

REGULAR SESSION - FEBRUARY 1, 1993

The regular session of the Ann Arbor City Council was called to order at 7:35 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 (entered at 8:34 p.m.), Tobi Hanna-Davies, Kirk D. Dodge, Peter Fink, Robert C. Grady, Nelson K. Meade, Kurt Zimmer, Peter Nicolas, Thais Anne Peterson, Mayor Elizabeth S. Brater, 10.

ABSENT : Councilmember Robert Eckstein, 1.

INTRODUCTIONS

APPRECIATION EXPRESSED

Mayor Brater thanked Councilmember Nicolas who served as temporary Mayor during the last regular session of Council while she and Mayor pro tem Hunter were out of town attending the U.S. Conference of Mayors meeting and inauguration events in Washington, D.C.

PUBLIC COMMENTARY - RESERVED TIME

HARLENE HARRIS - HOUSING COMMISSION

Harlene Harris, 253 S. Seventh St., stated that UNITY representatives who appeared at previous Council meetings do not represent the views of all UNITY members. Ms. Harris questioned UNITY's practices and expressed concern with the disregard for rules at public housing sites.

PAUL LAMBERT - HOUSING

Paul Lambert, 530 S. State St., stated that the closing of the Willow Run General Motors plant will further burden social service delivery systems in the area. Mr. Lambert expressed concern with the attitudes against the needy, and asked Council to take a leadership role with the housing crisis issue.

JOANNE BARRON - PLACID WAY PARK

Joanne Barron, 2415 Traver Rd., representing the Placid Way Park Fund, spoke in opposition to naming the new park on Placid Way "Sellards Park". Ms. Barron stated that the Traver/Placid Way neighborhood and the Park Advisory Commission support the name "Placid Way Park", and requested that this name be established in order to continue successful fund raising activities for the park.

MIKE PARKER - FULLER RD./OAK WAY PROJECT

Mike Parker, 5300 W. Michigan Ave., representing the Washtenaw County organization of plumbers and pipefitters, expressed concern with the City's delay on the road design around the V.A. Hospital. Mr. Parker urged approval of the road project so that plans for the hospital expansion could proceed.

LLOYD JACOBS - FULLER RD./OAK WAY PROJECT

Lloyd Jacobs, 2215 Fuller Rd., spoke in support of the Fuller/Oak Way road realignment which would allow the expansion of the V.A. Hospital to proceed. Mr. Jacobs stated that government and citizen groups have come together to support a project that will produce a great social benefit.

CHARLES TACKETT - VIETNAM VETERANS RESOLUTION

Charles Tackett, 912 Daniel St., spoke in support of the resolution supporting the establishment of a Vietnam Veterans Day. Mr. Tackett stated that this project is important as an educational process that would be passed along to future generations.

GARY LILLIE - FULLER RD./OAK WAY PROJECT

Gary Lillie, representing the Vietnam Veterans of America, encouraged Council to approve the Fuller/Oak Way road realignment to allow the expansion of the V.A. Hospital. Mr. Lillie emphasized that the hospital expansion would not only benefit veterans, but would generate a lot of business in the community on a short and long-term basis.

PUBLIC HEARINGS

FEE FOR FALSE ALARMS (ORDINANCE NO. 86-92)

A public hearing was conducted on the proposed amendment to Chapter 93, Section 7:404 - Fee for False Alarms. Notice of public hearing was published January 26, 1993.

The following person appeared:

Roland Erwin, 2015 Wiltshire Ct., spoke in support of both alarm fee proposals as a reasonable compromise, but requested that the language in Section 7:33 (Ordinance No. 87-92) be changed from alarm "connection" to "administration" fee to avoid confusion.

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

ALARM CONNECTION ANNUAL FEE (ORDINANCE NO. 87-92)

A public hearing was conducted on the proposed amendment to Chapter 77, Section 7:33 - Alarm Connection Annual Fee. Notice of public hearing was published January 26, 1993.

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

MILLAGE PROPOSAL FOR PARK MAINTENANCE AND REPAIR

A public hearing was conducted on the proposal to amend the City Charter to authorize a .45 mill tax for five years to provide funds for financing park maintenance and repair. The proposed charter amendment would appear as a question on the April 5 General City Election ballot. Notice of public hearing was published January 30, 1993.

The following persons appeared in support of the proposal recommended by the Park Advisory Commission to insure the continued maintenance and preservation of the City's varied park system:

Bob Elton, 525 N. Ashley St., Park Advisory Commission Chairman

Jerene Calhoun, 7 Metroview Ct., Park Advisory Commission member

George Sexton, 1541 Covington Dr., Park Advisory Commission member

Kim Waldo, 3423 Charing Cross Rd.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

MOTIONS AND RESOLUTIONS

Delete: Resolution to Award Contracts for Design, Construction and Operation of a Materials Recovery Facility/Waste Transfer Station (\$5,100,000.00)

Add: Resolution Regarding Vietnam Veterans Day (Councilmember Hunter)

Add: Resolution to Abandon Oakway Road When Necessary to Allow the V.A. Hospital Expansion (Councilmember Zimmer)

Add: Resolution to Support Full Tenant Management at Ann Arbor Public Housing Sites (Councilmembers Eckstein and Zimmer)

Add: Resolution to Waive Parking Meter Bag Fees for the Annual Kiwanas Sale on February 4, 5 and 6 (Councilmember Eckstein)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: Park Advisory Commission Action on Naming of Park on Placid Way

CLERK'S REPORT

Add: Communication from Tom Fifield, President of Washtenaw County Chapter of Vietnam Veterans of America, regarding road project around VA Medical Center - File.

Add: Communication from Warren D. McLean, President of Ann Arbor Board of Realtors, transmitting resolution in opposition to proposed hazardous waste facility in Augusta Township - File.

Add: Communication from members of the Erwin Prieskorn American Legion Post #46 of Ann Arbor regarding Oak Way realignment project - File.

On a voice vote the Chair declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF JANUARY 11, 13 AND 19 APPROVED

Councilmember Dodge moved that the working session minutes of January 11 1993, the public hearing and working session minutes of January 13, 1993, and the regular session minutes of January 19, 1993 be approved as presented.

On a voice vote the Chair declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

R-36-2-93 APPROVED

RESOLUTION RECOGNIZING MICHIGAN ENGINEERS WEEK

Whereas, February 14-20, 1993 has been declared National Engineers Week by the President, and Michigan Engineers Week by the Governor;

Whereas, It is fitting to celebrate the many contributions of engineers to our health, safety, and welfare; and

Whereas, Our own engineers employed at the City of Ann Arbor should be recognized for their many contributions to the City of Ann Arbor;

RESOLVED, That the Mayor and City Council do hereby proclaim the week of February 14-20, 1993 as Michigan Engineers Week.

R-37-2-93 APPROVED

**RESOLUTION TO APPROVE CLASS C LIQUOR LICENSE
TRANSFER AT 114-118 EAST WASHINGTON STREET -**

WASHINGTON STREET STATION

RESOLVED, That the request from Washington Street Station, Inc. to transfer ownership of a 1992 Class C licensed business, located at 114-118 East Washington Street, Ann Arbor, MI 48104, Washtenaw County, from Preston's for Ribs, Inc., be hereby approved.

R-38-2-93 APPROVED

RESOLUTION TO APPROVE A NEW RESORT
CLASS C LIQUOR LICENSE AT 303 DETROIT STREET -
SWEET LORRAINE'S OF ANN ARBOR, INC.

RESOLVED, That the request from Sweet Lorraine's of Ann Arbor, Inc. for a new 12-Month Resort Class C license to be located at 303 Detroit Street, Ann Arbor, MI 48104, Washtenaw County, be hereby approved.

R-39-2-93 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENTS FROM
TRI-MOUNT/ORCHARD PLACE DEVELOPMENT CO., INC.

Whereas, Tri-Mount/Orchard Place Development Co., Inc. a Michigan corporation, is the owner of property located in the City of Ann Arbor, Washtenaw County, Michigan, and more particularly described as follows:

A 40 FOOT WIDE EASEMENT:

Commencing at the S 1/4 Corner of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 00E00"33" W 336.98 feet (recorded at N 01E04'30" W 337.50 feet) along the N-S 1/4 line of said Section 16 and the east line of Starwick Heights Number Two as recorded in Liber 11 of Plats, page 50, Washtenaw County Records, Washtenaw County, Michigan; thence S 87E20'40" W 320.63 feet (recorded as S 87E17'00" W 320.51 feet) along the north line of said Starwick Heights Number Two; thence N 01E53'30" E 117.01 feet for a PLACE OF BEGINNING; thence continuing N 01E53'30" E 40.56 feet; thence N 82E23'12" E 101.02 feet; thence 42.33 feet along the arc of a nontangential circular curve to the left, radius 60.00 feet,

chord bearing S 23E03'57" E 41.50 feet; thence nontangentially S 82E23'12" W 118.78 feet to the Place of Beginning, being a part of the SW 1/4 of said Section 16, being subject to easements of record, if any.

For Lots 23, 24 & 25. Tax Parcel Code No. 09-16-300-038 thru 040.

A 40 FOOT WIDE EASEMENT, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

Commencing at the S 1/4 Corner of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 00E00'33" W 336.98 feet (recorded as N 01E04'30" W) along the N-S 1/4 line of said Section 16 and the east line of Starwick Heights Number Two as recorded in Liber 11 of Plats, page 50, Washtenaw County Records, Washtenaw County, Michigan; thence continuing N 00E00'33" W 577.26 feet along said N-S 1/4 line; thence S 89E59'27" W 122.00 feet; thence N 00E00'33" W 86.52 feet; thence N 88E35'38" W 357.19 feet; thence 210.73 feet along the arc of a tangential circular curve to the left radius 233.00 feet chord bearing S 65E29'47" W 203.62 feet for a PLACE OF BEGINNING; thence nontangentially N 50E24'49" W 125.00 feet; thence N 88E06'33" W 20.00 feet for the Place of Ending, being a part of the SW 1/4 of said Section 16, being subject to easement of record, if any.

For Lots 2, 3, 4 and 5. Tax Parcel Code No. 09-16-322-2 thru 5.

A 30 FOOT WIDE EASEMENT, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

Commencing at the S 1/4 Corner of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 00E00'33" W 336.98 feet (recorded as N 01E04'30" W 337.50 feet) along the N-S 1/4 line of said Section 16 and the east line of Starwick Heights Number Two as recorded in Liber 11 of Plats, page 50, Washtenaw County Records, Washtenaw County, Michigan; thence S 87E20'40" W 320.63 feet (recorded as S 86E13'40" W 320.51 feet) along the north line of said Starwick Heights Number Two; thence N 01E53'30" E 414.85 feet; thence S 87E20'40" W 560.65 feet; thence N 01E53'30" E 78.63 feet to a point on the west line of Pontiac Trail for a PLACE OF BEGINNING; thence N 48E43'33" E 24.69 feet; thence N 08E11'25" E 78.26 feet; thence N 32E20'54" E 146.62 feet for a Place of Ending, being a part of the SW 1/4 of said Section 16, being subject to easements of record, if any.

For Detention Area 1. Part of Tax Parcel Code No. 09-16-322-1 and 2.

A 40 FOOT WIDE EASEMENT, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

Commencing at the S 1/4 Corner of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 00E00'33" W 336.98 feet (recorded as N 01E04'30" W 337.50 feet) along the N-S 1/4 line of said Section 16 and the east line of Starwick Heights Number Two as recorded in Liber 11 of Plats, page 50, Washtenaw County Records, Washtenaw County, Michigan; thence S 87E20'40" W 320.63 feet (recorded as S 86E13'40" W) along the north line of said Starwick Heights Number Two; thence N 01E53'30" E 414.85 feet; thence S 87E20'40" W 403.75 feet; thence N 30E09'59" W 42.15 feet; thence 99.34 feet along the arc of a non-tangential circular curve to the left, radius 233.00 feet, chord bearing N 47E37'11" E 98.59 feet; thence N 35E24' 22" E 64.28 feet; thence 163.22 feet along the arc of a tangential circular curve to the right, radius 167.00 feet, chord bearing N 63E24'22" E 156.80 feet; thence S 88E35'38" E 44.48 for a PLACE OF BEGINNING; thence S 00E00'33" E 138.00 feet for a Place of Ending, being a part of the SW 1/4 of said Section 16, being subject to easements of record, if any.

For Lots 30-33. Part of Tax Parcel No. 09-16-300-45 thru 48.

A 40 FOOT WIDE EASEMENT, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

Commencing at the S 1/4 Corner of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 00E00'33" W 336.98 feet (recorded as N 01E04'30" W) along the N-S 1/4 line of said Section 16 and the east line of Starwick Heights Number Two as recorded in Liber 11 of Plats, page 50, Washtenaw County Records, Washtenaw County, Michigan; thence continuing N 00E00'33" W 577.26 feet along said N-S 1/4 line; thence S 89E59'27" W 122.00 feet; thence N 00E00'33" W 86.52 feet; thence N 88E35'38" W 357.19 feet; thence 30.00 feet along the arc of a tangential circular curve to the left, radius 233.00 feet chord bearing S 87E43'03" W 29.98 feet for a PLACE OF BEGINNING; thence nontangentially N 05E58'16" W 95.50 feet; thence N 01E22'53" W 20.00 feet for a Place of Ending, being a part of the SW 1/4 of said Section 16, being subject to easements of record, if any.

For Lots 6, 7, 8 and 9. Part of Tax Parcel No. 09-16-322-6 thru 9.

A 30 FOOT WIDE EASEMENT, THE CENTERLINE OF WHICH IS

DESCRIBED AS FOLLOWS:

Commencing at the S 1/4 Corner of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 00E00'33" W 336.98 feet (recorded as N 01E04'30" W 337.50 feet) along the N-S 1/4 line of said Section 16 and the east line of Starwick Heights Number Two as recorded in Liber 11 of Plats, page 50, Washtenaw County Records, Washtenaw County, Michigan; thence N 44E16'48" W 162.05 feet; thence 181.66 feet along the arc of a non-tangential circular curve to the right, radius 60.00 feet, chord bearing N 47E32'50" W 119.80 feet; thence 41.04 feet along the arc of a reverse circular curve to the left, radius 60.00 feet, chord bearing N 19E35'18" E 40.25 feet; thence N 00E00'33" W 164.99 feet for a PLACE OF BEGINNING; thence S 89E59'27" W 118.53 feet; thence S 87E20'40" W 40.85 feet; thence N 41E41'50" E 42.71 feet; thence N 89E59'27" E 130.92 feet; thence S 00E00'33" E 30.00 feet to the Place of Beginning, being a part of the SW 1/4 of said Section 16, being subject to easements of record, if any.

For Lot 28. Tax Parcel Code No. 09-16-300-043.

For Lot 31. Tax Parcel Code No. 09-16-300-046.

and

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

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

R-40-2-93 APPROVED

RESOLUTION ACCEPTING GRANT OF EASEMENTS
FOR ROAD RIGHT-OF-WAY FROM TRI-MOUNT/
ORCHARD PLACE DEVELOPMENT CO., INC.

Whereas, Tri-Mount/Orchard Place Development Co., Inc., a Michigan corporation, is the owner of property located in the City of Ann Arbor, Washtenaw County, Michigan, and more particularly described as follows:

BROOKSIDE DRIVE AND TIBBITTS COURT:

Commencing at the S 1/4 Corner of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence 00E00'33" W 336.98 feet along the N-S 1/4 line of said Section 16 and the east line of Starwick Heights Number Two as recorded in Liber 11 of Plats, page 50, Washtenaw County Records, Washtenaw County, Michigan; thence S 87E20'40" W 320.63 feet along the north line of said Starwick Heights Number Two; thence N 01E53'30" E 414.85 feet; thence S 87E20'40" W 403.75 feet for a PLACE OF BEGINNING; thence N 30E09'59" W 42.15 feet; thence 99.34 feet along the arc of a non-tangential circular curve to the left, radius 233.00 feet, chord bearing N 47E37'11" E 98.59 feet; thence N 35E24'22" E 64.28 feet; thence 163.22 feet along the arc of a circular curve to the right, radius 167.00 feet, chord bearing N 63E24'22" E 156.80 feet; thence S 88E35'38" E 292.81 feet; thence S 00E00'33" E 364.56 feet; thence 41.04 feet along the arc of a circular curve to the right, radius 60.00 feet, chord bearing S 19E35'18" W 40.25 feet; thence 270.59 feet along the arc of a circular curve to the left, radius 60.00 feet, chord bearing N 89E59'27" E 93.00 feet; thence 41.04 feet along the arc of a circular curve to the right, radius 60.00 feet, chord bearing N 19E36'24" W 40.25 feet; thence N 00E00'33" W 428.95 feet; thence N 88E35'38" W 357.19 feet; thence 227.73 feet along the arc of a circular curve to the left, radius 233.00 feet, chord bearing S 63E24'22" W 218.77 feet; thence S 35E24'22" W 64.28 feet; thence 164.64 feet along the arc of a circular curve to the right, radius 167.00 feet, chord bearing S 63E38'54" W 158.05 feet; thence N 88E06'33" W 10.36 feet; thence S 01E53'30" W 78.63 feet along the east line of Pontiac Trail; thence N 87E20'40" E 156.90 feet to the Place of Beginning, being a part of Lot 3 of the Plat of the Southwest 1/4 of said Section 16, as recorded in Liber L of Deeds, page 79, Washtenaw County Records, containing 2.16 acres of land, more or less, being subject to easements of record, if any.

NORTH END OF TIBBITTS COURT:

Commencing at the S 1/4 Corner of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 00E00'33" W 336.98 feet (recorded as N 01E04'30" W 337.50 feet) along the N-S 1/4 line of said Section 16 and the east line of Starwick Heights Number Two as recorded in Liber 11 of Plats, page 50, Washtenaw County Records, Washtenaw County, Michigan; thence continuing N 00E00'33" W 577.26 feet along said N-S 1/4 line; thence S 89E59'27" W 122.00 feet; thence N 00E00'33" W 86.52 feet for a PLACE OF BEGINNING; thence N 88E35'38" W 66.02 feet; thence N 00E00'33" W

186.27 feet; thence N 88E37'10" E 66.02 feet; thence S 00E00'33" E 189.48 feet to the Place of Beginning, being a part of the SW 1/4 of said Section 16, being subject to easements of record, if any;

and

Whereas, Said owner has delivered to the City of Ann Arbor easements for road right-of-way on the above described premises;

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

R-41-2-93 APPROVED

RESOLUTION TO APPROVE CONTRACT AMENDMENTS WITH ANN ARBOR HOUSING COMMISSION, SECOND BAPTIST HUMAN SERVICES, AND ANN ARBOR COMMUNITY CENTER

Whereas, City Council approved FY 1992-93 General Fund contracts with the Ann Arbor Housing Commission, Second Baptist Human Services and the Ann Arbor Community Center to provide services to low-income residents of Ann Arbor;

Whereas, The Ann Arbor Housing Commission has requested additional funds to provide services for both the family and senior public housing tenants;

Whereas, Second Baptist Human Services has requested additional funds to be used for the emergency food program;

Whereas, The Ann Arbor Community Center has requested additional funds for transportation expenses associated with the Ladies That Care hot meals program; and

Whereas, At its meeting of January 7, 1993, the Human Services Task Force recommended approval of the following supplemental allocations from the Human Services Contingency:

Ann Arbor Housing Commission	\$5,520.00
Second Baptist Human Services	\$2,000.00
Ann Arbor Community Center	\$1,200.00

RESOLVED, That City Council approve the amendments to the FY 1992-93 agreements with the Ann Arbor Housing Commission for \$5,520.00 for services to family

and senior tenants; Second Baptist Human Services for \$2,000.00 for food purchases; and the Ann Arbor Community Center for \$1,200.00 for transportation expenses;

RESOLVED, That City Council approve the appropriation of \$8,720.00 from the Human Services Contingency as detailed; and

RESOLVED, That the City Council authorize the Mayor and City Clerk to execute the amendments substantially in the form on file in the Office of the City Clerk.

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

ORDINANCES - SECOND READING

86-92 APPROVED AS AMENDED

FEE FOR FALSE ALARMS

An Ordinance to Amend Section 7:404 of Chapter 93
of Title VII of the Code of the City of Ann Arbor

This ordinance would increase the fee for false alarms.

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

Councilmember Hunter entered at 8:34 p.m.

Councilmember Grady moved that the ordinance be amended to increase the proposed fee for false alarms from \$55.00 to **\$60.00**.

On a voice vote the Chair declared the motion carried.

The question being the ordinance at second reading as amended, on roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Dodge, Fink, Grady, Meade, Zimmer, Nicolas, Mayor Brater, 9;

Nays, Councilmember Peterson, 1.

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

87-92 APPROVED AS AMENDED

ALARM CONNECTION ANNUAL FEE

An Ordinance to Amend Section 7:33 of Chapter 77
of Title X of the Code of the City of Ann Arbor

This ordinance would decrease the annual fee for alarm connection permits.

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

Councilmember Grady moved that the ordinance be amended to increase the proposed annual fee for alarm connection permits from \$6.00 to **\$9.00**.

On a voice vote the Chair declared the motion carried.

The question being the ordinance at second reading as amended, on roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Fink, Grady, Meade, Zimmer, Nicolas, Mayor Brater, 8;

Nays, Councilmembers Dodge, Peterson, 2.

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

ORDINANCES - FIRST READING

2-93 APPROVED

BATES 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 0.44 acre, located at 303 Glenwood, from TWP

(Township District) to R1C (Single-Family Dwelling District).

Councilmember Meade 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.

3-93 APPROVED

HAMPTON 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 0.8 acre, located at 415 Barton Drive East, from TWP (Township District) to R1B (Single-Family Dwelling District).

Councilmember Hunter 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.

4-93 APPROVED

LAWSON 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 0.22 acre, located at 418 Barber Avenue, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Hunter 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.

5-93 APPROVED

PAULEY/MALVITZ 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 0.43 acre, located at 424 Pinewood, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Hunter 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.

6-93 APPROVED

VARSITY FORD 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 9.0 acres, located at 3480 Jackson Road, from TWP (Township District) to C3 (Fringe Commercial District).

Councilmember Hunter 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.

7-93 APPROVED

TRAFFIC CODE**An Ordinance to Amend Sections 10:81, 10:121 and 10:156 of
Chapter 126 of Title X of the Code of the City of Ann Arbor**

This ordinance would amend the City Traffic Code to: 1) Make it illegal, as under state law, to operate a vehicle in violation of a restriction on one's driver's license; 2) Make the penalties for seat belt violations consistent with state law; and 3) Include the new restricted license violation section.

Councilmember Hunter 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-42-2-93 APPROVED AS AMENDED****RESOLUTION TO AUTHORIZE AGREEMENT
FOR ACTUARIAL SERVICES**

A resolution to authorize an agreement for actuarial services was considered.

Councilmember Hunter moved that the resolution be adopted.

Councilmember Hunter moved that the resolution be amended by adding the following paragraph:

RESOLVED, That the Advisory Audit Committee work with the contractor to further define the shape and scope of the actuarial analysis report.

On a voice vote the Chair declared the motion carried.

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-42-2-93

RESOLUTION TO AUTHORIZE AN AGREEMENT FOR ACTUARIAL SERVICES

Whereas, City Council, on December 7, 1992, directed the City Administrator to retain the services of an independent actuary to review the costs and long-term impact of proposed amendments to the City of Ann Arbor Pension Program;

RESOLVED, That City Council waive purchasing procedures and authorize the City Administrator to enter an agreement with the actuarial firm of William M. Mercer, Inc. to conduct an actuarial analysis of proposed amendments to the City of Ann Arbor Pension System for a fee not to exceed \$13,000.00; and

RESOLVED, That the Advisory Audit Committee work with the contractor to further define the shape and scope of the actuarial analysis report.

SUBSTITUTE RESOLUTION AMENDED AND TABLED

Original Resolution:

RESOLUTION CONCERNING THE ANN ARBOR HOUSING COMMISSION

Whereas, The Ann Arbor Housing Commission is appointed by the Mayor and City Council to serve the people of Ann Arbor, particularly those living in public housing;

Whereas, City Council has for some time now been hearing of serious communication problems between the current Commission and Ann Arbor public housing tenants, and evidence suggests that these problems have been getting progressively worse; and

Whereas, There are strong arguments in favor of dismissing the entire board, however such an immediate dismissal might cause further disruption at the Housing Commission;

RESOLVED, That the Mayor and City Council agree not to reappoint the next two Commissioners upon term expiration;

RESOLVED, That the first of these two vacancies be filled by a resident of senior

housing, who shall be elected by his/her peers and appointed by the Mayor and City Council;

RESOLVED, That the second vacancy be filled by a resident of family housing, who shall be elected by his/her peers and appointed by the Mayor and City Council; and

RESOLVED, That the Ann Arbor City Council accept resignations from those Commissioners who do not wish to remain on the newly structured board.

Councilmember Nicolas moved that the resolution be adopted.

Council unanimously agreed with the sponsor to place a substitute resolution on the table for consideration.

Councilmember Nicolas moved that the substitute resolution be adopted.

Council unanimously agreed that the seventh and eighth paragraphs of the substitute resolution be amended as follows:

RESOLVED, That the Mayor and City Council support the appointment of a resident of senior housing to the Housing Commission upon the soonest expiration of the term of any current Housing Commissioner. **THE COUNCIL SUPPORTS THE CONCEPT THAT** ~~<F>~~this resident shall be elected by his/her peers and ~~<recommended>~~ **SHALL SERVE AS A NON-BINDING RECOMMENDATION** to the Mayor and Council for appointment to the Housing Commission.

RESOLVED, That the Mayor and City Council support the appointment of a resident of family housing to the Housing Commission upon the next soonest expiration of the term of any current Housing Commissioner. **THE COUNCIL SUPPORTS THE CONCEPT THAT** ~~<F>~~this resident shall be elected by his/her peers and ~~<recommended>~~ **SHALL SERVE AS A NON-BINDING RECOMMENDATION** to the Mayor and Council for appointment to the Housing Commission.

Councilmember Hunter moved that the resolution be tabled subject to conclusion of the conflict mediation process approved by Council on December 7, 1992.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Grady, Meade, Peterson, Mayor Brater, 6;

Nays, Councilmembers Dodge, Fink, Zimmer, Nicolas, 4.

The Chair declared the motion carried and the resolution tabled.

The substitute resolution as amended and tabled reads as follows:

RESOLUTION CONCERNING THE ANN ARBOR HOUSING COMMISSION

Whereas, The Ann Arbor Housing Commission is appointed by the Mayor and City Council to serve the people of Ann Arbor, particularly those living in public housing;

Whereas, City Council has for some time now been hearing of serious communication problems between the current Commission and some residents of Ann Arbor public housing, and it appears as though these problems have been getting progressively worse;

Whereas, Some residents have expressed an interest in having increased and direct representation on the Housing Commission, which is a logical step in any move towards tenant management;

Whereas, Similar moves toward tenant management have proven successful in other cities; and

Whereas, The City Attorney has informed us in her opinion, dated January 25, 1993, that "As long as [the] resolution does not mandate that the Mayor or the Council accept and appoint the recommended candidates, I see no legal impediment to such a resolution";

RESOLVED, That the Mayor and City Council support the appointment of a resident of senior housing to the Housing Commission upon the soonest expiration of the term of any current Housing Commissioner. The Council supports the concept that this resident shall be elected by his/her peers and shall serve as a non-binding recommendation to the Mayor and City Council for appointment to the Housing Commission;

RESOLVED, That the Mayor and City Council support the appointment of a resident of family housing to the Housing Commission upon the next soonest expiration of the term of any current Housing Commissioner. The Council supports the concept that this resident shall be elected by his/her peers and shall serve as a non-binding recommendation to the Mayor and City Council for appointment to the Housing Commission;

RESOLVED, That the Mayor and City Council request that such elections be held

thirty days prior to the appointment date of any seat on the Housing Commission to allow for a smooth transition; and

RESOLVED, That the Mayor and City Council support efforts by staff members of the Housing Commission to organize such elections for the tenants.

R-43-2-93 APPROVED AS AMENDED

RESOLUTION TO APPROVE A MILLAGE PROPOSAL FOR PARK MAINTENANCE AND REPAIR

A resolution to approve a millage proposal for park maintenance and repair was considered.

Councilmember Meade moved that the resolution be adopted.

Councilmember Dodge moved that the resolution be amended by replacing .45 mill in the first paragraph with **1.98 MILL**, by adding the following language after the first paragraph, and by changing the ballot language as follows:

Add After First Paragraph:

RESOLVED, THAT THE CITY ADMINISTRATOR AND CITY ATTORNEY TAKE THE NECESSARY ACTIONS TO REDUCE THE CURRENT GENERAL OPERATING FUND MILLAGE BY 1.606 MILL TO COINCIDE WITH THE ABOVE 1.98 MILL INCREASE.

Ballot Language:

Shall the Charter be amended to authorize a ~~<.45>~~ **1.98** mill tax for five years to replace the expiring **.46 MILL** Land Acquisition Millage~~<, starting 1993,>~~ **AND THE CURRENT 1.60 MILL PARKS AND RECREATION DEPARTMENT ALLOCATION FROM THE CURRENT GENERAL OPERATING FUND MILLAGE (WHICH SHALL CONCURRENTLY BE REDUCED BY 1.60 MILL)?**

.37 MILLS to provide funds for financing park maintenance and repair in accordance with four categories in the Ann Arbor Parks 2000 Plan:

- 1) Natural resource management and care for newly acquired park land;

- 2) Compliance with Americans With Disabilities Act (ADA) and with safety, security and other legal requirements;
- 3) Creation of an effective park maintenance plan addressing newly developed parks and deferred maintenance for parks and recreation facilities;
- 4) Park acquisition and targets of opportunities;

AND 1.60 MILLS TO PROVIDE FOR ALL OTHER PARKS AND RECREATION EXPENDITURES CURRENTLY FUNDED BY THE GENERAL OPERATING MILLAGE.

On roll call the vote was as follows:

Yeas, Councilmembers Dodge, Fink, Zimmer, Nicolas, 4;

Nays, Councilmembers Hunter, Hanna-Davies, Grady, Meade, Mayor Brater, 5;

Absent during vote, Councilmember Peterson, 1.

The Chair declared the motion defeated.

Councilmember Fink moved that the resolution be amended by replacing .45 mill with **.37 MILL.**

On roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Fink, Grady, Meade, Zimmer, Nicolas, Mayor Brater, 7;

Nays, Councilmembers Dodge, Peterson, 2;

Absent during vote, Councilmember Hunter, 1.

The Chair declared the motion carried.

Councilmember Zimmer moved that the resolution be amended by amending the ballot language in the fourth paragraph as follows:

Shall the Charter be amended to authorize a .37 mill tax for five years, to replace the expiring Land Acquisition Millage, starting 1993, to provide funds

for financing park maintenance and repair ~~<in accordance with four categories in the Ann Arbor Parks 2000 Plan:~~

- ~~1) Natural resource management and care for newly acquired park land;~~
- ~~2) Compliance with Americans With Disabilities Act (ADA) and with safety, security and other legal requirements;~~
- ~~3) Creation of an effective park maintenance plan addressing newly developed parks and deferred maintenance for parks and recreation facilities; and~~
- ~~4) Park acquisition and targets of opportunities>?~~

On roll call the vote was as follows:

Yeas, Councilmembers Dodge, Zimmer, 2;

Nays, Councilmembers Hanna-Davies, Fink, Grady, Meade, Nicolas, Peterson, Mayor Brater, 7;

Absent during vote, Councilmember Hunter, 1.

The Chair declared the motion defeated.

Councilmember Fink moved that the resolution be amended by amending the ballot language in the fourth paragraph as follows:

Shall the Charter be amended to authorize a .37 mill tax for five years, to replace the expiring Land Acquisition Millage, starting 1993, to provide funds for financing park maintenance and repair in accordance with ~~<four>~~ **THREE** categories in the Ann Arbor Parks 2000 Plan:

- 1) Natural resource management and care for newly acquired park land;
- 2) Compliance with Americans With Disabilities Act (ADA) and with safety, security and other legal requirements; **AND**
- 3) Creation of ~~<an effective>~~ **A** park maintenance plan addressing newly developed parks and deferred maintenance for parks and recreation facilities~~<; and~~

—4) — ~~Park acquisition and targets of opportunities~~>?

On a voice vote the Chair declared the motion carried.

The question being the resolution as amended:

On roll the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Fink, Grady, Meade, Zimmer, Nicolas, Peterson, Mayor Brater, 8;

Nays, Councilmember Dodge, 1;

Absent during vote, Councilmember Hunter, 1.

The Chair declared the motion carried.

The resolution as adopted reads as follows:

R-43-2-93

RESOLUTION TO APPROVE A MILLAGE PROPOSAL FOR
.37 MILL FOR PARK MAINTENANCE AND REPAIR

RESOLVED, That the Ann Arbor City Council propose that the City Charter be amended by amending Section 8.22 which shall read as follows:

Funds for ~~<Land Acquisition>~~ **MAINTENANCE AND REPAIR OF PARK FACILITIES**

SECTION 8.22. In addition to any other amount which the City is authorized to raise by general tax upon the real and personal property by this Charter or any other provision of law, the City shall, in ~~<1988 through 1992>~~ **1993 through 1997**, annually levy a tax of ~~<one-half>~~ **.37** mill on all taxable real and personal property situated within the City for the purpose of ~~<acquiring land for parks>~~ **FINANCING THE MAINTENANCE AND REPAIR OF PARK FACILITIES.**

RESOLVED, That April 5, 1993 be designated as the day for holding an election on the proposed Charter amendment;

RESOLVED, That the City Clerk transmit a copy of the proposed amendment to the

Attorney General and the Governor of Michigan and perform all other acts required by the law for holding the election;

RESOLVED, That the proposed Charter amendment appear on the ballot in the following form, together with the following statement of purpose:

ANN ARBOR CITY CHARTER AMENDMENT
AUTHORIZING TAX FOR PARKS

Shall the Charter be amended to authorize a .37 mill tax for five years, to replace the expiring Land Acquisition Millage, starting 1993, to provide funds for financing park maintenance and repair, in accordance with three categories in the Ann Arbor Parks 2000 Plan:

- 1) Natural resource management and care for newly acquired park land;
- 2) Compliance with Americans with Disabilities Act (ADA) and with safety, security and other legal requirements; and
- 3) Creation of a park maintenance plan addressing newly developed parks and deferred maintenance for parks and recreation facilities?

YES NO

PURPOSE OF AMENDMENT

The amendment is proposed for the purpose of maintaining and repairing park facilities.

and

RESOLVED, That the proposed Charter amendment and proposed ballot question, along with statement of purpose, be published in full not fewer than two times in the Ann Arbor News.

R-44-2-93 APPROVED AS AMENDED

RESOLUTION TO APPROVE FULLER ROAD REALIGNMENT

AND OAK WAY VACATION PROJECT

A resolution to approve the Fuller Road Realignment and Oak Way Vacation Project was considered.

Councilmember Nicolas moved that the resolution be adopted.

Councilmember Dodge moved that the resolution be amended by replacing Option B with **OPTION A**.

On roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Dodge, Fink, Peterson, Mayor Brater, 5;

Nays, Councilmembers Hunter, Grady, Meade, Zimmer, Nicolas, 5.

The Chair declared the motion defeated.

Council unanimously agreed that the sixth paragraph of the resolution be amended as follows:

RESOLVED, That the Ann Arbor City Council hereby approve the Fuller Road Realignment/Oak Way Vacation Project, including 2/3 lanes east of the V.A. Hospital entrance, 5 lanes west of the hospital entrance (Option B on the maps) **INCLUDING ISLANDS FOR PEDESTRIAN CROSSING**, and the vacation of Oak Way between Fuller and Glazier;

The question being the resolution as amended, on roll call the vote was as follows:

Yeas, Councilmembers Hunter, Fink, Grady, Meade, Zimmer, Nicolas, Peterson, Mayor Brater, 8;

Nays, Councilmembers Hanna-Davies, Dodge, 2.

The Chair declared the motion carried.

The resolution as adopted reads as follows:

R-44-2-93

RESOLUTION TO APPROVE FULLER ROAD REALIGNMENT
AND OAK WAY VACATION PROJECT

Whereas, The Ann Arbor Transportation Plan Update, adopted by the Planning Commission in October 1990 and accepted by City Council in December, 1990, recommends the Fuller Road Realignment and Oak Way Vacation Project;

Whereas, The current Capital Improvements Plan includes the construction of the project;

Whereas, The Planning Commission recommended approval of the project on October 13, 1992;

Whereas, The Planning Commission authorized issuance of a use permit for the needed wetland mitigation activities on October 13, 1992; and

Whereas, The Park Advisory Commission has approved the location of the mitigation wetland within Furstenberg Park, subject to satisfactory arrangements for future maintenance without Parks Department funding;

RESOLVED, That the Ann Arbor City Council hereby approve the Fuller Road Realignment/Oak Way Vacation Project, including 2/3 lanes east of the VA hospital entrance, 5 lanes west of the hospital entrance (Option B on the maps on file in the City Clerk's Office) including islands for pedestrian crossing, and the vacation of Oak Way between Fuller and Glazier;

RESOLVED, That the future costs of monitoring and maintaining the mitigation wetland in Furstenberg Park will not be borne by Parks Department funds; and

RESOLVED, That the University of Michigan be liable for any contamination of the wetlands in Furstenberg Park resulting from the University Landfill No. 3 located north of Fuller Road.

R-45-2-93 APPROVED

RESOLUTION TO AUTHORIZE AN AMENDMENT
TO A PROFESSIONAL SERVICES AGREEMENT WITH
WASHTENAW ENGINEERING COMPANY, INC. FOR
THE FULLER/OAK WAY REALIGNMENT PROJECT

Whereas, On November 4, 1991, a professional services agreement in the amount of \$186,670.00 was authorized to undertake the design of roadway improvements

necessary to allow the planned Veterans Administration Hospital expansion;

Whereas, It was necessary to revise and further examine certain aspects of the roadway design, particularly with respect to wetland mitigation;

Whereas, After a Council review of the impact on the natural features in this area, the Public Services Department was instructed to redesign the roadway to a 2/3 lane configuration; and

Whereas, The Public Services Department has negotiated an equitable payment for these services with the consultant in order to properly complete the design engineering;

RESOLVED, That an amendment to a professional services agreement in the amount of \$106,790.00 be approved with Washtenaw Engineering Company, Inc.;

RESOLVED, That the Mayor and City Clerk be hereby authorized and directed to execute said amendment after approval as to form by the City Attorney and as to substance by the City Administrator;

RESOLVED, That Council appropriate \$106,790.00 from the 1991 Street Millage (Fund 062) to interim finance work of the contract amendment, pending reimbursement by the United States Government, with any unobligated balance being reappropriated for succeeding fiscal years until the project is officially closed; and

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

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

TABLED

RESOLUTION TO APPROVE SUPPLEMENTAL
APPROPRIATION AND TO AWARD A PROFESSIONAL SERVICES
CONTRACT FOR SANITARY SEWER SYSTEM AUDIT

Whereas, A number of studies of parts of the Ann Arbor Sanitary Sewer System have previously been completed in the 1980's;

Whereas, In order to continue to properly decide improvements, modifications and extensions of the sanitary sewer system, updated reports and studies regarding the sanitary sewer system's capacities and estimated flows are necessary;

Whereas, McNamee, Porter & Seeley, Inc. has submitted a proposal to perform a sanitary sewer audit update at a total cost of \$96,000.00;

Whereas, McNamee, Porter & Seeley, Inc. has performed all previous studies of the Ann Arbor Sanitary Sewer System, and this past experience and knowledge of the Ann Arbor Sanitary Sewer System will allow McNamee, Porter & Seeley, Inc. to perform an updated audit in a timely and efficient manner; and

Whereas, On January 26, 1993 the Human Resources Department approved McNamee, Porter & Seeley, Inc. to provide engineering services to provide such updates;

RESOLVED, That Council accept the proposal of and award a contract to McNamee, Porter & Seeley, Inc. to provide professional services to perform a sanitary sewer system audit for \$96,000.00;

RESOLVED, That Council approve a supplemental appropriation of \$106,000.00 from the Sewage Disposal Fund to finance this project, and approve a project budget of \$96,000.00 for consultant services and a contingency of \$10,000.00 to finance change orders, to be approved by the City Administrator, for a total project budget of \$106,000.00 for the life of the project to be extended without regard to fiscal year; and

RESOLVED, That Council authorize and direct the Mayor and Clerk to sign the professional services agreement with McNamee, Porter & Seeley, Inc. to perform said services for \$96,000.00, and which is approved as to form by the City Attorney, and approved as to substance by the City Administrator.

Funding Source: Supplemental appropriation from the Sewage Disposal System Fund

Councilmember Hunter moved that the resolution be adopted.

Councilmember Hunter moved that the resolution be tabled to the February 22, 1993 regular session of Council for further information regarding the litigation and obligations of the contractor with the City.

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

R-46-2-93 APPROVED

RESOLUTION TO APPROVE ALLOCATION AND AGREEMENT WITH
CHILD AND FAMILY SERVICE OF WASHTENAW COUNTY

Whereas, On November 16, 1992 the Community Development Executive Committee recommended approval of the amended FY 1992-93 Statement of Community Development Objectives which allowed for the transfer of \$50,000.00 from Multi-Family Rehabilitation to Acquisition for the purchase of a warehouse facility for emergency food distribution services;

Whereas, On December 21, 1992 City Council approved the amended FY 1992-93 Statement of Community Development Objectives;

Whereas, The U.S. Department of Housing and Urban Development (HUD) has approved the amended Statement of Objectives and the Request for Release of Funds;

Whereas, Child and Family Service and Food Gatherers have agreed to co-own the facility located on 9.8 acres located at 1731 Dhu Varren Road for the purpose of operating emergency food distribution services for low-income residents of Washtenaw County;

Whereas, The facility is to be purchased by land contract for the sum of \$300,000.00 paid over five years;

Whereas, Child and Family Service and Food Gatherers have requested \$50,000.00 from the City of Ann Arbor as initial payment for the facility;

Whereas, This cooperative effort should result in increased emergency food supplies available to needy residents of Ann Arbor and the Washtenaw County; and

Whereas, Washtenaw County has committed \$40,000.00 toward this effort;

RESOLVED, That the Ann Arbor City Council approve the allocation of \$50,000.00 from FY 1992-93 CDBG Acquisition funds to Child and Family Service for the purchase of the aforementioned property by Child and Family Service and Food Gatherers for use as an emergency food distribution facility; and

RESOLVED, That City Council approve the agreement with Child and Family Service and authorize the Mayor and City Clerk to execute the agreement substantially in the form on file in the Office of the City Clerk.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-47-2-93 APPROVED

RESOLUTION TO APPROVE HOUSING TRUST FUND AGREEMENT
WITH LUTHERAN SOCIAL SERVICES OF MICHIGAN

Whereas, Lutheran Social Services of Michigan (LSSM) has been awarded funding under the HUD Section 202 program to build a 56 unit low-income senior housing project on North Maple Road;

Whereas, LSSM has submitted a request for a \$15,000.00, zero interest loan for predevelopment costs in order to complete soil testing and a survey, and to pay for site plan review, rezoning, and other fees;

Whereas, LSSM expects to submit a site plan and rezoning request to the City and has met with the neighborhood to discuss the project;

Whereas, This project is consistent with the City's Comprehensive Housing Affordability Strategy; and

Whereas, The Housing Policy Board, at its meeting of December 16, 1992, recommended City Council approval of the Housing Trust Funds request;

RESOLVED, That the City Council approve the \$15,000.00 Housing Trust Fund Agreement with Lutheran Social Services of Michigan in order to complete predevelopment costs and that the funds be available until expended without regard to fiscal year; and

RESOLVED, That the 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 Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-48-2-93 APPROVED

RESOLUTION REGARDING VIETNAM VETERANS DAY

Whereas, The United States participation in the Vietnam conflict greatly divided our country's public opinion as to the need for our involvement there;

Whereas, Many men and women of the U.S. went to Vietnam to support our country's position;

Whereas, These Vietnam Veterans have not always received appropriate recognition for their service and proper attention has not been given to the unique problems of Vietnam Veterans; and

Whereas, There is a movement by veterans groups and other organizations and individuals to have May 7th declared Vietnam Veterans Day by the U.S. Government;

RESOLVED, That the Ann Arbor City Council support the establishment of a Vietnam Veterans Day and declare May 7, 1993 as Vietnam Veterans Day in Ann Arbor, and that the City Clerk send a copy of this resolution to the President and Representatives of Congress.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-49-2-93 APPROVED AS AMENDED

RESOLUTION TO CLOSE OAKWAY ROAD WHEN NECESSARY TO ALLOW THE V.A. HOSPITAL EXPANSION

A resolution to abandon Oakway Road when necessary to allow the V.A. Hospital expansion was considered.

Councilmember Zimmer moved that the resolution be amended.

Council unanimously agreed to amend the seventh paragraph of the resolution as follows:

RESOLVED, That the City Council of Ann Arbor direct the City Administrator ~~<and the City Attorney>~~ to ~~<abandon>~~ **CLOSE** Oakway Road

when the V.A. Hospital needs that land to continue its construction....

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-49-2-93

RESOLUTION TO CLOSE OAKWAY ROAD WHEN NECESSARY TO ALLOW THE V. A. HOSPITAL EXPANSION

Whereas, The Federal Government has set aside about \$135 million to expand the local V.A. Hospital, which includes about \$3 million to rebuild roads to allow the expansion;

Whereas, This expansion will add 200 new permanent jobs to the area and provide 200 construction jobs for about 5 years;

Whereas, If the addition is postponed, the federal money set aside for the project may be withdrawn or diminished;

Whereas, A postponement would also remove the economic activity caused by the project during that time;

Whereas, Oakway Road needs to be moved before the V.A. can do much of its construction; and

Whereas, The City may not have the replacement road finished by the time the V.A. needs to build on the land Oakway currently occupies;

RESOLVED, That the City Council of Ann Arbor direct the City Administrator to close Oakway Road when the V.A. Hospital needs that land to continue its construction; and

RESOLVED, That if the City does not have a replacement road finished by that time, it will redirect traffic to use other existing roadways.

R-50-2-93 APPROVED AS AMENDED

RESOLUTION TO SUPPORT FULL TENANT MANAGEMENT AT ANN ARBOR PUBLIC HOUSING SITES

A resolution to support full tenant management at Ann Arbor public housing sites was considered.

Councilmember Zimmer moved that the resolution be adopted.

Council unanimously agreed to amend the last paragraph of the resolution as follows:

RESOLVED, That the Council of the City of Ann Arbor fully supports the concept of tenant management of Ann Arbor's public housing and sets as one of its goals active movement towards full tenant management. It directs the Ann Arbor Housing Commission to actively pursue the goal and supports ~~Unity's~~ **ALL** efforts towards it as well....

Councilmember Meade moved that the resolution be amended as follows:

The basic purpose of public housing is clear: to help those in need by providing them with a low-cost, reasonably decent place to live. ~~Even though public housing often gets buried in the mire of political gamesmanship, we, as elected officials, must try to rise above the fray and keep our attention focused on the main point of public housing, helping people.~~

~~Throughout the country, some of the best run public housing complexes are operated by those who live in them. Tenant management has been shown to improve the conditions in public housing over and over again.>~~

Here in Ann Arbor there recently has been a great deal of conflict and controversy over issues regarding the Housing Commission, the ex-Housing Director, public housing tenants and the concept of tenant management of public housing. This controversy has been detrimental to the trust among all parties, a situation which can only harm the proper management of public housing. It has also led to Council resolutions requesting a public hearing and formal conflict management assistance as well as public statements by many Councilmembers that they support tenant management.

~~The Unity Tenant Management Corporation and the Public Housing Tenant's Organization, realizing that tenant management can improve public housing without costing the taxpayers additional money, decided to pursue tenant management of Ann Arbor's public housing. Despite Councilmembers' public declarations, the tenants viewed Council and the Housing Commission as hostile to the idea of tenant management. This led~~

~~them to submit a list of demands to Council. Although the list has six specific demands, it also includes a succinct summary: "Full tenant participation (not tokenism) in making decisions about our lives and well-being is a must."~~

Tenant management ~~<has been proven effective in improving public housing>~~ **IS A CONCEPT DESIGNED TO IMPROVE PUBLIC HOUSING.** Many Councilmembers and Housing Commissioners have expressed support of tenant management. Public housing tenants expect Council to take action in support of tenant management ~~<to show that there is more to our support than just talk>~~.

(Combine the above language into one paragraph)

RESOLVED, That the Council of the City of Ann Arbor fully supports **THE INVESTIGATION OF** the concept of tenant management of Ann Arbor's public housing ~~<and sets as one of its goals active movement towards full tenant management>~~. It ~~<directs>~~ **ENCOURAGES** the Ann Arbor Housing Commission to ~~<actively pursue>~~ **WORK WITH RESIDENTS TOWARD** that goal ~~<and supports all efforts towards it as well>~~. It also requests that the Housing Commission **AND THE RESIDENT MANAGEMENT CORPORATION** ~~<submit quarterly reports>~~ **REPORT** to Council on the progress towards tenant management.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Dodge, Grady, Meade, Peterson, Mayor Brater, 7;

Nays, Councilmembers Fink, Zimmer, Nicolas, 3.

The Chair declared the motion carried.

The question being the resolution as amended, on roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Dodge, Fink, Grady, Meade, Zimmer, Nicolas, Peterson, Mayor Brater, 10;

Nays, 0.

The Chair declared the motion carried.

The resolution as adopted reads as follows:

R-50-2-93

RESOLUTION TO SUPPORT FULL TENANT MANAGEMENT
AT ANN ARBOR PUBLIC HOUSING SITES

The basic purpose of public housing is clear: to help those in need by providing them with a low cost, reasonably decent place to live. Here in Ann Arbor, there recently has been a great deal of conflict and controversy over issues regarding the Housing Commission, the ex-Housing Director, public housing tenants and the concept of tenant management of public housing. This controversy has been detrimental to the trust among all parties, a situation which can only harm the proper management of public housing. It has also led to Council resolutions requesting a public hearing and formal conflict management assistance as well as public statements by many Councilmembers that they support tenant management. Tenant management is a concept designed to improve public housing. Many Councilmembers and Housing Commissioners have expressed support of tenant management. Public housing tenants expect Council to take action in support of tenant management.

RESOLVED, That the Council of the City of Ann Arbor fully support the investigation of the concept of tenant management of Ann Arbor's public housing. It encourages the Ann Arbor Housing Commission to work with residents toward that goal. It also requests that the Housing Commission and the Resident Management Corporation report to Council on the progress toward tenant management.

R-51-2-93 APPROVED

RESOLUTION TO WAIVE PARKING METER BAG FEES FOR
THE ANNUAL KIWANAS SALE ON FEBRUARY 4, 5 AND 6

Whereas, The Kiwanas are having their annual sale on February 4th through 6th;

Whereas, The Kiwanas sale is a long-standing event benefiting the whole community;

Whereas, To provide space so buyers may pick up their purchases, the eight spaces beside the Kiwanas building have been reserved for this activity; and

Whereas, In the past, to reserve these spaces meter bags have been supplied without charge;

RESOLVED, That the Mayor and City Council of Ann Arbor direct the Transportation Department to waive the bag fees (\$144 total) for 8 metered spaces on the 300 block of West Washington Street for the dates of February 4, 5 and 6, 1993.

Councilmember Dodge moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

FEBRUARY 22 REGULAR SESSION:

Resolution Concerning the Ann Arbor Housing Commission (Councilmember Nicolas)

Resolution to Prohibit Ann Arbor from Financially Supporting States or Municipalities with Laws or Ordinances that Discriminate Against Individuals, or Otherwise Limit Individual Civil Rights, Based on Sexual Orientation (Mayor Brater)

COMMUNICATIONS FROM THE MAYOR

APPOINTMENT APPROVED

Mayor Brater recommended the following appointment at the January 19, 1992 regular session of Council:

COMMUNICATION DEVELOPMENT CITIZEN PARTICIPATION EXECUTIVE COMMITTEE

Elisabeth L. Daley (to fulfill membership requirements)
513 N. Division St., #2
Term: 2/1/93 to 7/1/95

Councilmember Meade moved that Council concur with the recommendation of the Mayor.

On a voice vote the Chair declared the motion carried.

NOMINATIONS PLACED ON TABLED

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

TRANSPORTATION TASK FORCE

Matthew Ferguson (high school student)
1310 Minerva Rd.

HISTORIC DISTRICT COMMISSION

Ilene Tyler (to fulfill membership requirements)
464 Eberwhite Blvd.
Term: 2/22/93 to 2/22/96

U.S. CONFERENCE OF MAYORS / INAUGURATION ACTIVITIES

Mayor Brater reported that she attended the U.S. Conference of Mayors meeting in Washington, D.C. and was pleased to hear from two former Mayors who are now secretaries of the U.S. Cabinet. She stated that these appointments are hopeful for meeting urban needs during this administration. Ms. Brater further reported that she and Mayor pro tem Hunter had the opportunity to attend the President's swearing-in ceremony as well as represent the City of Ann Arbor at various inaugural activities.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Status of Proposed Lease for Space in County Courthouse
2. Methane Utilization Project at Ann Arbor Landfill
3. Park Advisory Commission Action on Naming of Park on Placid Way

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

COMMUNICATIONS FROM THE CITY ATTORNEY**REPORT ON COMPLETED ANNEXATIONS**

City Attorney Elizabeth Schwartz submitted reports on the following completed annexations:

1. Bates property, 303 Glenwood, from Scio Township;
2. Varsity Ford property, 3480 Jackson Rd., from Scio Township;
3. Pauley/Malvitz property, 424 Pinewood, from Scio Township;
4. Yates property, 1889 Upland Dr., from Ann Arbor Township;
5. King/Kraft property, corner of Burwood and Thaler, from Ann Arbor Township;
6. Hampton property, 415 Barton Dr. East, from Ann Arbor Township;
7. Lawson property, 418 Barber Ave., from Scio Township;
8. Lewis property, 411 Barber Ave., from Scio Township;
9. Pietras property, 424 Barber Ave., from Scio Township; and
10. Richards property, 415 Barber Ave, from Scio Township.

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

ANN ARBOR INN ISSUE RESPONSE

City Attorney Schwartz submitted a report on the Ann Arbor Inn issue in response to the Council resolution directing the City Attorney's Office to research the question of the City's current and future liability in acquiring the Ann Arbor Inn. (Report on file in the City Clerk's Office)

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER PETERSON**

Councilmember Peterson reported that House Bill 4001 concerning tax foreclosure prevention for seniors is being introduced, and encouraged residents in the district of Representative Willis Bullard, Republication Co-Chair of the House Taxation Committee, to contact him and urge action on the issue before May tax sales.

COUNCILMEMBER HUNTER

Councilmember Hunter stated that two areas regarding tabling motions in Roberts Rules of Order have overlapped in the Rules of Council, and that the Council Rules Committee would consider suggestions for change.

COUNCILMEMBER GRADY

Councilmember Grady stated that a motion to table is not debatable, but that Council Rules allow everyone a chance to discuss the main motion. Mr. Grady encourage the Mayor not to permit discussion on motions to table.

MOTION TO CHANGE COUNCIL MEETING DATE APPROVED

Councilmember Peterson moved that the Council Rules be suspended to introduce a motion to change the date of Council's second regular session in February.

On a voice vote the Chair declared the motion carried.

Councilmember Peterson moved that the second regular session of Council be moved from February 18 to February 22, 1993, and that a public hearing regarding the proposed Materials Recovery Facility/Waste Transfer Station be scheduled for February 22.

On a voice vote the Chair declared the motion carried.

COUNCILMEMBER MEADE

Councilmember Meade stated that discussion on tabling motions should be suspended to avoid confusion, and that the Council Rules were designed to protect minority members and allow an issue to be aired by giving everyone an opportunity to speak to the main motion.

COUNCILMEMBER ZIMMER

Councilmember Zimmer expressed concern with Council's disregard for rules and with the practice of replacing one resolution with one not endorsed by the sponsor.

COUNCILMEMBER FINK

Councilmember Fink expressed concern that the sponsors of the resolution regarding the Ann Arbor Housing Commission were labeled as disingenuous.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Tom Fifield, President of Washtenaw County Chapter of Vietnam Veterans of America, regarding road project around VA Medical Center - File.
2. Communication from Warren D. McLean, President of Ann Arbor Board of Realtors, transmitting resolution in opposition to proposed hazardous waste facility in Augusta Township - File.
3. Communication from members of the Erwin Prieskorn American Legion Post #46 of Ann Arbor regarding Oak Way realignment project - File.

The following minutes were received for file:

1. Historic District Commission - December 10, 1992
2. Ann Arbor Transportation Authority - November 18, 1992
3. Planning Commission - December 1 and 8, 1992

Councilmember Hunter 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 Hunter that the meeting be adjourned.

On a voice vote the Chair declared the motion carried and the meeting adjourned at 12:34 a.m.

W. Northcross
Clerk of the Council

Janet L. Chapin
Recording Secretary