

REGULAR SESSION - JUNE 21, 1993

The regular session of the Ann Arbor City Council was called to order at 7: 36 p.m. by Mayor Ingrid B. Sheldon.

Council stood for a moment of silence.

Mayor Sheldon led the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: Councilmembers Larry Hunter, Tobi Hanna-Davies, Peter Fink, Jane Lumm, Robert Grady, Ulrich Stoll, Peter Nicolas, Julie Creal, Thais Anne Peterson, David Stead, Mayor Ingrid B. Sheldon, 11

Absent: 0

INTRODUCTIONS

FOOD FIRST PRESENTATION

Video presentation by Food First (Child and Family Services/Food Gatherers) - Bill Vollano, Executive Director, Child & Family Services of Washtenaw and Lisa DeYoung, Director of Food Gatherers, Inc.

PROCLAMATION

10th Anniversary of Public Health Nursing in the United States - Proclamation presented by Mayor Sheldon.

HURON RIVER DAY

Eunice Burns, on behalf of Huron River Day, invited all citizens to participate in the annual event to be held on Sunday, July 11, in celebration of the river.

PUBLIC COMMENTARY - RESERVED TIME

HERB DAVID - USE OF LIBERTY STREET FOR STREET FAIR

Herb David, representing the Herb David Guitar Studio, and businesses located on Liberty and Fifth Streets, said that booth placement during the Art Fair diverts potential customers from the businesses located on those streets. He suggested locating booths down the middle of the street so that business entrances can be more easily seen.

KERMIT SCHLANSKER - SUBSIDIZED HOUSING

Kermit Schlansker, 2960 Marshall, said that adding single-family subsidized housing to the southeast area would deteriorate property values and be environmentally unsound.

SHERYL WAGNER - RULE CHANGES AT FARMER'S MARKET

Sheryl Wagner, chair of the City Market Grower's Association, protested rule changes scheduled to go into effect at the Farmer's Market in July as unfair to the long-time occupants of the market and those whose livelihood depends on their market booths.

JAMES HUDLER - GROUNDWATER CONTAMINATION AT THE LANDFILL

James Hudler, 17165 Farhner, Chelsea, chair of the Libertarian Party of Washtenaw County, requested that the City employ the same standards as imposed on Gelman Products, or set a new standard more in line with DNR guidelines, when addressing groundwater contamination in the southeast area.

JOHN PSYCHAS - GROUNDWATER CONTAMINATION AT THE LANDFILL

John Psychas, 959 Wall Street, read a letter from John Minnaugh to the Ann Arbor News, expressing the opinion that the City is using a different standard for addressing the groundwater contamination than imposed on Gelman Products, by directly depositing into the Huron River.

REGINA HUNTER, VALERIE MASON, DEMONT HAMILTON - GREEN GLACIER CENTER

Regina Hunter, on behalf of the Green/Glacier Center, Valerie Mason, whose child attends the center, and Demont Hamilton, a youth who attends the Green/Glacier drama classes, all requested continued Human Resources funding for the center.

GWEN NYSTUEN - TURNBERRY OAK

Gwen Nystuen, 1016 Olivia, illustrated by slide projection, the mutilation of a landmark oak tree that is located adjacent to and less than 36 inches from a house being constructed in the Turnberry housing development.

PUBLIC HEARINGS

ORDINANCE 19-93 - SPECIAL EXCEPTION USES

A public hearing was conducted on the proposed Amendment to Chapter 55 - Special Exception Uses (Ordinance No. 19-93).

The following persons appeared at this public hearing:

Paul Rogers, 809 Oxford Road, immediate past president of the Oxbridge Neighborhood Association, referred to the proposed changes to the Special Exception Use amendments submitted to Council as those the organization would like to see incorporated in the ordinance. (Note: The proposed amendments were filed with the City Clerk.)

Stephen Schweer, 1025 Berkshire, speaking on behalf of himself and his neighbor, Virginia Henry, 1101 Berkshire, approved of the amendments as proposed.

Cathy Smiley, 2920 Devonshire, representing the University of Michigan Alumni Interfraternity Council and Alumnae Panhellenic Association, suggested that the 18 month term in Section 5:104(8) be extended to 36 months. She objected to the late submission of proposed changes by the neighborhood associations because of potential undue financial hardship that may be imposed on the existing greek organizations.

Jim Jones, executive director of the Inter-cooperative Council of the University of Michigan, said that 1 1/2 years was spent to bring about changes that would satisfy the needs of the neighborhood and the various group housing situations. He objected to the late submission of proposed changes by the neighborhood associations.

Andrea VanHouweling, 920 Lincoln, said that the Oxbridge/North Burns Park Neighborhood Association considers the changes submitted by them this date to be appropriate, and requested review by the Planning Commission.

There being no further speakers, the Chair declared the public hearing continued to a date to be determined.

ORDINANCE 21-93 - HUSTON/RADER REZONING

A public hearing was conducted on the proposed Amendment to Chapter 55, the rezoning of 0.66 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Huston/Rader property, 405 Barber Avenue. (Ordinance No. 21-93)

There being no one to speak at this public hearing, the Chair declared the hearing closed.

ORDINANCE NO. 23-93 - HISTORIC DISTRICT CODE APPEAL PROCESS

A public hearing was conducted on the proposed Amendment to Chapter 103, Sections

8:409, 8:416 and 8:417 - Historic District Code Appeal Process. (Ordinance No. 23-93)

The following persons appeared:

J. Michael Schroer, chair of the Historic District Commission, supported approval of the ordinance as proposed. He said that it conforms to state statute.

Jean King, 3134 Sunnywood, said that the ordinance as proposed complies with state law. She suggested that previously deleted language in Section 8:409(8)(c) dealing with financial hardship be included in the final draft to be voted on this date.

There being no further speakers, the Chair declared the hearing closed.

APPROVAL OF AGENDA

AGENDA APPROVED AS AMENDED

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

CONSENT AGENDA

Delete: <~~Resolution to Award a Construction Contract to Douglas N. Higgins, Inc. for the Ann Arbor Airport Sanitary and Water Leads Replacement - Bid No. 2419 (\$81,798)~~> **Moved to end of Motions and Resolutions**

Delete: <~~Resolution Approving Street Closings for University of Michigan Student Move-In~~> - **Moved to end of Motions and Resolutions**

ORDINANCES - SECOND READING

Delete: <~~Amendment to Chapter 18, Sections 1:559(c), 1:564(3)(4), 1:566(1)(2) and 1:575 - Retirement System Revisions (Ordinance No. 78-92)~~> - **(Moved to Ordinances at First Reading**

ORDINANCES - FIRST READING

Add: **Amendment to Chapter 18, Sections 1:559(c), 1:564(3)(4), 1:566(1)(2) and 1:575 - Retirement System Revisions** (This ordinance was rescheduled for FIRST READING because of 6

months elapsed time between first and second reading.)

MOTIONS AND RESOLUTIONS

Delete: Resolution Regarding Recycle Ann Arbor Contract (Councilmember Fink)

Delete: Resolution Regarding the Ann Arbor Armory (Councilmember Hunter)

Delete: Resolution Authorizing Summary Publication of Ordinance No. 78-92 - Retirement System

Revised Title: Resolution to Approve Fund Transfers and Project Budgets for Approved <Information Technology Projects> ADMINISTRATIVE SERVICES DEPARTMENT PROJECTS (8 Votes Required)

Add: Resolution to Award a Construction Contract to Douglas N. Higgins, Inc. for the Ann Arbor Airport Sanitary and Water Leads Replacement - (Bid No. 2419 - \$81,709) (\$124,340 - Total Project)

Add: Resolution Approving Street Closings for University of Michigan Student Move-In

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Delete: Sick Leave Usage for Calendar Year 1992

CLERK'S REPORT OF COMMUNICATIONS RECEIVED:

Add: Communication from Oxbridge/North Burns Park Neighborhood Associations Proposing Changes to Special Exception Use Amendments

Add: Communication from Kim Waldo, representing the Freeman Estates Owners Association regarding the Turnberry Phase II and III Approval

MINUTES RECEIVED AND FILED WITH THE CITY CLERK:

Add: Human Services Task Force - June 9, 1993

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

APPROVAL OF COUNCIL MINUTES

MINUTES APPROVED

Councilmember Nicolas moved that the minutes be approved as presented.

Councilmember Stead, during COUNCIL PROPOSED BUSINESS, moved that the minutes of May 26 roll call on his motion regarding appropriation to the Street Repair Fund be corrected as follows:

*On roll call the vote was as follows: Yeas, Councilmembers Grady, Stoll, Creal, Peterson, **STEAD**, Hunter, Hanna-Davies, Mayor Sheldon, 7 8 Nays, Councilmembers Fink, Lumm, Nicolas, ~~Stead~~, 4 3*

On a voice vote, the Chair declared the motion carried unanimously and the minutes approved as corrected.

CONSENT AGENDA

The following Consent Agenda was considered and approved:

R-266-6-93 APPROVED

RESOLUTION TO AWARD A CONTRACT TO
WOLVERINE CONTRACTING FOR CONCRETE
REPAIR - VARIOUS LOCATIONS
BID NO. 2342 (\$151,500)

Whereas, It has been found necessary to perform concrete work at various locations in the City rights-of-way;

Whereas, Wolverine Contracting of Ann Arbor, Michigan has submitted to the City on September 30, 1992, a bid for said work in the amount of \$151,500 which amount is the lowest responsible bid;

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

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

Whereas, The Personnel/Human Rights Department has, on May 14, 1993, approved said company for said work;

RESOLVED, That a contract in the amount of \$151,500 be awarded to Wolverine

Contracting for concrete repairs at various locations in the City rights-of-way (Bid No. 2342);

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

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

RESOLVED, That \$133,000 be appropriated from the Major Street Fund and \$18,500 from the Local Street Fund for the life of the project, to be available until expended without regard to fiscal year.

R-267-6-93 APPROVED

RESOLUTION TO AUTHORIZE PURCHASE
OF TRAFFIC RECORDING SYSTEM
BID NO. 2427 (\$43,845)

Whereas, Twelve bids were sent out for a Traffic Recording System consisting of thirty recording units and related peripherals (Ten for the Transportation Division of the City of Ann Arbor Public Services Department, five for the Washtenaw County Road Commission, four for the City of Ypsilanti Public Works Department, one for the City of Saline Public Works Department and ten for a County shared pool for respective agency use) and two conforming bids were returned on May 14, 1993;

Whereas, This system is being purchased for collecting, storing, and processing traffic data to update the urban area data base;

Whereas, Federal Aid monies have been approved for this purchase (81.85% Federal and 18.15% Local Match);

Whereas, The City's local share will be funded out of Local Street budgeted monies in the 1992-93 fiscal year;

Whereas, The total price for the system is \$43,845 with the City's total local share being \$4,047.10;

Whereas, Each of the respective agencies has reviewed and approved the bid quotation and has agreed in writing to reimburse the City their local share upon receipt of their equipment; and

Whereas, Carrier & Gable, Inc. fully meets the bid specifications, is the lowest responsible bidder, and has received Human Rights approval on May 21, 1993;

RESOLVED, That the City of Ann Arbor purchase this Traffic Recording System at a total cost of \$43,845 and that the \$43,845 be appropriated from the Public Services Department Local Street Fund; and

RESOLVED, That the City Administrator is authorized to take the necessary administrative actions to implement this resolution and that the Mayor and Clerk are authorized and directed to execute the city/state project agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator.

R-268-6-93 APPROVED

RESOLUTION TO APPROVE RENTAL REHABILITATION AGREEMENT WITH PHYLLIS MOODY FOR 215 W. SUMMIT STREET (\$30,000)

Whereas, Phyllis Moody submitted a Rental Rehabilitation Program application on April 5, 1993 in order to complete needed rehabilitation on her two (2) unit rental property at 215 W. Summit;

Whereas, Phyllis Moody meets the guidelines of the Housing Rehabilitation Program and has been working with a local lender in order to leverage the City funds with private financing;

Whereas, Both rental units will be made available to very low income families; and

Whereas, Bids will be received on June 21, 1993 and Phyllis Moody will be executing an agreement with the lowest responsible bidder in order to complete the rehabilitation work;

RESOLVED, That the City Council approve the Rental Rehabilitation Agreement in the amount of \$30,000 as a 10 year, deferred payment, decreasing term loan at 0% interest in order to complete the rehabilitation of a vacant property 215 W. Summit, with funds to 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.

R-269-6-93 APPROVED

RESOLUTION TO APPROVE RENTAL REHABILITATION AGREEMENT WITH NANCY L. QUIGLEY FOR 1809 JACKSON AVENUE (\$27,886)

Whereas, Nancy L. Quigley submitted a Rental Rehabilitation Program application on March 17, 1993 in order to complete needed rehabilitation on her three (3) unit, owner occupied structure at 1809 Jackson;

Whereas, Nancy L. Quigley meets the guidelines of the Housing Rehabilitation Program, and there will be two other very low income households to benefit; and

Whereas, Three bids were received on June 10, 1993 and Nancy L. Quigley will be executing an agreement with the lowest responsible bidder in order to complete the rehabilitation work;

RESOLVED, That the City Council approve the Rental Rehabilitation Agreement in the amount of \$27,886 with \$11,726 as Rental Rehabilitation funds as a 10 year, deferred payment, decreasing term loan at 0% interest, and \$16,160 as a CDBG deferred payment loan to be repaid at the time of change in ownership in order to complete the rehabilitation of 1809 Jackson Avenue, with funds to 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.

R-270-6-93 APPROVED

RESOLUTION RECOGNIZING WASHTENAW INTERVENTIONS, INC. AS A NONPROFIT ORGANIZATION

Whereas, Washtenaw Interventions, Inc. is a nonprofit organization;

Whereas, The United States Department of Treasury-Internal Revenue Service has recognized Washtenaw Interventions, Inc. as a nonprofit organization by granting it tax exempt status; and

Whereas, Washtenaw Interventions, Inc. needs the City to recognize it as a nonprofit organization in the community in order to conduct fundraising with State approval;

RESOLVED, That the Mayor and City Council recognize Washtenaw Interventions, Inc. as a nonprofit organization in the City of Ann Arbor.

R-271-6-93 APPROVED

RESOLUTION TO APPROVE STREET CLOSINGS
AND ALLOCATE COMMUNITY EVENTS FUNDS
FOR THE 1993 FOURTH OF JULY PARADE
(Up to \$2,900)

Whereas, The City has received a request from the Ann Arbor Jaycees to hold a parade in the City of Ann Arbor on Independence Day, Sunday, July 4, 1993;

Whereas, The sponsor encourages and allows all groups to participate (space permitting), so long as they adhere to the historic theme and context of the event;

Whereas, it will be necessary to close certain city streets from 8:00 a.m. to 1:00 p.m. to allow for adequate staging and cleanup time and other city streets commencing at 10:00 a.m. for the parade itself;

Whereas, The Ann Arbor Jaycees agrees to obtain the necessary permits and comply with all procedures, rules and regulations established to stage such an event;

Whereas, The Ann Arbor Jaycees agrees to defend and indemnify and save the City harmless against any claim arising out of their sponsorship of this event; and

Whereas, The Ann Arbor Jaycees has further requested that the City support this event by appropriating funds from the 1993-1994 Community Events Budget for payment of the costs for services to be provided by the following departments:

Police Department	\$2,500	(est)
Transportation Department	<u>\$ 387</u>	
TOTAL	\$2,887	

and waive the following Transportation Department fees:

Meter Bag Deposit	\$3,800
Meter Bag Fees (\$2,244 if not a holiday)	<u> 0</u>
TOTAL	\$3,800

RESOLVED, That the Fourth of July Parade is hereby approved being routed along South University, State, Liberty, Main and William Streets;

RESOLVED, That the closing of certain streets along the route as needed from 10:00 a.m. to 12:00 Noon on Sunday, July 4, 1993 along with parking prohibitions, as required, is also approved (including Fifth Avenue from Washington to William and Division from Jefferson to Washington); and

RESOLVED, That East University and Tappan Streets from South University to Hill Street be closed for the staging and cleanup of the parade from 8:00 a.m. to 1:00 p.m.; and

RESOLVED, That the City agrees to waive the parking meter bag deposits; and

RESOLVED, That the City of Ann Arbor support the event in the amount of up to \$2,900 for reimbursement of City expenditures with funds to be appropriated from the 1993-1994 Community Events Budget.

Councilmember Hunter moved that the Consent Agenda be approved.

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

ORDINANCES - SECOND READING

21-93 REFERRED TO PLANNING COMMISSION

SPECIAL EXCEPTION USES

AN ORDINANCE TO AMEND SECTION 5:1, DEFINITIONS; SECTION 5:6, ESTABLISHMENT OF USE REGULATIONS; SECTION 5:10.2, SINGLE-FAMILY DWELLING DISTRICT; SECTION 5:10.4, TWO-FAMILY DWELLING DISTRICT AND STUDENT HOUSING DISTRICT; AND SECTION 5:104, SPECIAL EXCEPTIONS, OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR.

The purpose of the proposed amendments is to clear up administrative and technical errors, add a special exception use definition; include language addressing requirements for application and public hearings; clarify standards and requirements to be met by petitioners that the Planning Commission considers when reviewing applications; establish conditions; and add language addressing previously-established uses and the level of review for such uses. The amendments also revise special exception use standards for child care centers, fraternities, sororities, and student cooperatives. (Memo to City Council from City Planning Director filed with the City Clerk.)

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

Councilmember Grady moved that the ordinance be referred to the Planning Commission for discussion on Section 5:104 in conjunction with the proposed changes submitted this date by the Oxbridge/North Burns Neighborhood Association, discussion of items that may have been inadvertently omitted, or in need of language clarification, and that a subsequent Council briefing or informational Committee-of-the-Whole meeting be held.

On a voice vote, the Chair declared the motion carried unanimously and the ordinance referred to the Planning Commission.

21-93 APPROVED

HUSTON/RADER REZONING

AN ORDINANCE TO AMEND THE ZONING MAP BEING A PART OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR.

Amendment to Chapter 55, Rezoning of 0.66 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Huston/Rader Property, 405 Barber.

Councilmember Creal moved that the ordinance be approved at second reading.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Fink, Lumm, Grady, Stoll, Nicolas, Creal, Peterson, Stead, Mayor Sheldon, 11
Nays, 0

The Chair declared the motion carried.

23-93 APPROVED AS AMENDED

HISTORIC DISTRICT CODE APPEAL PROCESS

AN ORDINANCE TO AMEND SECTIONS 8:409, 8:416 AND 8:417 OF CHAPTER 103 OF TITLE VIII.

This amendment clarifies the Historic District Code appeal process and brings the ordinance in line with state statute.

Councilmember Stead moved that the ordinance be approved at second reading.

Councilmember Stead moved that the ordinance be amended to read as follows:

8:409(8) Alteration of Property in the Register

- (c) Retaining the structure will cause undue financial hardship to the owner when a governmental action, and act of God, or other events beyond the owner's control created the hardship, **AND ALL FEASIBLE ALTERNATIVES TO ELIMINATE THE FINANCIAL HARDSHIP, WHICH MAY INCLUDE OFFERING THE RESOURCE FOR SALE AT ITS FAIR MARKET VALUE OR MOVING THE RESOURCE TO A VACANT SITE WITHIN THE HISTORIC DISTRICT, HAVE BEEN ATTEMPTED AND EXHAUSTED BY THE OWNER.**

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Fink, Lumm, Grady, Stoll, Nicolas, Creal, Peterson, Stead, Mayor Sheldon, 11
Nays, 0

The Chair declared the motion carried.

The question under consideration is approval of the ordinance at second reading, as amended.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Fink, Lumm, Grady, Stoll, Nicolas, Creal, Peterson, Stead, Mayor Sheldon, 11
Nays, 0

The Chair declared the motion carried.

ORDINANCES - FIRST READING

24-93 APPROVED

RETIREMENT SYSTEM REVISIONS

AN ORDINANCE TO AMEND CHAPTER 18, SECTIONS 1:559(C), 1:564(3)(4), 1:566(1)(2) AND 1:575 OF THE ANN ARBOR CITY CODE.

These amendments to revise sections of the Retirement System are considered either no-cost or low-cost. The revisions include: Pop-up provision, residual refund upon death, change equated option age, optional membership for Mayor's secretary.

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

Councilmember Fink moved that the ordinance be amended as follows:

1:575. Interest allowable

- (1) ...At the end of each fiscal year, the Board shall review the 5-year moving average annual total return rate on the investments of the system, and also the actuarial status of the system. On the basis of this review, the Board shall decide whether any additional interest shall be credited to the Retirement Reserve Fund but in no case shall the rate of such additional interest be in excess of ~~three percent~~ **THREE-FOURTHS OF ONE PERCENT.**

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

The question under consideration is approval of the ordinance at first reading as amended.

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

MOTIONS AND RESOLUTIONS

DEFEATED

**RESOLUTION TO RECONSIDER THE ADOPTED
FISCAL YEAR 1993-94 BUDGET**

Whereas, The City Administrator has repeatedly warned that without tax increases and/or budget cuts, fiscal year 1994-1995 projected revenues will not match expenditures necessary to maintain current services;

Whereas, The City Council passed a resolution on November 16, 1992 whose intent was to request that the State Legislature limit 1993 homestead property taxes to the level of inflation or 4.5% whichever is less;

Whereas, The approved budget increases the aggregate residential property owners' share of the City property taxes by approximately three times the level of inflation; and

Whereas, Various media have reported that the budget process resulted in significant budget cuts, when, \$2.5 million of the 93-94 budget is financed from non-recurring sources (money borrowed from the Pension Fund, obtained from the General Fund or Solid Waste Surplus, and the elimination of "contingencies"), while only \$100,000 worth of "cuts" were made;

RESOLVED, That the Council re-vote on the acceptance of the amended and subsequently adopted 93-94 budget.

Councilmember Fink moved that the resolution be approved.

On a voice vote, the Chair declared the motion defeated with all dissenting except Councilmembers Fink, Creal, Lumm, 3

R-272-6-93 APPROVED

RESOLUTION PROCLAIMING HURON RIVER DAY

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

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

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

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

Whereas, This is the 13th annual celebration of Huron River Day;

RESOLVED, That Sunday, July 11, 1993, be declared Huron River day and all residents be invited to spend the day at Gallup Park in celebration of the river.

Councilmember Hunter moved that the resolution be approved.

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

TABLED

RESOLUTION TO AUTHORIZE SUMMARY PUBLICATION OF ORDINANCE NO. 19-93

Whereas, Section 7.4 of the City Charter authorizes the publication by summary of ordinances over 500 words in length;

RESOLVED, That the publication of Ordinance 19-93 shall be by the following summary:

Ordinance 19-93 amends Chapter 55 (Zoning) of the City Code regarding special exception uses. The revisions add a definition for special exception use; modify regulations for established uses; amend special exception use provisions in the Single-Family, Two-Family, Townhouse, and Multiple-Family Dwelling Districts; and revise the Special Exception use Standards in

Section 5:104.

The complete text of this ordinance is available at the office of the City Clerk.

Councilmember Creal moved that the resolution be approved at second reading.

Councilmember Stead moved that the resolution be tabled pending second reading of the ordinance.

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

R-273-6-93 APPROVED

RESOLUTION TO APPROVE TURNBERRY SUBDIVISION
NO. II FINAL PLAT, TURNBERRY LANE
(SOUTH SIDE OF PACKARD ROAD)

Whereas, Approval of the final plat for Turnberry Subdivision No. II has been requested for 126 single-family lots;

Whereas, It is consistent with the existing approved Turnberry Subdivision Final Preliminary Plat, and State and City Code requirements are met;

RESOLVED, That the Mayor and City Council hereby approve the Turnberry Subdivision No. II Final Plat.

Councilmember Grady moved that the resolution be tabled.

On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Grady, 2
Nays, Councilmembers Hunter, Fink, Lumm, Stoll, Nicolas, Creal, Peterson, Stead, Mayor Sheldon, 9

The Chair declared the motion defeated.

Council recessed at 11:50 p.m.

Council reconvened at 12:00 a.m.

The question under consideration is approval of the resolution as presented.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Fink, Lumm, Stoll, Nicolas, Creal, Peterson, Stead, Mayor Sheldon, 9
Nays, Councilmembers Hanna-Davies, Grady, 2

The Chair declared the motion carried.

R-274-6-93 APPROVED AS AMENDED

RESOLUTION TO APPROVE FISCAL YEAR 1993-94
CITY GENERAL FUND HUMAN SERVICES AND ECONOMIC
DEVELOPMENT ALLOCATIONS AND CONTRACTS
(\$640,000)

Councilmember Hunter moved that the resolution be approved.

Councilmember Hunter moved that the resolution be amended by inserting the following paragraph Numbers 6 and 7:

Sixth Paragraph:

RESOLVED, THAT THE MAYOR AND THE ANN ARBOR CITY COUNCIL SHALL CONSIDER FUNDING FOR THE PEACE NEIGHBORHOOD CENTER IN THE AMOUNT OF \$30,000, TO BE TAKEN FROM THE "RESERVED FOR SERVICES FOR YOUTH" LINE ITEM, WITHIN 60 DAYS OR FOLLOWING RECEIPT AND EVALUATION OF THE FINDING OF THE CURRENT INVESTIGATION BEING CONDUCTED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, WHICHEVER IS SOONER;

RESOLVED, THAT CONSIDERATION OF THE FINAL APPROVAL REGARDING THE ALLOCATION OF FUNDS TO THE PEACE NEIGHBORHOOD CENTER SHALL BE MADE BY THE MAYOR AND ANN ARBOR CITY COUNCIL;....

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Grady, Stoll, Peterson, Stead, Mayor Sheldon, 7
Nays, Councilmembers Fink, Lumm, Nicolas, Creal, 4

The Chair declared the motion carried.

The question on the floor is approval of the resolution as amended, on a voice vote, the

Chair declared the motion carried unanimously.

Following is the resolution as approved by Council:

R-274-6-93

RESOLUTION TO APPROVE FISCAL YEAR 1993-94
CITY GENERAL FUND HUMAN SERVICES AND ECONOMIC
DEVELOPMENT ALLOCATIONS AND CONTRACTS
(\$640,000)

Whereas, The Human Services Task Force has recommended the allocation of specific General Fund amounts for the following organizations for FY 1993/94;

Whereas, The Human Services Task Force has recommended reserving some funds for "Services to Youth" pending further study;

Whereas, The Human Services Task Force has recommended service contracts between the City and each agency be negotiated; and

Whereas, The Human Resources Department has reviewed and approved these contractors;

RESOLVED, That the Mayor and City Council approve the allocation to the agencies as listed and authorize the Community Development Department to negotiate contractual agreements in accordance with the City's purchasing procedures;

RESOLVED, That the Mayor and the Ann Arbor City Council shall consider funding for the Peace Neighborhood Center in the amount of \$30,000, to be taken from the "Reserved for Services for Youth" line item, within 60 days or following receipt and evaluation of the findings of the current investigation being conducted by the U.S. Department of Housing and Urban Development, whichever is sooner;

RESOLVED, That consideration of the final approval regarding the allocation of funds to the Peace Neighborhood Center shall be made by the Mayor and Ann Arbor City Council;

RESOLVED, That the Mayor and City Council authorize the Mayor and City Clerk to execute the contracts substantially in the form on file in the office of the City Clerk beginning July 1, 1993 and terminating June 30, 1994:

AGENCY

AMOUNT

Ann Arbor Community Center	\$ 5,000
Ann Arbor Center for Independent Living	32,000
Ann Arbor Housing Commission	9,000
Ann Arbor Parks & Rec. Dept. - Bryant Community Center	8,000
Ann Arbor Tenants Union	4,000
Arrowwood Hills Cooperative	21,000
Assault Crisis Center	5,000
Center for Occupational & Personalized Education	18,000
Catholic Social Services	44,000
Child & Family Service of Washtenaw	10,000
Community Action Network	45,000
Community Leaning Post	7,000
Domestic Violence Project	35,000
Fair Housing Center of Washtenaw	5,000
Food Gatherers, Inc.	17,500
Green Glacier Community Center	7,000
Housing Bureau for Seniors	16,000
Huron Services for Youth	18,000
Interfaith Hospitality Network	1,500
Motor Meals	5,000
Ozone House	19,000
Pinelake Village Cooperative	21,000
Project Transition	8,000
SOS Crisis Center	44,000
Salvation Army	20,000
Second Baptist Church - Human Services	9,000
Shelter Association	95,000
St. Andrew's Church - Breakfast Program	8,000
Student Advocacy Center	5,000
Trailblazers of Washtenaw	11,000
Washtenaw Development Council	45,000
Reserved for Services to Youth	<u>42,000</u>
Total	<u>\$640,000</u>

RESOLVED, That all human service programs funded by the City General Fund give priority to very low income households and that performance be monitored by the Community Development Department; and

RESOLVED, That the Mayor and City Council authorize the inclusion of these General Fund projects as part of the FY 1993/94 City of Ann Arbor Statement of Community Development Objectives and Projected Use of Funds to be submitted to the Department of Housing and Urban Development.

R-275-6-93 APPROVED

RESOLUTION TO APPROVE ADDITIONAL CONVERSION TO THE 800 MHz SYSTEM (\$452,125)

Whereas, It is desirable to proceed with the City's on-going conversion to the 800 MHz radio system and comply with the Federal Communication Commissions' (FCC) mandate that the City utilize all of the 800 MHz system channels by December 31, 1993;

Whereas, The 800 MHz Enhanced Trunking Radio System will provide improved inter-agency communications, eliminate unreliable transmission and reception areas of the City, provide equipment interchangeability, and enhance immediate emergency communications;

Whereas, This existing 158 MHz system does not meet the needs of the City and is substantially overloaded and is obsolete;

Whereas, The replacement of the existing radios with 800 MHz units will result in improved and more reliable radio communications capabilities;

Whereas, Sufficient funds have been transferred to the General Capital Projects Fund to purchase and install the system; and

Whereas, On January 15, 1993, the Human Resources Department granted Motorola Human Rights approval;

RESOLVED, That City Council approves up to \$370,877 for the purchase of the 800 MHz radio equipment from Motorola Communications and Electronics, Inc., associated buy-in costs of \$59,965, and installation charges of \$21,283, all per Table C, filed in the Clerk's Office;

RESOLVED, That \$452,125 is appropriated from the General Capital Projects Fund (OCP) and that this project budget be adopted for the life of the project, to be available until expended without regard to fiscal year; and

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

Councilmember Fink moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Fink, Lumm, Grady, Stoll, Creal, Peterson, Stead, Mayor Sheldon, 9

Nays, Councilmember Hunter, 1
Absent for the Vote, Councilmember Nicolas, 1

The Chair declared the motion carried.

R-276-6-93 APPROVED

RESOLUTION TO AWARD CONTRACT AND ESTABLISH A PROJECT BUDGET
FOR WASTEWATER TREATMENT PLANT COMPLIANCE WITH
USEPA 503 SLUDGE REGULATIONS AND RESIDUAL SOLIDS
MANAGEMENT PROJECT RFP NO. 310 (\$230,000)

Whereas, USEPA recently promulgated sewage sludge regulations 40 CFR 503 which require the compliance of all Wastewater Treatment Plants by February 19, 1994;

Whereas, These sludge regulations require the City of Ann Arbor Wastewater Treatment Plant to apply for a permit to continue to incinerate and land apply sewage sludge by August 18, 1993;

Whereas, Incinerator performance testing and dispersion modeling must be completed by the permit application deadline;

Whereas, To comply with these regulations, sludge incinerator exhaust gas monitoring equipment must be installed, additional monitoring and reporting procedures must be implemented, and extensive coordination between the City of Ann Arbor Wastewater Treatment Plant and USEPA Region 5 must be maintained;

Whereas, The Ann Arbor Wastewater Treatment Plant needs to evaluate the most cost-effective and environmentally sound methods for long-term residual solids handling, reuse and disposal through its Residual Solids Management Project;

Whereas, The Utilities Department requested proposals to provide professional consulting services to achieve compliance with 40 CFR 503 and complete Phase I of the Residual Solids Management Project as specified in RFP No. 310;

Whereas, Three (3) proposals were received and evaluated, and Black & Veatch is recommended as the most qualified proposer at a bid of \$199,003;

Whereas, On April 26, 1993, the Human Resources Department approve Black & Veatch to provide professional consulting services to the City;

Whereas, Sufficient funds exist in the Sewage Disposal System Capital Projects

Fund to finance the cost of this project;

RESOLVED, That Council accepts the bid and awards the contract to Black & Veatch for \$199,003 to perform the work as specified in RFP No. 310;

RESOLVED, That Council approve a contingency for this work in the amount of \$30,997 to finance change orders to be approved by the City Administrator;

RESOLVED, That the following project budget is approved for the life of the project, to be available until expended without regard to fiscal year;

Contract Work	\$199,003
Contingency	<u>\$ 30,997</u>
	\$230,000

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

Funding Source: Sewage Disposal System Capital Projects Fund

Councilmember Stead moved that the resolution be approved.

Councilmember Stoll received the unanimous consent of Council to abstain from the vote due to a possible conflict of interest.

The question under consideration is approval of the resolution as presented. On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Fink, Lumm, Grady, Nicolas, Creal, Peterson, Stead, Mayor Sheldon, 9
 Nays, 0
 Absent for the Vote, Councilmember Hunter, 1
 Abstain, Councilmember Stoll, 1

The Chair declared the motion carried.

R-277-6-93 APPROVED

RESOLUTION TO APPROVE PROJECT BUDGET AND PROFESSIONAL SERVICES
AGREEMENT WITH TIDEMARK COMPUTER SYSTEMS, INC.
FOR PART A OF THE DEVELOPMENT REVIEW, PERMIT,
AND INSPECTION SYSTEM PROJECT, RFP NUMBER 326
(\$96,050)

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, The City has been working on the implementation of key information technologies since 1989, and has reached the point where the implementation of applications that automate key business processes of the City can begin;

Whereas, Many City departments provide services similar to the development review, permit, and inspection processes of the Planning and Building Departments;

Whereas, The Development Review, Permit, and Inspection Systems (DPIS) project automates the process of petition reviews, permit issuance, inspections, and other similar activities which will increase the efficiency and effectiveness of City services;

Whereas, The Information Services Division of the Administrative Services Department has prepared implementation plans, project specifications, requests for proposals, and other technical elements necessary for the implementation of the Development Review, Permit, and Inspection System;

Whereas, RFP Number 326: Development Review, Permit, and Inspection System Project, was sent to thirty-five contractors and responses were received from six firms;

Whereas, Tidemark Computer Systems, Inc. of Seattle, Washington was determined to be the most qualified and lowest cost respondent to RFP Number 326;

Whereas, The City has negotiated a contract with Tidemark Computer Systems, Inc. for Part A of the DPIS Project;

Whereas, Tidemark Computer Systems, Inc. received Human Rights approval on June 9, 1993; and

Whereas, Sufficient funds have been transferred to the General Capital Projects Fund to cover the cost of the DPIS Project;

RESOLVED, That the recommendation of the City Administrator be approved and that the RFP Number 326 scope of services known as Part A be awarded and purchase orders issued to Tidemark Computer Systems, Inc. in the amount of \$96,050;

RESOLVED, That a project budget for \$96,050 be established in the General Capital Projects Fund for the life of this project and funds are available until expended without regard to fiscal year;

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

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

Councilmember Creal moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Fink, Lumm, Grady, Stoll, Nicolas, Creal, Peterson, Stead, Mayor Sheldon, 10
Nays, 0
Absent for the Vote, Councilmember Hunter, 1

The Chair declared the motion carried.

R-278-6-93 APPROVED

RESOLUTION TO APPROVE SUPPLEMENTAL APPROPRIATIONS
TO THE FISCAL YEAR 1993-94 COMMUNITY DEVELOPMENT
DEPARTMENT HUMAN SERVICES BUDGET (\$30,000)

Whereas, The Human Services Task Force has recommended that unexpended funds totaling \$30,000 be carried from the FY 1992/93 Community Development Department Human Services Budget to the FY 1993/94 Community Development Department Human Services Budget;

Whereas, The Human Services Task Force has recommended that the balance be allocated to "Services to Youth";

Whereas, The FY 1992/93 Human Services account balance of \$30,000 remains;

RESOLVED, That City Council approve the supplemental appropriation of \$30,000

from the FY 1992/93 Community Development Department Human Services budget to the FY 1993/94 Community Development Department Human Services budget and be allocated to the category of "Services to Youth."

Councilmember Creal moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Fink, Lumm, Grady, Stoll, Nicolas, Creal, Peterson, Stead, Mayor Sheldon, 11
Nays, 0

The Chair declared the motion carried.

R-279-6-93 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER FOR
FIRST IMPRESSION PRINTING (\$25,000)

Whereas, The Purchasing Division purchases printing services for all City departments;

Whereas, First Impression Printing was the lowest responsible bidder on a portion of the City of Ann Arbor's printing requirements;

Whereas, Administrative Services, Purchasing Division, estimates that \$25,000 will be spent in Fiscal Year 1993-94; and

Whereas, First Impression Printing received Human Rights Approval on April. 15, 1993;

RESOLVED, That City Council approve the issuance of a Purchase Order to First Impression Printing for the Fiscal Year 1993-94 in the amount of \$25,000.

Councilmember Hunter moved that the resolution be approved.

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

R-280-6-93 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER FOR
DEAN COMPUTER (\$20,000)

Whereas, The Purchasing Division purchases computer supplies for all city departments;

Whereas, Dean Computer was the lowest responsible bidder on a portion of the City of Ann Arbor' miscellaneous computer supplies;

Whereas, Administrative Services, Purchasing Division, estimates that \$20,000 will be spent in Fiscal Year 1993-94; and

Whereas, Dean Computer received Human Rights Approval on May 7, 1993;

RESOLVED, That City Council approve the issuance of a Purchase Order to Dean Computer for the Fiscal Year 1993-94 in the amount of \$20,000.

Councilmember Nicolas moved that the resolution be approved.

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

R-281-6-93 APPROVED

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT AND ESTABLISH A CONTRACT BUDGET FOR PHASE II ENVIRONMENTAL SITE ASSESSMENT OF CREST/BEMIDJI PROPERTY - RFP NO. 317 (\$12,374.20)

Whereas, It is necessary to perform Phase-II environmental site assessment of Crest/Bemidji property owned by the Utilities Department;

Whereas, The Utilities Department, through RFP No. 317, solicited and reviewed proposals for the project and the Traverse Group, Inc., was selected as the most qualified and capable firm to provide these services;

Whereas, The Traverse Group, Inc. has submitted a proposal in the amount of \$10,874 to perform a Phase-II environmental site assessment of Crest/Bemidji property;

Whereas, On May 28, 1993 the Personnel/Human Rights Department approved the Traverse Group, Inc. to perform said contract; and

Whereas, Sufficient funds exist in the Water Supply System Capital Projects Fund

to finance the cost of this project;

RESOLVED, That Council accepts the proposal and awards a contract to the Traverse Group, Inc. in the amount of \$10,874 for Phase-II environmental site assessment;

RESOLVED, That council approves a contingency of \$1,500 for change orders to be approved by the City Administrator;

RESOLVED, That a project budget of \$12,374 is approved for the life of the project to be expended without regard to the fiscal year; and

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

Source of Funds: Water Supply System Capital Projects Fund

Councilmember Stead moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Fink, Lumm, Grady, Stoll, Nicolas, Peterson, Stead, Mayor Sheldon, 10
Nays, 0
Absent for the Vote, Councilmember Creal, 1

The Chair declared the motion carried.

R-282-6-93 APPROVED AS AMENDED

RESOLUTION TO APPROVE REQUEST FOR PROPOSALS
FOR THE ANN ARBOR INN

Councilmember Stead moved that the resolution be approved.

Councilmember Hanna-Davies moved that the remainder of the RFP schedule be adjusted as follows:

RFP Response Deadline: ~~Aug. 6, 1993, 2:00 p.m.~~ **AUG. 27, 1993, 2:00 P.M.**

Proposal Review,
including Possible Presentations
to Review Committee: ~~Aug. 6 - Sept. 17, 1993~~ **AUG. 27 - SEPT. 30, 1993**

City Council Review ——— ~~Oct. 4, 1993~~

OCT. 18, 1993

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

The question under consideration is approval of the resolution.

Councilmember Lumm moved that the resolution be amended by adding a final paragraph as follows:

BE IT FURTHER RESOLVED, THAT THE CITY ADMINISTRATOR NOT EXERCISE THE CITY'S OPTION TO ACQUIRE THE ANN ARBOR INN FROM THE STATE OF MICHIGAN UNTIL A SUCCESSFUL PROPOSAL IS ACCEPTED, FULLY NEGOTIATED AND CLOSED SIMULTANEOUSLY WITH THE TRANSFER OF TITLE FROM THE STATE TO THE CITY.

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

The question under consideration is approval of the resolution as amended, on a voice vote, the Chair declared the motion carried unanimously.

Following is the resolution as amended:

R-282-6-93 APPROVED

RESOLUTION TO APPROVE REQUEST FOR PROPOSALS
FOR THE ANN ARBOR INN

WHEREAS, On April 19, 1993 City Council approved a resolution directing the City Administrator to draft a Request for Proposals (RFP) to be issued with a copy of the evaluation criteria prepared by the review committee and approved by the City Council within 45 days for the reuse of the Ann Arbor Inn as a mixed use housing and commercial development; and

WHEREAS, On April 29, 1993, the City Administrator met with representatives of Washtenaw County, the Ann Arbor Public Schools, Washtenaw Community College, and Washtenaw Intermediate School District to discuss the repayment of tax liabilities to the County and the County is currently determining the amount and timing for charge back amounts; and

WHEREAS, On May 17, 1993, the review committee was appointed by City Council and has developed the RFP for City Council review;

RESOLVED, That the City Council approve the Request for Proposals (RFP) for the

reuse of the Ann Arbor Inn as a mixed use housing and commercial development as presented and authorize the City Administrator to publicize its availability following the time schedule outlined in the RFP as amended; and

RESOLVED, That the City Administrator not exercise that City's Option to acquire the Ann Arbor Inn from the State of Michigan until a successful proposal is accepted, fully negotiated and closed simultaneously with the transfer of title from the State to the City.

Revised Schedule:

The following dates have been established but are subject to change at the city's option. The City reserves the rights to invite presentation of proposals:

- RFP Response Deadline:** **August 27, 1993, 2:00 p.M.**
- Proposal Review, including Possible Presentations to Review Committee** **August 27 - September 30, 1993**
- City Council Review** **October 18, 1993**

R-283-6-93 APPROVED

RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE NO. 23-93 - HISTORIC DISTRICT CODE REVISIONS

Whereas, The City Charter, Section 7.4, authorizes the publication by summary of ordinances over 500 words in length;

RESOLVED, That the publication of ordinance 23-93 shall be by the following summary:

Ordinance 23-93 revises the regulations in Chapter 103, the Ann Arbor Historic District Code. The revisions substitute the State Historic Preservation Review Board for the Zoning Board of Appeals as the body to which a decision of the Ann Arbor Historic District Commission may be appealed, redefine financial hardship, and clarify the procedures under which economic hardship may be claimed.

The complete text of this ordinance is available at the Office of the City Clerk.

Councilmember Nicolas moved that the resolution be approved.

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

R-284-6-93 APPROVED

RESOLUTION TO ACCEPT GRANT OF EASEMENT FOR ROAD
RIGHT-OF-WAY FROM THE REGENTS OF THE
UNIVERSITY OF MICHIGAN

Whereas, The Regents of the University of Michigan, a Michigan Constitutional Corporation, is the owner of property located in the City of Ann Arbor, Washtenaw County, Michigan and more particularly described as follows:

Commencing at the NE corner of Section 28, T2S, R6E, thence due westerly along the north line of Section 28, 1073.74 feet; thence due South 33.00 feet to the point of beginning; thence S 02E 21' 40" E 57.04 feet; thence N 90E 00' 00" E 148.64 feet; thence N 12E 11' 48" E 29.21 feet; thence N 82E 37' 23" E 73.59 feet; thence N 90E 00' 00" E 192.13 feet; thence due north 17.00 feet; thence westerly along the existing southerly ROW line of Fuller Road 422.19 feet; to the point of beginning, being subject to easements and restrictions of record, if any;

Whereas, Said owner has delivered to the City of Ann Arbor an easement over the above described premises for a road right-of-way;

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

Councilmember Nicolas moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Fink, Lumm, Grady, Stoll, Nicolas, Creal, Stead, Mayor Sheldon, 10
Nays, 0
Absent for the Vote, Councilmember Peterson, 1

The Chair declared the motion carried.

R-285-6-93 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM THE
REGENTS OF THE UNIVERSITY OF MICHIGAN

Whereas, The Regents of the University of Michigan, a Michigan Constitutional Corporation, is the owner of property located in the City of Ann Arbor, Washtenaw County, Michigan and more particularly described as follows:

The permanent sanitary sewer easement shall be twenty (20) feet wide with the centerline of the easement described as follows:

Commencing at the NE corner of Section 28, T2S, R6E, thence due westerly along the North line of Section 28, 837.71 feet to the point of beginning; thence S 21^E 59' 21" W 118.68 feet; thence S 13^E 29' 59" W 412.65 feet to the point of ending being subject to easements and restrictions of record, if any.

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

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

Councilmember Nicolas moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Fink, Lumm, Grady, Stoll, Nicolas, Creal, Stead, Mayor Sheldon, 10
Nays, 0
Absent for the Vote, Councilmember Peterson, 1

The Chair declared the motion carried.

R-286-6-93 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM CHAPEL
HILL CONDOMINIUM ASSOCIATION

Whereas, Chapel Hill Condominium Association, a Michigan non-profit 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 water main easement having the following described centerline:

Commencing at the Center of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, thence S 89^E-32'-40" E 60.00 feet along the E-W 1/4 line of said section; thence N 0^E-05'-10" E 486.28 feet along the east line of Green Road; thence S 89^E-32'-40" E 20.00 feet for a PLACE OF BEGINNING; thence N 0^E-05'-10" E 135.00 feet; thence S 89^E-54'-50" E 95.00 feet; thence N 89^E-54'-50" W 95.00 feet; thence N 0^E-05'-10" E 97.17 feet; thence 145.70 feet along the arc of a 1077.00 foot radius circular curve to the right, chord bearing N 3^E-57'-40" E 145.59 feet; thence N 7^E-50' -15" E. 63.08 feet; thence N 85^E-43'-35" E 19.81 feet; thence N 49^E-16'-30" E 23.18 feet; thence 259.03 feet along the arc of a circular curve to the left, chord bearing N 63^E-57' E 249.20 feet; thence N 36^E-28' E 148.59 feet; thence N 53^E-32' W 185.64 feet; thence N 82^E-09'-45" W 152.65 feet; thence S 7^E-50'-15" W 36.00 feet; thence N 7^E-50'-15" E 36.00 feet; thence S 82^E-09'-45" E 152.65 feet; thence S 53^E-32' E 185.64 feet; thence N 36^E-28' E 181.11 feet; thence 133.45 feet along the arc of a 210.00 foot radius circular curve to the left, chord bearing N 18^E-15'-40" E 131.22 feet; thence N 0^E-03'-20" E 224.66 feet; thence N 89^E-56'-40" W 75.00 feet; thence N 77^E-29' W 98.43 feet; thence S 12^E -31' W 36.00 feet; thence N 12^E-31' E 36.00 feet; thence N 77^E-29' W 82.57 feet; thence S 77^E-29' E 181.00 feet; thence S 89^E-56'-40" E 75.00 feet; thence N 0^E -03'-20" E 33.12 feet; thence S 89^E-29'-40" E 309.51 feet; thence S 0^E-30'-20" W 35.00 feet; thence N 0^E-30'-20" E 35.00 feet; thence S 89^E-29'-40" E 170.49 feet; thence N 89^E-29'-40" W 480.00 feet; thence N 0^E-03'-20" E 246.04 feet; thence S 89^E-29'-40" E 360.00 feet; thence N 89^E-29'-40" W 360.00 feet; thence N 0^E -03'-20" E 7.92 feet; thence S 89^E-29'-40" E 78.23 feet; thence N 0^E-30'-20" E 32.00 feet; thence S 0^E-30'-20" W 32.00 feet; thence N 89^E-29'-40" W 78.23 feet; thence N 0^E-03'-20" E 184.73 feet; thence N 89^E-56'-40" W 170.00 feet; thence S 74^E-09'-15" W 175.00 feet; thence N 74^E-09'-15" E. 175.00 feet; thence S 89^E -56'-40" E 170.00 feet; thence N 0^E-03'-20" E 9.53 feet; thence N 2^E-02'-40" W 364.63 feet; thence N 87^E-57'-20" E 25.00 feet; thence N 65^E-37'-45" E 42.15 feet; thence S 89^E-26'-40" E 145.17 feet; thence S 18^E-16'-20" E 145.26 feet; thence N 71^E-43'-45" E 35.00 feet; thence S 71^E-43'-45" W 35.00 feet; thence S 18^E-16'-20" E 160.00 feet; thence N 18^E-16'-20" W 305.26 feet; thence N 89^E-26' -40" W 145.17 feet; thence S 65^E-37'-45" W 42.15 feet; thence S 87^E-57'-20" W 25.00 feet; thence N 2^E-02'-40" W 43.53 feet; thence N 44^E-56'-40" W 58.00 feet; thence N 87^E-58'-25" W 215.27 feet; thence S 70^E-02'-30" W 21.33 feet; thence S 19^E-57'-30" E 40.00 feet; thence n 19^E-57'-30" W 40.00 feet; thence S 70^E-02' -30" W 359.52 feet; thence S 19^E-57'-30" E 44.00 feet; thence N 19^E-57'-30" W 44.00 feet; thence S 70^E-02'-30" W. 21.15 feet; thence N 64^E-57'-30" W 39.09 feet; thence S 70^E-02'-30" W 19.69 feet to the east line of Green Road for a Place of Ending, Excepting therefrom that portion occupied by Buildings 4, 7, 8, 13, & 17 as shown on the recorded Master Deed for Chapel Hill Condominiums.

A 40-foot wide water main easement having the following described centerline:

Commencing at the Center of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw

County, Michigan; thence S 89^E-32'-40" E 60.00 feet along the E-W 1/4 line of said section; thence N 0^E-05'-10" E 506.28 feet along the east line of Green Road for a PLACE OF BEGINNING; thence S 89^E-32'-40" E 352.00 feet; thence N 0^E-05'-10" E 234.00 feet; thence N 89^E-32'-40" W 4.00 feet; thence N 49^E-27'-20" W 233.47 feet; thence N 15^E-20'-25" W 62.13 feet ;thence S 15^E-20'-25" E 62.13 feet; thence S 49^E-27'-20" E 233.47 feet; thence S 89^E-32'-40" E 64.46 feet; thence 335.90 feet along the arc of a 631.00 foot radius circular curve to the left chord bearing S 71^E-49'-50" E 331.95 feet; thence 278.55 feet along the arc of a 216.00 foot radius circular curve to the left, chord bearing N 55^E-58' -35" E 259.64 feet; thence 53.62 feet along the arc of a 386.00 foot radius circular curve to the left, chord bearing N 15^E-03'-15" E 53.57 feet; thence 185.42 feet along the arc of a 221.00 foot radius circular curve to the left, chord bearing N 12^E-57'-40" W 180.03 feet; thence 212.83 feet along the arc of a 321.00 foot radius circular curve to the left, chord bearing N 55^E-59'-25" W 208.95 feet; thence N 74^E-59'-05" W 144.38 feet thence 108.29 feet; along the arc of a 324.00 foot radius circular curve to the right, chord bearing N 65^E-24'-35" W 107.70 feet; thence S 36^E-28' W 180.48 feet; thence N 53^E-32' W 73.01 feet; thence S 53^E-32' E 73.01 feet; thence S 36^E-28' W 12.00 feet; thence S 8^E-32' E 53.90 feet; thence S 67^E-58' E 472.44 feet; thence N 84^E-51'-25" E 120.00 feet for a Place of Ending, excepting therefrom that portion occupied by Buildings 47 * 48 as shown on the recorded Master Deed for Chapel Hill Condominiums.

A 30 Foot Wide Easement, the centerline of which is described as follows:

Commencing at the north 1/4 corner, Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 89^E 26' 15" E 270.43 feet along the north line of said section; thence S 44^E 02' E 147.60 feet; thence S 24^E 04' E 230.57 feet for a PLACE OF BEGINNING; thence S 70^E 03' 30" W 273.68 feet; thence N 9^E 00' W 195.00 feet for a PLACE OF ENDING.

A 40 Foot Wide Easement, the centerline of which is described as follows:

Commencing at the Center of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 89^E 32' 40" E 60.00 feet along the E-W 1/4 line of said section; thence along the east line of Green Road in the following three courses; N 0^E 05' 10" E 718.32 feet, 148.40 feet along the arc of a 1097.00 foot radius circular curve to the right, chord bearing N 3^E 57' 40" E 148.29 feet and N 7^E 50' 15" E 50.00 feet for a PLACE OF BEGINNING; thence S 86^E 44' 25" E 94.45 feet; thence N 70^E 49' 35" E 130.00 feet; thence N 51^E 09' 35" E 120.00 feet; thence N 79^E 55' 35" W 210.00 feet; thence S 79^E 55' 35" E 210.00 feet; thence N 27^E 57' 05" E 120.00 feet; thence S 89^E 32' 40" E 360.00 feet; thence S 61^E 43' 35" E 145.00 feet; thence S 89^E 32' 40" E 298.75 feet; thence S 2^E 44' 40" E 584.25 feet for a PLACE OF ENDING, excepting therefrom that portion occupied by buildings 21 and 25 as shown on the recorded Master Deed for Chapel Hill Condominiums.

A 40 Foot Wide Easement, the centerline of which is described as follows:

Commencing at the Center of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County Michigan; thence S 89^E 32' 40" E 60.00 feet along the E-W 1/4 line of said section; thence N 0^E 05' 10" E 486.28 feet along the east line of Green Road; thence S 89^E 32' 40" E 1198.60 feet; thence N 2^E 44' 40" W 292.27 feet for A PLACE OF BEGINNING; thence N 86^E 48' W 291.63 feet; thence S 32^E 59' 50" W 252.00 feet; thence N 32^E 59' 50" E 252.00 feet; thence N 67^E 58' W 279.67 feet; thence N 13^E 47' 35" E 121.00 feet; thence S 13^E 47' 35" W 121.00 feet; thence N 67^E 58' W 200.00 feet thence S 67^E 58' E 200.00 feet; thence S 40^E 16' W 305.98 feet; thence S 0^E 38' 25" W 151.60 feet; thence N 89^E 26' 50" W 240.00 feet for a PLACE OF ENDING, excepting therefrom that portion occupied by Buildings 28, 33-35 & 47 as shown on the recorded Master Deed for Chapel Hill Condominiums.

A 40 Foot Wide Easement, the centerline of which is described as follows:

Commencing at the N 1/4 Corner of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 89^E 26' 15" E 270.43 feet along the north line of said section for a PLACE OF BEGINNING; thence S 44^E 02' E 147.60 feet; thence S 24^E 04' E 230.57 feet; thence S 3^E 33' 30" W 200.68 feet; thence S 12^E 18' W 98.13 feet; thence N 60^E 02' 30" W 135.00 feet thence S 60^E 02' 30" E 135.00 feet; thence S 0^E 38' E 287.47 feet; thence S 6^E 31' W 301.80 feet; for a PLACE OF ENDING, excepting therefrom that portion occupied by Buildings 5-10, 12, 13, 15 & 16 as shown on the recorded Master Deed for Chapel Hill Condominiums.

A 40 Foot Wide Easement, the centerline of which is described as follows:

Commencing at the N 1/4 Corner of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 89^E 26' 15" E 852.22 feet along the E-W 1/4 line of said section for a PLACE OF BEGINNING; thence S 18^E 22' 50" E 439.12 feet; thence S 48^E 20' 40" W 170.61 feet; thence S 89^E 49' 40" W 125.00 feet; thence N 89^E 49' 40" E 125.00 feet; thence S 2^E 03' 40" W 308.81 feet; thence S 1^E 20' 35" E 370.00 feet; thence N 70^E 43' 45" E 200.00 feet; thence S 70^E 43' 45" W 200.00 feet; thence S 88^E 39' 25" W 135.00 feet; thence S 41^E 11' 35" W 160.00 feet for a PLACE OF ENDING.

A 30 Foot Wide Easement, the centerline of which is described as follows:

Commencing at the center of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 89^E 32' 40" E 60.00 feet along the E-W 1/4 line of said section; thence along the east line of Green Road in the following three courses: N 0^E 05' 10" E 718.232 feet, 148.40 feet along the arc of a 1097.00 foot radius circular curve to the right, chord bearing N 3^E 57' 40" E 148.29 feet and N 7^E 50' 15" E 50.00 feet; thence S 86^E 44' 25" E 94.45 feet; thence N 70^E 49' 35" E 130.00 feet for a PLACE OF BEGINNING; thence S 11^E 18' W 195.44 feet; thence S 74^E 18' W 120.00 feet for a PLACE OF ENDING, excepting therefrom that portion occupied by Building 45 as shown on the recorded Master Deed for Chapel Hill Condominiums.

A 30 Foot Wide Easement, the centerline of which is described as follows:

Commencing at the North 1/4 corner, Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 89^E 26' 15" E 270.43 feet along the north line of said section; thence S 44^E 02' E 147.60 feet; thence S 24^E 04' E 230.57 feet; thence S 3^E 33' 30" W 200.68 feet; thence S 12^E 18' W 98.13 feet; thence S 0^E 38' E 287.47 feet; thence S 6^E 31' W 301.80 feet; thence N 64^E 51' 45" W 208.40 feet for a PLACE OF BEGINNING; thence S 64^E 51' 45" E 208.40 feet; thence S 61^E 55' 30" E 261.46 feet; thence S 2^E 05' 25" E 247.12 feet for a PLACE OF ENDING, excepting therefrom that portion occupied by Buildings 6 & 22 as shown on the recorded Master Deed for Chapel Hill Condominiums.

A 40 Foot Wide Easement, the centerline of which is described as follows:

Commencing at the north 1/4 corner of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 89^E 26' 15" E 879.68 feet along the north line of said section; thence along the West right-of-way line of US-23 1255.40 feet along the arc of a 5626.58 foot radius circular curve to the right, chord bearing S 14^E 58' 05" E 1252.79 feet for a PLACE OF BEGINNING; thence N 78^E 23' 15" W 107.00 feet; thence S 88^E 03' 35" W 393.00 feet; thence S 5^E 24' 45" W 102.00 feet for a PLACE OF ENDING.

A 40 Foot Wide Easement, the centerline of which is described as follows:

Commencing at the north 1/4 corner of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 89^E 26' 15" E 266.03 feet along the north line of said section for a PLACE OF BEGINNING; thence S 13^E 27' 45" W 108.95 feet; thence S 16^E 27' 20" E 196.52 feet; thence S 37^E 37' 55" W 58.26 feet thence S 57^E 17' 55" E 75.32 feet; thence N 75^E 45' 10" E 162.22 feet; thence S 60^E 20' 15" E 130.47 feet; thence S 0^E 08' 05" W 208.62 feet; thence S 84^E 29' 55" E 62.65 feet; thence S 0^E 28' 05" E 526.56 feet; thence S 36^E 24' 20" E 95.00 feet for a PLACE OF ENDING, excepting therefrom that portion occupied by Buildings 16 & 17 as shown on the recorded Master Deed for Chapel Hill Condominiums.

A 30 Foot Wide Easement, the centerline of which is described as follows:

Commencing at the Center of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 89^E 32' 40" E 60.00 feet along the E-W 1/4 line of said section; thence along the east line of Green Road in the following three courses: N. 0^E 05' 10" E 718.32, 148.40 feet along the arc of a 1097.00 foot radius circular curve to the right, chord bearing N 3^E 57' 40" E 148.29 feet and N 7^E 50' 15" E 62.00 feet for a PLACE OF BEGINNING; thence S 82^E 09' 45" E 25.00 feet; thence 308.48 feet along the arc of a 288.00 foot radius circular curve to the left, chord bearing N 67^E 09' 10" E 293.94 feet;

thence Non-tangentially N 31E 25' 35" E 126.24 feet; thence N 40E 56' 45" E 244.52 feet; thence N 88E 20' E 82.14 feet; thence N 23E 25' E 62.00 feet for a PLACE OF ENDING.

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

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

Councilmember Nicolas moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Fink, Lumm, Grady, Stoll, Nicolas, Creal, Stead, Mayor Sheldon, 10

Nays, 0

Absent for the Vote, Councilmember Peterson, 1

The Chair declared the motion carried.

R-287-6-93 APPROVED

RESOLUTION TO APPROVE FUND TRANSFERS AND PROJECT BUDGETS FOR APPROVED ADMINISTRATIVE SERVICES DEPARTMENT PROJECTS

Whereas, The City Council approved on May 3, 1993 resolution R-189-5-93: Purchase of Microcomputer Workstations for \$40,850, on June 7, 1993 resolution R-250-6-93: Professional Services Agreement with Woolpert Consultants for Part B of the GIS Data Base Development Project for \$287,886, on June 7, 1993 resolution R-255-6-93: Voice Processing System Hardware and Software for \$52,060, and on June 7, 1993 resolution R-256-6-93: Award Contract for Mezzanine/Roof Repair for City Hall for \$40,095;

Whereas, These four projects will be completed in FY 93-94;

Whereas, The funds for these three projects were budgeted in the FY 92-93 and FY 93-94 budgets of the Administrative Services Department;

Whereas, The resolutions approving these four projects stated that the funds budgeted for these projects are for the life of the project and are available until expended without regard to fiscal year;

Whereas, The City Administrator has determined that proper governmental accounting procedures require that these projects be funded in a capital projects fund; and

Whereas, A General Capital Projects Fund has been established for this purpose;

RESOLVED, That funds be transferred from the FY 92-93 budgets of the Administrative Services Department to the General Capital Projects Fund, project budgets be adopted, and funds appropriated for the life of the four projects as follows:

<u>Project</u>	<u>Fiscal Year</u>	<u>Object Code</u>	<u>Amount</u>
Microcomputer Workstations	92-93	010-013-5401-5130	\$ 32,680
	92-93	010-013-5903-5130	\$ 8,170
Geographic Information System	92-93	010-013-5901-2100	\$ 160,886
	93-94	010-013-5901-2100	\$ 127,000
Voice Processing System	92-93	010-013-2403-5130	\$ 52,060
Mezzanine/Roof Repair	92-93	010-013-0120-5120	\$ 40,095

; and

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

Councilmember Creal moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Hanna-Davies, Fink, Lumm, Grady, Stoll, Nicolas, Creal, Stead, Mayor Sheldon, 10
Nays, 0
Absent for the Vote, Councilmember Peterson, 1

The Chair declared the motion carried.

R-288-6-93 APPROVED

RESOLUTION TO APPROVE NOMINATING CAUCUS DATE FOR THE ANN ARBOR CITY CAUCUS FOR THE TISCH INDEPENDENT CITIZENS PARTY OF WASHTENAW COUNTY

RESOLVED, That the City Council grant approval to the Ann Arbor City Caucus of the Tisch Independent Citizens Party of Michigan to hold its nominating caucus on Monday, July 12, 1993.

Councilmember Fink moved that the resolution be approved.

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

R-289-6-93 APPROVED AS AMENDED

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT TO DOUGLAS N. HIGGINS, INC. FOR THE ANN ARBOR AIRPORT SANITARY AND WATER LEADS REPLACEMENT (BID NO. 2419 - \$81,798) (\$124,340 TOTAL PROJECT)

Councilmember Hunter moved that the resolution be approved.

Councilmember Stoll moved that the resolution be amended by adding final paragraph as follows:

RESOLVED, THAT INTEREST AND DEBT SERVICE PAYMENTS BE REIMBURSED TO THE WATER AND SEWER BOND FUNDS THROUGH THE TRANSPORTATION/AIRPORT BUDGET OVER SUBSEQUENT YEARS FOR THE LIFE OF THE BONDS.

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

The question under consideration is approval of the resolution as amended, on a voice vote, the Chair declared the motion carried unanimously.

Following is the resolution as amended:

R-289-6-93

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT TO DOUGLAS N. HIGGINS, INC. FOR THE ANN ARBOR AIRPORT SANITARY AND WATER LEADS REPLACEMENT BID NO. 2419 (\$124,340)

Whereas, It has been found necessary to construct sanitary and water service leads for City-owned facilities at the Ann Arbor Airport;

Whereas, Douglas N. Higgins, Inc. of Ann Arbor, Michigan has submitted to the City on May 21, 1993, a bid for said work in the total amount of \$81,798 which amount is the

lowest responsible bid;

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

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

Whereas, The Personnel/Human Rights Department has, on June 3, 1993, approved said company for said construction project;

RESOLVED, That a contract in the amount of \$81,798 be awarded to Douglas N. Higgins, Inc. for the construction of the Ann Arbor Airport Sanitary & Water Leads Project (Bid No. 2419);

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

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

RESOLVED, That the following project budget be adopted and funds appropriated for the life of the project, to be available until expended without regard to fiscal year:

ANN ARBOR AIRPORT SANITARY & WATER LEADS

Section I - Revenue

\$84,000	1992 Sewer Revenue Bonds, Series XIV
10,000	1992 Water Revenue Bonds, Series R
<u>30,340</u>	FY 1992-93 Transportation Division Airport Budget
\$124,340	TOTAL; AND

Section II Expense

\$81,800	Construction
9,820	Design Engineering
12,270	Construction Engineering
4,090	Consulting and Testing
6,540	Contingencies approved by the City Administrator
4,090	Miscellaneous Costs

5,730 Bond Overhead Charge
 \$124,340 TOTAL; and

RESOLVED, That interest and debt service payments be reimbursed to the Water and Sewer Bond Funds through the Transportation/Airport Budget over subsequent years for the life of the bonds.

R-290-6-93 APPROVED

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

Whereas, The City of Ann Arbor and the University of Michigan are cooperating in an effort to make the student Move-in, scheduled for September 2, 3 and 5, 1993, an orderly and efficient process;

Whereas, This will require the closing of certain streets on the following dates and times:

Thursday, September 2	7:00 a.m. - 10:00 p.m.
Friday, September 3	7:00 a.m. - 10:00 p.m.
Sunday, September 5	9:00 a.m. - 6:00 p.m.

Whereas, This will require the bagging of parking meters, and the use of street barricades;

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

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

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

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

- Thompson, from Monroe to Jefferson
- Madison, from Division to South State
- Jefferson, from Thompson to Maynard
- Maynard, from Jefferson to East William
- East University, from Hill to Willard
- Church, from Hill to Willard
- Observatory, from North University to East Ann
- North University Court

Washington Hgts., from Observatory to E. Medical Center Dr.
East Ann, from Observatory to Zina Pitcher Place

RESOLVED, That the City Council prohibits all peddling and soliciting activities within a three block area of the closed streets for the period of September 2, 3 and 5, 1993; and

RESOLVED, That City Council directs staff to refrain from issuing permits for the use of sidewalks within a one block area of the University of Michigan residence facilities for the same dates indicated; and

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

Councilmember Hunter moved that the resolution be approved.

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

REPORT FROM COUNCIL COMMITTEES

HIV-AIDS TASK FORCE

Councilmember Hunter said that due to time constraints, he would not be able to represent Council on the HIV-AIDS Task Force. He asked if other members of Council would be interested in serving.

COUNCIL PROPOSED BUSINESS

None.

(Councilmember Stead moved to reconsider approval of the May 26, 1993 minutes. On a voice vote, the Chair declared the motion carried unanimously. See **Approval of Council Minutes** for further action.)

COMMUNICATIONS FROM THE MAYOR

Mayor Sheldon announced that she signed a proclamation honoring Captain Stephen Woodbury of the Salvation Army, who is retiring after many years of service to the community.

Mayor Sheldon announced receipt of a letter from the Department of Natural Resources commending the Fire Department for its quick response to an oil spill into Allen's Creek.

There were no appointments this date.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Alfred Gatta presented the following information memorandums:

- ∃ Honorable Mention Award for Central Area Plan
- ∃ Status Report regarding C2A and C2A/R Zoning Amendments
- ∃ Americans with Disabilities Act Requirements relating to traffic signals
- ∃ Sale of City-produced compost
- ∃ Private Union Raises
- ∃ Measures of Success 3rd Quarter Status
- ∃ Response re: Lobby Improvements
- ∃ Response re: Definition of Professional Services

The memorandums were filed with the City Clerk.

City Administrator Gatta received requests from Council for information on other matters.

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HANNA-DAVIES

Councilmember Hanna-Davies expressed her gratitude to Councilmember Grady and the Housing Commissioners for the productive and non-blaming manner in which they worked through recent HUD findings.

COUNCILMEMBER LUMM

Councilmember Lumm asked that the Market Commission table the rule referenced by Sheryl Wagner pending further deliberation.

Councilmember Lumm said that she agreed with Councilmember Fink's comments during deliberation on the resolution to reconsider the 93-94 budget.

COUNCILMEMBER GRADY

Councilmember Grady noted Phase I groundwater contamination purged into the sanitary sewer is well below the MDNR standards for the water treatment plant outflow and that claims of a City cover-up are false.

Councilmember Grady illustrated with the aid of photo slide the proximity of the landmark oak tree to housing construction on the Turnberry lot.

COUNCILMEMBER NICOLAS

Councilmember Nicolas announced that he would call a meeting of the Council Rules Committee to address Councilmembers speaking time limits.

COUNCILMEMBER STEAD

Councilmember Stead said that public commentary was inconsistent with the fact that Mr. Gelman, of Gelman Sciences sought his assistance in solving the problem of its dioxane leak into the groundwater.

CLERK'S REPORT OF COMMUNICATIONS AND PETITIONS

The following communications were received:

- ⊘ John Minock regarding rallies held at City Hall - File
- ⊘ Communication from Oxbridge/North Burns Park Neighborhood Associations proposing changes to the Special Exception Use Amendments - Referred to the Planning Commission along with the Special Exception Use Proposed Ordinance
- ⊘ Communication from Kim Waldo, representing the Freeman Estates Owners Association regarding Turnberry Phase II and III Approval - Filed

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

- ⊘ Human Services Task Force - May 27, 1993
- ⊘ Ann Arbor Energy Commission - June 10, 1993
- ⊘ City Planning Commission - May 4, 1993
- ⊘ City Planning Commission - May 18, 1993
- ⊘ Housing Board of Appeals - March 16, 1993
- ⊘ Housing Board of Appeals - February 2, 1993

- ∃ Housing Board of Appeals - January 5, 1993
- ∃ Housing Board of Appeals - April 20, 1993
- ∃ Housing Board of Appeals - May 4, 1993
- ∃ Zoning Board of Appeals - January 20, 1993
- ∃ Zoning Board of Appeals - February 17, 1993
- ∃ Zoning Board of Appeals - March 17, 1993
- ∃ Zoning Board of Appeals - April 21, 1993
- ∃ Human Services Task Force - June 4, 1993
- ∃ Human Services Task Force - June 9, 1993

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

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

PUBLIC COMMENTARY - GENERAL

ED SHAFFRAN - TURNBERRY

Ed Shaffran, owner of Turnberry Development, said that all landmark trees on the site were identified in the initial process. Revised site development plans were submitted to increase the distance between hedgerows and trees.

ANDREW GULVEZAN - VARIOUS SUBJECTS

Andrew Gulvezan, Medford Road, sang a medley of songs for the entertainment of the Council.

ADJOURNMENT

There being no further business to come before the Council, Councilmember Stead moved that the meeting be adjourned.

On a voice vote, the Chair declared the motion carried and the meeting was adjourned at 1:46 a.m.

Winifred W. Northcross
Clerk of the Council

Linda J. Wise
Recording Secretary