Office.

Councilmember Sheldon moved that the resolution be approved.

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

R-686-11-91 APPROVED

RESOLUTION TO APPROVE AMENDMENTS TO HOUSING PROGRAM GUIDELINES

Whereas, The Community Development Department operates the City's housing programs following the Housing Program Guidelines and Department of Housing and Urban Development regulations;

Whereas, The Community Development Department staff has evaluated the average increases to the bid amounts for rehabilitation assistance and recommends increasing the maximum loan amount from \$15,000 to \$22,000 for rehabilitation of single family units;

Whereas, The Guidelines would also be amended to change the property security interest for households with incomes above 50% of median but below 80% of median but who have the need but cannot support the additional debt; and

Whereas, The Community Development Waiver and Review Board has reviewed and recommended approval of the amendments to the Housing Program Guidelines at its meeting on October 28, 1991;

RESOLVED, The Mayor and City Council approve the amendments to the City of Ann Arbor Housing Program Guidelines relating to increasing the maximum loan amount from \$15,000 to \$22,000 and changing the property security interest for households with incomes above 50% of median but below 80% of median substantially on file in the office of the City Clerk.

Councilmember Sheldon moved that the resolution be approved.

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

TABLED

RESOLUTION TO APPROVE AMENDMENT TO COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE ANN ARBOR POLICE OFFICERS ASSOCIATION (AAPOA) FOR THE COMMUNICATION OPERATORS AND THE COMMUNITY SERVICE ASSISTANTS UNIT

Whereas, The present collective bargaining agreement between the City of Ann Arbor Police Officer Association for the unit of Police Communication Operators and Community Service Assistants expired on June 30, 1991;

Whereas, Amendments to the present agreement have been negotiated with said bargaining unit for one-year period extending from July 1, 1991 through June 30, 1992, and the members of the unit have ratified said amendments;

Whereas, The estimated total costs for the changes in the agreement are \$26,305 consisting of \$20,505 for wages including overtime and \$2,500 for a one time payment to the Communication Operators and \$3,300 in automatic increases in retirement and Social Security costs; and

Whereas, The City Administrator recommends the approval of the amendments;

RESOLVED, That the amendments to the existing agreement negotiated between the City of Ann Arbor and the Ann Arbor Police Officers Association are hereby approved; and

RESOLVED, That the Administrator is authorized to make the necessary transfers to the Police Department budget as appropriate.

Councilmember Hunter moved that the resolution be approved.

Councilmember Coleman moved that the resolution be tabled pending review by the Labor Negotiations Committee.

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

R-687-11-91 APPROVED

RESOLUTION URGING THE U.S. CONGRESS
TO ADOPT H.R. 3560 - THE CABLE
CONSUMER PROTECTION ACT

Whereas, The United States Congress is currently considering federal legislation that responds to local problems with cable television;

Whereas, It is in the public interest to provide a framework for consumer protection and local regulation in the developing multi-channel video delivery marketplace;

Whereas, The economies of the United States and the City of Ann Arbor are becoming increasingly dependent on the provision of services that require efficient distribution and dissemination of information;

Whereas, Congressman Dennis Eckart (D-Ohio) has introduced H.R. 3560, which if enacted, would stimulate competition in the cable television industry, while giving local governments the interim authority they need to protect cable subscribers from unfair rate increases and other abuses by some cable operators; and

Whereas, H.R. 3560 has the support of the National League of Cities, the U.S. Conference of Mayors, and National Association of Counties, the National Association of Telecommunication Officers and Advisors, the Consumer Federation of America, and the Wireless Cable Association;

RESOLVED, That the Ann Arbor City Council urges the Congress of the United States to enact H.R. 3560, or substantially similar legislation, which will protect consumers and retain local telecommunication regulatory authority as this nation moves forward into an Information Age.

Councilmember Hunter moved that the resolution be approved.

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

R-688-11-91 APPROVED

RESOLUTION APPROVING ANNUAL ADJUSTMENTS OF FEES AND OTHER AMENDMENTS TO THE RECYCLING PROCESSING, DROP-OFF STATION AND EDUCATIONAL PROGRAM AGREEMENTS WITH THE ECOLOGY CENTER

Whereas, The City desires to continue its comprehensive recycling program under the supervision and direction of the Ecology Center;

Whereas, An annual adjustment of fees is required pursuant to the Recycling Processing, Drop-off Station, and Educational Program Agreements with the Ecology Center, originally approved by City Council in August, 1990;

Whereas, City staff has satisfactorily negotiated fee adjustments based on direct and indirect costs of providing these services;

Whereas, The Solid Waste Department budget has sufficiently allocated funds to these endeavors in fiscal 1991/92; and

Whereas, Other contract modifications have become necessary after one year of operating experience under the contracts;

RESOLVED, That City Council approve the amended agreements for Recycling Processing, Drop-off, and Educational Programs, on file at the City Clerk's Office;

RESOLVED, That all changes in payments and fees outlined above will be renegotiated for fiscal 1992/93, based on actual direct and indirect costs at that time; and

RESOLVED, That the Mayor and City Clerk are authorized to sign these Agreements with the Ecology Center on behalf of the City.

Councilmember Coleman moved that the resolution be approved.

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

R-689-11-91 APPROVED

RESOLUTION REGARDING ACCEPTANCE OF
DONATED SCULPTURE FOR CITY HALL

Whereas, The Citizens for Public Art have offered to donate three mosaic sculpture panels to display on the front wall of City Hall; and

Whereas, The Citizens for Public Art will review the panel choices at Noon Thursday, November 14th in front of City Hall;

RESOLVED, That the Mayor and City Council accept the donated mosaic sculptures selected by the Citizens for Public Art and approve of locating them on the southwest brick face wall of City hall; and

RESOLVED, That the Mayor and City Council thank the Citizens for Public Art for their donation of the art to the City.

Councilmember Coleman moved that the revised resolution be approved.

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

R-690-11-91 APPROVED

RESOLUTION TO APPROPRIATE FUNDS AND
ESTABLISH A BUDGET FOR THE 1991-1992
CRACK SEALING PROJECT (\$77,000.00)

Whereas, It is necessary to begin the 1991-92 Crack Sealing Project for Major Streets; and

Whereas, This project is to be funded by the 1991 Street Resurfacing Millage;

RESOLVED, That Council appropriates \$77,000 from the 1991 Street Resurfacing Millage (Fund 062) for the 1991-92 Crack Sealing Project;

Section I - Revenue

<u>\$77,000</u>	From the 1991 Street Resurfacing Millage Fund
\$77,000	TOTAL; and

Section II - Appropriation

<u>\$77,000</u>	Extrudamat Crack Seal for City Major Streets
\$77,000	TOTAL

Councilmember Sheldon moved that the resolution be approved.

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

R-691-11-91 APPROVED

RESOLUTION TO APPROVE LEAF COMPOSTING
AGREEMENT WITH PITTSFIELD TOWNSHIP

Whereas, Pittsfield Township has requested the Mayor and City Council to approve an agreement outlined in the November 12, 1991 letter from E. A. Jackson Morris to Alfred A. Gatta, on file in the City Clerk's office;

RESOLVED, That the Mayor and City Council approve the agreement as outlined in the letter dated November 12, 1991.

Councilmember Coleman moved that the resolution be approved.

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

R-692-11-91 APPROVED

RESOLUTION REGARDING IMPACT OF STATE OF
MICHIGAN BUDGET REDUCTIONS

Whereas, Funding priorities in the State of Michigan resulted in the reduction of health and human service programs in Washtenaw County by approximately \$4,000,000;

Whereas, The City's Human Services Task Force is gravely concerned these cutbacks will negatively impact lower income residents, entitlement programs and contractual arrangements with local nonprofit agencies' emergency needs programs;

Whereas, These cutbacks will significantly reduce, or totally eliminate direct and indirect services for approximately 25,000 economically disadvantaged Washtenaw County residents who rely on government for support; and

Whereas, This may increase homelessness, hunger and health problems and

overburden Ann Arbor's local human service providers and governmental units;

RESOLVED, That the Mayor and City Council of Ann Arbor, Michigan do hereby declare its strong opposition to the State of Michigan human services budget cuts and recommends that immediate action be taken by the Legislature and the Governor to restore funds that were eliminated in order to avoid the potential human suffering that may take place in the city and statewide;

RESOLVED, That the Mayor and City Council request Governor Engler explore all possibilities, such as providing in-kind state resources and state-owned facilities including the Armory building to meet local emergency human service needs; and

RESOLVED, That the Mayor and City Council further instruct the City Clerk to forward copies of this resolution to the Office of the Governor of the State of Michigan; the Michigan State Senate; the Michigan House of Representatives; State Senator Lana Pollack; State Representatives Perry Bullard and Margaret O'Connor; the Washtenaw County Board of Commissioners; the Ann Arbor School Board; and the Michigan Municipal League.

Councilmember Peterson moved that the revised resolution be approved.

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

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS APPROVED

The following names were placed in nomination at the last Council meeting. Mayor Brater asked for confirmation this date:

ANN ARBOR HOUSING DEVELOPMENT CORPORATION

Kate Warner (to complete membership requirements)
1804 Linwood
Term: November 18, 1991 to November 18, 1994

DOWNTOWN HISTORIC DISTRICT STUDY COMMITTEE

The terms of the following offices end when Council takes final action on this Committee's recommendations.

Peter Allen (reappointment)
105 South Fifth Avenue

Johanna Aztalos (reappointment)
315 East Liberty

Peggy Ann Charipar (reappointment)
3725 Glazier Way

James D'Amour (reappointment)
812 Henry, No. 4

Mary Hathaway (reappointment)
1407 Wakefield

Jane Jensen (reappointment)
3045 Lakewood

Barbara Nalli (reappointment)
505 E. Huron

Patricia Austin (reappointment)
1931 Coronada

David Copi (reappointment)
1304 Cambridge

George Dodd (reappointment)
722 Spring

David Evans (reappointment)
112 South Revena

Mary Jo Gord (reappointment)
1507 Charlton

Norman Tyler (reappointment)
464 Eberwhite

Council - November 18, 1991

Rosemarion Blake (reappointment)
840 Wickfield

Susan Wineberg (reappointment)
712 East Ann

J. Michael Schroer (to complete membership requirements)
1911 Geddes

COMMUNITY DEVELOPMENT EXECUTIVE COMMITTEE - CHAIRPERSON

Elizabeth Kaufman - to serve as Chairperson
1502 Brooklyn
Term: December 4, 1989 to December 31, 1992

ANN ARBOR SUMMER FESTIVAL, INC. BOARD OF DIRECTORS

Eugene Power (reappointment)
2929 Plymouth Road
Term: November 1, 1990 to November 1, 1993

George Goodman (reappointment)
3765 Fox Hunt Drive
Term: November 1, 1990 to November 1 1993

Jane Von Voigtlander (reappointment)
903 Airport Drive
Term: November 1, 1990 to November 1, 1993

HUMAN RIGHTS COMMISSION

Michael Koen (reappointment)
319 South Revena Blvd.
Term: November 18, 1991 to November 18, 1994

Shirley Smith (reappointment)
1227 Kensington
Term: November 18, 1991 to November 18, 1994

Charlotte Ross-Jones (to replace Helen Gallagher)
2759 Adrienne Drive
Term: November 18, 1991 to November 18, 1994

Councilmember Coleman moved that Council concur in the recommendation of the Mayor.

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

APPOINTMENTS NOMINATED

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

ECONOMIC DEVELOPMENT CORPORATION - BOARD OF DIRECTORS

Ann Putallaz (reappointment)
2600 Gladstone
Term: December 2, 1991 to December 2, 1997

CABLE COMMUNICATIONS COMMISSION

Kenneth T. Latta (reappointment)
P.O. Box 7258
Term: January 31, 1992 to January 31, 1997

EMPLOYEES' RETIREMENT SYSTEM - BOARD OF TRUSTEES

Lynn H. Bailey (to replace Cecil Nesbitt)
2835 Whitewood
Term: January 1, 1992 to January 1 1995

INDIVIDUAL HISTORIC PROPERTIES HISTORIC DISTRICT STUDY COMMITTEE

The terms of the following offices end when Council takes final action on this Committee's recommendations:

Mary Culver (new appointment)
1840 Brookfield

John Barrie (new appointment)
1050 Pinetree

ANN ARBOR SUMMER FESTIVAL, INC. BOARD OF DIRECTORS

Ellen Offen (to replace Mark Ouimet)
2330 Adare
Term: December 2, 1991 to November 1, 1994

NEWLY ELECTED MAYOR'S CONFERENCE

Mayor Brater said that she attended a seminar sponsored by the U. S. Conference of Mayor's at Harvard University. This was a training session for newly elected mayors. She said that it was a very useful discussion in terms of sharing ideas among cities. She said that she would be sharing those ideas at the next joint caucus which would be held on December 8, 1991 at 7:30 p.m.

PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS NOMINATIONS

Mayor Brater said that she received a request from the chair of the President's Commission on White House Fellowships for nominations of people from the community who might be interested in taking advantage of this program. She said the information would be available for review in her office.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Alfred A. Gatta presented the following information items:

1. Approval of Grant Funds to Acquire Gunn and Sias Property
2. Fire Hydrant Parking Enforcement
3. Final Cost Orchard Hills Drive Water Main
4. Final Cost Oakbrook & Waymarket Road Improvements
5. Solid Waste Department Monthly Report
6. Status Regarding Procurement of City's Materials Recovery Facility/Transfer Station
7. Repair of Potholes Along Fuller Road and on Pontiac Trail
8. Leaf Collection Schedule
9. Pension Plan Amendment and Impact on Budget

COMMUNICATIONS FROM THE CITY ATTORNEY**KUISCH SITE PLAN LAWSUIT**

City Attorney Mel Laracey informed Council that the City has won the lawsuit that Bradford Kuisch brought against it to force approval of his site plan because the developers have dropped the suit.

COMMUNICATIONS FROM COUNCIL

None.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were received:

1. Governor John Engler acknowledging receipt of recently adopted resolution - File
2. Senator Lana Pollack regarding Senate Bill 522, amending the Wetlands Protection Act - File
3. Washtenaw County Environmental Services Coordination Office transmitting proposed uniform littering ordinance for Washtenaw County Communities - City Attorney, Assistant Administrator for Environmental Services, Solid Waste
4. Citizens Advisory Council for the Downtown Development Authority transmitting "Parks and Open Spaces: Goals Statement" - File

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

1. Building Board of Appeals - September 24, 1991
2. Waiver and Review Board - October 28, 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 11:50 p.m.

W. Northcross
Clerk of the Council

Linda J. Wise
Recording Secretary