

REGULAR SESSION CONTINUED - OCTOBER 21, 1992

The regular session of the Ann Arbor City Council was called to order at 8:00 p.m. by Mayor Elizabeth S. Brater.

ROLL CALL OF COUNCIL

Present: Councilmembers Larry Hunter, Tobi Hanna-Davies, Kirk Dodge, Robert Grady, Kurt Zimmer, Peter Nicolas, Thais Anne Peterson, Robert Eckstein, Mayor Elizabeth S. Brater, 9

Absent: Councilmember Nelson Meade, 1

APPROVAL OF AGENDA

AGENDA APPROVED AS AMENDED

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

Delete: Resolution to Award a Professional Services Contract for Design of Ozonation Facilities and Other Improvements at Water Treatment Plant - RFP No. 229 (\$1,139,867) (Requires 8 votes)

Add: Resolution to Authorize Outside City Water Service Agreement for 3822 Platt Road (\$4,470.46) (Removed from the Consent Agenda)

Add: Resolution Supporting Efforts in Facilitating an Efficient Transition of the Jacobson's Space (Mayor Brater)

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

MOTIONS AND RESOLUTIONS

R-528-10-92 APPROVED

RESOLUTION IN OPPOSITION TO PROPOSAL C

Whereas, The City of Ann Arbor and other cities and villages in Michigan face unprecedented fiscal challenges, which were compounded when the State Legislature froze the property assessments of municipalities, causing a dramatic loss of revenue;

Whereas, The property tax is the foundation of financing the services provided by the City of Ann Arbor and other Michigan cities and villages;

Whereas, Tax Increment Financing (TIF) is an essential tool for economic development activities;

Whereas, The City of Ann Arbor and all municipalities - as well as the State Government and citizens of Michigan - have a vital interest in maintaining respect for, and confidence in, our property tax system;

Whereas, Proposal C ("Cut and Cap") will erode Ann Arbor's ability to sustain its property tax base, and will not provide reimbursement for lost property tax revenue, lost TIF revenue, and lost administrative fees, or for increased administrative costs;

Whereas, The guaranteed reimbursement to schools for the 30% school tax exemption provision of Proposal C will increase the likelihood of cuts in revenue sharing;

Whereas, The City of Ann Arbor depends on this essential revenue source; and

Whereas, The respective assessment cap provisions of Proposal C will undermine respect for, and confidence in, our property tax system, because over time, identical houses in the same community will be assessed at dramatically different values and thus pay dramatically different amounts of property taxes;

RESOLVED, That the City of Ann Arbor join with municipalities throughout Michigan in vigorously opposing property tax ballot Proposal C.

Councilmember Nicolas moved that the revised resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Grady, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 8
Nays, Councilmembers Dodge, Fink, 2

The Chair declared the motion carried.

R-529-10-92 APPROVED

RESOLUTION REGARDING PROPOSED CHANGES TO
THE CITY COUNCIL RULES

Whereas, The Ann Arbor City Council is committed to a process to enhance opportunities to receive citizens input;

RESOLVED, That the Council Rules be amended as to form and the City Clerk shall administer the following:

- 1) A total of 8 speakers shall be allowed to address council during time designated as public commentary
- 2) No more than 12 names shall be signed up for time designated as public commentary with the final 4 speakers, i.e. (9-12) to be listed as alternate speakers.
- 3) The Clerk shall sign up speakers beginning at 8:00 a.m. on Monday or the day when the Ann Arbor City Council has scheduled a regular or special session.
- 4) The City Clerk shall sign up citizens interested in speaking during the time designated as public commentary as follows:
 - a. PHONE - 4 speakers and two alternates shall be signed up on a first come, first served basis by calling the Clerk's Office beginning at 8:00 a.m. on Monday or the day when a regular or special session of the Ann Arbor City Council is scheduled.
 - b. IN PERSON - 4 speakers and two alternates shall be signed up on a first come, first served basis by signing up at the Clerk's Office beginning at 8:00 a.m. on Monday or the day when there is a regular or special session of the Ann Arbor City Council scheduled; and

RESOLVED, That these rules be effective the second regular session in November, 1992.

Councilmember Nicolas moved that the revised resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Dodge, Fink, Grady, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 10
Nays, 0

The Chair declared the motion carried.

R-530-10-92 APPROVED

RESOLUTION TO EXPAND TRANSPORTATION TASK FORCE MEMBERSHIP

Whereas, The present membership on the Transportation Task Force does not include a high school student;

RESOLVED, That the Transportation Task Force be expanded to include one (1) representative of Ann Arbor high school students.

Councilmember Hunter moved that the resolution be approved.

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

R-531-10-92 APPROVED

RESOLUTION TO REQUIRE MAYOR AND COUNCIL MAILING REPORTS

Whereas, The Mayor and City Councilmembers currently enjoy unlimited mailing privileges for the purpose of responding to requests from constituents and for other official purposes;

Whereas, This privilege is an important one because it enables anyone regardless of income to carry out the duties of the offices of Mayor or Councilmember without having to make a personal financial sacrifice;

Whereas, At the present time, there is no limit on the use of this privilege, nor is there any record of the number of pieces of correspondence which the Mayor and Councilmembers mail each month at the taxpayers' expense;

Whereas, Other legislative bodies, such as the United States Congress, keep records on the number of pieces of mail which their members mail out at taxpayers' expense; and

Whereas, In this time of mounting voter cynicism, the Ann Arbor City Council should take a leadership role in avoiding even the appearance of potential conflicts of interest;

RESOLVED, That the Mayor and individual members of City Council shall prepare and submit "Mailing Statements" at the end of any month in which they use the city mailing privileges;

RESOLVED, That such "Mailing Statements" shall include the name of the Councilmember, the month and year, and the number of pieces of mail sent that month at taxpayers' expense;

RESOLVED, That, such "Mailing Statements" shall be filed with the Mayor/Council secretary and be made available to anyone who requests a copy; and

RESOLVED, That this will take effect in November 1992 and continue until the end of April 1993 at which point the results of such reports can be used to determine if the "mailing Statements" are necessary and if future changes to the current mailing policy are needed.

Councilmember Zimmer moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Dodge, Fink, Zimmer, Nicolas, Eckstein, Mayor Brater, 6
Nays, Councilmembers Hunter, Hanna-Davies, Grady, Peterson, 4

The Chair declared the motion carried.

R-532-10-92 APPROVED

RESOLUTION TO APPROVE A SUPPLEMENTAL APPROPRIATION
AND TO AWARD A PROFESSIONAL SERVICES CONTRACT
FOR DAM SAFETY INSPECTIONS AND RELATED STUDIES
(\$140,181)

Whereas, It is the requirement of Federal Energy Regulatory Commission (FERC) and Michigan Department of Natural Resources that the City-owned dams at Barton, Argo, Geddes and Superior be inspected by an independent consultant; and that it is necessary that Harza Engineering Company assist the City in submitting responses to questions by FERC regarding the Barton and Superior Hydropower Projects;

Whereas, Since 1971 Harza has performed for the City the dam and hydropower related engineering designs and performed all of the past dam inspections in a superior manner, and has been specifically approved to perform the FERC required dam inspections;

Whereas, The Harza Engineering Company has submitted to the City a proposal in the amount of \$130,181 to perform dam inspections and assist the City in responding to FERC's questions regarding the Barton and Superior Hydropower Projects; and

Whereas, On October 12, 1992 the Personnel/Human Rights Department approved Harza Engineering Company for said contract;

RESOLVED, That Council accepts the proposal and awards a contract to Harza Engineering Company in the amount of \$130,181 to perform dam inspections and to assist the City in responding to FERC's concerns for Barton and Superior Projects;

RESOLVED, That Council approves a contingency of \$10,000 for change orders to be approved by the City Administrator;

RESOLVED, That \$17,181 is to be funded from the Utilities Department Water Supply Fund Operating Budget and that Council approves a supplemental appropriation from the Hydropower System Fund to finance \$123,000;

RESOLVED, That \$140,181 is appropriated for the life of the project, to be available until expended without regard to the fiscal year; and

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

Source of Funds: Waste Supply System Fund Approved
Operating and Maintenance Budget, FY 92/93 and Supplemental
Appropriation from the Hydropower System Fund

Councilmember Hunter moved that the resolution be approved.

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

TABLED

RESOLUTION TO AUTHORIZE THE INSTALLATION OF TRAFFIC SIGNALS AT ASHLEY AND MILLER AND GLAZIER WAY AND HURON PARKWAY (\$125,000)

Whereas, The intersections of Ashley and Miller and Glazier Way and Huron Parkway warrant traffic signals in accordance with the Michigan Manual of Uniform Traffic Control Devices; and

Whereas, Funding for the signalization of these intersections was provided for in the Public Service Department's FY 92-93 budget;

RESOLVED, That the City Council authorizes the City Administrator to issue the necessary traffic control orders to install said traffic signals; and

RESOLVED, That the City Council authorizes issuance of the necessary purchase orders for materials, supplies, and contracted services for the traffic signals, conditioned on approval by Personnel/Human Rights and compliance with City bidding procedures.

Councilmember Dodge moved that the resolution be approved.

Councilmember Hunter moved that the resolution be tabled and referred to the Committee of the Whole meeting for further staff input.

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

TABLED

RESOLUTION TO AUTHORIZE THE INSTALLATION OF TRAFFIC SIGNAL AT HURON PARKWAY AND HURON RIVER DRIVE (NOT TO EXCEED \$80,000)

Whereas, The intersection of Huron Parkway and Huron River Drive warrants a traffic signal in accordance with the Michigan Manual of Uniform Traffic Control Devices;

RESOLVED, That the City Council authorizes the City Administrator to issue the necessary traffic control order to install said traffic signal;

RESOLVED, That the City Council authorizes the transfer of \$80,000 from the

Parks Department Recreational Facilities Fund Unreserved Retained Earnings to the Public Services Department Major Street Fund, and establishment of a special expenditure account for this project; and

RESOLVED, That the City Council authorizes issuance of the necessary purchase orders for materials, supplies, and contracted services for the traffic signal, conditioned on approval by Personnel/Human Rights and compliance with City bidding procedures.

Councilmember Dodge moved that the resolution be approved.

Councilmember Hunter moved that the resolution be tabled and referred to the Committee of the Whole for further staff input.

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

R-533-10-92 APPROVED

RESOLUTION TO AUTHORIZE THE INSTALLATION OF A TRAFFIC SIGNAL AT N. MAPLE ROAD AND MAPLE VILLAGE SHOPPING CENTER AND VETERAN'S PARK (\$80,000)

Whereas, The intersection of N. Maple Road and Maple Village Shopping Center/Veteran's Park warrants a traffic signal in accordance with the Michigan Manual of Uniform Traffic Control Devices;

Whereas, The Ann Arbor Transportation Authority (AATA) has applied for federal funds through the State of Michigan;

Whereas, The Michigan Department of Transportation has approved this application and has submitted a contract to the City and AATA to execute; and

Whereas, The Ann Arbor Transportation Authority has approved the execution of this contract;

RESOLVED, That the City Council authorizes the City Administrator to issue the necessary traffic control order to install said traffic signal;

RESOLVED, That the Public Services Department establish the necessary expenditure and revenue accounts to complete the installation of the traffic signal increasing the Major Street Fund budget by \$80,000, the amount of the cost of the project, which will be reimbursed by the Ann Arbor Transportation Authority;

RESOLVED, That City Council authorizes issuance of the necessary purchase orders for materials, supplies, and contracted services for the traffic signal, conditioned on approval by Personnel/Human Rights and compliance with City bidding procedures; and

RESOLVED, That the City Administrator is authorized to execute contract no. 92-1328 with the State of Michigan and the Ann Arbor Transportation Authority for this project.

Councilmember Peterson moved that the resolution be approved.

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

TABLED

RESOLUTION TO TRANSFER WITHIN RETIREMENT
FUND APPROPRIATIONS (\$15,500)

Whereas, The cost of providing part-time assistance to serve members of the Pension System is \$15,500;

RESOLVED, That the City Administrator is authorized to transfer funds within the 1992-93 budget as follows:

010-019-0210	Pension/Social Security	(\$15,500)
010-019-0130	Retirement Expense	\$15,500

Councilmember Grady moved that the resolution be approved.

Councilmember Hunter moved that the resolution be tabled to December 7, 1992, pending determination of the Retirement Board's relationship with the City Council and the Board's responsibilities, in particular its ability to sign leases and hire employees without prior Council approval.

On a voice vote, the Chair declared the motion carried and the resolution tabled to December 7, 1992.

R-534-10-92 APPROVED AS AMENDED

RESOLUTION ESTABLISHING AN ADMINISTRATIVE PROCESSING
FEE FOR SECOND PARTY VEHICLE IMPOUNDMENTS AND
A POLICE DEPARTMENT EQUIPMENT AND TECHNOLOGY FUND

Councilmember Nicolas moved that the resolution be approved.

Councilmember Hunter moved that the resolution be amended as follows:

Delete fourth paragraph:

~~————<Therefore Be It Resolved, That a Police Equipment and Technology Fund be established, Account Number 010-031-0110-5120, for the purchase of equipment and technology for the police department.>~~

Delete seventh paragraph:

~~————<Be It Further Resolved, that all second party vehicle impoundment administrative processing fees remitted to the City will be deposited in the Police Department Revenue Source 010-031-5116 and \$20,000 appropriated to the Police Department Equipment Budget 010-031-0110-5130.>~~

Revise eighth paragraph:

Be It Finally Resolved, That the City Administrator is directed to establish an Administrative Processing Fee for second party vehicle impoundments.<and to deposit all said fees collected in the Police Equipment and Technology Fund.>

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

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

Following is the resolution as amended:

R-534-10-92 APPROVED

RESOLUTION ESTABLISHING AN ADMINISTRATIVE PROCESSING FEE FOR SECOND PARTY VEHICLE IMPOUNDMENTS AND A POLICE DEPARTMENT EQUIPMENT AND TECHNOLOGY FUND

Whereas, The Police Department processes approximately 2,000 second party vehicle impoundments per year;

Whereas, approximately \$10.00 in costs are incurred for processing each second party vehicle impoundment; and

Whereas, User fees have become a method of assessing governmental costs to the particular persons being served;

RESOLVED, that a \$10.00 Administrative Processing Fee be charged to the owners of vehicles impounded pursuant to Title X, Chapter 126, Section 10:137 of the Code of the City of Ann Arbor (Vehicle Trespass);

RESOLVED, That said fees will be collected by City contracted towing companies prior to releasing second party vehicle impoundments and all fees collected will be remitted to the City upon receipt of a monthly invoice prepared by the Police Department; and

RESOLVED, That the City Administrator is directed to establish an Administrative Processing Fee for second party vehicle impoundments.

R-535-10-92 APPROVED

RESOLUTION ACCEPTING GRANT OF EASEMENT FROM LAWRENCE D. SKLAR 400 MAPLE RIDGE

Whereas, Lawrence D. Sklar, a single man, is the owner of property described below:

The easterly 20.00 feet of the southerly 6.00 feet of Lot 26, and the easterly 20.00 feet of the northerly 19.00 feet of Lot 27. Being part of Assessor's Plat No. 10, of the City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 8 of Plats, Page 19, of Washtenaw County Records; and

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

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

Councilmember Hunter moved that the resolution be approved.

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

R-536-10-92 APPROVED

RESOLUTION APPROVING RELOCATION OF UTILITY EASEMENT
407 N. SEVENTH STREET (IRAOLA PROPERTY)

Whereas, Adrian and Lori J. Iraola, are the owners of property located in the City of Ann Arbor, Michigan, described as follows:

Lot 11 and the south 1/2 of Lot 12, Assessor's Plat No. 10 of the City of Ann Arbor, according to the plat thereof recorded in Liber 8 of Plats, Page 19, Washtenaw County Records;

and

Whereas, There is an existing easement for public utilities over the southerly 30 feet of said lot; and

Whereas, The parties wish to relocate the easement;

RESOLVED, That the City hereby releases and quit claims its rights to the southerly 30 feet of the above described property upon the condition that the City receive a grant of easement for the installation and maintenance of utilities which easement is described as follows:

Beginning at the southeast corner of Lot 11 of "Assessor's Plat No. 10" as recorded in Liber 8 of Plats, Page 19, Washtenaw County Records; thence westerly along the southerly line of said Lot 65.00 feet; thence deflecting to the right 29E 51' 30" to a point on the westerly line of said lot, said point being 34.59 feet southerly of the northwest corner of the south 1/2 of Lot 12 of "Assessor's Plat No. 10"; thence northerly 34.59 feet along the westerly line of said lot 11 and the south 1/2 of Lot 12 to the northwest corner of the south 1/2 of Lot 12; thence deflecting to the right 119E 51' 30" to a point 30.00 feet northerly of the southerly line of Lot 11; thence easterly parallel to the southerly line of Lot 11 to a point 47.00 feet westerly of the easterly line

of Lot 11; thence southerly parallel with the easterly line of said lot to a point 24.00 feet northerly of the southerly line of said lot; thence easterly parallel to the southerly line of said lot to a point 33.00 feet westerly of the easterly line of said lot; thence northerly parallel to the easterly line of said lot to a point 30.00 feet northerly of the southerly line and 33.00 feet westerly of the easterly line of said lot; thence easterly parallel to the southerly line of said lot to a point on the easterly line of said lot; thence southerly along the easterly line of said lot 30.00 feet, said line also being the westerly line of "North Seventh Street," to the southeast corner of said lot 11, said corner being the Point of Beginning.

Excepting that part of the above-described parcel which lies within the southerly 28.00 feet of the westerly 28.00 feet of Lot 11 of "Assessor's Plat No. 10," as recorded in Liber 8 of Plats, Page 19, Washtenaw County Records; and

RESOLVED, That the Mayor and City Clerk are authorized to execute the documents necessary for the release and acceptance of these easements.

Councilmember Hunter moved that the resolution be approved.

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

R-537-10-92 APPROVED

RESOLUTION TO VACATE UTILITY EASEMENT OVER PORTIONS OF LOTS 6, 7, 18, AND 19 OF BEDFORD BUTTNER COMMERCIAL SUBDIVISION

Whereas, The owner has requested the vacation of a utility easement along the rear lot lines of the property described below; and

Whereas, The City has no utilities installed in the easement and has no plans for the installation of any utilities in the easement;

RESOLVED, That the City hereby releases all rights it has in the easement running east and west along the rear lot lines of Lots 6, 7, 18 and 19 of Bedford-Buttner Commercial Subdivision as shown on the plat thereof recorded in Liber of _____ Plats, Page _____, Washtenaw County Records.

Councilmember Hunter moved that the resolution be approved.

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

TABLED

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND ALL NON-UNION PAY SCHEDULES TO ALLOW FOR A FISCAL YEAR 1992-93 SALARY ADJUSTMENT

Whereas, The City Administrator traditionally recommends, on or about July 1, to City Council a yearly adjustment to the non-union pay schedules to allow for a non-union pay increase;

Whereas, The amount of this increase historically follows a pattern set by the result of union labor contracts and is solely dependent upon the economic health of the City; and

Whereas, On-going contract negotiations forced a delay of this recommendation until this date;

RESOLVED, That the City Administrator is authorized to take all administrative action to amend all non-union pay schedules to allow for a two (2) percent non-union pay increase in FY 1992-93; and

RESOLVED, That the effects of these increases be retroactive to July 1, 1992.

Councilmember Hunter moved that the resolution be approved.

Councilmember Hunter moved that the resolution be tabled to November 2, 1992, pending discussion by the Committee of the Whole of his proposal that non-union ranges which include positions that are parallel or comparable to AFSCME positions, ranges 7, 8, 12, 13, 14 and 18, be amended to allow for a 5% annual increase.

On a voice vote, the Chair declared the motion carried and resolution tabled to November 2, 1992.

R-538-10-92 APPROVED

RESOLUTION TO ELIMINATE NON-UNION PERFORMANCE PAY

Whereas, The semi-annual non-union Performance payment is outdated and conflicts with the Executive/Professional Pay Plan; and

Whereas, This performance payment is not indexed for inflation and has not been adjusted in recent history;

RESOLVED, That the December, 1992, semi-annual Performance payment of \$166 be paid in cash as per the *status quo ante* performance pay system;

RESOLVED, That beginning January 1, 1993, non-union Performance pay be eliminated and that the annual payment of \$332 be incorporated into the base pay of all non-union employees;

RESOLVED, That all references to performance pay be eliminated from the City's Personnel Rules and Regulations and that no further performance payouts be made; and

RESOLVED, That the City Administrator is authorized to take all administrative action, including amending all non-union pay schedules to allow for the addition of the performance pay amount to the base salaries of all non-union employees, to effect this change.

Councilmember Hunter moved that the resolution be approved.

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

R-539-10-92 APPROVED

RESOLUTION REGARDING INTERVENTION IN
DETROIT EDISON RATE CASE

Whereas, The Detroit Edison Electric Company has filed a rate case with the Michigan Public Service Commission;

Whereas, The Michigan Public Service Commission has ordered a hearing on experimental wheeling tariffs; and

Whereas, These pending cases will have ramifications for the rates paid by the City of Ann Arbor for electric power;

RESOLVED, That the Office of the City Attorney is authorized to intervene as a

party to the pending Detroit Edison rate and wheeling cases on behalf of the City of Ann Arbor.

Councilmember Peterson moved that the resolution be approved.

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

R-540-10-92 APPROVED

RESOLUTION TO APPROVE FOURTH ANNUAL CHILDREN'S HOLIDAY PARADE STREET CLOSING AND FEE WAIVER (\$575 POLICE SERVICES AND \$580 METER BAG DEPOSIT WAIVED)

Whereas, The Main Street Association is sponsoring its Fourth Annual Children's Holiday Parade on December 6, 1992 commencing at 12 noon and ending at approximately 12:30 p.m.;

Whereas, In order to accommodate the 500 children participating in the parade, the Main Street Area Association has requested the downtown area streets be closed from 11:00 a.m. until approximately 2:00 p.m.; and

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

RESOLVED, That the following streets be closed from 11:00 a.m. until 2:00 p.m. on December 6, 1992:

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

RESOLVED, That fees for City Services (Police) totaling \$575 be allocated from the Community Events Account and that the requirement of \$580 deposit for meter bags be waived.

Councilmember Hunter moved that the resolution be approved.

On a voice vote, the Chair declared the motion carried with Councilmember Hunter

dissenting.

R-541-10-92 APPROVED

RESOLUTION RECOGNIZING HURON SERVICES FOR YOUTH AS NONPROFIT ORGANIZATION

Whereas, Huron Services for Youth is a nonprofit institution;

Whereas, The United States Department of Treasury - Internal Revenue Services has recognized Huron Services for Youth as a nonprofit organization by giving it tax exempt status; and

Whereas, Huron Services for Youth needs the City to recognize it as a nonprofit organization in order to conduct fundraising with State approval;

RESOLVED, That the City of Ann Arbor recognizes Huron Services for Youth as a nonprofit organization in the City of Ann Arbor.

Councilmember Hunter moved that the resolution be approved.

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

R-542-10-92 APPROVED

RESOLUTION REGARDING GRADING PERMIT AND BUILDING PERMIT (NOS. 2360, 2361, 38286) NORTH OF MILLER ALONG THE AA RAILROAD

Whereas, The Building Department has reviewed information regarding an application for a grading and building permit on properties located along the Ann Arbor Railroad north of Miller Ave.;

Whereas, The Building Department has received information that ownership of the above properties is currently in dispute and subject to litigation; and

Whereas, The Building Department in a letter dated September 16, 1992 has suspended all permits involving the above properties;

RESOLVED, That the Mayor and Ann Arbor City Council hereby concur with the Building Department decision to suspend all permits for C & L properties as described above; and

RESOLVED, That the Building Department shall not issue any permits for properties located along the Ann Arbor Railroad and north of Miller Avenue without the recommendation of the City Attorney and the approval of the Ann Arbor City Council.

Councilmember Hunter moved that the resolution be approved.

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

R-543-10-92 APPROVED

RESOLUTION TO AUTHORIZE AUDIT AND PREPARATION OF FINANCIAL STATEMENTS OF THE ANN ARBOR HOUSING COMMISSION

Whereas, The annual financial statements of the City of Ann Arbor are required to include the financial statements of the Ann Arbor Housing Commission; and

Whereas, It is now apparent that the financial statements of the Ann Arbor Housing Commission will not be delivered to the City on a timely basis;

RESOLVED, That the Mayor and City Council direct the Ann Arbor Housing Commission to immediately make available all records and accounts to the City's auditor to conduct an audit and prepare the required Ann Arbor Housing Commission statements for the year ended June 30, 1992; and

RESOLVED, That the City Administrator is authorized to make arrangements for the audit and preparation of the financial statements.

Councilmember Hunter moved that the resolution be approved.

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

R-544-10-92 APPROVED

RESOLUTION TO AUTHORIZE OUTSIDE CITY WATER

SERVICE AGREEMENT FOR 3822 PLATT ROAD
(\$4,470.46)

Whereas, Cecil Hogan and Teresa Hogan are the owners of property located at 3822 Platt Road, Ann Arbor, Michigan, which is more fully described as follows:

All that part of a parcel of land in the Southeast 1/4 of the Southeast 1/4 of Section 10, Town 3 South, Range 6 East, Pittsfield Township, Washtenaw County, Michigan, described as: Commencing at the northeast corner of the southeast 1/4 of the southeast 1/4 of said section 10, thence south 20 rods along the east line said section 10 for a point of beginning; thence west 22 rods, thence south 6 rods and 3 feet; thence east 22 rods, thence north 6 rods and 3 feet; to the point of beginning, which lies northeasterly of a line 125 feet northeasterly of (measured at right angles) and parallel to the survey line of highway M-17 (Ann Arbor south belt). Said survey line of Highway M-17 (Ann Arbor south belt) is described as: Beginning at a point which is east along the south line of Section 11, Town 3 South, Range 6 East, Pittsfield Township, Washtenaw County, Michigan, 994.37 feet from the Southwest corner of said Section 11, thence North 57 degrees 35 minutes 10 seconds west 2000 feet to a point of ending. Subject to assessments and restrictions of record, if any;

and

Whereas, said owners are desirous of immediately connecting their property to the city water supply and have agreed to petition immediately for annexation to the City; and

Whereas, The City has agreed to pay the cost of the improvement charge for the water main and the cost of connecting the water main to the house on the property;

RESOLVED, That this Council approves the agreement currently on file with the City Clerk which provides for the connection of the above property of the City water supply. The Mayor and City Clerk are authorized to sign the agreement after approval of its substance by the City Administrator and its form by the City Attorney; and

RESOLVED, That the sum of \$4,470.46 is hereby appropriated from the Environmental Bond, Series A - Contingency Balance - to pay the costs of the connection.

Councilmember Nicolas moved that the resolution be approved.

Councilmember Fink asked for and received the unanimous consent of Council to abstain due to a possible conflict of interest should he vote on this matter.

The question on the floor is approval of the resolution, on a voice vote, the chair declared

the motion carried with Councilmember Fink abstaining.

R-545-10-92 APPROVED

RESOLUTION SUPPORTING EFFORTS IN FACILITATING AN EFFICIENT TRANSITION OF THE JACOBSON'S SPACE

Whereas, The Ann Arbor City Council, on September 8, 1992, adopted a resolution supporting the City Administrator's efforts in cooperating with Jacobson's and other retailers in the State Street area with regard to parking and other factors that are important to successful retail operations in the downtown; and

Whereas, It is in the City's best interest, in order to maintain a growing and viable downtown, to continue to offer assistance to prospective retailers, such as providing parking, processing permits quickly and easily, supporting special sales events, and offering the assistance and support of all City departments and the Downtown Development Authority, in a fashion similar to what was offered to Jacobson's;

RESOLVED, That the Ann Arbor City Council will support arrangements made by the City Administrator with any retailer assuming the Jacobson's space consonant with the conditions specified in the City Administrator's communications to Jacobson's dated June 18, 1992, and July 8, 1992.

Councilmember Peterson moved that the resolution be approved.

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

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

For November 2, 1992

Amendment to the Snow Removal Ordinance (Councilmember Grady)

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS APPROVED

Mayor Brater asked for confirmation of the following appointments:

INDOOR CLEAN AIR TASK FORCE

Barbara J. Madsen (citizen-at-large)
120 Virginia Avenue

TRANSPORTATION TASK FORCE

Robert Grady, City Councilmember
100 N. Fifth Avenue

Michael Bolton, AATA representative
2700 S. Industrial Highway

Owen Jansson, parent of Ann Arbor school children
1325 Minerva

Susan Kirkpatrick, University of Michigan representative
2014 Fleming Administration Building

Tom Conlin, business representative
3270 Washtenaw

Albert E. Gallup, Bicycle Coordinating Committee representative
1201 Bydding

Janet Cohen, citizen-at-large
2565 Plymouth Road

Dr. Raymond DeYoung, conservation behavior specialist
3270 Williamsburg

Dr. Marc Ross, energy and air pollution specialist
1056 Martin Place

Councilmember Hunter moved that Council concur in the recommendations of the Mayor.

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

APPOINTEES NOMINATED

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

TRANSPORTATION TASK FORCE

Nelson K. Meade, City Councilmember
100 N. Fifth Avenue

ANN ARBOR TRANSPORTATION AUTHORITY

James H. Saalberg (replacing Myrtle Cox at term expiration)
2711 Provincetown
Term: 11/02/92 to 11/02/97

COUNCIL PHOTOGRAPHS

Mayor Brater announced that annual Council photographs will be taken during the next regular session of Council, November 2, 1992, if there are no objections.

MAYORS INSTITUTE ON CITY DESIGN

Mayor Brater's project at the Mayors Institute on City Design was a presentation on the currently vacant Ann Arbor Inn. A group consensus was that the City acquire the property and gain input on developer ideas through RFP's.

WORKING SESSION SCHEDULED

Mayor Brater announced a working session on November 9, to discuss the Central Area and Downtown plans with representatives from the DDA and Housing Policy Board.

DOWNTOWN RETAIL SPACE TASK FORCE

A Task Force for the purpose of marketing vacant spaces in the Downtown area is proposed.

COUNCIL CALL-IN

Council call-in for October 28 will be conducted by Councilmember Eckstein from 6:30 to 8:00 p.m.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Gatta distributed the following information memorandums:

1. Materials Recovery Facility "MRF" Procurement Strategy - Update
2. Saturday Parking on the East Side of Fifth Avenue
3. Ticket Issued to the Developer of Steere Gardens (Packard and Independence)
4. Repairs to Brick Streets

COMMISSION ON EFFICIENCY IN GOVERNMENT

City Administrator Gatta informed Council of the reconfiguration of the former Mayor's Blue Ribbon Commission on Efficiency in Government to work with the University of Michigan on operational issues such as lost time from work, medical costs and recycling.

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

None.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

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

1. Ann Arbor Energy Commission - September 10, 1992
2. Sign Board of Appeals - March 10 and June 9, 1992
3. Building Board of Appeals - March 24, April 27, May 26, June 23, July 28, August 25, 1992
4. Zoning Board of Appeals - March 18, and 25, April 14, July 15, and August 18, 1992
5. Housing board of Appeals - March 3, April 7, May 5, July 21 and August 4, 1992.

Councilmember Hunter moved that the Clerk's Report be approved.

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

ADJOURNMENT

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

On a voice vote, the Chair declared the motion carried unanimously and the meeting was adjourned at 9:20 p.m.

W. Northcross
Clerk of the Council

Linda J. Wise
Recording Secretary