

## **REGULAR SESSION - MAY 16, 1994**

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

Council stood for a moment of silence.

Mayor Sheldon led the Pledge of Allegiance.

### **ROLL CALL OF COUNCIL**

Present: Councilmembers Tobi Hanna-Davies, Patricia Vereen-Dixon, Peter Fink, Jane Lumm, Ulrich Stoll, Haldon Smith, Peter Nicolas, Julie Creal, Christopher Kolb, David Stead, Mayor Ingrid B. Sheldon, 11

Absent: 0

### **INTRODUCTIONS**

#### ANN ARBOR HISTORIC DISTRICT COMMISSION 1994 AWARDS

The 1994 Ann Arbor Historic District Commission Awards were presented by Mayor Sheldon, Historic District Commission Chair J. Michael Schroer and Historic District Coordinator Louisa Pieper.

### **PUBLIC COMMENTARY - RESERVED TIME**

There were no speakers.

### **PUBLIC HEARINGS**

#### PROPOSED 1994-1995 ANN ARBOR BUDGET

A public hearing was conducted on the proposed 1994-1995 City of Ann Arbor Budget, continued from May 2, 1994.

The following persons appeared:

James Hudler, chair of the Washtenaw County Libertarian Party, proposed that the City could save up to 3 million per year by re-bidding the Solid Waste Department recycling and disposal facility contract.

Emily Salvette, member of the Washtenaw County Libertarian Party, said that the City's costs are far above the national average in recycling and disposal of solid waste.

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

#### 1994-2000 CAPITAL IMPROVEMENTS PLAN

A public hearing was conducted on the proposed 1994-2000 Capital Improvements Plan.

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

#### ORDINANCE NO. 35-94 - MARATHON OIL COMPANY REZONING

A public hearing was conducted on the proposed Amendment to Chapter 55, the rezoning of 1.4 acres from TWP (Township District) to M1A (Limited Light Industrial District), Marathon Oil Company, 2115 South State Street. (Ordinance No. 25-94)

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

#### MALCOLMSON LAND DIVISION

A public hearing was conducted on the proposed Malcolmson Land Division, 0.42 acre, 3 Ridgeway West.

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

### **APPROVAL OF AGENDA**

#### AGENDA APPROVED AS AMENDED

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

#### APPROVAL OF COUNCIL MINUTES

Revised: Regular session of May 2, 1994

#### CONSENT AGENDA

Delete: Resolution Authorizing the Purchase of High Performance Cold Patch - Bid No. 2550 (\$51,110) Moved to Motions and Resolutions

#### MOTIONS AND RESOLUTIONS

Add: Resolution Authorizing the Purchase of High Performance Cold Patch - Bid No. 2550 (\$51,110)

Add: Resolution Concerning Employee Benefits (Councilmembers Lumm, Fink, Creal, Nicolas, Stead, Mayor Sheldon)

Councilmember Nicolas moved that the agenda be altered by moving the following resolutions to the beginning of Motions and Resolutions:

Move: Resolution to Adopt Ann Arbor City Budget, Related Property Tax Millage Rates & Related Parking Violation Fine Increases for Fiscal Year 1994-95

Move: Resolution to Approve the Fiscal Year 1994-95 Statement of Community Development Objectives and Projected Use of Funds for Submission to the Department of Housing and Urban Development (\$1,497,000)

On a voice vote on the motion by Councilmember Nicolas, the Mayor declared the motion carried unanimously.

Councilmember Stead moved that the agenda be altered by moving the following resolution to the end of Motions and Resolutions:

Move: Resolution to Approve Transfer of Class C Liquor License to Membehem !, Inc. (Mongolian Barbecue) at 200 S. Main Street (Special Liquor Committee: Councilmembers Fink, Stead, Vereen-Dixon)

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

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

**APPROVAL OF COUNCIL MINUTES**MINUTES APPROVED

Councilmember Lumm moved that the budget hearing session minutes of April 27 and the revised regular session minutes of May 2, 1994 be approved as presented.

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

**CONSENT AGENDA**CONSENT AGENDA APPROVED

The following Consent Agenda were considered:

## R-182-5-94 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION  
CONTRACT TO THE THOMPSON-MCCULLY  
COMPANY AND ESTABLISH PROJECT BUDGET  
FOR THE PLATT ROAD RECONSTRUCTION  
PROJECT - BID NO. 2498 (\$1,154,775)

Whereas, It has been found necessary to reconstruct Platt Road between Huron Parkway and Packard Road, including the reconstruction of 900 feet of 12-inch water main; and

Whereas, the Thompson-McCully Company has submitted to the City on April 21, 1994, a bid for said work in the total amount of \$734,037.77 which amount is the lowest responsible bid; and

Whereas, The contractual proposals set 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; and

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

Whereas, The Human Resources Department has on March 23, 1994 approved said company for said project;

NOW, THEREFORE, BE IT RESOLVED, That a contract in the amount of \$734,037.77 be awarded to the Thompson-McCully Company for the construction of the Platt Road Reconstruction Project; and

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

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

BE IT FINALLY RESOLVED, That the following budget be adopted for the life of the project, to be available until expended without regard to fiscal year;

Section I, Revenue

\$1,002,540	Fund 062, The 1991 Street Millage Fund
131,660	Fund 042, Water Supply System Fund, to be reimbursed following the sale of Water Revenue Bonds Series T
<u>20,575</u>	Fund 062, (to be reimbursed upon the sale of Special Assessment Bonds)
\$1,154,775	TOTAL; and

Section II, Expense

\$734,040	Construction
115,000	Design Engineering
110,105	Construction Engineering
48,825	Consulting and Testing
58,725	Contingencies approved by the City Administrator
36,700	Miscellaneous Costs
51,380	Bond Overhead Charge
\$1,154,775	TOTAL

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R-183-5-94 APPROVED

RESOLUTION TO APPROVE PURCHASE  
ORDERS TO A & L PARTS, INC.  
BID NO.S 2227, 2228, 2325, 2389,  
2440, 2441, 2523, 2458) (\$70,000)

Whereas, The Public Services Department purchases parts, tools, and supplies, for the repair and maintenance of City of Ann Arbor cars, trucks, and equipment; and

Whereas, A & L Parts, Inc. was the lowest responsible bidder, bid numbers; 2227; 2228; 2325; 2389; 2440; 2441; 2523; and 2458; and

Whereas, A & L Parts, Inc. also supplies miscellaneous parts using verbal bids, and

Whereas, A & L Parts, Inc. received Human Resources Department approval, January 10, 1994;

Whereas, Purchase orders in the amount of \$63,500 have been issued to A & L Parts, Inc.; and

Whereas, Additional purchases in the amount of \$7,500 are needed;

NOW, THEREFORE, BE IT RESOLVED, That City Council approve the issuance of additional purchase orders to A & L Parts, Inc. for the purchase of parts, tools, and supplies by the Public Services Department, in the amount of \$7,500 which brings the total amount of the purchase orders to \$71,000; and

BE IT FINALLY RESOLVED, That the City Administrator may extend these bid contracts and purchase orders for up to two one-year periods if agreeable to both parties and under the terms in Bid Nos. 2227; 2228; 2325; 2389; 2440; 2441; 2523; and 2458.

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R-184-5-94 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION  
CONTRACT TO J & R UNDERGROUND  
CONTRACTORS, INC. AND ESTABLISH A  
PROJECT BUDGET FOR THE MURRAY COURT  
WATER MAIN PROJECT - BID NO. 2545  
(\$49,635)

Whereas, It has been found necessary to construct a 6-inch water main in Murray Court from South Seventh Street to Mulholland Avenue; and

Whereas, J & R Underground Contractors, Inc. of Milan, Michigan has submitted to the City on April 29, 1994, a bid for said work in the total amount of \$49,635.00 which amount is the lowest responsible bid; and

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; and

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

Whereas, The Human Rights Department has, on March 7, 1994 approved said company for said construction project;

NOW, THEREFORE, BE IT RESOLVED, That a contract in the amount of \$49,635.00 be awarded to J & R Underground Contractors, Inc. for the construction of the Murray Court Water Main Project (Bid No. 2545); and

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

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

BE IT FINALLY 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:

MURRAY COURT WATER MAIN PROJECT

Section 1 - Revenue

\$63,700	From the Water Supply System Fund-Fund 042 (to be reimbursed following the sale of the Water Revenue Series T Bonds)
<u>14,300</u>	From the Water Supply System Fund-Fund 042 (to be reimbursed from special assessment)
\$78,000	TOTAL; and

Section II - Expense

\$54,135	Construction
4,000	Design Engineering
7,445	Construction Engineering
2,490	Consulting and Testing
3,970	Contingencies approved by the City Administrator
2,485	Miscellaneous Costs
<u>3,475</u>	Bond Overhead Charge

\$78,000 TOTAL

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R-185-5-94 APPROVED

RESOLUTION TO AWARD CONSTRUCTION  
CONTRACT FOR MCCOMB STORM SEWER  
REPLACEMENT - BID NO. 2568  
(\$85,000)

Whereas, A 540 foot section of storm sewer line on McComb Avenue between Sharon Drive and Redwood Avenue is collapsing and repair is needed to restore service and prevent property damage;

Whereas, A sole bid of \$67,951 was received from Douglas N. Higgins, Inc. in response to Bid No. 2568; and is recommended for award of the contract by the Utilities Department;

Whereas, Douglas N. Higgins, Inc., has received Human Rights approval on April 21, 1994;

RESOLVED, That Council accept the bid of and awards a contract to Douglas N. Higgins, Inc., for McComb Storm Sewer Replacement for a cost not-to-exceed \$67,951;

RESOLVED, That Council approves a \$85,000 project budget for the life of project without regard to fiscal year, comprised of the construction cost of \$67,951 and a contingency of \$17,049 for any changes required during construction;

RESOLVED, That City Council authorizes and directs the Mayor and Clerk to sign the contract with Douglas N. Higgins, Inc., to perform said services for a total not-to-exceed cost of \$67,951, and said agreement is approved as to form by the City Attorney, and approved as to substance by the City Administrator.

Funding Source: Approved FY 93/94 Stormwater Collection Operations and Maintenance Budget

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R-186-5-94 APPROVED

RESOLUTION TO AWARD CONSTRUCTION  
CONTRACT FOR 1994 MISCELLANEOUS  
SANITARY SEWER REPAIRS  
BID NO. 2569 (\$75,000)

Whereas, The following 8 inch, vitrified clay pipe (VCP), sanitary sewer lines: Site #1 - 190 linear feet of pipe, cross lot between Washington Heights and Nichols Drive; Site #2 - 525 linear feet of pipe on Hutchins Avenue between Pauline Boulevard and Davis Avenue and Site #3 - 345 linear feet of pipe on East Huron between Washtenaw Avenue and Glen Avenue are cracked or broken and repair is needed to prevent property and environmental damage;

Whereas, A sole bid of \$59,560 was received from INSITUFORM NORTH, INC. in response to Bid No. 2569; and is recommended for award of the contract by the Utilities Department;

Whereas, INSITUFORM NORTH, INC., has received Human Rights approval on May 12, 1994;

RESOLVED, That Council accept the bid of and awards a contract to INSITUFORM NORTH, INC., for Miscellaneous Sanitary Sewer Repairs for a cost not-to-exceed \$59,560;

RESOLVED, That Council approves a \$75,000 project budget for the life of project without regard to fiscal year, comprised of the construction cost of \$59,560 and a contingency of \$15,440 for any changes required during construction;

RESOLVED, That City Council authorizes and directs the Mayor and Clerk to sign the contract with INSITUFORM NORTH, INC., to perform said services for a total not-to-exceed cost of \$59,560, and said agreement is approved as to form by the City Attorney, and approved as to substance by the City Administrator.

Funding Source: Approved FY 93/94 Sewage Disposal System Field Services Operations and Maintenance Budget.

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R-187-5-94 APPROVED

RESOLUTION TO AWARD CONTRACT FOR  
REPLACEMENT OF GRANULAR ACTIVATED  
CARBON AT WATER TREATMENT PLANT  
BID NO. 2551 (\$72,556)

Whereas, The Water Treatment Plant uses Granular Activated Carbon in its water filtration process, the carbon has a three year useful lifetime and, in order to maintain the water quality as uniform as possible one third of the carbon is scheduled for replacement each year;

Whereas, In response to Bid No. 2551 Elf Atochem North America, Inc. of Philadelphia, PA submitted on March 29, 1994 a bid this in the total amount of \$72,556 (4400 cubic feet @ \$16.49 per cubic foot) which is the lowest responsible bid;

Whereas, Funds are available for this project in the Water Treatment Plant operating budget; and

Whereas, Elf Atochem North America, Inc. has been approved by the Personnel/Human Rights Department on April 22, 1994 for this contract.

RESOLVED, That council accepts the bid of and awards a contract to Elf Atochem North America, Inc. for the supply of Granular Activated Carbon for filter media replacement;

RESOLVED, That the contract be renewable for up to two (2) one (1) year periods provided that both parties agree to an extension under the same terms and conditions under the current contact;

RESOLVED, That \$10,000 be approved as a contingency for change orders to be approved by the Administrator;

RESOLVED, That the project budget amount, \$82,556, be adopted for the life of the project, to be available until expended without regard to fiscal year; and

RESOLVED, That the Mayor and Clerk are requested and authorized to sign this contract substantially in the form on file in the City Clerk's Office.

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R-188-5-94 APPROVED

RESOLUTION AUTHORIZING SANITARY  
SEWER IMPROVEMENT CHARGE FOR LOTS  
172, 173, AND 174 THE EVERGREENS  
SUBDIVISION (405 BARBER)  
(\$12,330.98)

Whereas, The City has previously constructed a sanitary sewer described as follows:

Water Main: Installed by the State of Michigan

Sanitary Sewer: 8" sanitary sewer in Kingwood Street, File No. 86035, District No. 444;  
\$6,059.03/connection, two (2) connections = \$12,118.06

Trunkline Charges: 1. West Park Relief \$ 17.41/connection  
2. District 326 \$ 19.39/connection  
3. District 359 \$ 69.66/connection  
\$106.46/connection

2 connections at \$106.46 = \$212.92

**GRAND TOTAL OF SANITARY SEWER IMPROVEMENT CHARGES = \$12,330.98**

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said improvements, such fair share not having heretofore been paid nor contracted for;

RESOLVED,

1. That Council hereby levy an improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

Annexation Address: 405 Barber Avenue  
City Assessor Code: 08-24-304-011  
Annexation Number : A92-15  
Planning File No : 8243H17.1 & .2

Lots 172, 173, and 174 of the Evergreens Subdivision, Washtenaw County, Michigan, including adjacent Barber Avenue right-of-way. Now situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of

\$12,330.98 and be hereby designated as Utilities Improvement Charge No. 600.

3. That said improvement charge be divided into 15 equal installments, the first to be due on July 1, 1994 and the 14 subsequent installments to be due on July 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 6.5% per annum commencing July 1, 1994.

4. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and

5. That the improvement charge so levied be invoiced to Ted J. Huston and Rosemary A. Rader, 405 Barber Avenue, Ann Arbor, MI 48103 and be credited in the amount of \$12,330.98 to Fund 043-073-7151.

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R-189-5-94 APPROVED

RESOLUTION AUTHORIZING WATER MAIN AND SANITARY SEWER IMPROVEMENT CHARGE FOR LOT 61 THE EVERGREENS SUBDIVISION 430 PARKWOOD (\$9,227.60)

Whereas, The City has previously constructed a water main and sanitary sewer described as follows:

Water Main: 10" water main in Parkwood, File No. 89054, District No. 89054, \$4,483.45/connection, one (1) connection = \$4,483.45

Sanitary Sewer: 8" sanitary sewer in Parkwood, File No. 89054, District No. 459; \$4,637.69/connection, one (1) connection = \$4,637.69

Trunkline Charges: 1. West Park Relief \$ 17.41/connection  
2. District 326 \$ 19.39/connection  
3. District 359 \$ 69.66/connection  
\$106.46/connection

Total of Sanitary Sewer Improvement Charges = \$4,744.15

**GRAND TOTAL OF IMPROVEMENT CHARGES \$9,227.60**

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said improvements, such fair share not having heretofore been paid nor contracted for;

Whereas, Due to the 1,4 Dioxane contamination in the owner's well, the State of Michigan Department of Public Health has agreed to pay the water main improvement charges;

RESOLVED,

1. That Council hereby levy an sanitary sewer improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

Annexation Address: 430 Parkwood  
City Assessor Code: 08-24-303-004  
Annexation Number: A91-34  
Planning File No.: 8243H22.1 and .2

Lot 61, The Evergreens Subdivision, Washtenaw County, Michigan, including adjacent Parkwood Street Right-of-Way. Now situated in the City of Ann Arbor.

2. That the total improvement charge for the water and sanitary sewer mains so levied be in the amount of \$9,277.60 and be hereby designated as Utilities Improvement Charge No. 605.

3. That said water main improvement charge of \$4,483.45 be due upon receipt of an invoice to the State of Michigan Department of Public Health.

4. That said sanitary sewer main improvement charge of \$4,744.15 be divided into 15 equal installments, the first to be due on July 1, 1994 and the 14 subsequent installments to be due on July 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 6.1% per annum commencing July 1, 1994.

5. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and

6. That the water main improvement charge so levied be invoiced to Ms. Lois Graham, R.S., Michigan Department of Public Health, Division of Water Supply, P.O. Box 30195, Lansing, MI 481909 \$4,483.45 be credited to Fund 042-073-7151.

7. The sanitary sewer improvement charge so levied be invoiced to Thomas Hyde, 430 Parkwood, Ann Arbor, MI 4810 \$4,744.14 be credited to Fund 043-073-7151.

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R-190-5-94 APPROVED

RESOLUTION AUTHORIZING SANITARY SEWER IMPROVEMENT CHARGE FOR LOTS 41 AND 43, THE EVERGREENS SUBDIVISION (424 PINWOOD) (\$6,165.49)

Whereas, The City has previously constructed a sanitary sewer described as follows:

Water Main: Installed by the State of Michigan

Sanitary Sewer: 8" sanitary sewer in Pinewood Street; District No. 444, File No. 86035; \$6,059.03/connection; one (1) connection at \$6,059.03

Sanitary Trunkline Charges:

- 1. West Park Relief Sewer
- 2. District 326
- 3. District 359 \$106.46

**GRAND TOTAL OF SANITARY SEWER CHARGES = \$6,165.49**

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said improvements, such fair share not having heretofore been paid nor contracted for;

RESOLVED,

1. That Council hereby levy an improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

Annexation Address: 424 Pinewood  
City Assessor Code: 08-24-405-013  
Annexation Number: A92-08  
Planning File No.: 8244H4.1 & .2

Lots 41 and 43 of The Evergreens Subdivision, including adjacent Pinewood and

Kingwood rights-of-way. Now situated in the City of Ann Arbor.

- 2. That the improvement charge so levied be in the amount of \$6,165.49 and be hereby designated as Utilities Improvement Charge No.598.
- 3. That said improvement charge be divided into 15 equal installments, the first to be due on July 1, 1994 and the 14 subsequent installments to be due on July 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 5.5% per annum commencing July 1, 1994.
- 4. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and
- 5. That the improvement charge so levied be invoiced to Arlene B. Malvitz and Stephen Pauley, 424 Pinewood, Ann Arbor, MI 48103 and be credited in the amount of \$6,165.49 to Fund 043-073-7151.

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R-191-5-94 APPROVED

RESOLUTION AUTHORIZING SANITARY SEWER  
IMPROVEMENT CHARGE FOR LOT 128  
THE EVERGREENS SUBDIVISION  
418 BARBER (\$6,165.49)

Whereas, The City has previously constructed a sanitary sewer described as follows:

Water Main: Installed by the State of Michigan

Sanitary Sewer: 8" sanitary sewer in Barber Ave., File No. 88048, Dist. No. 455; \$6,059.03/connection, one (1) connection = \$6,059.03

Trunkline Sewer:

1. West Park	
2. Dist.	
3. Dist 359	\$106.46

**GRAND TOTAL OF IMPROVEMENT CHARGES = \$6,165.49**

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said improvements, such fair share not having heretofore been paid nor contracted for;

RESOLVED,

1. That Council hereby levy an improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

Annexation Address: 418 Barber  
City Assessor Code: 08-24-307-004  
Annexation Number : A92-13  
Planning File No .: 8243J19.1 & .2

Lot 125 of The Evergreens Subdivision, including adjacent Barber Avenue right-of-way. Now being situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of \$6,165.49 and be hereby designated as Utilities Improvement Charge No. 594.

3. That said improvement charge be divided into 15 equal installments, the first to be due on July 1, 1994 and the 14 subsequent installments to be due on July 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 6.5% per annum commencing July 1, 1994.

4. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and

5. That the improvement charge so levied be invoiced to Jacqueline E. Lawson, 418 Barber Ave., Ann Arbor, MI 48103 and be credited in the amount of \$6,165.49 to Fund 043-073-7151.

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R-192-5-94 APPROVED

RESOLUTION AUTHORIZING SANITARY SEWER  
IMPROVEMENT CHARGE FOR LOT 170  
THE EVERGREENS SUBDIVISION  
415 BARBER (\$6,165.49)

Whereas, The City has previously constructed a sanitary sewer described as follows:

Water Main: Installed by the State of Michigan

Sanitary Sewer: 8" sanitary sewer in Barber, File No. 88048, Dist. No. 455; \$6,059.03/connection; one (1) connection = \$6,059.03

<u>Trunkline Charges:</u>	1. West Park Relief	\$ 17.41/connection
	2. Dist 326	\$ 19.32/connection
	3. Dist 359	<u>\$ 69.66/connection</u>
		\$106.46

**GRAND TOTAL OF IMPROVEMENT CHARGE = \$6,165.49**

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said improvements, such fair share not having heretofore been paid nor contracted for;

RESOLVED,

1. That Council hereby levy an improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

Annexation Address: 415 Barber  
City Assessor Code: 08-24-304-009  
Annexation Number : A92-21  
Planning File No : 8243K17.1 & .2

Lot 170 of The Evergreens Subdivision, including adjacent Barber Avenue right-of-way. Now situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of \$6,165.49 and be hereby designated as Utilities Improvement Charge No. 597.

3. That said improvement charge be divided into 15 equal installments, the first to be

due on July 1, 1994 and the 14 subsequent installments to be due on July 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 6.5% per annum commencing July 1, 1994.

4. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and

5. That the improvement charge so levied be invoiced to Linda F. Kartlick-Richards and David Richards, 415 Barber, Ann Arbor, MI 48103 and be credited in the amount of \$6,165.49 to Fund 043-073-7151.

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R-193-5-94 APPROVED

RESOLUTION AUTHORIZING SANITARY SEWER  
IMPROVEMENT CHARGE FOR LOT 127  
THE EVERGREENS SUBDIVISION  
424 BARBER (\$6,165.49)

Whereas, The City has previously constructed a sanitary sewer described as follows:

Water main: Installed by the State of Michigan

Sanitary Sewer: 8" sanitary sewer in Barber Ave., File No 88048, Dist. No. 455; \$6,059.03/connection; one (1) connection \$6,059.03

Trunkline Sewer: 1. West Park Relief  
2. District  
3. District 359 \$106.46

**GRAND TOTAL OF IMPROVEMENT CHARGES \$6,165.49**

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said improvements, such fair share not having heretofore been paid nor contracted for;

RESOLVED,

1. That Council hereby levy an improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

Annexation Address: 424 Barber Ave.  
City Assessor Code: 08-24-307-003  
Annexation Number : A92-14  
Planning File No : 8243K19.1 & .2

Lot 127 of The Evergreens Subdivision, including adjacent Barber Avenue right-of-way. Now situated in the City of Ann Arbor.

- 2. That the improvement charge so levied be in the amount of \$6,165.49 and be hereby designated as Utilities Improvement Charge No. 596.
- 3. That said improvement charge be divided into 15 equal installments, the first to be due on July 1, 1994 and the 14 subsequent installments to be due on July 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 6.5% per annum commencing July 1, 1994.
- 4. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and
- 5. That the improvement charge so levied be invoiced to Marilyn Pietra, 424 Barber, Ann Arbor, MI 48103 and be credited in the amount of \$6,165.49 to Fund 043-073-7151.

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R-194-5-94 APPROVED

RESOLUTION AUTHORIZING SANITARY SEWER  
IMPROVEMENT CHARGE FOR LOT 171  
THE EVERGREENS SUBDIVISION  
411 BARBER (\$6,165.49)

Whereas, The City has previously constructed a water main described as follows:

Water Main: Installed by the State of Michigan

Sanitary Sewer: 8" sanitary sewer in Barber Ave., File No. 88048, Dist. #455  
\$6,059.03/connection; one (1) connection = \$6,059.03.

Sanitary sewer Trunkline: 1. West Park  
2. Dist 326  
3. Dist. 359 \$106.46

**GRAND TOTAL OF IMPROVEMENT CHARGES = \$6,165.49**

Whereas, This Council desires, pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, to levy against certain properties their fair share of the cost of said improvement, such fair share not having heretofore been paid nor contracted for;

RESOLVED,

1. That Council hereby levy an improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

Annexation Address: 411 Barber  
City Assessor Code: 08-24-304-010  
Annexation Number : A92-10  
Planning File No. : 8243J17.1 & .2

Lot 171 of The Evergreens Subdivision, including adjacent Barber Avenue right-of-way. Now situated in the City of Ann Arbor.

2. That the improvement charge so levied be in the amount of \$6,165.49 and be hereby designated as Utilities Improvement Charge No. 601.

3. That said improvement charge be divided into 15 equal installments, the first to be due on July 1, 1994 and the 14 subsequent installments to be due on July 1 of each and every year thereafter, with the deferred installments of said improvement charge to bear interest at the rate of 6.5% per annum commencing July 1, 1994.

4. That the City Clerk be directed and ordered to send a copy of this resolution and give notice by first class mail to the persons chargeable therewith of the amounts hereby determined, and promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and

5. That the improvement charge so levied be invoiced to Virginia Lewis, 411 Barber, Ann Arbor, MI 48103 and be credited in the amount of \$6,165.49 to Fund 043-073-7151.

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R-195-4-94 APPROVED

RESOLUTION AUTHORIZING SOFTWARE  
MAINTENANCE SUPPORT WITH AMERICAN  
MANAGEMENT SYSTEMS, INC. (\$32,675)

Whereas, the City of Ann Arbor entered into a License Agreement with American Management Systems, Inc. in 1981 for the use of the Local Government Financial System (LGFS) software, and

Whereas, The City's financial system has been structured around the LGFS software package for the past 13 years, and

Whereas, Under the License Agreement the City is entitled to purchase maintenance support at 10% of the prevailing market price or \$32,675, and

Whereas, American Management Systems, Inc. received human rights approval April 18, 1994, and

Whereas, Funding for the software maintenance support will be obtained from the FY 93-94 Information Services budget, therefore be it

RESOLVED, That the City Administrator is authorized to issue a purchase order to American Management System, Inc. for the sum of \$32,675 for software maintenance support, and therefore be it

RESOLVED, That the Mayor and City Clerk are authorized to sign a contract on behalf of the City of Ann Arbor which has been approved by the City Attorney.

Account number: **010 013 3300 2660**

Original Budgeted Amount	\$81,800
Balance Before This Resolution	33,209
This Resolution	32,675
Remaining Balance	534

\*\*\*\*\*

R-196-5-94 APPROVED

RESOLUTION TO AWARD CONTRACT FOR  
WEST PARK BITUMINOUS PATH IMPROVEMENTS  
BID NO. 2584 (\$32,702)

Whereas, Barrier-free seating and service access were included in the list of improvements for the West Park Band Shell renovation project, and portions of the existing bike path and tennis court access drive in West Park have deteriorated and are in need of replacement; and

Whereas, Competitive bids were received by the Purchasing Department on May 6, 1994 with D & H Asphalt, Inc. being the lowest responsible bidder at \$32,702.00; and

Whereas, D & H Asphalt, Inc. has received approval from the Dept. of Personnel and Human Rights as of 5-9-94; and

Whereas, Funding for the project is available within the approved budget for FY '93-'94 under the 1989-94 Park Rehabilitation and Development millage for West Park projects and the FY '93-'94 Maintenance and Repair millage; and

RESOLVED, That a contract in the amount of \$32,702.00 be awarded to D & H Asphalt, Inc. for construction of the West Park Bituminous Path Improvements - Bid No. 2584; and

RESOLVED, That the Mayor and City Clerk are authorized and directed to sign said contract with D & H Asphalt Inc., substantially in the form on file with the City Clerk, and the City Administrator is authorized to take the necessary administrative actions to implement this resolution.

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R-197-5-94 APPROVED

RESOLUTION TO APPROVE HOUSING  
REHABILITATION AGREEMENT WITH LISA SELL  
(\$14,064)

Whereas, An application was received in June, 1992 from Lisa Sell for rehabilitation assistance for her home located at 366 Pinewood, Ann Arbor; and

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

Whereas, Two bids were received on May 5, 1994 and Ms. Sell 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

Lisa Sell in the amount of \$14,064 as a 0% interest deferred payment loan due at change of ownership or change in use of property as a single family residence with funds to be available until expended without regard to fiscal year;

RESOLVED, that City Council authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the office of the City Clerk.

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R-198-5-94 APPROVED

RESOLUTION TO APPROVE ISSUE OF NEW CLASS  
C RESORT LICENSE TO COOKER RESTAURANT  
CORPORATION AT THE NORTHEAST CORNER  
OF PLYMOUTH ROAD AND COMMONWEALTH BOULEVARD

Whereas, The Cooker Restaurant Corporation is seeking to construct a new restaurant at the northeast corner of Plymouth Road and Commonwealth Boulevard;

Whereas, Cooker Restaurant is requesting the issue of a new 12-months Resort Class C license to this business;

RESOLVED, That the request from Cooker Restaurant Corporation for a new 12-months Resort Class C license, to be located at the northeast corner of Plymouth Road and Commonwealth Boulevard, be approved.

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R-199-5-94 APPROVED

RESOLUTION TO APPROVE TRANSFER OF OWNERSHIP  
AND LOCATION OF A 1992 CLASS C LICENSED  
BUSINESS TO S.S.F., INC.  
TO 2255 W. STADIUM BLVD.

Whereas, S.S.F., Inc. has requested a transfer of the liquor license located in escrow at 2333 E. Stadium Blvd., from Allen and Rumsey Corporation; and

Whereas, S.S.F., Inc. has requested to transfer the location of that liquor license to 2255 W. Stadium Blvd.;

RESOLVED, That the request from S.S.F., Inc. to transfer ownership and location of a 1993 Class C licensed business from Allen And Rumsey Corporation, to 2255 W. Stadium Blvd., be approved.

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R-200-5-94 APPROVED

RESOLUTION TO AUTHORIZE RETAINING OUTSIDE  
COUNSEL TO COLLECT DELINQUENT PERSONAL  
PROPERTY TAXES OWED BY DEFENDANTS WHO  
RESIDE IN MINNESOTA

Whereas, The City of Ann Arbor has obtained a default judgment against Trigo, Inc., Ellen Rusin, and Louis Rusin; and

Whereas, Defendants reside in the State of Minnesota; and

Whereas, It is in the best interest of the City to retain outside counsel to handle the collection in this matter;

RESOLVED that the City Attorney is authorized to retain Holper, Welsh, Mitchell & Andersen to assist in the collection of an unpaid judgment in the case of *City of Ann Arbor v Ellen L. Rusin, Louis J. Rusin, and Trigo, Inc, d/b/a/ Burgers Direct.*

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R-201-5-94 APPROVED

RESOLUTION TO ACCEPT BOARD OF INSURANCE  
ADMINISTRATION MINUTES OF MAY 6, 1994  
AND TO AUTHORIZE PAYMENTS

RESOLVED, that Board of Insurance Administration minutes of May 6, 1994, be accepted and the payments authorized.

\*\*\*\*\*

R-202-5-94 APPROVED

RESOLUTION TO PROHIBIT THE USE OF  
BICYCLES ON THE ARGO PARK TRAIL

Whereas, The hillside trail in Argo Park runs along a slope between Argo Pond to the west and Long Shore Drive and Argo Drive to the east;

Whereas, The Argo Framework Study prepared in January, 1993 by the Johnson/Pollack Group with the Park Advisory Commission, Citizen Advisory Task Force, and Staff of the Department of Parks and Recreation proposes this trail be for foot traffic only; and

Whereas, The existing trail is clearly not wide enough to safely accommodate both hikers and bicyclists; and

Whereas, The use of bicycles on this surface contributes to the serious erosion problems present; and

Whereas, There is an existing road, unpaved in sections, which runs parallel to the trail and connects exactly the same two locations, making it an ideal route for bicycles; and

Whereas, There is an ongoing effort to address the larger issue of bicycles in natural parks generally, but that recommendations from this project will not be available until these parks have been more thoroughly inventoried. However, the issues relating to bicycles on this trail are urgent enough to warrant immediate action; and

Whereas, A public hearing was held by the Bicycle Coordinating Committee on April 21, 1994 to discuss the issue of bicycles in parks; and

Whereas, The Park Advisory Commission and Bicycle Coordinating Committee passed separate resolutions prohibiting bicycles on the Argo Park trail at their April

meetings;

RESOLVED, Pursuant to City Ordinance Chapter 39, 3:9, that the Mayor and Council direct that effective immediately a park rule be established to prohibit the use of bicycles on the Argo Park trail for a 90 day period;

RESOLVED, That at the end of this period the ban become permanent unless the Park Advisory Commission and Bicycle Coordinating Committee recommend amending the action;

RESOLVED, The City Administrator shall cause this prohibition to be posted at all entrances to the Argo Park trail;

RESOLVED, That during this 90 day period the Park Advisory Commission, Bicycle Coordinating Committee and staff jointly review the bikes in parks issues and make appropriate recommendations in a status report to the Mayor and Council.

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R-203-5-94 APPROVED

RESOLUTION TO APPROVE THE USE OF  
CITY PROPERTY AT THE ANN ARBOR MUNICIPAL  
AIRPORT BY CATHERINE MCAULEY HEALTH  
SYSTEMS AND TO CLOSE CERTAIN CITY  
STREETS FOR THE DOWNTOWN CIRCUS PARADE

Whereas, The City has received a request from the Catherine McAuley Health System to use City property at the Ann Arbor Municipal Airport for set up of a circus on Thursday, June 23, and for holding a circus on Friday, June 24, through Sunday, June 26, 1994, and to conduct a circus parade on certain City streets on Friday, June 24; and

Whereas, The Catherine McAuley Health System is a long established health service agency serving our community; and

Whereas, The Catherine McAuley Health System will be responsible to comply with all procedures, rules and regulations, and to pay all costs and fees required by City Airport Management as approved by the Manager of Transportation, City Council and Pittsfield Township; and

Whereas, The Catherine McAuley Health System agrees to defend and indemnify and save the City harmless against any claim arising out of their sponsorship of this event; and

Whereas, The Catherine McAuley Health System shall prepare the City property to be used prior to the event, and shall remove all debris from the property following the event; and

Whereas, The Catherine McAuley Health System has requested that the City waive parking meter bag deposits, as done in the past;

RESOLVED, That the Mayor and City Council hereby approve the Catherine McAuley Health System request to use City property at the Ann Arbor Municipal Airport for activities related to a circus on Thursday, June 23, 1994 through Sunday, June 26, 1994; and

RESOLVED, That the Circus Parade is hereby approved being routed along South University, State, Liberty, Main and William Streets beginning at 12:00 p.m. on Friday, June 24, 1994; and

RESOLVED, That the closing of designated streets along the route as needed, from 12:00 p.m. to 2:00 p.m. on Friday, June 24, 1994 along with parking prohibitions, as required, is also approved (including Fifth from Washington to William and Division from Jefferson to Washington); and

RESOLVED, That East University and Tappan from South University to Hill Street be closed for the staging of the parade at 10:00 a.m. on Friday, June 24, 1994; and

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

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R-204-5-94 APPROVED

RESOLUTION TO APPROVE STREET CLOSING  
AND ALLOCATE COMMUNITY EVENTS FUNDS  
FOR THE 1994 FOURTH OF JULY PARADE  
(\$2900)

Whereas, The City has received a request from the Ann Arbor Jaycees to hold a parade in the City of Ann Arbor on Independence Day, Monday, July 4, 1994; and

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

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

Whereas, The Ann Arbor Jaycees has further requested that the City support this event by appropriating funds from the 1994-95 Community Events Account (subject to approval of adequate funding of the Communities Event Account by City Council)for payment of the costs for services provided by the following departments:

Police	\$2500
Transportation	\$ 387
TOTAL	\$2887

and waive the following Transportation Division fees:

Meter Bag Deposit	\$3800
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RESOLVED, That the Fourth of July Parade is hereby approved being routed along South State, Liberty, Main and William Streets and that Maynard (all) and Jefferson (from Thompson to Maynard) be closed for the staging and cleanup of the parade from 8:00 a.m. to 1:00 p.m.;

RESOLVED, That the closing of certain streets along the route as needed from 10:00 a.m. to 12:00 noon on Monday, July 4, 1994 along with parking prohibitions, as required , is also approved (including Fifth Avenue from Washington to William and Division Street from Jefferson to Washington);

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

RESOLVED, That the City support the event in the amount of up to \$2900 for reimbursement of City expenditures with funds to be appropriated from the 1994-95 Community Events Account.

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R-205-5-94 APPROVED

RESOLUTION RECOGNIZING THE MAIN STREET  
AREA ASSOCIATION AS A NONPROFIT  
ORGANIZATION IN THE CITY OF ANN ARBOR

Whereas, The Main Street Area Association is a nonprofit organization; and

Whereas, The Main Street Area Association has filed Articles of Incorporation with the State of Michigan - Department of Commerce as part of the application process for Nonprofit Corporations; and

Whereas, The Main Street Area Association needs the City to recognize it as a nonprofit organization in order to conduct fundraising activities with State approval;

RESOLVED, The Mayor and City Council recognize the Main Street Area Association as a nonprofit organization in the City of Ann Arbor.

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R-206-5-94 APPROVED

RESOLUTION RECOGNIZING THE ANN ARBOR  
SYMPHONY ORCHESTRA AS A NONPROFIT  
ORGANIZATION

Whereas, The Ann Arbor Symphony Orchestra is a nonprofit organization; and

Whereas, The State of Michigan - Charitable Gaming Division has recognized The Ann Arbor Symphony Orchestra as a nonprofit organization; and

Whereas, The Ann Arbor Symphony Orchestra needs the City to recognize it as a nonprofit organization in order to conduct fund raising activities with State approval;

RESOLVED, That the Mayor and City Council recognize The Ann Arbor Symphony Orchestra as a nonprofit organization in the City of Ann Arbor.

Councilmember Nicolas moved that the Consent Agenda be approved.

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

**ORDINANCES - SECOND READING**

## 35-94 APPROVED

## MARATHON OIL COMPANY REZONING

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

Amendment to Chapter 55, rezoning of 1.4 acres from TWP (Township District) to M1A (Limited Light Industrial District), Marathon Oil Company, 2115 South State Street.

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

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

## 38-94 APPROVED

## EMPLOYEES RETIREMENT SYSTEM

AN ORDINANCE TO AMEND SECTION 1:580 OF CHAPTER 18 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR.

This amendment would ensure the future integrity of the Ann Arbor Employees Retirement System by establishing a consistent source of employer contributions.

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

Councilmember Stead moved that the ordinance be amended as follows:

1:580. Special Tax. ... In the annual budget the revenues from the imposition of this tax will be applied to the funding **PENSION RESERVE FUND** of the Retirement System before said revenues are used for any other benefits, including but not limited to insurance benefits.

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

Councilmember Lumm moved that the ordinance be amended by adding the following language to Section 1:580:

1:580. Special Tax. ... **FUNDING OF THE RETIREMENT SYSTEM SHALL BE SUFFICIENT TO SATISFY LEGAL REQUIREMENTS, AND SHALL BE AT THE LEVEL RECOMMENDED BY THE BOARD OF TRUSTEES OF**

**THE RETIREMENT SYSTEM UNLESS THE CITY COUNCIL HAS  
COMPETENT GROUNDS TO QUESTION THE ACTUARIAL  
ASSUMPTIONS OF THE BOARD.**

Councilmember Stead moved to divide the question and to vote on the following language separately:

1:580. Special tax. ...**FUNDING OF THE RETIREMENT SYSTEM SHALL  
BE SUFFICIENT TO SATISFY LEGAL REQUIREMENTS....**

The question on the floor is approval of the addition of the above language to Section 1:580. On a voice vote, the Mayor declared the motion carried unanimously.

The question under consideration is approval of the addition of the following language to Section 1:580:

1:580. Special tax. ..., **AND SHALL BE AT THE LEVEL RECOMMENDED  
BY THE BOARD OF TRUSTEES OF THE RETIREMENT SYSTEM  
UNLESS THE CITY COUNCIL HAS COMPETENT GROUNDS TO  
QUESTION THE ACTUARIAL ASSUMPTIONS OF THE BOARD.**

On roll call the vote was as follows: Yeas, Councilmembers Fink, Lumm, Nicolas, Creal, Mayor Sheldon, 5

Nays, Councilmembers Hanna-Davies, Vereen-Dixon, Stoll, Smith, Kolb, Stead, 6

The Mayor declared the motion defeated.

The question under consideration is approval of the ordinance as amended. On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Fink, Lumm, Stoll, Smith, Nicolas, Creal, Kolb, Stead, Mayor Sheldon, 11

Nays, 0

The Mayor declared the motion carried.

**ORDINANCES - FIRST READING**

39-94 APPROVED

WETLANDS/WATERCOURSES PRESERVATION ORDINANCE

**AN ORDINANCE TO AMEND CHAPTER 60 OF THE CODE OF THE CITY OF ANN  
ARBOR.**

This amendment will bring the ordinance into compliance with recent changes to the State Wetlands Act.

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

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

40-94 APPROVED

OPERATION OF RAILROADS

AN ORDINANCE TO REPEAL CHAPTER 128 OF TITLE X OF THE CODE OF THE CITY OF ANN ARBOR.

This amendment repeals Chapter 128 - Operation of Railroads.

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

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

**MOTIONS AND RESOLUTIONS**

RESOLUTIONS POSTPONED

Councilmember Nicolas moved that the following resolutions be postponed to the end of the meeting:

Resolution to Adopt Ann Arbor City Budget, Related Property Tax Millage Rates & Related Parking Violation Fine Increases for Fiscal Year 1994-95

Resolution to Approve the Fiscal Year 1994-95 Statement of Community Development Objectives and Projected Use of Funds for Submission to the Department of Housing and Urban Development (\$1,497,000)

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

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R-207-5-94 SUBSTITUTE APPROVED

RESOLUTION REGARDING POLICE CHIEF SELECTION PROCESS

Whereas, The Ann Arbor community expects a high quality, technologically current, human rights oriented, operationally sound, and community-oriented professional police department;

Whereas, The leadership of the police department should reflect these high expectations;

Whereas, The Ann Arbor City Council wishes to work cooperatively with and support the City Administrator in searching for and recommending such an individual; and

Whereas, The Ann Arbor City Council shares his philosophy that the best selection process will include participation of the community, police department staff, and administration, and elected officials;

RESOLVED, That the Ann Arbor City Council endorses the following recruitment process:

- 1) The City Administrator will retain the services of a professional recruiter knowledgeable of the special requirements and qualifications necessary for the effective selection of a chief of police;
- 2) The recruiter (consultant) will develop a community and candidate profile after interviewing members of the following four panels:
  - a) five members representing the diversity of the police department selected by union presidents with the concurrence of the City Administrator;
  - b) five members representing the diversity of the City administration which may include a police chief from a similar jurisdiction, selected by the City Administrator;
  - c) all members of the Ann Arbor City Council;
  - d) a citizens panel. Each member of Council will name an individual to form a representative group of the Ann Arbor citizenry;
- 3) The Council, by resolution, will affirm the candidate profile developed by the consultant;
- 4) The consultant utilizing the profile will initiate a nationwide recruitment and screen the applicants to a finalist list of between five and seven candidates;
- 5) The finalist candidates will be interviewed by the four review panels listed above;
- 6) Each panelist will rank the candidates and forward their top two or three candidates to the City Administrator;
- 7) The City Administrator will conduct final interviews with the top three

candidates using compiled ranking/scores from the four interview panels;

8) The City Administrator will submit a single candidate to the City Council for final interview and approval in accordance with the Ann Arbor City Charter;

9) If the Council rejects this nominee or the nominee declines appointment, the City Administrator will submit another nominee to Council from either the group of finalists or from further search as may be necessitated by the qualifications of the candidates; and

RESOLVED, That the recruitment should be completed within a three to four month period.

APPOINTMENTS TO THE CITIZENS PANEL FOR POLICE CHIEF SELECTION:

Blondeen Munson  
David Cahill  
Penny Griffith  
Susan Baskett  
Cathy Baldwin  
(to be named)

James Sexsmith  
Dorothy Clapp  
Kathy Edgren  
Ezra Rowry  
Andrew Wright

Councilmember Stoll moved that the substitute resolution be approved as revised.

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

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R-208-5-94 APPROVED

RESOLUTION TO INSTRUCT THE CITY TO DEVELOP  
A FACT SHEET ON CIVIL RIGHTS RELATED TO  
HIV AND AIDS AND TO DISSEMINATE THE  
INFORMATION TO APPROPRIATE INDIVIDUALS AND GROUPS

Whereas, The number of people diagnosed with HIV/AIDS continues to increase, so that the Michigan Department of Public Health reported as of March 1, 1994 that in Washtenaw County there are 178 people who have been diagnosed with AIDS, and 1424 people are estimated to be HIV positive (estimates range from 800-2000), and Washtenaw County is ranked second by population in rate of infection in the State of Michigan;

Whereas, The human and civil rights of people living with HIV/AIDS are not widely known, and the discrimination faced by people living with HIV/AIDS is detrimental to their ability to live with dignity, financial security, proper health care, housing and public accommodations; and

Whereas, Education is paramount to ending the discrimination against people living with HIV/AIDS;

RESOLVED, The City Attorney develop a 'fact sheet' on human and civil rights related to HIV/AIDS (e.g. nondiscrimination protection via the Americans with Disabilities Act, Federal civil rights legislation, Michigan civil rights legislation, Michigan handicapper laws, and City of Ann Arbor Human Rights ordinances); and

RESOLVED, The "fact sheet" be reviewed by the Ann Arbor HIV/AIDS Task Force; and

RESOLVED, The "fact sheet" be disseminated by the City of Ann Arbor to appropriate individuals, organizations, and groups, such as City employees and departments, Ann Arbor Tenants Union, the Ann Arbor Landlords' Association, the Ann Arbor Chamber of Commerce, health care providers, the City Human Rights Commissions, and HIV/AIDS service organizations.

Councilmember Kolb moved that the resolution be approved.

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

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RESOLUTION POSTPONED

RESOLUTION TO APPROVE 1994-2000  
CAPITAL IMPROVEMENTS PLAN

Whereas, Section 1:185 of the Ann Arbor City Code requires that the City Planning Commission annually prepare a Capital Improvements Plan (CIP) for the ensuing six years; and

Whereas, The 1994-2000 Capital Improvements Plan , which was prepared through a CIP Review Committee and by joint effort of the Planning Department and City administration, has been submitted to the Ann Arbor City Planning Commission for consideration; and

Whereas, A duly-noticed public hearing was held by the City Planning Commission on April 5, 1994; and

Whereas, The City Planning Commission unanimously adopted the CIP at its meeting of April 5, 1994, and also recommended that Council approve the document and use it as a guide in funding priority capital projects consistent with the plan;

RESOLVED, That the Mayor and City Council hereby approve the 1994-2000 Capital Improvements Plan.

Councilmember Stead moved that the resolution be approved.

Councilmember Stead moved that the resolution be postponed to the end of the meeting.

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

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R-209-5-94 APPROVED

RESOLUTION TO APPROVE MALCOLMSON LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval (7 yeas and 0 nays) of the Malcolmson land division, 0.42 acre, 3 Ridgeway West.

Whereas, Margaret Malcolmson has requested land division approval in order to divide a 19,334-square foot parcel at 3 Ridgeway West into two separate parcels; and

Whereas, The Ann Arbor City Planning Commission, at its meeting of May 3, 1994, recommended approval of said request;

RESOLVED, By the Mayor and City Council that the Malcolmson Land Division is hereby approved.

Councilmember Stead moved that the resolution be approved.

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

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R-210-5-94 APPROVED

RESOLUTION TO AUTHORIZE ISSUE OF PURCHASE ORDERS  
AND CHANGE ORDERS FOR CONSTRUCTION OF D.D.A.  
PEDESTRIAN IMPROVEMENTS NORTH MAIN STREET  
WEST SIDE - (\$501,000 Barbolla Construction;  
\$15,000 CTI & Associates, \$15,000 Giffels-Webster)

Whereas, It has been determined that pedestrian improvements along Washington Street and North Main Street will enhance the economic viability of Ann Arbor's Downtown; and

Whereas, On June 1, 1992 by Resolution No. R-213-6-92 City Council authorized the sale of bonds to finance D.D.A. Pedestrian Improvements; and

Whereas, The D.D.A. Board approved the completion of the Pedestrian Improvement along the west side of North Main Street and has allocated funds for its construction; and

Whereas, The City's Engineering Department has recommended that one change order and two new purchase orders be issued for the purpose of completing the construction of the project; and

Whereas, The contractor, Barbolla Construction and Concrete Supply, Inc. has agreed to maintain the original unit prices as quoted in its Bid No. 2422 dated May 24, 1993 provided that construction begins before June 1, 1994; and

Whereas, The three suppliers named hereunder have received Human Rights Department approval;

RESOLVED, That issuing the following change order and two new purchase orders is hereby authorized:

Construction: Barbolla Construction & Concrete Supply Inc.	
Change order to an existing purchase order	
(Bid 2422) from \$1,608,323.08 to	
\$2,109.434.08, for a net increase of	\$501,000
Testing: CTI and Associates - materials testing.	
New purchase order and Professional Services	
Agreement for	\$15,000

Surveying: Giffels-Webster Engineers - land surveys.	
New purchase order and Professional Services Agreement for	<u>\$15,000</u>
Total:	\$531,000

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

Councilmember Stoll moved that the resolution be approved.

On a voice vote, the Mayor declared the motion carried with Councilmember Fink abstaining because of a possible conflict of interest.

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R-211-5-94 APPROVED

RESOLUTION TO APPROVE EXECUTION OF AN AMENDED ANNUAL CONTRIBUTIONS CONTRACT TO RENEW SECTION 8 VOUCHERS (\$478,560)

Whereas, The City of Ann Arbor, by and through its Housing Commission, administers a rental subsidy program called Section 8 Vouchers;

Whereas, The program is designed to enable low income clients of the Commission to secure affordable housing accommodations within the private rental market;

Whereas, The term of each project or funding increment is five years; and

Whereas, Project number MI28-V064-007 will expire May 31, 1994 and is being replaced with project number Mi28-V064-14, which has a contract authority of \$478,560 and a term expiration of May 31, 1999;

RESOLVED, That the City Council approve the renewal and authorize the Mayor and its Housing Commission to execute an amendment to the Annual Contributions Contract.

Councilmember Lumm moved that the resolution be approved.

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

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R-212-5-94 APPROVED

RESOLUTION TO APPROVE THE EXECUTION OF A  
COST AMENDMENT TO THE ANNUAL CONTRIBUTIONS  
CONTRACT FOR THE SECTION 8 CERTIFICATE PROGRAM

Whereas, The Department of Housing and Urban Development (HUD) has forwarded an amended Annual Contributions Contract (ACC) for the Section 8 Certificate program;

Whereas, This amended contract does not provide additional housing units, it does provide additional money to cover increased program costs;

Whereas, A Cost Amendment is utilized when the contract authority in the ACC is not sufficient to carry the funding increment out to its full ACC term;

Whereas, HUD makes a commitment to provide the necessary funds for a specific number of units. Due to rent increases, the amount of contract authority and budget authority originally reserved is not usually enough to pay the housing assistance payment costs and administrative costs for the term of the ACC; and

Whereas, The Detroit Area HUD office has determined based on their computer analysis that the Ann Arbor Housing Commission is in need of a Cost Amendment to complete the 1994 fiscal year;

RESOLVED, That the City Council approves the Cost Amendment for the Section 8 Certificate Program and authorize its Mayor to execute said Amendment.

Councilmember Lumm moved that the resolution be approved.

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

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POSTPONED

RESOLUTION AUTHORIZING ENVIRONMENTAL BOND  
EXPENDITURE FOR MRF EDUCATIONAL CENTER

Whereas, The City's materials recovery facility and waste transfer station (MRF/TS) was approved by the City's voters as part of the 1990 environmental bond; and

Whereas, City Council approved the construction of the MRF/TS on February 22,

1993 allocating up to \$5.1 million for this purpose; and

Whereas, Improving the educational component of the MRF/TS is beyond the scope of the current MRF contract, but is an important service worth offering to Ann Arbor residents;

RESOLVED, That because public education is an integral component of the City's waste recovery efforts, City Council authorizes an expenditure not to exceed \$200,000 for the addition of an educational center on the second floor of the MRF's administration building, overlooking the MRF/TS operations; and

RESOLVED, That funding for this endeavor be provided through the environmental bond; and

RESOLVED, That the construction element of this project be undertaken by the City's selected MRF contractor, Resource Recovery Systems (RRS), pursuant to the change order process outlined in Section 8.03 of the approved Construction Contract between the City and RRS; and

RESOLVED, That expenditures for furnishings and displays at the education center be coordinated throughout the Solid Waste Department pursuant to the City's purchasing requirements; and

RESOLVED, That expenditures not made in the current fiscal year be automatically carried over to subsequent fiscal years until completed.

Councilmember Stead moved that the resolution be approved.

Councilmember Kolb moved that the resolution be postponed until June 6, 1994, for receipt of further information regarding the size, design and cost of the facility.

On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Stoll, Smith, Nicolas, Kolb, Stead, 7  
Nays, Councilmembers Fink, Lumm, Creal, Mayor Sheldon, 4

The Mayor declared the motion carried.

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POSTPONED

RESOLUTION AUTHORIZING ENVIRONMENTAL BOND  
EXPENDITURE FOR COMPREHENSIVE CITIZEN  
DROP-OFF CENTER (\$250,000)

Whereas, The City's materials recovery facility and waste transfer station (MRF/TS) was approved by the City's voters as part of the 1990 environmental bond; and

Whereas, City Council approved the construction of the MRF/TS on February 22, 1993 allocating up to \$5.1 million for this purpose; and

Whereas, Improving the drop-off component of the Ellsworth Road site is beyond the scope of the current MRF contract, but is an important service worth offering to Ann Arbor residents;

RESOLVED, That the Ann Arbor Landfill property be renamed "The City of Ann Arbor Resource Recovery Center"; and

RESOLVED, That City Council authorizes an expenditure not to exceed \$250,000 for the construction of a comprehensive drop-off center at the entrance to the City of Ann Arbor Resource Recovery Center and the closure of the South Industrial drop-off station; and

RESOLVED, That the South Industrial recycling drop-off station be closed when the new drop-off is completed, with the property returned to the Utilities Department; and

RESOLVED, That funding for these endeavors be provided through the environmental bond fund; and

RESOLVED, That expenditures not made in the current fiscal year be automatically carried over to subsequent fiscal years until completed; and

RESOLVED, That construction and operation of the drop-off center be competitively bid; and

RESOLVED, That the Ecology Center's current recycling drop-off station contract be extended on a month-to-month basis as necessary from July 1, 1995, until the new drop-off center is operational.

PROPOSED BUDGET  
WASTE AND RECYCLABLES  
DROP-OFF FACILITY  
MAY 16, 1994

! Engineering and Construction:	\$ 150,000
! Closure of S. Industrial Drop-off:	\$ 60,000
! Contingency:	<u>\$ 40,000</u>

**TOTAL: \$ 250,000**

The Solid Waste Commission unanimously endorsed this project at its May 9, 1994 meeting. In addition, it had the following recommendation, that was also approved unanimously:

"The Solid Waste Commission recommends that bids for the construction and operation of the drop-off facility be let at the same time so that operating costs can be reviewed prior to construction."

Councilmember Stead moved that the resolution be approved.

Councilmember Fink moved that the resolution be postponed until July 5, 1994, pending a determination of the behavioral changes of people already using the S. Industrial site, a policy to address drop-off by county residents and support material on the \$40,000 operating costs savings.

On a voice vote, the Mayor declared the motion carried and the resolution postponed, with Councilmember Hanna-Davies dissenting.

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R-213-5-94 APPROVED

RESOLUTION TO AWARD CONTRACT AND ESTABLISH  
PROJECT BUDGET FOR SEWAGE COLLECTION  
SYSTEM LIFT STATIONS STUDY PROJECT  
(\$24,000)

Whereas, The City of Ann Arbor Wastewater Treatment Plant is responsible for the continuous, efficient operation and maintenance of eight lift stations located throughout the City;

Whereas, Various problems have been encountered at the Lakewood, Sequoia Park, and South Boulevard Lift Stations which have adversely affected the efficient and reliable operation and maintenance of the sewage collection system;

Whereas, McNamee, Porter & Seeley, Inc. has performed previous lift station studies of the City of Ann Arbor sewage collection system; and is presently involved with ongoing sewage collection studies and audits for the City of Ann Arbor;

Whereas, The Utilities Department recommends that, based on McNamee, Porter & Seeley, Inc.'s specific experience and knowledge of the City's sewage collection system, that this firm provide professional consulting services to study and provide solutions to the problems at these aforementioned Lift Stations;

Whereas, The Utilities Department recommends that McNamee, Porter & Seeley, Inc. be awarded a contract to perform the work as described in their Lift Station Study Proposal dated May 4, 1994, for a not-to-exceed fee of \$22,000.00;

Whereas, On May 5, 1994, the Human Resources Department approved McNamee, Porter & Seeley, Inc. to provide professional consulting services to the City;

RESOLVED, That Council accepts the proposal and awards the contract to McNamee, Porter & Seeley, Inc. for \$22,000.00 to perform the work as described in their Lift Station Study Proposal dated May 4, 1994;

RESOLVED, That Council approves a contingency for this project in the amount of \$2,000.00 to finance change orders to be approved by the City Administrator;

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

Contract work	\$22,000.00
Contingency	\$ 2,000.00
Total	\$24,000.00

RESOLVED, That the Mayor and City Clerk are authorized and directed to sign said contract on a form substantially on file in the City Clerk's Office.

Funding Source: Sewage Disposal System  
Approved FY 93/94 Operations and Maintenance Budget

Councilmember Smith moved that the resolution be approved.

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

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R-214-5-94 APPROVED

RESOLUTION TO REAPPROPRIATE PLANNING DEPARTMENT FUNDS FOR THE 1994-1995 FISCAL YEAR (\$9,000)

Whereas, The Planning Department is in the process of developing a request for proposals in order to select a consultant to study the impact of the City's ordinances on the development of affordable housing; and

Whereas, The funds for this study were included in the Planning Department's 1993-94 fiscal year budget, but not the 1994-95 budget based on the anticipation that this study would be completed prior to June 30, 1994; and

Whereas, The funds were not spent during the 1993-94 fiscal year;

RESOLVED, That the funds are hereby reappropriated for the Planning Department's 1994-95 fiscal year budget.

Councilmember Stead moved that the resolution be approved.

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

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R-215-5-94 APPROVED

RESOLUTION TO APPROVE STREET CLOSINGS FOR THE 1994 KERRYTOWN AFTERGLOW, JULY 22-24, 1994

Whereas, The Kerrytown Association has proposed to create and promote a festival from July 22 through July 24, 1994 as an extension and enhancement to the existing Art Fairs, and

Whereas, The Kerrytown Association has requested street closings to allow the festival to be conducted in a safe fashion,

RESOLVED, That the City Council approve the following street be closed, barricaded, and parking be prohibited from Friday, July 22 through Sunday, July 24 at 6:00 P.M. for the festival:

DETROIT STREET from East Catherine to North Fifth Avenue.

In regard to this closing, the Kerrytown Association will provide approved barricades and staff them during the entire event.

Councilmember stead moved that the resolution be approved.

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

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R-216-5-94 APPROVED

RESOLUTION TO APPROVE AMENDMENT TO AGREEMENT  
WITH FIRST CENTRUM CORPORATION

Whereas, On February 23, 1994, City Council approved resolution R-54-2-94 regarding the Development Agreement between the City of Ann Arbor and First Centrum Corporation for the redevelopment of the Ann Arbor Inn for public purpose use; and

Whereas, First Centrum has requested an additional 30 days under the Engineering Evaluation period in order to finalize costs:

RESOLVED, That City Council approve the Amendment to the Development Agreement between the City of Ann Arbor and First Centrum Corporation in order to extend the Engineering Evaluation Period of Paragraph 9 until June 24, 1994.

RESOLVED, That City Council authorize the Mayor and City Clerk to execute the amendment in substantially the form on file in the office of the City Clerk.

AMENDMENT TO  
DEVELOPMENT AGREEMENT  
WITH FIRST CENTRUM CORPORATION

The Agreement, dated the 24 day of February, 1994 by and between the City of Ann Arbor, a Michigan municipal corporation, and First Centrum Corporation, a Michigan corporation, is amended to extend the term of the Engineering Evaluation period in Paragraph 9 from May 24, 1994 to June 24, 1994.

In Witness Whereof, the undersigned have executed this amendment to the agreement as of the \_\_\_ day of \_\_\_\_\_, 199\_\_.

FIRST CENTRUM CORPORATION,

CITY OF ANN ARBOR,a Michigan

a Michigan Corporation

Municipal Corporation

\_\_\_\_\_  
Thomas R. Runquist  
Chairman

By  
Ingrid B. Sheldon  
Its Mayor

By  
Winifred W. Northcross  
Its City Clerk

Nicholas H. Faber, Jr.  
Treasurer

Approved as to substance:

Gatta

\_\_\_\_\_ Alfred A.

City Administrator

Eileen Ryan  
Community Development Director

Approved as to form:

Elizabeth Schwartz  
City Attorney

Councilmember Kolb moved that the resolution be approved.

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

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R-217-5-94 APPROVED

RESOLUTION AUTHORIZING THE PURCHASE OF HIGH PERFORMANCE COLD PATCH - BID NO. 2550 (\$51,110)

Whereas, The City of Ann Arbor utilizes high performance cold patch material in street maintenance and other maintenance activities; and

Whereas, Competitive bids were sought for the supply of high performance cold patch and Midland Contracting Co. submitted the lowest responsible bid; and

Whereas, Midland Contracting received Human Rights Approval on March 8, 1994, and

Whereas, This purchase has been budgeted for in the 1993/94 fiscal year;

RESOLVED, That the contract for supplying the City's need of high performance cold patch material be awarded to Midland Contracting of Bay City, Michigan, for one year until April 18, 1995; and

RESOLVED, That a purchase order be authorized in the amount of \$51,110.00 (1000 tons @ \$51.11/ton) using the FY93-94 Major & Local Street Funds; and

RESOLVED, That funds from this purchase order be carried over into the FY94-95 until completion of the contract; and

RESOLVED, That the City Administrator may extend this contract for up to two, one year periods if agreeable to both parties under the same terms and conditions as exist in Bid No. 2550; and

RESOLVED, That the City Administrator be directed to obtain UPM High Performance Cold Patch from the next bidder if Midland Contracting Co. is not able to furnish adequate supplies or the material does not perform to City specifications.

Councilmember Stead moved that the resolution be approved.

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

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R-218-5-94 APPROVED

RESOLUTION CONCERNING EMPLOYEE BENEFITS

Whereas, The Alexander and Alexander Consulting Group was hired by the City to review the City's employee benefit programs;

Whereas, The study concluded the City's benefit programs compare quite favorable with programs offered by other employers;

Whereas, The study further concluded that medical plan benefit structure and contribution commitment currently enjoyed by City employees is very generous;

Whereas, The study included numerous recommendations concerning changes in the benefit plans;

Whereas, Most employers now include deductibles and co-pays in plan coverages;

Whereas, The City faces a difficult financial situation and tax increases and/or service and staff reductions are possible; and

Whereas, City Council is committed to providing a competitive benefits program to City employees;

RESOLVED, That the City Council generally endorses the recommendations in the Alexander and Alexander study including employee deductibles and co-pays;

RESOLVED, That Council's objectives are to provide a competitive level of overall employee benefits and consistent benefits for union and non-union employees;

RESOLVED, That the Administrator is directed to submit to Council within 60 days an employee benefit proposal consistent with the Alexander and Alexander study recommendations and Council's objectives. The proposal should include specific plan changes and rationale, as well as an implementation plan changes and rationale, as well as an implementation plan including bargaining unit negotiations.

Councilmember Lumm moved that the resolution be approved.

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

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POSTPONED

RESOLUTION TO APPROVE TRANSFER OF CLASS C LIQUOR LICENSE  
TO MEMBEHEM ! INC. (MONGOLIAN BARBECUE) AT  
200 S. MAIN STREET

Whereas, A VI, Inc. Principal, under another legal entity has outstanding unpaid personal property taxes; and

Whereas, The negotiations for the repayment of the above outstanding personal property taxes are proceeding;

RESOLVED, That the Council approve the request from MEMBEHEM !, Inc. (Mongolian Barbecue) to transfer ownership of a 1989 B-Hotel licensed business with Dance-Entertainment Permit, located in escrow at 2800 Jackson, Ann Arbor, Washtenaw County, from VI, Inc. to transfer the location to 200 S. Main Street, and to transfer status to a Class C license.

Councilmember Fink moved that the resolution be approved.

Councilmember Stead moved that the resolution be postponed to June 6, 1994 in order to instruct the City Attorney's Office to investigate whether \$11,000 in personal property taxes is collectible and whether the owner is willing to pay 50% or more of the money that is owed to the City, to receive the recommendations from the Police, Fire, Building and Treasurer's Departments, and to provide the Council with a report about the process for a show-cause hearing to proceed with taking the license back under State Law.

On a voice vote, the Mayor declared the motion carried unanimously and the resolution postponed.

**REPORTS FROM COUNCIL COMMITTEES**

There were none.

**COUNCIL PROPOSED BUSINESS**

June 6, 1994:

Resolution to Approve June Teenth (Councilmember Vereen-Dixon)

**COMMUNICATIONS FROM THE MAYOR**

Mayor Sheldon informed Council of the following recently signed proclamations:

- ! Safe Boating Week - June 5-11, 1994
- ! Dr. Joetta Mial Retirement - May 1994
- ! Respect for Law Week - May 16-22, 1994
- ! Recognition of 200th Cochlear Implant at the UM Medical Center - May 20, 1994

#### APPOINTMENTS APPROVED

Mayor Sheldon asked for confirmation of the following appointments which were placed in nomination on May 2, 1994:

#### FINANCE ADVISORY COMMITTEE

Del Dunbar (reappointment)  
3295 Bluett  
Term: 05-16-94 to 05-31-97

#### PARK ADVISORY COMMISSION

Nancy R. Zimmerman (replacing Jennifer Hill whose term expired)  
3025 Provincial Drive  
Term: 05-16-94 to 05-15-97

#### COMMUNITY DEVELOPMENT WAIVER AND REVIEW BOARD

Clark B. Shuler (reappointment)  
3000 Glazier Way, No. 140  
Term: 05-16-94 to 05-15-96

#### CITY MARKET COMMISSION

Tina Beyer Smith (reappointment)  
1606 Shadford Road  
Term: 01-01-94 to 12-31-97

Virginia Johansen (replacing Mary Alice Guyer who resigned)  
2630 Manchester  
Term: 01-01-94 to 12-31-97

Councilmember Creal moved that Council concur in the recommendation of the Mayor.

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

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

ZONING BOARD OF APPEALS

Charles A. Carver (reappointment)  
1225 Wynnstone Dr.  
Term: 06-17-94 to 06-16-97

DOWNTOWN DEVELOPMENT AUTHORITY

Paul Ungrodt, Jr. (to fill vacancy)  
505 E. Huron Street, No. 405  
Term: 06-06-94 to 07-31-98

BUILDING BOARD OF APPEALS

Thomas Kittel (to fulfill membership requirements)  
365 Hazelwood  
Term: 06-06-94 to 06-05-99

SIGN BOARD OF APPEALS

Dick Carlisle (reappointment)  
1702 Morton Avenue  
Term: 06-06-94 to 06-05-97

Dan Ketelaar (reappointment)  
717 W. Huron Street  
Term: 06-06-94 to 06-05-97

RECREATION ADVISORY COMMISSION

Joyce Chesbrough (replacing Susan Schmunk whose term expired)  
3176 Lakewood Avenue  
Term: 06-06-94 to 08-31-97

James C. Buntin III (to fill vacancy)  
2384 Arrowwood Trail  
Term: 06-06-94 to 08-31-97

ANNUAL CITY CLEAN-UP

Mayor Sheldon expressed appreciation to the coordinator Ron Olson, the Parks and Recreation Department, and to all persons and organizations who volunteered in the annual city clean-up.

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

City Administrator Alfred A. Gatta distributed the following information memorandums which were filed with the City Clerk:

- ! Economic Development Corporation Counsel Peter Long indicating the board will discourage any petition from the Summer Arts Festival for a capital contribution
- ! Rollerblading on South University
- ! Current Solid Waste and Recycling Rates
- ! HIV/AIDS Policy
- ! Progress and Process for the City Hall Renovations
- ! Platt Road Reconstruction Public Meeting
- ! Update on Development of Public Housing Project
- ! Hill Street Patchwork
- ! Monthly Statement of Revenue, Expenditures and Changes in the Fund Balance, through April 30, 1994 for Series A/B/C of the Environmental Bond
- ! Noise levels of Music at the Gandy Dancer

These memorandums were filed with the City Clerk.

City Administrator Gatta received requests from Councilmembers for information on other items.

#### **COMMUNICATION FROM THE CITY ATTORNEY**

There were none.

#### **COMMUNICATIONS FROM COUNCIL**

Councilmember Stead announced that there would be a presentation on *Beyond Recycling - Reducing Community Waste through Reuse and Repair* with Dan Knapp, founder of Urban Ore in Oregon, in the Firehall Conference Room, on May 25, from 5:30 to 6:30 p.m.

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

The following communications were received:

- ! Donald J. Munro and Ann P. Munro - Oppose Malcolmson Land Division - **(Filed)**
- ! Carl and Jan Cohen - Oppose Malcolmson Land Division - **(Filed)**
- ! Betty Anne M. Duff and Ivan F. Duff - Oppose Malcolmson Land Division - (Communications - April 26 and May 5, 1994) - **Filed**
- ! Ida M. Schaefer and Gary E. VanZant - Oppose Malcolmson Land Division - **Filed**
- ! Anne Marx and Ronald W. Marx - Oppose Malcolmson Land Division - **Filed**
- ! Agnes Miner - Oppose Malcolmson Land Division - **Filed**

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

- ! Human Rights Commission - March 16, 1994
- ! Ann Arbor Energy Commission - April 14, 1994
- ! Building Board of Appeals - March 22, 1994
- ! Building Board of Appeals Show Cause Hearing - 2041 Champagne - March 22, 1994
- ! Zoning Board of Appeals - March 16, 1994
- ! Community Development Block Grant Executive Committee - April 8, 1994

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

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

#### **PUBLIC COMMENTARY - GENERAL**

There was none.

**MEETING RECESSED**

There being no further business, Councilmember Stead moved that the meeting be recessed to May 31, 1994 at 7:30 p.m. for consideration of the following budget items:

- ! Resolution to Approve 1994-2000 Capital Improvements Plan (Planning Commission Recommendation: Approval - 6 years and 0 nays)
- ! Resolution to Adopt Ann Arbor City Budget, Related Property Tax Millage Rates & Related Parking Violation Fine Increases for Fiscal Year 1994-95
- ! Resolution to Approve the Fiscal Year 1994-95 Statement of Community Development Objectives and Projected Use of Funds for Submission to the Department of Housing and Urban Development (\$1,497,000)

On a voice vote, the Mayor declared the motion carried unanimously and the meeting was adjourned at 10:50 p.m.

Winifred W. Northcross  
Clerk of the Council

Linda J. Wise  
Recording Secretary