

ANN ARBOR CITY COUNCIL REGULAR SESSION - AUGUST 21, 1995

The regular session of the Ann Arbor City Council was called to order at 7:03 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

Council stood for a moment of silence.

Mayor Sheldon led the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: Councilmembers Patricia Vereen-Dixon (entered after executive session convened), Peter Fink, Jane Lumm, Jean Carlberg, Haldon Smith, Stephen Hartwell, Christopher Kolb, Elisabeth Daley, Mayor Ingrid Sheldon, 9

Absent: Councilmembers Tobi Hanna-Davies, Peter Nicolas, 2

RECESS TO EXECUTIVE SESSION

Councilmember Kolb moved that Council recess to an executive session for the purpose of discussing pending litigation.

On roll call the vote was as follows: Yeas, Councilmembers Fink, Lumm, Carlberg, Smith, Hartwell, Kolb, Daley, Mayor Sheldon, 8
Nays, 0

The Mayor declared the motion carried and the Council recessed to an executive session.

REGULAR SESSION RECONVENED

The executive session concluded. Councilmember Kolb moved that the regular session be reconvened.

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

**HEARING TO CONSIDER APPEAL OF BUILDING
BOARD OF APPEALS DECISION REGARDING
229 BUENA VISTA**

Building Director Jack Donaldson and Housing Commission Assistant Director Cynthia Telfer updated Council on the condition of the property at 229 Buena Vista and the status of the mortgage executed with the City pursuant to the Housing Commission's Homebuyer Program. The building on the property at this address was ordered to be demolished by the Building Board of Appeals because the owner failed to meet the deadline to make repairs.

INTRODUCTIONS

YOSHIKO NAGAI INTRODUCED

Mayor Sheldon introduced Yoshiko Nagai, Councilmember, from Tokyo, Japan.

JAMES MERCER - CITY ADMINISTRATOR FINALIST INTERVIEW PROCESS

James L. Mercer, Consultant for City Administrator Search, discussed with Council the process to be used in the City Administrator finalist interviews. The interviews were scheduled for Monday, August 28 and Tuesday, August 29, 1995 for the purpose of interviewing five candidates.

PUBLIC COMMENTARY - RESERVED TIME

BLONDEEN MUNSON - 229 BUENA VISTA

Blondeen Munson, 2385 Arrowwood, said that she has known the owner of the house at 229 Buena Vista, Thomasina Johnson, and her family for many years and expressed support for an extension on the building demolition order so that the owner could continue with the repairs that were ordered. She said that Ms. Johnson had the support of two of the City's churches as well as that of friends and those who were willing to lend a hand in completing the rehabilitation of the property.

THOMASINA JOHNSON - 229 BUENA VISTA

Thomasina Johnson, owner of the property at 229 Buena Vista, asked that the Council grant her another chance to live in her mother's house and stated that she would work very hard to comply with the order to rehabilitate the property.

KERMIT SCHLANSKER - CITY EXPENDITURES

Kermit Schlansker, 2960 Marshall, pointed out areas where he thought that the City could save money, such as: patching potholes on streets instead of completely resurfacing them, taking bids on privatizing certain city functions, not rehabilitating parks that are not heavily used, and forming a committee to closely examine the City's budget for other ways to cut expenses.

MEL LARSON - COMMUNITY REINVESTMENT ORDINANCE

Mel Larson, 3018 Bolgos Circle, complained that questions to some Councilmembers regarding the status of the Community Reinvestment ordinance went unanswered. He said that the Community Reinvestment Task Force has met regularly. Although an ordinance has been prepared by this committee, the scheduling of it has been postponed several times. He questioned how strong the ordinance will be when it finally appears, and questioned the City's real housing policy intent?

ANDY GULVEZAN - DEBATE

Andy Gulvezan, 2104 Pauline Blvd., said that he would like to debate with the candidates for the City Administrator job. He discussed many issues of concern to him including road building expenses, the four freedoms and newspaper reporting.

AUDREY JACKSON - SERIAL INVESTIGATION

Audrey Jackson, 2557 Sandalwood, said that it would be a mistake for City officials to take their cues for action with any community group from the Ann Arbor News. The community would be better served by inter-action with those groups who have come before them with their concerns. She said that her experience with the Police Department has been positive. However, police officers are human and bring their own fears and prejudices to the job.

HUGO BRAUN - CHAMBER REPORT FINANCIAL AGENDA FOR ANN ARBOR

Hugo Braun, representing the Ann Arbor Area Chamber of Commerce, said that the Chamber has been engaged in a research project for the past months, gathering information and compiling suggestions, to address the City's budget difficulties that are projected to occur over the next few years.

DAVID SULLIVAN - CITY ADMINISTRATOR POSITION

David Sullivan, 1236 White Street, said that the City Administrator position is very important because of budget administration. In preparing the budget, the Administrator should also seek input from all of the people, including those with special needs and the homeless, to determine how services should be distributed.

PUBLIC HEARINGS

ARBOR HILLS PHASE II AND III REZONING - RECESSED

A public hearing was conducted on the Amendment to Chapter 55, rezoning of 44.48 acres from preliminary Phase PUD (Planned Unit Development District) to Final Phase PUD, Arbor Hills Phase II and III, north side of Green Road, north side of Burbank Drive. (Ordinance No. 38-95). This public hearing was recessed July 3 and July 17, 1995.

There being no one to speak at this public hearing, the Mayor declared that the public hearing be continued until September 18, 1995.

BRIARWOOD SUBAREA PLAN - RECESSED

A public hearing was conducted on the Briarwood Subarea Plan.

There being no one to speak at this public hearing, the Mayor declared that the hearing be continued until September 5, 1995.

1320 HURON PLACE AREA PLAN AND LAND DIVISION

A public hearing was conducted on the 1320 Huron Place Area Plan and Land Division, 1.14 acres, 1320 West Huron Street. The public hearing was recessed August 7, 1995.

The following persons spoke at this public hearing:

Michael Staiti, a partner in the development of the 1320 Huron Place property along with Tom Fitzsimmons, illustrated the plans for the property including the street access. He said that they have agreed to pave both sides of the street access which will be designed as a boulevard. One of the neighbors has asked for a delay in the approval of the plan until a shift in placement of the driveway could be studied.

Jeff Green, 1 Edmond Pl., pointed out that the neighbor who has asked for a delay did so because she received a copy of the plan late. He said that the best resolution of the matter would be to table it to see if an agreement could be reached. He said that the resolution that is before the City Council this date contains a provision that there be an agreement between the neighbors and the developer on road access placement.

Christia Graf-Rogers, owner of the property east of the development, explained that her reasons for requesting the delay was to try to deal with the difficulty of exiting her property onto Huron Street during peak hours, and to try to make the boulevard as attractive as possible. She said that 2/3 of the proposed boulevard is on her property and felt that it should be relocated to keep open the option of constructing a garage and fence, if desired.

There being no one else to speak, the Mayor declared the hearing continued until September 5, 1995.

THEILE LAND DIVISION

A public hearing was conducted on the Theile Land Division, 0.58 acre, 3152 Cherry Tree Lane.

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

APPROVAL OF AGENDA

AGENDA APPROVED AS AMENDED

Councilmember Kolb moved that the agenda be approved.

Councilmember Daley moved to add the following two resolutions to the agenda for action immediately following "Approval of the Agenda:"

*Resolution Regarding the Hearing to Consider Appeal RE: 229 Buena Vista -
To Grant Extension on Building Demolition*

and

*Resolution Regarding the Hearing to Consider Appeal RE: 229 Buena Vista
- Building Repairs Compliance Deadline*

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

The question under consideration was approval of the agenda as amended.

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

AGENDA ALTERED:

MOTIONS AND RESOLUTIONS

R-383-8-95 APPROVED AS REVISED

**RESOLUTION REGARDING THE HEARING TO CONSIDER
APPEAL RE: 229 BUENA VISTA -
TO GRANT EXTENSION ON BUILDING DEMOLITION**

Whereas, With regard to the Ann Arbor Building Board of Appeals order to demolish the property at 229 Buena Vista in Ann Arbor, Michigan;

RESOLVED, That the order to demolish the property at 229 Buena Vista is set aside and that the following order shall apply:

- ! That an extension is granted until Sept. 15, 1995 for all defects referred to in the Building Board of Appeals to be remedied;
- ! That the homeowner shall obtain a Certificate of Occupancy from the Building Department by September 15, 1995
- ! That the homeowner shall not occupy the dwelling until a Certificate of

Occupancy is issued by the Building Department;

- ! That after occupation of the dwelling the homeowner shall continue to comply with all requirements for home maintenance under the relevant Ann Arbor City Codes and any other applicable laws or contracts;
- ! That the homeowner take advantage of the services provided at no cost by the Ann Arbor Dispute Resolution Center to meet with willing neighbors on Buena Vista and other concerned parties for mediation and dispute resolution; and

RESOLVED, That a report on compliance with this resolution along with any recommendations for further action be prepared for the September 18, 1995 City Council meeting.

Councilmember Daley moved that the resolution be approved as revised.

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

R-384-8-95 APPROVED AS REVISED

RESOLUTION REGARDING THE HEARING TO CONSIDER
APPEAL RE: 229 BUENA VISTA -
BUILDING REPAIRS COMPLIANCE DEADLINE

Whereas, In the process of examining the appeal to the Building Board of Appeals decision relevant to the property at 229 Buena Vista in Ann Arbor, Michigan, this Council has been made aware that the City holds a mortgage on the property;

Whereas, That mortgage requires the timely payment of taxes, maintenance of insurance on the house, keeping the building in good repair and compliance with all laws, ordinances, and regulations of the City of Ann Arbor; and

Whereas, There have been multiple violations of the mortgage requirements including the timely payment of taxes and keeping the building in good repair;

RESOLVED:

- ! That a deadline of September 15, 1995 is established by which time the property must be brought into compliance with all provisions of the mortgage including but not limited to full and complete payment of all back taxes

and related costs;

- ! That a report on the homeowner's compliance with the City's mortgage agreement be included in materials for the City Council meeting of September 18, 1995; and
- ! That if, by September 15 at 5:00 p.m., the homeowner remains in violation of any City Codes or of any portions of the mortgage agreement with the City, then the City Attorney shall commence all such legal proceedings as are appropriate against the homeowner and property at 229 Buena Vista.

Councilmember Daley moved that the resolution be approved as revised.

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

Returning to the Order of the Agenda:

APPROVAL OF COUNCIL MINUTES

MINUTES APPROVED AS PRESENTED

Councilmember Kolb moved that the regular session minutes of August 7, 1995 be approved as presented.

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

CONSENT AGENDA

CONSENT AGENDA APPROVED

The following Consent Agenda was considered:

R-385-8-95 APPROVED

RESOLUTION TO APPROVE TRANSFER OF STOCK
INTEREST IN (REORGANIZATION OF) A 1995 RESORT
CLASS C LICENSE AT 445 E. EISENHOWER PARKWAY
SUITE 6 - OLIVE GARDEN RESTAURANT

RESOLVED, That the request from GMRI Inc., holder of 1995 12 Months Resort Class C license, located at 445 E. Eisenhower Parkway, Suite #2, to drop General Mills, Inc. as stockholder through transfer of all its stock to new stockholder Darden Restaurants, Inc., be approved.

R-386-8-95 APPROVED

RESOLUTION TO APPROVE TRANSFER OF OWNERSHIP
 OF A 1995 CLASS C LICENSE AT 415 N. FIFTH AVENUE
 KILBRIDE CORPORATION - DBA KERRYTOWN BISTRO

RESOLVED, That the request from the Glasgow Corporation to transfer ownership of a 1995 Class C licensed business, located at 415 N. Fifth Avenue, in Kerrytown, dba Kerrytown Bistro, from the Kilbride Corporation, be approved.

R-387-8-95 APPROVED

RESOLUTION TO APPROVE TRANSFER OF STOCK IN
 A 1995 CLASS C LICENSE AT 215 N. MAIN STREET
 OLD HEIDELBERG RESTAURANT (DROPPING A PARTNER)

RESOLVED, That the request from Fritz's T-K, Inc. to transfer stock in a 1995 Class licensed business, with dance-entertainment permit, located at 215 N. Main Street, by dropping Friedrich Kochendorfer as stockholder through transfer of 3,000 shares of stock back to the corporation and 1,000 shares (each) to new stockholders, Terri L. Boegel and karla K. Kochendorfer, be approved.

R-388-8-95 APPROVED

RESOLUTION NO. 4 - CONFIRM ASSESSMENT ROLL
 WILDT STREET WATER MAIN - BETWEEN SUNSET ROAD
 AND SUMMIT STREET (\$39,040.69)

Whereas, The City Council, after due and legal notice, has met for the purpose of reviewing a Special Assessment roll prepared for the purpose of assessing the private property's share of the cost of acquiring and constructing **water main** described as follows:

Wildt Street - Approximately 750 lineal feet of 8" water main between Sunset Road and Summit, District Number 93097, File Number 93097.

Whereas, The City Council has heard all persons interested in the necessity of the improvement or aggrieved by the Special Assessment Roll and has considered any and all

objections thereto; and

Whereas, The City Council is satisfied with said Special Assessment roll,

RESOLVED,

1. That said special Assessment Roll as prepared by the City Assessor be hereby confirmed in the amount of **\$39,040.69** and designated as **Water Main** Special Assessment District Number **93097**, File Number **93097**;

2. That said Special Assessment Roll be divided into **fifteen (15)** equal annual installments, the first of which shall be due on **December 1**, 1995, and the **fourteen (14)** subsequent installments to be due on June 1 of each and every year thereafter; and

3. That the deferred installments of said Special Assessment Roll bear interest at the rate of **7%** to be adjusted to 1 per cent per annum above the average interest rate of any bonds issued to finance the improvements, commencing **December 1**, 1995, said interest to be collected annually on the due date of the second and subsequent installments of said Special Assessment Roll.

WILDT STREET WATER MAIN
DISTRICT NUMBER 93097, FILE NUMBER 93097

		<u>PROPERTY SHARE</u>
09-20-405-027	Rome, Louis P.O. Box 7433 Ann Arbor, MI 48107	\$ 5,323.27
09-20-405-028	Rome, Louis P.O. Box 7433 Ann Arbor, MI 48107	\$ 5,398.19
09-20-405-029	Deiningger, Peter Davis, William 2900 Stommel Ypsilanti, MI 48198	\$ 5,244.93
09-20-405-030	Ann Arbor Bearing & Mfg. Co. 815 Wildt Street Ann Arbor, MI 48103	\$ 23,074.30

TOTAL PROPERTY SHARE \$ 39,040.69

R-389-8-95 APPROVED

RESOLUTION TO APPLY FOR GRANT FUNDING FROM
THE OFFICE OF COMMUNITY ORIENTED POLICING
SERVICES TO FUND THE ANN ARBOR POLICE
DEPARTMENT'S COMMUNITY POLICING EFFORT
(\$200,000)

Whereas, It is in the interest of public safety to have the police department provide police service to the community in the most effective manner possible;

Whereas, The Ann Arbor Police Department has been engaged in the process of employing Community Oriented Policing as the most effective manner to deliver police service; and

Whereas, The Office of Community Oriented Policing Services is offering renewal of grants that were originally awarded last year by the Bureau of Justice Assistance to fund selected demonstration sites in the design, demonstration and assessment of Community Oriented Policing;

RESOLVED, That the City of Ann Arbor authorize the Police Department to apply for renewal of the grant in the amount of \$200,000 from the Office of Community Oriented Policing Services;

RESOLVED, That if the grant is awarded to the City of Ann Arbor Police Department, that the money be appropriated to the police department's budget to be spent in accordance with the provisions of the grant contract that would issue;

RESOLVED, That if the grant is awarded to the City of Ann Arbor Police Department, that a new budget account number be created in the police department's budget to account for the monies as a separate entity; and

RESOLVED, That the City Administrator is directed and authorized to take all administrative steps necessary to implement these actions.

R-390-8-95 APPROVED

RESOLUTION TO APPROVE BID OF AMERIDATA, INC.
FOR THE PURCHASE OF NOTEBOOK COMPUTERS AND
EQUIPMENT FOR GENERATING POLICE REPORTS
IN PATROL VEHICLES - BID NO. 2777 (\$39,380)

Whereas, The Police Department has determined the need to update its incident reporting system by using current technology;

Whereas, By using this technology the department will be able to make use of more current information to further its effort towards community oriented policing;

Whereas, The computers are a part of a laptop computer reporting system that is an extension of a pilot project whereby police reports are created on a desktop computer;

Whereas, \$64,000 of the Laptop Reporting Project is being funded by the Community Policing grant;

Whereas, The remaining amount needed for this purchase is available in the Police Department's FY 95-96 budget;

Whereas, A competitive bid was solicited from various firms and ameridata, Inc. had the lowest responsible bid;

Whereas, Human Rights approval for the company was received on 6-22-95;

Whereas, Funding for this purchase was contained in the fiscal year 94-95 Police budget but was not expended in that fiscal year; and

Whereas, Said funding is reimbursable under the Community Policing Grant during the fiscal year 95-96 budget;

RESOLVED, That the purchase from Ameridata, Inc. is approved by the City Council in the amount of \$39,380;

RESOLVED, That the Police budget appropriation in OMG-031-0169-5130 be increased by \$64,000 for fiscal year 95-96 and revenue source OMG-031-2130 be increased by \$64,000; and

RESOLVED, The City Council directs the City Administrators to take all necessary administrative actions to implement this resolution and expend all necessary funds from the Police Department FY 95-96 budget account OMG-031-0169-5130.

R-391-8-95 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT
TO BARRETT PAVING MATERIALS, INC. (\$515,055.75) AND
ESTABLISH A PROJECT BUDGET (\$746,920) FOR THE
GREEN ROAD RECONSTRUCTION PROJECT
(PLYMOUTH TO COMMONWEALTH) - BID NO. 2735

Whereas, The Green Road Reconstruction Project between Plymouth Road and Commonwealth Boulevard is included in the C.I.P. approved by Council on April 17, 1995; and

Whereas, Barrett Paving Materials, Inc. of Ypsilanti, Michigan has submitted to the City on August 11, 1995, a bid for said work in the total amount of \$515,055.75 which amount is the lowest responsible bid; and

Whereas the Human Resources Department has, on August 21, 1995 approved said company for said construction project;

NOW, THEREFORE, BE IT RESOLVED, That a contract in the amount of \$515,055.75 be awarded to Barrett Paving Materials, Inc. for the Green Road Reconstruction (Plymouth to Commonwealth) Project (Bid No. 2735); and

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

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

Section I - Revenue

\$746,920 1991 Street Resurfacing Millage (Fund 062)

Section II - Expense

\$515,100 Construction
61,820 Design Engineering
77,270 Construction Engineering

25,760 Consulting and Testing
 41,210 Contingencies approved by the City Administrator
25,760 Miscellaneous Costs
 \$746,920 TOTAL; and

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

R-392-8-95 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TOLTEST, INC. FOR CONSTRUCTION TESTING SERVICES FOR GREEN ROAD RECONSTRUCTION (PLYMOUTH TO COMMONWEALTH) (\$25,750)

Whereas, It is necessary to employ a qualified professional engineering firm to perform essential construction material testing services for the Green Road Reconstruction Project; and

Whereas, The firm of Toltest, Inc. has demonstrated the required experience, personnel, and competitive fee schedule to perform the work; and

Whereas, The Human Resources Department approved said firm for said work on August 21, 1995;

NOW, THEREFORE, BE IT RESOLVED, That Council approve a professional services agreement in the standard City form in the amount of \$25,750 with Toltest, Inc. for construction testing services for the Green Road Reconstruction Project; and

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

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

Councilmember Lumm moved that the Consent Agenda be approved.

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

ORDINANCES - SECOND READING

38-95 POSTPONED

ARBOR HILLS FINAL PHASE PUD
PHASES II AND IIIAN 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 is the rezoning of 44.48 acres from Preliminary Phase PUD (Planned Unit Development) to Final Phase PUD, Arbor Hills Phases II and III, north side of Green Road, north of Burbank Drive.

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

Councilmember Hartwell moved that the ordinance be postponed until September 18, 1995 for the reason that such an extension is necessary for adequate review by Council.

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

40-95 POSTPONED

1320 HURON PLACE REZONING

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

This is the rezoning of 0.49 acre from R4A (Multiple-Family Dwelling District) to R2A (Two-Family Dwelling District), 1320 Huron Place, 1320 West Huron Street.

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

Councilmember Kolb moved that the ordinance be postponed until September 5, 1995, to provide time for further discussion between the developers and neighborhood residents over driveway placement.

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

ORDINANCES - FIRST READING

44-95 APPROVED

AN ORDINANCE TO AMEND THE ZONING MAP BEING A PART OF CHAPTER 59 OF

TITLE V OF THE CODE OF THE CITY OF ANN ARBOR.

This amendment would regulate the design of bicycle parking facilities.

Councilmember Hartwell moved the ordinance be approved.

Councilmember Lumm moved that the ordinance be postponed pending a working session to be scheduled.

On roll call on the motion to postpone the vote was as follows: Yeas, Councilmembers Vereen-Dixon, Fink, Lumm, Hartwell, Mayor Sheldon, 5
Nays, Councilmembers Carlberg, Smith, Kolb, Daley, 4

The Mayor declared the motion defeated.

The question under consideration was approval of the ordinance at first reading.

On roll call the vote was as follows: Yeas, Councilmembers Vereen-Dixon, Lumm, Carlberg, Smith, Kolb, Daley, Mayor Sheldon, 7
Nays, Councilmembers Fink, Hartwell, 2

The Mayor declared the motion carried.

45-95 APPROVED

WILLIAMS REZONING

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

This is the rezoning of 0.14 acre from TWP (Township District) to R1D (Single-Family Dwelling District), Williams property, located on the west side of Westover Avenue between Rhea Street and Porter Avenue.

Councilmember Kolb moved that the resolution be approved.

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

MOTIONS AND RESOLUTIONS

POSTPONED

RESOLUTION TO APPROVE 1320 HURON PLACE
AREA PLAN AND LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval (7 yeas and 1 nay) of the 1320 Huron Place Area Plan and Land Division, 1.14 acre, 1320 West Huron Street.

Whereas, Edmund Place Group Home, Ltd. has requested area plan and land division approval to divide the existing 1.14-acre parcel at 1320 West Huron Street (Assessor Code No. 09-30-127-132) into two separate parcels for the construction of one duplex structure;

Whereas, The Ann Arbor City Planning Commission, at its meeting of June 6, 1995, recommended approval of said request; and

Whereas, A private agreement between the petitioner and adjacent homeowners to the west has been executed, which addresses engineering and paving costs of the boulevard, design of the duplex structure, protection of trees, and water runoff and erosion (agreement on file in Planning Department);

RESOLVED, That the 1320 Huron Place Area Plan and Land Division be hereby approved, as described below, subject to the recording of necessary easements and a shared maintenance agreement:

Parcel A - A parcel of land located in Section 30, T2S, R6E, City of Ann Arbor, being further described as follows: Commencing at the intersection of the east line of Revena Boulevard and the north line of West Huron Street, distant S 86° 22' 30" E 295.05 feet along the said north line of West Huron Street and N 00° 02' 00" E 305.96 feet to the true Point of Beginning; thence N 00° 02' 00" E, a distance of 200.02 feet; thence S 58° 38' 00" E, a distance of 247.63 feet; thence S 03° 37' 29" W, a distance of 83.50 feet; thence N 86° 36' 54" W, a distance of 206.64 feet to the true Point of Beginning.

Parcel B - A parcel of land located in Section 30, T3S, R6E, City of Ann Arbor, being further described as follows: Commencing at the intersection of the East line of Revena Boulevard and the north line of West Huron Street, distant S 86° 22' 30" E 295.05 feet along the said north line of West Huron Street to the true Point of Beginning; thence N 00° 02' 00" E, a distance of 105.94 feet; thence S 86° 36' 54" E, a distance of 206.64 feet; thence S 03° 37' 29" W, a distance of 106.59 feet; thence N 86° 22' 30" W, a distance of 200.00 feet to the true Point of Beginning.

Councilmember Daley moved that the resolution be approved.

Councilmember Daley moved that the resolution be postponed until September 5, 1995, pending approval of the ordinance.

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

POSTPONED

RESOLUTION TO APPROVE ARBOR HILLS
FINAL PHASE PUD SITE DEVELOPMENT AGREEMENT
AND WETLAND PERMIT AUTHORIZATION

A communication was received from the City Planning Commission transmitting its recommendation of denial (3 yeas and 4 nays) of the Arbor Hills Final Phase PUD Site Development Agreement and Wetland Permit Authorization, 44.48 acres, north side of Green Road, north of Burbank Drive.

(NOTE: AGENDA ITEMS NOT RECEIVED)

Councilmember Hartwell moved that the resolution be approved.

Councilmember Hartwell moved that the resolution be postponed until September 18, 1995 for further review by Council.

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

POSTPONED

RESOLUTION TO ADOPT BRIARWOOD SUBAREA PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval (8 years and 0 nays) of the Briarwood Subarea Plan as an Amendment to the South Area Plan.

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

WHEREAS, the City Planning Commission identified the study of land use policies in the Briarwood Subarea in its 1993-94 and 1994-95 Work Programs; and

WHEREAS, during the development of the Briarwood Subarea Plan, input was received from various City departments, the Ann Arbor Transportation Authority, the Michigan Department of Transportation, Pittsfield Township, the University of Michigan, land owners, and citizens of Ann Arbor; and

WHEREAS, the Ann Arbor City Planning Commission, after holding public hearings on July 6 and August 1, 1995, recommended approval of said plan;

RESOLVED that the Briarwood Subarea Plan is hereby adopted as an amendment to the South Area Plan, a land use element of the Ann Arbor Master Plan, to guide the City's future growth and development; and

FURTHER RESOLVED that the recommendations contained in the plan will be used by the City Council, City Planning Commission, and other City departments in the development of the annual Capital Improvements Program and work programs.

Councilmember Carlberg moved that the resolution be approved.

Councilmember Fink moved that the resolution be postponed until September 5, 1995 pending review by the Downtown Task Force.

On a voice vote, on the motion to postpone, the Mayor declared the motion carried with Councilmember Smith dissenting.

R-393-8-95 APPROVED

RESOLUTION TO APPROVE THEILE LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval (8 yeas and 0 nays) of the Thiele Land Division, 0.58 acre, 3152 Cherry Tree Lane.

Whereas, Claus Theile has requested approval to divide the existing 0.58-acre parcel at 3152 Cherry Tree Lane (Assessor Code No. 12-11-102-050) into three separate parcels for the construction of single-family dwellings. The Ann Arbor City Planning Commission, at its meeting of June 20, 1995, recommended approval of said request.

RESOLVED that the Theile Land Division is approved, as described below:

Parcel 1 - Commencing at the Northeast corner of Section 11, Town 3 South, Range 6 East, Pittsfield Township, Washtenaw County, Michigan; thence South 88 degrees 33 minutes 00 seconds West 1492.60 feet along the North line of the Section and the centerline of Packard Road; thence South 00 degrees 21 minutes 00 seconds East 749.76 feet along the centerline of Cherry Tree Road (66 feet wide) to the Point of Beginning of Parcel 1; thence continuing South 00 degrees 21 minutes 00 seconds East along said centerline 50.00 feet; thence South 89 degrees 34 minutes 56 seconds West 167.44 feet to a point on the East line of Turnberry No. 1 Subdivision, as recorded in Liber 27 of Plats, pages 1 through 5, Washtenaw County Records; thence North 00 degrees 11 minutes 05 seconds West along said subdivision line 50.00 feet; thence North 89 degrees 34 minutes 56 seconds East 167.29 feet to the Point of Beginning. Containing 0.19 acres and subject to all easements and restrictions of record.

Parcel 2 - Commencing at the Northeast corner of Section 11, Town 3 South, Range 6 East, Pittsfield Township, Washtenaw County, Michigan; thence South 88 degrees 33 minutes 00 seconds West 1492.60 feet along the North line of the Section and the centerline of Packard Road; thence South 00 degrees 21 minutes 00 seconds East 799.76 feet along the centerline of Cherry Tree Road (66 feet wide) to the Point of Beginning of Parcel 2; thence continuing South 00 degrees 21 minutes 00 seconds East along said centerline 50.00 feet; thence South 89 degrees 34 minutes 57 seconds West 167.58 feet to a point on the East line of Turnberry No. 1 Subdivision, as recorded in Liber 27 of Plats, pages 1 through 5, Washtenaw County Records; thence North 00 degrees 11 minutes 05 seconds West along said subdivision line 50.00 feet; thence North 89 degrees 34 minutes 56 seconds East 167.44 feet to the Point of Beginning. Containing 0.19 acres and subject to all easements and restrictions of record.

Parcel 3 - Commencing at the Northeast corner of Section 11, Town 3 South, Range 6 East, Pittsfield Township, Washtenaw County, Michigan; thence South 88 degrees 33 minutes 00 seconds West 1492.60 feet along the North line of the Section and the centerline of Packard Road; thence South 00 degrees 21 minutes 00 seconds East 849.76 feet along the centerline of Cherry Tree Road (66 feet wide) to the Point of Beginning of Parcel 3; thence continuing South 00 degrees 21 minutes 00 seconds East along said centerline 50.19 feet; to a point on the North line of Turnberry No. 1 Subdivision as recorded in Liber 27 of Plats, pages 1 through 5, Washtenaw County Records; thence South 89 degrees 38 minutes 03 seconds West along said subdivision line 167.72 feet; thence North 00 degrees 11 minutes 05 seconds West along the East line of said Subdivision 50.04 feet; thence North 89 degrees 38 minutes 03 seconds West 167.58 feet to the Point of Beginning. Containing 0.19 acres and subject to all easements and restrictions of record.

Councilmember Kolb moved that the resolution be approved.

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

R-394-8-95 APPROVED

RESOLUTION ACCEPTING UTILITY AND ROAD RIGHT-
OF-WAY EASEMENTS FROM CHILD AND FAMILY
SERVICE OF WASHTENAW, INC.

Whereas, Child and Family Service of Washtenaw, Inc., a Michigan non-profit corporation, is the owner of property located in the City of Ann Arbor, Washtenaw County, Michigan and more particularly as described as follows:

Commencing at the SW Corner of Lot 10 of Supervisor's Plat No. One (1) recorded at Liber 9 of Plats, Page 49 of Washtenaw County, Michigan records; thence N 00° 59' 40" E 283.00 feet along the West line of said Lot 10 and the East line of Burton Road for a PLACE OF BEGINNING; thence S 89° 13' 05" E 116.00 feet for a PLACE OF ENDING; being a part of the East 1/2 of the SE 1/4 of Section 2 of Ann Arbor Township, T3S, R6E, subject to easements of record, if any;

and

The west six (6) feet of Lots 10, 11 and 12 and the southerly ten (10) feet of Lots 9 and 10 of Supervisor's Plat No. 1 of Pittsfield Township, as recorded in Liber 9, Page 49, Washtenaw County Records.

Whereas, said owner has delivered easements to the City for construction and maintenance of utilities and for a road right of way;

RESOLVED that the easements are hereby accepted.

Councilmember Kolb moved that the resolution be approved.

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

POSTPONED

RESOLUTION ACCEPTING GIFT OF LAND FROM
HILLSIDE MANOR PARTNERSHIP

Whereas, Hillside Manor, a Michigan co-partnership, is the owner of certain property which is located in the City of Ann Arbor, Michigan and more fully described as follows:

Lots 1, 2, 3, 4 and 5, Bedford-Buttner Commercial Subdivision, according to the plat thereof recorded at Liber 16, Pages 8 and 9 of Plats, Washtenaw County Records.

And

Beginning at the Northwest corner of Section 31, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan; thence along the North line of said Section, South 89 degrees 51 minutes East 400 feet; thence South 0 degrees 11 seconds West 150 feet; thence North 89 degrees 51 minutes West 60 feet; thence along West line of Pennsylvania Avenue in the following described course: South 0 degrees 11 minutes West 235.96 feet; thence South 122.10 feet in the arc of a circle or curve, concave curve to the East radius 1748.86 feet, chord, South 1 degrees 49 minutes East, 122.07 feet, South 3 degrees 49 minutes East 111.62, Southerly 117.91 feet in the arc of a circle or curve concave to the West radius 1688.86 feet chord, South 1 degrees 49 minutes East, 117.88 feet and South 0 degrees 11 minutes West 49.7 feet; thence South 89 degrees 45 minutes West 158.16 feet; thence North 0 degrees 11 minutes East 658.50 feet; thence North 89 degrees 51 minutes West 198 feet; thence along West line of said Section and centerline of Maple Road, North 0 degrees 11 minutes

East 129.36 feet to PLACE OF BEGINNING, being a part of the Northwest 1/4 of Northwest 1/4 of Section 31.

and,

Whereas, the owners of that property have offered to give it to the City,

RESOLVED, that the City accepts the gift of the above described property from Hillside Manor Partnership.

RESOLVED that the Housing Contingency funds shall be used to pay any costs incurred by the City in the course of accepting this gift. The Mayor and City Clerk or any other authorized City official are authorized to execute such documents as may be necessary to effectuate the gift.

Councilmember Hartwell moved that the resolution be approved.

Councilmember Kolb moved that the resolution be postponed until September 5, 1995 for further information on land development.

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

R-395-8-95 APPROVED

RESOLUTION ACCEPTING SANITARY SEWER
EASEMENT FROM GEDDES MILL, LIMITED

Whereas, Geddes Mill, Limited, a Michigan corporation, is the owner of certain property in Ann Arbor Township, Washtenaw County, Michigan, from which it has offered to convey the easement described below:

That portion of the Geddes Mill Property which lies between lines drawn 23 feet north of and 13 feet south of the centerline of the Northside Interceptor as built over the following described property:

Beginning at the N 1/4 corner of Section 36, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan, thence S 02° 31' 20" W 146.85 feet along the N-S 1/4 line of said Section 36, thence S 89° 05' 53" W 760.71 feet, thence S 01° 13' 50" E 728.31 feet to an intermediate traverse line on the north side of the Huron River, thence along said traverse line on the north side of the Huron River in the following three (3) courses: S 86°

14' 38" W 141.37 feet, S 73° 21' 56" W 134.57 feet, S 60° 11' 16" W 63.53 feet, thence along the easterly and southerly Michigan State Highway right-of-way line for U.S. 23 Expressway in the following ten (10) courses: N 01° 04' 55" W 414.05 feet; N 18° 08' 07" E 151.87 feet; N 35° 47' 17" E 250.00 feet; N 39° 30' 50" E 120.49 feet; N 88° 46' 00" E 58.70 feet; N 19° 59' 40" E 133.09 feet, N 39° 30' 50" E 262.09 feet; S 87° 41' 10" E 232.30 feet; S 00° 55' 35" E 77.13 feet; N 89° 10' 24" E 307.81 feet; thence S 00° 55' 35" E 134.33 feet along the N-S 1/4 line of Section 25, T2S, R6E and the center line of Dixboro Road to the Point of Beginning, being a part of the N.W. 1/4 of said Section 36, T2S, R6E and the S.W. 1/4 of said Section 25, T2S, R6E, containing 9.91 acres of land, subject to the rights of the public over that portion of Dixboro Road right-of-way lying West of the N-S 1/4 line of said Sections 25 and 36.

Together with all of the land between said intermediate traverse line on the north side of the Huron River, and the thread of the Huron River.

and

Whereas, The Northside Interceptor sanitary sewer lies within the easement premises,

RESOLVED, That the City accepts the sanitary sewer easement, along with an access easement which, in addition to the usual conditions contained in City easements, provides that the owner may make one tap into the sewer of a size and at a location subject to the approval of the City Administrator to serve its property and shall pay for the sewer service at Ann Arbor Township rates.

Councilmember Kolb moved that the resolution be approved.

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

R-396-8-95 APPROVED

RESOLUTION ORDERING ELECTION AND DETERMINING BALLOT QUESTION FOR CHARTER AMENDMENT REGARDING CONTRACTS (FROM \$15,000 TO \$25,000 FOR PURCHASE ORDERS AND FROM \$15,000 TO \$25,000 FOR SERVICE CONTRACTS)

RESOLVED, That the Ann Arbor City Council proposes that the City Charter be amended by amending section 14.2 of Chapter 12 so that it will read as follows:

SECTION 14.2. The Council shall by ordinance establish the pro-

cedures for contracts for all services and for the purchase and sale of personal property under the direction of the City Administrator. The ordinance shall provide the dollar limit within which purchases of personal property may be made without the necessity of securing competitive bids, and the dollar limit within which purchases may be made and contracts for services entered into without the necessity of council approval. Such dollar limits shall, in no case, exceed ~~fifteen thousand dollars (\$15,000)~~ TWENTY-FIVE THOUSAND DOLLARS (\$25,000). No purchase shall be made or service contract entered into unless a sufficient appropriation is available.

RESOLVED, That November 7, 1995 is designated as the day for holding an election on the proposed Charter amendment.

RESOLVED, That the Clerk shall transmit a copy of the proposed amendment to the Attorney General and the Governor of Michigan and shall perform all other acts required by law for holding the election.

RESOLVED. That the proposed Charter amendment shall appear on the ballot in the following form, together with the following statement of purpose:

ANN ARBOR CITY CHARTER AMENDMENT
REGARDING CONTRACTS FOR SERVICES AND PURCHASES

Shall the Ann Arbor City Charter be amended to authorize the City Administrator to make purchases and enter service agreements where the cost is less than ~~\$15,000~~ \$25,000 and the expenditure is authorized in the budget?

Γ Yes

Γ No

PURPOSE OF AMENDMENT

The amendment would increase the authorization for purchases and for contracting for services from \$15,000 to \$25,000 without City Council approval.

RESOLVED, That the proposed Charter amendment and proposed ballot question, along with statement of purpose, shall be published in full not fewer than two times in the Ann Arbor News.

Councilmember Lumm moved that the resolution be approved.

Councilmember Kolb moved that the resolution be tabled until September 5, 1995 pending scheduling of a working session.

On roll call the vote was as follows: Yeas, Councilmembers Kolb, Daley, Mayor Sheldon, 3
Nays, Councilmembers Vereen-Dixon, Fink, Lumm, Carlberg, Smith, Hartwell, 6

The Mayor declared the motion defeated.

The question under consideration was approval of the resolution.

On roll call the vote was as follows: Yeas, Councilmembers Vereen-Dixon, Fink, Lumm,
Carlberg, Smith, Hartwell, Kolb, Mayor Sheldon, 8
Nays, Councilmember Daley, 1

The Mayor declared the motion carried.

POSTPONED

RESOLUTION TO APPROVE AMENDMENT TO THE
SUBLEASE WITH THE SHELTER ASSOCIATION OF
WASHTENAW COUNTY FOR 112 SOUTH ASHLEY STREET

Whereas, The City of Ann Arbor and the Shelter Association of Washtenaw County
(Shelter Association) have a current sublease agreement for property located at 112 South
Ashley; and

WHEREAS, That agreement allows the Shelter Association to utilize that facility to
provide a range of client services which serve the public interest; and

WHEREAS, City Council directed in its Resolution to Adopt Ann Arbor City Budget
(R-235-5-95) that the rent be waived; and

WHEREAS, The Shelter Association of Washtenaw requested the lease term be
extended to 2001 to meet a State of Michigan grant requirement;

RESOLVED, That the Mayor and City Council approve the amendment to the
sublease of 112 South Ashley Street reducing the annual rent to \$1.00 and extending the
term of the agreement to December 31, 2001; and authorize the Mayor and City Council to
execute the amendment to the lease agreement substantially in the form on file in the
Office of the City Clerk.

Councilmember Kolb moved that the resolution be approved.

Councilmember Daley moved that the resolution be postponed until September 5, 1995 for
further information on the State of Michigan grant, length of time of the sublease and

insurance costs.

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

R-397-8-95 APPROVED

RESOLUTION TO AWARD A CONTRACT TO R.W. MERCER
(\$111,965) AND ESTABLISH A PROJECT BUDGET
IN THE AMOUNT OF (\$134,000) FOR THE FLEET
SERVICES FUEL LINE REPLACEMENT PROJECT
BID NO. 2765

Whereas, It has been found necessary to replace the existing fuel lines and install a monitoring system for the aboveground fuel tanks at the Fleet Services facility at 721 North Main Street; and

Whereas, R. W. Mercer of Jackson, Michigan has submitted to the City on August 10, 1995 a bid for said work in the total amount of \$111,965 which amount is the lowest responsible bid; and

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

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

Whereas, The Human Resources Department has, on August 21, 1995, approved said company for said design and construction project;

NOW, THEREFORE, BE IT RESOLVED, That a contract in the amount of \$ 111,965 be awarded to R. W. Mercer for the construction of the Fleet Services Fuel Line Replacement Project (Bid No. 2765); and

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

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

BE IT FURTHER 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:

FLEET SERVICES FUEL LINE REPLACEMENT

Section I - Revenue

\$ 65,000	Capital Project Fund (OCP)
<u>\$ 69,000</u>	General Fund Contingency/Pay Increases
\$ 134,000	TOTAL;

and

Section II - Expense

\$ 112,500	Construction Contract
\$ 9,000	Project Management & Inspection
\$ 4,500	Consulting and Testing
<u>\$ 9,000</u>	Contingencies approved by the City Administrator
\$ 134,000	TOTAL

Councilmember Kolb moved that the resolution be approved.

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

R-398-8-95 APPROVED

RESOLUTION TO JOIN THE ENVIRONMENTAL PROTECTION AGENCY'S (EPA) GREENLIGHTS PROGRAM

Whereas, The EPA's Greenlights Program encourages members to improve the energy efficiency of their facility lighting, and

Whereas, The City of Ann Arbor's Energy Policy calls for improving energy efficiency to reduce operating costs and protect the environment, and

Whereas, With an active Energy Office and Energy Commission the City is in an excellent position to take advantage of the Greenlights Program, and

Whereas, Joining the Greenlights program reinforces the City's commitment to energy efficient operation, therefore

RESOLVED, That City Council approve joining the EPA Greenlights Program, and authorize the Mayor and City Clerk to execute an Agreement of Understanding with the

EPA approved as to form by the City Attorney and approved as to substance by the City Administrators.

RESOLVED, That the City Council authorize the City Administrator to cancel the Greenlights Agreement of Understanding with the EPA in the event that it becomes in the best interest of the City to do so.

Councilmember Kolb moved that the resolution be approved.

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

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

RECENTLY SIGNED PROCLAMATIONS

Mayor Sheldon informed Council of recently signed proclamations as August 21, 1995:

- * Welcome to the United Association Journeymen and Apprentices of the Plumbers and Pipe Fitters Industry - August, 1995
- * Women's Equality Week - August 21-25, 1995
- * Corporate Neighbors Who Care Month - September, 1995
- * National Red Ribbon Week - October 23-31, 1995

SERIAL RAPE INVESTIGATION: A RESPONSE FROM CHIEF CARL ENT

Mayor Sheldon brought to Council's attention the Community Television Network schedule of Police Chief Ent's response to questions raised at the Serial Rape Investigation Community Forum.

APPOINTMENTS APPROVED

Mayor Sheldon asked for confirmation of appointments placed in nomination at the last Council meeting.

Councilmember Carlberg requested that the question be divided so that the nominations to the Downtown Development Authority and the City Planning Commission could be voted on separately.

The question under consideration was approval of the following appointments:

RECREATION ADVISORY COMMISSION

Herbert David (reappointment)
2585 Gladstone 48104
Term: 09-01-95 to 08-31-98

Maureen Martin (reappointment)
1120 W. Liberty 48103
Term: 09-01-95 to 08-31-98

MAYOR'S TASK FORCE ON INCREASING SAFETY FOR WOMEN

Gary Brown, Director
Health Care Administration
Concordia College
4090 Geddes Road 48105

Rabbi Robert Levy
2251 Belmont Road 48104

Joseph Burke
Washtenaw County Prosecutor's Office
101 E. Huron 48104

Joyce Wright
Sexual Assault Prevention and Awareness Center
The University of Michigan
580 Kennedy Drive, Room L-107 48109-1346

Pamilla Brant, Executive Assistant to City Administrator
City of Ann Arbor
100 N. Fifth Ave. 48104

Susan Whitaker, Public Information Officer
City of Ann Arbor
100 N. Fifth Ave. 48104

Adele Akouri, Crime Prevention Coordinator
City of Ann Arbor
100 N. Fifth Ave. 48104

Melanie Purcell, Assistant to City Administrator
City of Ann Arbor
100 N. Fifth Avenue 48104

Nancy E. Riley, Community Corrections Manager
Washtenaw County
2201 Hogback Road 48105

ZONING BOARD OF APPEALS

Barbara S. Brown (replacing Patricia Hackley on term expiration)
1324 Marlborough Drive 48104
Term: 08-21-95 to 08-20-98

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

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

APPOINTMENTS POSTPONED

Councilmember Carlberg moved that the following appointments be postponed until September 5, 1995:

DOWNTOWN DEVELOPMENT AUTHORITY

Leah Gunn (reappointment - at-large member)
1308 E. Stadium Boulevard 48104
Term: 08-21-95 to 07-31-99

Edward A. Shaffran (replacing George Wahr Sallade as commercial property owner)
3376 Golfside Drive
Ypsilanti, MI 48197
Term: 08-21-95 to 07-31-99

Deanna Relyea (replacing Ed Surovell as commercial property owner)
451 South Fourth Avenue 48104
Term: 08-21-95 to 07-31-99

Robert T. Gates (to complete the unexpired time of Victor Adamo who resigned - at large)
602 Brierwood Court 48103
Term: 08-21-95 to 07-31-98

David DeVArti (reappointment - business owner)
415 Detroit Street 48104
Term: 08-21-95 to 07-31-99

CITY PLANNING COMMISSION

Edward D. Surovell (to fill vacancy)
1324 Marlborough Drive 48104
Term: 08-21-95 to 08-20-98

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

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Interim City Administrators Northcross and Olson presented the following memorandums for the information of Council:

Information COPS Ahead and Universal Hiring Programs

- ! Information regarding Landfill Costs Not Covered by the Environmental Bond
- ! Update to Resolution R-341-7-95 - Blood Samples
- ! Miller Avenue Runoff Problem
- ! Sister City Signs
- ! City/County Cooperation
- ! Follow-Up - Overgrown Vegetation along Pontiac Trail Sidewalks
- ! Penberton Sidewalk Public Meeting
- ! Preliminary Budget Committee Report
- ! Environmental Bond Statement of Revenues, Expenditures and Changes in Fund Balance through July 31, 1995
- ! Settlement Payment
- ! Bike Path Expenditures since march, 1992 and Fleet Services Fuel Line Replacement
- ! Shelter Association Lease
- ! Woods of Ann Arbor Condominium Association--Concerns regarding the replacement of the Bike Path along Packard Road

The memorandums were placed on file with the City Clerk.

Interim City Administrator Northcross received requests from Council for information on other subjects.

COMMUNICATIONS FROM THE CITY ATTORNEY

- ! Report on Completion of Williams Annexation from Scio Township
- ! Ballot Questions Increasing the General Operating Millage and the Solid Waste Millage
- ! Status of Ann Arbor Tenants Union v. City and Ann Arbor YMCA
- ! Hillside Manor Caucus Question Response

COMMUNICATIONS FROM COUNCIL

Councilmember Vereen-Dixon announced a meeting of north side citizens on August 31, at 6:30 p.m., at the Northside Community Center, regarding the Barton Drive/M-14 intersection. She said that assistance from City staff may be needed at that meeting

Councilmember Vereen-Dixon apologized to Mel Larson (Public Commentary) for not returning his calls. However, the Public Reinvestment Act Task ordinance status is vague because many things happening at the Federal level could affect its composition.

Jean Carlberg thanked Chris Miller from Parks, and Sgt. Tanner from the Police Department, for their attendance and valuable input at the Arbor/Oaks neighborhood meeting.

Councilmember Fink acknowledged Susan Lackey, executive director and the Washtenaw Development Council, as being mainly responsible for Walden Books locating in Washtenaw County.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were received and referred or filed as indicated:

- ! National League of Cities - Opportunity to Present Proposed Amendments to National Municipal Policy and Separate Resolutions, Annual Congress of Cities, November 29 - December 3, Phoenix, Arizona - **Distributed to Mayor, all members of the City Council and the Interim City Administrators, as requested by the National League of Cities, in the August 21 Council packet** - and FILED
- ! Woods of Ann Arbor Condominium Association - Concerns regarding the Realignment of the bike path along Packard Road - **Copied to Mayor and City Council, as requested by the Association** - and FILED

Councilmember Vereen-Dixon moved that the Clerk's Report be approved.

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

PUBLIC COMMENTARY - GENERAL

RAY CLEVINGER - 229 BUENA VISTA

Ray Clevenger, 427 N. Main Street, attorney, said that he was asked to represent the residents on Buena Vista because of they feared being sued should they speak out. He said that the situation at 229 Buena Vista has been allowed to continue for 16 years and that the current owner has had 3 years to resolve the situation.

KIRSTEN WILLIAMS - 229 BUENA VISTA

Kirsten Williams, 224 Buena Vista, said that she believes people make mistakes and deserve a second chance. However, the City, by not enforcing its own ordinance, has given Thomasina Johnson many chances. Ms. Williams said that the fact that she had to wait until the end of the meeting in order to speak does not address the spirit of mediation, as suggested by the Council.

ADJOURNMENT

There being no further business, Mayor Sheldon declared the meeting adjourned at 12:20 a.m.

Linda J. Wise
Acting Clerk of the Council
Recording Secretary