

REGULAR SESSION - JULY 6, 1992

The regular session of the Ann Arbor City Council was called to order at 7:37 p.m. in the City Hall Council Chamber by Mayor Elizabeth S. Brater.

Council stood for one moment of silence.

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

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Larry Hunter, Ann Marie Coleman, Kirk D. Dodge, Peter Fink, Kurt Zimmer, Peter Nicolas, Thais Anne Peterson, Robert Eckstein, Mayor Elizabeth S. Brater, 9.

ABSENT : Councilmembers Robert C. Grady, Nelson K. Meade, 2.

INTRODUCTIONS

MICHIGAN RECREATION AND PARK ASSOCIATION AWARDS

Ernest W. Burkeen, Jr., President of the Michigan Recreation and Park Association, presented the following awards: 1) 1992 Community Service Award to the Ann Arbor Velo Club for sponsoring the "Festival of Cycling" and the "Spring Training Series"; and 2) 1992 Innovative Recreation Programming Award to the City Parks and Recreation Department for sponsoring "Bike to Work Week."

HURON RIVER DAY

Eunice Burns, representing the Huron River Community Coalition, announced that the 12th Annual Huron River Day celebration will be held on Sunday, July 19, at Gallup Park and urged approval of the resolution proclaiming Huron River Day.

PUBLIC COMMENTARY - RESERVED TIME

RAY CLEVINGER - POLLUTION CLEAN-UP

Ray Clevenger, 1616 Harding, stated that the Gelman Sciences pollution clean-up must be

solved on a technological basis, rather than on a political basis. Mr. Clevenger further stated that Ann Arbor should take the lead in creating regional water supply and sewerage authorities.

CHARLES GELMAN - GELMAN SCIENCES CLEAN-UP PLAN

Charles Gelman, Chief Executive Office of Gelman Sciences, urged that Gelman Sciences, the DNR, the Drain Commissioner, and the City of Ann Arbor work speedily and cooperatively to resolve the issue of the spreading pollution. Mr. Gelman suggested that Council appoint the City Administrator as the City's representative to work with the Vice-President of Gelman Sciences to resolve the matter.

PAUL LAMBERT - HOUSING

Paul Lambert, representing the Homeless Action Committee, stated that more commitment is needed from the City to solve the housing crisis in Ann Arbor. Mr. Lambert reminded Council that the problems of the homeless still exist even though "Tent City" has been shut down.

LAURA DRESSER - HOUSING

Laura Dresser, representing the Homeless Action Committee, objected to the Downtown Development Authority spending \$4 million on sidewalk improvements rather than on housing needs. Ms. Dresser expressed concern with the proposed change in the sign-up system for Public Commentary time, which she feels was designed to limit the number of housing activists from speaking.

CHARLEY LONG - HOUSING

Charley Long, representing the Homeless Action Committee, expressed concern with the urgent need for housing and objected to tax money being spent on unnecessary projects that have no benefit to homeless people.

LARRY FOX - HOUSING

Larry Fox, 530 S. State St., objected to the proposed resolution to change the sign-up system for Public Commentary time, and expressed concern that HAC members are being excluded from participating in the system. Mr. Fox further objected to money being funneled to the DDA, whose priorities are sidewalk improvements and parking structures, rather than to needed housing for revitalizing the downtown.

MICHAEL KLINE - HOUSING

Michael Kline, representing the Housing Action Committee, spoke in opposition to the \$4 million being spent on downtown sidewalk improvements, and suggested that the funds be used to acquire the vacant Ann Arbor Inn for low-income housing. Mr. Kline further suggested that if the City is going to spend so much money to improve sidewalks, than it better make them more comfortable for sleeping.

PUBLIC HEARINGS

BONAR ZONING (ORDINANCE NO. 35-92)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.17 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Bonar property, southeast corner of Joseph and James Streets. Notice of public hearing was published June 14, 1992.

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

FOXFIRE PHASE II SITE CONDOMINIUM SITE PLAN

A public hearing was conducted on the proposed Foxfire Phase II Site Condominium Site Plan, 85.74 acres, north of Dhu Varren Road between Pontiac Trail and Nixon Road. Notice of public hearing was published June 29, 1992.

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

MIDDLE KINGDOM RESTAURANT SITE PLAN

A public hearing was conducted on the proposed Middle Kingdom Restaurant Site Plan, 0.07 acre, 332 South Main Street. Notice of public hearing was published June 29, 1992.

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

The Chair declared a recess as 8:22 p.m.

The Chair again called the meeting to order at 8:25 p.m.

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

ORDINANCES - SECOND READING

Add: Amendment to Chapter 126, Section 10:137 - Notification of Impounded Vehicle Release (Ordinance No. 39-92)

ORDINANCES - FIRST READING

Add: Amendment to Chapter 29, Section 2:72 - Collection of Water and Sanitary Sewer Charges

MOTIONS AND RESOLUTIONS

Delete: Resolution Approving the Waiver of Permit Fees Associated with Administering a Residential Parking District for the North Central Area (Tabled April 20, 1992)

Delete: Resolution for City Hall to Comply with the Michigan Clean Indoor Air Act (Councilmember Meade) **(Rescheduled for July 20, 1992)**

Delete: Resolution to Censure Robert Bauman for Violation of the Michigan Freedom of Information Act (Act 442) (Councilmember Zimmer)

Correct Title & Delete: Resolution Approving Carry Over for Unexpended Recycle Ann Arbor Funds (\$65,000.00) **(8 VOTES REQUIRED)**

Revise: Resolution to Approve D.E.C. Computer Software and Equipment Maintenance (\$44,900.00) **(HUMAN RIGHTS APPROVAL DATE ADDED)**

Delete: Resolution Authorizing Revision of Ann Arbor Hands-On Museum Lease of the Old Fire Station (8 Votes Required)

Correct Sponsor & Delete: Resolution Regarding Ann Arbor Domestic Partnership Program **(COUNCILMEMBER COLEMAN)** (Referred to Committee of the Whole)

Add: Resolution Proclaiming Huron River Day - 1992 (Mayor Brater)

Add: Resolution to Deny Liquor License Request from Todd Barnum (Max's and Erma's) (Councilmember Hunter)

Add: Resolution to Deny Liquor License Request from Bob Steinkamp (Applebee's) (Councilmember Hunter)

Add: Resolution Regarding No Turn On Red Restriction At Broadway and Swift Streets (Councilmember Hunter)

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Coleman, Dodge, Fink, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 9;

Nays, 0.

The Chair declared the motion carried.

Councilmember Nicolas moved that the Resolution to Award a Janitorial Services Contract for City Hall, tabled May 18, 1992, be added to the agenda.

On a voice vote the Chair declared the motion defeated.

APPROVAL OF COUNCIL MINUTES

MINUTES OF JUNE 8 AND 15 APPROVED

Councilmember Coleman moved that the working session minutes of June 8, 1992 and the regular session minutes of June 15, 1992 be approved with the following correction to the June 15 minutes:

R-246-6-92 APPROVED

RESOLUTION TO TRANSFER APPROPRIATIONS TO VARIOUS DEPARTMENTS (\$236,500.00)

...The question on the floor is approval of the resolution as presented, on roll call the vote was as follows:

Yeas, Councilmembers Hunter, Coleman, Fink, Grady, Meade, Zimmer,

Nicolas, Peterson, Eckstein, Mayor Brater, 10
 Nays, Councilmember Fink **DODGE**, 1.
 The Chair declared the motion carried.

On a voice vote the Chair declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following items were removed from the Consent Agenda and placed at the beginning of Motions and Resolutions:

Resolution Approving Annual Solid Waste Education Program Services with the Ecology Center and Recycle Ann Arbor (\$81,250.00)

Resolution to Grant Water and Sewer Services Outside City Limits to 1350 North Main Street (Cushing-Malloy)

CONSENT AGENDA ITEMS APPROVED

Councilmember Coleman moved that the following Consent Agenda items be approved as presented:

R-260-7-92 APPROVED

RESOLUTION TO APPROVE MIDDLE KINGDOM RESTAURANT SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Middle Kingdom Restaurant Site Plan, 0.07 acre, 332 South Main Street.

Whereas, The Middle Kingdom Restaurant has requested site plan approval in order to construct a 968 square foot addition at the rear of the existing restaurant; and

Whereas, The Ann Arbor City Planning Commission, on June 9, 1992, recommended approval of said request;

RESOLVED, That the Mayor and City Council hereby approve the Middle Kingdom

Restaurant Site Plan.

R-261-7-92 APPROVED

RESOLUTION TO APPROVE 1167 GREEN ROAD
LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of technical denial (5 years, 0 nays) of the proposed 1167 Green Road Land Division, 2.19 acres, 1167 Green Road.

Whereas, Charles Reinhart has requested the division of the existing parcel at 1167 Green Road (Parcel No. 09-23-303-004) into three separate parcels; and

Whereas, The City Planning Commission, on June 23, 1992, reviewed said request;

RESOLVED, By the Mayor and City Council that the 1167 Green Road Land Division be hereby approved, subject to a tree replacement plan for the new Green Road curb cut being approved by the City Forester prior to the issuance of necessary permits.

R-262-7-92 APPROVED

RESOLUTION TO APPROVE INBODY ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of technical denial (5 years, 0 nays) of the proposed Inbody Annexation, 0.22 acre, 436 Pinewood.

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

Whereas, Orrin Inbody is the owner of said property; and

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

RESOLVED, That the following described lands and premises situated and being in the Township of Scio, Washtenaw County, Michigan, be detached from said Township of

Scio and annexed to the City of Ann Arbor, to-wit:

Lot 45 of The Evergreens Subdivision, Washtenaw County, Michigan.

R-263-7-92 APPROVED

RESOLUTION TO APPROVE MARSHALL ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of technical denial (5 years, 0 nays) of the proposed Marshall Annexation, 0.31 acre, 380 Pinewood.

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

Whereas, Hal and Marianne Marshall are the owners of said property; and

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

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

Lot 39 of The Evergreens Subdivision, Washtenaw County, Michigan, including adjacent Pinewood and Kingwood rights-of-way.

R-264-7-92 APPROVED

RESOLUTION TO APPROVE PAULEY/MALVITZ ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of technical denial (5 years, 0 nays) of the proposed Pauley/Malvitz Annexation, 0.43 acre, 424 Pinewood.

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

Whereas, Stephen Pauley and Arlene Malvitz are the owners of said property; and

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

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

Lots 41 and 43 of The Evergreens Subdivision, Washtenaw County, Michigan, including adjacent Pinewood and Kingwood rights-of-way.

R-265-7-92 APPROVED

RESOLUTION TO APPROVE YATES ANNEXATION-REVISED

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Yates Annexation (Revised), 0.92 acre, 1889 Upland Drive.

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

Whereas, Jon A. Yates and Karen L. Yates are the purchasers of said property; and

Whereas, It is the desire of Jon A. Yates and Karen L. Yates to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

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

Lot 24 of The Uplands Subdivision, Ann Arbor Township, Washtenaw County, Michigan.

R-266-7-92 APPROVED

RESOLUTION TO APPROVE MODIFICATIONS TO FY 1992-93
COMMUNITY DEVELOPMENT BLOCK GRANT STATEMENT
OF OBJECTIVES AND PROJECTED USE OF FUNDS

Whereas, At its meeting on May 26, 1992, continued from May 18, 1992, City Council approved the FY 1992-93 Community Development Statement of Objectives and Projected Use of Funds;

Whereas, The FY 1992-93 Community Development Block Grant Statement of Objectives budget needs to identify Options Center as a subrecipient of Block Grant funds;

Whereas, The FY 1992-93 CDBG Statement of Objectives budget needs to identify the General Fund Human Service and Economic Development subrecipients;

Whereas, Department of Housing and Urban Development staff have advised the City to combine the HOME Program Delivery line item and Support/Service Delivery into a single line item - Housing Rehabilitation Services Delivery; and

Whereas, The modifications to the budget constitute no change to the purpose, scope or beneficiaries of any activity;

RESOLVED, That the Mayor and City Council approve these modifications to the FY 1992-93 Statement of Objectives budget as presented and filed in the City Clerk's Office; and

RESOLVED, That the Mayor and City Council authorize the Community Development Department to submit these modifications to the Department of Housing and Urban Development.

R-267-7-92 APPROVED

RESOLUTION TO APPROVE CHANGE ORDER TO
PHOENIX CONTRACTORS, INC. FOR VETERANS
PARK ICE ARENA SLAB REPLACEMENT

Whereas, The Phoenix Contractors, Inc. were awarded Bid No. 2261 on June 1, 1992 to replace the ice arena slab;

Whereas, A greater than anticipated layer of permafrost to remove was uncovered below the existing slab;

Whereas, Up to 4,500 cubic yards of frozen soil must be removed and related work at an estimated cost which could total \$96,850.00; and

Whereas, A \$40,970.00 contingency was approved to offset unanticipated additional work in the June 1, 1992 Council approved resolution;

RESOLVED, That the Mayor and Council approve a change order to the contract with Phoenix Contractors, Inc. in an amount not to exceed \$55,880.00.

R-268-7-92 APPROVED

RESOLUTION AUTHORIZING PURCHASE ORDER TO
CONTRACTORS CONTAINER CORPORATION FOR
CONSTRUCTION WASTE HAULING - BID NO. 2283

Whereas, There is a need for local disposal of building and construction waste materials;

Whereas, Contractors Container Corporation was the lowest responsible bidder under Bid No. 2283;

Whereas, Human Rights approval was granted on March 10, 1992 for Contractors Container Corporation;

Whereas, This program is solely supported by user fees, with no City appropriations involved; and

Whereas, Passage of this resolution will allow the City to pay for this program with the revenues generated through the fee structure;

RESOLVED, That the Mayor and Clerk be authorized to sign a contract with Contractors Container Corporation for the construction waste hauling program, in

accordance with Bid No. 2283;

RESOLVED, That the City Administrator be authorized to issue a purchase order in the amount of \$42,500.00 per year for one year, with the option of up to two one-year extensions in the same amount to Contractors Container Corporation; and

RESOLVED, That the revenues for this program shall come from the fees charged for construction waste drop-off services.

R-269-7-92 APPROVED

RESOLUTION AUTHORIZING PURCHASE ORDER FOR
PRINTING AND PUBLISHING "FOR THE PEOPLE"
CITY NEWSLETTER

RESOLVED, That City Council approve the issuance of a purchase order to the Ann Arbor Observer for printing and publishing of "For the People," City newsletter for fiscal year 1992-93 in the amount of \$38,000.00.

R-270-7-92 APPROVED

RESOLUTION TO APPROVE PAYMENT TO YERINGTON
CONSTRUCTION COMPANY FOR THE REMOVAL AND DISPOSAL
OF WATER TREATMENT PLANT SLUDGE CAKE

Whereas, The Water Treatment Division annually produces approximately 14,000 cubic yards (2000 dumps) of limestone sludge cake that must be removed and disposed of;

Whereas, This limestone sludge has been designated as an agricultural liming material that can be recycled by spreading on farm land;

Whereas, The Utilities Department Water Treatment Division requested a month by month extension of the existing contract while RFP's were being evaluated for a new removal and disposal sludge cake contract; and

Whereas, Yerington Construction Company was approved by the Personnel/Human

Rights Department on March 6, 1992;

RESOLVED, That Council direct the City Administrator to issue a purchase order for payment to Yerington Construction Company in the amount of \$37,537.30 for the removal and disposal of sludge cake; and

RESOLVED, That said payment be charged to the Utilities Department Water Treatment Division's FY 1991-92 operating budget.

R-271-7-92 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER FOR
FIRST IMPRESSION PRINTING

Whereas, The Purchasing Office 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, Administrative Services-Purchasing estimates that \$25,000.00 will be spent in Fiscal Year 1992-93; and

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

RESOLVED, That City Council approve the issuance of a purchase order to First Impression Printing for Fiscal Year 1992-93 in the amount of \$25,000.00.

R-272-7-92 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT
TO BASELINE CONSTRUCTORS, INC. FOR REPAIRS
TO FIRE STATION NO. 3 - BID NO. 2287

Whereas, It has been found necessary to perform certain structural repairs to Fire Station No. 3;

Whereas, Baseline Constructors, Inc. of Chelsea, Michigan, have submitted to the City on June 3, 1992 a bid for said work in the total amount of \$23,362.00, which amount is the lowest responsible bid;

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

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

Whereas, The Personnel/Human Rights Department has, on June 5, 1992, approved said company for said construction project;

RESOLVED, That a contract in the amount of \$23,362.00 be awarded to Baseline Constructors, Inc. for structural repairs to Fire Station No. 3, 2130 Jackson Avenue (Bid No. 2287);

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

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

RESOLVED, That the following 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

\$27,162.00	Fire Department's General Operating 1992-93 Building Maintenance
\$27,162.00	TOTAL

Section II - Expense

\$23,362.00	Construction
1,800.00	Design Engineering

1,500.00	Construction Engineering
<u>500.00</u>	Testing
\$27,162.00	TOTAL

R-273-7-92 APPROVED

RESOLUTION TO APPROVE REHABILITATION AGREEMENT WITH WILLIAM AND NANCY GYDE FOR 15 BLAIN COURT

Whereas, An application was received in August, 1991 from William and Nancy Gyde for rehabilitation assistance to their home located at 15 Blain Court, Ann Arbor;

Whereas, The homeowners meet the City's criteria for participation in the Housing Rehabilitation Program;

Whereas, The Waiver and Review Board, at its meeting on September 23, 1991 approved a waiver of the maximum financing, the reapplication date, and the asset limits in order to provide them with additional assistance; and

Whereas, Three bids were received on June 25, 1992 and Mr. and Mrs. Gyde will be executing an agreement with the lowest acceptable bidder to complete the rehabilitation work;

RESOLVED, That City Council approve the rehabilitation agreement with William and Nancy Gyde in the amount of \$21,835.00 and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the Office of the City Clerk.

R-274-7-92 APPROVED

RESOLUTION TO APPROVE COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATION AND CONTRACT WITH OPTIONS CENTER

Whereas, On April 20, 1992, the Community Development Executive Committee recommended CDBG funding for Options Center for services to ex-offenders;

Whereas, At its meeting on June 26, 1992, the Human Services Task Force recommended allocation of \$20,000.00 for Options Center;

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

Whereas, At its meeting on May 26, 1992, continued from May 18, 1992, City Council approve the 1992-93 Community Development Statement of Objectives and Projected Use of Funds which set aside \$20,000.00 for services to ex-offenders;

RESOLVED, That the Mayor and City Council approve the allocation of \$20,000.00 to Options Center from the 1992-93 Community Development Block Grant;

RESOLVED, That the Mayor and City Council do hereby approve the contract for \$20,000.00 with Options Center to provide services to ex-offenders and authorize the Mayor and City Clerk to execute the contract substantially in the form on file in the Office of the City Clerk, beginning July 1, 1992 and terminating June 30, 1993; and

RESOLVED, That the Mayor and City Council authorize the transfer of appropriations to this account from 030-002-4040-7150.

R-275-7-92 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER FOR DEAN COMPUTER

Whereas, The Purchasing Office purchases computer supplies for all City departments;

Whereas, Dean Computer has been the lowest responsible bidder on a significant portion of the City of Ann Arbor's computer supplies;

Whereas, Administrative Services-Purchasing estimates that \$20,000.00 will be spent in Fiscal Year 1992-93; and

Whereas, Dean Computer received Human Rights approval on February 7, 1992;

RESOLVED, That City Council approve the issuance of a purchase order to Dean Computer for Fiscal Year 1992-93 in the amount of \$20,000.00

R-276-7-92 APPROVED

RESOLUTION TO APPROVE REHABILITATION AGREEMENT
WITH THEOPHILUS S. MC KAYE FOR 1609 TRAVER

Whereas, An application was received in July, 1991 from Theophilus S. McKaye for rehabilitation assistance to his home located at 1609 Traver, Ann Arbor;

Whereas, The homeowner meets the City's criteria for participation in the Housing Rehabilitation Program; and

Whereas, Three bids were received on June 11, 1992 and Mr. McKaye will be executing an agreement with the lowest acceptable bidder to complete the rehabilitation work;

RESOLVED, That City Council approve the rehabilitation agreement with Theophilus S. McKaye in the amount of \$18,541.00 and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the Office of the City Clerk.

R-277-7-92 APPROVED

RESOLUTION AUTHORIZING WATER MAIN AND
SANITARY SEWER IMPROVEMENT CHARGES FOR
1838 JOSEPH STREET

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

Water Main: 8" water main in Joseph St.;
Dist. No. 452; File No. 87100;
\$5,117.42/connection;
one connection = \$5,117.42

Sanitary Sewer: 8" sanitary sewer in Joseph St.;
Dist. No. 452; File No. 87100;
\$5,185.16/connection;
one connection = \$5,185.16

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said

improvements, such fair share not having heretofore been paid nor contracted for;

RESOLVED,

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

Annexation Address: 1838 Joseph Street
City Assessor Code: 12-04-124-004
Annexation No.: A91-32
Planning File No.: 12041E20.1 & .2

Lot 28, Packard Hills Subdivision, Pittsfield Township,
Washtenaw County, Michigan. Now situated in the City
of Ann Arbor.

2. That the improvement charge so levied be in the amount of \$10,302.58 and be hereby designated as Utilities Improvement Charge No. 585;

3. That said improvement charge be divided into 15 equal installments, the first to be due on August 1, 1992 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 August 1, 1992;

4. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the Office of the Register of Deeds of Washtenaw County, Michigan; and

5. That the improvement charge so levied be invoiced to Joseph V. Bonar, 1809 Old pear Tree, Ann Arbor, Michigan 48103, and be credited in the amounts of \$5,117.42 to Fund 042-073-7151, and \$5,185.16 to Fund 043-073-7151.

R-278-7-92 APPROVED

RESOLUTION TO ESTABLISH A DESIGN BUDGET FOR
THE PLATT ROAD SANITARY SEWER EXTENSION

Whereas, It is necessary to provide sanitary sewer service to three residences along the west side of Platt Road, north of I-94;

Whereas, The sanitary sewer will have to be extended along Platt Road; and

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

RESOLVED, That \$5,000.00 be appropriated for the design of the Platt Road Sanitary Sewer Extension from the Sewer System Fund; and

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

R-279-7-92 APPROVED

RESOLUTION TO APPROVE TEMPORARY OUTDOOR SALES, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES DURING THE ANN ARBOR ART FAIR

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

<u>Business Name</u>	<u>Address</u>
Ashley's Restaurant, Ltd.	338 S. State St.
Thano's Lamplighter	421 E. Liberty St.
The Swordfish Group, Inc. (Full Moon)	207 S. Main St.
Afternoon Delight, Inc.	251 E. Liberty St.
Manikas Sirloin House, Inc.	307 S. Main St.
Gamekeepers of Michigan, Inc. (Scorekeepers)	310 Maynard St.

R-280-7-92 APPROVED

RESOLUTION TO APPROVE PERMANENT OUTDOOR SERVICE FOR ESCOFFIER RESTAURANT, INC., 300 SOUTH THAYER STREET - BELL TOWER HOTEL

RESOLVED, That the request from the Escoffier Restaurant, Inc. for permanent outdoor service to be located in front of its restaurant located at 300 S. Thayer St. (Bell

Tower Hotel) be approved; and

RESOLVED, That this approval is contingent upon final approval by the Michigan Liquor Control Commission.

The question being the foregoing Consent Agenda items as presented, on a voice vote the Chair declared the motion carried.

ORDINANCES - SECOND READING

35-92 APPROVED

BONAR ZONING

An Ordinance to Amend the Zoning Map Being a Part of Chapter 55 of Title V of the Code of the City of Ann Arbor

This ordinance would change the zoning of 0.17 acre, located at the southeast corner of Joseph and James Streets, from TWP (Township District) to R1C (Single-Family Dwelling District).

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

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Dodge, Fink, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 8;

Nays, 0;

Absent during vote, Councilmember Coleman, 1.

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

47-92 APPROVED

ORDINARY DEATH BENEFITS PRIOR TO RETIREMENT

An Ordinance to Amend Section 1:567 of Chapter 18
of Title I of the Code of the City of Ann Arbor

This ordinance would provide that if a member with at least 10 years of service dies prior to retirement on or after December 1, 1990 and there is no retirement allowance payable under this section, a lump sum equal to 80% of the actuarial present value of the deceased member's accrued retirement allowance under Section 1:564(1) shall be paid to the member's legal representative.

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

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Fink, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 7;

Nays, Councilmember Dodge, 1;

Absent during vote, Councilmember Coleman, 1.

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

39-92 APPROVED

NOTIFICATION OF IMPOUNDED VEHICLE RELEASE

An Ordinance to Amend Section 10:237 of Chapter 126
of Title X of the Code of the City of Ann Arbor

This ordinance would require a business releasing an impounded vehicle to notify the City within an hour of the release, and would provide that impounded vehicle release notifications may be made by telephone.

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

On roll call the vote was as follows:

Yeas, Councilmembers Coleman, Dodge, Fink, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 8;

Nays, 0;

Absent during vote, Councilmember Hunter, 1.

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

ORDINANCES - FIRST READING

50-92 APPROVED

SPACEMAKERS, INC. 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 ordinance would change the zoning of 1.0 acre, located on the south side of Hollywood Drive, west of North Maple Road, from R1D (Single-Family Dwelling District) to R2A (Two-Family Dwelling District).

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

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

51-92 APPROVED

WINDSPREAD ASSOCIATES ZONING

An Ordinance to Amend the Zoning Map Being a Part of Chapter 55 of Title V of the Code of the City of Ann Arbor

This ordinance would change the zoning of 0.28 acre, located at 3123 Cherry Tree Lane, from TWP (Township District) to R1B (Single-Family Dwelling District).

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

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

52-92 APPROVED

YATES ZONING

An Ordinance to Amend the Zoning Map Being a Part of Chapter 55 of Title V of the Code of the City of Ann Arbor

This ordinance would change the zoning of 0.92 acre, located at 1889 Upland Drive, from TWP (Township District) to R1C (Single-Family Dwelling District).

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

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

53-92 APPROVED

UTILITY SERVICE TURN-ON FEES

An Ordinance to Amend Section 2:72 of Chapter 29 of Title II of the Code of the City of Ann Arbor

This ordinance would provide that utility service turn-on fees be established by Council resolution.

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

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

MOTIONS AND RESOLUTIONS

R-281-7-92 APPROVED

RESOLUTION APPROVING ANNUAL SOLID

WASTE EDUCATION PROGRAM SERVICES WITH
ECOLOGY CENTER AND RECYCLE ANN ARBOR

Whereas, The City desires to continue its comprehensive waste reduction and recycling programs;

Whereas, Educating Ann Arbor's public in appropriate waste reduction and recycling behavior is key to the enforcement of the City's Comprehensive Recycling Ordinance;

Whereas, The City has contracted with the Ecology Center to provide high-quality presentations to school and youth groups for over ten years;

Whereas, The Ecology Center, in coordination with City and State grants, has constructed an outdoor Recycling Education Center at the Drop-off Station at 2050 South Industrial, for youth field trips;

Whereas, Providing solid waste education to all ages has been effectively achieved through the City's contracts for the recycling/waste reduction hotlines, recycling facility site tours, coordination of the volunteer block coordinator network, and provision of educational and research materials through the Ecology Center's outreach branch library of the Ann Arbor Public Library system;

Whereas, These contracted services are to be provided at the same rate of funding as for the 1991-92 fiscal year, and have been included in the 1992-93 Solid Waste Department budget; and

Whereas, Human Rights approval was received by the Ecology Center and Recycle Ann Arbor on July 1, 1992;

RESOLVED, That City Council authorize the City Administrator to issue purchase orders of \$51,250.00 to the Ecology Center and \$30,000.00 to Recycle Ann Arbor for solid waste educational services in fiscal year 1992-93.

Councilmember Coleman moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Coleman, Fink, Nicolas, Peterson, Mayor Brater, 6;

Nays, Councilmembers Dodge, Zimmer, 2;

Absent during vote, Councilmember Eckstein, 1.

The Chair declared the motion carried.

R-282-7-92 APPROVED

RESOLUTION TO GRANT WATER AND SEWER SERVICE
OUTSIDE CITY LIMITS TO 1350 NORTH MAIN STREET -
CUSHING-MALLOY

Whereas, James B. Cushing, President of Cushing-Malloy, Inc., owner of the property at 1350 North Main Street, has requested the City on April 9, 1992 to maintain City water and sewer services to the property in Ann Arbor Township prior to the completion of the annexation process;

Whereas, Cushing-Malloy, Inc. desires to enter into the standard agreements with the City which provide an equitable method of obtaining City services outside of its corporate boundaries; and

Whereas, On May 29, 1992 Cushing-Malloy, Inc. petitioned the City for annexation under Planning Department File No. 9201N13.1;

RESOLVED, That the Mayor and Clerk be hereby authorized and directed to sign the agreements on behalf of the City allowing City water and sewer service to the land during the time it is still outside of the corporate limits and that the City Clerk be hereby directed and ordered to send a copy of this resolution and the agreements by first class mail to the customer chargeable therewith of the amounts therein determined 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.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-283-7-92 APPROVED AS AMENDED

RESOLUTION TO ESTABLISH A TRANSPORTATION TASK FORCE

A resolution to establish a Transportation Task Force was considered.

Councilmember Coleman moved that the resolution be adopted.

Council unanimously agreed that the last paragraph be amended as follows:

RESOLVED, That this task force consist of the following ~~<fifteen (15)>~~ **FOURTEEN (14)** positions:

- 3 representatives of the business community, including at least 2 from the downtown area, and at least 1 employee
- 1 representative of the University of Michigan
- 1 representative of the University of Michigan student community
- 1 representative of the AATA
- ~~1 member of the Transportation Plan Implementation Committee~~
- 1 representative of the Bicycle Coordinating Committee
- 1 specialist in conservation behavior
- 1 specialist in energy and air pollution policy
- 1 representative of parents of Ann Arbor school children
- 2 citizens-at-large
- 2 City Councilmembers

EX OFFICIO MEMBERS:

- 1 **MEMBER OF THE TRANSPORTATION PLAN IMPLEMENTATION COMMITTEE**
- 1 **REPRESENTATIVE OF THE CITY PUBLIC SERVICES DEPARTMENT**

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

The resolution as adopted reads as follows:

R-283-7-92

RESOLUTION TO ESTABLISH A TRANSPORTATION TASK FORCE

Whereas, The City of Ann Arbor is experiencing increasing problems with traffic

congestion and parking;

Whereas, Portions of all of the City's major arteries are now at or over capacity and expected to be worse by the end of the decade;

Whereas, The Ann Arbor City Council has accepted a Transportation Plan which calls for the avoidance of road widening as a solution to these problems and instead reduced dependency on the single occupancy vehicle through increased use of mass transit, carpooling, bicycles and other means of transportation;

Whereas, To achieve such goals, the citizens of Ann Arbor must make choices that involve major life style changes;

Whereas, A staff Implementation Committee exists and could be complemented by a citizens board which could help study ways to achieve citizen actions and participation to further the goals of the plan; and

Whereas, The City Council wishes to support the efforts of the Ann Arbor Transportation Authority and its Transportation Plan Implementation Committee in implementing the Transportation Plan;

RESOLVED, That the Ann Arbor City Council establish a Transportation Task Force to help achieve reduced reliance on the single occupancy vehicle, to advise the Mayor and Council on transportation policy, and to help achieve implementation of the Transportation Plan through citizen involvement; and

RESOLVED, That this task force consist of the following fourteen (14) positions:

- 3 representatives of the business community, including at least 2 from the downtown area, and at least 1 employee
- 1 representative of the University of Michigan
- 1 representative of the University of Michigan student community
- 1 representative of the AATA
- 1 representative of the Bicycle Coordinating Committee
- 1 specialist in conservation behavior
- 1 specialist in energy and air pollution policy
- 1 representative of parents of Ann Arbor school children
- 2 citizens-at-large
- 2 City Councilmembers

Ex Officio Members:

- 1 member of the Transportation Plan Implementation Committee
- 1 representative of the City Public Services Department

DEFEATED

RESOLUTION TO REDUCE RECYCLING COSTS

Whereas, The Council has frequently expressed its desire to provide basic City services at the minimal possible cost;

Whereas, Recycling of household and commercial materials is a basic City service;

Whereas, City staff has determined that there are independent firms who can process recyclables at \$10 per ton versus the current \$13 per ton; and

Whereas, Such a savings represents over \$200,000 per year and potentially more that \$2,000,000 over a ten-year contract period;

RESOLVED, That the Council instruct the City Administrator to enter a formal bid process for the processing of recyclables which would provide the City with the greatest possible cost savings, and request that the Administrator review the impact on the financial operation of Recycle Ann Arbor should an award be made to the low bidder; and

RESOLVED, That the Administrator continue on a month-to-month agreement with Recycle Ann Arbor for processing under the terms approved by the City Council on July 1, 1992.

Councilmember Dodge moved that the resolution be adopted.

On roll call the vote was follows:

Yeas, Councilmembers Dodge, Fink, Zimmer, Nicolas, Mayor Brater, 5;

Nays, Councilmembers Hunter, Coleman, Peterson, Eckstein, 4.

The Chair declared the motion defeated.

R-284-7-92 APPROVED

RESOLUTION TO AUTHORIZE AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH POLLACK DESIGN ASSOCIATES, INC. FOR DESIGN OF FURSTENBERG PARK

Whereas, Council by Resolution No. R-288-5-92 requested the Mayor and/or City Administrator to meet with University officials to discuss the University's Clean-up plans for University Landfill No. 3;

Whereas, Planning for the mitigation wetland in Furstenberg Park should continue;

Whereas, A construction contract for realigned Fuller/Oak Way and the mitigation wetland requires further Council action;

Whereas, A professional services agreement with Pollack Design Associates, Inc. was approved by Council on January 22, 1991, to provide design development services for Furstenberg Park; and

Whereas, It is now necessary to increase the scope of service of this agreement to provide supplemental architectural services in the amount of \$25,000.00 for the investigation of wetland issues relating to the Fuller Road/Oak Way Realignment Project;

RESOLVED, That the Mayor and Clerk be authorized and directed to execute an amendment in the amount of \$25,000.00 to the professional services agreement with Pollack Design Associates, Inc. for the design of Furstenberg Park;

RESOLVED, That Council appropriate \$25,000.00 from the 1991 Street Millage (Fund 062) to finance the work of this contract amendment, with any unobligated balance being reappropriated for succeeding fiscal years until the project is officially closed;

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

RESOLVED, That the City Administrator seek reimbursement for the design and construction of the wetland mitigation plan from the Veterans Administration, University of Michigan, and state and federal governments, and that the actual construction of the wetland mitigation not proceed unless assurances are gained for reimbursement of costs associated with the design and construction of the wetland mitigation.

Councilmember Dodge moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

AMENDED AND TABLED

RESOLUTION REGARDING PUBLIC COMMENTARY TIME

A resolution regarding Public Commentary time was considered.

Councilmember Nicolas moved that the resolution be adopted.

Council unanimously agreed that the fifth and sixth paragraphs of the resolution be amended as follows:

RESOLVED, That the total time allocated to public commentary time be increased from 30 minutes to ~~40~~ **32** minutes;

RESOLVED, That the number of speaking slots be increased from six to ~~ten~~ **EIGHT**;

Councilmember Eckstein moved that the resolution be tabled and referred to the Council Rules Committee for review and recommendations.

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

The resolution as tabled reads as follows:

RESOLUTION REGARDING PUBLIC COMMENTARY TIME

Whereas, The purpose of government is to serve the people;

Whereas, Communication between citizens and elected officials allows government to more effectively respond to the concerns of the public;

Whereas, Public commentary time at the start of City Council meetings is one way in which citizens can effectively communicate with their elected officials; and

Whereas, The current system of signing-up for time on a first-come, first-serve basis is inconvenient and unfair;

RESOLVED, That the total time allocated to public commentary time be increased from 30 minutes to 32 minutes;

RESOLVED, That the number of speaking slots be increased form six to eight;

RESOLVED, That the total time which each person may speak be reduced from five to four minutes;

RESOLVED, That the Mayor enforce the four minute limit strictly and uniformly;

RESOLVED, That the Mayor and City Council direct the City Clerk to establish a lottery system for assigning speaking times in which citizens may call in and place their names on a list for an entire week before the meeting, and hold a computer-operated random drawing on the Friday preceding the meeting to assign speaking times; and

RESOLVED, That speaking times shall not be transferable once assigned, and vacated speaking times shall be assigned to those citizens next in line.

R-285-7-92 APPROVED

RESOLUTION TO DISCOURAGE THE POSSESSION OF HANDGUNS

Whereas, The recent events at the University of Michigan Hospital highlighted the tragic consequences of handgun crime;

Whereas, It is in the public interest to adopt public policy to punish criminals who use handguns;

Whereas, Local governments are limited in the ability to enact laws to thwart criminal activity; and

Whereas, There have, however, been some successful efforts to discourage handgun crime which resulted in local legislation creating additional penalties for crimes committed by individuals who possess a handgun;

RESOLVED, That the City Council instruct the City Attorney to review the measures other cities and local jurisdictions have taken to increase penalties for crimes committed while in the possession of a handgun. The City Attorney will report her finding to the

Council by September 1, 1992.

Councilmember Dodge moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-286-7-92 APPROVED AS AMENDED

RESOLUTION TO APPROVE FISCAL YEAR 1992-93
CITY GENERAL FUND CONTRACTS

A resolution to approve FY 1992-93 City General Fund Contracts was considered.

Councilmember Coleman moved that the resolution be adopted.

Council unanimously agreed that the fourth paragraph of the resolution be amended by removing the Shelter Association of Ann Arbor (\$105,000.00) from the list of agencies and changing the total contract amount from \$527,000.00 to **\$422,000.00**. (Council further agreed that the Shelter Association contract would be considered at a later date after further review of its scope of services).

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

The resolution as adopted reads as follows:

R-286-7-92

RESOLUTION TO APPROVE FY 1992-93
CITY GENERAL FUND CONTRACTS

Whereas, At its meeting on June 15, 1992, City Council approved the allocation of specific funding amounts for the following organizations for the FY 1992-93 program year;

Whereas, Service contracts between the City and each agency are being negotiated as directed by City Council; and

Whereas, The Personnel/Human Rights Department reviewed and approved these contractors on or before June 2, 1992;

RESOLVED, That the Mayor and City Council approve the contracts with the agencies listed below and authorize the Mayor and City Clerk to execute the contracts substantially in the form on file in the Office of the City Clerk beginning July 1, 1992 and terminating June 30, 1993.

<u>AGENCY</u>	<u>CONTRACT AMOUNT</u>
Ann Arbor Community Development Corporation	\$ 5,000.00
Arrowwood Hills Cooperative	10,000.00
Catholic Social Services	30,500.00
Community Action Network	55,000.00
Center for Occupational & Personalized Education	19,000.00
Domestic Violence Project	30,000.00
Food Gatherers, Inc.	17,500.00
Green-Glacier Community Center	12,000.00
Ozone House	21,000.00
Packard Community Clinic	30,000.00
Pinelake Village Cooperative	23,000.00
SOS Community Crisis Center	44,000.00
Salvation Army	20,000.00
Washtenaw Development Council	45,000.00
Ann Arbor "Y"	<u>60,000.00</u>
TOTAL	\$422,000.00

and;

RESOLVED, That all programs give priority to very low-income individuals, that agencies be required to report program progress on a quarterly basis, and that progress be monitored by the Community Development Department.

R-287-7-92 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 1992-93
COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACTS

Whereas, At its meeting on June 15, 1992, City Council approved the allocation of specific funding amounts for the following organizations for the FY 1992-93 program year;

Whereas, The City Council has approved the FY 1992-93 CDBG Statement of Objectives and Projected Use of funds at its meeting on May 26, 1992 continued from May 18, 1992 for submission to HUD;

Whereas, Service contracts between the City and each agency are being negotiated as directed by City Council; and

Whereas, The Personnel/Human Rights Department reviewed and approved these contractors as of May, 1992;

RESOLVED, That the Mayor and City Council approve the contracts with the agencies listed below and authorize the Mayor and City Clerk to execute these contracts substantially in the form on file in the Office of the City Clerk beginning July 1, 1992 and terminating June 30, 1993.

<u>AGENCY</u>	<u>CONTRACT AMOUNT</u>
Ann Arbor Center or Independent Living	\$ 32,000.00
Ann Arbor Community Development Corporation	50,000.00
Child Care Coordinating and Referral Service	143,600.00
Community Dental Center (Univ. of Mich.)	25,000.00
Ecology Center	12,000.00
Housing Bureau For Seniors	14,000.00
Huron Services For Youth	18,000.00
Legal Services of Southeastern Michigan	49,500.00
Neighborhood Senior Services	53,000.00
Packard Community Clinic	10,000.00
Pinelake Village cooperative	9,600.00
Soundings, Inc.	31,500.00
Washtenaw Affordable Housing Corporation	<u>60,000.00</u>
TOTAL	\$508,200.00

and;

RESOLVED, That all programs give priority to very low-income individuals, that agencies be required to report program progress on a quarterly basis, and that progress be monitored by the Community Development Department.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-288-7-92 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDERS FOR
DIESEL FUEL AND GASOLINE PURCHASES, FY 1992-93
FOR PUBLIC SERVICES AND UTILITIES DEPARTMENTS

Whereas, The Public Services and Utilities Departments, purchase required City of Ann Arbor diesel fuel and gasoline;

Whereas, It has been determined that it is advantageous to obtain spot verbal bid quotes at the time of diesel and gasoline purchases; and

Whereas, The Personnel/Human Rights Department has approved the listed companies;

RESOLVED, That City Council approve the issuance of standing purchase orders for the purchase of diesel fuel and gasoline requirements, with cumulative purchase order totals not to exceed: Public Services - \$349,200.00; Utilities - \$64,000.00; and

RESOLVED, That the Public Services and Utilities Departments be authorized to purchase fuels by spot verbal bidding, and purchase City requirements from the company with the lowest price, without further Council approval during fiscal year 1992-93.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-289-7-92 APPROVED

RESOLUTION TO APPROVE AMENDMENTS TO
CURRENT COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE CITY OF ANN ARBOR AND
ANN ARBOR POLICE OFFICERS ASSOCIATION

Whereas, The current agreement between the City of Ann Arbor and the Ann Arbor Police Officers Association expired on June 30, 1992;

Whereas, The parties have negotiated amendments to the current agreement to take effect July 1, 1992;

Whereas, The negotiated amendments to the current agreement, effective July 1, 1992, provide for a three-year agreement extending from July 1, 1992 through June 30, 1995;

Whereas, Said fiscal 1992-93 through fiscal 1994-95 agreement carries forth all provisions of the former agreement except for the amendments and other stipulations contained in the document entitled "Tentative Agreement", on file in the City Clerk's Office; and

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

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

RESOLVED, That the Administrator be authorized to make the necessary transfers to the Police Department budget as appropriate from the General Fund Non-Departmental pay increase contingency account.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-290-7-92 APPROVED

RESOLUTION REGARDING AWARD OF CONTRACT TO
EARTH WORK ENGINEERS, INC. - BID NO. 2290

Whereas, It has been found necessary to construct a new composting center;

Whereas, Earthwork Engineers, Inc. of Wixom, Michigan has submitted to the City on June 22, 1992 a bid for said work in the total amount of \$359,800.00 which amount is the lowest responsible bid;

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

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

Whereas, The Personnel/Human Rights Department has, on July 6, 1992 approved said company for said construction project;

RESOLVED, That a contract in the amount of \$359,800.00 be awarded to Earthwork Engineers, Inc. for the construction of the Composting Center - Site B (Bid No. 2290);

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

\$594,800.00	Environmental Bond (Fund 097), Series A, Composting Center category
\$594,800.00	TOTAL

Section II - Expense

\$359,800.00	Construction
85,000.00	Design (previously authorized by Council Resolution #R-308-6-91)
100,000.00	Construction Engineering
10,000.00	Consulting and Testing
10,000.00	Contingencies approved by City Administrator
5,000.00	Miscellaneous Costs
<u>25,000.00</u>	Bond Overhead Charge
\$594,800.00	TOTAL

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-291-7-92 APPROVED

RESOLUTION TO AWARD CONTRACT FOR ARCHITECTURAL SERVICES FOR DOWNTOWN DEVELOPMENT AUTHORITY PEDESTRIAN IMPROVEMENTS

Whereas, It has been determined that pedestrian improvements along Washington Street and North Main Street will enhance the Downtown District of the City;

Whereas, On June 1, 1992 by Resolution No. R-213-6-92, City Council authorized the sale of bonds to finance said DDA Pedestrian Improvement projects;

Whereas, Included in these projects are streetscape and other improvements to North Main Street and Washington Street which require architectural design services; and

Whereas, The DDA Board has approved the selection of the firm of William J. Johnson and Associates, Inc. of Ann Arbor to design and provide architectural services to these projects;

RESOLVED, That the firm of William J. Johnson and Associates, Inc. be awarded a contract for architectural services for \$357,267.00 plus \$2,000.00 for reimbursable expenses and that \$10,000.00 (3%) be established as a contingency reserve for a total of \$369,267.00;

RESOLVED, That \$369,267.00 be allocated from the DDA Pedestrian Improvement 1992/93 Bond Fund for said contract until expended without regard to fiscal year;

RESOLVED, That the Mayor and Clerk be authorized to sign said contract forms as approved by the City Attorney, and further approved as to substance by the City Administrator and by the Personnel/Human Rights Director;

RESOLVED, That the City Administrator be 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:

DOWNTOWN DEVELOPMENT AUTHORITY
1992/93 PEDESTRIAN IMPROVEMENTS PROJECTS

WASHINGTON STREET AND NORTH MAIN STREET

Section I - Revenue

\$2,750,000.00	Downtown Development Authority and Ann Arbor Building Authority Limited Tax Bonds, Series 1992-A
\$2,750,000.00	TOTAL

Section II - Expense

\$2,164,000.00	Construction
207,067.00	Design Engineering (Consultant)
94,200.00	Construction Engineering (Consultant)
58,000.00	Construction Testing (Consultant)
8,000.00	Design and Construction Engineering (City Personnel)
216,733.00	Contingencies approved by City Administrator (10% of construction cost)
<u>2,000.00</u>	Miscellaneous Costs
\$2,750,000.00	TOTAL

Councilmember Zimmer moved that the resolution be adopted.

Council unanimously agreed with the requests of Councilmembers Fink and Dodge to abstain from the vote.

The question being the resolution as presented, on a voice vote the Chair declared the motion carried, with Councilmembers Fink and Dodge abstaining.

R-292-7-92 APPROVED

RESOLUTION TO APPROVE CONTRACT FOR IBM
HARDWARE AND SOFTWARE LEASE

Whereas, The Information Services Division of the Administrative Services Department wishes to renew the annual software lease/maintenance agreement and enter into a three-year hardware maintenance contract for a total of \$143,270.36;

Whereas, IBM Corporation is the sole vendor for software lease/maintenance;

Whereas, A three-year hardware maintenance contract with IBM Corporation will 1) result in a savings of \$48,516.00 over the term of the contract, and 2) keep the responsibility for all equipment and software with one vendor;

Whereas, IBM Corporation has been approved by the Personnel/Human Rights Department on April 14, 1992; and

Whereas, The cost to continue is as follows (1992-93 fiscal year):

Software lease/maintenance	\$ 89,337.00
Hardware maintenance	<u>53,933.36</u>
	\$143,270.36

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

RESOLVED, That the City Administrator be authorized to issue a purchase order to International Business Machines for the sum of \$143,270.36 for software lease/maintenance and a three-year hardware maintenance contract.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-293-7-92 APPROVED

RESOLUTION AUTHORIZING A CHANGE ORDER TO THOMPSON-MC CULLY COMPANY FOR RECONSTRUCTION OF THE CITY HALL PARKING LOT

Whereas, It has been determined that the reconstruction of the City Hall parking lot is necessary;

Whereas, Funds are available in the 1991/1992 Parking System Fund (044); and

Whereas, Thompson-McCully Company is currently under contract with the City for

the 1992 Street Resurfacing Program in the amount of \$1,679,446.65;

RESOLVED, That a change order in the amount of \$75,781.00 to Thompson-McCully Company for the reconstruction of the City Hall parking lot be approved;

RESOLVED, That \$90,781.00 (\$75,781.00 for change order and \$15,000.00 for engineering, testing and contingencies) of 1991/1992 Parking System Funds be credited, through a supplemental appropriation, to the 1992/1993 Parking System (044) budget; and

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

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-294-7-92 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER FOR PUBLICATION OF CITY NOTICES IN THE ANN ARBOR NEWS

Whereas, The Clerk's Office publishes City notices for a number of City departments;

Whereas, The Ann Arbor News has been the lowest responsible bidder for publication of City notices;

Whereas, The City Clerk estimates that \$63,600.00 will be spent for such publishing in Fiscal Year 1992-93; and

Whereas, The Ann Arbor News received Human Rights approval on June 17, 1992;

RESOLVED, That City Council approve the issuance of a purchase order to The Ann Arbor News for Fiscal Year 1992-93 in the amount of \$63,600.00.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-295-7-92 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDERS TO
A & L PARTS, INC. FOR PARTS, TOOLS AND
SUPPLIES FOR PUBLIC SERVICES DEPARTMENT,
FISCAL YEAR 1992-93

Whereas, The Public Services Department purchases parts, tools and supplies for the repair and maintenance of City of Ann Arbor cars, trucks and equipment;

Whereas, A & L Parts, Inc. is the lowest responsible bidder for automotive belts, hoses, mirrors, ignition and tune-up parts, and miscellaneous supplies; and

Whereas, A & L Parts, Inc. received Human Rights approval on April 9, 1992;

RESOLVED, That City Council approve the issuance of purchase orders to A & L Parts, Inc. for the purchase of parts, tools and supplies by the Public Services Department, in the cumulative total of \$47,500.00

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-296-7-92 APPROVED

RESOLUTION TO APPROVE D.E.C. COMPUTER
SOFTWARE AND EQUIPMENT MAINTENANCE

Whereas, The Information Services Division of the Administrative Services Department wishes to renew its software and equipment maintenance contract with Digital Equipment Corporation;

Whereas, Digital Equipment Corporation is the sole vendor for software maintenance;

Whereas, The City wishes to continue computer software and equipment maintenance from Digital Equipment Corporation due to: 1) responsibility for all software and equipment by one vendor; and 2) continuing upgrading of said software and equipment;

Whereas, The cost to continue is as follows (1992-93 fiscal year):

Computer Software Maintenance	\$ 7,500.00
Equipment Maintenance	<u>37,400.00</u>
	\$44,900.00 ;

and

Whereas, Digital Equipment Corporation has been approved by the Personnel/Human Rights Department on June 5, 1992;

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

RESOLVED, That the City Administrator be authorized to issue a purchase order to Digital Equipment Corporation for the sum of \$44,900.00 for software and hardware maintenance.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-297-7-92 APPROVED

RESOLUTION TO APPROVE AGREEMENT WITH WASHTENAW AFFORDABLE HOUSING CORPORATION FOR THE DEVELOPMENT OF 517 WEST SUMMIT STREET AS AFFORDABLE HOUSING

Whereas, On December 16, 1991, City Council approved the acquisition of 517 W. Summit with funds appropriated from the Park Acquisition Millage Fund;

Whereas, City Council also appropriated funds from the Ann Arbor Housing Trust Fund to purchase a portion of the site for housing and directed the City Administrator to

solicit responses to a Request for Proposal (RFP) to use a portion of the site for affordable housing;

Whereas, Four proposals were submitted on February 20, 1992 in response to the RFP, and staff representing three City departments and a subcommittee of the Housing Policy Board interviewed each applicant and reviewed all project information;

Whereas, The Housing Policy Board at its meeting on April 22, 1992 recommended that Washtenaw Affordable Housing Corporation (WAHC) and Bruce McCullen with Old Town Builders and City staff negotiate over the next 30 days in order to return to the Housing Policy Board in May with an agreement to construct the two-unit building at 517 W. Summit;

Whereas, A neighborhood meeting was held on May 14, 1992 and the group supported the project as proposed;

Whereas, The Park Advisory Commission at its meeting on May 19, 1992 recommended that City Council approve an agreement to sell the property at 517 W. Summit to Washtenaw Affordable Housing Corporation in order to develop the project; and

Whereas, The Housing Policy Board at its meeting on May 20, 1992 recommended that City Council approve an agreement to sell the property at 517 W. Summit to Washtenaw Affordable Housing Corporation in order to develop the project;

RESOLVED, That the Mayor and City Council approve the sales agreement between the City of Ann Arbor and Washtenaw Affordable Housing Corporation for the purchase of 9,480 square feet at 517 W. Summit for \$37,599.00 with payment from funds appropriated from the Ann Arbor Housing Trust Fund to reimburse the Park Acquisition Fund for the development of a two-unit condominium for lower-income families; and

RESOLVED, That the Mayor and City Council direct the Mayor and City Clerk to execute the documents necessary to implement this agreement substantially in the form on file in the Office of the City Clerk.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-298-7-92 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER TO
AM-DYN-IC FLUID POWER FOR HYDRAULIC REPAIRS
AND PURCHASE FOR PUBLIC SERVICES DEPARTMENT,
FISCAL YEAR 1992-93

Whereas, The Public Services Department-Fleet Services Division, purchases outside repair service and parts for hydraulic cylinders, pumps, motors, valves, and power take-off units;

Whereas, AM-DYN-IC Fluid Power is an authorized service center and distributor of Tyrone, White, Char-Lynn, Gressen, and Chelsea products;

Whereas, AM-DYN-IC Fluid Power has the lowest prices on Weatherhead products;
and

Whereas, City of Ann Arbor Human Rights approval was given to AM-DYN-IC on June 26, 1992;

RESOLVED, That City Council approve the issuance of a purchase order, for the purchase of service and parts, to AM-DYN-IC Fluid Power for fiscal year 1992-93, in the amount of \$32,000.00.

Councilmember Fink moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-299-7-92 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER FOR
TRANSMISSION REPAIR, FISCAL YEAR 1992-93

Whereas, The Public Services Department-Fleet Services Division, requires outside repair service for truck transmission, transfer cases, steering assemblies, and differentials;

Whereas, Valley Truck Parts provides repair service that meets the needs of the City of Ann Arbor;

Whereas, Valley Truck is an authorized Allison, Saginaw and Rockwell Service Center; and

Whereas, Valley Truck received Human Rights approval on June 15, 1992;

RESOLVED, That City Council approve the issuance of a purchase order for fiscal year 1992-93 in the amount of \$30,000.00 to Valley Truck Parts.

Councilmember Fink moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-300-7-92 APPROVED

RESOLUTION TO APPROVE PAYROLL/PERSONNEL SOFTWARE MAINTENANCE CONTRACT

Whereas, The Information Services Division of the Administrative Services Department wishes to renew the payroll and personnel software maintenance contract with Integral Systems;

Whereas, Integral Systems is the sole vendor for the payroll and personnel software maintenance; and

Whereas, Integral System has been approved by the Personnel/Human Rights Department on June 1, 1992;

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

RESOLVED, That the City Administrator be authorized to issue a purchase order to Integral Systems for the sum of \$23,264.45 for software maintenance.

Councilmember Fink moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-301-7-92 APPROVED

RESOLUTION TO AUTHORIZE PURCHASE ORDER TO
TRAFFIC & SAFETY CONTROL SYSTEMS, INC.

Whereas, Traffic & Safety Control Systems, Inc. is a sole source representative for the Dynameter and Dynacount revenue control system;

Whereas, Traffic & Safety Control Systems, Inc. is the state distributor for the parent company from which the fee computers, pre-pay systems, and related access control systems were purchased; and

Whereas, Traffic & Safety Control Systems, Inc. has received Human Rights approval on April 29, 1992;

RESOLVED, That City Council authorize a purchase order to Traffic & Safety Control Systems, Inc., of Wixom, Michigan, in the amount of \$20,000.00 for maintenance and materials and supplies needed for the effective operation of related revenue control equipment in the various parking lots and structures.

Councilmember Fink moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-302-7-92 APPROVED

RESOLUTION TO APPROVE MAGEC SOFTWARE
LEASE WITH AL LEE AND ASSOCIATES

Whereas, The Information Services Division of the Administrative Services Department wishes to renew the MAGEC software lease contract with Al Lee and Associates, Inc.;

Whereas, Al Lee and Associates is the sole vendor for this software lease; and

Whereas, Al Lee and Associates have been approved by the Personnel/Human Rights Department on May 21, 1992;

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

RESOLVED, That the City Administrator be authorized to issue a purchase order to Al Lee and Associates for the sum of \$18,000.00 for software maintenance; and

RESOLVED, That the City Administrator may renew the contract for three additional one-year terms if deemed in the best interest to the City.

Councilmember Fink moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-303-7-92 APPROVED

RESOLUTION APPROVING GRANT APPLICATION TO MICHIGAN DEPARTMENT OF NATURAL RESOURCES SOLID WASTE ALTERNATIVES PROGRAM

Whereas, The City desires to continue its comprehensive waste reduction and recycling programs;

Whereas, Educating Ann Arbor's public in appropriate waste reduction and recycling behavior is key to the enforcement of the City's Comprehensive Recycling Ordinance;

Whereas, The City provides recycling collection services to all of its residents, over half of whom live in multi-family residences;

Whereas, The City, in cooperation with the University of Michigan School of Natural Resources, conducted a 12-month recycling education pilot at 120 multi-family locations to monitor recycling participation and contamination levels;

Whereas, Multi-family complexes with more than 100 units demonstrated lower recycling participation levels during the pilot study period; and

Whereas, Forty percent of Ann Arbor's multi-family housing units are in structures greater than 100 units;

RESOLVED, That City Council authorize the City Administrator to prepare a \$30,000.00 recycling education grant to the State's Solid Waste Alternatives Program to test and evaluate various educational programs at large multi-family complexes, with up to \$18,000.00 requested from the State and up to \$12,000.00 in City matching funds to be taken from the 1993/94 Solid Waste Department operating budget;

RESOLVED, That the Mayor and Clerk be authorized to sign a contract with the State of Michigan accepting the grant if the grant application is successful; and

RESOLVED, That if awarded, the City Administrator be authorized to take any and all necessary steps to fully implement the grant including the appropriation of funds, and the execution of necessary purchase orders.

Councilmember Fink moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-304-7-92 APPROVED

RESOLUTION TO APPROVE ADDITION OF ANN ARBOR PROJECTS TO UATS TRANSPORTATION IMPROVEMENT PROGRAM FOR FISCAL YEARS 1993-1995

Whereas, The Ann Arbor-Ypsilanti Urban Area Transportation Study Committee (UATS), as part of federal funding requirements, must submit annually a three-year Transportation Improvement Program (TIP);

Whereas, By prior action, City Council approved the Capital Improvements Plan, which includes the City projects in the 1993-1995 TIP;

Whereas, Staff will submit projects to Council for authorization to proceed should federal aid become available for any project listed on the TIP; and

Whereas, UATS requires that all projects included in the TIP be submitted with a Council resolution;

RESOLVED, That the 1993-1995 Transportation Improvement Program for Ann Arbor, as filed in the City Clerk's Office, be hereby approved.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-305-7-92 APPROVED

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

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

Whereas, The City of Ann Arbor has entered into contract with the University of Michigan which begins July 1, 1992, to provide dental services to low-income Ann Arbor residents at the Community Dental Center;

RESOLVED, That the Mayor and City council approve the lease agreement with the Board of Regents of the University of Michigan for the building located at 406 North Ashley Street to begin July 1, 1992 and terminate June 30, 1993 and authorize the Mayor and City Clerk to execute the lease agreement substantially in the same form as on file in the Office of the City Clerk.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-306-7-92 APPROVED

RESOLUTION APPROVING AMENDMENT TO
THE WASHTENAW COUNTY ACT 641 SOLID
WASTE MANAGEMENT PLAN OF 1989

Whereas, the Department of Natural Resources (DNR) approved Washtenaw County's Act 641 Solid Waste Management Plan Update of 1989 (Plan) on June 6, 1991;

Whereas, The DNR's interpretation of the Plan indicated that the County's borders

would be closed to the import and export of solid waste if a Plan amendment was not developed within one year;

Whereas, It is in the best interest of Washtenaw County and the communities within the County to amend the Plan to address the issues of inter-county solid waste flow and long-term disposal capacity for waste generated within Washtenaw County;

Whereas, The County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Management Planning Committee to advise the BPW during the development of the Plan amendment;

Whereas, A Plan Amendment has been developed which addresses the issues of inter-county and long-term disposal capacity;

Whereas, The Ann Arbor City Council has been informed that on June 3, 1992 the Washtenaw County Board of Commissioners approved the Amendment to the Plan; and

Whereas, The Ann Arbor City Council has been requested to consider approval of the Plan with the June 3, 1992 Amendment;

RESOLVED, That the City of Ann Arbor hereby approve the Washtenaw County Act 641 Solid Waste Management Plan Update of 1989 with the June 3, 1992 Amendment to the Plan; and

RESOLVED, That the City Clerk forward a certified copy of this resolution to the Washtenaw County Department of Public Works.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-307-7-92 APPROVED

RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
TO HUMAN SERVICES 1992-93 BUDGET

Whereas, The Human Services Task Force has recommended the supplemental appropriation into the 1992-93 Budget of 1991-92 General Fund Human Services account balances; and

Whereas, The 1991-92 General Fund Human Services account has a balance of \$9,000.00;

RESOLVED, That the Mayor and City Council approve the supplemental appropriation of \$9,000.00 into the 1992-93 Human Services budget from the 1991-92 account balances in the aforementioned account.

Councilmember Eckstein moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-308-7-92 APPROVED AS AMENDED

RESOLUTION APPROVING STREET CLOSINGS FOR THE UNIVERSITY OF MICHIGAN STUDENT MOVE-IN

A resolution approving street closings for the University of Michigan student move-in was considered.

Councilmember Coleman moved that the resolution be adopted.

Council unanimously agreed that the following two paragraphs be deleted from the resolution:

<RESOLVED, That the City Council direct staff not to issue permits for the use of sidewalks within a one block area of the University of Michigan residents facilities for the period of September 5, 6 and 7, 1992 with the following exception: The University sponsored vending area along the west side of East University identified on the diagram (on file in the City Clerk's Office) as vending site number two; and

RESOLVED, That the City Council prohibit all peddling/soliciting activities within a three block area of the closed streets for the period of September 5, 6 and 7, 1992.>

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

The resolution as adopted reads as follows:

R-308-7-92

RESOLUTION APPROVING STREET CLOSINGS FOR THE UNIVERSITY OF MICHIGAN STUDENT MOVE-IN

Whereas, The City of Ann Arbor and the University of Michigan are cooperating in an effort to make the Labor Day Week-end Student Move-in, scheduled for September 5, 6 and 7, 1992, an orderly and efficient process;

Whereas, This will require the closing of certain streets each day between the hours of 6:00 a.m. and 6:00 p.m., the bagging of parking meters, and the use of street barricades;

Whereas, The City Code allows the City Council to restrict peddling at times and places of heavy congestion;

Whereas, The City Code provides for the issuance of revocable street occupancy permits for the use of City streets and sidewalks; and

Whereas, The University has requested that the meter bag deposit fee be waived;

RESOLVED, That the following streets be closed for the dates and times indicated:

- Thompson, from Monroe to Jefferson
- Madison, from Division to South State
- Jefferson, from Thompson to Maynard
- Maynard, from Jefferson to East William
- East University, from Hill to Willard
- Church, from Hill to Willard
- Observatory, from North University to East Ann
- North University Court
- Washington Heights, from Observatory to East Medical Center Dr.
- East Ann, from Observatory to Zina Pitcher Place

and;

RESOLVED, That the City Council waive the meter bag deposit fee.

RESOLUTION PROCLAIMING HURON RIVER DAY -1992

Whereas, The Huron River is a major environmental asset of the Ann Arbor Community;

Whereas, All residents of the Ann Arbor community should know how our river works and of our responsibilities, individual and joint, making it better;

Whereas, Many groups have been planning educational exhibits and guided walks in which individuals can learn about the river's ecology and their stewardship role;

Whereas, This is a day, above all, for residents of the Ann Arbor community to come and enjoy being on the river and its shores with games, races, exhibits, walks, music and ceremonies; and

Whereas, This is the 12th annual celebration of Huron River Day;

RESOLVED, That Sunday, July 19, 1992, be declared Huron River Day and all residents be invited to spend the day at Gallup Park in celebration of the river.

Councilmember Dodge moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-310-7-92 APPROVED

RESOLUTION TO DENY LIQUOR LICENSE REQUEST FROM TODD BARNUM - MAX'S AND ERMA'S

RESOLVED, That the Ann Arbor City Council hereby denies the request to grant a Class C Liquor License to Todd Barnum, owner of Max's and Erma's, to be located at Eisenhower and State St., Ann Arbor, MI.; and

RESOLVED, That a copy of this resolution be forwarded to the State of Michigan Liquor Control Commission in order that Todd Barnum may be considered for a Class C Resort Liquor License.

Councilmember Peterson moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-311-7-92 APPROVED

RESOLUTION TO DENY LIQUOR LICENSE REQUEST
FROM BOB STEINKAMP - APPLEBEE'S

RESOLVED, That the Ann Arbor City Council hereby denies the request to grant a Class C Liquor License to Bob Steinkamp, owner of Applebee's, to be located at Eisenhower and Saline-Ann Arbor Rd., Ann Arbor, MI.; and

RESOLVED, That a copy of this resolution be forwarded to the State of Michigan Liquor Control Commission in order that Bob Steinkamp may be considered for a Class C Resort Liquor License.

Councilmember Dodge moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

TABLED

RESOLUTION REGARDING NO TURN ON RED
RESTRICTION AT BROADWAY AND SWIFT STREETS

Whereas, City Council passed Resolution No. R-207-6-92 on June 1, 1992 which removed the no-turn-on-red restriction at Broadway and Swift Streets and requested that staff evaluate the parking north of the intersection;

Whereas, The prohibition on making a right turn on red from Swift onto Broadway was imposed through the issuance of Traffic Control Order #2023 after staff study concluded that a sight distance problem caused by parked vehicles on Broadway warranted such a prohibition; and

Whereas, Persons who travel through the intersection from Swift onto Broadway are asking that renewed evaluation be given to reducing the traffic backup created by the no-turn-on-red restriction;

RESOLVED, That the Ann Arbor City Council approve and direct the City

Administrator and the Transportation Manager to issue Traffic Control Order #2066 which will rescind Traffic Control Order #2023 thus removing the prohibition on making a right turn on red from Swift onto Broadway;

RESOLVED, That the Council Resolution No. R-207-6-92 approved on June 1, 1992 be rescinded; and

RESOLVED, That the Ann Arbor City Council direct the City Administrator to continue current parking provisions on the northwest side of Broadway, between Swift and Moore Streets.

Councilmember Coleman moved that the resolution be adopted.

Councilmember Nicolas moved that the resolution be tabled for a staff report and recommendations.

On roll call the vote was as follows:

Yeas, Councilmembers Dodge, Fink, Zimmer, Nicolas, Peterson, Eckstein, 6;

Nays, Councilmembers Hunter, Coleman, Mayor Brater, 3.

The Chair declared the motion carried and the resolution tabled.

REPORTS FROM COUNCIL COMMITTEES

COUNCILMEMBER HUNTER - RULES COMMITTEE/SPECIAL LIQUOR COMMITTEE

Councilmember Hunter reported that since he received many suggestions concerning changes to the Council Rules, a meeting of the Council Rules Committee will be arranged for all interested Councilmembers.

Councilmember Hunter further reported that the Special Liquor Committee will meet within two weeks to proceed with the process of screening applicants.

COUNCILMEMBER NICOLAS - ZONING BOARD OF APPEALS

Councilmember Nicolas reported that the Zoning Board of Appeals received a concern regarding the Historic District Ordinance from a citizen applying for an appeal. Mr. Nicolas stated that the ordinance is vague concerning the role of economic hardship in determining grants of appeals, and requested that the City Administrator make recommendations to

clarify the language in this matter. He further requested that the Administrator determine whether citizens who owned homes prior to existence of an historic district would be required to submit to the rules of the historic district.

COUNCIL PROPOSED BUSINESS

JUNE 15, 1992 REGULAR SESSION:

Resolution to Award Janitorial Services Contract for City Hall (Councilmember Hunter)

Ordinance Regarding Street Vendors (Councilmember Hunter)

COMMUNICATIONS FROM THE MAYOR

APPOINTMENT APPROVED

Council unanimously agreed to waive the Council Rules in order to confirm an appointment to the City Planning Commission.

Council unanimously concurred with the Mayor's following recommendation for appointment:

PLANNING COMMISSION

Samuel G. Offen (reappointment)
2330 Adare
Term: 7-6-92 to 6-30-95

NOMINATIONS PLACED ON TABLED

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

NATURAL FEATURES PRESERVATION COMMITTEE

Warren Attarian (replacing Kenneth R. Schwartz)
3490 Gettysburg

Christopher Graham (replacing Janis Bobrin)
725 Peninsula

Mary Borkowski (replacing Michael Garfield)

422 Crest

COUNCIL CALL-IN

Mayor Brater announced that the next Council Call-In is scheduled for Wednesday, July 8, from 6:30-8:00 p.m., and that Councilmember Meade would be on duty. The Mayor stated that the July 15 Council Call-In would be staffed by Councilmember Hunter.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Pigeons at Miller Manor
2. Blues and Jazz Concert at Gallup Park, September 11-13, 1992
3. Parking in Community High School Lot on Weekends
4. Investigation of Flashing Light at South University and Washtenaw Aves.
5. Street Plates on Fuller Road near Oakway
6. Stadium Boulevard Reconstruction Project - Conflicting Construction Signs
7. Recycle Ann Arbor Contract Amendments
8. Protest of Ordinance 26-92 - Morningside Condominiums Rezoning

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

COMMUNICATIONS FROM THE CITY ATTORNEY

REPORT ON COMPLETED ANNEXATION

City Attorney Elizabeth Schwartz submitted a report on the completed annexation of the Windspread Associates property, 3123 Cherry Tree Lane, 0.28 acre, from Pittsfield

Township. (Report on file in the City Clerk's Office)

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER NICOLAS

Councilmember Nicolas objected to deferring the resolution regarding benefits for domestic partners to the "Committee of the Whole". Mr. Nicolas stated that Committee of the Whole meetings are not very accessible to the public and that he would prefer scheduling Council working sessions on Monday evenings.

COUNCILMEMBER DODGE

Councilmember Dodge expressed concern that the City Clerk and Administrator were put in an unfavorable light when an invitation to an awards dinner honoring a prominent citizen was reported in the Ann Arbor News. Mr. Dodge stated that John Barfield, the community leader being honored, was also dragged into this unfortunate incident.

COUNCILMEMBER HUNTER

Councilmember Hunter stated that Council did not have an opportunity to comment on the context of the awards dinner prior to the report in the Ann Arbor News, and expressed concern that Mr. Barfield, as well as City staff, were dragged through this unfortunate process.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Washtenaw County Environmental Services Coordination Office regarding proposed regulations on roadside dumping and cost recovery after cleanup of environmental accidents - Solid Waste.
2. Official Notice of the Michigan Municipal League Annual Meeting, September 24-26, 1992 - File.
3. Communication from R. Bruce Laidlaw, 1907 Austin, regarding Michigan Supreme Court decision on nonconforming signs - File.
4. Communication from Christine Wylie, 1601 South Maple Rd., regarding Morningside

Condominiums Zoning (Ordinance No. 26-92) - Planning.

5. Communication from Julie Ross, 401 Nob Hill Ct., regarding South Main Street road repair - Engineering.
6. Communication from B.K. McCullough, representing Northern Telecom Inc., regarding closing of Varsity-Phoenix Drive for bicycle races - Transportation.

The following minutes were received for file :

1. Ann Arbor Commission on Disability Issues - May 11, 1992
2. Community Development Block Grant Executive Committee - May 18, 1992
3. Ann Arbor Transportation Authority Board - May 27, 1992
4. Housing Policy Board - June 17, 1992
5. Human Services Task Force - April 16, May 13, May 19 and June 26, 1992
6. Planning Commission - May 12 and 26, 1992

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

On a voice vote the Chair declared the motion carried.

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

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

On a voice vote the Chair declared the motion carried and the meeting adjourned at 11:20 p.m.

W. Northcross
Clerk of the Council

Janet L. Chapin
Recording Secretary