

REGULAR SESSION - MARCH 1, 1993

The regular session of the Ann Arbor City Council was called to order at 7:31 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.

ADMINISTRATION OF OATH OF OFFICE

City Clerk Winifred Northcross administered the Oath of Office to newly appointed Second Ward Councilmember Barbara B. Bach.

Councilmember Bach took her seat.

ROLL CALL OF COUNCIL

PRESENT: Councilmembers Larry Hunter, Tobi Hanna-Davies, Barbara B. Bach, Peter Fink, Robert C. Grady, Nelson K. Meade, Kurt Zimmer, Peter Nicolas, Thais Anne Peterson, Robert Eckstein, Mayor Elizabeth S. Brater, 11.

ABSENT : 0.

INTRODUCTIONS

BOY SCOUT TROUPE WELCOMED

Mayor Brater welcomed the Boy Scouts of Troupe 4 who were in attendance to observe City government in action.

PUBLIC COMMENTARY - RESERVED TIME**KERMIT SCHLANSKER - RESEARCH AND THE CITY**

Kermit Schlansker, 2960 Marshall St., requested that the City create a mechanism for supporting research and development on new manufactured products which are useful to the City and which create jobs. Mr. Schlansker stated that federal and state money could create work in Ann Arbor if the City would set up a research facility and offer assistance to people who have good ideas.

DAVID RAAFLAUB - THE MAYOR, THE CAR AND THE COUNCILMEMBER

David Raaflaub, 1402 Edgewood Ave., expressed concern with the policy that assigned a City car to the Mayor's Office. Mr. Raaflaub stated that it was a misappropriation of public resources for Councilmember Hunter to use the car for a trip to Washington D. C. and for the Mayor to use the car to attend certain functions.

DAVID DE VARTI - ROLE OF MAYOR AND COUNCIL

David DeVarti, 921 Dewey Ave., stated that Councilmembers have many demands placed on their time and that the use of a City car is justified as a means to facilitate the participation of the City's elected representatives. Mr. DeVarti expressed concern with the Ann Arbor News' focus on the car issue rather than on major issues such as solid waste and affordable housing.

HOWARD STEWART - CITY COUNCIL

Howard Stewart, 1601 Leaird Dr., stated that the Ann Arbor News has been irresponsible by turning a minor issue concerning the use of a City car into a major story. Mr. Stewart further stated that the last two years under Mayor Brater's leadership has been a period of progress in which the City has been more open to a lot of people, and that the attacks on the Mayor may be due to negative attitudes toward a woman leader in City government.

CAROLE MC CABE - AFFORDABLE HOUSING

Carole McCabe, 8050 Huron St., Dexter, Director of Avalon Housing Inc., urged Council's support of the proposed resolution approving submission of the HOME Program Description to HUD and appropriating HOME Program funds. Ms. McCabe stated that the joint project between the City and the County includes 15 new units of affordable housing for the homeless and mentally ill.

LEE PACE - CITY INCOME TAX

Lee Pace, 3435 Fernwood Ave., questioned whether a proposal for a City income tax is being considered since Councilmember Hunter made a trip to Washington D.C. to gather information concerning such a tax. Mr. Pace stated that he is opposed to a City income tax.

JANIS AUSTIN - HOUSING

Janis Austin, 820 S. Maple Rd., stated that UNITY does not represent South Maple residents and has not represented the interests of the South Maple Tenant Organization in a very long time. Ms. Austin further stated that most public housing residents do not want Conrad Benson reinstated as Housing Commission Director.

PUBLIC HEARINGS

BATES ZONING (ORDINANCE NO. 2-93)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.44 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Bates property, 303 Glenwood. Notice of public hearing was published February 13, 1993.

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

HAMPTON ZONING (ORDINANCE NO. 3-93)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.8 acre from TWP (Township District) to R1B (Single-Family Dwelling District), Hampton property, 415 Barton Drive East. Notice of public hearing was published February 13, 1993.

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

LAWSON ZONING (ORDINANCE NO. 4-93)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.22 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Lawson property, 418 Barber Avenue. Notice of public hearing was published February 13, 1993.

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

PAULEY/MALVITZ ZONING (ORDINANCE NO. 5-93)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.43 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Pauley/Malvitz property, 424 Pinewood. Notice of public hearing was published February 13, 1993.

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

VARSITY FORD ZONING (ORDINANCE NO. 6-93)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 9.0 acres from TWP (Township District) to C3 (Fringe Commercial District), Varsity Ford property, 3480 Jackson Road. Notice of public hearing was published February 13, 1993.

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

RECREATION GRANT APPLICATION FOR SOUTHEAST AREA PARK

A public hearing was conducted on the proposed recreation grant application for Southeast Area Park. Notice of public hearing was published February 25, 1993.

The following person appeared:

Greg Jones, 3212 Williamsburg Rd., representing the Southeast Area Citizens Task Force, stated that the proposed park development is a well balanced, broad-based plan which will enhance the entire City as well as the southeast area.

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

1993 FEES AND CHARGES FOR CITY GOLF COURSES

A public hearing was conducted on the proposed 1993 fees and charges for City golf courses. Notice of public hearing was published February 26, 1993.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

Councilmember Hanna-Davies moved that the agenda be approved with the following changes:

MOTIONS AND RESOLUTIONS

Delete: Resolution to Reduce Solid Waste Millage (Councilmember Fink)

Delete: Resolution Approving Closing of State Street, from South University Avenue to East William Street, for University of Michigan Steam Tunnel Repair

Delete: Resolution Approving Street Closings for Catherine McAuley Health System Parade

Add: Resolution Authorizing Unlimited Tax General Obligation Bonds (\$8,950,000.00 - Series C, Environmental Bond)

CLERK'S REPORT

Add: Communication from John F. Ladd, 1595 Pauline Blvd., regarding parking problem in the Old West Side - Transportation.

On a voice vote the Chair declared the motion carried.

APPROVAL OF COUNCIL MINUTES

CORRECTED MINUTES OF FEBRUARY 1 APPROVED

Councilmember Fink moved that the corrected minutes of the February 1, 1993 regular session of Council be approved as presented.

On a voice vote the Chair declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

R-75-3-93 APPROVED

RESOLUTION TO APPROVE GRAMMATICO ANNEXATION)

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Grammatico Annexation, 0.19 acre, Clarendon Drive (Lot 73, Scioto Hills Subdivision).

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

Whereas, Joseph and Sherry Grammatico are the owners of said property; and

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

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

Lot 73 of Scioto Hills Subdivision, Washtenaw County, Michigan, as recorded in Liber 7 of Plats, Page 8, Washtenaw County Records, including adjacent Clarendon Drive right-of-way.

R-76-3-93 APPROVED

RESOLUTION TO APPROVE TOWNSEND AND BOTTUM ANNEXATION)

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Townsend and Bottum Annexation, 6.89 acres, 2245 South State Street.

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

Whereas, State Street Real Estate Company Limited Partnership is the owner of said property; and

Whereas, It is the desire of State Street Real Estate Company Limited Partnership to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

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

Commencing at the Northwest corner of Section 4, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan; thence S 00E37'30" E 915.09 feet along the west line of said Section 4 for a PLACE OF BEGINNING; thence N 88E01'30" E 587.39 feet; thence S 23E28'00" E 536.94 feet along the westerly right-of-way line of the Ann Arbor Railroad; thence N 83E53'00" W 13.52 feet; thence N 67E53'00" W 122.32 feet; thence N 89E09'00" W 449.82 feet; thence N 01E15'00" W 35.44 feet; thence S 87E50'00" W 219.44 feet to a point on the west line of said Section 4; thence continuing S 87E50'00" W 0.85 feet; thence N 01E02'00" E 38.54 feet along the east line of State Street; thence continuing along said east line N 02E28'00" W 352.43 feet; thence N 88E01'30" E 11.06 feet to the Place of Beginning, being a part of the Northwest 1/4 of said Section 4 and a part of the Northeast 1/4 of Section 5, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, containing 6.71 acres of land more or less, and being subject to easement of record, if any, and including that portion of adjacent State Street right-of-way.

R-77-3-93 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER TO WINK CHEVROLET FOR 10 POLICE PATROL CARS - BID NO. 2384

Whereas, The Police Department is in need of ten new patrol cars to replace patrol cars that reach contractual mileage limits;

Whereas, Wink Chevrolet, 10700 Ford Rd., Dearborn, was the lowest responsible bidder for the purchase of ten 1993 Chevrolet Caprice patrol cars, for \$134,300.00; and

Whereas, Wink Chevrolet received Personnel/Human Rights approval on January 27, 1993;

RESOLVED, That City Council approve the issuance of a purchase order to Wink Chevrolet for \$134,300.00; and

RESOLVED, That \$134,300.00 be appropriated from the 1992/1993 Public Services Department budget.

R-78-3-93 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER TO RED HOLMAN PONTIAC GMC FOR FIVE CARS FOR BUILDING DEPARTMENT AND PARKING ENFORCEMENT - BID NO. 2357

Whereas, The Building Department and Public Services Department are in need of new passenger cars;

Whereas, Bids were received on December 1, 1992;

Whereas, Red Holman Pontiac GMC, 35300 Ford Rd., Westland, was the lowest responsible bidder for the purchase of five 1993 Pontiac Sunbird passenger cars; and

Whereas, Red Holman Pontiac GMC received Personnel/Human Rights approval on January 27, 1993;

RESOLVED, That City Council approve the issuance of a purchase order to Red Holman Pontiac GMC for \$41,965.00; and

RESOLVED, That \$41,965.00 be appropriated from the 1992/1993 Public Services Department budget.

R-79-3-93 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH WOOLPERT CONSULTANTS FOR PART A OF GEOGRAPHIC INFORMATION SYSTEM (GIS) DATA BASE DEVELOPMENT PROJECT - RFP NO. 311

Whereas, The City of Ann Arbor has an Information Services Strategic Plan (ISSP)

to guide investment in information technology for the six-year period commencing in 1989;

Whereas, Many of the applications planned for implementation in the ISSP are directed towards increasing the efficiency and effectiveness of City service delivery;

Whereas, It is well known that over 70% of such services involve some aspect of location or geography;

Whereas, The Geographic Information System (GIS) project is building the organizing concepts, geographic data bases, and specialized tools needed for the development of applications which will increase the efficiency and effectiveness of City services;

Whereas, The City has been working on the implementation of the GIS since 1984 and has reached the point in the project work plan which calls for the development of the land and cadastral (tax parcels) data bases;

Whereas, The Information Services Division of the Administrative Services Department has prepared the implementation plans, project specifications, requests for proposals, and other technical elements necessary to continue the implementation of the Geographic Information System,

Whereas, RFP No. 311: Ann Arbor Geographic Information System Data Base Development Project, was sent to six pre-qualified contractors;

Whereas, Woolpert Consultants, was determined to be the most qualified and lowest cost respondent to RFP No. 311;

Whereas, The City is currently negotiating a contract with Woolpert Consultants for the entire Data Base Development Project scope of services but does not want to miss the 1993 aerial photography season which begins in mid-March;

Whereas, The City has requested Woolpert Consultants to split their scope of services into two parts with the aerial photography portion known as Part A;

Whereas, Woolpert Consultants received Human Rights approval on February 12, 1993; and

Whereas, Funding for the GIS Data Base Development Project is included in the FY 1992-93 operating budget of the Information Services Division of the Administrative Services Department;

RESOLVED, That the recommendation of the City Administrator be approved and that the RFP No. 311 scope of services known as Part A be awarded and purchase orders issued to Woolpert Consultants in the amount of \$20,630.00; and

RESOLVED, That the Mayor and City Clerk be authorized to execute on behalf of the City all contracts and agreements which are required for this purchase and which are approved as to form by the City Attorney and to substance by the City Administrator.

R-80-3-93 APPROVED

RESOLUTION TO APPROVE AGREEMENT TO PURCHASE NATURE INTERPRETIVE SIGNS FOR GALLUP PARK, BIRD HILLS PARK, FURSTENBERG PARK AND LESLIE SCIENCE CENTER

Whereas, Approved park plans include the installation of nature interpretive display signs in four park areas;

Whereas, The lowest responsible price quote was submitted by G.S. Images in the amount of \$18,545.35 to fabricate fifteen interpretive signs for these parks; and

Whereas, The Personnel/Human Rights Department approved G.S. Images Company on January 22, 1993;

RESOLVED, That the Mayor and City Council approve, for the life of the project, the recommendation of the City Administrator and authorize the Mayor and City Clerk to approve an agreement with G.S. Images in the amount of \$18,545.35, to fabricate fifteen nature interpretive signs.

R-81-3-93 APPROVED

RESOLUTION TO APPROVE A CONTRACT FOR ADMINISTRATION OF PORTIONS OF THE CITY'S DEFERRED COMPENSATION PLAN

Whereas, The City maintains a deferred compensation plan for the benefit of its employees and the plan offers three options for the investment of employee funds, including the ICMA Retirement Corporation, American Funds and Kemper Funds;

Whereas, The ICMA Retirement Corporation provides administration and counseling in connection with their investment plan but the American Funds and Kemper Funds require us to select an administrator;

Whereas, The City desires that employees receive the best possible service and administration for the handling of their funds and accounts; and

Whereas, The Deferred Compensation Committee recommends that it is in the best interest of the participants of the City of Ann Arbor Deferred Compensation Plan and the City of Ann Arbor to appoint an administrator who can provide appropriate administration and counseling for employees wishing to use the American Funds and Kemper Funds investment options;

RESOLVED, That the Mayor and City Clerk be authorized to sign contracts with Diversified Financial Services in substantially the form on file in the City Clerk's Office.

R-82-3-93 APPROVED

RESOLUTION NO. 1 - PREPARE PLANS AND SPECIFICATIONS FOR
BURTON ROAD WATERMAIN SPECIAL ASSESSMENT PROJECT

Whereas, Council deems it necessary to acquire and construct the following improvement:

Burton Road Watermain;
District No. 93028; File No. 93028;

described as:

1,650 feet of 6" watermain on Burton Road from
Packard northerly to 350 feet south of Eli Drive;

RESOLVED, That

1. The City Administrator be directed to have prepared plans and specifications for said improvement project, and an estimate of the cost thereof;

2. The City Administrator be directed to file a report of same with the City Clerk, including a recommendation as to what proportion of the cost should be paid by special

assessment and what part, if any, should be a general obligation of the City, the number of installments in which the assessments may be paid, and the land which should be included in the special assessment district;

3. The City Clerk shall present said report to the Council and make it available for public examination;

4. The sum of \$7,500.00 be appropriated for the planning and design of said project, such sum being advanced from the Water Fund (042) pending the sale of appropriate bonds;

5. Any unspent portion of said sum is re-appropriated and re-advanced as above for said project for succeeding fiscal years until bonds are sold and the Water Fund (042) reimbursed, or until said project is officially closed; and

6. Council declare its intent to issue bonds to pay all or part of the cost of such improvement project, funding reserves, paying for credit enhancement, and the cost of issuance of such bonds (either initially or ultimately), provided that such bonds are issued in conformity with applicable State statutes and all documents, provisions, and details pertaining to such bonds are acceptable to and approved by this Council and provided, further, that such bonds can be sold.

R-83-3-93 APPROVED

RESOLUTION APPROVING 1993 GREEK WEEK
BED RACE AND PARADE

RESOLVED, That City Council approve the closing of Tappan Street from South University Avenue to Hill Street between 12:00 p.m. - 5:00 p.m., March 17, 1993, for the 1993 Greek Week Bed Race and Parade; and

RESOLVED, That the meter bag deposit fee be waived and that the \$396.00 meter rental fee be paid from the Community Events Fund.

R-84-3-93 APPROVED

RESOLUTION TO PLACE DELINQUENT SNOW REMOVAL
CHARGES ON JULY 1993 TAX ROLL

Whereas, There are delinquent charges owed to the Public Services Department for

sidewalk snow removal; and

Whereas, Notice has been given by first class mail to the owners of each premises of the total amount due as required by City Code;

RESOLVED, That such charges, if unpaid as of April 15, 1993, be levied as special assessments against the property according to Schedule A (on file in the City Clerk's Office), together with an additional penalty charge of 10% of the total unpaid, as provided in Section 1:292 of the Code, and that the City Assessor place the same on the next tax roll of the City and that such charges be collected in the same manner as general city taxes; and

RESOLVED, That the funds collected be reimbursed to the Public Services Department operating budget.

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

ORDINANCES - SECOND 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 adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Bach, Fink, Grady, Meade, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 11;

Nays, 0.

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

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Bach, Fink, Grady, Meade, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 11;

Nays, 0.

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

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Bach, Fink, Grady, Meade, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 11;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second 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 Hanna-Davies moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Bach, Fink, Grady, Meade, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 11;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second 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 Meade moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Bach, Fink, Grady, Meade, Zimmer, Nicolas, Peterson, Eckstein, Mayor Brater, 11;

Nays, 0.

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

ORDINANCES - FIRST READING

None.

MOTIONS AND RESOLUTIONS

R-85-3-93 APPROVED

RESOLUTION REGARDING CITY CAR

Whereas, The Mayor assigned a City vehicle to her office in late 1991;

Whereas, This vehicle has become a source of embarrassment to the City Council, due to recent instances of abuse on the part of elected City officials; and

Whereas, A compelling need to have such a car assigned to the Mayor's Office has not been demonstrated;

RESOLVED, That the Ann Arbor City Council order that the vehicle assigned to the Mayor's Office be returned to the City vehicle pool; and

RESOLVED, That the Mayor or any Councilmember wishing to use a City vehicle shall follow the same procedure as that required for any City employee.

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-86-3-93 APPROVED

RESOLUTION TO APPROVE RECREATION GRANT APPLICATION
TO MICHIGAN DNR FOR \$374,500.00 AND APPROPRIATE FUNDS FOR
PARK DEVELOPMENT IN SOUTHEAST ANN ARBOR - \$1,100,500.00

Whereas, The City owns 27 acres of park land near the northwest corner of Platt and Ellsworth Roads;

Whereas, Several public meetings were held with the southeast Ann Arbor community, and at a public meeting on September 15, 1992 a citizens task force of neighborhood representatives was established to assist in developing a consensus plan for the park development;

Whereas, A list of park improvements including an agreement to schedule construction was determined with community input;

Whereas, The Park Advisory Commission approved the concept plan for the park on February 16, 1993, following a public hearing, and recommends that the Mayor and City Council authorize a grant application to MDNR and authorize Park Rehabilitation and Development Millage Funds for the local match;

Whereas, Funding is available in the Park Rehabilitation and Development Millage for both the construction of lighted softball fields and southeast Ann Arbor park improvements as a local match to State of Michigan DNR funds for park improvements;

Whereas, The consensus plan is consistent with recommendations for the 1988-1994 Park Recreation and Open Space Plan; and

Whereas, Applications for the next round of recreation grants, as administered by the Michigan DNR, is due no later than April 1, 1993;

RESOLVED, That the Mayor and City Council: 1) Authorize a grant application to the Michigan DNR for matching funds; 2) authorize the City Administrator to execute any documents or agreements required by the DNR to administer the grant; and 3) appropriate funds up to a total of \$1,100,500.00 (\$726,000.00 from the Park Rehabilitation and Development Millage for the local match and \$374,500.00 in grant funds to be reimbursed

by the DNR) for the construction of the Southeast Area Park for the life of the project; and

RESOLVED, That construction of the park be in accordance with Citizens Task Force recommendations as outlined in the schedule of improvements agreement presented to the Park Advisory Commission on February 16, 1993.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

DEFERRED

RESOLUTION TO APPROVE FY 1993 HOME PROGRAM
DESCRIPTION FOR SUBMISSION TO DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT, AMEND THE COMMUNITY DEVELOPMENT
DEPARTMENT BUDGET, AND APPROPRIATE THE FUNDS

Councilmember Hanna-Davies moved that the resolution be adopted.

Councilmember Peterson moved that the resolution be deferred until the Community Development staff member arrives to answer questions from Councilmembers.

On a voice vote the Chair declared the motion carried and the resolution deferred. (See Resolution No. R-88-3-93)

R-87-3-93 APPROVED

RESOLUTION TO APPROVE ALLOCATION TO SHELTER
ASSOCIATION OF ANN ARBOR/AVALON HOUSING INC.
FOR ACQUISITION/REHABILITATION PROJECT

Whereas, An application was received in January 1993 from the Shelter Association of Ann Arbor/Avalon Housing Inc. for financial assistance to be used for the acquisition/rehabilitation of 518, 520, 522 South Division Street as affordable housing units

for very low-income persons;

Whereas, From the total estimated project cost of \$570,000.00, the Shelter Association/Avalon is expecting to leverage funds from Washtenaw County and the Federal Home Loan Bank of Indianapolis;

Whereas, The Human Resources Department has reviewed and approved this contract as of April 14, 1992; and

Whereas, The Housing Policy Board at its meeting on February 17, 1993 recommended City Council approval of HOME and CDBG funds for the project, contingent upon the resolution of relocation issues affecting the project;

RESOLVED, That City Council approve the allocation of \$405,000.00 using \$345,000.00 of HOME Program funds as a 1% interest, 30-year loan and \$60,000.00 of CDBG funds as a deferred payment loan for acquisition, rehabilitation and related costs of 518, 520, 522 South Division Street, with funds to be available until expended without regard to fiscal year;

RESOLVED, That the allocation be contingent upon relocation issues being resolved in a manner acceptable to the City;

RESOLVED, That City Council direct the Community Development Department to negotiate the Housing Affordability Agreement with all funding providers for the project for subsequent Council review and approval; and

RESOLVED, That approval of the city funds be contingent upon the Shelter Association/Avalon leveraging the balance of \$165,000.00 from other non-city sources.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

Council unanimously agreed to consider the following deferred resolution as this time:

R-88-3-93 APPROVED

RESOLUTION TO APPROVE FY 1993 HOME PROGRAM
DESCRIPTION FOR SUBMISSION TO DEPARTMENT OF HOUSING

AND URBAN DEVELOPMENT, AMEND THE COMMUNITY DEVELOPMENT DEPARTMENT BUDGET, AND APPROPRIATE THE FUNDS

Whereas, The National Affordable Housing Act of November, 1990 requires that communities expecting to receive federal funds complete a Comprehensive Housing Affordability Strategy (CHAS) as well as Annual CHAS Updates;

Whereas, The City has been designated a Participating Jurisdiction by the Department of Housing and Urban Development and must submit a HOME Program Description to HUD on or before March 15, 1993 in order to receive \$578,000.00 of FY 1993 HOME funds; and

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

RESOLVED, That the City Council approve the FY 1993 HOME Program Description substantially in the form on file in the Office of the City Clerk, for submission to the Department of Housing and Urban Development; and

RESOLVED, That The City Council authorize the Mayor and City Clerk to execute any required program documents and, upon approval by the Department of Housing and Urban Development, the City Council accept the \$578,000.00 allocation, amend the FY 1992-93 Community Development Department budget, and appropriate the funds to be available until expended without regard to fiscal year.

Councilmember Peterson moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-89-3-93 APPROVED

RESOLUTION TO APPROVE AGREEMENT WITH WASHTENAW COUNTY FOR SPACE IN THE COUNTY COURTHOUSE

Whereas, City Council Resolution No. R-15-1-93 directed the City Administrator to negotiate an agreement with Washtenaw County government necessary to locate the 15th District Court in the Washtenaw County Courthouse;

Whereas, An agreement has been approved by the Ann Arbor City Attorney as

required by Council Rules;

Whereas, The agreement is currently filed in the City Clerk's Office; and

Whereas, The option to move court operations to the Washtenaw County Courthouse is the most cost effective solution to the 15th District Court's space needs;

RESOLVED, That the Mayor and City Council approve the sublease agreement corresponding substantially to the form on file in the City Clerk's Office and authorize the Mayor and City Clerk to sign the agreement for the City of Ann Arbor.

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-90-3-93 APPROVED

RESOLUTION ESTABLISHING 1993 FEES AND CHARGES FOR GOLF COURSES

Whereas, The Department of Parks and Recreation recommends the proposed fee increases for 1993 to achieve specific levels of recreational facility self-support, and allow subsidies in the Recreation Facilities Fund sufficient to complete scheduled golf course capital improvement projects by 1998;

Whereas, An analysis of comparable facility fees has been compiled;

Whereas, The Park Advisory Commission and the Recreation Advisory Commission approved the proposed fees;

Whereas, The following significant issues and status have been identified to justify the fee increase:

<u>ISSUE</u>	<u>CONCLUSION</u>
Recreation Facility Enterprise Fund	The golf course must operate on a self-support basis.
Capital Improvement	The golf fund must grow to allow the

Projects necessary capital improvements to be accomplished.

Comparative Analysis of other Recreational Facilities Proposed fees for 1993 are competitive with other comparable recreational facilities.

Whereas, The Recreational Facilities Fund must achieve at least a 100% level of self-support;

RESOLVED, That the Mayor and Council approve the 1993 proposed schedule of golf course fees and that the fees remain active unless modified by City Council.

	<u>HURON</u>		<u>LESLIE</u>	
	<u>Current</u>	<u>Proposed 1993</u>	<u>Current</u>	<u>Proposed 1993</u>
Weekend 18	\$11.50	\$12.50	\$16.00	\$17.00
Weekend 9	8.50	9.00	10.50	11.00
Weekday 18	10.00	11.00	13.00	14.00
Weekday 9	7.50	8.00	9.50	10.00
Senior 5.50	6.00	6.50	7.00	
Junior 5.50	6.00	6.50	7.00	
Twilight	5.50	6.00	6.50	7.00
Golf Car 18*			17.00	18.00
Golf Car 9*			9.00	10.00
Pull Cart	2.00		2.00	
Club Rental	5.00		5.00	

*Add a \$2.00 refundable key deposit.

<u>Season Passes - Resident</u>	<u>Current</u>	<u>1993</u>	Proposed
Pre-Season Discount (March -)			
5 day		\$400.00	\$425.00
7 day		450.00	475.00
*Youth/*Senior		210.00	220.00
Regular Sales			
5 day		\$450.00	\$475.00
7 day		500.00	530.00
*Youth/*Senior		225.00	235.00

*Youth - 17 years and under; Senior - 60 years and over; passes are weekdays only.

<u>Season Passes - Non-Resident</u>	<u>Current</u>	<u>Proposed</u>
(20% differential)		<u>1993</u>
Pre-Season Discount (March -)		
5 day		\$480.00
7 day		540.00
Youth/Senior	250.00	265.00
Regular Sales		
5 day		\$540.00
7 day		600.00
Youth/Senior	270.00	280.00

The 5 Day and Youth/Senior passes are good M-F only, excluding holidays.

Councilmember Meade moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-91-3-93 APPROVED

RESOLUTION TO APPROVE AMENDMENT TO FY 1991-92 AGREEMENT WITH WASHTENAW DEVELOPMENT COUNCIL

Whereas, City Council approved the FY 1991-92 agreement with Washtenaw Development Council to provide for economic development services;

Whereas, The Human Services Task Force recommended City Council approval of \$45,000.00 through June, 1993;

Whereas, City Council approved the allocation of funds on June 15, 1992; and

Whereas, The Human Resources Department reviewed and approved the contractor on June 2, 1992;

RESOLVED, That the City Council approve an amendment to the FY 1991-92 agreement with Washtenaw Development Council to pay for needed economic development services and extend the term of the agreement; and

RESOLVED, That the City Council direct the Mayor and City Clerk to execute the contract amendment substantially in the form on file in the Office of the City Clerk.

Councilmember Bach moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-92-3-93 APPROVED

RESOLUTION TO APPROVE OPERATING LEASE FOR COMMUNITY HIGH PARKING LOT

Whereas, The City has maintained an operating lease with the Ann Arbor Board of Education to operate the Community High School parking lot in a manner which provided public parking during certain non-school periods;

Whereas, The previous three-year lease called for a 50-50 split the first year and an 80-20 (School Board 80%, City 20%) split the second and third years for all revenues collected;

Whereas, Staff renegotiated a new two-year lease for an equal distribution of revenue (50-50);

Whereas, Renewal of a new agreement was postponed pending expansion of the Community High School building and public parking was restricted for safety reasons during this time; and

Whereas, Construction is complete and the lot returned to service and the renegotiated terms are acceptable by representatives of the School Board;

RESOLVED, That City Council approve the lease to operate the Community High parking lot on a 50-50 basis, dividing equally gross parking revenues between the City and the School Board; and

RESOLVED, That the Mayor, City Administrator, City Attorney and City Clerk be authorized to sign the lease to implement the agreement.

Councilmember Meade moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-93-3-93 APPROVED AS AMENDED

RESOLUTION TO APPROVE AMENDMENTS AND OTHER PROCEDURAL CHANGES TO THE HOUSING PROGRAM GUIDELINES

Whereas, The Community Development Department operates the City's housing programs following Department of Housing and Urban Development regulations and the Housing Program Guidelines;

Whereas, There is a need to update the Housing Program Guidelines to reference the City's HOME Program;

Whereas, There is a need to update program procedures related to requests for subordination documents as it reflects the changing market conditions;

Whereas, There is also a need to amend the security interest provisions for those receiving assistance so that program funds can revolve in order to assist additional families; and

Whereas, The Community Development Waiver and Review Board has reviewed and recommended approval of the amendments and other procedures to the Housing

Program Guidelines at its meeting on February 22, 1993;

RESOLVED, That the City Council approve the amendments to the City of Ann Arbor Housing Program Guidelines relating to the inclusion of the HOME Program, updating processing steps, and changing the security interest provisions as noted and substantially in the form on file in the Office of the City Clerk; and

RESOLVED, That the City Council approve the Subordination Agreement substantially in the form on file in the Office of the City Clerk which subordinates the City's security interest in property owned by persons who meet the eligibility criteria of the Housing Program Guidelines at the time of the subordination and authorize the Community Development Director to execute this document.

Councilmember Hunter moved that the resolution be adopted.

Council unanimously agreed to add the following amendment to the Housing Program Guidelines (on file in the City Clerk's Office) relating to the inclusion of the HOME Program:

- 12. These changes are intended to facilitate refinancing to take advantage of lower interest rates and not to reduce equity in the property.

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

R-94-3-93 APPROVED

RESOLUTION AUTHORIZING UNLIMITED TAX GENERAL OBLIGATION BONDS, \$8,950,000.00 - SERIES C, ENVIRONMENTAL BOND

Whereas, The qualified electors of the City of Ann Arbor, County of Washtenaw, State of Michigan (the "Issuer"), at the City election duly called and held on April 2, 1990, did by more than the required majority of those voting approved the following proposition:

Environmental
Bonding Proposition

Shall the City of Ann Arbor, County of Washtenaw, Michigan, borrow the principal amount of not to exceed Twenty Eight Million Dollars (\$28,000,000) and issue its unlimited tax general obligation bonds therefor which may be issued in series, for the purpose of paying part of the cost of acquiring and constructing improvements to the existing landfill and the Recycle Ann Arbor facility, acquiring, constructing and equipping of additional landfill facilities, a transfer station and a material recovery facility together with all necessary appurtenances and attachments reasonably related thereto and useful in connection therewith?

and

Whereas, It is the determination of the City Council that at this time a third series of unlimited tax general obligation bonds in the principal amount of Eight Million Nine Hundred Fifty Thousand Dollars (\$8,950,000.00) should be issued for the purpose described in the foregoing proposition (the "Project");

RESOLVED, That:

1. Bonds of the Issuer designated Unlimited Tax General Obligation Environmental Bonds, Series C (the "Bonds") are authorized to be issued in the aggregate principal sum of Eight Million Nine Hundred Fifty Thousand Dollars (\$8,950,00.00) for the purpose of paying part of the cost of the Project, including the cost incidental to the issuance, sale and delivery of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000.00, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, dated as of April 1, 1993. The Bonds shall bear interest, mature, and be payable at the times and in the manner set forth in Sections 6 and 7 hereof.

The Bonds are subject to redemption prior to maturity in the manner and at the times and prices set forth in Sections 6 and 7 hereof.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Issuer to conform to market practice in the future. Interest shall be payable by check or draft drawn on the Transfer Agent (as hereinafter defined) mailed to the registered owner at the registered address, as shown on the registration books of the Issuer maintained by the Transfer Agent. The principal of the

Bonds shall be payable upon presentation and surrender to the Transfer Agent.

The Treasurer of the Issuer is hereby authorized to select and appoint the Transfer Agent and to execute one or more agreements with the Transfer Agent on behalf of the Issuer. The Clerk is hereby authorized to insert the name of the Transfer Agent in the form of notice of sale set forth in Section 7 hereof before publication. The Issuer reserves the right to replace the Transfer Agent at any time upon written notice to the registered owners of record of the Bonds not less than sixty (60) days prior to any interest payment date.

2. The Bonds of this issue shall be executed in the name of the Issuer with the facsimile signatures of the Mayor and Clerk of the Issuer and shall have the seal of the Issuer, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the Clerk or Treasurer of the Issuer upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

3. The Transfer Agent shall keep the books of registration for this issue on behalf of the Issuer. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, The Issuer shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the Issuer. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. The Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the City Council, to be designated SERIES C ENVIRONMENTAL BONDS DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. All proceeds from taxes levied for the Debt Retirement fund shall be deposited into the Debt Retirement Fund as collected. Commencing with the year 1993, there shall be levied upon the tax rolls of the Issuer for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 202, Public Acts of Michigan, 1943, as amended, an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due prior to the next annual tax levy; provided, however, that if at the time of making any such annual tax levy there shall be surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bonds, then credit therefor may be taken against such annual levy for the Debt Retirement Fund.

5. The Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the City Council, to be designated SERIES C ENVIRONMENTAL BONDS CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest and premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and costs of issuance of the Bonds.

6. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF WASHTENAW

CITY OF ANN ARBOR
UNLIMITED TAX GENERAL OBLIGATION
ENVIRONMENTAL BOND, SERIES C

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Original Issue</u>	<u>Date of CUSIP</u>
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Registered Owner:
Principal Amount:

Dollars

KNOW ALL MEN BY THESE PRESENTS, That the CITY OF ANN ARBOR, County

of Washtenaw, State of Michigan (the "Issuer"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon until paid from the Date of Original Issue specified above or such later date to which interest has been paid, at the Interest Rate per annum specified above, first payable on September 1, 1993 and semiannually thereafter. Principal of this bond is payable at the _____ office of _____, or such other transfer agent as the Issuer may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to an interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the 15th day of the month preceding the interest payment date as shown on the registration books of the Issuer kept by the Transfer Agent by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the Issuer are hereby irrevocably pledged.

This bond is one of a third series of bonds aggregating the principal sum of \$8,950,000.00, issued for the purpose of part of the costs of acquiring and constructing certain solid waste disposal projects and paying costs incidental to the issuance of the series of bonds in pursuance of a vote of the qualified electors of the Issuer voting thereon at an election duly called and held on April 2, 1990.

Bonds of this issue maturing in the years 1994 to 2003, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000.00 of this issue maturing in the years 2004 to 2010, inclusive, shall be subject to redemption prior to maturity, at the option of the Issuer, in any order of maturity and by lot within any maturity, on any interest payment date on or after September 1, 2003, at par and accrued interest to the date fixed for redemption, plus a premium expressed as a percentage of par, as follows:

1-1/2% of the par value of each bond or portion thereof called for redemption on or after September 1, 2003, but prior to September 1, 2004;

1% of the par value of each bond or portion thereof called for redemption on or after September 1, 2004, but prior to September 1, 2005; and

1/2 of 1 % of the par value of each bond or portion thereof called for redemption on or after September 1, 2005, but prior to September 1, 2006.

No premium shall be paid on bonds or portions thereof called for redemption on or after September 1, 2004.

TO BE INSERTED IN CASE OF TERM BONDS

In addition, bonds of this series maturing on September 1, _____, are subject to mandatory redemption, by lot, on September 1 annually, commencing September 1, _____, at par plus accrued interest to the date fixed for redemption, in the amounts established in the resolution authorizing the bonds.

In case less than the full amount of an outstanding bond is called for redemption the Transfer Agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption of any bond or portion thereof shall be given by the Transfer Agent at least thirty (30) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the Transfer Agent. Bonds shall be called for redemption in multiples of \$5,000.00 and any bond of a denomination of more than \$5,000.00 shall be treated as representing the number of bonds obtained by dividing the denomination of the bond by \$5,000.00 and such bond may be redeemed in part. Notice of redemption for a bond redeemed in part shall state that upon surrender of the bond to be redeemed a new bond or bonds in aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof. No further interest on a bond or portion thereof called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem the bond or portion thereof.

This bond is transferable only upon the registration books of the Issuer kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond is payable out of the Issuer's Debt Retirement Fund for this issue, and it is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the Issuer, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the Issuer, by its legislative body, has caused this bond to be signed in the name of the Issuer by the facsimile signatures of its Mayor and Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF ANN ARBOR
County of Washtenaw
State of Michigan

By
Its Mayor

(SEAL)

By
Its City Clerk

(Form of Transfer Agent's Certificate of Authentication)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the withinmentioned resolution.

_____, Michigan,
Transfer Agent

By
Authorized

DATE OF REGISTRATION:

[Bond printer to insert form of assignment]

7. The Clerk shall (1) make requisite application to the Department of Treasury for an order granting permission for the issuance of the Bonds or, if applicable, make requisite application to the Department of Treasury for an order approving an exception to the requirement of an order granting permission for the issuance of the Bonds; upon

receipt of said order fix a date of sale for the Bonds; and publish notice of sale of the Bonds in The Bond Buyer, New York, New York, or the Detroit Legal News, Detroit, Michigan, which notice of sale shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

\$8,950,000
 CITY OF ANN ARBOR
 COUNTY OF WASHTENAW, STATE OF MICHIGAN
 UNLIMITED TAX GENERAL OBLIGATION
 ENVIRONMENTAL BONDS, SERIES C

SEALED BIDS for the purchase of the above bonds will be received by the undersigned at the City Clerk's Office located at 100 N. Fifth Ave., P.O. Box 8647, Ann Arbor, Michigan 48107-8647, on Monday, the _____ day of _____, 1993, until _____ o'clock p.m., Eastern Standard Time, at which time and place said bids will be publicly opened and read.

Sealed bids will also be received on the same date and until the same time by an agent of the undersigned at the office of the Municipal Advisory Council of Michigan, 1445 First National Building, Detroit, Michigan 48226, when, simultaneously, the bids will be opened and read. The City Council will meet at 7:30 o'clock p.m., on that date to consider the award or rejection of bids.

BOND DETAILS: Said bonds will be registered bonds of the denomination of \$5,000.00 or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, originally dated April 1, 1993, numbered in order of registration, and will bear interest from their date payable on September 1, 1993, and semiannually thereafter.

The bonds will mature on the 1st day of September of each of the years as follows:

1994	\$100,000	2000	\$425,000	2006	\$575,000
1995	175,000	2001	450,000	2007	600,000
1996	300,000	2002	475,000	2008	625,000
1997	425,000	2003	500,000	2009	625,000
1998	325,000	2004	525,000	2010	625,000
1999	400,000	2005	550,000	2011	625,000
				2012	625,000

TERM BONDS: The initial purchaser of the bonds may designate bonds in any one or more maturities from September 1, 2005 through the final maturity as term bonds and the maturities so designated shall be aggregated in the term bonds. The amounts of the maturities which are aggregated in a designated term bond shall be subject to mandatory redemption on September 1st of the years and in the amounts hereinbefore set forth in the maturity schedule at a redemption price of par, plus accrued interest to the date of

mandatory redemption. There may be more than one bond maturity so designated. Any such designation must be made at the time the bid is submitted. Bidders must designate whether bond maturities for the years beginning September 1, 2005 through September 1, 2010 represent a serial maturity or a mandatory redemption requirement for a term bond maturity.

PRIOR REDEMPTION OF BONDS: Bonds of this issue maturing in the years 1994 to 2003, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000.00 of this issue maturing in the years 2004 to 2010, inclusive, shall be subject to redemption prior to maturity, at the option of the Issuer, in any order of maturity and by lot within any maturity, on any interest payment date on or after September 1, 2003, at par and accrued interest to the date fixed for redemption, plus a premium expressed as a percentage of par, as follows:

1-1/2% of the par value of each bond or portion thereof called for redemption on or after September 1, 2003, but prior to September 1, 2004;

1% of the par value of each bond or portion thereof called for redemption on or after September 1, 2004, but prior to September 1, 2005; and

1/2 of 1 % of the par value of each bond or portion thereof called for redemption on or after September 1, 2005, but prior to September 1, 2006.

No premium shall be paid on bonds or portions thereof called for redemption on or after September 1, 2005.

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at a rate or rates not exceeding 9% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only and all

bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rates bid shall not exceed 2%. No proposal for the purchase of less than all of the bonds or at a price less than 100% of their par value will be considered.

TRANSFER AGENT AND REGISTRATION: Principal and interest shall be payable at _____, _____, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner of record not less than 60 days prior to an interest payment date. Interest shall be paid by check or draft mailed to the registered owner of record as shown on the registration books kept by the transfer agent as of the 15th day prior to an interest payment date. The bonds will be transferred only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The bonds were authorized at an election held April 2, 1990, and are issued for the purpose of paying the costs of acquiring and constructing improvements to the existing landfill and the Recycle Ann Arbor facility; acquiring, constructing and equipping of additional landfill facilities, a transfer station and a material recovery facility, together with all necessary appurtenances and attachments reasonably related thereto and useful in connection therewith. The bonds will pledge the full faith and credit of the City for payment of the principal and interest thereon and will be payable from ad valorem taxes which may be levied without limitation as to rate or amount. The rights or remedies of bondholders may be affected by bankruptcy insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter enacted and by the application of general principles of equity including those relating to equitable subordination.

GOOD FAITH: A certified or cashier's check in the amount of \$89,500.00, drawn upon an incorporated bank or trust company and payable to the order of the City Treasurer must accompany each bid as a guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the bonds. No interest shall be allowed on the good faith checks, and checks of the unsuccessful bidders will be promptly returned to each bidder's representative or by registered mail. The good faith check of the successful bidder may be immediately cashed, in which event payment for the balance of the purchase price of the bonds shall be made at the closing.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest interest cost computed by determining, at the rate or rates specified in the bid, the total dollar value of all interest on the bonds from _____ 1, 1993, to their maturity and deducting therefrom any premium.

TAX MATTERS: In the opinion of bond counsel, assuming compliance with certain

covenants, interest on the bonds is excluded from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation in the State of Michigan except inheritance taxes and taxes on gains realized from the sale, payment or other disposition thereof. The successful bidder will be required to furnish, prior to the delivery of the bonds, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, attorneys of Detroit, Michigan, a copy of which opinion will be printed on the reverse side of each bond and the original of which will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser at a place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, Eastern Standard Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw his proposal by serving notice of cancellation, in writing, on the undersigned in which event the City shall promptly return the good faith deposit. Payment for the bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery. Unless the purchaser furnishes the transfer agent with a list giving the denominations and names in which it wishes to have the certificates issued at least 5 business days prior to the delivery of the bonds, the bonds will be delivered in the form of a single certificate for each maturity registered in the name of the purchaser.

CUSIP NUMBERS: It is anticipated that CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the bonds shall be

paid for by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchaser.

OFFICIAL STATEMENT: A copy of the Official Statement may be obtained by contacting Stauder Barch & Associates, 3989 Research Park Drive, Ann Arbor, Michigan 48108, telephone (313) 668-6688. The Official Statement is in a form deemed final as of its date by the City for purposes of SEC Rule 15c2-12(b)1, but is subject to revision, amendment and completion of a final Official Statement. The successful bidder shall supply to the City, within twenty-four hours after the award of the bonds, all pricing information and any underwriter identification determined by the City to be necessary to complete the Official Statement.

The City will furnish to the successful bidder, at no cost, a reasonable number of copies of the final Official Statement within seven business days after the award of the bonds. Additional copies will be supplied upon the bidder's agreement to pay the cost of the City for those additional copies.

The City shall deliver, at closing, an executed certificate to the effect that as of the date of delivery the information contained in the Official Statement, including revisions, amendments and completions as necessary, relating to the City and the bonds is true and correct in all material respects, and that such Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

FURTHER INFORMATION: For additional information, contact Stauder Barch & Associates, 3989 Research Park Drive, Ann Arbor, Michigan 48108, telephone (313) 668-6688.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for General Obligation Bonds."

Clerk

8. The estimated period of usefulness of the proposed project is hereby declared to be not less than twenty-five (25) years and its total cost is estimated to be not less than Eight Million Nine Hundred Fifty Thousand Dollars (\$8,950,000).

9. The Issuer shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the bonds pursuant to Sections 103(a) and 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder, in such a manner as to cause the bonds to be "arbitrage bonds" within the meaning of said Sections 103(a) and 148 and the applicable regulations thereunder.

10. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Councilmember Fink moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried with Councilmember Zimmer dissenting.

REPORTS FROM COUNCIL COMMITTEES

ART FAIR COMMITTEE

Councilmember Peterson, member of the Mayor's Committee on Street Art Fairs, reported that staff will soon present recommendations for regulating the subleasing of private property within the art fair district for the selling of goods. Ms. Peterson stated that she would convey Councilmembers' ideas on this issue to staff.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

NOMINATIONS PLACED ON TABLED

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

ANN ARBOR COMMISSION ON DISABILITY ISSUES

RoAnne Chaney (reappointment)
2568 Packard Rd.
Term: 3/15/93 to 3/15/96

Marjorie Oliver-Cash (reappointment)

1560 Woodland Dr.
Term: 3/15/93 to 3/15/96

TRANSPORTATION TASK FORCE

Jeffrey S. Gourджи (University of Michigan student community representative)
1345 Washtenaw, Ave., #6

DOWNTOWN MARKETING TASK FORCE

Jerry Preston (representing the downtown business community)
Ann Arbor Area Convention and Visitors Bureau
211 E. Huron St., Suite #6

CABLE COMMUNICATIONS COMMISSION

Barbara Clarke (replacing Herb Eagle at term expiration)
2330 South Circle Dr.
Term: 3/15/93 to 3/15/98

Michigan E. Mouradian (to fulfill membership requirement)
1336 Culver Rd.
Term: 3/15/93 to 3/15/98

MAYOR'S NIGHT IN / COUNCIL CALL-IN

Mayor Brater announced that the next Mayor's Night In is scheduled for March 3, from 5:00-7:00 p.m., in the Council Workroom, and that the next Council Call-In, staffed by Councilmember Zimmer, is scheduled from 6:30-8:00 p.m. on March 3.

BUDGET AWARD

Mayor Brater reported that the City received the "Distinguished Budget Presentation Award" from the Government Finance Officers Association for its 1992/93 annual budget. The Mayor thanked the City Administrator and staff for their creativity in bringing together a streamlined, more up-to-date budget.

CITY NEWSLETTER AWARD

Mayor Brater reported that the City also received an award for its quarterly newsletter, "For The People." Ms. Brater congratulated the Public Information Officer and City Clerk for their achievement.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR**REPORTS SUBMITTED**

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

1. Award of Merit for City Newsletter, "For the People"
2. Follow Up on Impacts of Moving Court

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

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER NICOLAS**

Councilmember Nicolas responded to a letter of criticism from Councilmember Grady. Mr. Nicolas defended his political philosophy and Council voting record.

COUNCILMEMBER HUNTER

Councilmember Hunter suggested that Councilmembers document their time spent on Council business so that the public understands how much time Councilmembers spend serving the City.

COUNCILMEMBER GRADY

Councilmember Grady reminded Council of the meeting with HUD representatives in Detroit on March 3. Mr. Grady reported that the questions submitted to HUD and distributed to Councilmembers are organized around three general topics: management and budget issues, resident representation on the Housing Commission, and resident management.

COUNCILMEMBER HANNA-DAVIES

Councilmember Hanna-Davies invited Councilmembers and the public to attend the next meeting of the Housing Policy Board on March 17, at the First Baptist Church, in which a developer will speak about the hotel he successfully renovated for housing in Grand Rapids.

COUNCILMEMBER FINK

Councilmember Fink expressed concern with the allocation of administration funds in the HOME Program for the hiring of new people. Mr. Fink stated that continuation of the funds is not guaranteed and that the City should not commit itself to new positions based on one year's funding.

COUNCILMEMBER ZIMMER

Councilmember Zimmer presented a response to a citizen's comments from the February 22 Council meeting criticizing the actions of Councilmembers Zimmer and Nicolas. Mr. Zimmer defended his philosophy and Council record.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Planning Commission - January 5 and 21, 1993
2. Community Development Block Grant Executive Committee - January 11 and January 19, 1993
3. Ann Arbor Transportation Authority Board - January 20, 1993
4. Historic District Commission - January 14, 1993
5. Zoning Board of Appeals - November 18, 1992
6. Housing Policy Board - February 17, 1993

Councilmember Peterson 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 Peterson that the meeting be adjourned.

On a voice vote the Chair declared the motion carried and the meeting adjourned at 9:55 p.m.

W. Northcross
Clerk of the Council

Janet L. Chapin
Recording Secretary