

**ANN ARBOR CITY COUNCIL PROCEEDINGS - FEBRUARY 20, 1996**

The Ann Arbor City Council was called to order in the Guy C. Larcom Jr., Municipal Building at 7:34 p.m., by Mayor Ingrid B. Sheldon.

The Council stood for a moment of silence.

Mayor Sheldon led the Pledge of Allegiance.

**ROLL CALL OF COUNCIL**

**Present:** Councilmembers Tobi Hanna-Davies, Jane Lumm, David Kwan, Jean Carlberg, Heidi Cowing Herrell, Stephen Hartwell, Patrick Putman, Christopher Kolb, Elisabeth Daley, Mayor Ingrid B. Sheldon, 10

**Absent:** Patricia Vereen-Dixon, 1

**INTRODUCTIONS**

**PARKS AND RECREATION DEPARTMENT EMPLOYEE RECOGNITION**

The Superintendent of the Parks and Recreation Department Ronald Olson and Mayor Sheldon presented awards to two groups of the department=s employees. Individual awards were presented to each employee of the Parks Department=s Maintenance Crew who were recognized by the Greens Keeper Management Academy for an award sponsored by TORO Company for Excellence in Athletic Field Maintenance. Individual awards were presented to four employees who were recognized for their quick action in rescuing a dog from an icy pond.

**PUBLIC COMMENTARY - RESERVED TIME**

**BARBARA BACH - NATURAL FEATURES ORDINANCE COMMITTEE**

Barbara Bach, 2061 Day Street, said that the charge of the Natural Features Ordinance Committee has not been completed. It has just begun work on Chapter 57, and after that an ordinance specifically protecting natural features needs to be completed. She questioned the Council=s commitment to the preservation of natural features and requested that the Committee be allowed to continue its task. (A complete text of Barbara Bach=s comments was filed with the City Clerk.)

**ANDY GULVEZAN - IMPORTANT ANNOUNCEMENTS**

Andy Gulvezan, 2104 Pauline, commented on the chuck-holes in the roads in Ypsilanti, the amount of money in the Treasury, and said that he would still like to be the City=s administrator, and would perform the job for half of the going rate.

**AUDREY JACKSON - GREEN GLACIER COMMUNITY CENTER FUNDING**

Audrey Jackson, 2557 Sandalwood, said that the Green Glacier Community Center serves the residents of the Green Road public housing facility. The Center may not have the expertise to maintain excellent financial records, but this should not preclude them from providing the needed services to the children who live in the housing site. She requested that Council continue to fund the Center.

**SAFIYAH KHALID - CITY OF ANN ARBOR ILLEGAL PAYOFF**

Safiyah Khalid, P.O. Box 130654, provided incident report numbers in her continuing updates on the subject of illegal payoffs to judges, police and building department employees who were involved in the Windemere Park Apartments discriminatory renting practices and building code violations= cover-up. She said that now that this particular incident has been introduced to the Federal Government, the City of Ann Arbor will be investigated.

**REGINA HUNTER - GREEN GLACIER COMMUNITY CENTER PROGRAM**

Regina Hunter, 5211 Church Road, said that the funds previously earmarked by the City to the Green Glacier Community Center were to be discontinued. This action was taken without the Center having a chance to dialogue with the Human Services Task Force. They said that progress has been made on some of the issues raised and that the United Way has offered to them, at no cost, management assistant and financial training.

**WARREN ATTARIAN - NATURAL FEATURES ORDINANCE**

Warren Attarian, 3490 Gettysburg, said that the existence of the Natural Features Ordinance Committee is the direct result of the strong belief among the citizens of Ann Arbor that the City=s natural features must be preserved. Since this committee has existed, the City has adopted the Wetlands Ordinance, updated and strengthened the Soil and Erosion Ordinance, and at the present time is awaiting the submission of the Land Development ordinance, on which the committee is currently working. The committee=s work is not complete, and the committee should be allowed to continue. (A complete text of Warren Attarian=s remarks was filed with the City Clerk.)

**ELIZABETH REES - GREEN GLACIER COMMUNITY CENTER**

Elizabeth Rees, 3607 Burbank, a volunteer for the Green Glacier Community Center, said that the people who live in that area have been helped by that program. It is unfortunate that this group does not have the money or the personnel to take care of the paper work that is required by the City. The Center=s problems are the paper work required, not a lack of caring for the people that it serves. She suggested that

the City may be able to provide the needed paper work, or the know-how to do what is required.

**CHARLES PEKAREK - GREEN GLACIER COMMUNITY CENTER**

Charles Pekarek, 2921 Baylis, president of the Board of the Green Glacier Community Center, said that they were informed by the Community Development Department that the City was deobligating the \$18,240 dollars that were allocated to them because they had not met requirements established by the City. He said that the City was concerned that the families at the Green Road site were not being provided needed services. He said that the needed services were being provided by the center, however if funding is cut off, services to these families will be curtailed.

**PUBLIC HEARINGS**

**ORDINANCE NO. 2-96 - GARDEN SUPPLY AS A PERMITTED USE**

A public hearing was conducted on the proposed Amendment to Chapter 55, Section 5:10.19 - C2A - Central Business District to include Garden Supply as a Permitted Use.

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

**RESERVATION FEE POLICY FOR PARKS AND SHELTERS FOR PICNICS AND SPECIAL EVENTS**

A public hearing was conducted on the proposed revision to the Department of Parks and Recreation Reservation Fee Policy for Parks and Shelters for Picnics and Special Events.

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

**APPROVAL OF AGENDA**

**AGENDA APPROVED AS AMENDED**

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

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

Revised: ~~Seybold Improvements~~ HILLSIDE MANOR

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

Add: Communication from Ed Shaffran, President of the Main Street Area Association - thanking Council for its support in passing the Peddler=s Ordinance - FILED

**MOTION TO ADD RESOLUTION DEFEATED**

Councilmember Carlberg moved that a *Resolution Opposing Senate Bill 728* be added to the agenda.

On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Carlberg, Herrell, Hartwell, Kolb, Daley, 6  
Nays, Councilmembers Lumm, Kwan, Putman, Mayor Sheldon, 4

The Mayor declared the motion defeated, due to the lack of 8 affirmative votes necessary to add an item to the published agenda.

The question under consideration was approval of the agenda as it was originally amended, on a voice vote, the Mayor declared the motion carried with Councilmembers Hanna-Davies and Daley dissenting.

**APPROVAL OF COUNCIL MINUTES**

**MINUTES APPROVED**

Councilmember Lumm moved approval of the regular sessions minutes of January 16, 1996 and February 5, 1996 and the working session minutes of January 22, 1996.

Councilmember Hanna-Davies moved approval of the minutes of January 16 with the following correction:

**SOLICITOR/PEDDLER CODE VIOLATION ENFORCEMENT**

Councilmember Kolb moved for postponement of the ordinance until February 5, 1996 for further discussion with staff of issues raised this date at the public hearing.

On a voice vote, the Mayor declared the motion carried unanimously and the ordinance <tabled> **POSTPONED.**

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

The question under consideration was approval of the February 5 and January 22 minutes as presented, and the January 16, minutes as corrected.

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

**CONSENT AGENDA**

**CONSENT AGENDA APPROVED**

The following Consent Agenda was approved:

**R-66-2-96 APPROVED**

**RESOLUTION TO APPROVE LIQUOR LICENSE  
TRANSFER TO PIZZA HOUSE ANN ARBOR, INC.  
AT 618 CHURCH STREET**

**RESOLVED**, That the request from Pizza House Ann Arbor, Inc. to transfer ownership of a 1994 Class C licensed business, currently held in escrow at 2080 W. stadium Blvd., Ann Arbor, from Pizza Hut of America Inc., and to transfer the location of that license to 618 Church Street, Ann Arbor, Michigan, be approved.

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**R-67-2-96 APPROVED**

**RESOLUTION TO APPROVE A CONTRACT  
TO CONSTRUCT A RESTROOM FACILITY  
AND INTERPRETIVE STRUCTURES IN  
FURSTENBERG PARK - BID NO. 2846  
(\$141,400)**

**Whereas**, The approved plan for Furstenberg Park includes the construction of the restroom facility and Nature Interpretive structure;

**Whereas**, Funds in the amount of \$595,000 are appropriated in the FY 95/96 budget for improvements to Furstenberg Park from the 1989-94 Parks Rehabilitation and Development Millage including a \$375,000 grant from the Department of Natural Resources;

**Whereas**, Construction Solutions, Inc. submitted the lowest responsible bid for construction of a restroom facility and interpretive structures at Furstenberg Park in the amount of \$141,400; and

**Whereas**, The Human Rights Department approval was received on February 7, 1996 for Construction Solutions Inc.;

**RESOLVED**, That the Mayor and Council approve a contract awarding Bid #2846 to Construction Solutions Inc. in the amount of \$141,400 to construct a restroom facility that complies with ADA requirements and interpretive structures and authorize the Mayor and City Clerk to sign the agreements between the City and Construction Solutions Inc. substantially in the form on file with the City Clerk; and

**RESOLVED**, That the Mayor and Council approve a construction contingency in the amount of \$14,200 to cover potential contract change orders to be approved by the City Administrator and to approve a total project budget of \$155,600 for the life of the project.

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**R-68-2-96 APPROVED**

**RESOLUTION TO APPROVE AN AMENDMENT  
TO THE STATE OF MICHIGAN NATURAL  
RESOURCES TRUST FUND GRANT PROJECT  
AGREEMENT FOR ACQUISITION OF 3.88  
ACRES IN THE EVERGREENS SUBDIVISION  
FOR PARK USE**

Whereas, The City of Ann Arbor Mayor and Council approved an agreement with the State of Michigan MiDNR regarding the Natural Resources Trust Fund grant in the amount of \$37,400 for the purchase of 3.88 acres in the Evergreens Subdivision for a neighborhood park;

Whereas, The amended project agreement between the City of Ann Arbor and the Michigan MiDNR Recreation Bond Fund grant approved on July 21, 1993 included a project completion deadline of December 31, 1995, which was verbally extended;

Whereas, The City has shown significant and continuing progress toward completion of the project;

Whereas, The City has requested an extension of the matching grant completion deadline with the Department of Natural Resources to December 31, 1996; and

Whereas, All other provisions of the agreement shall continue in full force and effect;

**RESOLVED:** That Mayor and City Council approve an amendment to the Natural Resources Trust Bond Fund grant project agreement between the City of Ann Arbor and the Michigan Department of Natural Resources to extend the completion date for the purchase of land in the Evergreens Subdivision until December 31, 1996 and authorize the Mayor and City Clerk to sign the amended grant agreement substantially in the form on file with the City Clerk, to complete the project.

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**R-69-2-96 APPROVED**

**RESOLUTION TO APPROVE AN AMENDMENT  
TO THE STATE OF MICHIGAN NATURAL  
TRUST FUND GRANT PROJECT AGREEMENT  
FOR ACQUISITION OF 2.33 ACRES IN THE  
GANZHORN HILLS SUBDIVISION FOR PARK USE**

Whereas, The City of Ann Arbor Mayor and Council previously entered into an agreement with the State of Michigan MiDNR regarding the Natural Resources Trust Fund

grant in the amount of \$\$87,300 for the purchase of 2.33 acres in the Ganzhorn Hills Subdivision for a linkage corridor between Bird Hills and Kubler Langford Parks;

Whereas,The amended project agreement between the City of Ann Arbor and the Michigan MiDNR Recreation Bond Fund grant approved on July 21, 1993 included a project completion deadline of December 31, 1995, which was verbally extended;

Whereas,The City has shown significant and continuing progress toward completion of the project;

Whereas,The City has requested an extension of the matching grant completion deadline with the Department of Natural Resources to December 31, 1996; and

Whereas, All other provisions of the agreement shall continue in full force and effect;

**RESOLVED:**That Mayor and City Council approve an amendment to the Natural Resources Trust Bond Fund grant project agreement between the City of Ann Arbor and the Michigan Department of Natural Resources to extend the completion date for the purchase of land in the Evergreens Subdivision until December 31, 1996 and authorize the Mayor and City Clerk to sign the amended grant agreement substantially in the form on file with the City Clerk, to complete the project.

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**R-70-2-96 APPROVED****RESOLUTION TO APPROVE PURCHASE  
OF CARS AND PICKUP TRUCKS FROM  
RED HOLMAN PONTIAC GMC THROUGH  
THE OAKLAND COUNTY COOPERATIVE  
PURCHASING PROGRAM (\$78,089.45)**

Whereas, The Fleet Services Division of the Public Services Department purchases cars and pickup trucks for the City of Ann Arbor=s Fleet;

Whereas, Red Holman Pontiac GMC was the lowest responsible bidder, through Oakland County=s Cooperative Purchasing Program, for \$78,089.45;

Whereas, Adequate funds are budgeted in the current Public Services Department=s General Fund budget; and

Whereas, Red Holman Pontiac GMC received Human Resources approval on August 14, 1995;

**RESOLVED**, That City Council approve the issuance of a purchase order to Red Holman Pontiac GMC for \$78,089.45.

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**R-71-2-96 APPROVED****RESOLUTION TO APPROVE ANNUAL UTILITY  
COMPANY PERMIT FOR THE UNIVERSITY  
OF MICHIGAN**

Whereas, The University of Michigan has demonstrated the need to conduct routine maintenance work on existing facilities within the City right-of-way;

Whereas, The City seeks to document this work conducted within the right-of-way and to assure that proper insurance is provided; and

Whereas, The City issues annual utility company permits to public utility companies which only allows work within the right-of-way that does not involve any excavation, cutting of pavement or disturbance of the existing grade within the right-of-way;

**RESOLVED**, That beginning in 1996, the City of Ann Arbor issue a renewable annual utility company permit to The University of Michigan subject to the permit requirements; and

**RESOLVED**, That the fee for this permit will be \$1,000, to be deposited to the Major

Street Fund.

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**R-72-2-96 APPROVED  
RESOLUTION TO ACCEPT BOARD OF  
INSURANCE ADMINISTRATION MINUTES  
OF FEBRUARY 8, 1996 AND TO  
AUTHORIZE PAYMENTS**

**RESOLUTION TO ACCEPT BOARD OF INSURANCE ADMINISTRATION MINUTES  
AND TO AUTHORIZE PAYMENTS**

RESOLVED, That the attached Board of Insurance Administration Minutes of February 8, 1996 be accepted and that the payments therein be authorized.

**MINUTES  
CITY OF ANN ARBOR BOARD OF INSURANCE ADMINISTRATION  
FEBRUARY 8, 1996**

Present: Christopher Kolb, Councilperson  
David Kwan, Councilperson  
Brenda Smith, City Treasurer 3.

Absent: None

Also Present: Daniel J. Cullen, Risk Manager  
Bob West, Assistant City Attorney 2.

**CITY EMPLOYEES' BODILY INJURIES  
(medical bills paid since last meeting)**

<u>CASE NO.</u>	<u>NAME</u>	<u>DEPT.</u>	<u>INJURY</u>	<u>AMOUNT</u>
3441	Tom Wojewski	Utilities	Spinal Cord	\$673.91

**CITIZENS' CLAIMS APPROVED: (and check issued)**

<u>CASE NO.</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
CC 85-95	Property damage claim of Scott Gitlin	\$.50
CC 115-94	Lawsuit of Robert Salley by James Wines, Atty.	\$12,500.00
<b>TOTAL</b>		<b>\$12,500.50</b>

**LEGAL EXPENSES AND/OR CASE RELATED EXPENSES:**

<u>CASE NO.</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
WC 005-94	Workers' Compensation Case of Michael Talbot Shultz Reporting	\$501.25
LEGAL EXPENSES AND/OR CASE RELATED EXPENSES: (Continued)		

<u>CASE NO.</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
CC 106-94	Lawsuit of Donna & Jayne Greer Thomas Blaske, Mediator	\$45.00
CC 106-94	Lawsuit of Donna & Jayne Greer Roger Chard, Mediator	\$45.00
CC 106-94	Lawsuit of Donna & Jayne Greer Harvey Berman, Mediator	\$45.00
CC 77-93	Lawsuit of Marcia Bauer by James Cmjerek Records Deposition Service	\$65.41
CC 89-95	Lawsuit of Sandra Segalini by Ian Reach, Attorney Huron Reporting Service	\$165.10
CC 106-94	Lawsuit of Donna & Jayne Greer Mark Hopper, Mediator	\$25.00
CC 106-94	Lawsuit of Donna & Jayne Greer Thomas Blaske, Mediator	\$25.00
CC 106-94	Lawsuit of Donna & Jayne Greer Roger Chard, Mediator	\$25.00
CC 64-92	Lawsuit of Roland Moskowitz by Warren Perlove, Atty. Washtenaw County Circuit Court, Court Administration	\$6.25

<b>C 46-93</b>	<b>Lawsuit of Denise Lee by Franci Silver, Attorney Jerold Lax, Mediator</b>	<b>\$25.00</b>
<b>CC 46-93</b>	<b>Lawsuit of Denise Lee by Franci Silver, Attorney Bruce Wallace, Mediator</b>	<b>\$25.00</b>
<b>CC 46-93</b>	<b>Lawsuit of Denise Lee by Franci Silver, Attorney Steve Garris, Mediator</b>	<b>\$25.00</b>
	<b>TOTAL</b>	<b>\$1,023.01</b>

**MISCELLANEOUS:****REIMBURSEMENTS RECEIVED --****CASE NO.      FROM**

<b>PD 140-95</b>	<b>Reimbursement from CSS Insurance Co. for Eileen Chaivre for accident involving Vehicle 2258</b>	<b>\$104.04</b>
<b>PD 130-95</b>	<b>Reimbursement from Auto Owners Insurance Co. for Harold Piehutoski for accident involving Vehicle 5192</b>	<b>\$400.00</b>
<b>TOTAL DEPOSITED SINCE 1-11-96</b>		<b>\$504.04</b>

**CITIZEN'S CLAIMS DENIED:****CASE NO.**

<b>CC 115-95</b>	<b>Vehicle damage claim of Tanya Mubenga Discussed by Daniel J. Cullen, Risk Manager and the Board denied the claim.</b>
<b>CC 121-95</b>	<b>Bodily injury claim of John Cain by Stanley Ference, Attorney Discussed by Daniel J. Cullen, Risk Manager and the Board denied the claim.</b>

**OTHER BUSINESS:****CASE NO.**

<b>CC 121-94</b>	<b>Bodily injury claim of Sigrid Radwan by Robert Magill, Attorney Discussed by Daniel J. Cullen, Risk Manager and the Board authorized settlement.</b>
<b>CC 106-95</b>	<b>Lawsuit of Jayne and Donna Greer Discussed by Daniel J. Cullen, Risk Manager and the Board authorized settlement.</b>

**CC 35-95**      **Lawsuit of Blair Shelton by Kurt Berggren, Attorney**  
                    **Discussed by Bob West, Assistant City Attorney and the Board authorized**  
                    **settlement.**

**OTHER BUSINESS: (Continued)**

**CASE NO.**

**CC 6-96**      **Property damage claim of Shell Oil Company**  
                    **Discussed by Daniel J. Cullen, Risk Manager and the Board authorized**  
                    **settlement.**

**CC 133-95**    **Property damage claim of Johnnie Redding**  
                    **Discussed by Daniel J. Cullen, Risk Manager and the Board authorized**  
                    **settlement.**

**CC 134-95**    **Property damage claim of Olga Ortiz**  
                    **Discussed by Daniel J. Cullen, Risk Manager and the Board authorized**  
                    **settlement.**

**CC 1-96**      **Sewer Back-Up Claim of Irene Bayer (2140 Fulmer Court)**  
                    **Discussed by Daniel J. Cullen, Risk Manager and the Board authorized**  
                    **settlement.**

**CC 3-96**      **Property damage claim of Allstate Insurance for Gary Brant**  
                    **Discussed by Daniel J. Cullen, Risk Manager and the Board authorized**  
                    **settlement.**

**CC 4-96**      **Property damage claim of Michael Levine**  
                    **Discussed by Daniel J. Cullen, Risk Manager and the Board authorized**  
                    **settlement.**

**CC 135-95**    **Vehicle damage claim of Carrie Tejada**  
                    **Discussed by Daniel J. Cullen, Risk Manager and the Board authorized**  
                    **settlement.**

**PD 85-95**    **Vehicle damage claim of Transportation Vehicle #4600**  
                    **Discussed by Daniel J. Cullen, Risk Manager and the Board authorized**  
                    **settlement.**

**CC 125-95**    **Bodily injury claim of Richard Leahy by Jacalen Garris, Attorney**  
                    **Discussed by Daniel J. Cullen, Risk Manager and the Board authorized**  
                    **settlement.**

**CC 46-93**      **Lawsuit of Denise Lee by Franci Silver**  
                    **Discussed by Daniel J. Cullen, Risk Manager and the Board authorized**

settlement.

**REQUESTS FOR INFORMATION ON PENDING CLAIMS**

awaiting more information:

CASE NO. SRVC.	INCIDENT NAME	CLAIM DATE	INFO FROM RECEIVED	DATE OF CLAIMANT	ND. RPT CORRES. FROM	DATE TO CLM.
108-95	CNA Ins.	7-1-95	10-10-95	10-11-95	10-11-95	

**ADDITIONAL CLAIMS RECEIVED SINCE LAST MEETING --awaiting further investigation (and/or information):**

**CASE NO.**

CC 5-96 Lawsuit of Janet Kossick by Ellen Dennis, Attorney

CC 6-96 Property damage claim of Shell Oil Company (3240 Washtenaw)

CC 7-96 Property & Bodily injury claim of Rita Lage

Prepared by,

Daniel J. Cullen,  
Risk Manager

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**R-73-2-96 APPROVED**

**RESOLUTION APPROVING SECOND  
EXTENSION OF RECYCLE ANN ARBOR  
DROP-OFF STATION CONTRACT**

**Whereas, The current Recycle Ann Arbor (RAA) drop-off station contract amendment terminates on February 29, 1996;**

**Whereas, The City is investigating options for the future of the drop-off station, and will come back to Council with a recommendation within eight months;**

**Whereas, The City would like to have uninterrupted recycling drop-off service to residents during this period;**

**Whereas, RAA has agreed to continue operating the drop-off station on a month to month basis at its existing rates through June 30, 1996, and at \$6300 per month from July 1, 1996 to October 31, 1996; and**

**Whereas, RAA received Human Rights approval on June 19, 1995;**

**RESOLVED**, That the Mayor and City Clerk are authorized to execute the amendment to the recycling drop-off service agreement between the City of Ann Arbor and RAA for up to eight additional months; and

**RESOLVED**, That funding for this operation be paid out of the approved 1995/96 Solid Waste Department budget and, if approved by City Council, out of the 1996/97 Solid Waste Department budget.

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**R-74-2-96 APPROVED**

**RESOLUTION TO APPROVE PURCHASE  
OF INTERIOR FURNISHINGS FOR THE  
WATER TREATMENT PLANT - BID NO. 2834  
(\$80,294)**

**Whereas**, It is necessary to purchase and install new interior furnishings for new and renovated work areas being constructed at the Water Treatment Plant;

**Whereas**, for Bid No. 2834 four bids were received and Contract Interiors is the lowest responsible bidder for various bid specified items totaling \$32,147 and Facility Matrix is the lowest responsible bidder for other bid items totaling \$48,149;

**Whereas**, Human Resources Department gave Human Rights approvals to Facility Matrix on December 28, 1995 and to Contract Interiors on January 19, 1996; and

**Whereas**, Funds have been budgeted and are available in the approved FY95/96 Water Supply System Operating Budget to finance the purchases of these interior furnishings;

**RESOLVED**, That Council accept the bids and approve the purchases of Bid items C2, C3, C5, F5, F60, F61, F63 from Contract Interiors for \$32,147, and bid items C4, F6, F6A, F1-F4, F7-F29, F31-F46, F49-F50, F51-F58 from Facility Matrix for \$48,147.

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**R-75-2-96 APPROVED**

**RESOLUTION TO APPROVE THREE YEARS  
LICENSE AGREEMENT WITH COMPUTER  
ASSOCIATES INTERNATIONAL FOR MAGNETIC**

**TAPE MANAGEMENT SOFTWARE  
(\$32,961)**

Whereas, Management of the magnetic tapes is a critical function in the operations of the City=s Mainframe Computing System;

Whereas, The existing tape management system needs to be replaced;

Whereas, Information Services Division staff has reviewed tape management software products and concluded that DYNAM/T from Computer Associates International is the product best suited to the City=s operations;

Whereas, Computer Associates received Human Rights approval for a one year period on February 8, 1996;

Whereas, Funding for magnetic tape management software is included in the FY 95-96 budget of the Administrative Services Department;

RESOLVED, That the City Council approve a three year license agreement with Computer Associates International in the amount of \$32,961 for the DYNAM/T magnetic tape management software, and that the Mayor and City Clerk be authorized to sign the agreement substantially in the form on file with the City Clerk.

**Councilmember Carlberg moved that the Consent Agenda be approved.**

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

**ORDINANCES - SECOND READING**

**2-96 APPROVED**

**INCLUDE GARDEN SUPPLY AS A PERMITTED USE**

**AN ORDINANCE TO AMEND CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR.**

This is an amendment to Section 5:10 (C2A Central Business District) to Include Garden Supply as a Permitted Use.

Councilmember Hanna-Davies moved that the ordinance be approved.

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

**ORDINANCES - FIRST READING**

**3-96 APPROVED**

**SOLID WASTE MANAGEMENT**

**AN ORDINANCE TO AMEND CHAPTER 26 OF TITLE II OF THE CODE OF THE CITY OF ANN ARBOR.**

The proposed amendments to Chapter 26, Solid Waste Management, would reflect current city practices regarding composting and recycling waste management programs, develop definitions that reflect the City's integrated solid waste management strategy, and eliminate redundancy and expired planning requirements.

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

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

**4-96 APPROVED**

**VARSITY FORD/WESTOVER HILLS 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 2.7 acres of the Varsity Ford/Westover Hills property from Unzoned to R1D (Single-Family Dwelling District). The property is located at the southeast corner of Jackson and Wagner Roads. (Planning Commission Approval: 9 years and 0

nays)

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

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

## MOTIONS AND RESOLUTIONS

### POSTPONED

#### RESOLUTION TO APPROVE THE AGREEMENT CREATING A REGIONAL PUBLIC SAFETY DISPATCH AUTHORITY FOR WASHTENAW COUNTY

#### RESOLUTION TO APPROVE THE "AGREEMENT CREATING A REGIONAL PUBLIC SAFETY DISPATCH AUTHORITY FOR WASHTENAW COUNTY"

Whereas, The City of Ann Arbor Chief of Police, the Washtenaw County Sheriff, the Michigan State Police Ypsilanti Post Commander, the Washtenaw County Emergency Management Director, and the Executive Director of Huron Valley Ambulance believe that the consolidation of public safety communications operations would provide efficient and effective public safety communications at a lower cost to their service areas;

Whereas, The Washtenaw County Board of Commissioners and the Ann Arbor City Council have agreed at a joint meeting to pursue the combination of city and county emergency dispatching services;

Whereas, On February 6, 1995, the Council by resolution approved the hiring of a Public Safety Dispatch Director to accomplish the tasks of developing steps for creating such a regional public safety dispatch facility, and to implement needed policies and procedures to manage such a facility; and

Whereas, The County Administrator, Sheriff, County Corporation Counsel and the County Emergency Management Director have met with the City Administrator, Police Chief, and Public Safety Dispatch Director; and have developed an interlocal agreement under state law to create a regional public safety dispatch authority;

RESOLVED, That the Ann Arbor City Council approve the "Agreement Creating A Regional Public Safety Dispatch Authority For Washtenaw County", and authorizes the Mayor and City Clerk to sign the agreement; and

RESOLVED, That the City Administrator is authorized to take all administrative actions necessary to implement this agreement, which among others would include securing final approval of the agreement by the Governor's Office.

**AGREEMENT CREATING A  
REGIONAL PUBLIC SAFETY DISPATCH AUTHORITY  
FOR WASHTENAW COUNTY**

This AGREEMENT is entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 1996 by the City of Ann Arbor ("City") and the County of Washtenaw ("County"). By this agreement, the parties, pursuant to M.C.L.A. 124.501 et. seq., create a new legal entity to be known as the Washtenaw County Regional Dispatch Authority ("Authority").

**ARTICLE ONE - PURPOSE**

The City and the County desire to establish a Public Safety Answering Point (PSAP) and provide for the centralized dispatch of law enforcement, fire, and emergency medical services (EMS) within Washtenaw County through the formation of a Consolidated Dispatch Center as defined in M.C.L.A. 484.1102 et. seq.

**ARTICLE TWO - DEFINITIONS**

As used in this Agreement, the following terms shall have the following meanings:

- 2.1 "Authority" refers to the Washtenaw County Regional Dispatch Authority.
- 2.2 "Board" refers to the Board of Directors of the Authority, as described in this Agreement.
- 2.3 "Budget" refers to the annual fiscal plan regarding anticipated revenues and expenditures of the Authority adopted by the Board.
- 2.4 "Fiscal Year" refers to the period of time in which the Authority's annual budget shall be effective and shall be concurrent with the calendar year.
- 2.5 "Majority" means one (1) more than half of those eligible to vote.
- 2.6 "Municipality" refers to Washtenaw County and any city, town, village, and/or township within Washtenaw County.
- 2.7 "Private Agency" refers to a private entity which provides law enforcement, fire, ambulance or other emergency medical services.
- 2.8 "Properly Convened Meeting" refers to a Board meeting where a quorum is present.
- 2.9 "Quorum" consists of six (6) of the ten (10) voting members of the Authority's Board of Directors.

**ARTICLE III - Governance**

**3.1 Board of Directors.** The Authority shall be governed by a Board of Directors ("Board"), composed of the following ten (10) members:

**3.1.1**The Washtenaw County Administrator, or his/her designated representative.

**3.1.2**The Ann Arbor City Administrator, or his/her designated representative.

**3.1.3**The Washtenaw County Sheriff, or his/her designated representative.

**3.1.4**The Chief of Police for the City of Ann Arbor, or his/her designated representative.

**3.1.5**The Executive Director of the organization under contract to Washtenaw County to provide Emergency Medical Services, or his/her designated representative.

**3.1.6**A Fire Department Chief, who is a member of a department receiving services from the Authority, appointed by the Chair of the Washtenaw Area Mutual Aid Association.

**3.1.7**A representative of the Michigan State Police (MSP) appointed by the Director of the Michigan State Police.

**3.1.8**A representative appointed by the Washtenaw County Board of Commissioners. This member serves at the will of the Washtenaw County Board of Commissioners.

**3.1.9**A representative appointed by the Ann Arbor City Council. This member serves at the will of the Ann Arbor City Council.

**3.1.10**A representative appointed by the Washtenaw Chapter of the Michigan Townships Association. This member serves at the will of the Washtenaw Chapter of the Michigan Townships Association.

**3.2 Powers.** In addition to policy-making power and any other power expressly conferred herein, the Board is empowered to perform operational functions including, but not limited to:

**3.2.1**Enter into contracts;

- 3.2.2 Apply for, receive, and administer grants, gifts, bequests, or assistance funds;
  - 3.2.3 Incur operational liabilities;
  - 3.2.4 Approve the Authority's annual budget;
  - 3.2.5 Employ, engage, compensate, transfer or discharge personnel as necessary;
  - 3.2.6 Construct, acquire, manage, own, use, operate, maintain, lease or sell real or personal property;
  - 3.2.7 Dispose, divide or distribute any property acquired through the execution of this agreement;
  - 3.2.8 Obtain insurance coverage for the Authority.
- 3.3 The Board shall not have the authority to bind, commit or encumber the funds of the participating municipalities or the participating agencies.
- 3.4 The Board shall meet at least quarterly with a mandatory meeting in January and in October. The Board may meet more frequently as needed. At the January meeting the Board shall elect a Chair, a Vice-Chair, a First Vice-Chair, and a Second Vice-Chair from its membership to serve for the calendar year. At the October meeting the Board shall adopt a budget for the following fiscal year (Jan 1 through Dec 31). Powers shall be exercised upon a majority vote of a quorum at a properly convened meeting. Each Board member shall be entitled to one vote.
- 3.4.1 The **BOARD CHAIR** elected at the January meeting of the Board shall preside over Board meetings, and cause minutes of each Board meeting to be kept and distributed to each member.
  - 3.4.2 The **VICE-CHAIR** will carry out the duties of the Chair in the event the Chair is absent and/or unable to carry out his/her duties and responsibilities. The Vice-Chair will also perform such duties as may be designated by the Chair.
  - 3.4.3 In the absence of both the Chair and the Vice-Chair, the meeting will be conducted by the First Vice-Chair; and in the absence of all three, the meeting will be conducted by the Second Vice-Chair.
- 3.5 **Quorum and Majority.** The Board shall not take action except at a properly

convened meeting at which a quorum is present. Action is to be taken by the affirmative vote of a majority of the Board members present. Each Board member shall have one vote and proxy voting is not permitted.

- 3.6 **Minutes.** Minutes shall be kept and distributed to each member for each Board meeting.
- 3.7 **Compensation.** Board members shall serve without compensation; except that expenses, when authorized by the appointing agency, shall be paid by the appointing agency.

#### **ARTICLE FOUR - OPERATIONS**

- 4.1 The Washtenaw County Regional Dispatch Authority (WCRDA) functions as a Public Safety Answering Point (PSAP) within Washtenaw County and as a Consolidated Dispatch Center as defined in M.C.L.A. 484.1102 et. seq. The Center is staffed and equipped to answer emergency telephone calls routed to it, and provide for the accurate and timely dispatching for emergency services within Washtenaw County.
- 4.2 The Authority may contract with private agencies and municipalities interested in receiving dispatching services from the Authority. Each contract will specify the contribution, if any, to the Authority to be made by the Agency during the term of the agreement, and will specify the services that are to be rendered by the Authority.
- 4.3 The Authority may contract with the County, or other public or private agencies for support services including, but not limited to, Finance, Legal, and Personnel administration.
- 4.4 The Authority may receive financial support from one or more sources, including emergency telephone surcharge revenues, user fees from public agencies for services provided, and/or private/public grants.
- 4.5 Policy and procedures are established by the Authority's Board of Directors and implemented by the Director.
- 4.5.1 The Director of the Authority is its chief executive officer and is directly responsible to the Board for implementing policy and procedures adopted by the Board, and other duties as directed by the Board. The Director may form and chair working groups of technical experts as he/she deems necessary to carry out such duties and responsibilities.

**ARTICLE FIVE - Fiscal Administration**

- 5.1 The Authority may contract with the County, or other public or private agencies for financial services.
- 5.2 **Annual Audit.** In accordance with Michigan state law the Authority revenues and expenditures shall be subject to a complete, annual audit, which will include an audit opinion without qualifications, to be performed by a certified public accountant.

**ARTICLE SIX - Miscellaneous**

- 6.1 **Extent of Agreement.** This Agreement constitutes the complete expression of the Agreement between the parties. There are no other oral or written agreements or understandings between the parties concerning the subject matter of this Agreement.
- 6.2 **Severability.** This Agreement shall be interpreted in a manner consistent with applicable law. If any portion is held to be illegal, invalid, or unenforceable, the remainder of the Agreement shall be deemed severable and shall remain in full force and effect.
- 6.3 **Non Waiver.** By participation in the Authority the City and the County do not waive any of their legal rights or defenses with respect to any third party or parties. Moreover, the City and the County do not expressly or impliedly assume any liability for each other or any third party.
- 6.4 **Duration.** This Agreement shall continue in force for ten years, provided, however, that the City or County upon giving one year written notice to the other party may terminate this agreement.
- 6.5 **Termination, Distribution of Assets.** If this Agreement is terminated and/or dissolved, the Authority's capital assets shall be distributed equally between the City and the County.
- 6.6 **Amendments.** Amendments to this Agreement must be approved in writing by the City and County.

CITY OF ANN ARBOR, a Michigan municipal corporation

WASHTENAW COUNTY, a Michigan municipal corporation

By: \_\_\_\_\_  
Ingrid Sheldon, Mayor

By: \_\_\_\_\_  
Grace Shackman, Chair,  
Washtenaw County Board  
of Commissioners

By: \_\_\_\_\_  
Winifred W. Northcross,  
City Clerk

By: \_\_\_\_\_  
Peggy M. Haines, Clerk/

Approved As To Form

Approved As To Form

By: \_\_\_\_\_  
John Van Loon  
Acting City Attorney

By: \_\_\_\_\_  
Curtis N. Hedger,  
Corporation Counsel

Councilmember Kolb moved that the resolution be approved.

Councilmember Hartwell moved that the resolution be postponed pending receipt of information on cost-saving analysis and labor issues.

On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Carlberg, Herrell, Hartwell, Kolb, Daley, 6  
Nays, Councilmembers Lumm, Kwan, Putman, Mayor Ingrid Sheldon, 4

The Mayor declared the motion carried and the resolution postponed.

**R-76-2-96 APPROVED**

**RESOLUTION TO FORM A COUNCIL COMMITTEE  
TO STUDY A LETTER OF UNDERSTANDING WITH  
THE PENSION BOARD**

Whereas, The Ann Arbor City Council met with the Employees Retirement System Board of Trustees ("Pension Board") on Monday, February 12, 1996; and

Whereas, The Ann Arbor City Council wishes to discuss the concept of a "Letter of Understanding" that will affirm sound operational practices and the Council/Pension Board relationship;

**RESOLVED**, That up to four members of the City Council work with the Pension Board to discuss areas of mutual concern and develop recommendations for action by Council by means of resolution or ordinance revision; and.

**RESOLVED**, That these recommendations be presented by May 1, 1996, and that the Committee be dissolved with the presentation of its recommendations.

Councilmember Lumm moved that the resolution be approved.

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

**R-77-2-96 APPROVED****RESOLUTION TO REVISE THE RESERVATION  
FEE POLICY FOR PARKS AND SHELTERS FOR  
PICNICS AND SPECIAL EVENTS**

Whereas, The Department of Parks and Recreation currently charges a user fee for reserved use of its parks and shelters for picnics and special events;

Whereas, The current user fee for reserving parks with shelters is \$15.00 and a fee of \$10.00 for an area in the park without a shelter and a \$25.00 refundable damage deposit for all use permits;

Whereas, The current user fee for West Park Band Shell and Liberty Plaza, which are equipped for concerts, is a \$25.00 clean-up fee for concerts and a \$12.00 per hour Ranger fee for events that have amplified music or the attendance is estimated to be more than 200 persons;

Whereas, The cost for administrative processing of applications and permits and inspection and maintenance of parks after usage has risen since City Council approved the original fee policy in January, 1989;

Whereas, A study of area Parks Departments' shelter fees revealed that the City of Ann Arbor usage fee falls well below that of the surrounding areas' park shelter use fees;

Whereas, As established by City Council Resolution #R-178-5-94, May 2, 1994, possession of any capped or uncapped containers of alcohol or consumption of any alcohol is restricted unless a special permit is issued;

Whereas, The damage deposit of \$25.00 is rarely retained and very costly to process, and any damage to City property affected by the reserved use of the park is solely the responsibility of the permittee; and

Whereas, The Park Advisory Commission reviewed approved the recommendation of the Department of Parks and Recreation Reservation Fee Policy to permit the use of Parks, Shelters for Picnics, and Special Events on December 19, 1995, per the attached fee schedule; and

**RESOLVED**, That City Council approve the revisions of the fee policy for parks and shelters for picnics and special events, to be implemented immediately upon approval by City Council.

**RESERVATION FEE POLICY FOR**

**PARKS AND SHELTERS FOR PICNICS AND SPECIAL EVENTS**

**Picnic Permit Fee for Reserved Area in Parks Without a Shelter**

<b><u>Hours Reserved</u></b>	<b><u>*Resident Fee *Non-Resident Fee</u></b>		<b><u>**Corporate Fee</u></b>
1 - 4 Hours	\$12.00	\$15.00	\$40.00
4 - 8 Hours	\$24.00	\$30.00	\$55.00
8 - 12 Hours		\$36.00	\$45.00
\$70.00			

**Permit Fee for Shelter Reservation**

<b><u>Hours Reserved</u></b>	<b><u>*Resident Fee *Non-Resident Fee</u></b>		<b><u>**Corporate Fee</u></b>
1 - 4 Hours	\$20.00	\$25.00	\$50.00
4 - 8 Hours	\$40.00	\$50.00	\$75.00
8 - 12 Hours		\$60.00	\$75.00
\$100.00			

**Alcohol Permit Fee**

<b><u>*Resident Fee</u></b>	<b><u>*Non-Resident Fee</u></b>	<b><u>**Corporate Fee</u></b>
\$4.00	\$5.00	\$10.00

\*Non-profit organization fee falls under the resident/non-resident fee structure.

\*\*For-profit organization only.

**Key Deposit for Shelters Which Require a Key for Entry**

-\$5.00 (resident, non-resident and corporate), Refundable Upon Return of the Key within (1) week of the reserved date.

**Special Event Agreement** - Required for a major event in a City park, for large groups of 200 or more persons, or for an event which is evident will have an impact on the surrounding neighborhood, i.e. additional parking area needed, scope of the area of a park needed.

**Special Event Fee** - Will be determined by the Superintendent of Parks and Recreation, within the guidelines listed below:

Ranger Fee	\$48.00	for	Every (4) Hours	for	Each Park Ranger
Electricity Use and	\$50.00				
General Clean-up Fee					
Park Permit Fee	\$25.00	for	Every (4) Hours Reserved		

\*Special requests will be charged at the City=s costs to provide and require users to repair

damage, if it occurs, at a cost approved by the Parks and Recreation Department.

Security Deposit - Eliminated due to the additional administrative costs required to maintain files and refund checks.

Fee Adjustment Review - Annually by the Park Advisory Commission.

Councilmember Lumm moved that the resolution be approved.

On a voice vote, the Mayor declared the motion carried with Council Hartwell dissenting.

**R-78-2-96 APPROVED**

**RESOLUTION TO APPROVE A CONTRACT CHANGE  
ORDER FOR WARREN CONTRACTORS AND  
DEVELOPMENT AND APPROPRIATE DONATED FUNDS  
FOR FURSTENBERG PARK IMPROVEMENTS,  
PHASE II (\$19,946)**

Whereas, The contract with Warren Contractors Construction Co. for Furstenberg Park Improvements ( boardwalk, trails and bridges), bid #2719 in the amount of \$332,613 as approved by City Council Resolution #R-261-6-95 on June 5, 1995 included a 10% construction contingency in the amount of \$33,261;

Whereas, Additional work was necessary due to unknown circumstances at the time of bidding which required changes to the design and additional pile driving for the bridges which totals \$40,150.70 which is over the previously approved 10% contract contingency of \$33,261 by \$6889.70 or 2%; and

Whereas, Additional funds were received from donations for Furstenberg Park as follows:

\$ 3946	Hakken Memorial donation
\$ 1000	Nancy Furstenberg donation
<u>\$15,000</u>	Mrs. Wu, bridge donation
\$19,946	Total of additional appropriation

**RESOLVED**, That City Council approve the change order in the amount of \$6889.70 to the contract (Bid #2719) with Warren Contractors and Development Corporation for improvements to Furstenberg Park; and

**RESOLVED**, That donations received earmarked for Furstenberg Park be appropriated to the project in the amount of \$19,946 to bring the total project budget to \$614,946 for the life of the project.

**Councilmember Putman moved that the resolution be approved.**

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

**R-79-2-96 APPROVED**

**RESOLUTION TO APPROVE A PROJECT AGREEMENT**

**WITH**

**THE MICHIGAN DEPARTMENT OF NATURAL**

**RESOURCES**

**NATURAL HERITAGE PROGRAM FOR**

**PRODUCTION OF AN**

**EDUCATIONAL GUIDEBOOK ENTITLED**

**NATURAL COMMUNITIES OF THE HURON RIVER CORRIDOR**

**AN ARBOR (\$4,000)**

Whereas, The City owns over 600 acres of undeveloped park land along the Huron River;

Whereas, These parks are used extensively by members of the public, many of whom desire to learn more about the ecological significance of these natural areas;

Whereas, The Michigan Department of Natural Resources, Natural Heritage Program has grant funds available for projects educating the public about natural areas; and

Whereas, Funding is available in the Park Maintenance and Repair Millage for Natural Area Preservation which has been used in the past to help educate the public about the natural areas of Ann Arbor;

**RESOLVED**, That the Mayor and City Council approve signing of the Michigan Department of Natural Resources Natural Heritage Program Grant and authorize the Mayor and City Clerk to sign the agreement with the Michigan Department of Natural Resources substantially in the form on file with the City Clerk; and

**RESOLVED**, That the Mayor and City Council appropriate for the life of the project the \$4,000 in grant funds from the Michigan Department of Natural Resources for the purpose stated in the Grant agreement.

Councilmember Putman moved that the resolution be approved.

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

**R-80-2-96 APPROVED**

**RESOLUTION APPROPRIATING MONEY FROM  
ENVIRONMENTAL BOND FUND TO INSURANCE  
FUND (\$55,149)**

Whereas, Certain expenses were incurred by the Insurance Fund in the course of resolving a dispute which arose as a result of groundwater pollution emanating from the City Landfill; and

Whereas, Those expenses are part of the costs of the environmental cleanup and should be funded by the Environmental Bond Fund;

**RESOLVED**, That the sum of \$55,149.10 be transferred from the Environmental Bond Fund to the Insurance Fund.

Councilmember Putman moved that the resolution be approved.

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

**R-53-2-96 RECONSIDERED, AMENDED AND APPROVED**

**RESOLUTION REGARDING ELIMINATION OF CERTAIN  
BOARDS, COMMISSIONS AND COMMITTEES AND THE  
LIMITATION OF STAFF PARTICIPATION ON OTHER  
CITY BOARDS, COMMISSIONS AND COMMITTEES**

As a Councilmember who voted on the prevailing side, Councilmember Carlberg moved to reconsider this resolution which was approved at the Council session of February 5, 1996.

On roll call on the motion to reconsider, the vote was as follows: Yeas, Councilmembers Hanna-Davies, Carlberg, Herrell, Hartwell, Kolb, Daley, 6 Nays, Councilmembers Lumm, Kwan, Putman, Mayor Sheldon, 4

The Mayor declared the motion carried.

The question under consideration was approval of the resolution as it was amended February 5, 1996.

Councilmember Carlberg moved that the resolution be amended by deleting the Resolved Clause No. 10. as follows:

~~<10. That the Natural Features Ordinance Task Force be~~

~~retained as an active committee until it has completed its task of providing for the protection, management, enjoyment, identification, and controlled use of watercourses, wetlands, woodlands and landmark trees in order to ensure their continued existence;~~>

On roll call, the vote was as follows: Yeas, Councilmembers Hanna-Davies, Lumm, Kwan, Carlberg, Herrell, Hartwell, Putman, Kolb, Daley, Mayor Sheldon, 10  
Nays, 0

The Mayor declared the motion carried.

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

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

Following is the resolution as it was amended:

R-53-2-96

**RESOLUTION REGARDING ELIMINATION OF CERTAIN  
BOARDS, COMMISSIONS AND COMMITTEES AND  
THE LIMITATION OF STAFF PARTICIPATION ON  
OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES**

Whereas, On September 18, 1995, the Ann Arbor City Council passed Resolution No. R-439-9-95 directing the Interim Administrators to gather feedback on the proposed elimination of and staff participation levels on several City boards, commissions and committees;

Whereas, The Interim Administrators provided staff responses to Council via memorandum in November, 1995, and members of various boards, commissions and committees also provided input to Council on the proposals contained in Resolution No. R-439-9-95; and

Whereas, It is always the desire of Council to make the best and most efficient use of staff time and to encourage citizen participation in the governmental process, and doing so requires occasional review of the groups that Council has appointed to assist it in making sound, balanced decisions;

**RESOLVED,**

1. That in accordance with the Interim Administrators' recommendation, the City Clerk be directed to remove from the listing of City Boards, Commissions and Committees the Advisory Development Committee, as the authority for this Committee was transferred to the City Planning Commission;

2. That staff participation at the Airport Advisory Committee, the Building Board of Appeals, the Community Development Citizen Participation Executive Committee, the Community Development Waiver and Review Board, the Finance Advisory Committee, the Housing Policy Board, the Human Rights Commission, and the Human Services Funding Task Force be determined on an as-needed basis by the department head, as recommended by the applicable committee members and the Interim Administrators, or as otherwise required by ordinance;
3. That staff participation on the Ann Arbor Commission on Disability Issues, the Bicycle Coordinating Committee, and the Mayor=s Committee on Street Art Fairs remain as it is presently set in the makeup of these groups, in accordance with the interim Administrators= recommendations;
4. That the Administrative Services Director and the City Treasurer remain as ex officio members, but alternate attendance at the meetings of the City Market Commission, as recommended in their response to Council=s request;
5. That the Ann Arbor Energy Commission remain an active City commission, in accordance with the recommendations of staff and the Commission members;
6. That the following Committees be hereby dissolved for the reasons cited: Citizens= Alternative Fee Committee, as appointments have never been made since its inception in 1990, and a report due to Council on 12/31/90 was evidently never made; the Employee/Management Joint Committee, as membership has not been appointed since its inception in 1989; the Committee to Establish a Policy Regarding Public Housing Seizures, a group established in response to a particular situation in 1990, but for whom the Clerk=s Office has no record of any meetings or of appointments being completed, and from whom a report due to Council in November of that year was not made; the Library Lot Task Force, which has been inactive for at least three years, but could be reinstated as needed; the West Summit Area Historic District Study Committee, in accordance with the recommendation of the Historic District Commission, whose work program does not include studying a potential historic district in this area for several years and since this committee has never met since its inception in 1972;
7. That the following groups be hereby officially disbanded, as their respective tasks have been completed: the Police Chief Selection Citizens Panel; and the Safe Celebration Task Force, with Council=s urging to the Police Department to continue to work cooperatively with the University of Michigan, the business community and adjacent neighborhood associations to ensure the safety of any future such celebrations;

8. That the Individual Historic Properties Historic District Study Committee be retained as an active committee, as mandated by the Historic District Code;
9. That Council concur with the Interim Administrators' recommendation and ask that the Municipal Garages Relocation Task Force continue to address its original charge to determine future use of the City's garage facilities located at 415 W. Washington and 721 N. Main Street;
10. That, since the City has a federal grant project underway to survey the north side area, the North side Historic District Study Committee be retained and members duly appointed;
11. That the Public Advisory Committee for Parking Management, which was established in the contract for the management of parking facilities between the City and the Downtown Development Authority, be retained until such time as that clause is excised by mutual agreement of the City and the DDA; and
12. That the Washtenaw and Hill Street Historic District Study Committee be retained, since the initial research on the third phase of this district study area has been completed and is awaiting review by the Study Committee;

RESOLVED, That the City Clerk be hereby directed to update the listing of Boards, Commissions and Committees in accordance with this resolution, and that Council express its appreciation to the staff and members of these groups for their review and response to the request for information; and

RESOLVED, That the Ann Arbor City Council express its gratitude to the past and present members of these groups for their willingness to volunteer their time and effort to strengthen the community.

#### REPORTS FROM COUNCIL COMMITTEES

Councilmember Hartwell distributed a rule change that was unanimously approved by the Ad Hoc Rules Committee regarding Rule 29 - Conduct of Discussion and Debate. The resolution to approve this rule change will be considered at the March 4, 1996 Council meeting.

Councilmember Daley requested a meeting of the City Administrator Committee to set goals and evaluation procedures.

Mayor Sheldon noted that the City Administrator Committee still needs Fourth Ward Councilmember participation.

#### COUNCIL PROPOSED BUSINESS

**March 5, 1996:**

**Resolution in Opposition to Senate Bill 728 - Environmental Audit Privilege Bill (Councilmembers Kolb, Carlberg, Hanna-Davies)**

**COMMUNICATIONS FROM THE MAYOR**

Mayor Sheldon invited the public to the formal renaming of the City Hall building to the Guy C. Larcom Jr. Municipal Building on Friday, February 23, 1996 at 3:30 p.m.

Mayor Sheldon noted the art exhibit on the second floor of the Guy C. Larcom Jr., Municipal Building sponsored by the Michigan Art Educators Association. The art was done by area students from a 3 or 4 county region and will be entered into competition in Lansing.

Mayor Sheldon requested Councilmembers to volunteer to study the Letter of Understanding with the Pension System and to discuss with the Board issues that it is considering to bring before the Council.

**APPOINTMENTS APPROVED**

Mayor Sheldon requested confirmation of the following appointments which were placed in nomination at the last Council meeting:

**Airport Advisory Committee**

Crosby Beene, Jr. (To fill vacancy)  
3095 Cedarbrook Road 48105  
Term: 02-05-96 to 09-06-97

**Community Development Citizen Participation Executive Committee**

Margo M. Barron (to complete the unexpired term of Mary Cleasby who resigned)  
1606 South Boulevard 48104  
Term: 02-20-96 to 06-30-96

**Ann Arbor Commission on Disability Issues**

Raymond T. Sylvain (to complete the unexpired term of Jamie Beth Catlin who moved)  
106 Packard Road, Apt. 205 48104  
Term: 02-20-96 to 05-15-98

**Community Development Waiver and Review Board**

Lelahni Wessinger (reappointment)  
2216 Melrose 48104  
Term: 02-20-96 to 02-19-98

Councilmember Carlberg requested a division of the question in order to vote on the Airport Advisory Committee appointment separately.

Councilmember Carlberg moved that the appointment to the Airport Advisory Committee be postponed until March 5, 1996 to give time for consideration of another applicant.

On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Carlberg, Herrell, Hartwell, Kolb, Daley, 6  
Nays, Councilmembers Lumm, Kwan, Putman, Mayor Sheldon, 4

The Mayor declared the motion carried.

The question under consideration was approval of the remaining appointments to the Community Development Citizen Participation Executive Committee, Ann Arbor Commission on Disability Issues and the Community Development Waiver and Review Board.

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

#### **APPOINTMENTS NOMINATED**

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

##### **Recreation Advisory Commission**

Robert V. Boyd (to complete the unexpired term of Audrey Jackson who resigned)  
2321 Easy Street 48104  
Term: 03-04-96 to 08-31-96

##### **Mayor=s Task Force on Increasing Safety for Women**

Angela Demkowski  
Administrator=s Office  
100 N. Fifth Avenue 48104

Debra Vaughn-Walker  
4800 E. Huron River Drive  
P.O. Box D-1 48106-1610

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

**City Administrator Neal G. Berlin presented the following memorandums for the information of the Council:**

- X Response to Council follow-up Notes of February 5, 1996, Item No. 2/5-1 - Snow Removal Video Quotes**
- X Response to Council follow-up Notes of February 5, 1996, Item No. 2/5-2 - Parking on Buffalo Street**
- X Response to City Council follow-up Notes of February 5, 1996, Item No. 2/5-4 - Options for an additional \$5,200 for salaries**
- X Response to City Council follow-up Notes of February 5, 1996, Item No. 2/5-5 - Hillside Manor Site**
- X Response to Council follow-up Notes of February 5, 1996 - Item No. 2/5-6 - Election Refund**
- X Response to Council follow-up Notes of February 5, 1996, Item No. 2/5-7 - Sale of Unused Tickets at the Stadium and Peddling Close to the Stadium, and Item No. 2/5-8 - Outdoor Temporary Sales and sales on Private property during the Art Fair**
- X Fiscal year 1996 Information Technology Projects**
- X Buy Recycled Awards**
- X Downtown Bike Racks**
- X City Services - Bad Debt Recovery**
- X Broadway Bridge over Depot St. and Consolidated Rail Corporation Emergency Maintenance**
- X 1994-1995 Annual Report**
- X Hillside Manor**

**The memorandums were filed with the City Clerk.**

**City Administrator Berlin received requests from Council for information on other subjects.**

## COMMUNICATIONS FROM THE CITY ATTORNEY

None.

## COMMUNICATIONS FROM COUNCIL

Councilmember Carlberg updated Council on Senate Bill 728 - Environmental Audit Privilege Bill. Good Features: It allows companies and public bodies to do environmental audits and to make a plan for corrections if needed without a penalty. Bad Features: Creates privilege by creating inaccessibility to information on a company or public body that is polluting.

Councilmember Kolb said that Senate Bill 728 is opposed by the Environmental Protection Association who have not had a chance to comment, the US Attorney, Michigan Prosecuting Attorney Association and several environmental groups.

## CLERK=S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

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

- X Senator Spencer Abraham regarding the Community Reinvestment Act Legislation - FILED
- X Mayor Ingrid B. Sheldon - Veto Message: Resolution R-53-2-96, Section 10, regarding the Natural Features Ordinance Task Force - FILED
- X Communication from Ed Shaffran, President of the Main Street Area Association - thanking Council for its support in passing the Peddler=s Ordinance - FILED

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

- X Ann Arbor Energy Commission - January 11, 1996
- X City market Commission - January 13, 1994, April 21, 1994, September 15, 1994, February 16, 1995, June 15, 1995, September 28, 1995, November 15, 1995 and January 11, 1996
- X Mayor=s Art Fair Committee - January 24, 1995
- X Historic District Commission - January 11, 1996
- X Community Development Block Grant Executive Committee - October 2, 1995, November 13, 1995, December 18, 1995, January 16, 1996
- X Human Services Task Force - October 11, 1995

Councilmember Kolb moved that the Clerk=s Report be approved.

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

**PUBLIC COMMENTARY - GENERAL**

**None.**

**ADJOURNMENT**

**There being no further business, Mayor Sheldon declared the meeting adjourned at 10:32 p.m.**

**Winifred W. Northcross  
Clerk of the Council**

**Linda J. Wise  
Recording Secretary**