

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

The regular session of the Ann Arbor City Council was called to order in the Guy C. Larcom Jr. Municipal Building at 7:38 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, Patricia Vereen-Dixon, Jane Lumm, Jean Carlberg, Heidi Cowing Herrell, Patrick Putman, Christopher Kolb, Elisabeth Daley, Mayor Ingrid B. Sheldon, 9

Absent: Councilmembers David Kwan, Stephen Hartwell, 2

INTRODUCTIONS

Brigitte Maassen, co-chair of the Ann Arbor Hospitality Committee, informed the Council that a delegation from Hikone, Ann Arbor=s sister city in Japan, would arrive on Thursday, July 18 for a five day visit. A host of activities were planned that included a pot-luck dinner and a farewell dinner to be held in Lansing.

PUBLIC COMMENTARY - RESERVED TIME

PASTOR LARRY DAVIS - JUSTICE FOR JAMAR FRENCH

Pastor Larry Davis, 8573 Liverpool Ct., Ypsilanti, representing the Christian Tabernacle Church, said that a march was held this date to bring attention to the plight of Jamar French. He said that he last spoke before the Council to request an investigation into the death of Jamar French, but has received no communication from the Mayor, the police or members of the City=s administration. Consequently, the family has filed suit against the City, its officers and may call for the resignation of the Police Chief, if necessary, in an attempt to gain information.

SHERRY DAVIS - JUSTICE FOR JAMAR FRENCH

Sherry Davis, 8573 Liverpool Ct., Ypsilanti, said that Jamar French was a 20 year old black male that died shortly after being released from police custody.

She said that his family has repeatedly asked the Mayor and Council to order an investigation into the death, but to no avail. She claimed that the police knew that a controlled substance, cocaine, was in the man=s system, and that he was not in good health when released. In addition, the police acted in a racist manner, and offered no assistance when called to the scene of French=s subsequent convulsions and death.

ANDY GULVEZAN - ANNOUNCEMENTS AND UNFINISHED BUSINESS

Andrew Gulvezan, 2104 Pauline Blvd., made some announcements and commented on unfinished business.

PAUL LEFRAK - POLICE ISSUES

Paul Lefrak, 2458 Arrowwood, member of Ann Arbor Organizing Against the Klan (AAOAK), said that two weeks ago the Council was asked to investigate the death of Jamar French but has done nothing. He expressed the opinion that the police are guilty of gross negligence or murder in the death of Jamar French. He noted Council=s scheduled consideration of 3 ordinances which, he said, would criminalize young people and a disproportionate number of Latino and black youth, and the poor. He said that the Council continues to cover up for the police, who are running roughshod over the youth, black community and poor people in the City.

SHANTA DRIVER - JAMAR FRENCH

Shanta Driver, 999 Whitmore, Detroit, charged the Council with racism, police brutality and with racists cover-ups surrounding the activities of the Police Department. She said that Jamar French was picked up by the police, held in custody, and then left on the street to die. She demanded an investigation into his death. She also objected to the methods used that allowed the KKK to speak and which gave them the opportunity to organize in the City.

AUDREY JACKSON - FIRST AMENDMENT

Audrey Jackson, 2557 Sandalwood, said the First Amendment guarantees freedom of speech, freedom of press and assembly. The not too distant Klan activities which protected the freedom of speech of a noted hate group, failed to provide equal protection for freedom of expression of the protestors. The irony is that the hate groups want protection for behavior designed to deny freedom for all non-white classes of people. The presence of the KKK was protested because the City government did not do its job of protecting its citizens. If the City is going to protect one group, the Klan, that same protection should be provided to groups who engage in speech which promotes life and liberty.

LUKE MASSIE - JAMAR FRENCH

Luke Massie, 300 Whitmore, Detroit, said that on June 22 the Ann Arbor City government rolled out the red carpet for the Ku Klux Klan by spending \$80,000 defending their right to organize church burnings and racists attacks, by giving them a chaffered shuttle, building them a fence, and giving them the police station from which to organize their attack. At the same time there has been an ongoing attack on the black community and the youth of Ann Arbor.

BARRY LONIK - PURCHASE OF DEVELOPMENT RIGHTS RESOLUTION

Barry Lonik, 9254 Hillcrest Drive, Northville Twp., spoke in support of the resolution on the agenda this date to request the County Board of Commissioners support for placing a millage proposal on the November ballot. The proposal would establish a fund and develop a program to address the problem of disappearing farmland in the County by purchasing the development rights to agricultural land.

PUBLIC HEARINGS

ANN ARBOR PARATRANSIT REVISED SITE PLAN

A public hearing was conducted on the Ann Arbor ParaTransit Revised Site Plan, 3.4 acres, 2050 Commerce Drive.

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

FOURTH AVENUE APARTMENTS SITE PLAN

A public hearing was conducted on the Fourth Avenue Apartments Site Plan, 0.2 acre, 645 North Fourth Avenue.

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:

B - ORDINANCES - SECOND READING

Distribution of: Memorandums and Ordinance Task Force Meeting minutes of June 27, 1996 reference the Curfew/Soliciting/Graffiti Ordinances

MOTIONS AND RESOLUTIONS

Deleted: Resolution Approving Closed Session to Discuss Settlement Strategy in Litigation Between the Ann Arbor Tenants union, the Ann Arbor YMCA and the City (City Attorney) (**8 Votes Required**)

Revised: Resolution to Approve Street Closings for the 1996 University of Michigan Student Move-In (Building)

Added: Resolution Recognizing the Citizens Resistance as a Non-Profit Organization in the City of Ann Arbor (Councilmember Carlberg) (**The concurring vote of 3/4 of the members present is required to add this resolution to the agenda.**)

CLERK=S REPORT OF COMMUNICATIONS RECEIVED:

Added: Mary A. Bejian regarding the proposed ordinances dealing with begging, a youth curfew, and graffiti - **FILED**

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

APPROVAL OF COUNCIL MINUTES

MINUTES APPROVED

Councilmember Kolb moved that the minutes of June 24, 1996 working session minutes be approved with the addition of a Note: under PUBLIC COMMENTARY stating that:*The Mayor was not at the National Conference of Mayor=s on June 24 as was announced. The Mayor was not present at the KKK rally or at the working session because of previous commitments to community benefit events and family, but was in contact with the police during the rally.*, and that the July 3, 1996 regular session minutes be approved as corrected with the spelling of the names of Jamar French and Keshia Thomas.

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

CONSENT AGENDA

CONSENT AGENDA APPROVED

The following Consent Agenda was considered:

R-321-7-96 APPROVED

RESOLUTION TO AWARD A CONTRACT
TO SALADINO CONSTRUCTION COMPANY, INC.
AND ESTABLISH A PROJECT BUDGET FOR THE
FRANKLIN BOULEVARD SIDEWALK PROJECT
BID NO. 2817 (\$28,215)

Whereas, It has been found necessary to construct a sidewalk along Franklin Boulevard;

Whereas, Saladino Construction Company Inc. has submitted to the City on June 27, 1996 a bid for said work in the total amount of \$28,215, which amount is the lowest responsible bid;

Whereas, The Human Resources Department has, on June 6, 1996, approved said company for said project; and

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

RESOLVED, That a contract in the amount of \$28,215 be awarded to Saladino Construction Company Inc. for the construction of the Franklin Boulevard Sidewalk (Bid No. 2817);

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

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

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

Section I, Revenue

\$12,706 assessment	Advanced from the General Fund pending sale of special bonds.
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30,594	General Fund
\$43,300	TOTAL

Section II, Expenses

\$28,215	Construction
4,800	Design Engineering
6,790	Construction Engineering
1,400	Testing
2,095	Miscellaneous Costs
\$43,300	TOTAL

R-322-7-96 APPROVED

RESOLUTION AUTHORIZING SANITARY
 SEWER IMPROVEMENT CHARGES FOR
 347 PINWOOD (\$6,165.50)

Whereas, the City has previously constructed sanitary sewers improvement described as follows:

Trunkline Charges: District 359; \$69.66/connection; = \$ 69.66
 District 326; \$19.39/connection; = \$ 19.39
 West Park Relief; \$17.52/connection; = \$ 17.42
 = \$106.47

Sanitary Sewer Charges:

District 444, File No. 86035 = \$6,059.03

GRAND TOTAL OF IMPROVEMENT CHARGES \$6,165.50 ; and

Whereas, pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is to be levied against certain properties and this fair share has not been previously paid nor contracted for.

RESOLVED,

1. That Council levies an improvement charge against the following newly-annexed property which is specially benefitted by the above improvements:

<u>Annexation Address:</u>	347 Pinewood
<u>City Assessor Code:</u>	08-24-305-005
<u>Annexation Number :</u>	A95-02

Planning File No : 8243D23.1 & .2

Lot 77 of The Evergreens Subdivision, Washtenaw County, Michigan. Now situated in the City of Ann Arbor.

2. That the improvement charge levied is \$6,165.50 and is designated as Utilities Improvement Charge No. 642;
3. That this improvement charge is divided into 15 equal installments; the first to be due on September 1, 1996, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.5% per annum commencing September 1, 1996.
4. That the City Clerk is directed to send a copy of this resolution by first class mail to the owner of the property and to promptly have this resolution recorded in the office of the register of Deeds of Washtenaw County, Michigan; and
5. That this levied improvement charge is to be invoiced to Timothy R. Corrigan, 347 Pinewood, Ann Arbor, MI 48103 and to be credited in the amount of \$6,165.49 to Fund 043-073-7151 .

R-323-7-96 APPROVED

RESOLUTION AUTHORIZING DATE FOR
LIBERTARIAN PARTY CAUCUS

RESOLVED, That the date of August 1, 1996 be hereby approved by the City Council for the Libertarian Party of Michigan to hold its official caucus for the purpose of determining its candidates for the November 5, 1996 General Election.

Councilmember Herrell moved that the Consent Agenda be approved.

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

ORDINANCES - SECOND READING

POSTPONED

20-96 - GRAFFITI

AN ORDINANCE TO AMEND CHAPTER 106 OF TITLE IX OF THE CODE OF THE CITY OF ANN ARBOR BY ADDING A NEW SECTION 9:6.

This ordinance, as revised on July 3, 1996, would provide for arrest, community service, fine or restitution, of those who are convicted of the anti-graffiti ordinance. It would allow the property owner to proceed with private action against those who apply the graffiti, or in the case of a minor, the parent or guardian. The imprisonment penalty does not apply to minors.

Councilmember Lumm moved that the ordinance be approved.

Councilmember Kolb moved that the ordinance be amended as follows:

9:6. Graffiti.

- (1) A Graffiti_≡ means any mark or marks on any surface or structure made without the prior permission of the property owner and made in any manner, including but not limited to, writing, inscribing, drawing, tagging, sketching, spray-painting, painting, etching, scratching, carving, engraving, scraping, or attaching. Chalk marks on sidewalks is not A graffiti_≡. GRAFFITI DOES NOT INCLUDE ANY ATTACHING WHICH IS PERMITTED UNDER CHAPTER 82, SECTION 7:102(3).

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

Councilmember Carlberg moved that the ordinance be postponed to August 5, 1996

to allow further discussion between members of the business community, Councilmembers and the Ordinance Revision Task Force.

On a voice vote, the Mayor declared the motion carried with Councilmembers Lumm and Putman dissenting.

TABLED

21-96
CURFEW FOR MINORS

AN ORDINANCE TO AMEND SECTION 9:61 OF CHAPTER 108 OF TITLE IX OF THE CODE OF THE CITY OF ANN ARBOR AND TO AMEND CHAPTER 108 BY ADDING A NEW SECTION 9:69.

The proposed ordinance would set a curfew for minors less than 17 years of age from 11:00 p.m. - 6:00 a.m. on week nights and 12:00 a.m. and 6:00 a.m. on weekend nights. It would permit the prosecution of parents or guardians who allow their child to violate the provision of the ordinance, and could hold them accountable for the minor=s behavior in places open to the public during the hours set in the proposed ordinance. The ordinance was revised July 3, 1996. The revisions include dropping the imprisonment penalty for minors, but adding community service and program participation as potential penalties. The effective date was changed to October 1, 1996 to allow sufficient time for implementation, with a sunset date of December 31, 1997 for a review of the ordinance=s effectiveness.

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

Councilmember Carlberg moved that the ordinance be tabled indefinitely to allow for more dialogue between the Ordinance Task Force, parents, students and teachers and to further study the effectiveness of such an ordinance in addressing the concerns of the community.

On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Carlberg, Herrell, Kolb, Daley, 6
Nays, Councilmembers Lumm, Putman, Mayor Sheldon, 3

The Mayor declared the motion carried and the ordinance tabled.

POSTPONED

22-96
SOLICITATION

AN ORDINANCE TO AMEND SECTION 9:62 OF CHAPTER 108 OF TITLE IX OF THE CODE OF THE CITY OF ANN ARBOR, AND TO ADD A NEW SECTION 9:70 OF CHAPTER 108 OF TITLE IX OF THE CODE OF THE CITY OF ANN ARBOR

This amendment would provide the necessary standards to limit begging without violating the constitutional principles recognized by the federal courts.

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

Councilmember Kolb moved that the ordinance be a postponed until August 5, 1996 pending continued dialogue between the public, the Council and the Task Force.

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

APPROVED

31-96
TAX EXEMPTIONS FOR HOUSING PROJECTS

AN ORDINANCE TO AMEND SECTION 1:591 OF CHAPTER 19, TITLE I, OF THE CODE OF THE CITY OF ANN ARBOR

This ordinance would provide tax exemptions for family housing projects dedicated exclusively for persons with incomes less than 50% of the area median.

Councilmember Hanna-Davies moved that the ordinance be approved at second reading.

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

APPROVED

32-96
EMERGENCY CONTRACTS

AN ORDINANCE TO AMEND SECTION 1:316 OF CHAPTER 14 OF TITLE I OF THE CODE OF THE CITY OF ANN ARBOR

This ordinance would permit the City Administrator to enter into a

contract, in cases of emergency, without first obtaining Council approval.

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

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

ORDINANCES - FIRST READING

APPROVED

33-96

WETLANDS PRESERVATION

AN ORDINANCE TO AMEND SECTIONS 5:201, 5:203, 5:205, 5:206, 5:207, 5:212 AND 5:213 OF CHAPTER 60 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

These amendments would revise references to other statutes and the Invasive Species list.

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

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

MOTIONS AND RESOLUTIONS

R-324-7-96 APPROVED

RESOLUTION TO APPROVE HOUSING AFFORDABILITY
AGREEMENT WITH AVALON HOUSING INC. REGARDING
1217 WEST HURON STREET (\$153,925)

Whereas, An application was received in May, 1996 from Avalon Housing Inc. for financial assistance to be used for the acquisition of property located at 1217 West Huron Street to be used as affordable housing for very low income residents;

Whereas, From the total estimated project cost of \$253,175, Avalon will be leveraging funds from Washtenaw County, the Federal Home Loan Bank (FHLB) through Great Lakes Bancorp, and Local Initiative Support Corporation (LISC);

Whereas, The Housing Policy Board at its meeting on June 19, 1996 recommended City Council approval of \$153,925 of HOME funds for the project;

Whereas, Avalon agrees to resolve conditions relating to seeking but not requiring the securing of the City funds in a first or shared first position and working with the City on any relocation issues; and

Whereas, Human Rights approval was received for the contractor on April 3, 1996;

RESOLVED, That City Council approve the Housing Affordability Agreement in the amount of \$153,925 of HOME funds with \$36,731 as a 1% interest, 30- year loan and \$117,194 as a 0% interest deferred payment loan with no repayment of principal or interest until the sale of the property; and

RESOLVED, That City Council authorize the Mayor and City Clerk to execute the Housing Affordability Agreement, the Inter-Creditor Agreement and all other documents necessary to implement this agreement substantially in the form on file in the office of the City Clerk, with funds to be available until expended without regard to fiscal year.

Councilmember Lumm moved that the resolution be approved.

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

R-325-7-96 APPROVED AS REVISED

RESOLUTION REQUESTING THE WASHTENAW COUNTY BOARD OF COMMISSIONERS TO SUPPORT A BALLOT PROPOSAL FOR A MILLAGE TO PURCHASE THE DEVELOPMENT RIGHTS TO AGRICULTURAL LAND IN WASHTENAW COUNTY TO HELP PRESERVE LAND FOR AGRICULTURE USE

Whereas, Washtenaw County is blessed with great natural beauty, richness, and diversity in its lands, waterways, plants and animals; Whereas, Washtenaw County still contains and should seek to retain significant productive agricultural land;

Whereas, That land contributes an estimated \$50 million to the Washtenaw County economy at the farmgate, and another \$300 million throughout Washtenaw County=s agricultural industry;

Whereas, Washtenaw County currently has approximately 175,000 acres of working farmland and experts have estimated that it takes approximately 150,000 working acres to support a viable agricultural industry in any area;

Whereas, Washtenaw County is losing approximately 4000 acres of farmland each year;

Whereas, rapidly intensifying development pressures will quickly shape the future of Washtenaw County, each year narrowing the window of opportunity within which we could accomplish significant land preservation;

Whereas, A method of preserving farmland and open space, called the Purchase of Development Rights (PDR), has been developed, implemented, and now functions in communities of quality in Michigan and other states;

Whereas, The Ann Arbor City Council seeks to work with all citizens and municipalities in Washtenaw County to protect the rural areas of the County and to preserve woodlands, wetlands, open space, and existing farmlands for the environmental, aesthetic, and economic benefits they offer;

Whereas, We believe that our County Commission should provide our citizens with an opportunity to choose whether or not they wish to invest a small amount of seed money now in pursuit of a perpetually green and open future; and

Whereas, The Township Boards of Scio, Webster, and Augusta Townships have passed resolutions supporting a ballot referendum for a PDR millage, and other cities and townships in Washtenaw County are considering supporting such a referendum; and

Whereas, The opportunity to leverage matching federal, state and private PDR funds will be contingent on having an established local PDR program and available local funds;

RESOLVED, That the Ann Arbor City Council respectfully requests that the Washtenaw County Board of Commissioners consider placing a Purchase of Development Rights millage referendum on the ballot for consideration by voters in November 1996 or as soon thereafter as possible as part of a total package of growth management tools.

Councilmember Daley moved that the resolution be approved as revised.

On a roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Carlberg, Herrell, Kolb, Daley, Mayor Sheldon, 7
Nays, Councilmembers Lumm, Putman, 2

The Mayor declared the motion carried.

R-326-7-96 APPROVED

RESOLUTION TO APPROVE ANN ARBOR PARATRANSIT
REVISED SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval (6 yeas and 0 nays) of the Ann Arbor ParaTransit revised site plan, 3.4 acres, 2050 Commerce Drive.

Whereas, Berger/Daniels Partnership has requested revised site plan approval in order to construct a 2,567-square foot service bay addition and a 2,399-square foot office addition to the existing building

at 2050 Commerce Drive; and

Whereas, The Ann Arbor City Planning Commission recommended approval of said request on July 2, 1996;

RESOLVED, That City Council approve the Ann Arbor ParaTransit Revised Site Plan, subject to the combination of tax code parcels prior to issuance of building permits.

Councilmember Lumm moved that the resolution be approved.

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

R-327-7-96 APPROVED

**RESOLUTION TO APPROVE FOURTH AVENUE
APARTMENTS SITE PLAN**

A communication was received from the City Planning Commission transmitting its recommendation of approval (6 years, 0 nays and 2 abstentions) of the Fourth Avenue Apartments Site plan, 0.2 acre, 645 North Fourth Avenue.

Whereas, Harold and Bonita Neighbors have requested site plan approval in order to construct a 4,316-square foot, four-unit apartment building at 645 North Fourth Avenue; and

Whereas, The Ann Arbor City Planning Commission recommended approval of said request on May 21, 1996;

RESOLVED, That City Council approve the Fourth Avenue Apartments Site Plan.

Councilmember Putman moved that the resolution be approved.

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

R-328-7-96 APPROVED

**RESOLUTION TO ACCEPT AND APPROPRIATE
GRANT FUNDS FROM THE UNITED STATES
DEPARTMENT OF JUSTICE INTO THE 1996-97
BUDGET (\$134,364)**

Whereas, Domestic violence continues to be a nationwide problem for law enforcement agencies and for social service providers; and

Whereas, Domestic violence has occurred in many Ann Arbor homes and deserves the commitment of additional resources; and

Whereas, The Ann Arbor Police Department successfully applied for and received a grant of \$134,364 from the United States Department of Justice to address this problem; and

Whereas, The Ann Arbor Police Department in partnership with the Domestic Violence Project, Inc. has designed a program to assist people to end their use of violence and other forms of domestic aggression;

RESOLVED, That City Council accept and appropriate for the life of the project a \$134,364 grant from the United States Department of Justice; and

RESOLVED, that the City Administrator is authorized to take all administrative actions necessary to implement these actions.

Councilmember Daley moved that the resolution be approved.

On roll call the vote was as follows: Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Carlberg, Herrell, Putman, Kolb, Daley, Mayor Sheldon, 8
Nays, Councilmember Lumm, 1

The Mayor declared the motion carried.

The Council unanimously agreed to allow the following summary of remarks by Councilmember Lumm, who dissented, to be entered into the official record: Councilmember Lumm said that the police department is to be congratulated for putting together a good domestic violence project. However, because of the issue of tight budgeting within the last few years, she felt it not prudent to create three new positions when future funding is not guaranteed. As a protection to the City, language should be added to the employment agreement that would inform new hires that they were being hired and paid with grant funds that may not continue beyond the first year.

R-329-7-96 APPROVED

**RESOLUTION TO ENTER INTO A LEASE AGREEMENT
WITH BESSIE PREKETES FOR THE COMMUNITY
POLICING OFFICE AT 3022 PACKARD ROAD (\$13,200)**

Whereas, The Ann Arbor Police Department is committed to the philosophy of Community/Problem Oriented Policing;

Whereas, A significant part of the effort in Community/Problem Oriented Policing involves maintaining close contact with the citizens in the city;

Whereas, We have maintained a decentralized office at 3022 Packard Road for that purpose with some success for the last two years;

Whereas, Funding for the lease of that office was again included in our FY 1996-96 general fund budget; and

Whereas, The landlady, Bessie Preketes, has received Human Rights approval from the Human Resources Department on June 6, 1996;

RESOLVED, That the City of Ann Arbor enter into a lease agreement in the amount of \$13,200 with Bessie A. Preketes for the office space located at 3022 Packard Road, for use as a Community Policing office from July 1, 1996 until June 30, 1997; and

RESOLVED, That the City Council authorize the Mayor and City Clerk to execute the lease agreement with Bessie A. Preketes.

Councilmember Daley moved that the resolution be approved.

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

R-330-7-96 APPROVED

**RESOLUTION TO ENTER INTO A LEASE AGREEMENT WITH
TRAVER VILLAGE LIMITED PARTNERSHIP FOR THE
COMMUNITY POLICING OFFICE AT 2605 PLYMOUTH ROAD
(\$6,000)**

Whereas, The Ann Arbor Police Department is committed to the philosophy of Community/Problem Oriented Policing;

Whereas, A significant part of the effort in Community/Problem Oriented Policing involves maintaining close contact with the citizens in the city;

Whereas, We have maintained a decentralized office at 2605 Plymouth Road for that purpose with some success for the last two years;

Whereas, Funding for the lease of that office was again included in our FY 1996-96 general fund budget; and

Whereas, The landlord, Traver Village Limited Partnership (First Martin Corporation), has received Human Rights approval from the Human Resources Department on June 11, 1996;

RESOLVED, That the City of Ann Arbor enter into a lease agreement in the amount of \$6,000 with Traver Village Limited Partnership for the office space located at 2605 Plymouth Road, for use as a Community Policing office from July 1, 1996 until June 30, 1997; and

RESOLVED, That the City Council authorize the Mayor and City Clerk to sign the

attached lease agreement with Traver Village Limited Partnership.

Councilmember Daley moved that the resolution be approved.

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

R-331-7-96 APPROVED

**RESOLUTION TO APPROVE DONATIONS TO THE
ANN ARBOR POLICE DEPARTMENT FOR MICHIGAN
SPECIAL OLYMPICS AND D.A.R.E.**

Whereas, The Ann Arbor Police Department has actively participated in The Law Enforcement Torch Run to raise money for Michigan Special Olympics since 1992;

Whereas, The Ann Arbor Police Department has hosted an annual golf outing in conjunction with the Torch Run fundraising efforts; and

Whereas, The Ann Arbor Police Department is involved in teaching Drug Awareness Resistance Education (D.A.R.E.) to fifth grade students in all elementary schools in the city; and

Whereas, The Ann Arbor Police Department will be teaching Grand Resistance Education And Training (G.R.E.A.T.) to seventh grade students in the Ann Arbor schools beginning September 1996; and

Whereas, Community support for the programs is high and donations to help support the programs have been offered;

RESOLVED, That the Ann Arbor Police Department add the D.A.R.E. and G.R.E.A.T. programs as beneficiaries on this annual golf outing;

RESOLVED, That the Ann Arbor Police Department accept golf outing entry fees and donations for Michigan Special Olympics, D.A.R.E., and G.R.E.A.T.;

RESOLVED, That the expenses for the golf outing be paid out of monies raised; and

RESOLVED, That the net proceeds be appropriated to the Ann Arbor Police department budget for disbursement to the Michigan Special Olympics, D.A.R.E. and G.R.E.A.T. programs at the discretion of the police department.

Councilmember Daley moved that the resolution be approved.

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

R-332-7-96 APPROVED

**RESOLUTION TO APPROVE PROFESSIONAL SERVICES
CONTRACT AMENDMENT AND TO ESTABLISH A
PROJECT BUDGET FOR PHASE 4 WATER TREATMENT
AND WASTEWATER TREATMENT PLANT= S PROCESS
AND INFORMATION CONTROL SYSTEMS, RFP NO. 290
(\$2,252,000)**

Whereas, The Water Utilities Department planned an amendment to a professional services contract to proceed with Phase 4 activities of the Process Control and Data Management (Process and Information Control Systems) for the installation of water and wastewater treatment process controls and related data management improvement;

Whereas, The Water Utilities Department through RFP No. 290 selected EMA, Inc. as the most qualified and capable firm to provide these services;

Whereas, EMA, Inc. submitted a proposal to continue to provide these services for Phase 4 activities of the project for \$2,047,000;

Whereas, On June 6, 1996 the Human Resources Department approved EMA, Inc. to provide these services; and

Whereas, Sufficient funds exist in the Water Supply, Sewage Disposal and Stormwater Capital Projects Budgets;

RESOLVED, That Council accept the proposal and Amendment No. 4 to the contract with EMA, Inc. for \$2,047,000 to complete the Process and Information Control System Phase 4 activities;

RESOLVED, That Council approve a contingency for this work in the amount of \$205,000.00 to finance potential change orders to be approved by the City Administrator;

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

Contract Work	\$2,047,000
Contingency	<u>\$205,000</u>
	\$2,252,000

RESOLVED, That these funds be advanced from the Water Supply and Sewage Disposal Systems= funds pending the sale of revenue bonds; and

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

Councilmember Hanna-Davies moved that the resolution be approved.

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

R-333-7-96 APPROVED

RESOLUTION TO APPROPRIATE FUNDS FOR THE DESIGN OF THE ARROWWOOD/WICKFIELD/STARWICK WATER MAINS PROJECT (\$50,000)

Whereas, It is necessary to design the Arrowwood/Wickfield/Starwick Water Mains Project;

RESOLVED, That Council appropriates \$50,000 from the Water Supply System (Fund 042) for the design phase of the Arrowwood/Wickfield/Starwick Water Mains Project;

RESOLVED, That the Water Supply System Fund (042) be reimbursed following the sale of the Water Revenue Bonds;

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

RESOLVED, That the funds be available for the life of the project without regard to fiscal year.

Councilmember Hanna-Davies moved that the resolution be approved.

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

R-334-7-96 APPROVED

**RESOLUTION TO APPROVE STREET CLOSINGS FOR THE
1996 UNIVERSITY OF MICHIGAN STUDENT MOVE-IN**

Councilmember Vereen-Dixon moved that the resolution be approved as revised.

Councilmember Kolb moved that the seventh paragraph of the resolution be amended to read as follows:

RESOLVED, That the City Council prohibits all peddling and soliciting activities within a three **ONE block area of the closed streets from August 27 through August 29, 1996;...**

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.

Following is the resolution as it was amended:

R-334-7-96

**RESOLUTION TO APPROVE STREET CLOSINGS FOR THE
1996 UNIVERSITY OF MICHIGAN STUDENT MOVE-IN**

Whereas, The City of Ann Arbor and the University of Michigan are cooperating in a joint effort to make the student move-in, scheduled for August 27, 28 and 29, 1996, an orderly and efficient process; and

Whereas, This will require the closing of certain streets each day between the hours of 6:00 a.m. and 10:00 p.m., the bagging of parking meters, and the use of street barricades ; and

Whereas, The City Code of Ordinances (Chapter 79, section 7:69) allows City Council to restrict peddling at times of heavy congestion; and

Whereas, The City Code of Ordinances (Chapter 47, section 4:14) provides for the issuance of revocable street occupancy permits for the use of City streets and sidewalks; and

Whereas, The University has requested that the meter bag deposit fee be waived;

RESOLVED, That the following streets be closed for the dates and times indicated:

- Thompson - from East William to Packard
- Madison - from South Division to South State
- Jefferson - from Thompson to Maynard
- Maynard - from Jefferson to East William
- East University - from Hill to Willard
- Church - from Hill to Willard
- Observatory - from North University to East Ann
- North University Court
- Washington Heights - from Observatory to E. Medical Center Drive
- East Ann - from Observatory to Zina Pitcher Place

RESOLVED, That City Council prohibits all peddling and soliciting activities within a one block area of the closed streets from August 27 through August 29, 1996;

RESOLVED, That City Council directs staff to refrain from issuing permits for the use of sidewalks within a one block area of the University of Michigan residence facilities for the same dates indicated;

RESOLVED, That City Council waive the meter bag deposit fee.

R-335-7-96 APPROVED

**RESOLUTION RECOGNIZING THE CITIZENS RESISTANCE AS A
NON-PROFIT ORGANIZATION IN THE CITY OF ANN ARBOR**

Whereas, The Citizens Resistance is a non-profit organization;

Whereas, The United States Department of Treasury-Internal Revenue Service recognizes The Citizens Resistance as a tax exempt, non-profit organization; and

Whereas, The Citizens Resistance needs the City to recognize it as a non-profit organization in the community in order to hold a raffle with State approval;

RESOLVED, That the Mayor and City Council recognize the Citizens Resistance as a non-profit organization in the City of Ann Arbor.

Councilmember Carlberg moved that the resolution be approved.

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

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

RECENTLY SIGNED PROCLAMATIONS

- * Welcome to the 24th Infantry Regimental Combat Team - July 20, 1996
- * Recognition of the Michigan Eye-Bank and Transplantation Center - July 20, 1996

ANNOUNCEMENTS

- * City Council/Media softball game at 6:30 p.m., Monday, July 22, 1996 at Frisinger Park.
- * Mayor Sheldon and Mayor pro tem Kolb won the Mayor=s challenge canoe race at the annual Huron River Day event. This will mark the third win for the City of Ann Arbor. The Huron River Day was a success and the Mayor thanked everyone for making it work.
- * The Ann Arbor Art Fair will be held from Wednesday, July 24 through Saturday, July 27. The effected streets will be closed on the Tuesday prior to the art fair opening.
- * The Huron River Initiative work session, previously scheduled for this date, has been rescheduled for 6:30 p.m., Monday, August 5, 1996.

APPOINTMENTS

APPOINTMENT APPROVED

Mayor Sheldon received the unanimous consent of the Council to waive the rules in order to vote on the following appointment this date:

ANN ARBOR HOUSING COMMISSION

Michael R. Martin (to fill vacancy created by resignation)

1721 Green Road 48105
Term: 07-15-96 to 04-30-98

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

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

Mayor Sheldon requested confirmation of the nominations which were placed on the table for consideration at the July 1, 1996 Council meeting:

APPOINTMENT POSTPONED

Councilmember Carlberg requested a separate vote on the Ann Arbor Y Residence Advisory Committee nominee.

ANN ARBOR Y RESIDENCE ADVISORY COMMITTEE

Millicent A. Empedocles (to fill vacancy)
1308 Granger Ave. 48104

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

Councilmember Carlberg moved that the confirmation be postponed until all appointments were to be considered to assure a well-rounded diverse group.

On a voice vote, the Mayor declared the motion carried with Councilmembers Lumm, Putman and Mayor Sheldon dissenting.

APPOINTMENTS APPROVED

Mayor Sheldon requested confirmation of the following nominations which were placed on the table for consideration at the July 1, 1996 Council meeting:

DOWNTOWN DEVELOPMENT AUTHORITY

David Fritz (reappointment)
200 S. Main St., #200 48104
Term: 08-01-96 to 07-31-2000

Maria Harshe (reappointment)
1110 White St. 48104
Term: 08-01-96 to 07-31-2000

Lorri Sipes (reappointment)
208 W. Liberty St. 48104
Term: 08-01-96 to 07-31-2000

HOUSING POLICY BOARD

Charles H. Kieffer (to fill vacancy created by resignation)
263 Crest 48103

Term: 07-15-96 to 05-06-97

Cynthia Akah (to fill vacancy)

810 Henry St. 48104

Term: 07-15-96 to 07-14-99

PARK ADVISORY COMMISSION

Kim C. Waldo (reappointment)

3423 Charing Cross Rd. 48108

Term: 07-19-96 to 07-18-99

COMMUNITY DEVELOPMENT CITIZEN PARTICIPATION EXECUTIVE COMMITTEE

Margo M. Barron (reappointment)

1606 South Blvd. 48104

Term: 07-17-96 to 06-30-99

Clarence E. Dukes, Jr. (reappointment)

1002 W. Liberty St. 48103

Term: 07-17-96 to 06-30-99

ELIZABETH DEAN FUND COMMITTEE

Warren Attarian (reappointment)

3490 Gettysburg 48105

Term: 08-01-96 to 07-31-98

Jack Etsweiler (reappointment)

2118 Pauline Blvd. 48103

Term: 08-01-96 to 07-31-98

Claire Turcotte (reappointment)

1 Regent Dr. 48104

Term: 08-01-96 to 07-31-98

Richard Chesbrough (reappointment)

3176 Lakewood Ave. 48103

Term: 08-01-96 to 07-31-98

Craig Terrell (reappointment)

40 S. Staebler Rd., #1 48103

Term: 08-01-96 to 07-31-98

Elizabeth Graham (replacing Denis Roberson at term expiration)

925 Aberdeen Drive 48104

Term: 08-10-96 to 07-31-97

ANN ARBOR HOSPITALITY COMMITTEE

Edna M. Roberson
2436 Lake in the Woods, Apt. 906
Ypsilanti, MI 48198
Term: 07-15-96 to 01-01-98

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

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

NOMINATED

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

ANN ARBOR COMMISSION ON DISABILITY ISSUES

Darlys M. Vander Beek (to fill vacancy created by resignation)
1720 Hatcher Crescent 48103
Term: 08-05-96 to 03-06-97

COMMUNITY DEVELOPMENT CITIZEN PARTICIPATION EXECUTIVE COMMITTEE

Robert M. Campbell (reappointment)
1035 Chestnut Rd. 48104
Term: 08-05-96 to 06-30-99

Bruce Warren (to fill vacancy created by resignation)
1001 Belmont 48104
Term: 08-05-96 to 06-30-97

HOUSING BOARD OF APPEALS

**Ann Smith (reappointment)
11 Ridgmore Drive 48103
Term: 08-05-96 to 06-30-99**

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Neal Berlin presented the following memorandums of information:

- X Recycling Collection Contract**
- X Parking Requirements for Park Plaza (Item #7/3-4)**

The memorandums were filed with the City Clerk.

COMMUNICATIONS FROM THE CITY ATTORNEY

City Attorney Abigail Elias informed the Council that the Chief Assistant City Attorney John VanLoon submitted his retirement request and is now retired from the City.

City Attorney Elias said that the family of Jamar French has hired an attorney. This will change how information is exchanged between the family and the City because of the threat of litigation.

COMMUNICATIONS FROM THE COUNCIL

Councilmember Lumm thanked Councilmember Daley for suggesting that some of her comments could be entered into the record regarding the \$134,364 grant fund resolution approved earlier this evening.

Councilmember Carlberg said that the Director the Community Corrections Advisory Board, Nancy Riley, is interested in giving a presentation on the program to the Council.

(The City Administrator mentioned that other organizations have requested information giving sessions as well.)

A tentative time for the sessions was scheduled for the second meeting in September, 1996.

Councilmember Daley announced the Trailblazers open house on August 7, 1996 from 10:00 a.m. to 3:30 p.m.

Councilmember Vereen-Dixon said that she has received many calls and letters which indicates to her a community need to talk. The letters deal with more than just the Klan rally and the curfew/solicitation/graffiti ordinances. She felt that a town meeting with a professional facilitator needs to be established to deal with the many issues that people have brought forward.

In addition, she is concerned that a lot of people who have expressed concerns have come from the African-American community. A wider range dialogue needs to be established to address the increasing strong feelings there.

Councilmember Carlberg said that the Youth Challenge Project now has 73 youth hired into the City and at various agencies throughout the city. Also hired were mentors and youth leaders to talk to the young people. The City Council, Parks and Recreation and the Schools have contributed time and personnel to the project.

Councilmember Hanna-Davies received a letter from an inmate in the Michigan prison system that commented on the youth curfew. The inmate states that adult inmates are very eager to prevent young people from making their mistakes and suggests many ideas for dealing with young people.

Councilmember Hanna-Davies invited Council to a cleansing and healing ceremony on the roof of the Guy C. Larcom Jr. Municipal Building, on July 22, from Noon to 1:00 p.m. The ceremony will mark exactly one month since the KKK rally.

Councilmember Kolb thanked the Police Chief for inviting the Mayor and Council to attend a meeting held on Friday in Detroit on reaching youth who are out of the education mainstream.

Councilmember Kolb thanked the Mayor for being his partner in winning the canoe race event on Huron River Day.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

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

- X Wendy Case regarding the proposed Curfew for Minors Ordinance - FILED**
- X Arista Nolff regarding the KKK Rally - FILED**
- X Rod Hunt regarding the Curfew for Minors ordinance - FILED**
- X Mary A. Bejian regarding the proposed ordinances dealing with begging, youth curfew and graffiti - FILED**
- X Robert R. Murray, Home Builders Association of Washtenaw County -**

Purchase of Development Rights - FILED

CLERK=S REPORT OF MINUTES RECEIVED AND FILED

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

- X Ann Arbor Energy Commission - June 13, 1996
- X Ann Arbor Taxicab Board - April 25, 1996
- X Zoning Board of Appeals - April 24, 1996
- X Ann Arbor Housing Commission - May 15, 1996

Councilmember Putman 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, the Mayor declared the meeting adjourned at 11:20 p.m.

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

**Linda J. Wise
Recording Secretary**