

REGULAR SESSION - NOVEMBER 1, 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, 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

MICHIGAN SOCIETY OF PLANNING OFFICIALS AWARD

City Planning Director Karen Hart introduced Debbie Schutt, President of the Michigan Society of Planning Officials, who presented the Mayor and the City of Ann Arbor with the 1993 MSPO honor award recognizing excellence in planning for the Ann Arbor Central Area Plan.

ANN ARBOR COMMUNITY ACCESS TELEVISION 20TH ANNIVERSARY

Mayor Sheldon presented a proclamation to Cable Communications Commission Chairman Patrick Murphy in recognition of Ann Arbor Community Access Television's 20th anniversary.

NATURAL FEATURES ORDINANCE COMMITTEE PRESENTATION

Natural Features Ordinance Committee Chairman Kim Waldo presented the "Report and Recommendation of the Natural Features Ordinance Committee on the Status of its Deliberations to Protect Natural Features." (Report on file in the City Clerk's Office)

PUBLIC COMMENTARY - RESERVED TIME**MICHAEL KLINE - ANN ARBOR INN**

Michael Kline, 822 S. Main St., expressed concern that the recommended proposal for the Ann Arbor Inn ignores lowest-income residents and subsidizes the private developer. Mr. Kline urged Council to prioritize the needs of those hardest hit by the lack of low-income housing in the City and to rule out subsidies to private developers.

JIM HART - CHILDREN'S HOLIDAY PARADE

Jim Hart, 1755 Northbrook Dr., representing the Main Street Area Association, urged Council's approval of the resolution to close streets and waive fees for the annual Children's Holiday Parade on December 5. Mr. Hart reported that the parade is a cooperative effort between the Main Street Association, Ann Arbor Public Schools, and City Police and Fire Departments.

KENT CHARLES HYNE - CITY SIGN ORDINANCE

Kent Charles Hyne, 123 Worden Ave., objected to the City's sign ordinance which restricts the display of political signs prior to elections. Mr. Hyne requested that Council repeal this restrictive sign ordinance which he believes is unconstitutional.

SIMON PANG - GREETINGS FROM CHINA

Simon Pang, employee of Gelman Sciences in Shanghai, China, brought greetings from his city and thanked the people of Ann Arbor for their warm hospitality. Mr. Pang stated that he is looking forward to a long partnership between his city and Ann Arbor.

MARY BEJIAN - HOUSING FOR PEOPLE WITH AIDS

Mary Bejian, 207 N. Division St., expressed concern with the housing crises in the City for people with AIDS. Ms. Bejian recommended that the City seek innovative solutions to the lack of affordable for these citizens and suggested that proposals for the Ann Arbor Inn include units set aside for people with HIV and AIDS.

DAVID RAAFLAUB - PROPOSED PARKING STRUCTURE AT FOURTH AND CATHERINE

David Raaflaub, 1077 Barton Dr., #111, spoke in support of the proposed private parking lot development at Fourth Ave. and Catherine St. Mr. Raaflaub stated that the proposal would involve the private developer leasing the lot from the City and would not require

public capital for construction.

CURT CHRISTOFF - POLLUTION CLEAN-UP

Curt Christoff, 7154 St. Andrews Dr., expressed concern with the time and money spent on cleaning up small amounts of industrial pollution while ignoring the pollution problems generated by households and government. Mr. Christoff stated that the clean-up of 1,4 dioxane at the Ann Arbor Landfill is expensive, unnecessary and directed at the wrong end of the waste stream.

JAMES HUDLER - ECONOMIC FUTURE OF ANN ARBOR

James Hudler, 17165 Farner Rd., representing the Libertarian Party, expressed concern with the economic future of Ann Arbor and blamed the City's anti-business policies for Jacobson's move to Briarwood Mall. Mr. Hudler stated that the business climate in the City must be improved by decreasing taxes and regulations for businesses and promoting lower-cost housing through private enterprise.

PUBLIC HEARINGS

ARBOR HILLS REVISED PRELIMINARY PUD ZONING (ORDINANCE NO. 29-93)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 74.24 acres from PUD (Planned Unit Development District) to Revised Preliminary Phase PUD, Arbor Hills, north side of Green Road, north of Burbank Drive. This public hearing is a continuation of the hearing held on October 18, 1993. Notice of public hearing was published October 25, 1993.

The following persons appeared:

Len Keeney, 3549 Burbank Dr., representing Chapel Hills Condominium Association, expressed concern with the continued flooding problems in the area and requested that the level of the retention area be increased. Mr. Keeney also requested alternatives to the solid wall structure for the noise barrier.

Gwen Nystuen, 1016 Olivia Ave., spoke in opposition to the proposal and stated that the language in the PUD is not strong enough to minimize damage to the significant natural features on the site. Ms. Nystuen expressed concern that drainage at the site may cause problems for adjacent neighborhoods and requested that the final agreement provide clear

legal responsibility for maintenance of the site's run-off.

Ethel Potts, 1014 Elder St., expressed concern that the developer was not held to City ordinances and standards for the preservation of natural features. She stated that if these standards had been followed from the beginning, the neighborhood would not have been put in the position of having to defend City ordinances. Ms. Potts stressed the importance of preserving the City's remaining natural features.

Warren Attarian, 3490 Gettysburg Rd., spoke in opposition to the proposal. He stated that the plan has come a long way but that critical shortcomings still exist, especially in the section labeled "Area A Woodlands". Mr. Attarian stated that the language in the PUD is too vague to assure the preservation of the woodlands.

Wendy Carman, 2340 Georgetown Blvd., representing the Orchard Hills/Maplewood Homeowners Association, spoke in opposition to the proposal which she believes does not adhere to the City's Natural Features Guidelines. Ms. Carman stated that there is still no agreement concerning Woodland A, and urged adoption of the additional amendments proposed by the neighbors which would put further restrictions on development in Woodland A.

Mary Borkowski of Atwell-Hicks, representing the developer, urged approval of the proposal and stated that substantial changes have been made to the plans to address neighborhood concerns. Ms. Borkowski stated that the developer supports the amendments before Council, but does not support the additional amendments proposed by the neighborhood associations.

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

WILDT STREET AFFORDABLE HOUSING PUD ZONING (ORDINANCE NO. 33-93)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.62 acre from R2A (Two-Family Dwelling District) to Preliminary and Final Phase PUD (Planned Unit Development District), Wildt Street Affordable Housing, 907 Wildt Street. Notice of public hearing was published October 16, 1993.

The following persons appeared:

Martha Kemnitz, representing Washtenaw Affordable Housing Corporation, stated that she and the project architect would be available to answer

questions from Council.

Marlene Ross, 828 Edward St., spoke in opposition to the proposal. She expressed concern that housing 11 families on the site is too dense for the area and would be unfair to the residents and neighborhood. Ms. Ross stated that she could support the project with half the density.

John Taylor, 828 Edward St., spoke in opposition to the proposal. He expressed concern that the project may fail because it is not well planned and objected to the PUD zoning allowing exceptions to the requirements for off-street parking, set-backs and density. Mr. Taylor stated that the neighborhood residents did not have sufficient opportunity for input.

Louis Rome, owner of the subject property, stated that there was opportunity for neighborhood residents to participate in the process and that compromises were made to address concerns, including the reduction in the number of units on the site. Mr. Rome stated that the project could not be built with less units and still be affordable housing.

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

BUFFALO STREET VACATION

A public hearing was conducted on the proposed Buffalo Street Vacation, north of Keech Street between South Main and Green Streets. Notice of public hearing was published October 25, 1993.

The following person appeared:

Dana Dever, 301 E. Liberty St., attorney representing the petitioner, stated that in order to plan a project for the site, his client needs to know whether Buffalo Street is recognized as a street in the City.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

CONSENT AGENDA

Delete: Resolution to Approve Agreement with the Michigan Department of Transportation for the South Main Street Reconstruction Phase I Project (\$469,300.00) **(Moved to Motions and Resolutions - See Resolution No. R-526-11-93)**

Revise: Resolution to Approve Housing Rehabilitation Agreement with ~~<James W. and>~~ Antonia B. Wilson for 606 Cressfield (\$27,700.00)

ORDINANCES - SECOND READING

8 Votes Required: Amendment to Chapter 55, Rezoning of 0.62 acre from R2A (Two-Family Dwelling District) to Preliminary and Final Phase PUD (Planned Unit Development District), Wildt Street Affordable Housing, 907 Wildt Street (Ordinance No. 33-93) **(See Clerk's Report- Item No. 2)**

MOTIONS AND RESOLUTIONS

Add: Resolution to Approve Agreement with the Michigan Department of Transportation for the South Main Street Reconstruction Phase I Project (\$469,300.00) **(Deleted from Consent Agenda)**

Delete: Resolution Regarding Posting of Assistant City Attorney Position (Councilmember Creal)

Add: Resolution Honoring Guild House on its 100th Anniversary (Councilmembers Hanna-Davies and Hunter)

Add: Resolution to Approve Transfer of Stock Interest in a 1992 12-Month Resort B-Hotel Liquor Licensed Business, Located at 3205-3285 Boardwalk

Add: Resolution to Approve New 12-Month Resort Class C Liquor License to 3125 Boardwalk

I - CLERK'S REPORT

Add: Letters of protest regarding proposed Wildt Street Affordable Housing Zoning (Ordinance No. 33-93) from the following property owners: J. E. Taylor, 828 Edward St.; Robert and Mary Elton, 860 Edward St; and Scott Bonisteel, 815 Wildt St. - Planning.

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF OCTOBER 18 APPROVED

Councilmember Lumm moved that the regular session minutes of October 18, 1993 be approved as presented.

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

R-514-11-93 APPROVED

RESOLUTION TO APPROVE VARSITY FORD ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Varsity Ford Annexation, 2.7 acres, southeast corner of Jackson and Wagner Roads.

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, Stanford Brothers Properties is the owner of said property; and

Whereas, It is the desire of Stanford Brothers Properties 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:

Lots 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 22, 23, 24, 25 and 27 of Westover Hills Subdivision, as recorded in Liber 5 of Plats, page 32, Washtenaw County Records, including the portion of Westover Avenue between Jackson Road and Ferry Street, to be vacated.

R-515-11-93 APPROVED

RESOLUTION TO APPROVE TURNER ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Turner Annexation, 0.60 acre, 2601 Dexter Avenue.

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, Diane M. Turner is the owner of said property; and

Whereas, It is the desire of Diane M. Turner 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:

Lots 34, 35 and 36 of Scioto Hills Subdivision, a subdivision of part of the southeast quarter, Section 24, Scio Township, Washtenaw County, Michigan, according to the plat thereof as recorded in Liber 7 of Plats, page 8, Washtenaw County Records.

R-516-11-93 APPROVED

RESOLUTION TO APPROVE MARATHON OIL COMPANY ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Marathon Oil Company Annexation, 1.4 acres, 2115 South State Street.

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

Whereas, Marathon Oil Company is the owner of said property; and

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

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

Commencing at the Northwest corner of the Section, thence S 1E27' W 528.66 feet in the West line of the Section for a Place of Beginning, thence E 425.86 feet, thence S 21E25' E 172.10 feet, thence W 492.78 feet to the West line of the Section, thence continuing W 18.65 feet to the East line of State Street, thence N 0E26' W 160.26 feet in the East line of said road, thence E 23.94 feet to the Place of Beginning, being part of the Northeast fractional quarter of Section 5, and a part of the Northwest fractional quarter of Section 4, Section 4, T3S, R6E.

R-517-11-93 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER TO AM-DYN-IC FLUID POWER, INC. FOR REPAIR SERVICE AND PARTS FOR CITY TRUCKS

Whereas, The Fleet Services Division of the Public Services Department purchases outside repair service and parts for hydraulic cylinders, pumps, motors, valves, and power take-off units, for the repair of City of Ann Arbor trucks;

Whereas, AM-DYN-IC Fluid Power, Inc. is an authorized service center and distributor of Tyrone, White, Char-Lynn, Gressen, and Chelsea products;

Whereas, AM-DYN-IC Fluid Power, Inc. was the lowest responsible bidder for Bid No. 2322; and

Whereas, AM-DYN-IC Fluid Power, Inc. received Personnel/Human Rights approval on June 30, 1993;

RESOLVED, That City Council approve the issuance of a purchase order to AM-DYN-IC Fluid Power, Inc. for \$32,000.00;

RESOLVED, That the City Administrator may extend this agreement one additional year, in accordance with Bid No. 2322; and

RESOLVED, That \$32,000.00 be appropriated from the General Fund 1993/1994 Public Service Department budget.

R-518-11-93 APPROVED

RESOLUTION AUTHORIZING LEVY OF MILLAGE ON THE DECEMBER 1993 COUNTY TAX ROLL FOR CITY'S SHARE OF MALLET'S CREEK STORM DRAIN DEBT ASSESSMENT

Whereas, Washtenaw County has levied an assessment on the City of Ann Arbor for debt payments for the Mallet's Creek (Pittsfield-Ann Arbor) storm drain of \$230,616.66; and

Whereas, City Council must authorize the special millage on the December Washtenaw County tax levy (on City of Ann Arbor properties only) for payment of this item;

RESOLVED, That Council hereby authorize a levy of 0.0937 mills on the December, 1993 Washtenaw County tax levy for the City share of this debt payment as outlined above.

R-519-11-93 APPROVED

RESOLUTION TO AWARD CONTRACT FOR LIME
SYSTEM MODIFICATIONS AT WATER TREATMENT
PLANT - BID NO. 2497

Whereas, It is necessary to replace bends in lime delivery lines and install new lime delivery line and a lime slaker;

Whereas, Of the two bids received, John E. Green Company has submitted the low and responsible bid for said work in the total amount of \$19,300.00;

Whereas, The contractual proposal specifies the services to be performed by said company and payments to be made by the City, and all are agreeable to the City; and

Whereas, On October 14, 1993 the Personnel/Human Rights Department approved John E. Green Company for said contract;

RESOLVED, That Council accept the proposal and award a contract to John E. Green Company in the amount of 19,300.00 for the replacement of bends in lime delivery lines and install a new lime delivery line and a lime slaker;

RESOLVED, That Council approve a contingency of \$2,000.00 for change orders to be approved by the City Administrator; and

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

R-520-11-93 APPROVED

RESOLUTION TO AWARD CONTRACT FOR
WASTEWATER TREATMENT PLANT ELEVATOR CONTROL
EQUIPMENT REPAIR - BID NO. 2504

Whereas, The elevator in the Solids Handling Building is not operating because the control system was destroyed by electrical fire;

Whereas, It is essential that this elevator be repaired for dependable operations in the Solids Handling Building;

Whereas, The Utilities Department Wastewater Treatment Plant Division, through the Purchasing Department, asked for bids for this elevator repair work as specified in Bid No. 2504;

Whereas, Bids were received and reviewed and Montgomery Elevator Company is recommended as the lowest responsible bidder at a bid of \$15,903.00; and

Whereas, On May 17, 1993 the Human Resources Department approved Montgomery Elevator Company to perform this work;

RESOLVED, That Council accept the bid and award the contract to Montgomery Elevator Company for \$15,903.00 to perform the work as specified in Bid No. 2504;

RESOLVED, That Council approve a contingency for this work in the amount of \$1,597.00 to finance change orders to be approved by the City Administrator;

Contract work	\$15,903.00
Contingency	<u>1,597.00</u>
Total	\$17,500.00 ;

and

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

R-521-11-93 APPROVED

RESOLUTION TO APPROVE HOUSING REHABILITATION AGREEMENT WITH AND ANTONIA B. WILSON FOR 606 CRESSFIELD LANE

Whereas, An application was received from Antonia B. Wilson for rehabilitation assistance for her home located at 606 Cressfield Lane, Ann Arbor;

Whereas, The homeowner meets the City's criteria for participation in the Housing Rehabilitation Program;

Whereas, The Waiver and Review Board approved the waiver of the \$22,000.00

maximum for rehabilitation assistance; and

Whereas, Two bids were received on October 21, 1993 and Ms. Wilson will be executing an agreement with the lowest acceptable bidder to complete the rehabilitation work;

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Antonia B. Wilson in the amount of \$27,700.00 as a deferred payment loan, and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the Office of the City Clerk.

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

ORDINANCES - SECOND READING

29-93 APPROVED AS AMENDED

ARBOR HILLS REVISED PUD 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 74.24 acres, located on the north side of Green Road, north of Burbank Drive, from PUD (Planned Unit Development District) to Revised Preliminary Phase PUD.

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

Councilmember Stead moved that the PUD Provisions of Section 1 of the Ordinance, paragraphs 6, 7, 10, 11 and 13, and Sections 3, 4, 5, 8, 9, 10, 11 and 12 of the accompanying Supplemental Regulations be amended as follows:

Ordinance (PUD Provisions):

Section 1....

6. Conservation easements shall be provided for wetland areas and their buffers, and all woodlands as per the requirements of the attached regulations. Land within the woodlands indicated as "B-Area of no

disturbance" on the Preliminary PUD Plan are to be preserved **AND PROTECTED** in their natural state **AND ACTIVITIES ARE RESTRICTED TO THOSE NECESSARY TO MAINTAIN THE CHARACTER OF THE WOODLANDS AND WETLANDS THEREIN**, except as permitted by the attached supplement regulations. **THE APPROXIMATE ACREAGE OF THE WOODLAND, WETLAND, AND WETLAND MITIGATION AREAS IDENTIFIED ON THE WOODLAND PRESERVATION PLAN, ATTACHED TO THE ARBOR HILLS PRELIMINARY PHASE PUD DEVELOPMENT DRAWINGS, ARE HEREBY ADOPTED AND INCORPORATED INTO THE ARBOR HILLS PRELIMINARY PHASE PUD ZONING. THESE AREAS ARE SUBJECT TO CHANGE ON THE FINAL PHASE PLANNED UNIT DEVELOPMENT PLAN, PENDING A DETAILED SURVEY AND METES AND BOUNDS DESCRIPTION.**

7. Minimal disruption of the woodland, **INCLUDING THE "A-AREA WHERE DISTURBANCE IS ALLOWED WITH RESTRICTIONS" ON THE PRELIMINARY PUD PLAN**, or wetland areas shall occur <as regulated> **AND BE RESTRICTED OR ALLOWED** by the supplemental regulations...

10. The construction of the sanitary sewer and access drive between Bayswater Lane and Ashburnam Road shall be designed and constructed in accordance with the Public Services Department Standard Specifications. ~~<In designing for the location and construction of the sewer and drive, the developer will utilize the least environmentally damaging reasonable alternative and limit the width of disruptive clearing to 30 feet or less. In the case that secondary access to the southeast area of the development is obtained from another location, the width of clearing will be reduced to no more than 20 feet and a smaller roadway will be installed to meet the City requirements for access to the sewer line manholes.>~~ **IN DESIGNING, LOCATING, AND CONSTRUCTING THE SEWER AND DRIVE, THE DEVELOPER WILL UTILIZE THE LEAST ENVIRONMENTALLY DAMAGING REASONABLE ALTERNATIVE AND LIMIT THE WIDTH OF THE DISRUPTIVE CLEARING AND GRADING TO MEET THE MINIMUM CITY STANDARDS REQUIRED FOR SERVICE AND ACCESS TO THE SANITARY SEWER LINE MANHOLES AND, IF NECESSARY, EMERGENCY VEHICULAR ACCESS IN THE CASE THAT SECONDARY ACCESS TO THE SOUTHEAST AREA OF THE DEVELOPMENT CANNOT BE OBTAINED FROM ANOTHER LOCATION.**

11. The Arbor Hills Planned Unit Development shall be governed by the requirements of Chapter 60 and Chapter 63 of the Ann Arbor City Code as currently adopted, **AND SHALL BE SPECIFICALLY CONDITIONED UPON COMPLIANCE WITH THE SUPPLEMENTAL REGULATIONS ATTACHED HERETO....**

13. A stormwater management plan and wetland hydrological study will be prepared in compliance with applicable standards, **SUPPLEMENTAL REGULATIONS**, and regulations and submitted to the City for review prior to the first final phase approval.

Supplemental Regulations:

Section 3: Findings....

- (f) The proposed use cannot reasonably be accomplished using alternative designs<-> **AND** <A> a reduction in the size, scope, configuration or density of the design would not avoid, or result in less, adverse impact on wetlands 7, 8, 9 and 10 and their buffers without impacting a legitimate need to protect other natural features in the site.

Section 4: Definitions.

[Renumber subsections (1) through (10) to read **(a)** through **(j)**]...

- <(3)>**(c)** Building **DISTURBANCE** Area. The designated outline of permissible disturbance. The building **DISTURBANCE** area shall include sufficient area for a structure, driveway, patio or deck area, sidewalk or access path, **UTILITIES** and construction activity....

Section 5: Permitted and Non-Permitted Woodland Activities....

- (d) Regulations for "A-Area where disturbance is allowed with restrictions"
 - i. ...[Second sentence] Building **DISTURBANCE** areas will be determined on the least environmentally damaging reasonable alternative and replacement or restoration shall be provided

per the requirements of the Land Development Regulations. In determining the location for building **DISTURBANCE** areas, the petitioner shall comply with the following standards and guidelines for the design.

1. Building **DISTURBANCE** areas will be selected so as to minimize the impact on landmark trees.
2. The size of the building **DISTURBANCE** area shall be limited to the minimum required for the construction activity....
3. Building **DISTURBANCE** areas will be selected so as to not interfere with rare or unusual concentrations of botanical or wildlife species as determined by City staff.
4. Building **DISTURBANCE** areas will be selected so as to minimize changes in existing slopes and soil hydrology that may be detrimental to the vegetation within a woodland....

Section 8: Protection of Woodlands During Construction....

- (b) ...[Third sentence] The location of this fencing is to be shown on the final site plan ~~<and approved after installation by the City Land Development Coordinator>~~ **AND NO PERMITS SHALL BE GRANTED UNTIL FENCING HAS BEEN PROPERLY INSTALLED AND THEN APPROVED BY THE CITY BUILDING DIRECTOR....**

Section 9: Wetland Restrictions

- (a) The storm water **DISCHARGE** and base flow into the wetland system shall not exceed the natural, cyclical maximum high water or minimum low water hydro-geological base flow as determined by a wetland hydrological study. Storm water retention within the wetlands shall not exceed the cyclical, hydro-geologic base flow, **INCLUDING SUBSURFACE FLOW BETWEEN WETLANDS**, except for a period of 48 hours after a 100-year storm event.
- (b) Management during construction. All wetlands are to be protected with 4-foot high construction fence at the buffer line, as defined by Chapter 60 of the Ann Arbor City Code. Approved, permanent

filtration devices shall be permitted within the wetland buffers.
FILTRATION DEVICES SHALL BE CONSTRUCTED PRIOR TO ANY GRADING ON THE SITE, EXCEPT FOR THAT WHICH IS NECESSARY FOR THE INSTALLATION OF THE DEVICE.

- (c) All storm water discharges into a wetland are to be filtered to remove sediment prior to entering the wetland, and ~~to convert~~ **ARE TO BE CONVERTED FROM** point discharge to sheet flow. **THESE DEVICES SHALL BE LOCATED TO ALLOW REGULAR MAINTENANCE TO OCCUR WITHOUT DAMAGE TO THE WETLANDS, BUFFER AREAS, OR WOODLANDS.** Best management practices will be used in the design of all stormwater management devices.

~~(c)~~ (d) ...

~~(d)~~ (e) ...

Section 10: Conservation Easements....

- (d) All language for conservation easements, **AND MANAGEMENT PLANS**, shall be reviewed and approved at the time of each final phase approval.

Section 11: Endangered Species.

...[Second sentence] ~~A~~ **AN ENDANGERED SPECIES** survey of the site shall be required prior to the issuance of any grading permit but not later than June 1, 1994. Any final phase plan approved prior to June 1, 1994 shall not that no grading activity may occur on the site until the survey has been completed. ~~However, a permit shall be granted~~ **AN ENDANGERED SPECIES SURVEY SHALL NOT BE REQUIRED TO OBTAIN APPROVAL** to clear up to a 20 foot wide path along the following streets, as shown on the Planned Unit Development Plan, for the purposes of allowing access prior to the survey:...

Section 12: Stormwater Management.

- (a) A storm water management plan for the **ENTIRE** PUD shall be

required prior to ~~<the first>~~ **EACH** final phase approval and shall include the following information:...

- (c) ...[Second sentence] The City shall review construction plans in order to determine that adequate storm drainage **AND CONTROLS TO PRESERVE THE NATURAL, CYCLICAL FLOWS** will be provided and...

On a voice vote the Chair declared the motion carried.

Councilmember Hanna-Davies moved that Sections 5 and 7 of the Supplemental Regulations be amended as follows:

Section 5: Permitted and Non-Permitted Woodland Activities....

- (d) Regulations for "A-Area where disturbance is allowed with restrictions"
- i. ...[Second sentence] Building disturbance areas will be determined on the least environmentally damaging reasonable alternative, **THE BUILDING DISTURBANCE AREA WILL NOT EXCEED 50% OF THE TOTAL AREA**, and replacement or restoration shall be provided per the requirements of the Land Development Regulations....
- ii. ...[Second sentence] ~~<Trees less than 8" DBH may be removed.>~~ **THE DEVELOPER SHALL SUBMIT A MANAGEMENT PLAN FOR THE REAR YARDS PRIOR TO ANY FINAL PHASE APPROVAL....**

Section 7: Woodland Replacement Exemption for Area "A".

Replacement of woodland or landmark trees shall not be required ~~<for up to 80 percent of the lot area, up to a maximum of 4,000 square feet,>~~ for each approved homesite located in a woodland, provided the proposed design complies with the purpose of these regulations and utilizes, to the satisfaction of City Council, the least environmentally damaging reasonable alternative.

On roll call the vote was as follows:

Yeas, Councilmembers Grady, Hunter, Hanna-Davies, 3;

Nays, Councilmembers Stoll, Nicolas, Creal, Peterson, Stead, Fink, Lumm, Mayor Sheldon, 8.

The Mayor declared the motion defeated.

Councilmember Grady moved that Section 5 of the Supplemental Regulations be amended as follows:

Section 5: Permitted and Non-Permitted Woodland Activities....

(d) Regulations for "A-Area where disturbance is allowed with restrictions"...

ii. ...[Second sentence] ~~<Trees less than 8" DBH may be removed.>~~ **THE DEVELOPER SHALL SUBMIT A MANAGEMENT PLAN FOR THE REAR YARDS PRIOR TO ANY FINAL PHASE APPROVAL....**

On roll call the vote was as follows:

Yeas, Councilmembers Grady, Hanna-Davies, 2;

Nays, Councilmembers Stoll, Nicolas, Creal, Peterson, Stead, Hunter, Fink, Lumm, Mayor Sheldon, 9.

The Mayor declared the motion defeated.

The question being the ordinance and supplemental regulations as amended, on roll call the vote was as follows:

Yeas, Councilmembers Grady, Stoll, Nicolas, Creal, Peterson, Stead, Hunter, Hanna-Davies, Fink, Lumm, Mayor Sheldon, 11;

Nays, 0.

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

33-93 APPROVED

WILDT STREET AFFORDABLE HOUSING PUD 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 0.62 acre, located at 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 adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Grady, Stoll, Nicolas, Creal, Peterson, Stead, Hunter, Hanna-Davies, Fink, Lumm, Mayor Sheldon, 11;

Nays, 0.

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

ORDINANCES - FIRST READING

40-93 APPROVED

TEPPO/NIELSEN 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 0.01 acre, located at 1325 Franklin Boulevard, from R2A (Two-Family Dwelling District) to O (Office District).

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

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

MOTIONS AND RESOLUTIONS

DEFEATED

RESOLUTION TO APPROVE BUFFALO STREET VACATION

A communication was received from the City Planning Commission transmitting its recommendation of denial of the proposed Buffalo Street Vacation, north of Keech Street between South Main and Green Streets.

Whereas, Donald Van Curler and the University of Michigan requested the vacation of the Buffalo Street right-of-way, located north of Keech Street; and

Whereas, The Ann Arbor City Planning Commission, on October 19, 1993, recommended denial of said request;

RESOLVED, By the Mayor and City Council that the Buffalo Street Vacation be hereby approved.

Councilmember Grady moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, 0;

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

Absent during vote, Councilmembers Hunter, Fink, 2.

The Mayor declared the motion defeated.

DEFEATED

RESOLUTION TO APPROVE LIQUOR LICENSE
TRANSFER TO TAFT INC. (OLGA'S KITCHEN)
TO 454 BRIARWOOD CIRCLE

Whereas, Taft, Inc. (Olga's Kitchen) is seeking a transfer of ownership and location of a 1988 Class C licensed business to 454 Briarwood Circle, Briarwood Mall, Ann Arbor; and

Whereas, The application has been reviewed and approved by the appropriate City Departments;

RESOLVED, That the request from Taft, Inc. to transfer ownership of a 1988 Class C licensed business, located in escrow at 620 Briarwood Circle, Briarwood Mall, from Theme Restaurants of America, Inc., to transfer the location of the license to 454 Briarwood Circle, Briarwood Mall, Ann Arbor, and to cancel the existing Dance Permit, be approved.

Councilmember Lumm moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, 0;

Nays, Councilmembers Grady, Stoll, Nicolas, Creal, Peterson, Stead, Hunter, Hanna-Davies, Fink, Lumm, Mayor Sheldon, 11.

The Mayor declared the motion defeated.

R-522-11-93 APPROVED

RESOLUTION TO APPROVE LEASE AGREEMENTS
WITH ANN ARBOR HOUSING COMMISSION AND CHILD
AND FAMILY SERVICE OF WASHTENAW FOR SPACE
AT 406 NORTH ASHLEY STREET

Whereas, The City issued a Request for Proposals for use of the lower level of the City-owned building at 406 North Ashley Street;

Whereas, The Ann Arbor Housing Commission submitted a proposal for use of the space for the New Generations Youth Program;

Whereas, Child and Family Service submitted a proposal to use the space for its LifeWork Job and Family Self-Sufficiency program staff; and

Whereas, The Human Services Task Force recommended that the City lease the lower level space to both the Ann Arbor Housing Commission for use by the New Generations Youth Program and to Child and Family Service for the LifeWork program;

RESOLVED, That the Mayor and City Council approve the lease agreements with the Ann Arbor Housing Commission and Child and Family Service of Washtenaw for the

lower level of the building located at 406 North Ashley Street to begin November 1, 1993 and terminate June 30, 1994, and authorize the Mayor and City Clerk to execute the lease agreements substantially in the same form as on file in the Office of the City Clerk.

Councilmember Hunter moved that the resolution be adopted.

On roll call the vote was as follows:

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

Nays, 0;

Absent during vote, Councilmember Nicolas, 1.

The Mayor declared the motion carried.

TABLED

RESOLUTION TO APPROVE APPLICATION AND EXECUTION OF AGREEMENT WITH MICHIGAN AERONAUTICS COMMISSION

Whereas, City staff has investigated the possibility of obtaining a grant to help safely and efficiently operate and maintain the Ann Arbor Municipal Airport;

Whereas, Some of the taxiways are over 30 years old and have outlived their useful life and are in dire need of repair and rehabilitation;

Whereas, Staff met with the Federal Aviation Administration and the Michigan Bureau of Aeronautics to discuss project items that qualify for grant funding;

Whereas, Staff prepared a preliminary list of projects which will qualify for grant(s) funding;

Whereas, The taxiways, drainage and security fencing are given priority because of the immediate need for repair and rehabilitation or because they present a safety concern;

Whereas, The preliminary total cost to rehabilitate the taxiways, provide on-site drainage and complete the security fencing is estimated at \$1.324 million, with 95% (\$1,258,000.00) federal and state funding and 5% (\$66,000.00) City funding;

Whereas, The City has previously agreed through accepting previous grants to operate and maintain the Ann Arbor Municipal Airport in a safe and efficient manner;

Whereas, The City recognizes the need and desires to complete the projects within 3 years of beginning the projects; and

Whereas, The Michigan Aeronautics Commission has transmitted a Letter of Intent of up to \$1.324 million to the City and has proposed a grant for \$100,000.00 for the engineering, as well as the preparation of plans and specifications to provide a design life of 20 years with the assurances for the grant(s) substantially in compliance and similar to the assurances previously accepted by the City, with a 95% federal and state match and 5% City match;

RESOLVED, That the Mayor and City Council authorize the City Administrator to take the necessary administrative actions to determine the actual project costs by executing Grant Contract No. 93-2172 DAB with the Michigan Department of Transportation and accepting the grant for \$100,000.00 (\$95,000.00 federal and state and \$5,000.00 City) for engineering, as well as the preparation of plans and specifications for the repair and rehabilitation of the existing taxiways, to provide on-site drainage and to complete security fencing in order to operate and maintain the Ann Arbor Municipal Airport in a safe and efficient manner at its current levels of operation.

Councilmember Stoll moved that the resolution be adopted.

Councilmember Stoll moved that the resolution be tabled to the November 15, 1993 regular session of Council and that the City Administrator be directed to:

- 1) Scrutinize the proposed Grant Contract No. 93-2172 DAB to identify and take any steps necessary to excise those provisions which diminish or compromise the City's control or power over the airport land and property;
- 2) Amend the Resolved paragraph of the draft resolution to indicate Council's intent to act on the completed plans and specifications before submitting to MDOT for approval;
- 3) Have staff prepare a detailed budget estimate for the currently envisioned scope of airport reconstruction and improvements by November 9 in anticipation of the Airport Advisory Committee's consideration, comment and recommendation at the earliest date

feasible;

- 4) Submit the final draft resolution and revised grant agreement to the City Attorney for consideration with respect to form and to indicate any potential for diminishing the City's control or power over the airport land and property; and
- 5) Place the appropriately revised and amended resolution on the agenda for Council action at the November 15, 1993 regular session, accompanied by reports from the Airport Advisory Committee and the City Attorney.

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

DEFEATED

RESOLUTION TO PROHIBIT USE OF SKATEBOARDS
ON DETROIT STREET

A resolution to prohibit skateboards on Detroit Street was considered.

Councilmember Hunter moved that the resolution be adopted.

Councilmember Hunter moved that the fourth paragraph be amended as follows:

RESOLVED, That the City Council designate the sidewalk on ~~both sides~~ **THE WEST SIDE** of Detroit Street between Catherine and Fifth Avenue as an area in which skateboards may not be operated in accordance with Section 10:149;

On a voice vote the Mayor declared the motion carried.

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

Yeas, Councilmembers Creal, Hunter, Fink, Lumm, Mayor Sheldon, 5;

Nays, Councilmembers Grady, Stoll, Nicolas, Peterson, Stead, Hanna-Davies, 6.

The Mayor declared the motion defeated.

The resolution as amended and defeated reads as follows:

Resolution to Prohibit Use of Skateboards
on Detroit Street

Whereas, Section 10:149 of the City Code provides that City Council may designate locations where skateboards may not be operated on sidewalks or other public property;

Whereas, The Transportation Division has received a request from the M.A.V. Development Company to prohibit the operation of skateboards on the sidewalk on the west side of Detroit Street between Catherine and Fifth Avenue; and

Whereas, The Transportation Division has previously received a request from the Police Department to prohibit the operation of skateboards on the sidewalk on the east side of Detroit Street between Catherine and Fifth Avenue;

RESOLVED, That the City Council designate the sidewalk on the west side of Detroit Street between Catherine and Fifth Avenue as an area in which skateboards may not be operated in accordance with Section 10:149; and

RESOLVED, That the City Council authorize the City Administrator to issue the necessary traffic control order to install the signs in the area.

R-523-11-93 APPROVED

RESOLUTION TO AUTHORIZE STREET CLOSINGS FOR
THE FIFTH ANNUAL CHILDREN'S HOLIDAY PARADE

Whereas, The Main Street Area Association will be sponsoring its Fifth Annual Children's Holiday Parade Sunday, December 5, 1993, commencing at noon and ending at approximately 12:30 p.m.;

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

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

- South Main Street From Packard Street to East Huron Street

Whereas, The street closures will be signed and barricaded by the sponsor 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 Account to pay for the following City services:

Police Department	\$575.00
Public Services Department Transportation Division barricades	\$250.00
Total	\$825.00

and waive the following Transportation Division fees:

meter bag deposit	\$580.00 ;
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and

Whereas, The Main Street Area Association agrees to defend and indemnify and save the City harmless against any claim arising from their 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 \$825.00 for reimbursement of City expenditures with funds to be appropriated from the 1993-94 Community Events Account.

Councilmember Stoll moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

TABLED

RESOLUTION TO APPROVE RECOMMENDATION
IN RESPONSE TO 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 Proposal (RFP) 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;

Whereas, On May 17, 1993, the Ann Arbor Inn Review Committee was appointed by City Council and subsequently developed the RFP for City Council review;

Whereas, On June 21, 1993, City Council approved the Request for Proposals (RFP) for the reuse of the Ann Arbor Inn as a mixed-use housing and commercial development and authorized the City Administrator to publicize its availability;

Whereas, On August 27, 1993, four proposals were submitted for the redevelopment of the building and they subsequently have been examined and analyzed by the Ann Arbor Inn Review Committee;

Whereas, The Ann Arbor Inn Review Committee has recommended that the proposal submitted by First Centrum Corporation of East Lansing satisfies the public purpose use criteria and other evaluation criteria of the RFP; and

Whereas, The recommendation of the committee was not unanimous;

RESOLVED, That City Council accept the recommendation of the Ann Arbor Inn Review Committee and approve the concept of the proposal submitted by First Centrum Corporation; and

RESOLVED, That City Council direct the City Administrator to negotiate a development agreement within 90 days for subsequent City Council approval to include additional cost details, final commitments on project financing, and other provisions needed for project development.

Councilmember Peterson moved that the resolution be adopted.

Councilmember Hanna-Davies moved that the resolution be tabled to the November 15,

1993 regular session of Council for public input and to examine the First Centrum Corporation project located in Westland.

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

R-524-11-93 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR
BICYCLE PATH FROM CIRCLE PARTNERS -
EISENHOWER PARKWAY

Whereas, Circle Partners, a Michigan Co-Partnership, is the owner of property located in the City of Ann Arbor, Washtenaw County, Michigan, and more particularly described as follows:

Commencing at the SE corner of Section 6, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 01E52'40" W 14.00 feet along the east line of said section; thence S 86E38'10" W 61.38 feet; thence northerly along the northeasterly right-of-way line of the Interstate 94 and Ann Arbor-Saline Road interchange, the following:

- N 30E55'10" W 152.23 feet;
- N 13E15'10" W 360.83 feet;
- N 02E38'00" W 429.64 feet;

thence N 02E38'00" W 102.71 feet; thence N 48E00'50" W 241.36 feet; thence N 03E00'50" W 176.78 feet; thence N 41E58'10" E 95.28 feet along the southeasterly right-of-way line of Ann Arbor-Saline Road; thence S 48E01'40" E 184.79 feet for a POINT OF BEGINNING. Thence S 48E01'40" E 400.00 feet; thence S 41E58'20" W 12.79 feet; thence southerly 3.12 feet along the arc of a 300.00 foot radius circular curve to the left with chord bearing S 41E40'00" W 3.20 feet; thence N 48E01'40" W 400.02 feet; thence N 41E58'20" E 16.00 feet to the POINT OF BEGINNING;

and

Whereas, Said owner has delivered to the City of Ann Arbor an easement over the above described premises for a bicycle path;

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

Councilmember Stead moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-525-11-93 APPROVED

RESOLUTION AUTHORIZING TERMINATION OF
A PORTION OF AN EASEMENT AND ACCEPTANCE OF
A GRANT OF EASEMENT FROM CIRCLE PARTNERS

Whereas, The City has an easement for the construction and maintenance of public utilities which is recorded in Liber 1851, Pages 211-212, Washtenaw County Records and now desires to abandon a portion of that easement; and

Whereas, Circle Partners, a Michigan co-partnership, has granted to the City a 40-foot wide easement to replace a 20-foot wide easement, as recorded in Liber 1016, Pages 31-33, and a new 40-foot wide easement for a fire hydrant;

RESOLVED, That the City hereby relinquishes all its rights in the portion of the easement recorded in Liber 1851, Pages 211-212, Washtenaw County Records, which is described as follows:

Commencing at the SE Corner of Section 6, T3S, R6E, City Ann Arbor, Washtenaw County, Michigan; thence N 01E52'42" W 489.00 feet along the east line of said section; thence S 88E07'20" W 30.85 feet for a PLACE OF BEGINNING; thence N 01E52'40" W 100.00 feet; thence N 88E07'20" E 2.15 feet; thence S 01E52'40" E 100.00 feet to a Place of Beginning, being part of the said Section 6, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan;

and

RESOLVED, That the City accept easements for public utilities from Circle Partners described as follows:

EASEMENT "A"

A 40 foot wide easement for water main, the centerline of which is described

as follows: Commencing at the SE corner of Section 6, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 01E52'40" W 849.13 feet along the east line of said Section 6; thence S 88E07'20" W 13.00 feet; thence 472.40 feet along the arc of a non-tangential circular curve to the left, radius 700.00 feet, chord bearing N 21E12'39" W 463.48 feet for a PLACE OF BEGINNING; thence S 49E55'31" W 159.76 feet for a Place of Ending, being part of the said Section 6 and part of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan.

EASEMENT "B"

A 40 foot wide easement for water main, the centerline of which is described as follows:

Commencing at the SE corner of Section 6, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 1E52'40" W 849.13 feet along the east line of said Section 6; thence S 88E07'20" W 13.00 feet for a PLACE OF BEGINNING; thence 563.83 feet along the arc of a non-tangential circular curve to the left, radius 700.00 feet, chord N 24E57'10" W 548.71 feet; thence N 48E01'40" W 132.46 for a Place of Ending, being part of the said Section 6, and part of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan.

(A 20 foot wide easement was previously granted using the same centerline and was recorded in Liber 1016, Page 31, Washtenaw County Records).

Councilmember Stead moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-526-11-93 APPROVED

RESOLUTION TO APPROVE AGREEMENT WITH MICHIGAN DEPARTMENT OF TRANSPORTATION FOR SOUTH MAIN STREET RECONSTRUCTION PHASE I PROJECT

Whereas, The Federal Highway Administration has allocated funds for the reconstruction of South Main Street from Packard to Adams;

Whereas, This project has been included in the City Capital Improvements Plan and Transportation Improvement Plan; and

Whereas, The estimated cost of the project is \$1,059,348.00 distributed as follows:

Estimated Cost Distribution

<u>Item</u>	<u>Federal</u>	<u>City</u>	<u>Total</u>
Road Construction	\$590,048.00	\$130,842.00	\$ 720,890.00
Railroad Crossing	0	35,000.00	35,000.00
Contingency	0	30,000.00	30,000.00
Engineering	<u>0</u>	<u>273,458.00</u>	<u>273,458.00</u>
	\$590,048.00	\$469,300.00	\$1,059,348.00

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute Contract No. 93-1873 with the Michigan Department of Transportation for the South Main Street Reconstruction Project, Phase I (Packard to Adams);

RESOLVED, That \$469,300.00 be appropriated from the 1991 Street Millage (Fund 062) for the City's share of project costs (\$130,842.00 for road construction, \$35,000.00 for railroad crossing construction, \$273,458.00 for engineering and testing, and \$30,000.00 for change orders to be approved by the Administrator);

RESOLVED, That a purchase order to Ann Arbor Railroad in the amount of \$35,000.00 for the improvement of the railroad crossing be authorized;

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

RESOLVED, That any unobligated balance of the above appropriated funds be re-appropriated for succeeding fiscal years until the project is officially closed.

Councilmember Stead moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-527-11-93 APPROVED

RESOLUTION HONORING GUILD HOUSE
ON ITS 100TH ANNIVERSARY

Whereas, Guild House Campus Ministry is celebrating its 100th anniversary at its Centennial Celebration Weekend, November 12-14, 1993;

Whereas, During its 100 years, Guild House has made immeasurable contributions not only to the University community but to the entire Ann Arbor community;

Whereas, From 1893-1933, the ministry which later became known as Guild House was a model for campus programs across the country;

Whereas, From 1934-1957, led by the Rev. and Mrs. H. L. Pickerill, Guild House inspired innumerable individuals to become "creative and unselfish members of society," and their concern for affordable housing led to the establishment of the Inter-Cooperative Council which now comprises 17 campus co-op houses;

Whereas, From 1958-1973, led by the Rev. J. Edgar Edwards, Guild House provided crucial support to individuals and groups concerned with issues of justice, such as the Congress on Racial Equality (CORE) and teach-in committees on the Vietnam War, among many others;

Whereas, From 1975-1992, led by the Revs. Don and Ann Marie Coleman, Guild House helped the Ann Arbor community examine its involvement in apartheid in South Africa, racism at the University of Michigan, discrimination against gays and lesbians, injustice and oppression in Central America, and the Gulf War;

Whereas, Under the current leadership of the Revs. Jodi and Chris Atwood, Guild House is continuing its tradition of work toward "a just and humane society;" and

Whereas, Throughout its long history, Guild House has chosen not to look away from the difficult issues in our community and larger society, affirming that "Like all people and institutions we are not neutral; we stand with all who struggle for human justice and decency;"

RESOLVED, That the Ann Arbor City Council congratulates Guild House Campus Ministry on its 100th anniversary and commends Guild House for 100 years of service and inspiration to our community.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-528-11-93 APPROVED

RESOLUTION TO APPROVE TRANSFER OF STOCK INTEREST IN A 1992 12-MONTH RESORT B-HOTEL LIQUOR LICENSED BUSINESS

RESOLVED, That the request from Marywood Company to transfer stock interests in a 1992 12-Month Resort B-Hotel licensed business, with Dance Permit, located at 3205-3285 Boardwalk, Ann Arbor, MI. 48108, Washtenaw County, to White Lodging Services Corporation, be approved.

Councilmember Fink moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-529-11-93 APPROVED

RESOLUTION TO APPROVE NEW 12-MONTH RESORT CLASS C LIQUOR LICENSE TO 3125 BOARDWALK

RESOLVED, That the request from Cornett & Taylor, Ltd. for a new 12-Month Resort Class C license to be located at 3125 Boardwalk, Ann Arbor, MI 48108, Washtenaw County, be approved.

Councilmember Stead moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

NOVEMBER 15, 1993 REGULAR SESSION:

Resolution Regarding Natural Features Ordinance Committee Report (Councilmember Stead)

Ordinance Regarding Political Signs (Councilmember Grady)

Resolution Regarding Reinvestment in South Africa (Mayor Sheldon and Councilmember Hunter)

Resolutions Regarding HIV/AIDS Task Force Recommendations (Councilmember Hanna-Davies)

COMMUNICATIONS FROM THE MAYOR

FORUM ON PUBLIC EDUCATION FUNDING

Mayor Sheldon announced that a forum on the state's proposal to fund public education, sponsored by the Citizens Millage Committee of the Ann Arbor Public Schools, will be held on November 4, at 7:30 p.m., in the Huron High School auditorium.

APPOINTMENTS APPROVED

Council unanimously agreed to waive its rules in order to consider the Mayor's recommendations for appointments to the Ann Arbor Summer Festival Board.

Mayor Sheldon recommended the following appointments:

ANN ARBOR SUMMER FESTIVAL BOARD

Ronald Cresswell (reappointment)
747 Country Club Rd.
Term: 11/1/93 to 11/1/96

George Goodman (reappointment)
3765 Fox Hunt Dr.
Term: 11/1/93 to 11/1/96

John K. Lawrence (reappointment)
2972 Hickory Lane
Term: 11/1/93 to 11/1/96

Eugene B. Power (reappointment)
2929 Plymouth Rd.
Term: 11/1/93 to 11/1/96

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

On a voice vote the Mayor declared the motion carried.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. DDA Sidewalk Improvement Project on Washington Street
2. DDA Pedestrian Improvement Projects on Washington and North Main Streets
3. Traffic Signals on Ann Arbor-Saline Road
4. Parking Lot at Huron and First Street
5. Follow-Up Report on Building at Stone School and Champagne
6. City Hall Cuts Costs

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

COMMUNICATIONS FROM THE CITY ATTORNEY

REPORT ON COMPLETED ANNEXATION

City Attorney Elizabeth Schwartz submitted a report on the completion of the South Main Professional Center annexation, 2076 S. Main St. (1.26 acres), from Pittsfield Township.
(Report on file in the City Clerk's Office)

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER PETERSON

Councilmember Peterson announced that a public meeting regarding the proposed radio tower will be held at 7:00 p.m., November 4, at Haisley School.

Ms. Peterson reported that the Housing Commission is considering hiring an outside consultant to help in the search for a new director and that two staff members will temporarily take over the duties of Interim Director Northcross when she returns to her duties as City Clerk.

COUNCILMEMBER GRADY

Councilmember Grady reminded Ann Arbor residents to vote in the General City Election on November 2.

COUNCILMEMBER HUNTER

Councilmember Hunter stated that the public needs to be informed as to what affordable housing actually means and requested that the information be published in the City newsletter, "For The People."

MAYOR SHELDON

Mayor Sheldon announced that a Council working session regarding resident management at public housing sites will be held with representatives from HUD on November 8.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Resolution from Grosse Pointe Woods, MI, in opposition to Senate Bill 162 (circumventing local zoning authority for day care homes) - File.
2. Letters of protest regarding proposed Wildt Street Affordable Housing Zoning (Ordinance No. 33-93) from the following property owners: J. E. Taylor, 828 Edward St.; Robert and Mary Elton, 860 Edward St; and Scott Bonisteel, 815 Wildt St. - Planning.

The following minutes were received for file:

1. Market Commission - August 18, 1993
2. Building Board of Appeals - August 24, 1993
3. Housing Board of Appeals - June 1 and July 20, 1993
4. Ann Arbor Transportation Authority - September 22, 1993
5. Planning Commission - September 14 and 21, 1993
6. Housing Policy Board - October 20, 1993

Councilmember Stead moved that the Clerk's Report be accepted.

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

LAURIE YOUNG - SAFE HOUSE / ANN ARBOR INN

Laurie Young, public housing resident, applauded the Mayor and Councilmembers for their appearance and support at the groundbreaking of the Domestic Violence Project SAFE House. Ms. Young asked Council to consider turning the Ann Arbor Inn into a multiple-unit affordable housing site, and encouraged public housing residents to attend the working session with City Council and HUD representatives on resident management.

ADJOURNMENT

There being no further business to come before Council, it was moved by Councilmember Hunter that the meeting be adjourned.

On a voice vote the Mayor declared the motion carried and the meeting adjourned at 12:11 a.m.

W. Northcross
Clerk of the Council

Janet L. Chapin
Recording Secretary