

## **REGULAR SESSION - OCTOBER 4, 1993**

The regular session of the Ann Arbor City Council was called to order at 7:38 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

Council stood for one moment of silence.

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

### **ROLL CALL OF COUNCIL**

PRESENT : Councilmembers Larry Hunter, Tobi Hanna-Davies, Peter Fink (entered at 10:45 p.m.), Jane Lumm, Robert C. Grady, Ulrich Stoll, Peter Nicolas, Julie Creal, Thais Anne Peterson, David F. Stead, Mayor Ingrid B. Sheldon, 11.

ABSENT : 0.

### **INTRODUCTIONS**

#### **UNITED NATIONS DAY OBSERVANCE**

Mayor Sheldon presented a proclamation honoring United Nations Day, October 24, 1993, to representatives of the Huron Valley Chapter of the United Nations Association in recognition of the contributions and achievements of the United Nations and its associated organizations. June Rusten, representing the Association, announced that local observance of United Nations Day will be held on October 12 at the Women's City Club.

#### **500 NORTH MAIN STREET HISTORIC DESIGNATION**

Susan Wineberg, Chair of the Individual Historic Properties Historic District Study Committee, presented the Committee's final report recommending that 500 North Main Street (the Kellogg-Warden House) be added to the Ann Arbor Register of Historic Places. The Kellogg-Warden House, which was moved from 1015 Wall Street to North Main and Kingsley Streets, will serve as the headquarters for the Washtenaw County Historical Society. (Report on file in the City Clerk's Office)

**PUBLIC COMMENTARY - RESERVED TIME****FRIEDA POORE - NIGHT SHELTER AND POLICE INTERACTION REGARDING FALSE ARREST**

Frieda Poore, resident at the Night Shelter, objected to the treatment that she and other women receive at the shelter, and stated that she was falsely arrested because of her objections to the shelter's operations. Ms. Poore further stated that she was badly treated by the police and requested that the matter be investigated. (Statement on file in the City Clerk's Office)

**LOUIS ROME - WILDT STREET DEVELOPMENT**

Louis Rome, 109 S. Huron, Ypsilanti, MI., owner of property proposed for the Wildt Street Affordable Housing development, urged Council's support of this project which will house low-income families. Mr. Rome stated that the project is being proposed by the Washtenaw Affordable Housing Corporation which will own and manage the development.

**JOHN PSYCHAS - LANDFILL CLEANUP**

John Psychas, 959 Wall St., announced that a public meeting on the Ann Arbor Landfill cleanup will be held at 7:00 p.m., October 8, at the Scarlett Middle School. Mr. Psychas spoke in opposition to the "best-available-technology" approach for the landfill cleanup. He stated that this costly and undefined standard, which has no scientific basis, perpetuates variable enforcement standards and diverts public resources from the real problems facing the City.

**ANDREW GULVEZAN - HANDICAP PARKING**

Andrew Gulvezan, 2167 Medford Rd., expressed concern that there is not enough handicap parking available in the City.

**PATRICIA SETTIMI - RESOLUTION REGARDING GLAZIER WAY**

Patricia Settimi, 3109 W. Dobson Pl., representing the Woodlands Homeowner's Association, spoke in support of the resolution to investigate transferring jurisdiction of Glazier Way from the County to the City for road improvements. Ms. Settimi stated that this resolution is a first step in bringing parties together to find a solution to the problems of safety and accessibility on Glazier Way.

**JOANNE LIND - CIGARETTE VENDING MACHINES**

Joanne Lind, 552 Second St., expressed concern with the serious health effects of tobacco smoking and the tobacco industry's campaign to assure a new generation of cigarette smokers by targeting teenagers. Ms. Lind urged City Council to consider an age identification requirement to purchase cigarettes and a total ban on all cigarette vending machines.

JIM SHIELDS - PROJECT GROW

Jim Shields, 624 Church St., former member of Project Grow Board of Directors, expressed concern that Project Grow does not have an adequate community outreach program. Mr. Shields recommended that a committee be established to oversee Project Grow for more control over its funds, accomplishments, community outreach, and articles of incorporation.

DAVID RAAFLAUB - CITY SPENDING

David Raaflaub, 1402 Edgewood, objected to the waste of taxpayers' money for construction of a Materials Recovery Facility and for the printing and distribution of "For The People" and "Waste Watcher" publications which promote City government issues. Mr. Raaflaub stated that publication of "For The People" in the Ann Arbor Observer may be in violation of the City Charter since a competitive bidding process was not used.

**PUBLIC HEARINGS**

SPECIAL EXCEPTION USE STANDARDS (ORDINANCE NO. 19-93)

A public hearing was conducted on the proposed amendment to Chapter 55, Sections 5:1, 5:6, 5:10.2, 5:10.4 and 5:104 - Special Exception Use Standards. The ordinance would 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. Notice of public hearing was published September 19, 1993. (A public hearing on Ordinance 19-93 was previously held June 21, 1993 and recessed).

The following person appeared:

Donna Tope, 1606 Cambridge Rd., representing the North Burns Park Neighborhood Association, stated that she could support the proposal with further language clarification. Ms. Taupe emphasized the confusion with the

phrase "use conformance" and suggested revisions to clarify the language. (Statement on file in the City Clerk's Office)

Written comments from the Oxbridge Neighborhood Association expressing support of the proposal with additional clarifying language was placed on file in the City Clerk's Office.

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

#### HOSPITAL AND HEALTH SERVICES CREDIT UNION REZONING (ORDINANCE NO. 30-93)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 5.09 acres from R5 (Hotel-Motel District) to O (Office District), Hospital and Health Services Credit Union, east side of Green Road, north of Plymouth Road and across from Commonwealth. Notice of public hearing was published September 18, 1993.

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

#### HOSPITAL AND HEALTH SERVICES CREDIT UNION AREA PLAN

A public hearing was conducted on the proposed Hospital and Health Services Credit Union Area Plan, 5.09 acres, east side of Green Road, north of Plymouth Road and across from Commonwealth. Notice of public hearing was published September 27, 1993.

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

#### AMERICAN HONDA REVISED SITE PLAN

A public hearing was conducted on the proposed American Honda Revised Site Plan, 2.7 acres, 3947 Research Park Drive. Notice of public hearing was published September 27, 1993.

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

#### PACKARD OFFICE PLAZA LAND DIVISION

A public hearing was conducted on the proposed Packard Office Plaza Land Division, 2.91 acres, 3800 Packard Road. Notice of public hearing was published September 27, 1993.

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

## APPROVAL OF AGENDA

### AGENDA APPROVED AS AMENDED

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

#### CONSENT AGENDA

Move Resolution to Approve Packard Office Plaza Land Division, 2.91 acres,  
to 3800 Packard Road (Planning Commission recommendation: Approval -  
Motions 6 yeas, 0 nays) **(Move to Motions and Resolutions - Planning  
Commission  
& Res.: Matters)**

#### MOTIONS AND RESOLUTIONS

Move: Resolution Regarding City Policy for Granting Tax Abatements (Council-  
member Hunter) **(Move prior to Resolution Regarding Tax Abatement for  
Digitax, Inc.)**

Add: Resolution Authorizing Filing of Cable Television Rate Regulation Certification  
with the Federal Communications Commission (Councilmembers Hunter and  
Hanna-Davies)

On a voice vote the Chair declared the motion carried.

## APPROVAL OF COUNCIL MINUTES

### MINUTES OF SEPTEMBER 13 AND 20 APPROVED

Councilmember Stead moved that the special, executive and working session minutes of  
September 13, 1993, and the regular session minutes of September 20, 1993 be  
approved, with the following correction to the September 20, 1993 minutes:

#### REPORTS FROM COUNCIL COMMITTEES

##### Nicolas - Housing Commission

Councilmember Nicolas reported that HUD has given tentative approval to

19 of the <25> **23** housing units allocated to the City....

On a voice vote the Chair declared the motion carried.

### **CONSENT AGENDA**

#### CONSENT AGENDA ITEM REMOVED

With unanimous consent of Council, the following item was removed from the Consent Agenda and placed with the Parks and Recreation items under Motions and Resolutions:

Resolution to Approve a Contract with Margolis Nursery Inc. for Urban Sculpture Plaza Park Renovations - Bid No. 2481 (\$19,993.00)

#### CONSENT AGENDA ITEMS APPROVED

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

R-453-10-93 APPROVED

#### RESOLUTION TO APPROVE HONDA REVISED SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Honda Revised Site Plan, 2.7 acres, 3947 Research Park Drive.

Whereas, American Honda has requested revised site plan approval in order to construct a 4,460 square foot addition; and

Whereas, The Ann Arbor City Planning Commission, at its meeting of September 21, 1993, recommended approval of said request;

RESOLVED, By the Mayor and City Council that the American Honda Revised Site Plan be hereby approved.

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R-454-10-93 APPROVED

#### RESOLUTION TO APPROVE KNISLEY ANNEXATION

A communication was received from the City Planning Commission transmitting its

recommendation of approval of the proposed Knisley Annexation, 0.21 acre, 3141 Dexter Road.

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, Robert and Ann Marie Knisley are the owners of said property; and

Whereas, It is the desire of Robert and Ann Marie Knisley 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 138 of The Evergreens Subdivision, Washtenaw County, Michigan.

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R-455-10-93 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT  
TO CORBY ENERGY SERVICES, INC. AND ESTABLISH  
A PROJECT BUDGET FOR THE PLYMOUTH ROAD  
STREET LIGHTS - BID NO. 2483

Whereas, It has been found necessary to install street light improvements along Plymouth Road from lower Broadway Street to Murfin Avenue;

Whereas, Corby Energy Services, Inc. of Richmond, Michigan, has submitted to the City on September 14, 1993, a bid for said work in the total amount of \$91,410.50, 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 street lights project; and

Whereas, The Human Resources Department has, on October 4, 1993, approved

said company for said project;

RESOLVED, That a contract in the amount of \$91,410.50 be awarded to Corby Energy Services, Inc. for the installation of the Plymouth Road Street Lights (Bid No. 2483);

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

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

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

Section I - Revenue

\$100,000.00	Funds 062, 1991 Street Millage Fund
\$100,000.00	TOTAL

Section II - Expense

\$ 91,410.00	Construction
<u>8,590.00</u>	Contingencies approved by the City Administrator
\$100,000.00	TOTAL

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R-456-10-93 APPROVED

RESOLUTION NO. 1 - PREPARE PLANS AND SPECIFICATIONS  
FOR WILDT STREET WATER MAIN

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

Wildt Street Water Main to serve the proposed Wildt Street  
Affordable Housing Planned Unit Development;  
District No. 93097; File No. 93097;

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 \$9,000.00 be appropriated for the planning and design of said project, such sum being advanced from the Water System Fund 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 System Fund 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.

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R-457-10-93 APPROVED

RESOLUTION NO. 1 - PREPARE PLANS AND SPECIFICATIONS  
FOR PLATT ROAD SIDEWALK EXTENSION, BETWEEN  
EDGEWOOD DRIVE AND PACKARD ROAD

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

Platt Road Sidewalk Extension - east side of Platt Road,  
between Edgewood Drive and Packard Road;  
District No. 24; File No. 93020

## 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 \$5,000.00 be appropriated for the planning and design of said project, such sum being advanced from the 1991 Street Millage Fund 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 1991 Street Millage Fund is 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.

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R-458-10-93 APPROVED

RESOLUTION TO APPROVE A CONTRACT FOR IMPROVEMENTS  
TO SCHEFFLER PARK - BID NO. 2479

Whereas, Funds in the amount of \$110,000.00 are appropriated in the Fiscal Year 1993-94 budget for improvements to Scheffler Park from the 1989-94 Parks Rehabilitation and Development Millage and developer contribution;

Whereas, L & W Lawn Maintenance submitted the lowest responsible bid for improvements to Scheffler Park in the amount of \$66,546.25; and

Whereas, The Personnel Human Rights Department approved the company on September 16, 1993;

RESOLVED, That the Mayor and Council approve a contract awarding Bid No. 2479 to L & W Lawn Maintenance in the amount of \$66,546.25 and authorize the Mayor and City Clerk to sign the agreement between the City and L & W Lawn Maintenance substantially in the form on file with the City Clerk; and

RESOLVED, That the Mayor and City Council approve a contingency in the amount of \$6,654.63 to cover potential contract change orders, to be approved by the City Administrator, and approve a total project budget of \$73,200.88 for the life of the project.

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R-459-10-93 APPROVED

RESOLUTION TO APPROVE PURCHASE OF SODIUM  
HEXAMETAPHOSPHATE FOR THE WATER TREATMENT  
PLANT - BID NO. 2435

Whereas, The Water Treatment Plant uses sodium hexametaphosphate in daily operations;

Whereas, Contracts for supplying estimated requirements are the most stable and cost-effective way of meeting the Water Plant's needs;

Whereas, Magnatrade Corporation submitted the lowest responsible bid for supply of sodium hexametaphosphate per Bid No. 2435; and

Whereas, Magnatrade Corporation received Human Rights approval on April 15, 1993;

RESOLVED, That City Council approve a requirements contract for sodium hexametaphosphate to Magnatrade Corporation at \$52.30/CWT, in accordance with the terms of Bid No. 2435;

RESOLVED, That the City Administrator be directed to enter into said agreement in accordance with this resolution at a projected cost of \$42,000.00 for an expected annual usage of 40 tons;

RESOLVED, That the agreement may be renewed for up to two one-year periods provided both parties agree to an extension; and

RESOLVED, That the City Administrator be directed to obtain sodium hexametaphosphate from the next lowest bidder if Magnatrade Corporation is unable to furnish adequate supplies.

Source of Funds: Water Supply System FY 1993-94 Approved Budget

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R-460-10-93 APPROVED

RESOLUTION TO APPROVE PURCHASE OF SODIUM  
SILICOFLUORIDE FOR THE WATER TREATMENT PLANT -  
BID NO. 2442

Whereas, The Water Treatment Plant uses sodium silicofluoride in daily operations;

Whereas, Contracts for supplying estimated requirements are the most stable and cost-effective way of meeting the Water Plant's needs;

Whereas, Kaiser Aluminum & Chemical Corporation submitted the lowest responsible bid for supply of sodium silicofluoride per Bid No. 2442; and

Whereas, Kaiser Aluminum & Chemical Corporation received Human Rights approval on July 6, 1993;

RESOLVED, That City Council approve a requirements contract for sodium silicofluoride to Kaiser Aluminum & Chemical Corporation at \$20.055/CWT, in accordance with the terms of Bid No. 2442;

RESOLVED, That the City Administrator be directed to enter into said agreement in accordance with this resolution at a projected cost of \$22,000.00 for an expected annual usage of 44 tons;

RESOLVED, That the agreement may be renewed for up to two one-year periods provided both parties agree to an extension; and

RESOLVED, That the City Administrator be directed to obtain sodium silicofluoride from the next lowest bidder if Kaiser Aluminum & Chemical Corporation is unable to furnish adequate supplies.

Source of Funds: Water Supply System FY 1993-94 Approved Budget  
Water Treatment Division

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R-461-10-93 APPROVED

RESOLUTION TO APPROVE PURCHASE OF CAT-FLOC TL  
FOR THE WATER TREATMENT PLANT - BID NO. 2487

Whereas, The Water Treatment Plant uses CAT-FLOC TL in daily operations;

Whereas, Contracts for supplying estimated requirements are the most stable and cost-effective way of meeting the Water Plant's needs;

Whereas, Haviland Products Company submitted the lowest responsible bid for supply of CAT-FLOC TL per Bid No. 2487; and

Whereas, Haviland Products Company received Human Rights approval on April 20, 1993;

RESOLVED, That City Council approve a requirements contract for CAT-FLOC TL to Haviland Products Company, in accordance with the terms of Bid No. 2487;

RESOLVED, That the City Administrator be directed to enter into said agreement in accordance with this resolution at a cost of \$20,000.00 for an expected annual usage of 77 drums;

RESOLVED, That the agreement may be renewed for up to two one-year periods provided both parties agree to an extension; and

RESOLVED, That the City Administrator be directed to obtain CAT-FLOC TL from the next lowest bidder if Haviland Products Company is unable to furnish adequate supplies.

Source of Funds: Water Supply System FY 1993-94 Approved Budget

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R-462-10-93 APPROVED

RESOLUTION TO APPOINT AMTEC FOR ARBITRAGE

### CALCULATIONS AND REPORTING

Whereas, The City has issued 25 bonds that are subject to arbitrage rebate calculations and reporting requirements since the Tax Reform Act of 1986 was passed;

Whereas, The Finance Department received bids from firms for performing arbitrage compliance calculations and have determined AMTEC to be the lowest responsible bidder at a cost of \$22,300.00; and

Whereas, Funds for the services are available from the individual bond issue proceeds;

RESOLVED, That AMTEC be appointed to perform the required arbitrage calculations and reporting.

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R-463-10-93 APPROVED

### RESOLUTION TO AUTHORIZE STREET CLOSINGS FOR THE AMERICAN CANCER SOCIETY "AMERICA'S CHALLENGE" PARADE AND RALLY - OCTOBER 16, 1993

Whereas, The American Cancer Society of Washtenaw County will be sponsoring the America's Challenge Parade and Rally on October 16, 1993 to promote public awareness about breast cancer;

Whereas, It is necessary to temporarily close the following streets from 10:30 a.m. to 10:45 a.m. to allow the parade to proceed in a safe and orderly manner:

- , South Main Street from William Street to Liberty Street
- , East Liberty Street from South Main Street to South Fourth Avenue

Whereas, It is necessary to close the following street from 10:45 a.m. to 12:00 p.m. to hold a rally in front of the Federal Building immediately following the parade:

- , East Liberty Street from South Fourth Avenue to South Fifth Avenue

Whereas, The street closures will be signed and barricaded by the American Cancer Society and properly supervised by the sponsor and the Ann Arbor Police

Department;

Whereas, The sponsor will obtain all necessary permits and be responsible to comply with all procedures, rules and regulations required by the City and State to stage such an event;

Whereas, The sponsor has requested that the City support this event by appropriating funds from the 1993-94 Community Events Budget to pay for the following City services:

Police Department	\$216.00
Public Services Department, Transportation Division	
Meter bag fees	\$ 36.00
Barricades	\$160.00
Total	\$412.00

and waive the following Transportation Division fee:

Meter Bag Deposit	\$120.00 ;
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and

Whereas, The American Cancer Society of Washtenaw County agrees to defend and indemnify and save the City harmless against any claim arising from its sponsorship of this event;

RESOLVED, That the Mayor and City Council hereby approve the closing of the requested streets at the indicated times;

RESOLVED, That the City agree to waive the parking meter bag deposit fees; and

RESOLVED, That the City support this event in the amount of \$412.00 for reimbursement of City expenditures with funds to be appropriated from the 1993-94 Community Events Budget.

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## R-464-10-93 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL SERVICE  
CONTRACTS FOR TRAINING FOR POLICE PERSONNEL

Whereas, The City of Ann Arbor and the Police Department are committed to Community-Oriented Policing as the best form of police service delivery now and into the future;

Whereas, The Police Department has determined that training is needed in the area of Problem-Oriented Policing to facilitate the progress of its officers in implementing Community-Oriented Policing city-wide;

Whereas, The Police Executive Research Forum (PERF), a criminal justice training firm located in Washington, D.C., has submitted the lowest responsible proposal for training all sworn police personnel, on site, in Problem-Oriented Policing skills;

Whereas, The Police Department has determined that training is needed in the area of teambuilding to facilitate the progress of its non-supervisory sworn staff in implementing Community-Oriented Policing city-wide;

Whereas, MACNLOW Associates, a criminal justice training firm located in Lansing, has submitted the lowest responsible proposal to train all sworn non-supervisory police personnel, on site, in teambuilding skills;

RESOLVED, That the City Council approve the professional service contract with PERF for up to \$15,100.00 to provide training to all sworn personnel of the department;

RESOLVED, That the City Council approve the professional service contract with MACNLOW Associates for up to \$12,575.00 to provide training to all sworn, non-supervisory personnel; and

RESOLVED, That the City Administrator be authorized to approve a purchase order not to exceed \$15,100.00 to PERF and to approve a purchase order not to exceed \$12,575.00 to MACNLOW Associates, and that the Mayor and City Clerk be authorized to sign these professional service contracts.

Police Department Budget Account No. 064-031-0220-2700

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

**ORDINANCES - SECOND READING**

19-93 TABLED

**SPECIAL EXCEPTION USE STANDARDS**

An Ordinance to Amend Sections 5:1, 5:6,  
5:10.2, 5:10.4 and 5:104 of Chapter 55 of Title V  
of the Code of the City of Ann Arbor

The ordinance would 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.

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

Councilmember Lumm moved that the ordinance be tabled to the October 18, 1993 regular session of Council to further clarify the language and to address the issues of enforcement and pre-existing sites as requested by the neighborhood groups.

On a voice vote the Chair declared the motion carried and the ordinance tabled at second reading.

Council unanimously agreed that Councilmembers Grady and Lumm be appointed to work with all interested parties to assure their concerns are addressed.

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26-93 APPROVED

**BELIZE PARK AREA REZONING**

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

This ordinance would change the zoning of the area bounded by Hiscock, Fountain and

Summit streets from R4C (Multiple-Family Dwelling District) to R2A (Two-Family Dwelling District).

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

On roll call the vote was as follows:

Yeas, Councilmembers Lumm, Grady, Stoll, Nicolas, Creal, Peterson, Stead, Hunter, Hanna-Davies, Mayor Sheldon, 10;

Nays, 0.

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

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30-93 APPROVED

HOSPITAL AND HEALTH SERVICES  
CREDIT UNION REZONING

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

This ordinance would change the zoning of 5.09 acres, located on the east side of Green Road, north of Plymouth Road and across from Commonwealth, from R5 (Hotel-Motel District) to O (Office District).

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

On roll call the vote was as follows:

Yeas, Councilmembers Grady, Stoll, Nicolas, Creal, Peterson, Stead, Hanna-Davies, Lumm, Mayor Sheldon, 9;

Nays, 0.

Absent during vote, Councilmember Hunter, 1.

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

**ORDINANCES - FIRST READING**

**31-93 REFERRED TO PLANNING COMMISSION**

**ART VAN FURNITURE STORE 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 0.75 acre, located on the north side of Eisenhower Parkway, west of South State Street, from PUD (Planned Unit Development District) to Revised Final Phase PUD.

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

Councilmember Nicolas moved that the ordinance be referred to the Planning Commission for further review.

On a voice vote the Chair declared the motion carried.

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**32-93 DEFEATED**

**SEARS HOMELIFE FURNITURE SHOWROOM 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 4.2 acres, located on the southwest corner of Eisenhower Parkway and South State Street, from AG (Agricultural District) to Preliminary Phase PUD (Planned Unit Development District).

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

On roll call the vote was as follows:

Yeas, Councilmember Hunter, 1;

Nays Councilmembers Stoll, Creal, Peterson, Stead, Hanna-Davies, Lumm, Grady, Mayor Sheldon, 8;

Absent during vote, Councilmember Nicolas, 1.

The Chair declared the motion defeated.

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33-93 APPROVED

WILDT STREET AFFORDABLE HOUSING REZONING

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

This ordinance would change the zoning of 0.62 acre, located 907 Wildt Street, from R2A (Two-Family Dwelling District) to Preliminary and Final Phase PUD (Planned Unit Development District).

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

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

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34-93 APPROVED

ADD 500 NORTH MAIN STREET TO ANN ARBOR REGISTER OF HISTORIC PLACES

An Ordinance to Amend Chapter 103 of Title VIII of the Code of the City of Ann Arbor by Amending Section 9:2 of Title IX of the Ann Arbor Register of Historic Places

This ordinance would add 500 North Main Street (The Kellogg-Warden House) to the Ann Arbor Register of Historic Places.

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

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

**MOTIONS AND RESOLUTIONS**

R-465-10-93 APPROVED

**RESOLUTION TO APPROVE HOSPITAL AND  
HEALTH SERVICES CREDIT UNION AREA PLAN**

A communication was received from the City Planning Commission transmitting its recommendation of technical denial (5 years, 0 days) of the proposed Hospital and Health Services Credit Union Area Plan, 5.09 acres, east side of Green Road, north of Plymouth Road and across from Commonwealth.

Whereas, Hospital and Health Services Credit Union has requested area plan approval for a 15,000 square foot banking and office facility; and

Whereas, The Ann Arbor City Planning Commission, at its meeting of August 17, 1993, reviewed said request;

RESOLVED, By the Mayor and City Council that the Hospital and Health Services Credit Union Area Plan be hereby approved.

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-466-10-93 APPROVED

**RESOLUTION TO APPROVE PACKARD  
OFFICE PLAZA LAND DIVISION**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Packard Office Plaza Land Division, 2.91 acres, 3800 Packard Road.

Whereas, Robert Guenther has requested land division approval in order to divide the 2.91 acre parcel at 3800 Packard Road into two separate parcels; and

Whereas, The Ann Arbor City Planning Commission, at its September 21, 1993 meeting, recommended approval of said request;

RESOLVED, By the Mayor and City Council that the Packard Office Plaza Land Division be hereby approved.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-467-10-93 APPROVED AS AMENDED

RESOLUTION REGARDING CITY POLICY FOR  
GRANTING TAX ABATEMENTS

A resolution regarding a City policy for granting tax abatements was considered.

Councilmember Hunter moved that the resolution be adopted.

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

RESOLVED, That the Mayor and the Ann Arbor City Council hereby establish a policy that: The City of Ann Arbor shall not grant Industrial Facilities Exemption Certificates (**RELEASE APPLICATION REQUESTS**) under Michigan Public Act 198;

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

RESOLVED, That ~~the Mayor and the Ann Arbor City Council hereby establish a policy that: The City of Ann Arbor shall not grant Industrial Facilities Exemption Certificates (release application requests) under Michigan Public Act 198~~ **THE CITY OF ANN ARBOR WILL OBJECT TO THE GRANT OF THE INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE UNDER P.A. 198 OF 1974 UNLESS THE VACANCY CREATED BY A PETITIONER'S DEPARTURE FROM THE CITY HAS BEEN FILLED BY A BUSINESS WHICH MEETS ONE OF THE FOLLOWING CRITERIA: A NEWLY CREATED LOCAL FIRM, A FIRM RELOCATED TO ANN ARBOR FROM ANOTHER JURISDICTION, AN EXPANSION OF AN EXISTING ANN ARBOR FIRM;**

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

Yeas, Councilmembers Nicolas, Peterson, Stead, Hunter, Hanna-Davies, Grady, 6;

Nays, Councilmembers Creal, Lumm, Stoll, Mayor Sheldon, 4.

The Chair declared the motion carried.

The resolution as adopted reads as follows:

R-467-10-93

Resolution to Establish City Policy  
Regarding Industrial Facilities Exemption  
Certificates (Tax Abatements)

Whereas, The City of Ann Arbor wishes to maintain a good quality of life by retaining and expanding its economic base including quality employment opportunities for residents;

Whereas, The State of Michigan Public Act 198 of 1974 has been historically used in the Washtenaw County area to relocate/transfer businesses and, therefore, jobs from one political jurisdiction to another; and

Whereas, Industrial Facilities Exemption Certificates often result in a net loss of employment opportunities and municipal tax revenue from within the City of Ann Arbor;

RESOLVED, That the City of Ann Arbor will object to the grant of the Industrial Facilities Exemption Certificate under P.A. 198 of 1974 unless the vacancy created by the petitioner's departure from the City has been filled by a business which meets one of the following criteria: a newly created local firm, a firm relocated to Ann Arbor from another jurisdiction, an expansion of an existing Ann Arbor firm; and

RESOLVED, That the City Clerk and City Administrator take the necessary steps to implement the policy and send official notification to all regional taxing jurisdictions.

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R-468-10-93 APPROVED

RESOLUTION REGARDING TAX ABATEMENT  
FOR DIGITAX, INC.

Whereas, Digitax, Inc. has stated its intent to obtain an Industrial Facilities Exemption Certificate for the purpose of locating its new facility at 4420 Varsity Drive in

Pittsfield Township, Washtenaw County, Michigan;

Whereas, 30 Digitax, Inc. employees will be transferred from the City of Ann Arbor to Pittsfield Township; and

Whereas, Before Pittsfield Township can grant a tax abatement to Digitax under Michigan Public Act 198 of 1974 as amended, the Ann Arbor City Council must consent by resolution to the granting of an Industrial Facilities Exemption Certificate;

RESOLVED, That the Ann Arbor City Council hereby approve the granting of an Industrial Facilities Exemption Certificate to Digitax, Inc.; and

RESOLVED, That this resolution supersede all other previous Council actions regarding the granting of an Industrial Facilities Exemption Certificate to Digitax, Inc.

Councilmember Lumm moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Creal, Stead, Hunter, Lumm, Grady, Nicolas, Mayor Sheldon, 7;

Nays, Councilmembers Peterson, Hanna-Davies, Stoll, 3.

The Chair declared the motion carried.

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TABLED

RESOLUTION TO AUTHORIZE SUMMARY PUBLICATION OF ORDINANCE NO. 19-93 - SPECIAL EXCEPTION USE STANDARDS

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

RESOLVED, That the publication of Ordinance No. 19-93 be by the following summary:

Ordinance No. 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 District; 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 adopted.

Councilmember Creal moved that the resolution be tabled to the October 18, 1993 regular session of Council to be considered with the ordinance which was tabled to that date.

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

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R-469-10-93 APPROVED

RESOLUTION TO DISSOLVE INACTIVE ANN ARBOR CITY COMMITTEES

Whereas, The City of Ann Arbor recognizes the importance and welcomes the participation of its citizens in the decision-making process;

Whereas, The Mayor and Council want to ensure that the time which its citizens offer so generously is used to best advantage;

Whereas, It is misleading to citizens to continue to publish committees which are inactive;

Whereas, The Committee to Meet with the Board of Review Regarding Uniform Property Tax Relief System, established by Resolution No. R-658-12-90 on December 3, 1990, was to have presented recommendations to Council in February 1991, and no record of those recommendations is on file with the City Clerk's Office and the Committee appears to be inactive; and

Whereas, The Loft Space Implementation Task Force, established by Resolution No. R-39-1-88 on January 19, 1988, presented recommendations which were accepted by Council on September 17, 1990, and has not met in nearly three years;

RESOLVED, That the Committee to Meet with the Board of Review Regarding Uniform Property Tax Relief System and the Loft Space Implementation Task Force be hereby dissolved; and

RESOLVED, That the Mayor and Council of the City of Ann Arbor express their gratitude to the citizens who gave their time and efforts in fulfillment of the objectives of these Committees, and hope that they will consider serving again.

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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The Chair declared a recess at 10:30 p.m.

The Chair again called the meeting to order at 10:41 p.m.

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R-470-10-93 APPROVED AS AMENDED

RESOLUTION REGARDING THE MATERIALS RECOVERY FACILITY

A resolution regarding the materials recovery facility was considered.

Councilmember Creal moved that the resolution be adopted.

Councilmember Hunter moved that the resolution be amended as follows:

Whereas, The Ann Arbor City Council has considered its options regarding the Materials Recovery Facility (MRF);

**WHEREAS, THE CITY COUNCIL FINDS THAT THE CONTRACT WITH RESOURCE RECOVERY SYSTEMS (RRS) APPROVED BY RESOLUTION R-65-2-93, DATED FEBRUARY 22, 1993, WAS NOT THE PRODUCT OF A COMPETITIVE BIDDING PROCESS;**

**WHEREAS, THE WASTE MANAGEMENT AND RESOURCE RECOVERY FINANCE ACT AUTHORIZES MUNICIPALITIES TO ENTER INTO CONTRACTS FOR DEVELOPMENT OF WASTE MANAGEMENT PROJECTS WITHOUT COMPETITIVE BIDDING;**

Whereas, The City Council finds it to be **IMPRACTICAL TO NOW REQUIRE COMPETITIVE BIDDING AS IT IS** in the City's best interest that:

1. It proceed promptly with the design, construction and operation of the MRF;
2. The party responsible for operating the MRF also be involved in the construction of the MRF; and
3. It avoid the expense and time involved in rebidding the construction of the MRF;

<Whereas> **RESOLVED**, That execution of the contract with RRS pursuant to the Michigan Waste Management and Resource Recovery Financing Act will best facilitate these interests;

**RESOLVED, THAT THE CITY COUNCIL'S RESOLUTION R-65-2-93 BE HEREBY RESCINDED;**

**RESOLVED, THAT ALL PROPOSALS RECEIVED IN RESPONSE TO RFP 294 BE HEREBY REJECTED;**

**RESOLVED, THAT THE CITY ADMINISTRATOR BE DIRECTED AND AUTHORIZED TO NEGOTIATE AND SIGN A DESIGN, CONSTRUCTION AND OPERATING CONTRACT WITH RRS WHICH CONTAINS SUBSTANTIALLY THE SAME TERMS AND CONDITIONS AS PREVIOUSLY APPROVED BY CITY COUNCIL; AND**

RESOLVED, That the Mayor and City Clerk be authorized to execute the **NEW** contracts <with Resource Recovery Systems (RRS) on file in the City Clerk's Office>.

Councilmember Fink entered at approximately 10:45 p.m.

### **RECESS FOR EXECUTIVE SESSION**

Councilmember Nicolas moved that the regular session of Council be recessed for an executive session concerning the materials recovery facility legal opinion.

On a voice vote the Chair declared the motion carried and the meeting recessed at 10:55 p.m.

The Chair again called the regular session of Council to order at 11:10 p.m.

**MOTIONS AND RESOLUTIONS (Cont.)**

R-470-10-93 APPROVED AS AMENDED (Cont.)

RESOLUTION REGARDING THE MATERIALS RECOVERY FACILITY

After further discussion, Councilmember Hunter's amendment was withdrawn.

Council unanimously agreed to amend the second and third paragraphs of the original resolution as follows:

Whereas, The City Council finds it to be in the City's best interest that:...

**4. COMPETITIVE BIDDING IS NOT PRACTICAL;**

~~<Whereas>~~ **RESOLVED**, That execution of the contracts with Resource Recovery System (RRS) pursuant to the Michigan Waste Management and Resource Recovery Financing Act will best facilitate these interests;...

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

Yeas, Councilmembers Peterson, Stead, Hunter, Hanna-Davies, Lumm, Grady, Stoll, Nicolas, Creal, Mayor Sheldon, 10;

Nays, Councilmember Fink, 1.

The Chair declared the motion carried.

The resolution as adopted reads as follows:

R-470-10-93

RESOLUTION REGARDING THE MATERIALS RECOVERY FACILITY

Whereas, The Ann Arbor City Council has considered its options regarding the Materials Recovery Facility (MRF); and

Whereas, The City Council finds it to be in the City's best interest that:

1. It proceed promptly with the design, construction and operation of the MRF;
2. The party responsible for operating the MRF also be involved in the construction of the MRF;
3. It avoid the expense and time involved in rebidding the construction of the MRF; and
4. Competitive bidding is not practical;

RESOLVED, That execution of the contracts with Resource Recovery Systems (RRS) pursuant to the Michigan Waste Management and Resource Recovery Financing Act will best facilitate these interests; and

RESOLVED, That the Mayor and City Clerk be authorized to execute the contracts with Resource Recovery Systems (RRS) on file in the City Clerk's Office.

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R-471-10-93 SUBSTITUTE APPROVED

**Original Resolution:**

RESOLUTION DISSOLVING AND COMBINING VARIOUS COMMITTEES

Whereas, The City of Ann Arbor has well over 100 boards, commissions and committees;

Whereas, Such a large number of committees makes it difficult for City staff and City Councilmembers to devote the time required to each of these committees;

Whereas, Some of these committees have never even met or have not met in many years; and

Whereas, Any of these committees can be re-created should the need arise in the future;

RESOLVED, That the Information Services Advisory Committee, Landfill Expansion Advisory Committee, Management Study Committee, Northside Historic District Committee, Place of Remembrance Commission, Policy Guidance Committee, Public

History Program Committee, Washtenaw and Hill Street Historic District Study Committee and the West Summit Street Area Historic District Study Committee be immediately dissolved;

RESOLVED, That the responsibilities of the City Administrator Committee and the City Attorney Committee be transferred to the Ad Hoc Rules Committee, and that the City Administrator and City Attorney Committees be immediately dissolved; and

RESOLVED, That the responsibilities of the Alternative Tax Study Committee and the Citizen's Alternative Fee Committee be transferred to the Budget Policy/Process Committee, and that the Alternative Tax Study Committee and the Citizen's Alternative Fee Committee be immediately dissolved.

Councilmember Nicolas moved that the resolution be adopted.

Councilmember Nicolas moved that the following substitute resolution be placed on the table for consideration:

**Substitute Resolution:**

R-471-10-93

RESOLUTION DISSOLVING VARIOUS COMMITTEES

Whereas, The City of Ann Arbor has well over 100 boards, commissions and committees;

Whereas, Such a large number of committees makes it difficult for City staff and City Councilmembers to devote the time required to each of these committees;

Whereas, Some of these committees have never even met or have not met in many years; and

Whereas, Any of these committees can be re-created should the need arise in the future;

RESOLVED, That the Landfill Expansion Advisory Committee, Management Study Committee, Place of Remembrance Commission, Policy Guidance Committee, and Public History Program Committee be immediately dissolved.

On a voice vote the Chair declared the motion carried.

Councilmember Nicolas moved that the substitute resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-472-10-93 APPROVED AS AMENDED  
RESOLUTION REGARDING GLAZIER WAY

A resolution regarding Glazier Way was considered.

Councilmember Lumm moved that the resolution be adopted.

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

RESOLVED, That the City Administrator work with the County **ROAD COMMISSION** to address citizens' immediate concerns and, ...

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

The resolution as adopted reads as follows:

R-472-10-93  
RESOLUTION REGARDING GLAZIER WAY

Whereas, Glazier Way is currently under the jurisdiction of the Washtenaw County Road Commission;

Whereas, Glazier Way, in accordance with its "Natural Beauty Road" designation, is maintained by the County Road Commission as a graded, gravel road designed primarily to accommodate residential traffic from adjacent developments;

Whereas, Glazier Way is an east-west collector street between Green Road and Huron Parkway, with an average daily traffic of 3,500-4,000 vehicles;

Whereas, The County Road Commission - as the Glazier Way jurisdictional authority - maintains the road in the best manner possible, but cannot improve existing and

deteriorating road conditions as the heavy traffic demands significantly exceed the suggested maximum gravel road carrying capacities of about 500 cars per day;

Whereas, Impacted neighborhoods and adjoining City-property owners have solicited the City's assistance in improving the overall condition of Glazier Way in a manner consistent with the residential character of the road;

Whereas, Glazier Way improvements are contemplated in the City's Capital Improvements Plan;

Whereas, Jurisdictional issues must be addressed before any long-term plans can be made; and

Whereas, Transfer of jurisdiction requires a resolution of Council to accept and a resolution of the County Road Commission to release the road;

RESOLVED, That the City Administrator be requested to investigate the possibility of resolving outstanding issues pertaining to transferring jurisdiction of Glazier Way to the City, and making potential improvements, including costs and long-term financing plans; and

RESOLVED, That the City Administrator work with the Washtenaw County Road Commission to address citizens' immediate concerns and, thereby, determine appropriate measures to be taken to improve the Huron Parkway/Glazier and Wolverhampton/Glazier intersections.

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R-473-10-93 APPROVED

RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH HARZA ENVIRONMENTAL SERVICES, INC. AND ESTABLISH A PROJECT BUDGET FOR THE SLURRY WALL DESIGN AND CONSTRUCTION INSPECTION AT THE CITY OF ANN ARBOR LANDFILL

Whereas, It is necessary to implement the Landfill Remedial Action Plan which includes the construction of a slurry wall;

Whereas, Harza Environmental Services, Inc. is experienced in the design and construction inspection of slurry walls and is qualified and able to perform the necessary work; and

Whereas, The Human Resources Department has, on September 15, 1993, approved said company for said work;

RESOLVED, That the City Council authorize a Professional Services Agreement with Harza Environmental Services, Inc. for the slurry wall design and construction inspection services;

RESOLVED, That the Mayor and City Council be hereby authorized and directed to sign said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator;

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

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

Section I - Revenue

\$584,833.00	Environmental Bond, Fund 097
\$584,833.00	TOTAL

Section II - Expense

\$420,833.00	Consulting
111,000.00	Direct labor, project management, surveying, drafting, materials, user fee, etc.
<u>53,000.00</u>	Contingencies Approved by the City Administrator
\$584,833.00	TOTAL;

and

RESOLVED, That the Finance Director be hereby authorized and directed to transfer the revenues, as shown above, to establish the project budget.

Councilmember Stead moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-474-10-93 APPROVED

RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH TRAVERSE GROUP, INC. AND ESTABLISH A PROJECT BUDGET FOR THE HYDRAULIC BARRIER SYSTEM IMPLEMENTATION AND PUMP MAINTENANCE AT THE CITY OF ANN ARBOR LANDFILL

Whereas, It is necessary to implement the Landfill Remedial Action Plan which includes the implementation of the hydraulic barrier system and pump maintenance;

Whereas, The Traverse Group, Inc. is experienced in the implementation of remedial systems and is qualified and able to perform the necessary work; and

Whereas, The Human Resources Department has, on September 15, 1993, approved said company for said work;

RESOLVED, That the City Council authorize a professional services agreement with The Traverse Group, Inc. to provide the hydraulic barrier system implementation and the pump maintenance;

RESOLVED, That the Mayor and City Council be hereby authorized and directed to sign said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator;

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

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

Section I - Revenue

\$295,625.00	Environmental Bond, Fund 097
11,250.00	Solid Waste Operating Budget - Fiscal Year 1993/94
23,000.00	Solid Waste Operating Budget - Fiscal Year 1994/95
<u>23,000.00</u>	Solid Waste Operating Budget - Fiscal Year 1995/96
\$352,875.00	TOTAL

Section II - Expense

\$241,450.00	Consulting
69,550.00	Direct labor, material, user fee, etc.
<u>41,875.00</u>	Contingencies Approved by the City Administrator
\$352,875.00	TOTAL;

and

RESOLVED, That the Finance Director be hereby authorized and directed to transfer the revenues, as shown above, to establish the project budget.

Councilmember Stead moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-475-10-93 APPROVED

RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH WW ENGINEERING AND SCIENCES, INC. AND ESTABLISH A PROJECT BUDGET FOR GROUNDWATER AND SURFACE WATER MONITORING PROGRAM AT THE CITY OF ANN ARBOR LANDFILL

Whereas, The City is required by Public Act 641 and the Consent Order with the Michigan Department of Natural Resources to monitor the groundwater and surface water in the vicinity of the landfill;

Whereas, A new contract to perform groundwater and surface water monitoring for October 1993 to July 1995, is needed to replace the groundwater monitoring contract which was completed in July 1993;

Whereas, WW Engineering and Science, Inc. has been determined to be the most qualified and cost effective firm to provide the City with a two-year groundwater monitoring program;

Whereas, The Human Resources Department has, on September 16, 1993, approved said company for said work;

RESOLVED, That the City Council authorize a professional services agreement with WW Engineering and Science, Inc. to provide the groundwater and surface water

monitoring program;

RESOLVED, That the Mayor and City Council be hereby authorized and directed to sign said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator;

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

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

Section I - Revenue

\$202,050.00	Environmental Bond, Fund 097
39,250.00	Solid Waste Operating Budget - Fiscal Year 1993/94
78,500.00	Solid Waste Operating Budget - Fiscal Year 1994/95
<u>82,500.00</u>	Solid Waste Operating Budget - Fiscal Year 1995/96
\$402,300.00	TOTAL

Section II - Expense

\$248,095.00	Consulting
95,805.00	Direct labor, material, user fee, etc.
<u>58,400.00</u>	Contingencies Approved by the City Administrator
\$402,300.00	TOTAL;

and

RESOLVED, That the Finance Director be hereby authorized and directed to transfer the revenues, as shown above, to establish the project budget.

Councilmember Stead moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-476-10-93 APPROVED

RESOLUTION TO APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH G. R.

KUNKLE AND ASSOCIATES FOR GROUNDWATER REMEDIATION PROGRAM AT THE CITY OF ANN ARBOR LANDFILL

Whereas, The Council approved a professional services agreement with G. R. Kunkle and Associates, Inc. on March 18, 1991 and amended it on August 17, 1992 and July 6, 1993 for the Groundwater Remediation Program at the City Landfill - Phase I;

Whereas, G. R. Kunkle and Associates, Inc. has completed the scope of work included within the appropriated budget;

Whereas, G. R. Kunkle and Associates, Inc. will need to attend future meetings with the Michigan Department of Natural resources and the others to explain the work completed to date; and

Whereas, The Human Resources Department has, on December 18, 1990, approved said company for said work;

RESOLVED, That the City Council authorize an amendment to the professional services agreement with G. R. Kunkle and Associates, Inc.;

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

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

Section I - Revenue

\$10,000.00	Environmental Bond, Fund 097
\$10,000.00	TOTAL

Section II - Expense

\$10,000.00	Consulting
\$10,000.00	TOTAL;

and

RESOLVED, That the Finance Director be hereby authorized and directed to transfer the revenues, as shown above, to establish the project budget.

Councilmember Stead moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-477-10-93 APPROVED

RESOLUTION REQUESTING AUTHORIZATION FOR LAND PURCHASE FROM ANN ARBOR GOLF AND OUTING CLUB

Whereas, Ann Arbor Golf and Outing Club, a Michigan Corporation, is the owner of property described below:

Beginning at the intersection of the southerly right-of-way line of East Stadium Boulevard and the easterly right-of-way line of South Main Street, thence easterly 25.00 feet along the southerly right-of-way of East Stadium Boulevard, thence southwesterly to a point on the easterly right-of-way line of South Main Street, 25.00 feet southerly of the POINT OF BEGINNING, thence northerly 25.00 feet along the east right-of-way line of South Main Street to the POINT OF BEGINNING; being part of the northwest 1/4 of the southeast 1/4 of Section 32, T2S, R6E, City of Ann Arbor, County of Washtenaw, Michigan;

Whereas, The owner has offered to sell said property for \$3,430.00; and

Whereas, The City of Ann Arbor desires to locate a sidewalk on the premises;

RESOLVED, That the City of Ann Arbor hereby approve the purchase of the property and authorize the Mayor and City Clerk to execute any documents necessary to effectuate the purchase; and

RESOLVED, That it is determined that an environmental site assessment is not necessary for this property because of its small size and historic use as a golf course.

Councilmember Creal moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-478-10-93 APPROVED

RESOLUTION AUTHORIZING AMENDMENT TO  
PROFESSIONAL SERVICES AGREEMENT WITH BLACK AND  
VEATCH FOR STORMWATER SYSTEM MASTER PLAN

Whereas, A Stormwater System Master Plan is necessary to systematically identify and prioritize long-term system capital improvements and major infrastructure maintenance plan;

Whereas, Black & Veatch was selected as the most qualified and acceptable of three firms responding to Request For Proposal No. 282 to prepare the Part 1 NPDES application and is most familiar with the Stormwater System after having prepared Parts 1 and 2 of the NPDES application in a timely and highly acceptable manner, and is recommended to prepare the Stormwater System Master Plan;

Whereas, Black & Veatch has submitted a proposal to provide assistance in preparation of the Stormwater Master Plan for the City of Ann Arbor Municipal Storm Sewer System for \$340,700.00; and

Whereas, On August 25, 1993, the Human Resources Department approved Black & Veatch to provide these engineering services to the City of Ann Arbor;

RESOLVED, That Council approve a budget of \$340,700.00 for consultant services and a contingency of \$7,000.00 to finance change orders to be approved by the City Administrator, and that the project budget be adopted for the life of the project, to be expended without regard for fiscal year;

RESOLVED, That Council approve a \$347,700.00 advance from the Sewage Disposal System Fund pending sale of Stormwater System Revenue Bonds planned for the spring of 1994; and

RESOLVED, That Council accept the proposal of Black & Veatch and authorize the Mayor and Clerk to sign the professional services agreement with Black & Veatch to perform said services for \$340,700.00, approved as to form by the City Attorney and approved as to substance by the City Administrator.

Funding Source: Advance from Sewage Disposal System Fund pending sale of Stormwater System Revenue Bonds.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-479-10-93 APPROVED

RESOLUTION TO APPROVE ALLOCATION TO WASHTENAW  
AFFORDABLE HOUSING CORPORATION FOR WILDT STREET PROJECT

Whereas, An application was received in August, 1993 from the Washtenaw Affordable Housing Corporation for financial assistance to be used for the Wildt Street new construction project;

Whereas, Washtenaw Affordable Housing Corporation is intending to construct 11 three-bedroom units with affordable rent levels for lower income families;

Whereas, From the total estimated project cost of \$790,177.00, Washtenaw Affordable Housing Corporation is expecting to leverage funds from a private lender and the Federal Home Loan Bank of Indianapolis;

Whereas, The Human Resources Department has reviewed and approved this contract as of April 27, 1993; and

Whereas, The Housing Policy Board at its meeting on September 22, 1993 recommended City Council approval of HOME and CDBG funds for the project contingent upon the development of an affordability agreement which identifies rent levels and commitments of other funding sources;

RESOLVED, That City Council approve the allocation of \$481,000.00 to Washtenaw Affordable Housing Corporation for the Wildt Street Project, with funds to be available until expended without regard to fiscal year, using \$400,000.00 of FY 1992 HOME Funds and \$81,000.00 of Community Development Housing Trust Funds;

RESOLVED, That City Council direct the City Administrator through the Community Development Department to negotiate the Housing Affordability Agreement for the project for subsequent Council review and approval; and

RESOLVED, That approval of City funds be contingent upon Washtenaw Affordable Housing Corporation leveraging the balance of \$309,177.00 from other non-City sources.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-480-10-93 APPROVED

RESOLUTION TO APPROVE HOUSING AFFORDABILITY  
AGREEMENT WITH HABITAT FOR HUMANITY OF HURON VALLEY  
FOR 2535 RUSSELL STREET

Whereas, An application was received in September, 1993 from Habitat for Humanity of Huron Valley for acquisition and development of property at 2535 Russell Street;

Whereas, Habitat is intending to purchase the property, rehabilitate the existing unit, divide the parcel and construct six new single-family homes;

Whereas, From the total estimated project cost of \$445,000.00, Habitat is leveraging funds from the Federal Home Loan Bank of Indianapolis, Michigan State Housing Development Authority, and private fundraising; and

Whereas, The Housing Policy Board at its meeting on September 22, 1993 recommended City Council approval of Housing Trust Funds for the project;

RESOLVED, That City Council approve the Housing Affordability Agreement in the amount of \$135,000.00 of General Fund Housing Trust Funds as a 0% interest, 20-year, deferred payment loan for the acquisition and development of property at 2535 Russell Street; and

RESOLVED, That City Council authorize the Mayor and City Clerk to execute the Housing Affordability Agreement and all other documents necessary to implement this agreement substantially in the form on file in the Office of the City Clerk, with funds to be available until expended without regard to fiscal year.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-481-10-93 APPROVED

RESOLUTION TO APPROVE HOUSING AFFORDABILITY

AGREEMENT WITH NEW ALTERNATIVES IN COMMUNITY LIVING FOR 324 EAST SUMMIT STREET

Whereas, An application was received in July, 1993 from the New Alternatives in Community Living, a nonprofit organization, for financial assistance for the acquisition/rehabilitation of 324 East Summit Street to be used as affordable housing units for very low income, homeless persons;

Whereas, New Alternatives is intending to purchase the building and complete minor rehabilitation in order to provide affordable housing for eight very low-income homeless individuals;

Whereas, From the total estimated project cost of \$273,000.00, New Alternatives is leveraging funds from Washtenaw County and Michigan National Bank; and

Whereas, The Housing Policy Board at its meeting on September 22, 1993 recommended City Council approval of HOME funds for the project;

RESOLVED, That City Council approve the Housing Affordability Agreement in the amount of \$110,000.00 of HOME Program Funds as a 1% interest, 30-year loan with \$20,000.00 of the total amortized over 30 years at 1% and \$90,000.00 deferred for 10 years before payment begins for the acquisition, rehabilitation and related costs of 324 East Summit Street; and

RESOLVED, That City Council authorize the Mayor and City Clerk to execute the Housing Affordability Agreement and all other documents necessary to implement this agreement substantially in the form on file in the Office of the City Clerk with funds to be available until expended without regard to fiscal year.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-482-10-93 APPROVED

RESOLUTION TO APPROVE HOUSING AFFORDABILITY AGREEMENT WITH FIRST CARIBOU INVESTMENTS FOR 1420 PEAR STREET

Whereas, An application was received in September, 1993 from First Caribou Investments for rehabilitation of the property at 1420 Pear Street;

Whereas, From the total estimated project cost of \$38,245.00, First Caribou is leveraging funds from a private lender; and

Whereas, The Housing Policy Board at its meeting on September 22, 1993 recommended City Council approval of Housing Trust Funds for the project;

RESOLVED, That the City Council approve the Housing Affordability Agreement with First Caribou Investments in the amount of \$19,122.00 as a 15-year, 4% interest loan in order to complete the rehabilitation of 1420 Pear Street; 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 with funds to be available until expended without regard to fiscal year.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-483-10-93 APPROVED

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

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

Whereas, The City of Ann Arbor has entered into contract with the University of Michigan which begins July 1, 1993 to provide dental services to low-income Ann Arbor residents at the Community Dental Center;

RESOLVED, That the Mayor and City Council approve the lease agreement with the Board of Regents of the University of Michigan for the building located at 406 North Ashley Street to begin July 1, 1993 and terminate June 30, 1994 with an option to renew for two additional one-year terms, and authorize the Mayor and City Clerk to execute the lease agreement substantially in the same form as on file in the Office of the City Clerk.

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-484-10-93 APPROVED

RESOLUTION TO APPROPRIATE FUNDS AND AWARD  
CONTRACT FOR CONSTRUCTION OF LESLIE SCIENCE CENTER  
PARKING LOT IMPROVEMENTS - BID NO. 2496

Whereas, The Leslie Science Center Trust Fund was established for expenditures related to the on-going maintenance requirements of the Leslie Science Center facility and currently has an unreserved balance of \$258,576.00;

Whereas, Parking lot and driveway improvements and a properly sited dumpster area are needed to accommodate the continuous programming of activities and general public use of the site;

Whereas, Five proposals were received in response to Bid No. 2496 for the construction of the necessary improvements;

Whereas, Belden Asphalt, Inc. of Jackson, Michigan, has been identified as the lowest responsible bidder with a proposal in the amount of \$42,004.00; and

Whereas, Belden Asphalt, Inc. has obtained Human Rights approval as of July 7, 1993;

RESOLVED, That \$50,000 be appropriated from the unreserved balance of the Leslie Science Center Trust Fund for the life of this project and a project budget of \$50,000.00 be established for the construction of parking lot improvements and a dumpster enclosure area (including a contingency of \$4,200.00 for potential change orders authorized by the City Administrator);

RESOLVED, That a contract in the amount of \$42,004.00 be awarded to Belden Asphalt, Inc. for Leslie Science Center parking lot improvements (Bid No. 2496); and

RESOLVED, That the Mayor and City Clerk be authorized and directed to sign said contract with Belden Asphalt, Inc., substantially in the form on file with the City Clerk, and that the City Administrator be authorized to take the necessary administrative actions to implement this resolution.

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-485-10-93 APPROVED

RESOLUTION TO APPROVE A PURGE WELL PERMIT TO GELMAN SCIENCES FOR THE USE OF DOLPH PARK

Whereas, The City of Ann Arbor owns Dolph Park east of Wagner Road;

Whereas, Gelman Sciences needs to remediate the ground water in the area in accordance with plans mandated by the Michigan Department of Natural Resources;

Whereas, Monitoring wells, a purge well, and associated improvements have been requested by GSI within the City-owned Dolph Park to achieve the cleanup of ground water in the area;

Whereas, Gelman Sciences is providing compensation as specified in the park use permit and there will be no significant impact on existing or future park use in Dolph Park by granting the permit for the use of the park; and

Whereas, The Park Advisory Commission has reviewed the concept plan for the wells and recommends that the Mayor and Council approve the permit;

RESOLVED, That Gelman Sciences be hereby granted a purge well and pipeline permit within Dolph Park and the City Administrator be authorized to execute the documents necessary to issue the permit.

Councilmember Fink moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-486-10-93 APPROVED AS AMENDED

RESOLUTION TO APPROVE A CONTRACT WITH MARGOLIS NURSERY INC. FOR URBAN SCULPTURE PLAZA PARK RENOVATIONS - BID NO. 2481

A resolution to approve a contract with Margolis Nursery Inc. for Urban Sculpture Plaza

Park renovations was considered.

Councilmember Fink moved that the resolution be adopted.

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

RESOLVED, That the Mayor and City Council approve a construction contingency in the amount of ~~<\$7,100.00>~~ **\$1,999.00** to cover potential contract change orders to be approved by the City Administrator and to approve a total project budget of ~~<\$42,618.00>~~ **\$37,517.00** for the life of the project.

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

The resolution as adopted reads as follows:

R-486-10-93

RESOLUTION TO APPROVE A CONTRACT FOR  
URBAN SCULPTURE PLAZA PARK RENOVATIONS

Whereas, A budget in the amount of \$42,518.00 has been appropriated from the Downtown Development Authority Pedestrian Improvement Fund #002 for the renovation of Urban Sculpture Plaza Park;

Whereas, Margolis Nursery Inc. submitted the lowest responsible bid for the improvements to Urban Sculpture Plaza in the amount of \$19,993.00; and

Whereas, The Personnel/Human Rights Department approved the company on September 15, 1993;

RESOLVED, That the Mayor and Council approve a contract awarding Bid No. 2481 to Margolis Nursery Inc. in the amount of \$19,993.00, and authorize the Mayor and City Clerk to sign the agreement between the City and Margolis Nursery Inc. substantially in the form on file with the City Clerk; and

RESOLVED, That the Mayor and City Council approve a construction contingency in the amount of \$1,999.00 to cover potential contract change orders to be approved by the City Administrator and to approve a total project budget of \$37,517.00 for the life of the

project.

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R-487-10-93 APPROVED AS AMENDED

RESOLUTION TO APPROVE ACCEPTANCE OF \$60,000.00  
FROM ANN ARBOR TRANSPORTATION AUTHORITY FOR  
TWO POLICE OFFICERS

A resolution to accept \$60,000.00 from the Ann Arbor Transportation Authority for two police officers was considered.

Councilmember Stoll moved that the resolution be adopted.

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

RESOLVED, That if the funds are not continued, staff levels **(FTE'S)** of the department will be reduced by two officers.

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

The resolution as adopted reads as follows:

R-487-10-93

RESOLUTION TO APPROVE ACCEPTANCE OF \$60,000.00  
FROM ANN ARBOR TRANSPORTATION AUTHORITY FOR  
TWO POLICE OFFICERS

Whereas, The Ann Arbor Transportation Authority has agreed to fund the cost of two Police Officers to work in the area of the Blake Transportation Center;

Whereas, This concept is consistent with the Community Oriented Policing philosophy practiced throughout the Police Department;

Whereas, The Ann Arbor Transportation Authority will reimburse the Police Budget in the amount of \$60,000.00 per year for two years to hire two additional officers to replace the two assigned;

Whereas, The additional positions will be funded from October 17, 1993 through October 16, 1995 and will exist only as long as funding is available through the Ann Arbor Transportation Authority; and

Whereas, The positions will be eliminated in the event that the funding from the Ann Arbor Transportation Authority ends, and the two officers will be reassigned to vacant budgeted positions if available within department ranks;

RESOLVED, That the Ann Arbor City Council approve the addition of two police officers to the authorized strength of the Ann Arbor Police Department;

RESOLVED, That the Ann Arbor City Council accept and appropriate the grant of \$60,000.00 per year for two years from the Ann Arbor Transportation Authority to the Police Department budget to be used to pay for two officers, their training, equipment, and other associated concept costs;

RESOLVED, That \$45,000.00 be expended in Fiscal Year 1993-94 and \$60,000.00 be carried over to the FY 1994-95 budget; the remaining \$15,000.00 will be expended in FY 1995-96. All funds will go into Account No. MG-031-0164-1100 of the major grant fund; and

RESOLVED, That if the funds are not continued, staff levels (FTE's) of the department will be reduced by two officers.

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TABLED

RESOLUTION TO APPROVE AGREEMENT BETWEEN THE CITY OF ANN ARBOR AND THE ANN ARBOR PUBLIC SCHOOLS

Whereas, The Ann Arbor Public Schools desire to continue to purchase certain law enforcement services from the City of Ann Arbor Police Department; and

Whereas, The Ann Arbor Public Schools and the City of Ann Arbor have reached agreement on changes in the manner in which the law enforcement services are to be

provided as well as the respective charges for those services;

RESOLVED, That the agreement for law enforcement services between Ann Arbor Public Schools and the City of Ann Arbor be accepted; and

RESOLVED, That the Mayor and Clerk be authorized to execute the agreement in the form on file with the City Clerk.

Councilmember Lumm moved that the resolution be adopted.

Councilmember Hunter moved that the resolution be tabled to the October 18, 1993 regular session of Council for further review of the agreement.

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

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R-488-10-93 APPROVED

RESOLUTION AUTHORIZING FILING OF CABLE TELEVISION RATE REGULATION CERTIFICATION WITH THE FEDERAL COMMUNICATIONS COMMISSION

Whereas, The Cable Television Consumer Protection and Competition Act of 1992 ("1992 Cable Act") provided that the rates of every cable system not subject to effective competition shall be subject to regulation by the Federal Communications Commission ("FCC") or by franchising authority certified by the FCC to the extent permitted by the 1992 Cable Act;

Whereas, On April 1, 1993, the FCC adopted rate regulations for cable systems, and froze the rates in effect on April 5, 1993 until November 15, 1993;

Whereas, The purpose of the FCC rate freeze was to allow sufficient time for franchising authorities to become certified to regulate "Basic" tier service rates, and permit consumers and franchising authorities to file complaints to invoke FCC regulation of rates for "Satellite" tier services as defined in the 1992 Cable Act;

Whereas, The City of Ann Arbor ("City") is a franchising authority within the meaning of the 1992 Cable Act, and has authority to take action on cable regulatory matters, including rate regulation, over any cable system(s) under its jurisdiction within the constraints of federal law; and

Whereas, The cable system franchised by the City is not subject to effective competition within the meaning of the 1992 Cable Act;

RESOLVED, That the City of Ann Arbor, Michigan, authorize the filing by staff on its behalf, FCC Form 328 "Certification of Franchising Authority To Regulate Basic Cable Service Rates and Initial Finding of Lack of Effective Competition" and FCC Form 329 "Cable Programming Service Rate Complaint Form" with the Federal Communications Commission that state that the City:

- a. will adopt and administer rate regulation rules which comply with FCC rules and regulations;
- b. has the legal authority to adopt and the personnel to administer such rules and regulations;
- c. will ensure that all procedures in rate regulation provide a reasonable opportunity for consideration of the views of interested parties; and
- d. seeks FCC regulation of "Satellite" tier rates (Form 329).

Additionally, a copy of the written certification prepared by City staff shall be provided to the franchised cable operator upon filing with the FCC.

Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

## **REPORTS FROM COUNCIL COMMITTEES**

### **AIDS TASK FORCE**

Councilmember Hanna-Davies stated that the AIDS Task Force is ready to present its report and that a public hearing and resolution will be scheduled for an upcoming Council meeting.

### **NATURAL FEATURES ORDINANCE COMMITTEE**

Councilmember Stead stated that the Natural Features Ordinance Committee may be presenting a brief report at the next Council session.

### **ANN ARBOR INN RFP REVIEW COMMITTEE**

Councilmember Lumm reminded Council that the Ann Arbor Inn RFP Review Committee will hold open meetings on October 5-7 to hear presentations from the three proposers. Ms. Lumm stated that there will be an opportunity for the public to ask questions of the presenters.

## **COUNCIL PROPOSED BUSINESS**

### COUNCILMEMBER LUMM

Councilmember Lumm stated that she will not be sponsoring a resolution to dissolve the Sign Board of Appeals.

## **COMMUNICATIONS FROM THE MAYOR**

### PROCLAMATIONS

Mayor Sheldon reported that she recently signed proclamations honoring "Investing In Abilities Week", October 3-9, and Takashi Kushida Sensei for his 20th anniversary as an Akido teacher.

### APPOINTMENTS APPROVED

Mayor Sheldon recommended the following appointments at the September 20, 1993 regular session of Council:

#### SIGN BOARD OF APPEALS

John L. Guthrie (replacing Mary Ellen Wood whose term expired 9/1/92)  
1531 Northwood St.  
Term: 10/4/93 to 10/4/96

#### COMMUNITY DEVELOPMENT CITIZEN PARTICIPATION EXECUTIVE COMMITTEE

Avon Cowens (replacing Herm Steinman whose term expired 7/15/93)  
1514 White St., #214  
Term: 10/4/93 to 6/30/96

Councilmember Nicolas moved that Council concur with the recommendations of the Mayor.

On a voice vote the Chair declared the motion carried.

### **COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

#### **REPORTS SUBMITTED**

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

1. Interview Sessions Regarding the Ann Arbor Inn
2. Fiscal Year 1992-93 Grantee Performance Report
3. Denial of CIAP Funding to Ann Arbor Housing Commission
4. Consultant for Arbitrage Compliance Calculations
5. Ann Arbor Municipal Airport
6. Challenges to USEPA Regulations Regarding Surface Water Treatment Rule
7. Fourth Quarter - Quarterly Report/Measures of Success
8. East Stadium Boulevard/St. Francis Drive Intersection
9. Yield To Pedestrians
10. USEPA Construction Grant Audit - Disallowance of Cost

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

### **COMMUNICATIONS FROM THE CITY ATTORNEY**

None.

### **COMMUNICATIONS FROM COUNCIL**

None.

### **CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS**

The following communications were referred as indicated:

1. Resolution from Garden City, Michigan, regarding state legislation for repeat sex offenders - File.

The following minutes were received for file:

1. Community Development Block Grant Executive Committee - August 16, 1993
2. Ann Arbor Transportation Authority - August 25, 1993
3. Planning Commission - August 17, 1993
4. Human Rights Commission - July 21, 1993
5. Housing Policy Board - September 22, 1992
6. Council Rules Committee - July 1, 1993

Councilmember Creal 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 Nicolas that the meeting be adjourned.

On a voice vote the Chair declared the motion carried and the meeting adjourned at 1:20 a.m.

W. Northcross  
Clerk of the Council

Janet L. Chapin  
Recording Secretary