

Council - April 3, 1995
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REGULAR SESSION - APRIL 3, 1995

The regular session of the Ann Arbor City Council was called to order at 7:35 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

Council stood for one moment of silence.

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

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Tobi Hanna-Davies, Patricia Vereen-Dixon, Jane Lumm, Jean Carlberg, Haldon L. Smith, Peter Nicolas, Stephen C. Hartwell, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 10.

ABSENT : Councilmember Peter Fink, 1.

INTRODUCTIONS

NATIONAL OCCUPATIONAL THERAPY MONTH

Mayor Sheldon presented a proclamation to Linnea Atkins, Director of Occupational Therapy at Glacier Hills Nursing Center, commemorating April as National Occupational Therapy Month.

NATIONAL COMMUNITY DEVELOPMENT WEEK PROCLAMATION AND "CHRISTMAS IN APRIL" COMMUNITY DEVELOPMENT PROJECT COMMUNITY SERVICE AWARDS

Mayor Sheldon presented a proclamation to Jean Robinson, Chair of the Community Development Citizen Participation Executive Committee, and Eileen Ryan, Community Development Director, in support of National Community Development Week. The Mayor also presented a proclamation and Community Development Project Community Service Awards to Richard Brewster and the other volunteers who participated in a special "Christmas in April" project.

1994 INNOVATIVE PARK RESOURCE AWARD

Parks and Recreation Superintendent Ronald Olson introduced Portia Fields Anderson, Board Member of the Michigan Recreation and Park Association, who presented the 1994 Innovative Park Resource Award to Vice-Chairman of the Park Advisory Commission Kim Waldo and to the City of Ann Arbor. The award recognizes the success of the City's ballot proposal for a 5-year park millage to preserve the community's park resources.

1994-95 PROGRAM BUDGET

Assistant to the City Administrator Melanie Purcell presented the 1994-95

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Program Budget. Ms. Purcell stated that the document converts the 1994-95 Annual Budget into programs and activities within departments which will give Council a general idea of the level and type of services the community is receiving for its dollars.

PUBLIC COMMENTARY - RESERVED TIME

MARY BEJIAN - RETURN BLOOD SAMPLES

Mary Bejian, 809 Lawrence St., representing the Coalition for Community Unity, spoke in support of the resolution to return blood samples and related police records to the innocent individuals who were ruled out as suspects in the serial rape investigation.

ANDREW GULVEZAN - CITY ADMINISTRATOR

Andrew Gulvezan, 432 Kellogg St., presented City Administrator Gatta with a farewell gift and stated that he would like to be considered for the position of City Administrator.

RENUKA UTHAPPA - ANN ARBOR YMCA

Renuka Uthappa, 303 Mulholland Ave., representing the Homeless Action Committee, spoke in opposition to Council's recent decision to support the YMCA bailout. Ms. Uthappa stated that the management agreement with the YMCA violates Michigan landlord/tenant laws and does not mandate any tenant representation on the advisory committee that will handle grievances.

LARRY FOX - ANN ARBOR YMCA

Larry Fox, 530 S. State St., spoke in opposition to Council's decision to cover the YMCA loan and admonished Councilmembers for compromising their moral positions and voting for a management agreement that does not include tenant rights.

JONATHAN ROSE - ANN ARBOR YMCA / VIOLATION OF RIGHTS

Jonathan Rose, 508 Benjamin St., stated that he is in agreement with the previous two speakers regarding the YMCA management agreement. He also read a statement from Ezra Rowry who expressed opposition to the police tactics used during the serial rapist investigation in which the constitutional rights of African-American males were violated.

PATTRICE MAURER - ANN ARBOR YMCA / VIOLATION OF RIGHTS

Patrice Maurer, 417 Skydale Dr., representing the Ann Arbor Tenants Union and Coalition for Community Unity, spoke in opposition to the police tactics used during the serial rapist investigation that violated the constitutional rights of African-American males, and to the recently approved management agreement with the Ann Arbor YMCA which does not include tenant rights.

AUDREY JACKSON - CITY GOVERNMENT RELATIONS

Audrey Jackson, 2557 Sandalwood Cir., expressed concern with the lack of communication and professionalism demonstrated by Council and recommended that Councilmembers participate in a sensitivity course on governmental relations with the community at large. (Statement on file in the City Clerk's Office)

PUBLIC HEARINGSTREEHOUSE REVISED FINAL PHASE PUD ZONING (ORDINANCE NO. 2-95)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.96 acre from Final Phase PUD (Planned Unit Development District) to Revised Final Phase PUD, Treehouse Condominiums, east side of Mulholland Avenue, north of West Liberty Street. Notice of public hearing was published March 18, 1995.

The following person appeared:

Van Harrison, 245 Mulholland Ave., expressed support for the proposal subject to agreement of an acceptable location for the dumpster and noting that location on the site plan.

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

TREEHOUSE CONDOMINIUMS PUD TWO-YEAR EXTENSION

A public hearing was conducted on the proposed Treehouse Condominiums Preliminary and Final Phase PUD Two-Year Extension, 0.96 acre, east side of Mulholland Avenue, north of West Liberty Street. Notice of public hearing was published March 27, 1995.

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

DISCOUNT TIRE COMPANY SITE PLAN

A public hearing was conducted on the proposed Discount Tire Company Site Plan, 0.61 acre, 3451 Washtenaw Avenue. Notice of public hearing was published March 27, 1995.

The following persons appeared:

Daniel McClary, 2091 Chalmers Dr., located behind the Discount Tire property, objected to the noise, exhaust and pavement damage from semi trucks idling next to the building and on Chalmers Dr., outside of the easement. He expressed concern that neighbors were not included in recent discussions regarding the project and requested that only panel trucks be allowed there, and those after

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8:00 a.m. Mr. McClary stated that a problem may also exist with a deed restriction concerning commercial traffic onto Chalmers Dr.

Jerry Brashears, 2093 Chalmers Dr., located behind the Discount Tire property, stated that he shares the same concerns as his neighbor, Mr. McClary.

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

WEST AREA PLAN

A public hearing was conducted on the proposed West Area Plan. Notice of public hearing was published April 1, 1995.

The following persons appeared:

Timothy Stoepker, attorney representing Stanford Brothers Properties, southeast corner of Jackson and Wagner Rds., spoke in opposition to the residential zoning designation proposed for the property. Mr. Stoepker stated that analysis of the site and the City Appraiser's opinion show commercial to be the best use of the property. (Statement on file in the City Clerk's Office - See Clerk's Report, Item 5).

Gary Lilley, representing Chapter 310 of the Vietnam Veterans of America, stated that veterans, the business community and the City have identical goals concerning a sculpture for Veterans Memorial Park and that the project can meet the needs of everyone in the community. Mr. Lilley, representing the owner of Site 6, located outside of the M-14 freeway ring south of Miller Avenue, requested an office zoning designation for the site and spoke in opposition to the proposed residential designation which is impractical due to problematic and costly utility hookups.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

Council unanimously agreed that the agenda be approved with the following changes:

CONSENT AGENDA

Delete: Resolution to Approve Discount Tire Company Site Plan, 0.61 acre, 3451 Washtenaw Avenue (Planning Commission recommendation: Approval - 6 yeas, 0 nays) **(Move to beginning of Motions and Resolutions)**

Revise: Resolution to Grant Water and Sewer Service Outside City Limits to Lot 1 Riverside Hills Subdivision No. 1 **(Annexation petition date and file no. added)**

Delete: Resolution to Transfer Appropriations from Non-Departmental Pay Increase/Contingency Account to Various Departments (\$94,000.00)

(8 Votes Required) ***(Move to beginning of Motions and Resolutions)***

ORDINANCES - SECOND READING

Move: Amendment to Chapter 55, Rezoning of 0.96 acre from Final Phase PUD (Planned Unit Development District) to Revised Final Phase PUD, Treehouse Condominiums, east side of Mulholland Avenue, north of West Liberty Street (Ordinance No. 2-95) ***(Consider concurrently with resolutions regarding Treehouse Condominiums)***

MOTIONS AND RESOLUTIONS

Add: Resolution to Approve Discount Tire Company Site Plan, 0.61 acre, 3451 Washtenaw Avenue (Planning Commission recommendation: Approval - 6 yeas, 0 nays) ***(Was on Consent Agenda)***

Add: Resolution to Transfer Appropriations from Non-Departmental Pay Increase/Contingency Account to Various Departments (\$94,000.00) (8 Votes Required) ***(Was on Consent Agenda)***

Delete: Resolution to Oppose Governor John Engler's Proposed Cuts in Revenue Sharing (Councilmember Daley)

CLERK'S REPORT

Add: Communication from Gonzazo and Lorri Gonzalez, 319 Mulholland, protesting proposed Ordinance 2-95 (Treehouse Condominiums Revised PUD Zoning) - Planning.

Add: Communication from Timothy A. Stoepker, representing Stanford Brothers Properties (southeast corner of Jackson and Wagner Rds.), regarding the proposed West Area Plan - File.

APPROVAL OF COUNCIL MINUTES

MINUTES OF MARCH 13 AND 20 APPROVED

Councilmember Nicolas moved that the working session minutes of March 13, 1995 and the regular session minutes of March 20, 1995 be approved as presented.

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

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RESOLUTION TO APPROVE HOUGH ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Hough Annexation, 0.19 acre, 2643 Dexter Road.

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

Whereas, Russell and Margaret Hough are the owners of said property; and

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

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

Lot 29 of Scioto Hills Subdivision, Washtenaw County, Michigan.

R-129-4-95 APPROVED

RESOLUTION TO APPROVE WHITMER ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Whitmer Annexation, 0.22 acre, 347 Pinewood Avenue.

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

Whereas, Timothy Corrigan is the owner of said property, having recently purchased the property from the applicant of the annexation, Paul Whitmer; and

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

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

Lot 77 of The Evergreens Subdivision, Washtenaw County, Michigan.

R-130-4-95 APPROVED

RESOLUTION TO APPROVE PERMANENT OUTDOOR ALCOHOLIC BEVERAGE

SERVICE AT 200 SOUTH MAIN STREET - MONGOLIAN BARBECUE

Whereas, Membehem ! Inc. (Mongolian Barbecue) is seeking approval of its request for a permanent outdoor alcoholic beverage service permit, to be held in conjunction with a 1994 Class C licensed business;

RESOLVED, That the request of Membehem ! Inc. (Mongolian Barbecue) for a permanent outdoor alcoholic beverage service permit for a sidewalk cafe to be located on the City's sidewalk in front of 200 South Main Street, per the diagram on file in the City Clerk's Office, be approved.

R-131-4-95 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT TO THOMPSON
MC CULLY ASPHALT PAVING COMPANY AND ESTABLISH A PROJECT BUDGET
FOR THE HURON PARKWAY BIKEPATH PROJECT - BID NO. 2671

Whereas, It has been found necessary to construct a bituminous bicycle pathway along the east side of Huron Parkway from Geddes Road to Hubbard Road;

Whereas, Thompson McCully Asphalt Paving Company of Belleville, Michigan, has submitted to the City on February 10, 1995, a bid for said work in the total amount of \$154,941.75, which amount is the lowest responsible bid;

Whereas, The contractual proposal sets forth the services to be performed by said company and the payments to be made by the City therefor, all of which are agreeable to the City;

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

Whereas, The Michigan Department of Transportation has, on March 20, 1995, approved the selection of the said company for the construction of the Huron Parkway Bikepath;

RESOLVED, That a contract in the amount of \$154,941.75 be awarded to Thompson McCully Paving Company for the construction of the Huron Parkway Bikepath Project (Bid No. 2671);

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

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

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

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HURON PARKWAY BIKEPATH PROJECT

Section I - Revenue

\$ 67,500	Previously appropriated funds advanced from the Park Rehabilitation and Development Millage Fund (041) pending reimbursement from the ISTEPA Enhancement Grant (Resolution No. R-503-10-92).
75,000	Previously appropriated funds from the Park Rehabilitation and Development Millage Fund (041) (Resolution No. R-503-10-92).
35,000	Park Rehabilitation and Development Millage Fund (041).
18,500	Major Street Fund (021)
\$196,000	TOTAL; and

Section II - Expense

\$155,000	Construction
17,000	Design Engineering
10,000	Construction Engineering
8,000	Consulting and Testing
6,000	Contingencies and Miscellaneous Costs
\$196,000	TOTAL

R-132-4-95 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT
WITH ENGINEERING AND TESTING SERVICES, INC. FOR
THE SOUTH MAIN STREET RECONSTRUCTION PROJECT

Whereas, It is necessary to employ a qualified testing firm to perform essential testing for the South Main Street Reconstruction Project (Adams to Keech);

Whereas, Proposals for this testing were received and evaluated by the Engineering Division on the basis of qualifications and fees;

Whereas, Engineering and Testing Services, Inc. has demonstrated the required experience, personnel and competitive fee schedule to perform the work;

Whereas, On April 3, 1995 the Human Resources Department gave approval of said company for said work; and

Whereas, On November 7, 1994, with the approval of the project's

construction budget, Council appropriated sufficient funds for this contract;

RESOLVED, That Council authorize a professional services agreement in the standard City form in the amount of \$50,000.00 with Engineering and Testing Services, Inc. for construction testing and inspection services for the South Main Street Reconstruction Project (Adams to Keech);

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

RESOLVED, That the Mayor and Clerk be authorized and directed to execute said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator.

R-133-4-95 APPROVED

RESOLUTION TO PLACE DELINQUENT SNOW REMOVAL CHARGES ON THE JULY 1995 TAX ROLL

Whereas, There are delinquent charges owed to the Public Services Department for sidewalk snow removal; and

Whereas, Notice has been given by certified mail to the owners of each premises of the total amount due as required by City Code;

RESOLVED, That such charges, if unpaid as of May 8, 1995, be levied as special assessments against the property according to Schedule A, together with an additional penalty charge of 10% of the total unpaid, as provided in Section 1:292 of the City Code; and that the City Assessor shall place the same on the next tax roll of the City and that such charges will be collected in the same manner as general City taxes; and

RESOLVED, That the funds collected be reimbursed to the Public Services Department operating budget.

SCHEDULE A

<u>Assessor #</u>	<u>Property Address</u>	<u>Invoice #</u>	<u>Date</u>	<u>Amount</u>
09-29-207-003	903 W. Huron	48315	3/3/94	\$133.96
12-11-205-034	3491 Creek 55160	3/3/94	76.00	
09-30-300-018	401 S. Maple	48322	2/10/94	167.50
09-29-431-005	111 E. Mosley	48323	2/10/94	110.50
09-31-409-009	1631 Hartford	48325	1/12/94	88.65
09-29-214-043	112 Chapin 48326	1/18/94	63.20	
09-33-228-020	1137 S. Forest	48331	3/3/94	86.50
09-32-113-003	112 E. Davis	48332	2/14/94	122.50
09-20-411-001	800 N. Main	48158	2/10/94	135.00
09-33-418-005	1615 Packard	50933	1/12/94	73.20
12-10-100-023	2910 Verle 48524	3/3/94	71.20	

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R-134-4-95 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL SERVICES CONTRACT
AMENDMENT NO. 1 AND ESTABLISH A PROJECT BUDGET FOR
PHASE II OF THE TERTIARY FILTER RENOVATIONS PROJECT -
CONTINUANCE OF RFP NO. 328

Whereas, The City of Ann Arbor Wastewater Treatment Plant implemented the Tertiary Filter Renovations Project with McNamee, Porter & Seeley, Inc. on April 4, 1994, under RFP No. 328;

Whereas, During Phase I of the Tertiary Filter Renovations Project, McNamee, Porter & Seeley, Inc. identified modifications to the tertiary filter underdrain system, as well as improvements to related systems and the Tertiary Filter Building;

Whereas, The recommended improvements will improve the efficiency of this important treatment process, enabling the Wastewater Treatment Plant to effectively meet its current and future discharge limits;

Whereas, McNamee, Porter & Seeley, Inc. was required to submit a proposal for Phase II the Tertiary Filter Renovations Project under the terms of RFP No. 328, to prepare preliminary design documents and cost estimates for the recommended improvements identified during Phase I of the project;

Whereas, McNamee, Porter & Seeley, Inc. submitted a proposal on March 15, 1995 to complete Phase II of the Tertiary Filter Renovations Project; and

Whereas, On March 8, 1995 the Human Resources Department approved McNamee, Porter & Seeley, Inc. to provide consulting services to the City;

RESOLVED, That Council accept the proposal and approve Amendment No. 1 to the contract with McNamee, Porter & Seeley, Inc. for \$136,000.00 to complete Phase II of the Tertiary Filter Renovations Project at the Wastewater Treatment Plant;

RESOLVED, That Council approve a contingency for this work in the amount of \$14,000.00 to finance change orders to be approved by the City Administrator;

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

Contract work	\$136,000.00
Contingency <u>14,000.00</u>	\$150,000.00 ; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to sign said amendment substantially in a form on file with the City Clerk.

Funding Source: Sewage Disposal System Capital Projects Fund

R-135-4-95 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER INCREASE FOR ELECTRICAL AND ELECTRONIC COMPONENTS AT WATER TREATMENT DIVISION

Whereas, Purchase of as needed Allen-Bradley electrical and electronic components are necessary for the relocation and update of the filter control console at the water treatment plant;

Whereas, McNaughton-McKay Electric Company can supply most of these components and parts at competitive prices and most often without delay; and

Whereas, On December 2, 1994 the Human Resources Department approved McNaughton-McKay Electric Company to supply these components;

RESOLVED, That City Council direct the City Administrator to increase the standing purchase order to McNaughton-McKay Electric Company from \$14,900.00 to \$35,000.00.

Source of Funds: Utilities Department Water Treatment Division
FY 1994/95 Approved Operating Budget

R-136-4-95 APPROVED

RESOLUTION TO GRANT WATER AND SEWER SERVICE OUTSIDE CITY LIMITS TO LOT 1 OF RIVERSIDE HILLS SUBDIVISION NO. 1

Whereas, Joseph D. Ferrario and Nancy M. Ferrario, owner of the property at Lot 1 Riverside Hills Subdivision No. 1, on March 9, 1995, requested that the City extend public water and sewer services for their use to the property in Ann Arbor Township prior to the completion of the annexation process;

Whereas, The property owners desire to enter into the standard agreements with the City which provide an equitable method of obtaining City services outside of its Corporate Boundaries; and

Whereas, On March 21, 1995, Joseph D. Ferrario and Nancy M. Ferrario petitioned the City for annexation under Planning Department File No. 9341K19.1;

RESOLVED, That the Mayor and Clerk be hereby authorized and directed to sign the agreements on behalf of the City, allowing City water and sewer services to the land during the time it is still outside of the Corporate Limits; that the City Clerk be hereby directed to send a copy of this resolution and the agreements by first class mail to the above property owners; and that the Utilities Department shall promptly have this resolution and the agreements recorded in the office of the Register of Deeds of Washtenaw County,

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Michigan.

R-137-4-95 APPROVED

RESOLUTION TO APPROVE THE FIRST OF AMERICA RUN
(DEXTER ANN ARBOR RUN) ON MAY 27, 1995

Whereas, The Ann Arbor Track Club has requested that the annual First of America Run be held on May 27, 1995 and utilize closed streets to facilitate the race finish area and post-race events;

Whereas, It has been requested that the following services be provided by the City:

- 1) Obtain a State permit for closing Main Street
- 2) Close these streets from 6:00 a.m. to 1:00 p.m.:
 - * Main St. - Kingsley to Huron Sts.
 - * Ann St. - Fourth Ave. to Ashley St.
 - * Catherine St. - Fourth Ave. to Ashley St.
 - * Ann at Main Sts. - Surface parking lot
 - * Beakes St.- Fourth Ave. to Main St.
 - * Kingsley St. - Ashley to Main Sts.
- 3) Close these streets:
 - * Newport Rd. - Sunset to Bird Rds. (6:30 a.m. to 9:00 a.m.)
 - * Bird Rd. - Newport Rd. to Huron River Dr. (7:45 a.m. to 8:30 a.m.)
- 4) Provide directional cones (to be picked up and returned by Track Club)
- 5) Obtain hoods for parking meters and provide to Track Club for them to place on the meters on Friday night and remove on Saturday afternoon by 2:00 p.m.
 - * Fourth Ave. between Huron and Liberty Sts.
 - * North Main St. from Huron St. to northernmost meter on Main St.
 - * Surface parking lot at Ann and Main St.
 - * Other closed streets
- 6) Clean Main Street on Friday from Huron River Drive to William and patch holes as needed
- 7) Place two Solid Waste dumpsters in the lot at Main and Ann Sts. along with 100 refuse containers (cardboard type) on both sides of Main St. from Catherine to Huron Sts. (placed Friday and picked up Saturday afternoon not later than 3:00 p.m.)

Whereas, The Track Club has agreed to pay the event costs for the Police supervision, Solid Waste Department services and Transportation Department; however, requests a waiver of the parking meter bag deposit;

Whereas, The Track Club will file all necessary street closure and banner permits, and will comply with all liability insurance and other requirements (including maintaining fire lanes); and

Whereas, The Main Street Area Association supports the event;

RESOLVED, That the Mayor and Council authorize the following for the event:

- 1) Requested street closings and securing of necessary State permits for same;
- 2) Banner Permit;
- 3) Police, Solid Waste and Transportation Department service requests with costs reimbursed;
- 4) That beer be allowed to be served in an enclosed area in the Ann at Main parking lot in accordance with current City policy with required State permits and insurance suitable to the City Attorney as in past years; and

RESOLVED, That the Ann Arbor Track Club must:

- 1) Reimburse the City expenses incurred for the following requested department services and waives the parking meter bag deposit:

Estimate:

Solid Waste	\$ 450.00
Transportation	321.00
Police	<u>1,500.00</u>
TOTAL	\$2,271.00

- 2) Comply with all City permit requirements and State permits including provision of liability insurance.

R-138-4-95 APPROVED

RESOLUTION TO APPROVE HOUSING REHABILITATION AGREEMENT
WITH JOYCE RAEBURN FOR 2715 BRANDYWINE DRIVE

Whereas, An application was received from Joyce Raeburn for rehabilitation assistance for her home located at 2725 Brandywine Drive, Ann Arbor;

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

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Whereas, Three bids were received on March 16, 1995 and Ms. Raeburn will be executing an agreement with the lowest responsible bidder to complete the rehabilitation work;

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Joyce Raeburn in the amount of \$13,536.00 as a 0% interest deferred payment loan with funds available until expended without regard to fiscal year, and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the office of the City Clerk.

R-139-4-95 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT
FROM MARY BARBARA HERZIG - CROWN PLAZA HOTEL
FORMERLY THE ANN ARBOR HILTON

Whereas, Mary Barbara Herzig, a married woman, is the owner of property located in the City of Ann Arbor, Washtenaw County, Michigan and more particularly described as follows:

Commencing at the East 1/4 corner of Section 8, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N01° 39N 00"W 1077.25 feet along the east line of said Section and the centerline of State Road to a point on the Southerly right-of-way line of Hilton Boulevard; thence S87° 25N 00"W 232.87 feet along said right-of-way line; thence continuing along said right-of-way line Westerly 92.78 feet along the arc of a 826.43 foot radius circular curve to the left, through a central angle of 06° 25N 55", having a chord which bears S84°12N 00"W 92.73 feet to the POINT OF BEGINNING; thence S10° 20N 10" E 354.95 feet to a point on the Northerly right-of-way line of the I-94 Freeway; thence S70° 21N 00"W 36.40 feet along said right-of-way line; thence S 54° 52N 30" W 4.49 feet continuing along said right-of-way line; thence N10° 20N 10" W 26.84 feet; thence S56° 42N 35" W 40.25 feet; thence S 33.16N 55" E 25.67 feet to a point on the Northerly right-of-way line of the I-94 Freeway; thence S 54° 52N 30"W 129.55 feet along said right-of-way line; thence S39° 24N 10" W 67.70 feet continuing along said right-of-way line; thence S 56° 42N 00"W 182.20 feet; thence S78° 08N 40"W 104.25 feet; thence N44° 52N 20"W 337.34 feet to a point on the Southerly right-of-way line of Hilton Boulevard; thence along said right-of-way line in the following three (3) courses: N53° 13N 00" E 5.73 feet, S36° 47N 00" E 5.00 feet and Easterly 35.29 feet along the arc of a 892.43 foot radius circular curve to the left, through a central angle of 02° 15N 55", having a chord which bears N52° 05N 00" E 35.29 feet; thence S44° 52N 20"E 46.86 feet; thence N45° 07N 40"E 30.32 feet; thence S44° 52N 20"E 40.00 feet; thence S45° 07N 40"W 30.32 feet; thence S44° 52N 20"E 218.74 feet; thence N78° 08N 40"E 70.90 feet; thence S33° 11N 25"E 1.49 feet; thence N56° 42N

00"E 219.84 feet; thence N33° 17N 25"W 5.86 feet; thence N56° 43N 05"E 112.70 feet; thence N33° 16N 55"W 44.11 feet; thence N56° 42N 35"E 97.19 feet; thence N10° 20N 10"W 292.39 feet to a point on the Southerly right-of-way line of Hilton Boulevard; thence along said right-of-way line Easterly 40.00 feet along the arc of 826.43 foot radius circular curve to the right, through a central angle of 02° 46N 25", having a chord which bears N79° 35N 50"E 40.00 feet to the Point of Beginning.

Whereas, Said owner has delivered to the City of Ann Arbor an easement for the construction and maintenance of utilities on the described premises;

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

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

ORDINANCES - FIRST READING

12-95 APPROVED

DUNIGAN BROTHERS, INC. ZONING

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

This ordinance would change the zoning of 5.7 acres, located at the northeast corner of Ellsworth and Platt Roads, from TWP (Township District) to C2B (Business Service District).

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

On a voice vote the Mayor declared the motion carried.

13-95 APPROVED

ESMAEL ZONING

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

This ordinance would change the zoning of 0.14 acre, located at the northwest corner of Westover Avenue and Rhea Street, from TWP (Township District) to R1D (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

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14-95 APPROVED

KNISLEY ZONING

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

This ordinance would change the zoning of 0.21 acre, located at 3141 Dexter
Road, from TWP (Township District) to R1C (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

15-95 APPROVED

LIEBERTHAL ZONING

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

This ordinance would change the zoning of 0.75 acre, located at 3033 Geddes,
from TWP (Township District) to R1A (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

16-95 APPROVED

MOORE ZONING

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

This ordinance would change the zoning of 0.66 acre, located at 1495 South Maple Road, from TWP (Township District) to R1C (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

17-95 APPROVED

O'DONNELL/GARFINKLE ZONING

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

This ordinance would change the zoning of 0.50 acre, located at 435 Huntington Place, from TWP (Township District) to R1A (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

18-95 APPROVED

BOURQUIN ZONING

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

This ordinance would change the zoning of 0.8 acre, Lot 58, Hillwood Subdivision #5 (Rock Creek Court), from TWP (Township District) to R1B (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

19-95 APPROVED

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RSI WHOLESALE ZONING

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

This ordinance would change the zoning of 5.5 acres, located at 1380 North Main Street, from TWP (Township District) to M1 (Light Industrial District).

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

On a voice vote the Mayor declared the motion carried.

20-95 APPROVED

REZMIERSKI ZONING

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

This ordinance would change the zoning of 1.32 acres, located at 1050 Elmwood Drive, from TWP (Township District) to R1A (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

21-95 APPROVED

THEILE ZONING

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

This ordinance would change the zoning of 0.58 acre, located at 3152 Cherry Tree Lane, from TWP (Township District) to R1D (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

22-95 APPROVED

TIPPETT ZONING

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

This ordinance would change the zoning of 1.2 acres, located at 300 Huntington Drive, from TWP (Township District) to R1A (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

MOTIONS AND RESOLUTIONS

POSTPONED

RESOLUTION TO APPROVE DISCOUNT TIRE COMPANY SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Discount Tire Company Site Plan, 0.61 acre, 3451 Washtenaw Avenue.

Whereas, Discount Tire Company has requested site plan approval in order to construct a 1,400-square foot addition to the rear of the existing building at 3451 Washtenaw Avenue; and

Whereas, The Ann Arbor City Planning Commission, at its meeting of March 21, 1995, recommended approval of said request;

RESOLVED, By the Mayor and City Council that the Discount Tire Company

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Site Plan be hereby approved, subject to the recording of necessary easements for public sidewalks prior to the issuance of building permits.

Councilmember Kolb moved that the resolution be adopted.

Councilmember Daley moved that the resolution be postponed to the April 17, 1995 regular session of Council for further information on the issues raised by neighborhood residents.

On a voice vote the Mayor declared the motion carried.

RESOLUTION TO TRANSFER APPROPRIATIONS FROM
NON-DEPARTMENTAL PAY INCREASE/CONTINGENCY
ACCOUNT TO VARIOUS DEPARTMENTS

R-140-4-94 APPROVED -
APPROPRIATIONS FOR FINANCE, FIRE AND POLICE DEPARTMENTS

POSTPONED -
APPROPRIATION FOR CITY ADMINISTRATOR DEPARTMENT

A resolution to transfer appropriations from the Non-Departmental Pay Increase/Contingency Account to the Administrator, Finance, Fire and Police Departments was considered.

Councilmember Lumm moved that the resolution be adopted.

Councilmember Daley moved that the question be divided and that the appropriation of funds to the City Administrator budget be considered separately from the appropriations to the Finance, Fire and Police Departments.

On roll call the vote was as follows:

Yeas, Councilmembers Kolb, Daley, Hanna-Davies, Vereen-Dixon, Carlberg, Smith, Hartwell, 7;

Nays, Councilmembers Lumm, Nicolas, Mayor Sheldon, 3.

The Mayor declared the motion carried.

Councilmember Daley moved that the transfer of funds from the Pay Increase/Contingency Account to the City Administrator Department be postponed for further information.

On roll call the vote was as follows:

Yeas, Councilmembers Daley, Hanna-Davies, Vereen-Dixon, Carlberg, Smith, Hartwell, 6;

Nays, Councilmembers Kolb, Lumm, Nicolas, Mayor Sheldon, 4.

The Mayor declared the motion carried.

The question being the transfer of funds from the Non-Departmental Pay Increase/ Contingency Account to the Finance, Fire and Police Departments, on a voice vote the Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-140-4-95

RESOLUTION TO TRANSFER APPROPRIATIONS FROM
NON DEPARTMENT PAY INCREASE/CONTINGENCY ACCOUNT
TO VARIOUS DEPARTMENTS

Whereas, When the budget for 1994-95 was established estimates were made and a budget was established based on those estimates;

Whereas, Throughout the year expenditures occurred that were not anticipated at the time the budget was proposed;

Whereas, In the Police, Fire and City Administrator Departments there were employees who left employment with the City which has caused unanticipated severance pay to be incurred and will cause the departments to exceed their budgets if additional funds are not appropriated; and

Whereas, In the Finance Department unanticipated legal expenses for the use of an outside legal counsel as authorized by the City Attorney were incurred;

RESOLVED, That the following department budgets be increased by the following amounts, with the Pay Increase/Contingency Account in the Non-Departmental Budget reduced by a like amount:

Finance	\$ 1,000
Fire	50,000
Police	<u>27,000</u>
TOTAL from Pay Increase/Contingency Account	\$78,000

POSTPONED

RESOLUTION TO ADOPT WEST AREA PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed West Area Plan.

Whereas, The City Planning Commission has resolved to periodically review and update the City Master Plan;

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Whereas, the City Planning Commission identified the development of the West Area Plan in its 1993-94 and 1994-95 Work Programs;

Whereas, During the development of the West Area Plan, input was received from various City departments, the Ann Arbor Transportation Authority, several organized neighborhood and business associations, and citizens of Ann Arbor;

Whereas, The West Area Plan Steering Committee and its subcommittees (Commercial Corridor Subcommittee and Development/Natural Features Subcommittee) have received and endorsed the West Area Plan; and

Whereas, Public hearings were held by the City Planning Commission on January 19 and February 7, 1995;

RESOLVED, That the Ann Arbor City Council hereby adopt the West Area Plan to be a part of the geographic area plan element of the Ann Arbor Master Plan to guide the City's future growth and development, subject to the revisions identified below; and

RESOLVED, That the work program recommendations contained in the plan will be used by the City Planning Commission and other City departments in the development of the annual Capital Improvements Plan and revisions to various ordinances.

Site 2 - A roadway system which connects this site to developments to the west and to the south should be incorporated into the site design. Ultimately, an east-west connector should provide access through this site to access Newport and Maple Roads.

Site 3 - Low density residential cluster housing is recommended to help maintain the natural character of this 42-acre site located just north of and adjacent to M-14 and west of Newport Road. Woodlands and wetlands exist on the site, in addition to areas of steep slopes, which cover most of the eastern portion of the site. As with Sites 1 and 2, low density cluster housing at R1A density standards is recommended, including single-family, duplex or townhouse development. However, since this site differs from Sites 1 and 2 because much of the buildable area of the site lies adjacent to M-14, some flexibility in density might be permitted if such development results in the preservation of natural features that would otherwise be lost, if development occurs in a manner that is in keeping with the rural character of the area, and if stub roads are provided to connect to potential residential developments on land to the west and to the north. A connector street through this site between Newport and Miller is necessary to accommodate additional residential growth north of M-14.

Site 6 - This nine-acre site located outside of the M-14 freeway ring, south of Miller Avenue, and is more typical in character of a rural, very low density township than a more urbanized City. The site is recommended for low density single-family detached or attached residential

development at R1B density standards to maintain consistency with the surrounding low density, rural, residential land uses to the west. The Scio Township Master Plan identifies all land in the immediate vicinity as appropriate for rural residential development at a density of one dwelling unit per acre. However, since the land is located on the north side of M-14, it will be difficult to service with City utilities. Although a sleeve has been constructed under M-14 to accommodate a possible future water line, it still would be expensive to service this site. Also, given the site's adjacency to the freeway, consideration should be given to the preservation of the image of the site as seen from M-14. A natural buffer should be created to screen residential uses from the freeway noise, as well as to provide an aesthetically pleasing view from M-14. Much of the site has been cleared, but woodlands are present toward the center of the site and a stream bisects the site. This site also is considered appropriate for a park-and-ride lot.

Site 18 - The surrounding commercial uses are not compatible with residential uses and they also make it difficult for new residential uses to develop since the Jackson Road frontage is not ideal for new residences. Thus, it is recommended that office uses are appropriate on the corner block (bounded by Westover, Ferry, Jackson and Wagner) to shield the neighborhood from the impacts, such as light, noise and traffic, from the auto dealers. Further, an office building could provide neighborhood services such as a small medical complex.

Future Land Use Map Corrections

1. Northwest corner of Miller and Maple is shown on the plan as single-family residential and commercial, which are the existing land uses. This should be identified as a study site.
2. The upholstery business on the north side of Liberty between I-94 and Wagner is shown in red on the map. It should be shown in black on the map and included as part of the surrounding study site.
3. All parcels fronting on Liberty on the north side of the street between I-94 and Maple should be identified on the map as Office/Research/Light Industrial. The existing land uses (office and single-family residential) are shown on the map.
4. The map shows in orange (for existing use office) a parcel immediately north of the study sites located north of Liberty on Maple. This should be identified as Office/Research/Light Industrial.
5. The northeast corner of Liberty and Maple identifies an office use in orange and a single-family use in yellow. Both should be shown in red to indicate commercial.
6. The southwest corner of Liberty and Maple is shown in yellow for the existing single family land uses. This should be shown in black as a study site.

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7. The southeast corner of Liberty and Maple shows two parcels identified as study sites. Only the corner parcel should be a study site. The adjacent site to the east should be identified in red as commercial.
8. Greenview Park, located at Scio Church Road and Seventh, is shown as green for the existing use as a park. It should be identified in black as a study site.

Councilmember Nicolas moved that the resolution be adopted.

Councilmember Hanna-Davies moved that the resolution be postponed to the April 17, 1995 regular session of Council to develop language that encourages preservation of the residential neighborhoods in Site 8 (Miller-Maple), Site 18 (Jackson-Wagner), and Site 30 (Maple-Liberty).

On a voice vote the Mayor declared the motion carried.

ORDINANCES - SECOND READING

2-95 APPROVED

TREEHOUSE REVISED PUD ZONING

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

This ordinance would change the zoning of 0.96 acre, located on the east side of Mulholland Avenue, north of West Liberty Street, from Final Phase PUD (Planned Unit Development District) to Revised Final Phase PUD.

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

On a voice vote the Mayor declared the motion carried.

MOTIONS AND RESOLUTIONS (Cont.)

R-141-4-95 APPROVED

**RESOLUTION TO APPROVE TREEHOUSE CONDOMINIUMS
PRELIMINARY AND FINAL PHASE PUD TWO-YEAR EXTENSION**

A communication was received from the City Planning staff transmitting its recommendation of approval of the proposed Treehouse Condominiums Preliminary and Final Phase Two-Year Extension, 0.96 acre, east side of Mulholland Avenue, north of West Liberty Street.

Whereas, Jack Schwarcz was granted several extensions for the Treehouse Condominiums Preliminary and Final Phase PUD in order to explore further

revisions with City staff, Council, and neighbors; and

Whereas, A \$5,000.00 cash bond was provided to the Building Department in a partial payment of the \$40,000.00 cash bond that was made a condition of a previous extension, to cover the costs of completing improvements or restoring the site. (The remaining \$35,000.00 must be paid prior to issuance of any permit. The bonds will be held until all improvements shown on the site plan are completed and certificates of occupancy are issued);

Whereas, Several meetings were held with the petitioner, Council representatives, neighbors and City staff which have resulted in a revised plan being submitted; and

Whereas, Additional time is necessary to reasonably construct and complete the project;

RESOLVED, That the Treehouse Condominiums Preliminary and Final Phase PUD Two-Year Extension be hereby approved.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-142-4-95 APPROVED AS AMENDED

RESOLUTION TO APPROVE TREEHOUSE CONDOMINIUMS
FINAL PHASE PUD SITE DEVELOPMENT AGREEMENT

A communication was received from the City Planning staff transmitting its recommendation of approval of the proposed Treehouse Condominiums Final Phase PUD Site Development Agreement.

Councilmember Carlberg moved that the resolution be adopted.

Councilmember Kolb moved that the following language be added to the last paragraph of the resolution:

RESOLVED, By the Mayor and City Council that the Treehouse Condominiums Final Phase PUD Site Development Agreement be hereby approved, **CONTINGENT UPON AN ACCEPTABLE LOCATION FOR THE DUMPSTER.**

On a voice vote the Mayor declared the motion carried.

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

The resolution as adopted reads as follows:

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RESOLUTION TO APPROVE TREEHOUSE CONDOMINIUMS
FINAL PHASE PUD SITE DEVELOPMENT AGREEMENT

Whereas, A site development agreement has been prepared to accompany the Treehouse Condominiums Revised Final Phase PUD; and

Whereas, The City Attorney's Office and Jack Schwarcz, petitioner, have reviewed said agreement and have found it to be acceptable;

RESOLVED, By the Mayor and City Council that the Treehouse Condominiums Final Phase PUD Site Development Agreement be hereby approved, contingent upon an acceptable location for the dumpster.

DEFERRED

RESOLUTION REGARDING COMPETITIVE BIDDING POLICY
AND PROCEDURES FOR SOLID WASTE CONTRACTS

Whereas, Competitive bidding for products and services is a sound, accepted business practice that is utilized extensively by the City in selecting vendors to provide services to the City and, in some cases, particularly in the area of Solid Waste, has been used to determine who provides services directly to Ann Arbor residents;

Whereas, The Solid Waste Commission, in developing the Solid Waste Management Plan Update, recognized the benefits of competitive bidding and recommended that "Solid Waste services, including recycling but excluding the Compost Processing Facility and long-term Ann Arbor Landfill maintenance, should continue to be competitively bid by both the public and private sector;"

Whereas, The Solid Waste Management Plan further recommended that in cases where the City is a bidder, "an impartial third party should prepare the bid proposal and the evaluation criteria, and should also evaluate the bids;" and

Whereas, Because of the uncertainty concerning the Management Plan recommendations as evidenced in a recently conducted RFP process, and given the wide disparity in the dollar value of the Solid Waste contracts, it is necessary and appropriate for City Council to establish both a policy and general "ground rules;"

RESOLVED, That City Council endorse the provisions of the Solid Waste Management Plan stipulating that services for Solid Waste and recycling, but not the Compost Processing Facility or landfill maintenance, be competitively bid by both the public and private sectors, and that in those cases where the City itself is a bidder, an independent third party prepare and evaluate the bid proposals, with the City Administrator responsible for making a recommendation to City Council;

RESOLVED, That to ensure reasonable application of these provisions and

to avoid unnecessary administrative costs, the City Administrator may waive the competitive bidding provision in cases where the service costs are less than \$50,000.00 annually and waive the third party provision in cases where the lifetime contract costs are less than \$200,000.00; and

RESOLVED, That in those cases where an independent third party is required, the City Administrator will determine whether that function is performed by a paid consultant or by a committee of local "experts", but that committee shall not include individuals directly or indirectly impacted by the bid. In either case, City staff are permitted to participate in bid preparation and evaluation as requested by the third party.

Councilmember Lumm moved that the resolution be adopted.

Councilmember Kolb moved that last three paragraphs of the resolution be amended as follows:

RESOLVED, That City Council endorse the provisions of the Solid Waste Management Plan stipulating that services for Solid Waste and recycling, but not the Compost Processing Facility or landfill maintenance, be competitively bid by both the public and private sectors, and that in those cases where the City itself is a bidder, an ~~<independent>~~ **IMPARTIAL** third party **MAY** prepare and evaluate the bid proposals, with the City Administrator responsible for making a recommendation **FOR AWARDING OF THE BID** to City Council;

RESOLVED, That to ensure reasonable application of these provisions ~~<and to avoid unnecessary administrative costs, the City Administrator may waive the competitive bidding provision in cases where the service costs are less than \$50,000 annually and waive the third party provision in cases where the lifetime contract costs are less than \$200,000>~~ **IN CASES WHEN THE CITY IS BIDDING AND TO AVOID UNNECESSARY ADMINISTRATION COSTS OR OTHER REASONS, THE CITY ADMINISTRATOR MAY WAIVE THE COMPETITIVE BIDDING AND THIRD PARTY PROVISIONS. THE CITY ADMINISTRATOR SHALL NOTIFY COUNCIL IN ADVANCE OF THE ISSUANCE OF THE RFP OF ANY WAIVER OF THESE PROVISIONS;** and

RESOLVED, That in those cases where an ~~<independent>~~ **IMPARTIAL** third party is required, the City Administrator will determine whether that function is performed by a paid consultant or ~~<by>~~ **APPOINT** a committee of ~~<local>~~ "experts", but that committee shall not include individuals directly or indirectly impacted by the bid. In either case, City staff are permitted to participate in bid preparation and evaluation as requested by the third party.

On roll call the vote was as follows:

Yeas, Councilmembers Kolb, Daley, Hanna-Davies, Carlberg, Smith, Hartwell, 6;

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Nays, Councilmembers Vereen-Dixon, Lumm, Nicolas, Mayor Sheldon, 4.

Councilmember Vereen-Dixon moved that the fifth paragraph of the resolution be further amended as follows:

RESOLVED, That City Council endorse the provisions of the Solid Waste Management Plan stipulating that services for Solid Waste and recycling, but not the Compost Processing Facility or landfill maintenance, be competitively bid by both the public and private sectors, and that in those cases where the City itself is a bidder, an impartial third party ~~<may prepare>~~ **SHALL REVIEW THE RFP** and evaluate the bid ~~<proposals>~~ **RESPONSES**, with the City Administrator responsible for making a recommendation for awarding of the bid to City Council;

Councilmember Smith moved that the resolution be postponed to the April 17, 1995 regular session of Council.

After further discussion, the motion to postpone was withdrawn.

Council unanimously agreed to defer discussion and consideration of the resolution until the end of the agenda. **(See Resolution No. R-150-4-95)**

R-143-4-95 APPROVED

RESOLUTION AUTHORIZING USE OF CITY HALL DASHBOARD
PARKING PERMITS FOR COMMUNITY TELEVISION NETWORK

Whereas, The City of Ann Arbor desires that all Ann Arbor citizens have access to the medium of television for artistic, recreational, educational, or political expression as part of our system of participatory democracy;

Whereas, The City expresses this commitment through the maintenance and support of the Community Television Network (CTN; formerly Community Access Television);

Whereas, The desire for better parking options was repeatedly expressed in response to a questionnaire recently sent by CTN to its users;

Whereas, Citizens attending meetings or conducting City business at City Hall are entitled to a City Hall Dashboard Permit for Metered Parking for use in the City Hall parking lot; and

Whereas, The Community Television Network is a regular department of the City of Ann Arbor under the authority of the City Clerk's Office, and located adjacent to City Hall;

RESOLVED, That the standard City Hall Dashboard Permit for Metered Parking be made available for use by citizens attending meetings, participating in training, or engaged in studio or editing work at the CTN facility;

RESOLVED, That the City Clerk's Office and CTN shall work out a mutually convenient procedure for making these permits available to CTN users; and

RESOLVED, That the City Clerk monitor this use of the City Hall Dashboard Parking Permits for Metered Parking and report back to Council in a reasonable period of time on any negative effects of this change.

Councilmember Daley moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Kolb, Daley, Hanna-Davies, Vereen-Dixon, Carlberg, Smith, Hartwell, 7;

Nays, Councilmembers Lumm, Nicolas, Mayor Sheldon, 3.

The Mayor declared the motion carried.

(NOTE: Resolution R-143-4-95 was vetoed by the Mayor on April 10, 1995)

R-144-4-95 APPROVED

RESOLUTION REGARDING APPOINTMENT OF
INTERIM CITY ADMINISTRATOR

Whereas, Ann Arbor's current City Administrator tendered a resignation effective April 23, 1995;

Whereas, The Ann Arbor City Council accepted this resignation on March 6, 1995;

Whereas, The Council desires to ensure a smooth transition to a new City Administrator; and

Whereas, In appointing an Interim City Administrator the Council wishes to draw on a broad base of experience, to recognize the diversity of its workforce, to avoid the possibility of overburdening any one individual with administrative duties, and to promote a high level of employee morale;

RESOLVED, That the Council appoint the team of Winifred Northcross and Ronald Olson to fill the appointment of Interim or Acting City Administrator;

RESOLVED, That these individuals work as equal partners in this position, and that each receive a salary equivalent to 90% of the salary of the current Administrator; and

RESOLVED, That, subject to approval of contract terms by these two

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individuals, this appointment shall take effect immediately (overlapping for three weeks with the continuing Administrator), in order to maximize guidance and the transfer of information from the current Administrator, and to fully prepare this team for its duties.

Councilmember Daley moved that the resolution be adopted.

Councilmember Nicolas moved that the sixth paragraph of the resolution be amended as follows:

RESOLVED, That these individuals work as equal partners in this position, and that each receive ~~<a salary equivalent to 90% of the salary of the current Administrator>~~ **THEIR CURRENT SALARY;**

On roll call the vote was as follows:

Yeas, Councilmembers Lumm, Nicolas, 2;

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

The Mayor declared the motion defeated.

The Mayor declared a recess at 11:15 p.m.

The Mayor again called the meeting to order at 11:24 p.m.

Councilmember Nicolas moved that the fifth paragraph of the resolution be amended as follows:

RESOLVED, That the Council appoint ~~<the team of Winifred Northcross and Ronald Olson>~~ **ASSISTANT CITY ADMINISTRATOR ROBERT BAUMAN** to fill the appointment of Interim or Acting City Administrator;

On roll call the vote was as follows:

Yeas, Councilmembers Lumm, Nicolas, 2;

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

The Mayor declared the motion defeated.

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

Yeas, Councilmembers Daley, Hanna-Davies, Vereen-Dixon, Carlberg, Smith, Hartwell, 6;

Nays, Councilmembers Kolb, Lumm, Nicolas, Mayor Sheldon, 4.

The Mayor declared the motion carried.

R-145-4-95 APPROVED AS AMENDED

RESOLUTION TO ACCEPT THE REPORT
OF THE MOVE-IN/MOVE-OUT TASK FORCE
OF THE SOLID WASTE COMMISSION

A resolution to approve the report of the Move-In/Move-Out Task Force of the Solid Waste Commission was considered.

Councilmember Lumm moved that the resolution be adopted.

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

RESOLVED, That the City Council ~~approve~~ **ACCEPT** the report of the Move-In/Move-Out Task Force of the Solid Waste Commission;

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

The resolution as adopted reads as follows:

R-145-4-95

RESOLUTION TO ACCEPT THE REPORT
OF THE MOVE-IN/MOVE-OUT TASK FORCE
OF THE SOLID WASTE COMMISSION

Whereas, The Solid Waste Commission formed a task force to make recommendations regarding improvements in the collection of refuse from campus residential areas during the student move-in/move-out periods in late spring and early fall; and

Whereas, On March 27, 1995 the Solid Waste Commission approved the report of the Move-In/Move-Out Task Force;

RESOLVED, That the City Council accept the report of the Move-In/Move-Out Task Force of the Solid Waste Commission; and

RESOLVED, That the Administration implement a pilot study in the spring of 1995 and report the results of the pilot study and any other recommendations for improving campus area collection services to the Solid Waste Commission and City Council.

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I. Statement of Problem and Objectives

The residential areas surrounding the campus area of Ann Arbor are home to a large population of University of Michigan (UM) students who occupy rental housing. These students move out in late April, with new tenants moving in; a second move-out/move-in occurs in late August. A large quantity of refuse is generated during these weeks. Often the refuse is placed at the curb well before the scheduled refuse removal day. The refuse may be improperly prepared or too large (bulk items). This excess is generally cleared within about two weeks. In the meantime, it creates an unsightly and unsanitary condition. This recurring and predictable situation directly affects the permanent residents and homeowners living in the affected areas, and the owners of rental property. It indirectly affects business owners and other Ann Arbor residents in that it reflects on the appearance of our City during these weeks.

The objectives on which these recommendations are based include the follows:

- ! To improve the rate at which this "move-in/out" refuse is cleared and thus improve the appearance of Ann Arbor during those weeks;
- ! To increase compliance with Solid Waste regulations for disposal of refuse and recyclables;
- ! To achieve these results without decreasing Solid Waste budgeted funds for other City services or creating an additional demand on General Fund monies.

II. Program recommendations

A. Service

1. The Solid Waste Department (SWD) should prepare a study of costs and approaches for additional refuse removal services in the target area. This study would include:

- ! Determination of the target area, in cooperation with neighborhood groups, rental housing owners, and members of the Move-In/Move-Out Task Force
- ! Determination of weeks of greatest need in both spring and fall. This is assumed for the two weeks at the end of April/beginning of May and at the end of August/beginning of September.
- ! Consideration of most effective timing for additional refuse removal, taking into account the current refuse removal day for each route, and important dates such as graduation and UM start of classes
- ! Consideration of most effective method for additional refuse removal, including the type of trucks to be used (front-load, side-load, rear-load) and level of staffing
- ! Consideration of allowances to be made for bulk items

- and other improperly prepared refuse
 - ! Consideration of cooperation/coordination with Recycle Ann Arbor in handling recyclables
 - ! Consideration of drop-off facility operation requirements such as tip fees, customer fees, etc.
 - ! Consideration of private contract options
 - ! Consideration of placement of additional (city-owned) dumpsters in key spots at key moments
 - ! Determination of likely cost of this additional service, based on the above considerations
2. If current financing and staffing levels permit, SWD should conduct a pilot program for spring 1995. This might include:
- ! Choice of one locality in campus area for additional refuse removal. This would be in a single route. The additional pickup day would be arranged to take graduation into consideration.
 - ! The SWD could assess the additional actual cost for this service, based on the experience gained.
 - ! The pilot should include an attempt to compare the results (cleanliness, property disposal, neighborhood satisfaction) and the concurrent costs with a control area.
3. Should additional costs be required to implement this service in the future, the SWD or other appropriate City Administrative unit should explore the mechanism to impose a special user fee on rental property in the target area.
- ! If a user fee is deemed necessary to cover costs, determine what the user fee should be per rental unit.
 - ! Determine proper method for collecting the fee.
- B. Education:
1. The SWD should include additional educational measures directed at this problem in all the current programs of education and information by print and other media. Specific approaches were suggested in the Combined Meeting Summaries, Section D.
2. If current financing and staffing levels permit, the SWD should conduct a pilot point-of-service education program for spring 1995. This should be in a limited area and could be concurrent with the refuse service pilot program (IIA2), if conducted. Results should be contrasted with a control area.
- C. Enforcement: Additional enforcement for problem spots such as noncompliant fraternities should be implemented.

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- ! Tickets should be issued to the property owner where there is a record of previous warnings and noncompliance.
- ! The SWD should explore participation on community policing meetings where arranged by homeowners' groups. These would be an opportunity to explain the requirements and to indicate that they will be enforced.
- ! Noncompliant refuse (bulk items etc.) should be removed in a reasonable time period following identification and appropriate penalties applied.

TABLED

RESOLUTION REGARDING THE STATUS OF BLOOD SAMPLES AND THE RECORDS RELATED TO THEM

Whereas, The Ann Arbor Police Department recently conducted an extensive investigation regarding a series of rape crimes and one rape-murder committed in Ann Arbor, commonly known as the "serial rape" investigation;

Whereas, During the course of this investigation, over 600 African-American males were questioned as potential suspects in these crimes;

Whereas, During the course of questioning, approximately 160 blood samples were taken by the Ann Arbor Police Department for the purpose of DNA analysis relevant to the "serial rapes";

Whereas, According to existing scientific standards and current evidence all 160 of these African-American potential suspects can now be positively excluded from any involvement in the "serial rape" case;

Whereas, There is now no known investigative, legal, or ethical reason that these blood samples and the public or private records relating to them should be retained by the Ann Arbor Police Department or by other law enforcement agencies; and

Whereas, The retention of blood samples and the records related to them, including the results of DNA analysis, if misused could bring undo harm including humiliation and embarrassment to approximately 160 African-American males who have been determined innocent in this investigation;

RESOLVED, That the Mayor and the Ann Arbor City Council hereby direct the Ann Arbor Police Department to deliver all blood samples and all records, both written and electronic, to the innocent individuals who, using current scientific standards, can be ruled out as suspects in the "serial rape" investigation;

RESOLVED, That no records, information, or files on these individuals

relevant to this investigation shall be maintained in the public or non-public systems of the Ann Arbor Police Department;

RESOLVED, That the Ann Arbor Police Department, in conjunction with the City Attorney, shall be directed to take all necessary action, including but not limited to litigation, to ensure the delivery of pertinent blood samples and related records from the Michigan State Police and all other law enforcement agencies;

RESOLVED, That the Ann Arbor Police Department shall report back to Council within 60 days on the steps they have taken in this matter, to guarantee the return or destruction of all blood samples and their related records; and

RESOLVED, That the Ann Arbor Police Department be directed to provide all those innocent individuals who submitted blood samples as part of the "serial rape" investigation with a copy of this resolution and a letter which shall indicate the names of all organizations offering legal assistance to individuals seeking the repossession of blood samples and all other related records.

Councilmember Daley moved that the resolution be adopted.

Councilmember Daley moved that the resolution be tabled for clarification of the issues by the City Attorney.

On a voice vote the Mayor declared the motion carried.

R-146-4-95 APPROVED

RESOLUTION TO APPROVE CABLE FRANCHISE TRANSFER
CONSENT AGREEMENT

Whereas, Columbia Associates L.P., a Delaware limited partnership (the "Franchisee"), owns, operates, and maintains a cable television system ("System") in the City of Ann Arbor (the "Franchise Authority") pursuant to Chapter 32 of Title II of the City Code (the "Franchise");

Whereas, The terms and conditions of the Franchise are in full force and effect as of the date of this resolution;

Whereas, Columbia Associates L.P. advised the City on November 14, 1994, that it had entered into a Purchase Agreement with Columbia Cable of Michigan, Inc. ("CCM") and Continental Cablevision of Manchester, Inc. ("Manchester"), that provides for a two-part transaction wherein CCM will become the franchisee under the Franchise and Manchester will acquire control of CCM;

Whereas, Manchester has advised the City that after the consummation of the transfers, Manchester will change the name of CCM to Continental

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Cablevision of Eastern Michigan, Inc.;

Whereas, Columbia and Manchester submitted to the City on December 12, 1994, Federal Communications Commission Transfer Application Form 394 and associated documentation, and the City's Cable Communications Commission ("Commission") and City staff requested supplemental information from Continental Cablevision of Michigan, Inc. ("Continental-MI") to assist the City in a determination of Manchester's financial, technical and legal ability to assume and operate the cable television system in Ann Arbor;

Whereas, The Commission reviewed background information on the performance of Continental-MI in other Michigan communities, and conducted an extensive interview with representatives of Continental-MI to determine CCM's and Manchester's qualifications to assume and operate the cable television system in an efficient and appropriate manner;

Whereas, The City Council conducted a public hearing on February 6, 1995, to allow citizens to comment on the proposed transfer of the Franchise from Columbia to CCM and the transfer of control of CCM to Manchester, at which there were no negative comments on the proposed transfers;

Whereas, The results of the qualification review of Manchester and CCM generally indicates the financial, technical and legal ability to assume and operate the cable television system in accordance with the provisions of Chapter 32 of Title II of the City Code of Ordinances; and

Whereas, The City's special legal counsel for cable television matters has drafted a "Cable Franchise Transfer Consent Agreement" which delineates the conditions upon which the City will approve the transfer of the cable television franchise and is attached hereto for reference;

RESOLVED, That the City Council of the City of Ann Arbor, Michigan, hereby approve the transfer of the Franchise from Columbia Associates, L.P. to Columbia Cable of Michigan, Inc. and the subsequent transfer of control of Columbia Cable of Michigan, Inc. to Continental Cablevision of Manchester, Inc., and hereby authorizes the Mayor to enter into a transfer agreement having the terms and conditions set forth in the "Cable Television Franchise Transfer Consent Agreement."

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-147-4-95 APPROVED

RESOLUTION TO AWARD CONTRACT TO GENERAL
ELECTRIC COMPANY FOR THE PURCHASE AND INSTALLATION
OF RANGES AND REFRIGERATORS FOR BAKER COMMONS

Whereas, The Ann Arbor Housing Commission has been awarded funding of \$42,500.00 to purchase stoves and refrigerators for Baker Commons; and

Whereas, The Commission solicited for proposals resulting in General Electric as the apparent low bidder with a proposal of \$24,869.50;

RESOLVED, That the City Council approve the award of a contract to General Electric for the purchase and installation of 47 refrigerators and 37 ranges for \$24,869.50.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-148-4-95 APPROVED

RESOLUTION TO APPROVE EXPENDITURE OF FUNDS
FOR NEW YEAR JUBILEE

Whereas, The City of Ann Arbor supports efforts which promote alcohol and drug free activities in accordance with the City's Substance Abuse Policy;

Whereas, The New Year Jubilee is an alcohol and drug free New Year's Eve celebration supporting substance abuse prevention efforts and featuring a variety of continuous entertainment at sites in the Ypsilanti Riverside Park area;

Whereas, For the past three years the City provided \$500.00 in support of New Year Jubilee, successful events attended by thousands of people from Ann Arbor and Washtenaw County;

Whereas, Many of the performers are residents of Ann Arbor, contributing their time and talent to this community-wide event;

Whereas, Funding for the event comes from a combination of public and private contributions, fundraisers and revenues from the sale of admission badges; and

Whereas, The New Year Jubilee Steering Committee has requested additional support from the City so that contracts with the entertainers for Jubilee 95 can be executed;

RESOLVED, That the Mayor and City Council authorize the expenditure of One Thousand Five Hundred (\$1,500.00) Dollars from the Community Events budget made payable to Life Enhancement, acting as fiscal agent for the New Year Jubilee.

Councilmember Kolb moved that the resolution be adopted.

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On a voice vote the Mayor declared the motion carried.

R-149-4-95 APPROVED

RESOLUTION TO APPROVE AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF ANN ARBOR AND THE ANN ARBOR POLICE OFFICERS ASSOCIATION

Whereas, The current collective bargaining agreement between the City of Ann Arbor and the Ann Arbor Police Officers Association will expire on June 30, 1995;

Whereas, The parties have negotiated amendments to the current bargaining agreement to take effect on July 1, 1995;

Whereas, Said negotiated amendments to the bargaining agreement provide for a three-year agreement extending from July 1, 1995 through June 30, 1998;

Whereas, Said 1995 through 1998 agreement carries forth all provisions of the former agreement except for the amendments and other stipulations contained in the document entitled Tentative Agreement on file in the City Clerk's Office; and

Whereas, The City Administrator recommends approval of the Tentative Agreement;

RESOLVED, That the amendments to the collective bargaining agreement negotiated between the City of Ann Arbor and The Ann Arbor Police Officers Association be hereby approved; and

RESOLVED, That the Administrator be authorized to make necessary transfers to the budget as appropriate.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-150-4-95 APPROVED AS AMENDED

RESOLUTION REGARDING COMPETITIVE BIDDING POLICY AND PROCEDURES FOR SOLID WASTE CONTRACTS

The resolution regarding competitive bidding policy and procedures for solid waste contracts, previously placed on the table, was again considered.

The question on the table is Councilmember Vereen-Dixon's amendment to the fifth paragraph of the resolution. Council unanimously agreed that, in lieu of

Councilmember Vereen-Dixon's proposed amendment, the fifth paragraph of the resolution be amended as follows:

RESOLVED, That City Council endorse the provisions of the Solid Waste Management Plan stipulating that services for Solid Waste and recycling, but not the Compost Processing Facility or landfill maintenance, be competitively bid by both the public and private sectors, and that in those cases where the City itself is a bidder, an impartial third party ~~may prepare~~ **SHOULD REVIEW THE RFP** and evaluate the bid ~~proposals~~ **RESPONSES**, with the City Administrator responsible for making a recommendation for awarding of the bid to City Council;

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

The resolution as adopted reads as follows:

R-150-4-95

COMPETITIVE BIDDING POLICY AND PROCEDURE
FOR SOLID WASTE CONTRACTS

Whereas, Competitive bidding for products and services is a sound, accepted business practice that is utilized extensively by the City in selecting vendors to provide services to the City and, in some cases, particularly in the area of Solid Waste, has been used to determine who provides services directly to Ann Arbor residents;

Whereas, The Solid Waste Commission, in developing the Solid Waste Management Plan Update, recognized the benefits of competitive bidding and recommended that "Solid Waste services, including recycling but excluding the Compost Processing Facility and long-term Ann Arbor Landfill maintenance, should continue to be competitively bid by both the public and private sector;"

Whereas, The Solid Waste Management Plan further recommended that in cases where the City is a bidder, "an impartial third party should prepare the bid proposal and the evaluation criteria, and should also evaluate the bids;" and

Whereas, Because of the uncertainty concerning the Management Plan recommendations as evidenced in a recently conducted RFP process, and given the wide disparity in the dollar value of the Solid Waste contracts, it is necessary and appropriate for City Council to establish both a policy and general "ground rules;"

RESOLVED, That City Council endorse the provisions of the Solid Waste Management Plan stipulating that services for Solid Waste and recycling, but not the Compost Processing Facility or landfill maintenance, be competitively bid by both the public and private sectors, and that in those cases where the City itself is a bidder, an impartial third party should review the RFP and

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evaluate the bid responses, with the City Administrator responsible for making a recommendation for awarding of the bid to City Council;

RESOLVED, That to ensure reasonable application of these provisions in cases when the City is bidding and to avoid unnecessary administration costs or other reasons, the City Administrator may waive the competitive bidding and third party provisions. The City Administrator shall notify Council in advance of the issuance of the RFP of any waiver of these provisions; and

RESOLVED, That in those cases where an impartial third party is required, the City Administrator will determine whether that function is performed by a paid consultant or appoint a committee of "experts", but that committee shall not include individuals directly or indirectly impacted by the bid. In either case, City staff are permitted to participate in bid preparation and evaluation as requested by the third party.

REPORTS FROM COUNCIL COMMITTEES

CITY ADMINISTRATOR CONSULTANT SELECTION COMMITTEE

Councilmember Vereen-Dixon requested that a special session of Council be held following the City-School retreat at the public library on April 6 to approve the recommendation to appoint a consultant for the City Administrator search.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

PROCLAMATIONS

Mayor Sheldon announced that she has recently signed proclamations honoring:

- ! E. Gordon Boettcher - March 29, 1995;
- ! Paul Saginaw and Ari Weinzweig - April 4, 1995 (upon receipt of 1st Annual Humanitarian Award from the Jewish Federation of Washtenaw County);
- ! Telecommunicators Week - April 9-15, 1995;
- ! National Community Development Week - April 10-16, 1995; and
- ! National Scrapbook Day - May 6, 1995.

POLICE OFFICERS RECOGNIZED

Mayor Sheldon recognized Police Officers Elaine Allen and Cynthia Avery for their additional work in the Community Oriented Police program. The Mayor

reported that these officers received an award for their efforts from the Michigan Association of Chiefs of Police.

CITIZEN INFORMATION LINE

The Mayor announced that the City of Ann Arbor has a Citizen Information Line (994-HELP) that will answer basic questions concerning City services.

GAVEL

Mayor Sheldon thanked Councilmember Smith for the mahogany gavel he brought back from his trip to Costa Rica.

APPOINTMENTS APPROVED

Mayor Sheldon recommended the following appointments at the March 20, 1995 regular session of Council:

BICYCLE COORDINATING COMMITTEE

Steve Bulthuis (reappointment)
3580 Pheasant Run Cir., #2
Term: 4-3-95 to 4-2-98

EMPLOYEES RETIREMENT SYSTEM BOARD

Rueben Chapman (replacing Ron Bishop on term expiration)
839 Mt. Pleasant Ave.
Term: 4-3-95 to 1-1-98

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

On a voice vote the Mayor declared the motion carried.

NOMINATIONS PLACED ON TABLE

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

ANN ARBOR COMMISSION ON DISABILITY ISSUES

Donna Rose (appointment)
2509 Stone Dr.
Term: 4/17/95 to 4/16/98

SOLID WASTE COMMISSION

Vivienne Armentrout (reappointment, citizen at large)

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610 Stratford Dr.

Term: 4/17/95 to 4/30/97

Tim Brownell (reappointment, recycling industry representative)

707 Duncan St.

Term: 4/17/95 to 4/30/97

Mike Garfield (reappointment, environmental organization representative)

417 Detroit St.

Term: 4/17/95 to 4/30/97

SOLID WASTE COMMISSION (Cont.)

Donald H. Gray (reappointment, civil engineering representative)

2362 GG Brown, 2125

Term: 4/17/95 to 4/30/97

Erica Spiegel (reappointment, University of Michigan representative)

1383 Bemidji Dr.

Term: 4/17/95 to 4/30/97

CITY MARKET COMMISSION

Cynthia Olcott (artisan representative to fulfill membership requirements)

824 Henry St., #3

Term: 4/17/95 to 12/31/98

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. CDBG Executive Committee Resolution Supporting National Community Development Week
2. Calcium Chloride Application on Gravel Roads
3. City Property at Packard and Main Streets
4. Ann Arbor Inn Update
5. Annual Report of Potential Lien Assessments for Delinquent Utility Bills
6. Program Budget

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

COMMUNICATIONS FROM THE CITY ATTORNEY

YMCA SETTLEMENT

Acting City Attorney John VanLoon reported that, at the invitation of the judge, all parties involved in the YMCA case will be present to put the settlement on the record tomorrow, April 5, at 1:30 p.m.

REPORT ON COMPLETED ANNEXATIONS

City Attorney VanLoon submitted reports on the following completed annexations:

- ! RSI Wholesale property, 1380 N. Main St., from Ann Arbor Township;
- ! Lieberthal property, 3033 Geddes, from Ann Arbor Township;
- ! Theile property, 3152 Cherry Tree Lane, from Pittsfield Township;
- ! Dunigan Brothers, Inc. property, northeast corner of Ellsworth and Platt Roads, from Pittsfield Township;
- ! Reece property, 339 Rock Creek Ct. (Lot 59, Hillwood Subdivision #5), from Ann Arbor Township;
- ! Griffith property, 333 Rock Creek Ct. (Lot 60, Hillwood Subdivision #5), from Ann Arbor Township;
- ! Kraft property, 323 Rock Creek Ct. (Lot 61, Hillwood Subdivision #5), from Ann Arbor Township;
- ! Anderson (formerly Thomas & Williams Contractors) property, 191 Orchard Hills Ct. (Lot 66, Hillwood Subdivision #5), from Ann Arbor Township;
- ! Roumanis property, 184 Orchard Hills Ct. (Lot 68, Hillwood Subdivision #5), from Ann Arbor Township;
- ! Lawrence property, 190 Orchard Hills Ct. (Lot 69, Hillwood Subdivision #5), from Ann Arbor Township; and
- ! Giudici property, 196 Orchard Hills Ct. (Lot 70, Hillwood Subdivision #5), from Ann Arbor Township

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

COMMUNICATIONS FROM COUNCILCOUNCILMEMBER DALEY

Councilmember Daley reported that the spring on-air fund drive for public radio stations is underway and encouraged support through donations.

COUNCILMEMBER KOLB

Councilmember Kolb reminded residents that the South Main Street reconstruction project (300 feet north of Hill St. to 300 feet south of Pauline Blvd.) will begin soon and that detours will be necessary. Mr. Kolb emphasized that access to all properties on both sides of the street will be maintained during both phases of construction.

COUNCILMEMBER VEREEN-DIXON

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Councilmember Vereen-Dixon reported that citizens have expressed concerned with gang activity in the City and that she will raise this topic at the joint City-School meeting on April 6. Ms. Vereen-Dixon stated that she would like to have a collaborative effort between the neighborhoods, police, schools and City to deter gang activities.

MAYOR SHELDON

Mayor Sheldon announced that a Council working session with the Cable Communications Commission concerning the relocation of Community Television Network is scheduled for April 10 at 7:00 p.m.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Cecy Ewing, Chair of the Human Rights Commission, transmitting the Human Rights Commission Annual Report - File.
2. Communication from Ron E. Mitchell, owner of Unit 20 of proposed Newport Hills Site Condominium, regarding sanitary sewer service - File.
3. Communication from State Representative Elizabeth Brater regarding revenue sharing for local units of government - File.
4. Communication from Gonzazo and Lorri Gonzalez, 319 Mulholland, protesting proposed Ordinance 2-95 (Treehouse Condominiums Revised PUD Zoning) - Planning.
5. Communication from Timothy A. Stoepker, representing Stanford Brothers Properties (southeast corner of Jackson and Wagner Rds.), regarding the proposed West Area Plan - File.

The following minutes were received for file:

1. Planning Commission - February 7 and 23, 1995
2. Ann Arbor Transportation Authority - February 15, 1995
3. Sign Board of Appeals - February 14, 1995
4. Cable Communications Commission - January 24 and January 31, 1995
5. Historic District Commission - February 9, 1995
6. Housing Policy Board - March 15, 1995

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

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On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

There being no further business to come before Council, the Mayor declared the meeting adjourned at 12:47 a.m.

W. Northcross
Clerk of the Council

Janet L. Chapin
Recording Secretary