

**CONTINUED REGULAR SESSION OF MARCH 7, 1994**

**MARCH 14, 1994**

The continued regular session of the Ann Arbor City Council was called to order at 7:35 p.m. in the City Hall Council Chamber by Mayor Pro Tem Thais Anne Peterson.

**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, 10.

ABSENT : Mayor Ingrid B. Sheldon, 1.

**MOTIONS AND RESOLUTIONS (CONT.)**

R-83-3-94 APPROVED AS AMENDED

**RESOLUTION TO APPROVE GENERAL FUND AGREEMENT  
WITH ANN ARBOR YMCA - \$12,471.00**

The Resolution to Approve the General Fund Agreement with the Ann Arbor YMCA (\$12,471.00) was placed on the table for reconsideration at the March 7, 1994 regular session of Council prior to the meeting being recessed until March 14.

The question on the table is the following amendment to the fourth paragraph of the resolution moved by Councilmember Hunter at the March 7 Council meeting:

RESOLVED, That City Council approve the General Fund Agreement with the Ann Arbor YMCA in the amount of \$12,471.00 using ~~<General Funded Housing Trust Funds>~~ **THE GENERAL FUND FUND BALANCE**;

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Grady, Stoll, Stead, Mayor Pro Tem Peterson, 6;

Nays, Councilmembers Fink, Lumm, Nicolas, Creal, 4.

The Mayor Pro Tem declared the motion carried.

Councilmember Grady moved that the fourth paragraph of the resolution be amended as follows:

RESOLVED, That City Council approve the General Fund Agreement with the Ann Arbor YMCA in the amount of \$12,471.00 using <the General Fund fund balance> **GENERAL FUND PUBLIC HOUSING ACCOUNT FUNDS, AND THAT THE CITY COUNCIL RECOGNIZE THIS TO BE A TEMPORARY REDUCTION OF THE GENERAL FUND PUBLIC HOUSING ACCOUNT AND THAT IT IS THE INTENT OF COUNCIL TO RESTORE THIS FUND TO ITS ORIGINAL AMOUNT (\$150,000.00) UPON HUD APPROVAL OF THE 23 UNITS OF NEW PUBLIC HOUSING CONSTRUCTION OR TO A PRO RATA SHARE OF THE ORIGINAL AMOUNT (\$6,522.00 PER UNIT MINIMUM) SHOULD HUD APPROVE ANY NUMBER LESS THAN 23 UNITS;**

On roll call the vote was as follows:

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

Nays, 0.

The Mayor Pro Tem declared the motion carried.

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

RESOLVED, That the Ann Arbor City Council establish an Ad Hoc Committee, consisting of one representative from each caucus and a representative from the Community Development Department, for the sole purpose of seeking additional funding for the YMCA Project by meeting with representatives from MISHDA and HUD;

RESOLVED, That the Ad Hoc Committee report its finding no later than April 4, 1994;

RESOLVED, That the City Attorney and the City Administrator be directed to develop a plan to provide financing options for the YMCA project which are consistent with all city, state and federal laws;

RESOLVED, That the City Attorney review all documents and previous opinions and submit to Council by March 21, 1994 the following: 1) An opinion as to whether the contractual obligations of the YMCA, including

federal guidelines, have been satisfactorily met; and 2) An opinion as to the impact of such performance on the loan guaranty;

On roll call the vote was as follows:

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

Nays, 0.

The Mayor Pro Tem declared the motion carried.

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

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

Nays, 0.

The Mayor Pro Tem declared the motion carried.

The resolution as adopted reads as follows:

R-83-3-94

**RESOLUTION TO APPROVE GENERAL FUND  
AGREEMENT WITH THE ANN ARBOR YMCA**

Whereas, The Ann Arbor YMCA provides 100 single room occupancy (SRO) units available to very low income residents;

Whereas, The City assisted the Ann Arbor YMCA with the residence addition project in order to meet a community need relating to the provision of affordable housing; and

Whereas, The request from the YMCA was reviewed by the Housing Policy Board with a recommendation to not approve additional funding to the YMCA;

RESOLVED, That the Ann Arbor City Council establish an Ad Hoc Committee, consisting of one representative from each caucus and a representative from the Community Development Department, for the sole purpose of seeking additional funding for the YMCA Project by meeting with representatives from MISHDA and HUD;

RESOLVED, That the Ad Hoc Committee report its finding no later than April 4,

1994;

RESOLVED, That the City Attorney and the City Administrator be directed to develop a plan to provide financing options for the YMCA project which are consistent with all city, state and federal laws;

RESOLVED, That the City Attorney review all documents and previous opinions and submit to Council by March 21, 1994 the following: 1) An opinion as to whether the contractual obligations of the YMCA, including federal guidelines, have been satisfactorily met; and 2) An opinion as to the impact of such performance on the loan guaranty;

RESOLVED, That City Council approve the General Fund Agreement with the Ann Arbor YMCA in the amount of \$12,471.00 using General Fund Public Housing Account funds, and that the City Council recognize this to be a temporary reduction of the General Fund Public Housing Account and that it is the intent of Council to restore this fund to its original amount (\$150,000.00) upon HUD approval of the 23 units of new public housing construction or to a pro rata share of the original amount (\$6,522.00 per unit minimum) should HUD approve any number less than 23 units;

RESOLVED, That the YMCA continue to work on the special conditions outlined and provide the information required to the City Administrator on a monthly basis; and

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

## **REPORTS FROM COUNCIL COMMITTEES**

### **COUNCILMEMBER HUNTER**

Councilmember Hunter reported that the Council Special Liquor Committee will submit its recommendation to award a Class C Liquor License to Pastabilities at the March 21 regular session of Council.

## **COUNCIL PROPOSED BUSINESS**

### **MARCH 21 REGULAR SESSION:**

Resolution to Prepare a Municipal Pollution Prevention Program Report (Councilmember Stead)

Resolution Declaring City of Ann Arbor Buildings and Vehicles Smoke Free (Councilmembers Stead and Nicolas)

Request to City Administrator to provide information regarding the development of a City policy on how to respond to requests for data (Councilmember Stead)

Resolution Regarding the Conduct of Council Meetings (Councilmember Stead)

Resolution Regarding Class C Liquor License Request from Pastabilities (Councilmember Hunter)

Resolution Regarding Waiver of Fees for Take Back the Night March (Councilmember Hunter)

Ordinance Regarding Boards and Commissions (Councilmember Hunter)

APRIL 4 REGULAR SESSION:

Ordinance Regarding Community Reinvestment Act (Councilmember Hunter)

**COMMUNICATIONS FROM THE MAYOR**

APPOINTMENTS APPROVED

Council unanimously agreed to approve the following appointments recommended by the Mayor at the February 23, 1994 regular session of Council:

HUMAN RIGHTS COMMISSION

Harry Mial, Sr. (replacing Dorothy Kirkpatrick whose term has expired)  
1200 Minglewood Way  
Term: 3/14/94 to 10/31/96

ANN ARBOR COMMISSION ON DISABILITY ISSUES

Helen Meador (reappointment)  
P.O. Box 7488  
Term: 3/14/94 to 3/6/97

Samuel E. Romano (to fill vacancy)  
401 Wildwood Ave.  
Term: 3/14/94 to 3/6/97

NOMINATION PLACED ON TABLE

Mayor Sheldon placed the following nomination on the table for approval at a later date:

BOARD OF EXAMINERS OF ELECTRICIANS AND ELECTRICAL CONTRACTORS

Dennis M. Darling, P.E. (to fill vacancy as Electrical Engineer)  
448 Manor Dr.  
Term: 3/14/94 to 3/13/98

YOUTH ART MONTH

Mayor Pro Tem Peterson announced that March has been declared Youth Art Month in Ann Arbor.

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

REPORTS SUBMITTED

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

1. City's Net Income from Parking Structures Managed by the Downtown Development Authority
2. Various Colors Emitted from Streetlights
3. Multi-Way Stop at State Street and South University Avenue
4. Recycled Product Purchases
5. Impact of Revised Natural Features Ordinance Committee Resolution

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

**COMMUNICATIONS FROM THE CITY ATTORNEY**

None.

**COMMUNICATIONS FROM COUNCIL**

COUNCILMEMBER CREAL

Councilmember Creal requested that the City Attorney update the attorney's opinion file maintained in the City Clerk's Office.

COUNCILMEMBER STOLL

Councilmember Stoll reported that the Finance Committee will be sending out a Request For Proposal (RFP) and asked that interested Councilmembers review the RFP.

COUNCILMEMBER FINK

Councilmember Fink expressed concern with the overregulation of building codes for rental housing in the City. Mr. Fink stated that building regulations should be more reasonable to promote more affordable housing.

COUNCILMEMBER GRADY

Councilmember Grady spoke in opposition to Proposal A on the March 15 special election ballot and expressed concern that City funding would be jeopardized.

Mr. Grady reminded Ann Arbor voters of the new electronic system to be used in the upcoming election and encouraged voters to fill out the evaluation form available at the polling places.

COUNCILMEMBER CREAL

Councilmember Creal responded to Councilmember Grady's comments on Proposal A and stated that the proposed constitutional amendment would not change the status of the City's guaranteed portion of the sales tax.

MAYOR PRO TEM PETERSON

Mayor Pro Tem Peterson reminded everyone that tomorrow is election day and that Ann Arbor voters will be trying out a new electronic system. Ms. Peterson encouraged voters to fill out the evaluation form on the new system.

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

The following communications were referred as indicated:

1. Communication from the Michigan Liquor Control Commission regarding an additional liquor license - Special Liquor Committee
2. Communication from Audrey Jackson, 2557 Sandalwood Cir., regarding Community

"Access Ann Arbor" taping - File.

3. Communication from Ann Arbor Taxicab Board regarding Taxicab Ordinance revision (Ordinance No. 16-94) - File.
4. Communication from Farmers' Market Committee regarding parking proposal for Farmers' Market/Kerrytown area - File.

The following minutes were received for file:

1. Ann Arbor Transportation Authority Board - January 26, 1994
2. Taxicab Board - October 28, 1993
3. Human Rights Commission - January 19, 1994
4. Planning Commission - January 4 and 20, 1994
5. Housing Board of Appeals - December 7, 1993 and January 4, 1994
6. Finance Advisory Committee - January 6, 1994
7. Human Services Task Force - January 21, 1994
8. Housing Policy Board - February 16, 1994

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

On a voice vote the Mayor Pro Tem declared the motion carried.

### **PUBLIC COMMENTARY - GENERAL**

#### **ANDREW WRIGHT - STREET LIGHTING**

Andrew Wright, Michigan Student Assembly City Liaison, requested that an independent engineer be retained to evaluate the City's street lighting to address safety concerns. Mr. Wright encouraged Council to seek funding from the University of Michigan and the MSA to help finance the project. (Statement on file in the City Clerk's Office)

#### **STEVEN DOUGHERTY - INDEMNITY PROCEDURES**

Steven Dougherty, owner of a local company, expressed concern with indemnity procedures at the 22nd Judicial Circuit Court.

LARRY FOX - HOUSING

Larry Fox, 530 S. State St., expressed hope that the Ann Arbor City Council feels a greater moral obligation toward public housing residents than it does toward Great Lakes Bancorp and the Board of the Ann Arbor YMCA.

**ADJOURNMENT**

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

On a voice vote the Mayor Pro Tem declared the motion carried and the meeting adjourned at 9:10 p.m.

W. Northcross  
Clerk of the Council

Janet L. Chapin  
Recording Secretary