

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - APRIL 15, 1996**

The regular session of the Ann Arbor City Council was called to order at 7:40 p.m. in the Guy C. Larcom Jr. Municipal Building by Mayor Ingrid B. Sheldon.

Council stood for a moment of silence.

Mayor Sheldon led the Pledge of Allegiance.

ROLL CALL OF COUNCIL

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

Absent: Councilmember Stephen Hartwell, 1

INTRODUCTIONS

PRESENTATION OF ARBOR DAY PROCLAMATION

Mayor Sheldon presented a Proclamation declaring April 21, 1996 as Arbor Day to Councilmember Lumm for presentation to the Elizabeth Dean Committee.

BUDGET REVIEW COMMITTEE PRESENTATION

The City of Ann Arbor Budget Review Committee presented its final report and recommendations to the City Council. Chair Robert M. Dailey introduced the members of the Committee and presented the report. A working session on the recommendations was suggested as a way to gain further information and details.

A minority report was presented by Committee member Audrey Jackson. (Filed with the City Clerk: The city of Ann Arbor Budget Review Committee - Final Report to City Council)

1996-97 BUDGET PRESENTATION

City Administrator Neal G. Berlin presented the 1996-97 Fiscal Year Budget. Several budget working sessions have been scheduled to discuss in detail individual departmental budgets and line-items. (Filed with the City Clerk: The city of Ann Arbor Proposed 1996-1997 Annual Budget and 1996-1997 Budget Briefing)

PUBLIC COMMENTARY - RESERVED TIMEANDY GULVEZAN - ANNOUNCEMENTS - CITY ADMINISTRATOR APPOINTMENT

Andy Gulvezan, 2014 Pauline Blvd., commented on the achievements of past County and State officials; his ejection from certain establishments, parking on Pauline Blvd., and his offer to work as City Administrator at a lower salary.

MARY BEJIAN - TAKE BACK THE NIGHT MARCH RALLY

Mary Bejian, 3167 Thayer, said that this will be the 17th year for the Take Back the Night rally. This year's theme will be Breaking the Backlash - Resisting Sexual, Domestic and Economic Violence. The rally will focus on the different types of violent acts practiced against women. In addition, this year they will be marching without Police protection to protest law enforcement's seeming indifference to violence against women.

JANELLE WHITE - TAKE BACK THE NIGHT MARCH RALLY

Janelle White, 330 Packard, presented a list of demands for 1996 in conjunction with the Take Back the Night rally, which is considered a protest of violence against women. They demanded an end to institutionalized bias against people on Medicaid, and that sexual assault, partner violence and stalking that occurs on University property be treated as crimes. In addition, they wanted reinstatement of assistance programs commonly used by women to escape a violent living situation, and demanded equal treatment of all women regardless of age or sexual orientation. She noted that the march was for women only.

LUCILLE PORTER - COMMUNITY LEANING POST

Lucille Porter, 1000 Woodlawn, representing the Community Leaning Post, urged Council to approve the resolution on the agenda this date to close a portion of E. Ann Street on June 1 for an African-American Community Celebration. This celebration is to commemorate the African-American businesses that operated in that area over the years, and to show young people that African Americans have made significant contributions to the City.

SAFIYAH KHALID - MAYORAL REFLECTIONS

Safiyah Khalid, P.O. Box 130654AA, commented on the different speakers who have expressed their concerns before the Council and the Mayor and what she perceived as indifference toward those citizens' complaints and concerns.

RYAN FRIEDRICHS - BURMA RESOLUTION

Ryan Friedrichs, East Quad, spoke in favor of the resolution on the agenda this date supporting economic sanctions against Burma (Myanmar) in order to help a human rights situation. The economic sanctioning of Burma would not result in any increased costs to the City.

VIVIAN LOUIE - ANN ARBOR YMCA

Vivian Louie, 2072 Pauline, No. 2B, said that she was shocked at the 60 day limit policy adopted by the Ann Arbor Homeless Shelter, and the recent eviction notices issued by the Ann Arbor YMCA. She said that a recent string of events suggests that people with homes have assumed the right to dictate what is appropriate and acceptable behavior of people without homes. She said that the Ann Arbor YMCA rate for a single room with no bath is more costly than her

2 bedroom apartment, that tenants= rooms are routinely invaded, and that low-income and mentally impaired persons are barred. Ann Arbor is becoming less safe for people who are not wealthy.

PHIL DINEHART - BURMA RESOLUTION

Phil Dinehart, 1207 Manhattan, a member of Amnesty International, said that it would be a noble gesture for the Community of Ann Arbor to reach out to the people of Burma. He cited Burma=s numerous human rights violations, and expressed his support for approval of the resolution urging sanctions.

PUBLIC HEARINGS

THE MONROE PLANNED PROJECT SITE PLAN

A public hearing was conducted on the proposed The Monroe Planned Project Site Plan, 0.20 acre, 614 Monroe Street.

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

1309-1321 SOUTH UNIVERSITY SITE PLAN

A public hearing was conducted on the proposed 1309-1321 South University Site Plan, 0.14 acre, 1309-1321 South University Street.

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

APPROVAL OF AGENDA

CONSENT AGENDA

Delete: Resolution to Approve the Use of City Property at the Ann Arbor Municipal Airport by St. Joseph Mercy Hospital for a Circus and to Close Certain City Streets for the downtown Circus Parade (\$3,800) (Building)

Revised: Resolution to Approve Transfer of Funds from Community Events Fund to Cover Building Permit and Related Permit Fees for the 1996 Christmas in April of Ann Arbor (Building)

Revised: Resolution to Close Ann Street for an African American Community Celebration (Building)

MOTIONS AND RESOLUTIONS

Added: Resolution to Approve the Use of City Property at the Ann Arbor Municipal Airport by St. Joseph Mercy Hospital for a Circus and to Close Certain City Streets for the Downtown Circus Parade (\$3,800) (Building)

Revised and Deleted: Resolution Authorizing the Modification of the

Location, Width, and Elevation of Sidewalks in Newport Hills Phase I Site Condominiums (Councilmembers Hanna-Davies, Vereen-Dixon and Mayor Sheldon)

Add Information: Resolution to Approve 1309-1321 South University Site Plan, 0.14 acre, 1309-1321 South University Street - ([Please see additional information provided by the petitioner](#))

Deleted: Resolution to Approve Contract with Recycle Ann Arbor for Recycling Collection Services (Solid Waste)

Added: Resolution Requesting the City Attorney to Engage in Settlement Negotiations with the Ann Arbor Tenants Union Relative to Litigation Involving the YMCA (Councilmember Daley)

Added: Resolution Barring Purchases from Businesses in Burma and From Those Doing Business with Burma (Myanmar) (Councilmember Carlberg)

CLERK=S REPORT OF COMMUNICATIONS

Add: Michigan Municipal League announcement - annual regional meeting for municipal officials - **FILED**

Add: Carolyn Diem - Financial plight of human needs agencies - **FILED**

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

APPROVAL OF COUNCIL MINUTES

MINUTES APPROVED AS PRESENTED

Councilmember Kwan moved that the working session minutes of March 25, 1996 and the regular session minutes of April 1, 1996 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-155-4-96 APPROVED

RESOLUTION TO APPROVE AMENDMENT
TO PROFESSIONAL SERVICES AGREEMENT
WITH EARTH TECH, INC. FOR THE LANDFILL
GROUNDWATER MONITORING PROGRAM
(\$94,000)

Whereas, The Council approved a Professional Services Agreement with WW Engineering & Science, Inc. on October 4, 1993 to implement the groundwater monitoring program at the Landfill;

Whereas, WW Engineering & Science, Inc. has since changed its corporate name to Earth Tech, Inc.;

Whereas, It is necessary to continue the monitoring program on a quarterly basis;

Whereas, Funding for the amendment is available from the project savings and contingencies to date and is within the approved Groundwater Monitoring Program budget; and

Whereas, Earth Tech, Inc. has received Human Resources Department approval on April 15, 1996;

RESOLVED, That City Council approve an amendment with Earth Tech, Inc. in the amount of \$94,000 to implement additional groundwater monitoring services; and

\$ 90,000 TOTAL;

Section II, Expense

\$ 62,000	Consulting services
13,000	City's engineering services
5,000	Other charges including City owned vehicles, printing, materials and supplies, etc.
<u>10,000</u>	Contingencies to be approved by the City Administrator
\$ 90,000	TOTAL; and

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

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R-157-4-96 APPROVED

RESOLUTION TO ACCEPT BOARD OF INSURANCE ADMINISTRATION MINUTES OF APRIL 4, 1996 AND TO AUTHORIZE PAYMENTS

RESOLVED, That the Board of Insurance Administration Minutes of April 4, 1996 be accepted and that the payments therein be authorized.

MINUTES CITY OF ANN ARBOR BOARD OF INSURANCE ADMINISTRATION APRIL 4, 1996

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

Absent: None

Also Present: Daniel J. Cullen, Risk Manager Stacey Washington, Assistant City Attorney John VanLoon, Chief Assistant City Attorney Stefani Carter, Assistant City Attorney 4.

CITIZENS' CLAIMS APPROVED: (and check issued)

<u>CASE NO.</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
CC 135-95	Vehicle damage claim of Carrie Tejada	\$112.84
CC 3-96	Property damage claim of Allstate Insurance Co.	\$500.00

CC 134-95	Property damage claim of Olga Ortiz	\$47.50
CC 6-96	Property damage claim of Shell Oil Company	\$3,540.00
CC 7-96	Bodily injury claim of Rita Lage	\$1,660.00
	TOTAL	\$5,860.34

LEGAL EXPENSES AND/OR CASE RELATED EXPENSES:

<u>CASE NO.</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
WC 012-95	Workers' Compensation Case of John King Huron Reporting Service, Inc.	\$71.00
CC 77-95	Workers' Compensation Case of Marcia Bauer Records Deposition Service	\$32.00
CC 77-95	Workers' Compensation Case of Marcia Bauer Philip Margolis	\$185.00
WC 012-95	Workers' Compensation Case of John King Huron Reporting	\$138.40
WC 012-95	Workers' Compensation Case of John King Medical Evaluation Specialists	\$400.00
CC 47-95	Lawsuit of Leonor Barosso by Carrick Craig, Attorney Amy Shankleton-Novess	\$123.95
	TOTAL	\$950.35

CITIZEN'S CLAIMS DENIED:

CASE NO.

CC 11-96	Property damage claim of Kwok-Keung Ko Discussed by Daniel J. Cullen, Risk Manager and the Board denied the claim.
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CC 12-96 **Vehicle damage claim of Christa Campbell**
Discussed by Daniel J. Cullen, Risk Manager and the Board denied the claim.

CC 20-96 **Vehicle damage claim of George Hoover**
Discussed by Daniel J. Cullen, Risk Manager and the Board denied the claim.

OTHER BUSINESS:
CASE NO.

WC 12-95 **Workers' Compensation Case of John King**
Discussed by Stacey Washington, Assistant City Attorney and the Board tabled the claim pending further investigation.

CC 40-95 **Bodily injury claim of Elyssa Weiner by Michael Garris, Attorney**
Discussed by Daniel J. Cullen, Risk Manager and the Board closed the file due to inactivity by the claimant.

CC 108-95 **Property damage claim of Ruth Totels by CNA Insurance Company**
Discussed by Daniel J. Cullen, Risk Manager and the Board closed the file due to inactivity by the claimant.

BI 267-93 **Workers' Compensation Case of Marcia Bauer**
Discussed by Stacey Washington, Assistant City Attorney and the Board authorized settlement.

WC 5-94 **Workers' Compensation Case of Michael Talbot**
Discussed by Stacey Washington, Assistant City Attorney and the Board authorized settlement.

CC 47-95 **Lawsuit of Leonor Barosso by Carrick Craig, Attorney**
Discussed by Stefani Carter, Assistant City Attorney and the Board authorized settlement.

CC 16-96 **Sewer Back-Up Claim of Arthur French (2204 Packard)**
Discussed by Daniel J. Cullen, Risk Manager and the Board authorized settlement.

CC 18-96 **Sewer Back-Up Claim of Allstate Insurance Company for N.E. Ventures (3601 Plymouth Road)**
Discussed by Daniel J. Cullen, Risk Manager and the Board authorized settlement.

CC 21-96 **Vehicle damage claim of Campus Auto Rental**
Discussed by Daniel J. Cullen, Risk Manager and the Board

authorized settlement.

CC 15-96 Vehicle damage claim of Mark Horning
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.

CC 17-96 Vehicle damage claim of Bobby Kim
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.

PD 16-96 Vehicle damage claim of Police Vehicle #82
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.	DATE TO FROM	CLM.
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ADDITIONAL CLAIMS RECEIVED SINCE LAST MEETING --awaiting further
investigation (and/or information):

CASE NO.

CC 15-96 Vehicle damage claim of Mark Horning
CC 16-96 Sewer Back-Up Claim of Arthur H. French
CC 17-96 Vehicle damage claim of Bobby Kim
CC 18-96 Sewer Back-Up Claim of Allstate Insurance Company
CC 20-96 Vehicle damage claim of George Hoover
CC 21-96 Vehicle damage claim of Campus Auto Rental

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R-158-4-96 APPROVED

**RESOLUTION TO APPROVE HOUSING
REHABILITATION AGREEMENT WITH
CHRISTOPHER AND CHRISTA M. PRICE
(\$25,800)**

Whereas, an application was received from Christopher and Christa M. Price for rehabilitation assistance for their home located at 1301 Pontiac Trail, Ann Arbor;

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

Whereas, on April 3, 1996 the Waiver and Review Board approved the waiver of the three person income eligibility requirements and to defer the loan payments for three years from the date of completion of the work;

Whereas, the total proposed work is estimated to cost \$25,800 and Mr. and Mrs. Price will be executing an agreement with the lowest responsible bidder, who has Human Rights approval dated 12/15/95, to complete the rehabilitation work;

RESOLVED, that City Council approve the Housing Rehabilitation Agreement with Christopher and Christa M. Price in the amount of \$25,800 as a loan at 1% interest for a 15 year term with funds available until expended without regard to fiscal year and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the office of the City Clerk.

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R-159-4-96 APPROVED

**RESOLUTION TO APPROVE TRANSFER OF
COMMUNITY EVENTS FUNDS TO COVER
BUILDING PERMIT AND RELATED PERMIT
FEES FOR THE 1996 CHRISTMAS IN
APRIL OF ANN ARBOR (\$114)**

Whereas, The third annual Christmas in April (a/k/a The Spirit of Giving) program was organized for April 27, 1996;

Whereas, The program is designed to recruit volunteer support for a single day of intensive activity for the renovating, repairing, and/or painting of houses of lower income families and particularly those of elderly persons or persons with disabilities;

Whereas, Contractors, local businesses and the public are being asked to donate either cash, labor, or materials in order to complete the work at no cost to the individual homeowners;

Whereas, Local building and remodeling contractors will be overseeing the work completed in each home and will be responsible for obtaining permits for work completed; and

Whereas, A balance of \$5,403.75 exists in the Community Events fund.

RESOLVED, That City Council approve the transfer of funds from the Community Events fund to cover the building permit and related permit fees as estimated and listed below for the 1996 Christmas in April of Ann Arbor program for each of the following homeowners:

1.	Isaac Brown	703 Fountain	\$16.00 (Building Permit)
2.	Roberta Harris	625 Felch	16.00 (Building Permit)
			25.00 (Plumbing Permit)
3.	Gladys Hall	209 E. Kingsley	25.00 (Electrical Permit)
4.	Johnnie May Baylis	611 Spring	16.00 (Building Permit)
5.	Mrs. Strathopoulos	611 Susan	0.00 (Painting etc.)
6.	Paul Elrod	809 Pauline	0.00 (Painting etc.)
7.	James Doyle	1023 Granger	16.00 (Building Permit)
8.	Bertha Forner	1049 Pinetree	0.00 (Painting etc.)
9.	Mr. Redden	2559 Burton Road	0.00 (Painting etc.)
10.	John Kisley	436 S. Seventh St.	<u>0.00</u> (Painting etc.)
		Total	\$114.00

Account No: 010-019-0123-4421

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R-160-4-96 APPROVED

**RESOLUTION REGARDING STREET CLOSING
FOR AFRICAN AMERICAN ANN STREET-
FOURTH AVENUE CELEBRATION**

Whereas, The Community Leaning Post, a local service organization, wishes to hold an African American Community Celebration to commemorate and celebrate the contributions of local African Americans in the development of both the community and the City;

Whereas, The Community Leaning Post wishes to hold the event in the Ann Street - Fourth Avenue area, which was formerly the center of the Black business district in the City;

Whereas, This will require the closing of Ann Street from North Main to Fourth Avenue between 5:00 p.m. and 10:00 p.m. on June 1, 1996;

Whereas, The Community Leaning Post will obtain all necessary permits and be responsible to comply with all procedures, rules and regulations required by the City to stage such an event;

Whereas, The Community Leaning Post has requested that the City support this event by transferring funds from the Community Events Budget to cover costs for the following City services:

Parking meter fees	\$84.00
Barricades (delivery and pick-up charge)	<u>\$35.00</u>
Total	\$119.00

Whereas, The Community Leaning Post has requested that the City waive parking meter bag deposit fees (\$200.00), and

Whereas, The Community Leaning Post agrees to defend and indemnify and save the City harmless against any claim arising from their sponsorship of this event.

RESOLVED, The Mayor and City Council hereby approve the closing of Ann Street on Saturday, June 1, 1996 from 5:00 p.m. to 10:00 p.m. as requested by the sponsor, and

RESOLVED, That the City support the event by transferring funds from the Community Events Budget to pay for necessary city services and waiving meter deposit fees.

Councilmember Kolb moved that the Consent Agenda be approved.

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

ORDINANCES - SECOND READING

None.

ORDINANCES - FIRST READING**12-96 APPROVED****J. CHEESMAN PROPERTY 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 0.22 acre from TWP (Township District) to R1C (Single-Family Dwelling District), J. Cheesman property, 430 Rose Drive. (Planning Commission recommendation: Approval 7 yeas and 0 nays)

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

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

13-96 APPROVED**R. CHEESMAN PROPERTY 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 0.22 acre from TWP (Township District) to R1C (Single-Family Dwelling District), R. Cheesman property, 440 Rose Drive. (Planning Commission recommendation: Approval 7 yeas and 0 nays)

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

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

14-96 APPROVED**HOUGH PROPERTY 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 0.19 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Hough Property, 2643 Dexter Road. (Planning Commission recommendation: Approval - 6 yeas ;and 0

nays)

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

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

**15-96 APPROVED
RUCINSKI/WILCZAK PROPERTY 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 0.22 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Rucinski/Wilczak property, 359 Pinewood (Planning Commission recommendation: Approval - 8 years and 0 nays)

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

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

**16-96 APPROVED
WHITMER PROPERTY 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 0.22 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Whitmer Property, 347 Pinewood. (Planning Commission recommendation: approval - 6 years and 0 nays)

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

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

**17-96 APPROVED
WILSON PROPERTY 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 0.8 acre from TWP (Township District) to R1B (Single-Family Dwelling District), Wilson Property, 305 Rock Creek Court. (Planning Commission recommendation: Approval - 7 years and 0 nays)

Councilmember Lumm moved that the resolution be approved.

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

MOTIONS AND RESOLUTIONS

R-161-4-96 APPROVED

RESOLUTION TO APPROVE THE USE OF CITY PROPERTY AT THE ANN ARBOR MUNICIPAL AIRPORT BY ST. JOSEPH MERCY HOSPITAL FOR A CIRCUS AND TO CLOSE CERTAIN CITY STREETS FOR THE DOWNTOWN CIRCUS PARADE (\$3,800)

Whereas, The City has received a request from St. Joseph Mercy Hospital to use City property at the Ann Arbor Municipal Airport for set up of a circus on Thursday, June 20, and for holding a circus on Friday, June 21 through Sunday, June 23, 1996, and to conduct a circus parade on certain City streets on Friday, June 21, 1996;

Whereas, St. Joseph Mercy Hospital is a long established health service agency serving our community;

Whereas, St. Joseph Mercy Hospital will be responsible to comply with all procedures, rules and regulations, and to pay all costs and fees required by City Airport Management as approved by the Manager of Transportation, City Council and Pittsfield Township;

Whereas, St. Joseph Mercy Hospital agrees to defend and indemnify and save the City harmless against any claim arising out of their sponsorship of this event;

Whereas, St. Joseph Mercy Hospital shall prepare the City property to be used prior to the event, and shall remove all debris from the property following the event; and

Whereas, St. Joseph Mercy Hospital has requested that the City waive parking meter bag deposits, as done in the past.

RESOLVED, that the Mayor and City Council hereby approve St. Joseph Mercy Hospital request to use City property at the Ann Arbor Municipal Airport for activities related to a circus on Thursday, June 20 through Sunday, June 23, 1996;

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

Friday, June 21, 1996;

RESOLVED, that the closing of designated streets along the route as needed, from 12:00 p.m. to 2:00 p.m. on Friday, June 21, 1996 along with parking prohibitions, as required, is also approved (including Fifth from Washington to William and Division from Jefferson to Washington);

RESOLVED, that East University and Tappan from South University to Hill Street be closed for the staging of the parade at 10:00 a.m. on Friday, June 21, 1996; and

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

Councilmember Kolb moved that the resolution be approved.

**On roll call the vote was as follows: Yeas, Councilmembers Vereen-Dixon, Lumm, Kwan, Carlberg, Putman, Kolb, Mayor Sheldon, 7
Nays, Councilmembers Hanna-Davies, Herrell, Daley, 3**

The Mayor declared the motion carried.

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DEFERRED TO LATER IN THE AGENDA

RESOLUTION DECLARING PARCELS EXCESS CITY PROPERTY

Councilmember Vereen-Dixon moved that the resolution be approved.

Councilmember Vereen-Dixon moved that the resolution be deferred to later on the agenda so that she may confer with colleagues on the Real Estate Committee.

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

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R-162-4-96 APPROVED AS AMENDED

RESOLUTION COMMEMORATING LAW DAY

Councilmember Kolb moved that the resolution be approved.

Councilmember Hanna-Davies moved to amend the fourth paragraph of the resolution as follows:

Whereas, 1996 is the 30th anniversary of the Supreme Court's decision in *Miranda v. Arizona* that police officers must inform those arrested of their constitutional rights, ~~the 20th anniversary of the ruling that capital punishment is not prohibited by the Eighth Amendment, and the Fifth Anniversary of the Supreme Court's restriction of *Miranda* by holding that a coerced confession can be a harmless error;~~ it is appropriate for the City of Ann Arbor to reflect on the rights of the accused, the importance of the Law to the protection of the individual and the role of law in the life of the community; and...

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

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

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

Following in the resolution as it was amended:

R-162-4-96

RESOLUTION COMMEMORATING LAW DAY 1996

Whereas, The Law is at once the definition and the reflection of the social contract between the individual and the community;

Whereas, The Law is not only a code of conduct binding individuals to its requirements, it embodies the community's guarantee of the protection of the rights of all through the due process of the Law; and

Whereas, Knowledge of the Law and participation in the evolution of the Law is imperative for the maintenance of a free society; and

Whereas, 1996 is the 30th anniversary of the Supreme Court's decision in *Miranda v. Arizona* that police officers must inform those arrested of their constitutional rights, it is appropriate for the City of Ann Arbor to reflect on the rights of the accused, the importance of the Law to the protection of the individual

and the role of law in the life of the community; and

Whereas, Since its inception in 1957, Law Day has made many people more aware of the fact that our legal system is a cornerstone of our way of life. This worthy program, through its ambitious events, reinforces the responsibility each American has as an informed and involved citizen to the community and to every other individual. Only in the acceptance of this challenge by every citizen can our state and our nation continue to grow stronger in our liberties and opportunities.

RESOLVED, That May 1, 1996 be commemorated as Law Day in the City of Ann Arbor.

RESOLVED, That copies of this Resolution be transmitted to the Law Day Committee of the State Bar of Michigan as evidence of appreciation of the great importance of this occasion to the People of the State of Michigan.

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R-163-5-96 APPROVED

**RESOLUTION TO APPROVE THE MONROE
PLANNED PROJECT SITE PLAN**

A communication was received from the City Planning Commission transmitting its recommendation (Approval - 7 yeas and 0 nays) of The Monroe Planned Project Site Plan, 0.20 acre, 614 Monroe Street.

Whereas, John and Lois Stegeman have requested planned project site plan approval in order to construct a four-story, 9,100-square foot apartment building; and

Whereas, The Ann Arbor City Planning Commission recommended approval of said request on September 19, 1995;

RESOLVED, That City Council approve The Monroe Planned Project Site Plan, which includes the following planned project modifications: (1) provision of a 25-foot front setback rather than the required 40 feet, (2) provision of total side setbacks of 31 feet rather than the required 35 feet, 5 inches, and (3) provision of a 41-foot high building rather than the allowed 30 feet.

Councilmember Kolb moved that the resolution be approved.

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

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R-164-4-96 APPROVED

RESOLUTION TO APPROVE 1309-1321 SOUTH UNIVERSITY SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation (Approval - 6 yeas and 0 nays) of the 1309-1321 South University Site Plan, 0.14 acre, 1309-1321 South University Street.

Whereas, Campus Rentals has requested site plan approval in order to construct a 5,406-square foot addition; and

Whereas, The Ann Arbor City Planning Commission recommended approval of said request on March 19, 1996;

RESOLVED, That City Council approve the 1309-1321 South University Site Plan, subject to approval of an administrative lot division and the recording of easements for off-site facilities prior to the issuance of building permits.

Councilmember Kolb moved that the resolution be approved.

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

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POSTPONED

RESOLUTION TO APPROVE 1996-2002 CAPITAL IMPROVEMENTS PROGRAM

A communication was received from the City Planning Commission transmitting its recommendation of Approval (6 yeas and 0 nays) of the 1996-2002 Capital Improvements Program.

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

Whereas, The Capital Improvements Program consists of a Capital Improvements Plan and Budget;

Whereas, The 1996-2002 Capital Improvements Program, which was prepared through a CIP Review Committee and by joint effort of the Planning Department and City administration, has been submitted to the Ann Arbor City Planning Commission for consideration;

Whereas, A duly-noticed public hearing was held by the City Planning Commission on March 5, 1996; and

Whereas, The City Planning Commission adopted the CIP at its meeting of March 5, 1996, and also recommended that Council approve the document and use it as a guide in funding priority capital projects consistent with the plan;

RESOLVED, That City Council approve the 1996-2002 Capital Improvements Program.

Councilmember Kolb moved that the resolution be postponed until May 20, 1996 for the purpose of holding a working session or linking it with a budget session so that a public presentation of the Capital Improvements Plan may be held.

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

=====

R-165-4-96 APPROVED

RESOLUTION TO APPROVE PURCHASE AND APPROPRIATE FUNDS FOR POLICE COMPUTING SYSTEM HARDWARE, SOFTWARE, AND SERVICES BID NUMBERS 2853 AND 2873 (\$100,569)

Whereas, The City of Ann Arbor Police Department operates a Digital Equipment Corporation Computing System that is the host for the department's records management system and a Network Computing System File Server;

Whereas, All major subsystems of the Police Computing System have reached the end of their functional life and need to be replaced;

Whereas, City Council approved the Police Computing System Improvement

Project on March 18, 1996;

Whereas, Bid Number 2853: "DEC Computer Upgrade" was sent to sixteen vendors and returned by six and Bid Number 2873: ACompaq Products≡ was sent to fourteen vendors and returned by nine;

Whereas, Pioneer-Standard Electronics, Inc. at \$81,251 and Inacom Information Systems at \$19,318 were determined to be the lowest cost respondents for the hardware, software, and services specified in Bid Numbers 2853 and 2873;

Whereas, Pioneer-Standard Electronics received Human Rights approval on April 9, 1996 and Inacom Information Systems received Human Rights approval on December 15, 1995;

Whereas, The source of funds for this purchase will be a Municipal Purchase Obligation for \$69,974 and the Special Projects Fund Balance (Designated for Information Services) for \$30,595;

RESOLVED, That Bid Numbers 2853 and 2873 be awarded and purchase orders issued to Pioneer-Standard Electronics, Inc. in the amount of \$81,251 and Inacom Information Systems in the amount of \$19,318; and

RESOLVED, That \$69,974 be appropriated from the Undesignated General Fund Balance until the receipt of funds from the Municipal Purchase Obligation and that \$30,595 be appropriated from the Special Projects Fund Balance (Designated for Information Services) for a total of \$100,569 to be available for the life of this project; and

RESOLVED, That the Mayor and City Clerk be authorized to sign all contracts and agreements that are necessary for this purchase which are approved by the City Administrator as to content and the City Attorney as to form.

Councilmember Kolb moved that the resolution be approved.

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

=====

R-166-4-96 APPROVED

**RESOLUTION TO AUTHORIZE CONTRACT WITH
TERRY CONSTRUCTION INC. FOR SLURRY,
SEALING, CAPE SEALING AND SURFACE PREPARATION
VARIOUS STREETS CITY WIDE
BID NO. 2865 (\$670,500)**

Whereas, Twenty-two surface treatment contractors were solicited for bids pertaining to slurry sealing, cape sealing and surface preparation in February, 1996, and Terry Construction Inc. was the lowest responsible bidder;

Whereas, Funds have been allocated in the FY 1995-96 Public Services Department Major Streets Budget and are anticipated to be allocated in the FY 1996-97 and 1997-98 Major and Local Streets Budget; and

Whereas, Terry Construction Inc. has received Human Rights approval from the Human Resources Department on April 15, 1996;

RESOLVED, That City Council approve a contract, per Bid No. 2865, with Terry Construction Inc. in an amount not to exceed \$670,500 over three years for slurry sealing, cape sealing and surface preparation of City streets;

RESOLVED, That Purchase Orders not to exceed \$670,500 (average of \$223,500 per year) be issued from the Major and Local Street Budgets over a three year period for the life of the project, to be available until expended without regard to fiscal year;

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

RESOLVED, That the City Administrator be authorized to take necessary administrative actions to implement this resolution, and is authorized to obtain the surface sealing services from the next lowest bidder (Highway Maintenance and Construction Co.) for the balance of this contract if Terry Construction Inc. is not able to furnish adequate services or does not perform in accordance with Bid # 2865.

Councilmember Hanna-Davies moved that the resolution be approved.

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

=====

R-167-4-96 APPROVED

**RESOLUTION TO AUTHORIZE CONTRACT WITH
HIGHWAY MAINTENANCE AND CONSTRUCTION
COMPANY FOR OVERBAND CRACK SEALING
VARIOUS STREETS CITY WIDE
BID NO. 2863 (\$489,525)**

Whereas, Thirty-three crack-sealing contractors were solicited for bids pertaining to overband crack sealing in February, 1996, and Highway Maintenance and Construction Co. was the lowest responsible bidder;

Whereas, Sufficient funds have been allocated in the FY 1995-96 Public Services Department, Major and Local Street Budgets and are anticipated to be allocated in the FY 1996-97 and 1997-98 Major and Local Street Budgets; and

Whereas, Highway Maintenance and Construction Co. has received Human Rights approval from the Human Resources Department on April 15, 1996;

RESOLVED, That City Council approve a contract, per Bid No. 2863, with Highway Maintenance and Construction Co. in an amount not to exceed \$489,525 over three years for overband crack sealing of City streets;

RESOLVED, That Purchase Orders not to exceed \$489,525 (average of \$163,175 per year) be issued from the Major and Local Street Budgets over a three year period for the life of the project, to be available until expended without regard to fiscal year;

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

RESOLVED, That the City Administrator be authorized to take necessary administrative actions to implement this resolution, and is authorized to obtain the overband crack sealing services from the next lowest bidder (Strawser, Inc.) for the balance of this contract if Highway Maintenance and Construction Co. is not able to furnish adequate services or does not perform in accordance with Bid #2863.

Councilmember Hanna-Davies moved that the resolution be approved.

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

=====

R-168-4-96 APPROVED

RESOLUTION TO AUTHORIZE CONTRACT WITH

**TERRY CONSTRUCTION INC. FOR MICROSURFACING
VARIOUS STREETS CITY WIDE
BID NO. 2865 (\$345,900)**

Whereas, Twenty-two surface treatment contractors were solicited for bids pertaining to Microsurfacing in February, 1996, and Terry Construction Inc. was the lowest responsible bidder;

Whereas, Sufficient funds have been allocated in the FY 1995-96 Public Services Department Major Streets Budget and are anticipated to be allocated in the FY 1996-97 and 1997-98 Major Streets Budget; and

Whereas, Terry Construction Inc. has received Human Rights approval from the Human Resources Department on April 15, 1996;

RESOLVED, That City Council approve a contract, per Bid No. 2865, with Terry Construction Inc. in an amount not to exceed \$345,900 over three years for Microsurfacing of City streets;

RESOLVED, That Purchase Orders not to exceed \$345,900 (average of \$115,300 per year) be issued from the Major and Local Street Budgets over a three year period for the life of the project, to be available until expended without regard to fiscal year;

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

RESOLVED, That the City Administrator be authorized to take necessary administrative actions to implement this resolution, and is authorized to obtain the Microsurfacing services from the next lowest bidder (Pavement Maintenance Systems Inc.) for the balance of this contract if Terry Construction Inc. is not able to furnish adequate services or does not perform in accordance with Bid # 2865.

Councilmember Hanna-Davies moved that the resolution be approved.

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

=====

R-169-4-96 APPROVED

**RESOLUTION TO AWARD CONTRACT TO
TERRY CONSTRUCTION, INC. FOR MICROSURFACING
N. MAIN STREET - BID NO. 2865 (\$65,000)**

Whereas, Twenty-two surface treatment contractors were solicited for bids pertaining to Microsurfacing in February, 1996, and Terry Construction Inc. was the lowest responsible bidder;

Whereas, N. Main St. is a State of Michigan Trunkline;

Whereas, The City of Ann Arbor has a maintenance contract with The Michigan Department of Transportation;

Whereas, The Michigan Department of Transportation wishes to improve N. Main St. and will reimburse the City for the entire cost of the project;

Whereas, Funds have been allocated in the FY 1995-96 Public Services Department Trunkline maintenance Budget; and

Whereas, Terry Construction Inc. has received Human Rights approval from the Human Resources Department on April 15, 1996;

RESOLVED, That City Council approve an additional contract with Terry Construction Inc., in accordance with the terms and conditions of Bid 2865, in an amount not to exceed \$65,000 for Microsurfacing of N. Main St.;

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

RESOLVED, That the City Administrator be authorized to take necessary administrative actions to implement this resolution, and is authorized to obtain the Microsurfacing services from the next lowest bidder (Pavement Maintenance Systems Inc.) for the balance of this contract if Terry Construction Inc. is not able to furnish adequate services or does not perform in accordance with Bid #2865.

Councilmember Hanna-Davies moved that the resolution be approved.

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

=====

R-170-4-96 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER WITH
SYNDECO REALTY INC. FOR COMMUNITY TELEVISION
NETWORK LEASEHOLD IMPROVEMENTS (\$355,300)

Whereas, On November 20, 1995, the Ann Arbor City Council approved a lease agreement with Detroit Edison for television production and administrative

office space for Community Television Network at the Edison Center Building located at 425 S. Main St. in Ann Arbor;

Whereas, Detroit Edison, through their subsidiary Syndeco Realty, has successfully completed the bidding and selection process for a General Contractor, identified as Phoenix Contractors Incorporated, and is prepared to commence leasehold improvements;

Whereas, The projected improvement cost, including construction management and contingencies, is \$355,300.00; and

Whereas, Funding for this project is available within the FY 95/96 Cable Division budget (016-015-0120-5120), and Human Rights approval for Syndeco Realty inc. was granted prior to April 15, 1996;

RESOLVED, That City Council approve a Purchase Order in the amount of \$355,300.00 to Syndeco Realty Inc. for Community Television Network leasehold improvements at the Edison Center Building.

Councilmember Kolb moved that the resolution be approved.

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

=====

R-171-4-96 APPROVED

RESOLUTION TO APPROVE CONTRACT WITH MIDWESTERN CONSULTING FOR DESIGN OF THE MATERIALS RECOVERY FACILITY (MRF) ACCESS ROAD (\$45,000)

Whereas, A permanent access road is needed into the MRF;

Whereas, A comprehensive design of the roadway is necessary prior to the letting of construction bids;

Whereas, Midwestern Consulting has had years of previous experience in providing engineering services to the city relating to the landfill property, including preliminary roadway design; and

Whereas, Midwestern Consulting received Human Rights approval on April 2, 1996;

RESOLVED, That City Council approve a contract with Midwestern Consulting in the amount of \$45,000 for the design of the MRF access road, and that the Mayor and City Clerk are authorized to sign the agreement substantially in the form on file

with the City Clerk;

RESOLVED, That City Council approve a contingency in the amount of \$5,000 to cover potential contract change orders, to be approved by the City Administrator; and

RESOLVED, That funding for this project shall be provided through the unallocated fund balance of the environmental bond, such funds to be expended until the project is completed, regardless of fiscal year.

Councilmember Kolb moved that the resolution be approved.

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

=====

R-172-4-96 APPROVED

RESOLUTION TO APPROVE THE EXPENDITURES OF FUNDS AWARDED TO THE ANN ARBOR DOMESTIC VIOLENCE COORDINATING BOARD BY THE AMERITECH SAFETY ALLIANCE (\$750)

Whereas, The Ameritech Safety Alliance is a community partnership developed to help promote safety and to eliminate threats to personal security by funding appropriate programs, services and activities within the City of Ann Arbor and Washtenaw County;

Whereas, The Ann Arbor Domestic Violence Coordinating Board submitted an application to the Ameritech Safety Alliance for funds to develop, print and distribute ADomestic Violence Safety Plan≡ pamphlets;

Whereas, The Ameritech Safety Alliance determined the project provides benefits to the community and is consistent with they mission;

Whereas, The Ameritech Safety Alliance awarded the Domestic Violence Coordinating Board \$750 to complete this project;

RESOLVED, That City Council approve the acceptance and expenditure of these funds for this purpose of another related activities.

Councilmember Lumm moved that the resolution be approved.

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

=====

R-173-4-96 APPROVED

RESOLUTION GRANTING EASEMENT TO DAVID H. FERGUSON AND DIANE S. FERGUSON (ARGO PARK AND LONGSHORE DRIVE)

Whereas, David H. Ferguson and Diane S. Ferguson have requested an easement for the construction and maintenance of a four (4) inch sanitary sewer lead over certain property owned by the City; and

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

RESOLVED, That the grant of an easement is approved for the construction and maintenance of a sanitary sewer lead to David H. Ferguson and Diane S. Ferguson in the property located in the City of Ann Arbor described as follows:

Commencing at the East 3 corner of Section 20, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence along the East and West 3 line of said Section N90E00N00OW 546.64 feet more or less to the westerly right-of-way line of Longshore Drive; thence N20E5N40OE 160.00 feet along said westerly right-of-way line of Longshore Drive for a PLACE OF BEGINNING; thence N20E5N40OE 25.00 feet along said westerly right-of-way line of Longshore Drive; thence N69E54N20OW 25.00 feet; thence S20E5N40OW 25.00 feet; thence S69E54N20OE 25.00 feet to the Place of Beginning, being a part of the Northeast 3 of said Section 20 and containing 625 square feet of land more or less.

The Mayor and City Clerk are authorized to execute the easement.

Councilmember Hanna-Davies moved that the resolution be approved.

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

=====

R-174-4-96 APPROVED

RESOLUTION GRANTING EASEMENT TO DONALD C. WILCOX AND REONA WILCOX (ARGO PARK AND LONGSHORE DRIVE)

Whereas, Donald C. Wilcox and Reona M. Wilcox have requested an easement for the construction and maintenance of a four (4) inch sanitary sewer lead over certain property owned by the City; and

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

RESOLVED, That the grant of an easement is approved for the construction and maintenance of a sanitary sewer lead to Donald C. Wilcox and Reona M. Wilcox in the property located in the City of Ann Arbor described as follows:

Commencing at the East 3 corner of Section 20, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence along the East and West 3 line of said Section N90E00N00OW 546.64 feet more or less to the westerly right-of-way line of Longshore Drive; thence N20E5N40OE 160.00 feet along said westerly right-of-way line of Longshore Drive for a PLACE OF BEGINNING; thence N20E5N40OE 25.00 feet along said westerly right-of-way line of Longshore Drive; thence N69E54N20OW 25.00 feet; thence S20E5N40OW 25.00 feet; thence S69E54N20OE 25.00 feet to the Place of Beginning, being a part of the Northeast 3 of said Section 20 and containing 625 square feet of land more or less.

The Mayor and City Clerk are authorized to execute the easement.

Councilmember Hanna-Davies moved that the resolution be approved.

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

=====

R-175-4-96 APPROVED

**RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR
TO EXECUTE THE RENEWAL OF HEALTH CARE CONTRACTS
(\$6,191,078)**

Whereas, The City provides Health Care Insurance coverages to City employees in accordance with Personnel Rules and Regulations and various labor contracts at an estimated annual cost of approximately \$6,191,078. The contracts with Blue Cross Blue Shield, Blue Care Network, Care Choices and M-Care are due for renewal on July 1, 1996;

Whereas, The renewal rate for Blue Cross Blue Shield of Michigan increased approximately 4.5%, Blue Care Network increased 2%, M-Care decreased 4.7%, and Care Choices decreased 9.8% over last years rates; and

RESOLVED, That the City Administrator is authorized to execute the renewal contracts with Blue Cross Blue Shield, Blue Care Network, M-Care and Care Choices for a one year period beginning July 1, 1996, at the monthly rates as quoted.

Councilmember Kolb moved that the resolution be approved.

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

=====

R-176-4-96 APPROVED AS AMENDED

**RESOLUTION DECLARING PARCELS EXCESS
CITY PROPERTY**

Council again took up the question of the Resolution Declaring Parcels Excess City Parcels. The question under consideration was approval of the resolution.

Councilmember Vereen-Dixon moved that the resolution be amended in the last paragraph as follows:

Resolved, That any funds expended relating to the disposition of the properties be reimbursed from sale proceeds realized AND THAT THE REMAINING FUNDS BE DIVIDED EQUALLY BETWEEN INFRASTRUCTURE NEEDS AND THE HOUSING TRUST FUND REGARDLESS OF BUDGET YEAR.

On a voice vote, the Mayor declared the motion carried with Councilmember Lumm dissenting.

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

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

Following is the resolution as it was amended by Council:

R-176-4-96

**RESOLUTION DECLARING PARCELS EXCESS
CITY PROPERTY**

Whereas, On October 16, 1995, City Council approved Resolution R-495-10-95 relating to evaluating City-owned real estate and making disposition recommendations to Council;

Whereas, The Real Estate Committee has convened, prepared a listing of vacant city properties and reviewed this information with impacted City departments as well as the Planning Commission, the Park Advisory Commission, the Downtown Development Authority and the Housing Policy Board; and

Whereas, Using the information and input gathered, the Real Estate Committee is recommending that the identified parcels be declared excess property

and be made available to the public;

RESOLVED, That City Council declare the parcels listed in Attachment A filed with the City Clerk as excess City property;

RESOLVED, That City Council direct the City Administrator and the Real Estate Committee, in cooperation with the Planning Department and the Downtown Development Authority, to prepare and issue a Request for Proposals (RFP) for the parcel located at 434 South Main Street for use which conforms with the Central Area Plan, the Downtown Plan and the DDA Plan;

RESOLVED, That City Council direct the City Administrator and the Real Estate Committee to contact local housing nonprofit organizations to determine their interest in development of affordable housing on any of the appropriately zoned parcels on the list;

RESOLVED, That City Council direct the City Administrator and the Real Estate Committee to prepare and issue a Request for Proposals (RFP) within 45 days for solicitation of such real estate brokers and appraisers as may be needed to assist in the disposition of the properties and authorize the City Administrator to approve the selection of the agents upon recommendation of the Real Estate Committee;

RESOLVED, That the Planning Commission receive public input and provide a summary of the comments on the list of excess city properties before any offers are accepted by the City Council;

RESOLVED, That City Council direct the City Administrator and the Real Estate Committee to present City Council with recommendations for the disposition of each of the parcels as they become available for the smaller parcels and within six months for the larger parcels; and

RESOLVED, That any funds expended relating to the disposition of the properties be reimbursed from sale proceeds realized and that the remaining funds be divided equally between infrastructure needs and the Housing Trust Fund regardless of budget year.

=====

R-177-4-96 APPROVED

**RESOLUTION REQUESTING THE CITY ATTORNEY TO
ENGAGE IN SETTLEMENT NEGOTIATIONS WITH
THE ANN ARBOR TENANTS UNION RELATIVE TO
LITIGATION INVOLVING THE YMCA**

Whereas, A legal dispute involving the City of Ann Arbor, the Ann Arbor YMCA and the Ann Arbor Tenants Union has been pending for over one year; and

Whereas, The City Council for the City of Ann Arbor desires to see an expeditious end to the litigation;

RESOLVED, That the City Attorney is requested to pursue settlement negotiations with the Ann Arbor Tenants Union and report the results of her efforts to City Council by May 6, 1996.

Councilmember Daley moved that the resolution be approved.

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

=====

R-178-4-96 APPROVED**RESOLUTION BARRING PURCHASES FROM BUSINESSES
IN BURMA AND FROM THOSE DOING BUSINESS
WITH BURMA (MYANMAR)**

Whereas, The government of Burma (Myanmar) has prevented political participation by its citizens by means of torture, rape, forcible relocation, forced labor and slavery;

Whereas, The military government of Burma has ignored the results of the 1990 elections in which many pro-democracy candidates were selected for seats in the government, has imprisoned, killed or exiled many of the candidates who were elected, has failed to convene a constitutional convention as promised in 1990, and has imposed martial law barring freedom of the press, gatherings of more than five people, and labor and trade union organizing;

Whereas, The rightfully elected leadership of Burma, the National Coalition Government of the Union of Burma (NCGUB), now living in exile, has called upon the world community to impose economic and arms sanctions against the military regime; and

Whereas, The system of oppression imposed by the existing military government is illegal and contrary to international law;

RESOLVED, The Ann Arbor City Council hereby establishes a policy prohibiting contracts for personal services with those who do business in Burma and prohibiting the purchase of any goods produced in Burma or provided by those who do business in Burma;

RESOLVED, That a business supplying goods or services to the City shall be required to state that it, its parent, subsidiaries or franchisees do not conduct business in Burma (Myanmar);

RESOLVED, This resolution shall not apply if the City Administrator makes a finding both that the particular goods or services to be supplied are necessary for the efficient operation of the City or for the health, safety and welfare of the public and that no comparable product is available from another source or without incurring substantial additional cost; and

RESOLVED, That this resolution shall apply to all purchases of goods and services solicited after April 15, 1996.

Councilmember Carlberg moved that the resolution be approved.

On a voice vote, the Mayor declared the motion carried with Councilmembers Lumm

and Kwan dissenting.

REPORTS FROM COUNCIL COMMITTEES

Councilmember Carlberg, as a member of the County City Community Corrections Advisory Board, reported that the County received the largest of the grants given for additional minimum security beds. This will ease the overcrowding in the corrections= facilities. Operating costs will be funded by the County and approval of those costs will be presented to the citizens in ballot form.

Councilmember Hanna-Davies requested that the Rules Committee examine the order of the agenda so that the citizens who wish to participate in the Public Commentary portion of the agenda do not have to wait through long introductions, such as occurred this date.

Councilmember Hanna-Davies said that two visitors from the Sister City of Juigalpa, Nicaragua, one a candidate for Mayor, and one, the first woman ever ordained in Nicaragua, a Baptist minister, will be Ann Arbor from May 17 through Memorial Day weekend. A community wide potluck dinner will be held on Tuesday, May 21 at First Presbyterian Church, and the candidate for mayor will perform in concert on May 23, at the Ark.

Councilmember Kolb said that SEMCOG held its spring regional workshop this date. The topics dealt with the forecast for the year 2020, land use issues and planning for growth in the Huron River Watershed.

Mayor Sheldon said that a representative from Continental Cable said that educational cable and phone service would be made available to the school system soon.

Councilmember Vereen-Dixon announced that a meeting of the Northside Neighborhood Association will be held at Northside School, on April 17, at 7:00 p.m., to discuss the issue of the Barton Drive/M-14 Exit.

Councilmember Vereen-Dixon thanked Council for its support of the African-American Festival scheduled for June 1, 1996.

Councilmember Vereen-Dixon announced that this is the Month of the Child and asked that Council's voices be lent to the avoidance of government cuts in programs aimed at children.

Councilmember Daley reminded Council that this week is the annual Spring On Air Fund Drive for all the public radio affiliates and urged all to make a pledge to these stations.

COUNCIL PROPOSED BUSINESS

MAY 6, 1996:

Introductions: Visitors from Sister City of Juigalpa, Nicaragua

COMMUNICATIONS FROM THE MAYOR

RECENTLY SIGNED PROCLAMATIONS

Mayor Sheldon said that her most recently signed proclamations were:

- * Medical Laboratory Week - April 14-20, 1996
- * 20th Anniversary of the Michigan Natural Resource Trust Fund - April 17, 1996
- * Arbor Day - April 21, 1996 (presentation tonight)
- * Earth Week - April 22-26, 1996
- * National Safe Boating Week - may 18-24, 1996
- * Motorcycle Awareness Month - May, 1996

ANNOUNCEMENTS

Mayor Sheldon said that three budget working sessions have been scheduled prior to adoption of the budget, and that time will be set aside for review of the Capital Improvements Plan, and for discussion with the Budget Review Committee.

On April 20, 1996, the Downtown Development Authority will be conducting interviews with the semifinalists for the executive director position.

On Sunday, April 21, the Earth Day festival will be held at the Leslie Science Center.

Thursday, April 25 is Take Our Daughters to Work Day

APPOINTMENTS

Mayor Sheldon requested approval of the following appointments which were nominated at the last Council meeting:

APPROVED

ANN ARBOR BUILDING AUTHORITY

Edward Sichler (replacing Elizabeth Brown)
1968 Boulder Dr. 48104
Term: 04-15-96 to 06-30-2000

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

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

POSTPONED

CABLE COMMUNICATIONS COMMISSION

Dale Leslie (to fill vacancy created by resignation)
1921 Mershon 48103
Term: 04-15-96 to 03-20-99

Councilmember Carlberg moved that the appointment be postponed until May 6 to be considered concurrently with the other Cable Communications Commission nomination.

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

PLACED ON TABLE

Mayor Sheldon placed the following name on the table for confirmation at the next Council meeting:

CABLE COMMUNICATIONS COMMISSION

Jeffrey L. MacKie-Mason (to fill vacancy created by resignation)
1007 Berkshire Rd. 48104
Term: 05-06-96 to 08-07-98

APPROVED

Mayor Sheldon asked for and received the unanimous consent of the Council to waive the rules to vote on the following nomination this date:

ANN ARBOR TRANSPORTATION AUTHORITY BOARD OF DIRECTORS

Rosemarion A. Blake (reappointment)
840 Wickfield Ct. 48105
Term: 05-06-96 to 05-01-2001

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

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

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

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

- X The City of Ann Arbor Water Utilities Rate Study**
- X Water Treatment Plant Renovation Project Assessment**

The items were placed on file with the City Clerk.

City Administrator Berlin received requests from Councilmembers for information on other subjects of concern.

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

None.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

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

- X Communication from Jan Onder and Susan Schreiber, Generations for Children, regarding drunk driving penalties - FILED**
- X Michigan Municipal League announcement - annual regional meeting for municipal officials - FILED**
- X Carolyn Diem - Financial plight of human needs agencies - FILED**

CLERK=S REPORT OF MINUTES RECEIVED AND FILED

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

- X Ann Arbor Market Commission - February 22, 1996**
- X Airport Advisory Committee - February 21, 1996**
- X Community Development Block Grant Executive Committee - March 18, 1996**
- X Cable Communications Commission - February 27, 1996**
- X Finance Advisory Committee - February 20, 1996**
- X Ann Arbor Taxicab Board - February 29, 1996**
- X Ann Arbor Art Fair Mayor=s Committee - April 23, 1996**
- X Ann Arbor Energy Commission - March 14, 1996**

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

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

ADJOURNMENT

There being no further business, the Mayor declared the meeting adjourned at 11:16 p.m.

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

**Linda J. Wise
Recording Secretary**