

SPECIAL SESSION - MARCH 24, 1992

The special session of the Ann Arbor City Council was called to order by Mayor Brater at 5:03 p.m.

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

READING OF ORDER AND NOTICE OF CALL

The order and notice of call was read by the City Clerk and is filed in that office.

PUBLIC COMMENTARY

RICH MARTIN AND TIM MARTIN - PAPER PROCUREMENT PROCESS

Rich Martin, U of M student and Tim Martin, Greenpeace activist, explained a proposal that they developed to change the market for paper as well as the paper industry. He said that their objective is to eliminate the use of chlorine in the manufacture of paper and to promote a market for post consumer recycled fibre.

JON ADAM - PARKING STRUCTURES MANAGEMENT AGREEMENT

Jon Adam, attorney representing Council 25 and Local 369 of the American Federation of State, County and Municipal Employees (AFSCME), stated AFSCME's position that work performed by its members in the parking facilities is within the jurisdiction of the union's contract with the City and must remain there. He said that the proposal under consideration this date involves contracting out and is in violation of the Union's contract.

GEORGE KEMPF - PARKING STRUCTURES MANAGEMENT AGREEMENT

George Kempf, 1722 Sanford, president of the Main Street Area Association, said that the Association represents over 350 businesses, employing over 3500 people. These businesses need the Council's help on the issue of parking and parking structure maintenance. He said that the agreement with the DDA will relieve the City of a financial burden. Without proper management of parking, businesses in the downtown area cannot survive.

STEVE BERGMAN - PARKING STRUCTURES MANAGEMENT AGREEMENT

Steve Bergman, president of the State Street Area Association, said that he is in favor of the proposal before Council this date between the City and the DDA for parking structure management because the City, the State Street businesses and the employees of those businesses all need a parking system that works.

JON ADAM - PARKING STRUCTURES MANAGEMENT AGREEMENT

Jon Adam again addressed Council to say that AFSCME is not opposed to the City's efforts to improve service to its citizens; they want it accomplished in compliance with the AFSCME contract and while preserving the employee's rights under the law.

APPROVAL OF AGENDA

Councilmember Coleman moved that the agenda be approved as presented.

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

MOTIONS AND RESOLUTIONS

R-130-3-92 APPROVED

**RESOLUTION AUTHORIZING EXECUTION OF THE AGREEMENT
BETWEEN THE CITY OF ANN ARBOR AND
THE DOWNTOWN DEVELOPMENT AUTHORITY**

Whereas, City Council and the DDA have jointly expressed an interest and intent and need to work cooperatively to improve the Parking System's infrastructure and its management;

Whereas, By City Council Resolution R-737-12-91 dated December 16, 1991, City Council agreed on certain concepts to be embodied in a joint cooperative agreement between the City and the DDA;

Whereas, By City Council Resolution R-737-12-91 dated December 16, 1991, the City Administrator and staff were requested to present to City Council a joint cooperative agreement no later than February 4, 1992; and

Whereas, The Board members of the DDA have met on January 28, 1992 and reviewed the said agreement and approved it;

RESOLVED, That City Council adopts said agreement between the City and the

DDA as amended including paragraph 15; and

RESOLVED, That the Mayor and City Clerk are hereby authorized to execute said agreement.

Councilmember Coleman moved that the resolution be approved.

Mayor Brater requested the following amendment to the proposed agreement:

15. Employees.

The parking management firm shall hire and supervise its own employees. The exception shall be fifteen (15) members of Local 369 of the International Union of the American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME), who shall remain employees of the City of Ann Arbor, entitled to wages and benefits and rights under the collective bargaining agreement between AFSCME and the City of Ann Arbor until the expiration of that contract on June 30, 1993. The names of these 15 City employees, their job descriptions and wage classifications are attached herewith in Exhibit "D".

Supervision of these 15 City employees will be performed by the private management firm, which will subcontract with the City of Ann Arbor for the employment of the 15 City employees above mentioned.

No later than June 30, 1993 all AFSCME employees above mentioned in Exhibit D, shall be transferred to other positions within the City outside of the jobs supervised by the parking management firm, such transfers to be made according to the needs of the City, the qualifications of the AFSCME employee seeking the transfer and, where applicable, the seniority of the employee.

The direct costs of wages and benefits for the AFSCME City employees above mentioned, which shall continue to be paid bi-weekly by the City, shall be charged as an operating expense against the gross revenues collected from the parking facilities leased by the DDA under this agreement. The procedure for reimbursing the City for such costs will be negotiated between the DDA and the City Administrator.

When one of the named City employees is transferred out of the position supervised by the parking management firm, or when such City employee retires or otherwise terminates his or her employment, the costs of any employee hired by the parking management firm will be paid directly by the parking management firm in accordance with its agreement with the DDA.

The following paragraph is inserted by the City for informational purposes and shall not be

considered a part of this agreement since it is recognized that the DDA is not a party to the collective bargaining agreement between the City and AFSCME. By way of information it is noted that the City will perform the above mentioned subcontract between the private management firm and the City by using the services of members of Local 369 of the International Federation of State, County and Municipal Employees, AFL-CIO (AFSCME). The employees will remain employees of the City of Ann Arbor and shall receive the wages, benefits and rights under the collective bargaining agreement between AFSCME and the City.

CLASS TITLE PARKING FACILITY ATTENDANTS	DATE OF HIRE	HOURLY RATE
Allen, Mark	10/14/85	11.73
Bird, Marvin	05/04/76	12.23
Fletcher, Robert	06/03/91	11.47
Mellos, Mary	11/02/81	12.23
Stamp, Walter	12/01/90	11.73
Wilcher, Marianne	10/01/90	11.24
Young, Viola	10/10/79	12.23

CLASS TITLE PARKING FACILITY ATTENDANT II's

Bond, Donna	09/09/74	13.08
McCoy, Leonard	03/25/85	12.51

CLASS TITLE PARKING MONITORS

Aplin, Claude	02/02/76	11.73
Davis, Teresa	08/20/90	10.99
Noland, Charles	08/20/90	10.99
Quattrin, Kathleen	07/21/86	10.99
Walls, David	08/27/90	10.99
Webster, Theadric	09/10/90	10.99

Councilmember Hunter moved that the amendment be approved.

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

Councilmember Sheldon moved that the agreement be amended in the following manner:

Insert:

13. Management Contract.

The DDA and the City **ADMINISTRATOR** will, within 60 days of the date of this Agreement, develop a request for proposals....

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

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

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

None.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

none.

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

None.

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

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

On a voice vote, the Chair declared the motion carried and the meeting was adjourned at 7:05 p.m.

W. Northcross
Clerk of the Council

Linda J. Wise
Recording Secretary