

## REGULAR SESSION - MARCH 16, 1992

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

None.

### PUBLIC COMMENTARY - RESERVED TIME

#### GEORGE KEMPF - PARKING PRIVATIZATION

George Kempf, speaking on behalf of the Main and State Street Area Associations, addressed the proposed agreement between the City and the Downtown Development Authority to privatize and manage the City's downtown parking structures. He requested a meeting with the City Administration in an effort to resolve the problems impeding the agreement and to reach a decision regarding downtown parking.

#### ED SUROVELL - PARKING MANAGEMENT

Ed Surovell, 2024 Vinewood, said that the issue of who will work in a parking structure should not be a part of the City's negotiation with the DDA on privatization of the parking structure. He stated the opinion that the union contract guarantees job protection but that these jobs do not have to be maintained in the structures.

#### JENNIFER COLLINS - FAIR HOUSING

Jennifer Collins, 424 N. State Street, said that Ann Arbor's homeless situation is an urgent one and that the City's top priority should be fair, affordable housing.

#### TONY THOMPSON - DDA PEDESTRIAN IMPROVEMENTS

Tony Thompson, owner of Washington Street Station, requested that DDA implement pedestrian and street improvements on Washington Street.

## **PUBLIC HEARINGS**

### **ART VAN FURNITURE (CONCORD CENTER) REZONING**

A public hearing was conducted on the proposed Amendment to Chapter 55, the rezoning of 4.71 acres from PUD (Planned Unit Development) to Revised PUD, Art Van Furniture (Concord Center), north side of Eisenhower Parkway between State and Main Streets. (Ordinance No. 12-92)

Fred Keywell, attorney for Art Van Furniture, said that research supports the establishment of an Art Van Furniture Store in the Ann Arbor Area. He said that 70 new jobs will be created at the store in addition to the jobs resulting from construction work. The business will also add a new tax base.

Richard Sundquist, attorney for the Phase I developers, said that he would be available to answer questions and asked that the agreement signature page be corrected to read Chrysler GLENVIEW Realty, Inc.

Gerold Lax, 120 Miller, attorney representing Mr. and Mrs. Dean who own property immediately west of the property that the Art Van Furniture Company seeks to develop, asked that the City including the Parks Department and the developers engage in a limited period of negotiation to determine whether there is a way that the entire Eisenhower corridor can be developed, as the City originally planned, to include this parcel.

Mrs. Dean, owner of the parcel adjacent to the Concord Center, briefly described the history of the property and the difficulty encountered in its development. She said that the property was denied development earlier on by the Planning Department and is now at risk of being rendered undevelopable.

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

### **FIRST MILLER/410 MILLER REZONING**

A public hearing was conducted on the proposed Amendment to Chapter 55, the rezoning of 0.53 acre from M1 (Light Industrial District) to C2B (Business Service District), First Miller/410 Miller, 310 and 410 Miller. (Ordinance No. 13-92)

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

### NATIONAL REPRODUCTIONS CORPORATION REZONING

A public hearing was conducted on the proposed Amendment to Chapter 55, the rezoning of 2.06 acres from PUD (Planned Unit Development) to Revised PUD, National Reproductions Corporation, 2750 South State Street. (Ordinance No. 14-92)

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

### STATE STREET HISTORIC DISTRICT DESIGNATION

A public hearing was conducted on the proposed Amendment to Chapter 103, Add New Title XIII to the Ann Arbor Register of Historic Places - State Street Historic District. (Ordinance No. 18-92)

The following persons spoke:

Steve Bergman, representing the State Street Area Association, opposed the historic designation of State Street in ordinance form. He stated his belief that the ordinance will have a negative impact on the economic viability of the State Street area.

Mike Schroer, member of the Historic District Commission and the Downtown Historic District Study Committee, confirmed support of this ordinance and the Liberty Street Historic Block.

Ray Detter, chair of the Citizens Advisory Committee of the Downtown Development Authority, spoke in support of both the State Street and the Liberty Street Historic Districts as proposed.

Rosemarion Blake, member of the Downtown Historic District Study Committee, said that the Historic District proposals are the result of a long process; she supported adoption of both ordinances. Ms. Blake read a letter from Mary Culver which also expressed support for approval of the ordinances.

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

### EAST LIBERTY HISTORIC BLOCK DESIGNATION

A public hearing was conducted on the proposed Amendment to Chapter 103, Add new Title XIV to the Ann Arbor Register of Historic places - East Liberty Historic Block.

(Ordinance No. 19-92)

The following persons spoke:

Herb David, owner of the Herb David's Guitar Studio, spoke in support of the ordinance as a way to preserve some the City's history.

Johanna Aztelos, owner of a business located at 315 E. Liberty Street, spoke in favor of the ordinance to preserve the quality of the downtown area.

Roger Hewitt, 2200 Washtenaw, opposed the ordinance. He expressed the opinion that historic preservation could be accomplished on a voluntary basis.

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

#### ROSE DRIVE AND BARBER AVENUE SANITARY SEWER EXTENSION SPECIAL ASSESSMENT

A public hearing was conducted on the proposed Rose Drive and Barber Avenue Sanitary Sewer Extension Special Assessment, District No. 462.

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

#### WEST LIBERTY STREET SANITARY SEWER EXTENSION SPECIAL ASSESSMENT

A public hearing was conducted on the proposed West Liberty Street Sanitary Sewer Extension Special Assessment, District No. 463.

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

#### ORCHARD HILLS DRIVE SANITARY SEWER EXTENSION SPECIAL ASSESSMENT

A public hearing was conducted on the proposed Orchard Hills Drive Sanitary Sewer Extension Special Assessment, District No. 464.

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

#### WESTOVER HILLS SUBDIVISION SANITARY SEWER PHASE III SPECIAL ASSESSMENT

A public hearing was conducted on the proposed Westover Hills Subdivision Sanitary Sewer Phase III Special Assessment, District No. 466.

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

EAST STADIUM BOULEVARD SIDEWALK IMPROVEMENTS SPECIAL ASSESSMENT

A public hearing was conducted on the proposed East Stadium Boulevard Sidewalk Improvements Special Assessment, District No. 23.

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

GRANT APPLICATION TO THE MDNR FOR FURSTENBERG PARK DEVELOPMENT

A public hearing was conducted on the Grant Application to the State of Michigan Department of Natural Resources (MDNR) for Development of Phase II Improvements to Furstenberg Park.

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

GRANT APPLICATION TO THE MDNR FOR PARKLAND ACQUISITION - GANZORN SUBDIVISION

A public hearing was conducted on the Grant Application to the State of Michigan Department of Natural Resources (MDNR) for acquisition of 2.33 acres in the Ganzorn Subdivision for park purposes.

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

GRANT APPLICATION TO THE MDNR FOR PARKLAND ACQUISITION - EVERGREENS SUBDIVISION

A public hearing was conducted on the Grant Application to the State of Michigan Department of Natural Resources (MDNR) for acquisition of 3.88 acres in the Evergreens Subdivision for Park Purposes.

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

**APPROVAL OF AGENDA**

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

CONSENT AGENDA

Delete: Resolution to Increase Purchase Order for Schindler Elevator Corporation (\$15,300)

ORDINANCES - SECOND READING

Add: Amendment to Chapter 103, Add New Title XIII to the Ann Arbor Register of Historic Places - State Street Historic District (Ordinance No. 18-92)

Add: Amendment to Chapter 103, Add New Title XIV to the Ann Arbor Register of Historic Places - East Liberty Historic Block (Ordinance No. 19-92)

MOTIONS AND RESOLUTIONS

Correct Sponsors: Resolution Honoring Letty Wickliffe on her 90th Birthday <Republican Caucus> (Councilmembers Sheldon, Dodge and Ouimet)

Revised Title: Resolution to <Provide Parking for the Day Shelter Staff> **AMEND SUB-LEASE WITH DAY SHELTER**

Substitute: Resolution Regarding Phase III of the Ann Arbor Landfill

Add: Resolution Authorizing Notice of Intent to Issue Limited Tax General Obligation Bonds in the Amount Not to

Correction:6 Exceed <\$4,000,000> **\$3,500,000** (Councilmembers Sheldon, Dodge, Ouimet)

E - REPORTS FROM COUNCIL COMMITTEES

Add: Final Report of the Noisy Party Task Force (Councilmember Grady)

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

**APPROVAL OF COUNCIL MINUTES**

MINUTES APPROVED AS PRESENTED

Councilmember Sheldon moved that the working session minutes of February 24, 1992 and regular session minutes of March 2, 1992 be approved as presented.

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

**CONSENT AGENDA**

The following Consent Agenda items were considered:

R-105-3-92 APPROVED

RESOLUTION TO APPROVE WINDSPREAD ASSOCIATES ANNEXATION

A communication was received from the City Planning Commission recommending its approval (6 years and 0 days) of the Windspread Associates Annexation, 0.28 acre, 3123 Cherry Tree Lane.

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

Whereas, Windspread Associates is the owner of the property;

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

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

Commencing at an iron pipe marking the northeast corner of Section 11, T3S, R6E, Washtenaw County, Michigan; thence S 88 degrees 33' 00" W 1325.69 feet; thence S 00 degrees 16' 00" E 678.19 feet to an iron pipe for the Place of Beginning; thence continuing S 00 degrees 05' 00" E 75.00 feet to an iron pipe; thence S 89 degrees 39' 00" W 163.70 feet; thence N 00 degrees 21' 00" W 75.00 feet; thence N 89 degrees 39' 00" E 164.02 feet to the Place of Beginning, being a parcel of land in the E 1/2 of the W 1/2 of the NE 1/4 of Section 11, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, together with an easement 66 feet in width, running southerly from the S line of Packard Street, the centerline of which runs along the West line of the subject property.

\*\*\*\*\*

R-106-3-92 APPROVED

RESOLUTION TO APPROVE PURCHASE OF

TWO 1992 LODAL EVO REFUSE TRUCKS  
FISCAL YEAR 1991-92 (\$189,798)

Whereas, Fleet Services and the Solid Waste Department request approval to purchase two 1992 Lodal Evo Refuse Trucks;

Whereas, Lodal, Inc. has agreed to sell these two trucks at the same price we paid in February, 1991 (Bid 2072);

Whereas, The Fleet Services Department has determined that the bid of Lodal, Inc. is a responsible bid of \$94,899 per unit; and

Whereas, Lodal Inc. received Human Rights approval, February 26, 1992;

RESOLVED, That the City Council approve the issuance of a purchase order to Lodal, Inc. for \$189,798.

\*\*\*\*\*

R-107-3-92 APPROVED

RESOLUTION TO APPROVE SALE OF  
HOMEBUYER UNIT AT 2076 GARDEN  
CIRCLE (\$28,930)

Whereas, The Ann Arbor Housing Commission operates a program designed to provide homeownership potential for fifty (50) low-income families;

Whereas, The program was designed to allow participants the opportunity to take title to the property they occupy either by purchase, or at such time as their reserve account is equal to their unamortized principal balance;

Whereas, Another Homebuyer occupant has decided to exercise their option to purchase their unit located at 2076 Garden Circle;

Whereas, The purchase price of the home has been established at \$28,930;

Whereas, The amount owed to the Ann Arbor Housing Commission, calculated as the purchase price, less the amount accumulated in the tenant reserve account, is equal to \$0;

RESOLVED, That the City Council approve the sale of the homebuyer's unit located at 2076 Garden Circle to Charles Cooper and authorize the Mayor and City Clerk to execute a warranty deed conveying the property.

LEGAL DESCRIPTION: Lot 9, proposed Garden Circle Subdivision. Commencing at the southeast corner of Thaler Avenue as shown on Boulevard Manor, a Subdivision as recorded in Liber 8 of Plats, Page 22, Washtenaw County Records, Washtenaw County, Michigan; thence North 0E 24' 30" West 239.61 feet along the East line of said Boulevard Manor; thence North 76E 24' 30" West 132.87 feet for a Place of Beginning; thence South 9E 13' 15" West 84.32 feet; thence Westerly along the North line of proposed Garden Circle in the following courses: 5.97 feet along the arc of a nontangential circular curve to the left, delta 7E 02' 56", radius 48.50 feet, chord bearing South 49E 09' 24" West 5.96 feet and North 80E 46' 45" West 64.75 feet; thence North 9E 13' 15" East 94.13 feet; thence South 76E 24' 30" East 68.77 feet to the Place of Beginning, being part of Lots 125 and 126 of said Boulevard Manor, and also being lot 9 of proposed Garden Circle Subdivision, containing 0.14 Acres (6266 square feet) of land more or less.

\*\*\*\*\*

R-108-3-92 APPROVED

RESOLUTION TO APPROVE SALE OF  
HOMEBUYER UNIT AT 2240 PAGE  
(\$28,930)

Whereas, The Ann Arbor Housing Commission operates a program designed to provide homeownership potential for fifty (50) low-income families;

Whereas, The program was designed to allow participants the opportunity to take title to the property they occupy either by purchase, or at such time as their reserve account is equal to their unamortized principal balance;

Whereas, Another Homebuyer occupant has decided to exercise their option to purchase their unit located at 2240 Page;

Whereas, The purchase price of the home has been established \$28,930; and

Whereas, The amount owed to the Ann Arbor Housing Commission, calculated as the purchase price, less the amount accumulated in the tenant reserve account, is equal to \$2,476.91;

RESOLVED, That the City Council approve the sale of the homebuyer's unit located at 2240 Page Street, to Elizabeth Thomas and authorize the Mayor and City Clerk to execute a warranty deed conveying the property.

LEGAL DESCRIPTION: South 175 feet of Lot 22, Ardmore Gardens Subdivision, City of Ann Arbor, Washtenaw County, Michigan, according to the plat thereof as recorded in

Liber 2 of Plat Page 44 of Washtenaw County records.

\*\*\*\*\*

R-109-3-92 APPROVED

RESOLUTION TO APPROVE SALE OF  
HOMEBUYER UNIT AT 1729 CHANDLER  
STREET (\$28,930)

Whereas, The Ann Arbor Housing Commission operates a program designed to provide homeownership potential for fifty (50) low-income families;

Whereas, The program was designed to allow participants the opportunity to take title to the property they occupy either by purchase, or at such time as their reserve account is equal to their unamortized principal balance;

Whereas, Another Homebuyer occupant has decided to exercise their option to purchase their unit located a 1729 Chandler;

Whereas, The purchase price of the home has been established at \$28,930.00; and

Whereas, The amount owed to the Ann Arbor Housing Commission calculated as the purchase price, less the amount accumulated in the tenant reserve account, is equal to \$2,321.75;

RESOLVED, That the City Council approve the sale of the homebuyer's unit located at 1729 Chandler Street to Lessie Lee Hampton and authorize the Mayor and City Clerk to execute a warranty deed conveying the property.

LEGAL DESCRIPTION: Lot 21 of Riverview Acres, a subdivision of the part of the NW 1/4 of Section 21, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan according to the recorded plat thereof.

\*\*\*\*\*

R-110-3-92 APPROVED

RESOLUTION TO APPROVE SALE OF  
HOMEBUYER UNIT AT 229 BUENA VISTA  
STREET (\$27,580)

Whereas, The Ann Arbor Housing Commission operates a program designed to provide homeownership potential for fifty (50) low-income families;

Whereas, The program was designed to allow participants the opportunity to take title to the property they occupy either by purchase, or at such time as their reserve account is equal to their unamortized principal balance;

Whereas, Another Homebuyer occupant has decided to exercise their option to purchase their unit located at 229 Buena Vista; and

Whereas, The purchase price of the home has been established at \$27,580; and

Whereas, The amount owed to the Ann Arbor Housing Commission, calculated as the purchase price, less the amount accumulated in the tenant reserve account, is equal to \$0;

RESOLVED, That the City Council approve the sale of the homebuyer's unit located at 229 Buena Vista to Thomasine Johnson and authorize the Mayor and City Clerk to execute a warranty deed conveying the property.

LEGAL DESCRIPTION: Lot 20 of John J. Saver's addition to the City of Ann Arbor; being part of the northeast 1/4 of Section 30, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan, according to the recorded plat thereof.

\*\*\*\*\*

R-111-3-92 APPROVED

RESOLUTION TO INCREASE PURCHASE  
ORDER FOR BUSINESS RESOURCES, INC.  
(\$25,000)

Whereas, The Purchasing and Central Services Department purchases office supplies for all city departments;

Whereas, Business Resources, Inc. has been the lowest responsible bidder on a significant portion of the City of Ann Arbor's office supplies; and

Whereas, Business Resources, Inc. received Human Rights Approval on March 6, 1992;

RESOLVED, That City Council approve increasing P.O. #S2-0359-13 to Business Resources Inc., from \$14,000 to \$25,000 for the purchase of office supplies.

\*\*\*\*\*

R-112-3-92 APPROVED

RESOLUTION TO INCREASE PURCHASE  
ORDER FOR FIRST IMPRESSION  
PRINTING (\$25,000.00)

Whereas, The Purchasing and Central Services Department purchases printing services for all city departments;

Whereas, First Impression Printing has been the lowest responsible bidder on a significant portion of the City of Ann Arbor's printing requirements;

Whereas, First Impression Printing received Human Rights Approval on March 6, 1992;

RESOLVED, That City Council approve increasing P.O. #S2-0366-13 to First Impression Printing from \$14,000 to \$25,000 for the purchase of printing services.

\*\*\*\*\*

R-113-3-92 APPROVED

RESOLUTION TO APPROVE THE  
DEXTER-ANN ARBOR RUN ON  
MAY 23, 1992

Whereas, The Ann Arbor Track Club has requested that the annual Dexter-Ann Arbor Run be held on May 23, 1992 and utilize closed streets to facilitate the race finish area and post-race events;

Whereas, It has been requested that the following services be provided by the City:

- 1) Obtain a State permit for closing Main Street and one lane of Huron
- 2) Closing these streets from 6:00 a.m. to 1:00 p.m.:
  - \* Main Street - Kingsley to Huron
  - \* Ann Street - Fourth to Ashley
  - \* Catherine - Fourth to Ashley
  - \* Ann at Main - Surface parking lot
  - \* Beakes - Fourth to Main
  - \* Kingsley - Ashley to Main
  - \* Huron - North lane (1), N. Main to Fourth for buses
- 3) Provide barricades for closing the streets (placed on the street corners on Friday and picked up the following Tuesday);
- 4) Provide directional cones (to be picked up and returned by Track Club);
- 5) Place hoods on parking meters on Friday night and remove Saturday afternoon on:
  - \* Fourth Ave. between Huron and Liberty
  - \* North Main from Huron to northernmost meter on Main Street
  - \* Surface parking lot at Ann And Main Street
  - \* Other closed streets
- 6) Clean Main Street on Friday from Huron River Drive to William and patch holes as needed;

- 7) Place one Solid Waste dumpster in the lot at Main and Ann Streets along with 60 55-gallon trash can barrels on both sides on Main Street from Catherine to Huron (placed Friday and picked up Saturday afternoon or Tuesday).

Whereas, The Track Club has agreed to pay the event costs for the Police supervision, Solid Waste Department services and Transportation Department costs;

Whereas, The Track Club will file all necessary street closure and banner permits, and will comply with all liability insurance and other requirements (including maintaining fire lanes); and

Whereas, The Main Street Area Association supports the event;

RESOLVED, that the Mayor and Council authorize the following for the event:

- 1) Requested street closings and securing of necessary State permits for same;
- 2) Banner Permit;
- 3) Police, Solid Waste and Transportation Department service requests with costs reimbursed
- 4) That beer be allowed to be served in an enclosed area in the Ann at Main parking lot in accordance with current City policy with required State permits and insurance suitable to the City Attorney as in past years; and

RESOLVED, That the Ann Arbor Track Club must:

- 1) Reimburse the City expenses incurred for the following requested department services:

<u>Estimate:</u>	
Solid Waste	\$500
Transportation	1,451
Police	<u>1,360</u>
 TOTAL	 <u>\$ 3,311</u>

and

- 2) Comply with all City permit requirements and State permits including provision of liability insurance.

\*\*\*\*\*

R-114-3-92 APPROVED

RESOLUTION AUTHORIZING INSTALLATION  
OF PRIVATE CABLE IN GLAZIER WAY  
(VA HOSPITAL)

RESOLVED, That the United States Department of Veterans Affairs is authorized to install a private communications cable in Glazier Way approximately 860 feet west of the intersection of Glazier Way and Beal Avenue upon the condition that the owners of the property served by the cable sign a permit for the installation substantially in the form of the permit on file in the Clerk's Office.

\*\*\*\*\*

R-115-3-92 APPROVED

RESOLUTION TO APPROVE BOARD  
OF INSURANCE ADMINISTRATION  
MINUTES AND AUTHORIZED PAYMENTS  
OF MARCH 3, 1992

RESOLVED, That the Board of Insurance Administration Minutes of March 3, 1992 be accepted and that the payments therein be authorized.

\*\*\*\*\*

R-116-3-92 APPROVED

RESOLUTION TO AUTHORIZE A GRANT  
APPLICATION TO THE STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES FOR  
DEVELOPMENT OF PHASE II IMPROVEMENTS  
TO FURSTENBERG PARK

Whereas, The City of Ann Arbor 1988-1994 Parks, Recreation and Open Space Plan identified the Furstenberg Park as a priority for additional park improvements;

Whereas, The Park Advisory Commission has authorized the application of a grant for matching funds;

Whereas, The fifth Year of the Park Land Development Rehabilitation Millage program proposes Phase II of the Furstenberg Park be implemented;

Whereas, Phase I and the Master Plan for Furstenberg Park improvements have been designed and approved;

Whereas, Phase I improvements will soon be under construction;

Whereas, Matching funds from the Park Land Development and Rehabilitation Millage are available in an amount not to exceed \$220,000 toward the improvements to Furstenberg; and

Whereas, A public hearing on this grant application was held on March 16,1992;

RESOLVED, That the Mayor and City Council authorize a grant application and to authorize up to \$220,000 in Park Land Development and Rehabilitation Funds be used to match funds from the Michigan Department of Natural Resources for the phase II improvements to Furstenberg Park.

\*\*\*\*\*

R-117-3-92 APPROVED

RESOLUTION TO AUTHORIZE A GRANT  
APPLICATION TO THE STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES FOR  
ACQUISITION OF 6 LOTS IN THE  
GANZHORN SUBDIVISION FOR  
PARK PURPOSES

Whereas, The City of Ann Arbor 1988-1994 Parks, Recreation and Open Space Plan identified linkages between parks as a priority for acquisition;

Whereas, The Park Advisory Commission has recommended that a matching grant be submitted to the Michigan DNR for the purchase of 6 lots in the Ganzhorn Subdivision to link Bird Hills and Kuebler Langford Parks;

Whereas, The three owners of the 6 lots have indicated that they support the linkage of the two parks and purchase of the property for park use;

Whereas, Matching funds from the Park Land Acquisition Millage are available in an amount not to exceed \$95,600 toward the purchase of the 6 lots; and

Whereas, A public hearing was held on the grant application on March 16, 1992;

RESOLVED, That the Mayor and City Council authorize a matching grant application and to authorize up to \$95,600 in Park Land Acquisition Millage Funds to be

used to match funds from the Michigan Department of Natural Resources for the purchase of the 6 lots in the Ganzhorn Subdivision for linking Bird Hills and Kuebler Langford Parks

\*\*\*\*\*

R-118-3-92 APPROVED

RESOLUTION TO AUTHORIZE A GRANT APPLICATION TO THE STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES FOR ACQUISITION OF 14 LOTS ACRES IN THE EVERGREENS SUBDIVISION FOR PARK PURPOSES

Whereas, The City of Ann Arbor 1988-1994 Parks, Recreation and Open Space Plan identified the area of the Evergreens Subdivision as deficient in neighborhood parks;

Whereas, The Park Advisory Commission has recommended that a matching grant be submitted to the Michigan DNR for the purchase of 14 lots in the Evergreen Subdivision for a neighborhood park;

Whereas, The four owners of the 14 lots have indicated that they support the purchase of the property for park use;

Whereas, Matching funds from the Park Land Acquisition Millage are available in an amount not to exceed \$45,500 toward the purchase of the 14 lots; and

Whereas, A public hearing was held on the grant application on March 16, 1992;

RESOLVED, That the mayor and City Council authorize a matching grant application and authorize that up to \$45,500 in Park Land Acquisition Millage Funds be used to match funds from the Michigan Department of Natural Resources for the purchase of the 14 lots in the Evergreens Subdivision for neighborhood park use.

Councilmember Dodge moved that the Consent Agenda be approved.

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

**ORDINANCES - SECOND READING**

10-92 APPROVED

ATWELL-HICKS, INC. ZONING

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

Amendment to Chapter 55, rezoning of 2.0 acres from TWP (Township District) to R4A/B (Multiple-Family Dwelling District), Atwell-Hicks, Inc. property, 1241 South Maple Road.

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, Eckstein, Mayor Brater, 10

Nays, 0

Absent for the Vote, Councilmember Ouimet, 1

The Chair declared the motion carried.

12-92 APPROVED

ART VAN FURNITURE (CONCORD CENTER) REVISED PUD

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.

Amendment to chapter 55, Rezoning of 4.71 acres from PUD (Planned Unit Development) to Revised PUD, Art Van Furniture (Concord Center), north side of Eisenhower Parkway between State and Main Streets.

Councilmember Sheldon 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.

13-92 TABLED

FIRST MILLER/410 MILLER 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.

Amendment to Chapter 55, rezoning of 0.52 acre from M1 (Light Industrial District) to C2B (Business Service District), First Miller/410 Miller, 310 and 410 Miller Ave.

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

Councilmember Hunter moved that the ordinance be tabled to April 9, 1992 to address constituent concerns regarding this zoning.

On roll call on the motion to table 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.

14-92 APPROVED

NATIONAL REPRODUCTIONS CORPORATION

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.

Amendment to Chapter 55, rezoning of 2.06 acres from PUD (Planned Unit Development) to Revised PUD, National Reproductions Corporation, 2750 South State 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, Ouimet, Peterson, Eckstein, Mayor Brater, 11  
Nays, 0

The Chair declared the motion carried.

17-92 APPROVED

IMPLEMENTATION OF REORGANIZATION PLAN

AN ORDINANCE TO REPEAL SECTIONS 1:31-1:64, 1:66-1:73 AND 1:75 OF CHAPTER 4 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR, TO RENUMBER SECTION 1:65 OF CHAPTER 4 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR, AND TO AMEND SECTION 1:101 OF CHAPTER 5 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR.

This amendment defines "Department Head" as heading a Department in the current Council-approved Administrative Organization Plan of the City.

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.

17-92 APPROVED

STATE STREET HISTORIC DISTRICT

AN ORDINANCE TO AMEND CHAPTER 103 OF THE CODE OF THE CITY OF ANN ARBOR BY ADDING A NEW TITLE XIII TO THE ANN ARBOR REGISTER OF HISTORIC PLACES.

This ordinance would historically designate the following parcels of land:

- (a) 521-625 East Liberty, 204-30 South State: Lots 11 through 15, Assessor's Plat No. 27.
- (b) 209-317 South State, 705-11 North University: The north 49.5 feet of lot 2, all of lots 3 through 8 and the west 33 feet of lot 9; block 2 south, range 10 east, Eastern Addition and all of J.S. Orr's Subdivision.
- (c) 329-47 Maynard, 601-21 East William, 300-42 S. State: Lot 1, the east 24 feet of lot 2, all of lots 8 through 15 and the east 116 feet of lot 16, block 3 south, range 9 east, the Ann Arbor Land Company's Addition.

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

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

The Chair declared the motion carried.

18-92 APPROVED

EAST LIBERTY HISTORIC BLOCK

AN ORDINANCE TO AMEND CHAPTER 103 OF THE CODE OF THE CITY OF ANN ARBOR BY ADDING A NEW TITLE XIV TO THE ANN ARBOR REGISTER OF HISTORIC PLACES.

This ordinance would designate the East Liberty Historic Block consisting of the following parcels of land within the Original Plat of Ann Arbor, described block-by-block:

- (a) 311-25 East Liberty: the south 66 feet of the east 44 feet of lot 2, the west 30 feet of lot 12 and all of lots 13 and 14; block 2 south, range 6 east.
- (b) 307-11 1/2 South Fifth Avenue, 302-22 East Liberty: Lot 1; block 3 south, range 6 east.

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.

**ORDINANCES - FIRST READING**

20-92 APPROVED

## FAIRFAX CENTER 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.

Amendment to Chapter 55, Rezoning of 2.71 acres from "O" (Office District) to PUD Preliminary and Final Phase (Planned Unit Development), Fairfax Center, southeast corner of Ann Arbor-Saline Road and Eisenhower Parkway.

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

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

21-92 APPROVED

## IMPROPER OR INADEQUATE EQUIPMENT INSPECTION

AN ORDINANCE TO AMEND SECTION 10:119 OF CHAPTER 126 OF TITLE X OF THE CODE OF THE CITY OF ANN ARBOR.

This amendment reflects what is authorized by State law to issue a citation to, rather than arrest, a motorist who is found to have a motor equipment violation.

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

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

**MOTIONS AND RESOLUTIONS**

R-119-3-92 APPROVED

RESOLUTION TO APPROVE BANDEMERE PARK  
MASTER PLAN AND PHASE I IMPROVEMENTS

Whereas, Numerous public meetings have been conducted to solicit public input regarding the Bandemer Park Master Plan and Phase I improvements;

Whereas, A matching grant from the State of Michigan was obtained for implementing a program that was based upon the concepts illustrated in the "Consensus Plan" contained in the Land Use Plan for the North Main Street and the Huron River Corridor, which was approved and adopted by City Council;

Whereas, Based upon the additional public input (obtained after the adoption of the aforementioned plan), as well as additional factors that have been identified by the Johnson-Pollack Group, (design consultants) through site analyses and other technical and investigative tasks, the proposed program for Phase I has been modified;

Whereas, The current deadline for completion of Phase I Construction, in accordance with the project agreement with the State of Michigan, is December 31, 1992; and

Whereas, The Park Advisory Commission has approved a resolution recommending that City Council approve the Bandemer Park Master Plan and Phase I Program as qualified by the conditions below;

RESOLVED, That the Master Plan for Bandemer Park, as prepared by the Johnson-Pollack Group, be accepted and adopted with the following conditions:

- 1) The parking lot constructed as part of Phase I shall not be expanded if parking space capable of serving Bandemer Park becomes available on the adjacent property to the south; in no case shall the parking lot be expanded to accommodate more than 90 cars;
- 2) There shall be no more than three total river access points and one of the access points shall include a canoe landing;
- 3) There shall be no more than two total picnic shelters;
- 4) A design goal is to have none of the proposed structures visible to a person seated in a canoe on the river;
- 5) Interior pedestrian path width shall be no more than six feet, unless greater widths are approved by the Park Advisory Commission; the proposed through-park pedestrian/bicycle path will be 10 to 12 feet wide;
- 6) Placement of a boardwalk into the restored sedge meadow should be carefully considered;
- 7) The pedestrian paths shall be configured to maximize wildlife habitat preservation;

RESOLVED, That City Council approves of the Phase I Program for Bandemer Park as presented by the Johnson-Pollack Group, to be implemented under the following conditions:

- 1) The parking lot as shown shall be constructed to accommodate a maximum of 40 cars;
- 2) Only one river access point/canoe landing is to be constructed;
- 3) A design goal is to have none of the proposed structures visible to a person seated in a canoe on the river;
- 4) Disturbance of existing vegetation is to be minimized during development and selective debris clean-up and grubbing is to be practiced with carefully stated construction performance standards; grading of the riverbank as necessary to remove unsafe debris is to be limited to stabilization necessary for safety;
- 5) The restored wetland under the M-14 bridge is to be protected from canoe landings until the vegetation is well established;
- 6) The Advisory Task Force, whose members shall be confirmed by the Park Advisory Commission, is to continue to meet with Parks Dept. staff to ensure public input during implementation of Phase I; a member of the Park Advisory Commission shall serve as chair of the Advisory Task Force;

RESOLVED, That the City Council approves of the Master Plan and Phase I site plan for Bandemer Park as qualified by the conditions stated above and authorizes proceeding with implementation of Phase I and amending the project agreement with the State of Michigan, if necessary, to accommodate the proposed plans.

Councilmember Hunter moved that the resolution be approved.

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

\*\*\*\*\*

R-120-3-92 APPROVED

RESOLUTION HONORING LETTY WICKLIFFE  
ON HER 90TH BIRTHDAY

Whereas, Letty Wickliffe was born in Ann Arbor January 25, 1902, and this year she is celebrating her ninetieth birthday;

Whereas, Letty Wickliffe graduated from Tappan Elementary School and Ann Arbor High school, and holds a bachelor degree and masters degree from The University of Michigan;

Whereas, Letty Wickliffe is a charter member of Delta Sigma Theta Sorority at the U-M;

Whereas, Letty Wickliffe was an outstanding educator for over 40 years in Texas and Indiana and held only the highest expectations for her students;

Whereas, Letty Wickliffe moved back to Ann Arbor after she retired from teaching in 1970 and immediately became an active participant in Ann Arbor life contributing to its fabric and quality of life in a significant and long-lasting way; and

Whereas, Letty Wickliffe earned the respect and admiration of civic leaders with her unfailing attention to the City's growth and citizens' well-being by establishing and guiding the North Central Property Owners Association and serving on the Ann Arbor Planning Commission for eight years;

RESOLVED, That the Mayor, City Councilmembers and the citizens of Ann Arbor recognize Letty Wickliffe for her untiring devotion to the life and well-being of Ann Arbor and wish her a happy 90th birthday year with many more to come.

Councilmember Sheldon moved that the resolution be approved.

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

\*\*\*\*\*

Council recessed at 10:02 p.m. and reconvened at 10:09 p.m.

\*\*\*\*\*

R-121-3-92 APPROVED  
SITE DEVELOPMENT AGREEMENT AMENDED

RESOLUTION TO APPROVE CONCORD CENTER  
(ART VAN FURNITURE) LAND DIVISION AND  
SITE DEVELOPMENT AGREEMENT

A communication was received from the City Planning Commission transmitting its

recommendation of approval (7 yeas and 1 nay) of the Concord Center (Art Van Furniture) Land Division and Site Development Agreement, 4.71 acres, north side of Eisenhower Parkway between State and Main Streets.

Whereas, Art Van Furniture, Inc. has requested land division approval in order to divide the parcel on the north side of Eisenhower Parkway between State and Main Streets (Assessor's Code No. 12-05-400-030) into two separate parcels;

Whereas, The Ann Arbor City Planning Commission, on January 28, 1992, recommended approval of said request together with a site development agreement;

RESOLVED, That the Art Van Furniture, Inc. Land Division and Site Development Agreement are hereby approved.

Councilmember Eckstein moved that the resolution be approved.

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

AMENDMENTS TO THE CONCORD CENTER (ART VAN FURNITURE) LAND DIVISION AND SITE DEVELOPMENT AGREEMENT:

- 1.) Page -7- of agreement: Phase I Owner  
(Signature Page) CHRYSLER <Capital> **GLENVIEW** Realty, Inc.
- 2.) (P13)<~~The owner of Phase II agrees to provide the City a conservation/public access easement as shown on the Final Phase PUD by the combination 100-year flood plain and wetlands limits lines.~~> **THE OWNER OF PHASE II AGREES TO PROVIDE THE CITY TWO CONSERVATION/PUBLIC ACCESS EASEMENTS; ONE ON THE WEST SIDE OF THE BUILDING WEST OF THE COMBINED 100-YEAR FLOOD PLAIN-WETLANDS BOUNDARY, AND TWO, THE NORTHERN 40 FEET OF THE PROPERTY EXTENDING THE FULL 248 FOOT WIDTH OF THE SITE. BOTH EASEMENTS ARE TO BE LANDSCAPED AND MAINTAINED PER THE SITE PLAN.**

AND

3. **ADD (P16) THE OWNER OF PHASE II AGREES NOT TO USE ANY INORGANIC LAWN CARE CHEMICAL, PESTICIDES OR FERTILIZERS IN ORDER TO MINIMIZE NEGATIVE ENVIRONMENTAL IMPACTS ON THE SITE AND ADJACENT MALLATS CREEK.**

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

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

\*\*\*\*\*

TABLED  
RESOLUTION TO APPROVE FIRST MILLER/410 MILLER LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval (7 yeas and 0 nays) of the First Miller/410 Miller Land Division, 0.53 acre, 310 and 410 Miller Avenue.

Whereas, First Miller Limited Partnership and C & L, Inc. have requested land division approval in order to exchange a 0.09-acre parcel along the west side of the First Miller property for a 0.11-acre parcel which was part of the 410 Miller Avenue property;

The Ann Arbor City Planning Commission, on January 28, 1992, recommended approval of said request;

RESOLVED, That the First Miller/410 Miller Land Division is hereby approved.

Councilmember Coleman moved that the resolution be approved.

Councilmember Hunter moved that the resolution be tabled until action on the First Miller/410 Miller ordinance occurs.

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

\*\*\*\*\*

R-122-3-92 APPROVED

RESOLUTION TO APPROVE THE HOME PROGRAM  
DESCRIPTION FOR SUBMISSION TO THE  
DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT (\$870,000)

Whereas, The National Affordable Housing Act of November, 1990 requires that communities expecting to receive federal funds complete a Comprehensive Housing

Affordability Strategy (CHAS);

Whereas, The City has been designated a Participating Jurisdiction by the Department of Housing and Urban Development and must now submit a Program Description to HUD on or before April 3, 1992 in order to receive \$870,000 of HOME funds; and

Whereas, The Housing Policy Board has recommended City Council approval of the HOME Program Description;

RESOLVED, That the Mayor and City Council approve the HOME Program Description substantially in the form on file in the Office of the City Clerk, for submission to the Department of Housing and Urban Development; and

RESOLVED, That the Mayor and City Council authorize the Mayor and City Clerk to execute any required program documents and upon approval by the Department of Housing and Urban Development, the City Council accept the \$870,000, and appropriate the funds.

Councilmember Coleman moved that the resolution be approved.

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

\*\*\*\*\*

R-123-3-92 APPROVED

RESOLUTION TO APPROVE CONTRACT AGREEMENT WITH ENVIRONMENTAL CONTROL TECHNOLOGY CORPORATION FOR FURTHER TESTING OF HAWKINS PROPERTY (\$21,187)

Whereas, The City of Ann Arbor is negotiating for the purchase of the Hawkins Property off North Main Street;

Whereas, Preliminary environmental testing by ENCOTEC in 1991 found indications of surface soil contamination on the Hawkins Property;

Whereas, Human Rights approval for the consultant was obtained on March 12, 1992;

Whereas, it is necessary to undertake further soils testing before the City can enter into an agreement to purchase the property; and

Whereas, The Park Advisory Commission recommends that the Mayor and City Council approve a Professional Services Agreement with ENCOTEC and the appropriation of \$21,187 from the Park Acquisition Millage (Fund 024) \$21,187 for the testing, and there are sufficient funds in Fund 024 to cover the estimated costs;

RESOLVED, That the Mayor and City Council approves the Professional Services Agreement with ENCOTEC and appropriates \$21,187 from the Park Acquisition Millage for the additional testing of the Hawkins Property.

Councilmember Meade moved that the resolution be approved.

Councilmember Zimmer moved that the resolution be tabled pending receipt of a cost estimate of clean-up on the site.

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

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

\*\*\*\*\*

R-124-3-92 APPROVED

RESOLUTION TO GRANT EASEMENT TO DETROIT EDISON COMPANY FOR INSTALLATION OF POWER LINES ON LOHR AND ELLSWORTH ROADS

Whereas, Detroit Edison has requested an easement from the City of Ann Arbor along certain portions of Ellsworth and Lohr Roads;

RESOLVED, That the following easement is granted to the Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226;

Pole line / underground easements on, over, under and across a 12 foot wide strip of land being part of the west 1/2 of Section 17, Town 3 South, Range 6 East, Pittsfield Township, Washtenaw County, Michigan.

A pole line easement described by its centerline as; Beginning at a point on the West Line of Section 17 (Lohr Road), said point being South 02E 55' 31" East, 91.12 feet from the Northwest Corner of said Section 17;

thence East, 1518.88 feet to a point hereafter known as Point "A";

thence East, 200.00 feet to a point hereafter known as Point 'B'

thence East, 972.17 feet;

thence North, 91.00 feet to the point of ending on the North line of Section 17, (Ellsworth Road);

also, Beginning at a point on the North line of Section 17 (Ellsworth Road), said point being East. 52.07 feet from the Northwest Corner of said Section 17;

thence South  $02^{\circ}E 55' 31''$  East, 1593.22 feet to a point hereafter known as Point "C";

thence continuing South  $02^{\circ}E 55' 31''$  East, 1000.00 feet;

thence South  $01^{\circ}E 18' 54''$  West, 481.93 feet to a point hereafter known as Point "D";

thence continuing South  $01^{\circ}E 18' 54''$  West, 979.82 feet to the point of ending of said pole line easement and the point of Beginning of an underground easement;

thence continuing South  $01^{\circ}E 18' 54''$  west, 1200.00 feet to the point of ending on the South Line of Section 17.

Together with (4) four additional underground easements being described by their centerlines as:

The first underground easement, Beginning at aforesaid Point "A";

thence North, 91.00 feet to the point of ending on the North Line of Section 17, (Ellsworth Road).

The second underground easement, Beginning at aforesaid Point "B"

thence North, 91.00 feet to the point of ending on the North Line of Section 17, (Ellsworth Road).

The third underground easement, Beginning at aforesaid Point "C"

thence North  $87^{\circ}E 04' 29''$  West, 52.00 feet to the point of ending on the West Line of Section 17 (Lohr Road);

The fourth underground easement, Beginning at aforesaid Point "D"

thence North 88° 41' 06" West 52.00 feet to the point of ending on the West Line of Section 17, (Lohr Road);

Said easements are to construct, reconstruct, operate and maintain overhead and underground electric lines including, poles, wires, manholes, conduits, cables and equipment. Edison may trim or cut down any trees, bushes, or branches in the easement that Edison believes could interfere with the operation and maintenance of its facilities. No buildings, structures or other encroachments shall be placed in the easement without Edison's prior written consent.

Also two 15 foot wide tree trimming easements, lying adjacent to and parallel with each side of the pole line easement, for the right to trim or cut down any trees, bushes or branches that Edison believes could interfere with or grow to the point of interfering with the operation and maintenance of existing or future Edison facilities in the pole line easement.

Subject to the rights of the public in and to those parts of the above described easements known as Lohr Road and Ellsworth Road;

also subject to all easements of record, if any.

RESOLVED, That the Mayor and Clerk are authorized to execute the necessary easement documents.

Councilmember Meade moved that the resolution be approved.

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

\*\*\*\*\*

R-125-3-92 APPROVED

RESOLUTION TO APPROVE LIQUOR LICENSE TRANSFER AND NEW DANCE/ENTERTAINMENT PERMIT AT 3965 S. STATE STREET (GREAT LAKES SHIPPING COMPANY)

RESOLVED, That the request for Tripper's of Ann Arbor, Inc. to transfer ownership of a 1991 Class C licensed business, located in escrow at 3965 S. State Street, Ann Arbor, Michigan, 48104, Washtenaw County, from Universal-PDB, Inc. and request a new dance-entertainment permit to be held in conjunction be approved.

Councilmember Meade moved that the resolution be approved.

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

\*\*\*\*\*

R-126-3-92 APPROVED

RESOLUTION TO APPROVE APPOINTMENT OF INTERIM CITY TREASURER

RESOLVED, That pursuant to Chapter 12, Section 12.1(b) of the City Charter, Mel Laracey is appointed Interim City Treasurer, effective March 28, 1992, until a permanent appointment is made.

Councilmember Meade moved that the resolution be approved.

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

\*\*\*\*\*

R-127-3-92 APPROVED

RESOLUTION TO AMEND SUB-LEASE WITH THE DAY SHELTER

Whereas, The City of Ann Arbor and the Shelter Association of Ann Arbor have a current sublease agreement for property located at 112 S. Ashley ;

Whereas, That agreement allows the Shelter Association of Ann Arbor to utilize that facility to provide a range of client services which serve the public interest; and

Whereas, The staff members working at that facility which is known as the Day Shelter are frequently called upon to have immediate access to a motor vehicle to facilitate providing necessary client services;

RESOLVED, That up to six (6) parking spaces be provided in the Huron/First/Ashley lot on a monthly permit basis for staff members of the Day Shelter at 112 S. Ashley;

RESOLVED, That the parking fees for those monthly permit spaces shall be waived until such time as the area immediately adjacent to the building is prepared and designated for use by staff members of the Day Shelter; and

RESOLVED, That such waiver of the parking fees and/or subsequent use of a designated parking area by staff members of the Day Shelter is contingent upon certification that all other payments due to the City by the Shelter Association of Ann Arbor are current.

Councilmember Sheldon moved that the resolution be approved.

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

\*\*\*\*\*

R-128-3-92 APPROVED

RESOLUTION TO APPROVE APPOINTMENT OF PLANNING DIRECTOR

RESOLVED, By the Mayor and City Council that pursuant to Chapter 12, Section 12.1(b) of the City Charter, Karen Popek Hart is hereby appointed Planning Director, effective April 13, 1992.

Councilmember Peterson moved that the resolution be approved.

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

\*\*\*\*\*

R-129-3-92 APPROVED

RESOLUTION REGARDING PHASE III OF THE ANN ARBOR LANDFILL

Whereas, The Ann Arbor Landfill is at capacity and will close in the near future;

Whereas, City calculations indicate that the proposed Phase III of the Ann Arbor Landfill would incur higher unit costs;

Whereas, Those high unit costs may impede the City from attracting outside customers, thus increasing the facility's unit costs still more;

Whereas, Private landfills may be able to offer the City long-term disposal contracts at a reasonable price; and

Whereas, Washtenaw County will soon reach an agreement with Browning-Ferris Industries (BFI) to offer disposal capacity at a maximum tipping fee for over 20 years to municipalities within the County;

RESOLVED, That the City Council recommends that the City of Ann Arbor solicit bids for five to ten years disposal capacity from qualified vendors.

Councilmember Peterson moved that the resolution be approved.

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

\*\*\*\*\*

TABLED

RESOLUTION AUTHORIZING NOTICE OF INTENT TO  
ISSUE LIMITED TAX GENERAL OBLIGATION BONDS IN  
THE AMOUNT NOT TO EXCEED \$3,500,000

Whereas, The City Council of the City intends to authorize the issuance of limited tax general obligation bonds for the purpose of defraying part of the cost of the development plan prepared and adopted by the Ann Arbor Downtown Development Authority; and

Whereas, Notice of intent to issue bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended;

RESOLVED, That:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in The Ann Arbor News, a newspaper of general circulation in the City, as a display advertisement at least one-quarter page in size.
2. Said notice of intent so published shall be in substantially the following form:

OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS  
OF  
THE CITY OF ANN ARBOR  
OF INTENT TO ISSUE BONDS SECURED BY THE TAXING  
POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Council of the City of Ann Arbor, County Washtenaw, Michigan, intends to issue limited tax general obligation bonds of the city, in total principal amount of not to exceed \$3,500,000 for the purpose of streetscape and pedestrian improvements together with related attachments and appurtenances thereto as prepared and adopted by the Ann Arbor Downtown Development Authority. Said bonds shall mature serially in not to exceed twenty (20) annual installments with interest payable on the unpaid balance at a rate of not to exceed 10% per annum or such higher rate as may be permitted by law.

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL AND INTEREST OF THE LIMITED TAX GENERAL OBLIGATION BONDS shall be payable primarily from anticipated tax increment revenue derived within the Ann Arbor Downtown Development Authority and the bonds shall also pledge the limited tax full faith and credit of the City of Ann Arbor.

IN CASE OF THE INSUFFICIENCY OF SAID TAX INCREMENT REVENUES, THE PRINCIPAL AND INTEREST ON SAID BONDS SHALL BE PAYABLE FROM THE GENERAL FUNDS OF THE CITY LAWFULLY AVAILABLE FOR SUCH PURPOSE INCLUDING PROPERTY TAXES LEVIED WITHIN APPLICABLE STATUTORY, CHARTER AND CONSTITUTIONAL LIMITATIONS.

RIGHT OF REFERENDUM

THE BONDS will be issued without vote of the electors unless a PETITION requesting an election on the question of issuing either or both series of bonds, signed by not less than 10% of THE REGISTERED ELECTORS in the City, or 15,000, whichever is the lesser, is filed with the City Council by depositing with the City Clerk WITHIN FORTY-FIVE (45) DAYS after publication of this notice. If such a petition is filed, the bonds affected cannot be issued without an approving vote by a majority of electors voting on the question.

THIS NOTICE is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended. Further information concerning the matters set out in this notice may be secured from the City Clerk's Office.

3. The City Council does hereby determine that the foregoing form of notice of intent to issue bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the bonds, the purpose of the bond issue, the security for the bonds, and the right of referendum of the electors with respect thereto under all of the circumstances, and that the provision of forty-five (45) days within which to file a referendum petition is necessary and adequate to insure that the City's electors may exercise their right of referendum with respect to the bonds.
4. The City Clerk or City Controller be and are hereby authorized to file a Notice of Intent to issue an Obligation along with the appropriate filing fee with the Michigan Department of Treasury or to file for approval with the Michigan Department of Treasury.
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Councilmember Sheldon moved that the resolution be approved.

Mayor Brater suggested the following motion:

That the resolution be tabled and sent back to the Downtown Development Authority with a request that they go through whatever procedures are technically required by the State Statute to put before the Council the intent to sell bonds for this package of the pedestrian improvements and the Kline's lot improvements, and that when this issue is sent back to the Council, to issue some assurance that the bike racks that were supposed to be included in the pedestrian improvements for the previous areas as well as the future areas be completed.

Councilmember Peterson moved that the Mayor's suggestion be approved as a formal motion.

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

### **REPORTS FROM COUNCIL COMMITTEES**

#### **FINAL REPORT OF THE NOISY PARTY TASK FORCE**

Councilmember Grady presented the final report of the Noisy Party Task Force. The report was filed with the City Clerk.

### **COUNCIL PROPOSED BUSINESS**

None.

### **COMMUNICATIONS FROM THE MAYOR**

#### **APPOINTMENT APPROVED**

Mayor Brater asked for confirmation of the following nomination:

#### **HOUSING POLICY BOARD**

Larry Fox (replacing Deborah Dickson at term expiration)  
3386 Braeburn Circle  
Term: 03-16-92 to 03-16-95

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

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

Mayor Brater placed the following names on the table for confirmation at the next Council meeting:

ANN ARBOR ENERGY COMMISSION

Kermit Schlansker (reappointment)  
2960 Marshall  
Term: 04-09-92 to 04-09-95

Robert R. Tinker (reappointment)  
1510 Plymouth Road, No. 57  
Term: 04-09-92 to 04-09-95

Weston E. Vivian (to fulfill membership requirements)  
1502 Brooklyn Avenue  
Term: 04-09-92 to 04-09-95

Steven Bean (to fulfill membership requirements)  
535 Sixth Street, No. 2  
Term: 04-09-92 to 04-09-95

Robert A. Black (to fulfill membership requirements)  
516 Spring Street  
Term: 04-09-92 to 04-09-95

COMMUNITY DEVELOPMENT CITIZEN PARTICIPATION EXECUTIVE COMMITTEE

Jean M. Robinson (to fulfill membership requirements)  
1020 Cedar Bend Drive  
Term: 04-09-92 to 07-01-95

Mayor Brater said that the Energy Commission is still in need of members and that it is her aim to staff the commission with persons of diverse backgrounds. Suggestions for nominations to fill the vacancies would be welcome.

Mayor Brater announced the next Mayor's Night In on Tuesday, March 17, to receive calls from citizens from 6:30 p.m. until 8:00 p.m.

Council Call-In on Wednesday March 18, 1992 - hosted by Councilmember Sheldon and on March 25 by Councilmember Zimmer.

Joint caucuses of the Council will resume in May on the Sunday before the second Monday of every month.

Mayor Brater announced that City Administrator Gatta and Acting Transportation Director Lunsford have made it possible to reduce the time to complete the parking structure repairs to 2 years. This is down from the projected 4 year completion time. She requested that a resolution be drafted to address this.

### **COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

City Administrator Gatta submitted the following communications for the information of Council:

1. Cardboard Collection Route
2. Pavement Markings - Old Section of Plymouth Road at the West End
3. Community Events Budget Balance
4. Solid Waste Department Monthly Report
5. Environmental Bonds Series A - Statement of Revenues, Expenditures and Changes in Fund Balances Inception through February 29, 1992
6. Public Surveys for Park Planning
7. Plymouth Road Final Costs

The City Administrator received requests for information from Councilmembers.

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

City Attorney Elizabeth Schwartz, in response to Councilmember Coleman's request for an opinion on curb cuts with regard to disabled persons, said that assistant City Attorney Rinne has convened a committee consisting of the Personnel Director, the Building Director and Communications personnel who will be presenting a seminar on this.

City Attorney Schwartz said that credit for drafting the vehicle inspection ordinance approved earlier in the agenda should be given to Assistant City Attorney Washington.

### **COMMUNICATIONS FROM THE COUNCIL**

None.

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

The following communications were received:

1. Michigan Municipal League announcement of the ANNUAL REGIONAL MEETING FOR ALL MUNICIPAL OFFICIALS IN REGION II to be held on Wednesday, April 22, 1992 - File

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

1. Zoning Board of Appeals - January 15, 1992
2. Community Development Waiver and Review Board - February 24, 1992
3. Council Rules Committee - March 2, 1992
4. Housing Policy Board - March 5, 1992
5. Ann Arbor Energy Commission - February 13, 1992
6. Housing Board of Appeals - February 4, 1992

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

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

### **PUBLIC COMMENTARY**

None.

### ADJOURNMENT

There being no further business, Councilmember Peterson moved that the meeting be adjourned.

On a voice vote, the Chair declared the motion carried and the meeting was adjourned at 11:15 p.m.

W. Northcross  
Clerk of the Council

Linda J. Wise  
Recording Secretary