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WORKING SESSION - JANUARY 9, 1995

The working session of the Ann Arbor City Council was called to order at 7:34 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Tobi Hanna-Davies, Patricia Vereen-Dixon, Peter Fink, Jane Lumm, Haldon L. Smith, Jean Carlberg, Peter Nicolas, Stephen C. Hartwell, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 11.

ABSENT : 0.

PEACE NEIGHBORHOOD CENTER

Community Development Staff present: Director Eileen Ryan, Fiscal Manager Kathleen Muscato, and Human Services Manager Merrill Crockett.

Peace Neighborhood representatives present: Board President Richard Ballard, Program Director Bonnie Billups, Auditor Michael Thomas, and Treasurer Spud Watkins.

Mayor Sheldon stated that the purpose of this meeting is to meet with City staff and representatives of the Peace Neighborhood Center to find out the status of PNC's programming and how the Center has altered its administrative practices. The Mayor explained that this working session will help determine the best way to handle the disallowed general fund costs related to Peace Neighborhood Center.

Councilmembers questioned City staff and PNC representatives on the specific items listed under the disallowed costs totaling \$44,913.33, and on the progress being made to change administrative policies and procedures for more accountability. (List of disallowed costs on file in the City Clerk's Office)

Council agreed that Peace Neighborhood Center has been providing needed community services and is continuing to alter its administrative policies for more accountability.

ADJOURNMENT

There being no further business to come before Council, the Mayor declared the meeting adjourned at 9:12 p.m.

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Janet L. Chapin
Acting Clerk of the Council
Recording Secretary

SPECIAL SESSION - JANUARY 9, 1995

The special session of the Ann Arbor City Council was called to order at 9:12 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Tobi Hanna-Davies, Patricia Vereen-Dixon, Peter Fink, Jane Lumm, Haldon L. Smith, Jean Carlberg, Peter Nicolas, Stephen C. Hartwell, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 11.

ABSENT : 0.

NOTICE OF CALL OF SPECIAL SESSION

The certification and notice of call of special session was read and ordered placed on file with the City Clerk.

PUBLIC COMMENTARY - RESERVED TIME

ANDREW GULVEZAN - POLICE CHIEF SELECTION PROCESS

Andrew Gulvezan, 342 Kellogg St., objected to the City Administrator's recommendation for Chief of Police and expressed support for the appointment of Deputy Chief Roderick to the position. Mr. Gulvezan criticized the City Administrator and Council for selecting a candidate who is unfamiliar with the City.

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

MOTIONS AND RESOLUTIONS

Add Resolution Appointing Chief of Police (Postponed January 3, 1995)
Executive Session: (Executive Session requested to discuss confidential references regarding police chief candidate)

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Move: Resolution Granting Easement to the Detroit Edison Company (Sugarbush Park) (8 Votes Required) (Postponed January 3, 1995) **(Move to first item under Motions and Resolutions)**

Add & Resolution to Approve Contract for Renovation of Leslie Golf Course-

Move: Bid No. 2678 (\$1,756,355.00) (Tabled January 3, 1995) **(Move to second item under Motions and Resolutions)**

COMMUNICATIONS FROM THE CITY ATTORNEY

Add: Lawsuit from Great Lakes Bancorp

On a voice vote the Mayor declared the motion carried.

MOTIONS AND RESOLUTIONS

POSTPONED

RESOLUTION GRANTING EASEMENT TO THE DETROIT EDISON COMPANY - SUGARBUSH PARK

Whereas, The Detroit Edison Company has requested an easement for the installation of underground utility lines in certain property owned by the City; and

Whereas, The City finds the terms of the proposed easement acceptable;

RESOLVED, That City Council approve the granting of an easement for underground utility lines to the Detroit Edison Company in the property located in the City of Ann Arbor described as follows:

DESCRIPTION

A 12 WIDE UNDERGROUND EASEMENT

Part of Outlot A and Sugarbush Park Addition all lying inside of "Windemer Subdivision" part of the Northeast 1/4 of Section 14, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan.

Described as: Commencing at the Southeast corner of said Outlot A; Thence North 89E36N07" West, 5.15 feet along the South line said subdivision, to the POINT OF BEGINNING;

Thence North 00E23N53" East, 3.00 feet;
Thence North 89E36N07" West, 27.26 feet;

Thence North 16E09N28" West, 25.87 feet;
Thence 28.77 feet along the arc of a curve to the right having a delta angle of 14E59N01" , radius of 110.00 feet and a chord bearing and distance of North 08E39N58" West, 28.69 feet;
Thence North 01E10N28" West, 43.13 feet;
Thence 149.06 feet along the arc of a curve to the left having a delta angle of 137E44N52" , radius of 62.00 feet and a chord bearing and distance of North 17E37N04" West, 115.67 feet;
Thence North 34E45N12" West, 37.52 feet;
Thence 16.32 feet along the arc of a curve to the right having a delta angle of 35E57N10", radius of 26.00 feet and a chord bearing and distance of North 16E47N37" West, 16.05 feet;
Thence North 01E11N58" East, 19.53 feet;
Thence 54.49 feet along the arc of a curve to the left having a delta angle of 52E02N06", radius of 60.00 feet and a chord bearing and distance of North 24E49N05" West, 52.64 feet;
Thence 17.85 feet along the arc of a curve to the right having a delta angle of 51E07N43" , radius of 20.00 feet and a chord bearing and distance of North 19E30N43" West, 17.26 feet;
Thence North 03E20N15" West, 48.95;
Thence 9.96 feet along the arc of a curve to the right having a delta angle of 19E01N07", radius of 30.00 feet and a chord bearing and distance of North 06E10N18" East, 9.91 feet;
Thence North 63E46N00" East, 10.98 feet;
Thence North 23E41N14" West, 1.51 feet, to the South Right of way line of Green Road (100 feet wide) being the point of ending.

Said underground easement on, over, under and across the above described easement is to construct, reconstruct, operate and maintain overhead and underground electric lines including poles, wires, manholes, conduits, cables and equipment. Edison may trim or cut down any trees, bushes, or branches in the easement that Edison believes could interfere with the operation and maintenance of its facilities. No buildings, structures or other encroachments shall be placed in the easement without Grantor's prior written consent.

and

RESOLVED, That the Mayor and City Clerk be authorized to execute the easement.

Councilmember Nicolas moved that the resolution be adopted.

With unanimous consent of Council, Detroit Edison Regional Manager Don Wolf answered questions concerning removal of trees on the site by Edison prior to City Council approval of the easement.

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Mr. Wolf apologized for the error, and reported that the nine removed trees (three of which were dead) will be replaced with eight trees in another area of the park by Detroit Edison.

Councilmember Kolb moved that the resolution be postponed to the January 17, 1995 regular session of Council to notify neighborhood residents of the project and to receive input from people who use the park.

On a voice vote the Mayor declared the motion carried.

R-19-1-95 APPROVED

RESOLUTION TO APPROVE CONTRACT FOR RENOVATION
OF LESLIE GOLF COURSE - BID NO. 2678

Whereas, Over the past year a consensus renovation plan was approved with extensive public input for the 29 year old Leslie Park Golf Course;

Whereas, Construction bids were solicited twice for the project and on December 20, 1994, four bids were received with Turf Drain, Inc. submitting the lowest responsible bid in the amount of \$1,790,811.30;

Whereas, The project was reduced through use of itemized deductions by \$34,406.00 to a total adjusted bid of \$1,756,355.00;

Whereas, Human Rights approval was received on January 3, 1995, for Turf Drain, Inc.; and

Whereas, Financing for the construction project is from the overall budget, including \$1,545,000.00 from Building Authority Bonds and \$600,000.00 from the Recreation Facility Enterprise Budget;

RESOLVED, That the Mayor and Council approve a contract with Turf Drain, Inc. in the amount of \$1,756,355.00 (including deducts) per Bid #2678, and authorize the Mayor and Clerk to sign the contract substantially in the form on file with the City Clerk; and

RESOLVED, That the Mayor and Council approve a construction contingency in the amount of \$70,910.00 for the life of the project and establish a total construction project budget of \$1,827,265.00 for the life of the project.

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

DEFEATED

RESOLUTION TO APPROVE ECONOMIC DEVELOPMENT CORPORATION-CITY OF ANN ARBOR AGREEMENT REGARDING SINGLE-ROOM OCCUPANCY HOUSING AT THE ANN ARBOR YMCA

RESOLVED, That this Council approve the agreement, substantially in the form on file in the City Clerk's Office, between the City and the Economic Development Corporation of the City of Ann Arbor providing for the refinancing of the Ann Arbor YMCA Single-Room Occupancy through the sale of EDC bonds; and

RESOLVED, That the Mayor and City Clerk be authorized to sign the agreement and all other documents necessary to close the transaction.

Councilmember Nicolas moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Fink, Lumm, Nicolas, 3;

Nays, Councilmembers Daley, Hanna-Davies, Vereen-Dixon, Carlberg, Smith, Hartwell, Kolb, Mayor Sheldon, 8.

The Mayor declared the motion defeated.

R-20-1-95 APPROVED

RESOLUTION APPOINTING CHIEF OF POLICE

Whereas, The City Council, on May 16, 1994, adopted a resolution specifying the process for the selection of the Chief of Police in the City of Ann Arbor and indicated that the best selection process would include participation from the community, police department staff, city administration and elected officials;

Whereas, The City Council retained the services of Slavin, Nevins & Associates of Norcross, Georgia, to develop a community and candidate profile which was approved by the City Council and to assist with the recruiting, screening, evaluating and establishing a list of finalists; and

Whereas, The City Administrator has interviewed the two top candidates that resulted from the process established by City Council;

RESOLVED, That pursuant to Chapter 12.1(b) of the Ann Arbor City Charter that Carl D. Ent be herein appointed to the position of Chief of Police with the City of Ann Arbor and that the City Administrator be authorized to execute

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the following offer of employment:

Carl D. Ent
8011 N. Winwood Dr.
Muncie, Indiana 47303

Dear Mr. Ent:

I am please to extend an offer of employment to you with the City of Ann Arbor as Chief of Police contingent upon confirmation by the City Council at its January 3, 1995 meeting. It is anticipated that you will begin your position on January 30, 1995, or at some other mutually agreed upon date.

As we discussed, your starting salary for the position of Chief of Police will be \$71,000 per year. The position of Chief of Police is in EPR-2 of the City's Executive Pay Plan. Residency in the City of Ann Arbor is a requirement for all department head positions including the Chief of Police.

The City of Ann Arbor agrees to the following terms consistent with its Personnel Rules and Regulations:

1. Residency will be established in the City of Ann Arbor within six months upon the commencement of work;
2. Reimbursement for moving expenses in an amount not to exceed \$4,000. Please obtain three quotes and we will honor the lowest quotation;
3. Medical, dental and optical insurance coverage will not be provided by the City of Ann Arbor for the period that you are covered by the City of Muncie as a retiree, or your election to be covered by the City of Ann Arbor's program after December 31, 1996;
4. Life Insurance coverage at \$15,000. You may increase your coverage up to two times your annual salary with the City and the employee equally sharing the cost of the additional coverage;
5. Fifteen days vacation leave for the first year and 20 days leave beginning at year two. There are also four additional personal days available per annum. You will not be able to utilize your vacation until after six months of service, however, you are able to use your personal leave immediately;
6. Twelve and one half paid holidays, including your birthday;

7. Sick leave earned at the rate of one day per month;
8. Department head positions have a three-month probationary period. During that time you may be terminated without recourse in accordance with the City's Personnel Rules and Regulations. A copy of these rules and regulations will be provided to you and are on file in the Human Resources Department;
9. You have an option to not participate in the City of Ann Arbor pension program and may elect instead to participate in one of the City's 457 Deferred Compensation Programs. Should you elect the latter the City's contributions to the plan will be at the actuarial determined rate for the City's pension contribution for police service in an amount not to exceed \$7,500 per year. This contribution cap will be reviewed should the IRS rules change regarding 457 Plan contributions;
10. If termination of employment in your position of Chief of Police occurs within three years of the effective date of appointment without cause or any reason not articulated in the Ann Arbor Personnel Rules and Regulations, you will be given six months severance pay at your current salary rate;
11. You will receive a uniform allowance of \$950 per year and an equipment purchase and maintenance allowance of \$150 per year;
12. Assignment of a 24 hour emergency vehicle in your role of Chief of Police.

There are a number of forms relating to personnel processing and payroll/employee benefits which you will need to complete. You may do this on your first day of employment. Our Human Resources Department will assist you in this endeavor and will schedule a pre-employment physical which you will need to successfully complete before beginning employment.

If you are willing to accept the terms and conditions of employment set forth in this offer, please sign below and return this letter to me at FAX # (313) 994-8297.

Sincerely,

Alfred A. Gatta
City Administrator

I accept: _____

Date: 12-

21-94

Carl D. Ent

Councilmember Kolb moved that the resolution be adopted.

Councilmember Carlberg moved and Councilmember Smith supported that the special session of Council be recessed for an executive session to discuss confidential references regarding the police chief candidate.

On roll call the vote was as follows:

Yeas, Councilmembers Daley, Hanna-Davies, Vereen-Dixon, Fink, Lumm, Carlberg, Smith, Hartwell, Mayor Sheldon, 9;

Nays, Councilmembers Nicolas, Kolb, 2.

The Mayor declared the motion carried and the meeting recessed at 9:53 p.m.

Councilmember Nicolas moved that the executive session be adjourned and the special session of Council be reconvened.

On a voice vote the Mayor declared the motion carried and the special session reconvened at 10:05 p.m.

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

Yeas, Councilmembers Daley, Hanna-Davies, Vereen-Dixon, Fink, Lumm, Carlberg, Smith, Nicolas, Hartwell, Kolb, Mayor Sheldon, 11;

Nays, 0.

The Mayor declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

None.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

None.

COMMUNICATIONS FROM THE CITY ATTORNEYLAWSUIT

City Attorney John VanLoon submitted the lawsuit from Great Lakes Bancorp concerning the YMCA loan guarantee, dated January 9, 1995, for information of Council. (Lawsuit on file in the City Clerk's Office)

Council agreed that an executive session be held concerning the lawsuit prior to the January 17, 1994 regular session of Council, and that a time and date for the session be determined by the City Attorney.

COMMUNICATIONS FROM COUNCILCOUNCILMEMBER HANNA-DAVIES

Councilmember Hanna-Davies reminded the community of the Martin Luther King Day Unity March at 4:00 p.m., January 15, from the Washtenaw County Building to the Second Baptist Church, followed by a memorial service at the church at 5:00 p.m. Ms. Hanna-Davies emphasized the importance of commemorating Dr. Martin Luther King's legacy and encouraged everyone to attend.

MAYOR SHELDON

Mayor Sheldon announced that the Bosnian children's art exhibit is currently on display at the Michigan League through January 27, and encouraged everyone to see the poignant writings by these children. The Mayor reported that she and Councilmember Hanna-Davies participated in yesterday's welcoming reception.

COUNCILMEMBER FINK

Councilmember Fink requested that the City Administrator schedule a meeting of the Budget Committee within the next two weeks and requested backup information on the Housing Commission's debt to the City.

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

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There being no further business to come before Council, The Mayor declared the meeting adjourned at 10:45 p.m.

Janet L. Chapin
Acting Clerk of the Council
Recording Secretary