

**ANN ARBOR CITY COUNCIL MINUTES
WORKING SESSION - OCTOBER 21, 1996**

The working session of the Ann Arbor City Council was called to order at 6:44 p.m. in the Guy C. Larcom Jr. Municipal Building Council Chamber by Mayor Ingrid B. Sheldon.

ROLL CALL OF COUNCIL

Present: Councilmembers Tobi Hanna-Davies, Jane Lumm, David Kwan, Jean Carlberg, Heidi Herrell, Stephen Hartwell, Christopher Kolb, Mayor Ingrid B. Sheldon, 8

Absent: Councilmembers Patricia Vereen Dixon, Patrick Putman, Elisabeth Daley, 3

WORKING SESSION

Housing Commission Members Present: Sam Perry, Kate Warner

Staff Present: Housing Commission Director, Elizabeth Lindsley, Public Housing Specialist and AFSCME Steward Kathleen Schlipp

Presenter: HUD Representative Joanne Inglis

REVISIONS TO PUBLIC ACT 18

A working session was conducted on the impact of the amendments to Public Act 18 on the Ann Arbor Housing Commission and its future relationship with the City. The amendment to the Act grants the Housing Commission the power to operate without local approval, unless the Council passes resolutions requiring its approval for some or all of the Housing Commission actions.

The Amendment requires that one housing commissioner be a tenant of a public or assisted housing, modifies the process of appointment and removal from office of the commissioners, allows the Commission to sue and be sued, allows the Commission to set compensation of the director and staff without Council approval, unless the Council reclaims this power by resolution, allows the Commission to accept funding from any source without Council approval, allows for the termination of tenancy for drug-related crimes with a 7-day notice and allows the Commission to borrow for the short term to cover operating expenses.

The Housing Commission will provide recommendations to the Council, after it has met in a working session to discuss the impact of the Act's amendments, including its effect on City employees employed at the Housing Commission.

Filed with the City Clerk: (1) Public Act 18 - Major Changes Highlights, (2) Housing Facilities Act of 1933, as amended June 27, 1996.

ADJOURNMENT

There being no further business, the Mayor declared the working session adjourned at 7:20 p.m.

Linda J. Wise
 Recording Secretary
 Acting Clerk of the Council

**ANN ARBOR CITY COUNCIL MINUTES
 REGULAR SESSION - MONDAY - OCTOBER 21, 1996**

The regular session of the Ann Arbor City Council was called to order at 7:38 p.m., in the Guy C. Larcom Jr. Municipal Building Council Chamber, by Mayor Ingrid B. Sheldon.

The Council stood for a moment of silence.

Mayor Sheldon led the Pledge of Allegiance.

ROLL CALL OF COUNCIL

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

Absent: Councilmember Patricia Vereen-Dixon, 1

INTRODUCTIONS

1996 ANN ARBOR SUMMER FESTIVAL REPORT

Festival Director Mary Oleniczak and Board President Jim Reese presented the 1996 Ann Arbor Summer Festival Report. The Ann Arbor Summer Festival is seeking a more regional appeal. The Ann Arbor Summer Festival, although successful, is operating at a deficit due to unexpected costs, such as performance fee fluctuations. The Festival will go on as scheduled in 1997, however, 1998 is questionable because the bank that holds the loan has not agreed to extend the loan past next year. The Festival representatives requested that the Council increase its funding and that no conditions be placed on it.

PUBLIC COMMENTARY - RESERVED TIME

ANDREW GULVEZAN - ANNOUNCEMENTS, UNFINISHED BUSINESS

Andrew Gulvezan, 2104 Pauline, recommended Howard Cooper for new car purchases, showed Council his WWII Victory Medal, reminded citizens to vote in the upcoming November election and offered to do the city administrator job for \$36,000.

HASAN KHALID - SEEKING JUSTICE

Hasan Khalid, P.O. Box 130654, said that he is a 12-year-old who was beaten by police officers because he would not reveal the whereabouts of his mother, Safiyah Khalid. He expressed the opinion that he was not entitled to equal justice because his mother is Safiyah Khalid and expressed his disappointment in the Mayor whom he felt does not represent all of the people.

SAFIYAH KHALID - CONSTITUTIONAL RIGHTS AND MAYORAL REFLECTIONS

Safiyah Khalid, P.O. Box 130654, recited a poetic opinion of the Mayor's performance while in office, said that the Mayor does not represent all of the people in Ann Arbor, and promised to continue to monitor her performance. She said that she was unfairly convicted and would have to serve time in a penal institution and that her son would be placed in foster care while she is away.

CRYSTAL SMITH - POLICE ISSUES

Crystal Smith, 2598 Adrienne, said that she attended the trial of Safiyah Khalid and expressed the opinion that Ms. Khalid did not receive a fair hearing. Ms. Smith objected to the proposal to continue the presence of police officers in the schools, said that the school's administration as well as the police officers were biased in their treatment of school children. She said that the police are more prone to beat up on minority children than to help them. She suggested that City funds be funneled into neighborhood incentive programs.

SHANTA DRIVER - POLICE IN THE SCHOOLS

Shanta Driver, 999 Whitmore, Detroit MI., said that the presence of police in the schools is not the answer to the problems facing the schools and youth today and questioned the type of education a child would receive under the conditions of a police presence. She questioned the reasons for withdrawal of the resolution that would have deleted the bill to NWROC for its part in the Klan demonstrations.

AUDREY JACKSON - 1996 PRESIDENTIAL ELECTION

Audrey Jackson, 2557 Sandalwood, said that she supported the Democratic candidacy of Christopher Kolb for mayor because he would work for the entire population of Ann Arbor, Bill Clinton for President, Carl Levin for U.S. Senate, Mary Schroer and Elizabeth Brater for State representatives, Brian Mackie as County Prosecuting Attorney and Lynn Rivers for U.S. Representative. She said that free AATA bus service to polling places would be available and urged all citizens to vote.

EZRA ROWRY - CITY GOVERNMENT AND GOVERNMENT AT LARGE

Ezra Rowry, 818 Pomona, said that the study of an income tax in Ann Arbor should be balanced with the possibility of eliminating other local taxes so that voters will not be doubly taxed. He urged a vote for Bill Clinton for president. He said that the proposal by Bob Dole to cut taxes by 15% is unrealistic and cannot be accomplished. He urged the Council to promote from within and wished to see a change in the City's government and the way that the City is being run.

CECY EWING - HUMAN RIGHTS ORDINANCE

Cecy Ewing, 2008 Carhart, chair of the Human Rights Commission, said that the ordinance under consideration at first reading this date reflects exactly the duties of the Commission. She said that the existing ordinance was one of the first in the nation to protect all persons for a variety of reasons. The Penalty Section will be strengthened to more severely punish those in violation and will also provide the right of private pursuit of justice.

PUBLIC HEARINGSBURGER KING RESTAURANT SITE PLAN

A public hearing was conducted on the proposed Burger King Site Plan, 0.58 acres, 206 West Huron Street.

The following person appeared:

Joseph Arcure, 113 W. Liberty, a downtown resident, a member of the Main Street Area Association and the Citizens Advisory Council for the Downtown Development Authority, said that he was asked to speak on behalf of all who were in attendance this date, but who wished to reserve their comments until this public hearing is continued. He objected to the Burger King site because the traffic generated would create an auto and pedestrian safety hazard. In addition, the site plan proposal does not conform to the recommendations of the City's adopted plans and policies. The Ann Arbor community does not want the drive-in Burger King in the heart of the downtown. The plan was formally opposed by DDA, State Street and Main Street Associations, the Historic District Commission, the Old Fourth Ward, the Old West Side, and the North Central Property Owners Association. Citizens, businesses and merchants in the downtown area strongly oppose the project. He observed that even though the petitioners requested this date for a public hearing and action, they have chosen not to appear and this shows a lack of respect for the community and the process that has brought everyone here today. He requested that the Council deny the Burger King proposal if it should come back to Council for action.

There being no further speakers at this time, the Mayor continued the public hearing until November 7, 1996 or to the date when the Burger King site plan is scheduled for a vote.

APPROVAL OF AGENDAAGENDA APPROVED AS AMENDED

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

PUBLIC HEARINGS

Burger King Restaurant Site Plan, 0.58 acres, 206 West Huron Street
Attorney for Burger King has requested that the public hearing be continued until November 7, 1996

CONSENT AGENDA

Revised: Resolution to Approve Housing Affordability Agreements with Washtenaw Affordable Housing Corporation Regarding 2051 Champagne Drive and 5 Trowbridge Court (\$97,500) (Community Development)

ORDINANCES - FIRST READING

Revised Title: ~~Human Rights Ordinance~~ Amendment to Chapter 112 of Title IX,

Added Sponsors: Section 9:163, Add Section 9:164 - Nondiscrimination, and
Amendment to Chapter 1 of Title I, Section 1:17 - Code Violation
Citations (Councilmembers Kolb, Hanna-Davies, Daley)

MOTIONS AND RESOLUTIONS

Deleted: Resolution to Approve Burger King Restaurant Site Plan, 0.58 acres,
206 West Huron Street (Planning Commission recommendation: Denial
- 0 yeas and 8 nays) - Deleted at the request of Petitioner
representative - rescheduled for November 7, 1996

Revised: Resolution to Award a Negotiated Construction Contract to Heaney
General Contracting, Inc. for Fuller Park Renovations and Reject
all Bids Submitted Under Bid No. 2932 (\$1,835,000) (Parks and
Recreation) (Please see the Planning Commission report)

Deleted: Resolution to Approve Sale of Excess City Property to Ken Land and

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Deleted: Resolution to Approve Sale of Excess City Property to Charles R. Reinhart (\$500) (Real Estate Committee) (8 Votes Required)
Rescheduled for November 7, 1996

Revised: Resolution Authorizing Settlement of Ann Arbor Tenants Union Lawsuit Against the City (Attorney) (See Revised - 10-21-96-Stipulation and Order)

CLERK=S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

Added: Audrey Jackson - Recall Petition - **FILED**

APPROVAL OF COUNCIL MINUTES

MINUTES APPROVED AS PRESENTED

Councilmember Carlberg moved that the regular session minutes of October 7, 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 and approved:

R-476-10-96 APPROVED

RESOLUTION TO APPROVE FERRIC
CHLORIDE PURCHASE FOR
WASTEWATER TREATMENT
BID NO. 2914 (\$194,650)

Whereas, The Wastewater Treatment Plant uses liquid Ferric Chloride in its daily operations;

Whereas, Contracts for supplying estimated requirements are the most stable and cost-effective way of meeting the City=s wastewater treatment needs;

Whereas, PVS Technologies submitted the lowest responsible bid for liquid Ferric Chloride per Bid No. 2914;

Whereas, PVS Technologies received Human Rights Approval on May 23, 1996;

RESOLVED, That City Council approve a requirements contract for Ferric Chloride to PVS Technologies in accordance with the terms of Bid No. 2914;

RESOLVED, That the City Administrator be directed to enter into an agreement in accordance with this resolution at a projected cost of approximately \$194,650.00 for the remainder of FY1996/97;

RESOLVED, That the agreement may be renewed for up to two one-year periods provided both parties agree to an extension; and

RESOLVED, That the City Administrator be directed to rebid Ferric Chloride if PVS Technologies is unable to furnish adequate supplies.

Source of Funds: Wastewater Treatment Plant FY 1996/97 Approved Budget

R-477-10-96 APPROVED

RESOLUTION TO APPROVE SODIUM
HYDROXIDE PURCHASE FOR THE
WATER TREATMENT DIVISION
BID NO. 2860 (\$110,000)

Whereas, The Water Treatment Division uses sodium hydroxide in daily operations;

Whereas, Contracts for supplying estimated requirements are the most stable and cost-effective way of meeting the water division=s needs;

Whereas, Haviland Products Company submitted the lowest responsible bid for membrane quality sodium hydroxide per bid No. 2860; and

Whereas, Haviland Products Company received human rights approval on September 26, 1996;

RESOLVED, That City Council approve a requirements contract for sodium hydroxide to Haviland Products Company in accordance with the terms of Bid No. 2860;

RESOLVED, That the City Administrator be directed to enter into an agreement in accordance with this resolution at a projected cost of

approximately \$110,000 for FY 1996/1997;

RESOLVED, That the agreement may be renewed for up to two one-year periods provided both parties agree to an extension; and

RESOLVED, That the City Administrator be directed to rebid sodium hydroxide if Haviland Products is unable to furnish adequate supplies.

Source of Funds: Water Supply System FY 1996/97 Approved Budget.

R-478-10-96 APPROVED

RESOLUTION TO APPROVE LIQUID
CHLORINE AND SULFUR DIOXIDE
PURCHASE FOR WASTEWATER
TREATMENT - BID NO. 2923 (\$46,970)

Whereas, The Wastewater Treatment Plant uses Liquid Chlorine and Sulfur Dioxide in its daily operations;

Whereas, Contracts for supplying estimated requirements are the most stable and cost effective way of meeting the City=s wastewater treatment needs;

Whereas, Alexander Chemical submitted the lowest responsible bid for Liquid Chlorine and Sulfur Dioxide as per Bid No. 2923;

Whereas, Alexander Chemical received Human Rights Approval on March 19, 1996;

RESOLVED, That City Council approve a requirements contract for Liquid Chlorine and Sulfur Dioxide to Alexander Chemical in accordance with the terms of Bid No. 2923;

RESOLVED, That the City Administrator be directed to enter into an agreement in accordance with this resolution at a projected cost of approximately \$46,970 for the remainder of FY1996/97;

RESOLVED, That the agreement may be renewed for up to two one-year periods provided both parties agree to an extension; and

RESOLVED, That the City Administrator be directed to rebid Liquid Chlorine and Sulfur Dioxide if Alexander Chemical is unable to furnish adequate supplies.

Source of Funds: Wastewater Treatment Plant FY 1996/97 Approved Budget.

R-479-10-96 APPROVED AS REVISED

RESOLUTION TO APPROVE HOUSING
AFFORDABILITY AGREEMENTS WITH
WASHTENAW AFFORDABLE HOUSING
CORPORATION REGARDING 2051
CHAMPAGNE DRIVE AND 5 TROWBRIDGE
COURT (\$97,500)

Whereas, An application was received in August, 1996 from Washtenaw Affordable Housing Corporation for financial assistance to be used for the acquisition of properties located at 2051 champagne Drive and at 5 Trowbridge Court to be used as affordable housing for very low income families;

Whereas, From the total estimated project cost of \$132,000, WAHC will be leveraging funds from Local Initiatives Support Corporation and a local lender, First of America Bank;

Whereas, The Housing Policy Board at its meeting on October 16, 1996 recommended City Council approval of \$97,500 of CDBG funds for the project;

Whereas, WAHC agrees to resolve conditions relating to seeking but not requiring the securing of the City funds in a first or shared first position, working with the City on any relocation issues and seeking \$10,000 of other funds per project; and

Whereas, Human Rights approval was received for the contractor on March 29, 1996;

RESOLVED, That City Council approve the Housing Affordability Agreements in the amount of \$97,500 of CDBG funds 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 Agreements 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 without regard to fiscal year.

R-480-10-96 APPROVED

RESOLUTION NO. 4 - CONFIRM
ASSESSMENT ROLL FOR CHERRY
TREE LANE WATER MAIN PROJECT
(\$56,150)

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

Approximately 830 lineal feet of 8" water main along Cherry Tree Lane between Packard Road and Ailsa Craig, District Number 94043, File Number 94043; and

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

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

RESOLVED,

1. That said Special Assessment Roll as prepared by the City Assessor be hereby confirmed in the amount of \$56,150.00 and designated as Water Main Special Assessment District Number 94043, File Number 94043;

2. That said Special Assessment Roll be divided into fifteen (15) equal annual installments, the first of which shall be due on June 1, 1997, and the fourteen (14) subsequent installments to be due on June 1 of each and every year thereafter; and

3. That the deferred installments of said Special Assessment Roll bear interest at the rate of 7% to be adjusted to 1 per cent per annum above the average interest rate of any bonds issued to finance the improvements, commencing June 1, 1997, said interest to be collected annually on the due date of the second and subsequent installments of said Special Assessment Roll.

4. That the amount of the improvement costs designated as future recoverable shall, when imposed on the property, include interest at an amount determined by Council, but not to exceed 1% per annum above the average rate of any bonds issued to finance the improvements.

CHERRY TREE WATER MAIN
DISTRICT NUMBER 94043, FILE NUMBER 94043

		<u>PROPERTY SHARE</u>
12-11-102-029	Turnberry Development Corp. 209 Fourth Avenue Ann Arbor, Michigan 48104	\$ 5,615.00
12-11-102-048	Rodney Lotz & George Gagalis 464 Dupont Ypsilanti, Michigan 48197	\$ 11,230.00
12-11-102-049	Rodney Lotz & George Gagalis 464 Dupont Ypsilanti, Michigan 48197	\$ 5,615.00
12-11-102-051	Claus Theile 605 Eberwhite Blvd. Ann Arbor, Michigan 48103	\$ 5,615.00

12-11-102-052	Claus Theile 605 Eberwhite Blvd. Ann Arbor, Michigan 48103	\$ 5,615.00
12-11-102-053	Claus Theile 605 Eberwhite Blvd. Ann Arbor, Michigan 48103	\$ 5,615.00
12-11-102-054	John D. Lindner 3084 Cherry Tree Lane Ann Arbor, Michigan 48108	\$ 11,230.00
12-11-103-002	Perry Nursery School 3770 Packard Road Ann Arbor, Michigan 48108	\$ 5,615.00
	TOTAL	\$ 56,150.00

R-481-10-96 APPROVED

RESOLUTION NO. 4 - CONFIRM
ASSESSMENT ROLL FOR CHERRY
TREE LANE SANITARY SEWER PROJECT
(\$73,950)

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

Approximately 950 lineal feet of 8" sanitary sewer along Cherry Tree Lane from the north end of the Packard Office Plaza westerly to the north end of Cherry Tree Lane and southerly to Ailsa Craig, District Number 470, File Number 94043; and

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

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

RESOLVED,

1. That said special Assessment Roll as prepared by the City Assessor be hereby confirmed in the amount of \$73,950.00 and designated as Sanitary Sewer Special Assessment District Number 470, File Number 94043;

2. That said Special Assessment Roll be divided into fifteen (15) equal annual installments, the first of which shall be due on June 1, 1997, and the fourteen (14) subsequent installments to be due on June 1 of each and every year thereafter; and

3. That the deferred installments of said Special Assessment Roll bear interest at the rate of 7% to be adjusted to 1 per cent per annum above the average interest rate of any bonds issued to finance the improvements, commencing June 1, 1997, said interest to be collected annually on the due date

of the second and subsequent installments of said Special Assessment Roll.

4. That the amount of the improvement costs designated as future recoverable shall, when imposed on the property, include interest at an amount determined by Council, but not to exceed 1% per annum above the average rate of any bonds issued to finance the improvements.

CHERRY TREE SANITARY SEWER
DISTRICT NUMBER 470, FILE NUMBER 94043

		<u>PROPERTY SHARE</u>
12-11-102-029	Turnberry Development Corp. 209 Fourth Avenue Ann Arbor, Michigan 48104	\$ 7,395.00
12-11-102-048	Rodney Lotz & George Gagalis 464 Dupont Ypsilanti, Michigan 48197	\$ 14,790.00
12-11-102-049	Rodney Lotz & George Gagalis 464 Dupont Ypsilanti, Michigan 48197	\$ 7,395.00
12-11-102-051	Claus Theile 605 Eberwhite Blvd. Ann Arbor, Michigan 48103	\$ 7,395.00
12-11-102-052	Claus Theile 605 Eberwhite Blvd. Ann Arbor, Michigan 48103	\$ 7,395.00
12-11-102-053	Claus Theile 605 Eberwhite Blvd. Ann Arbor, Michigan 48103	\$ 7,395.00
12-11-102-054	John D. Lindner 3084 Cherry Tree Lane Ann Arbor, Michigan 48108	\$ 14,790.00
12-11-103-002	Perry Nursery School 3770 Packard Road Ann Arbor, Michigan 48108	\$ 7,395.00
	TOTAL	\$ 73,950.00

R-482-10-96 APPROVED

RESOLUTION NO. 2 - PREPARE

ASSESSMENT ROLL FOR NEWPORT
HILLS STREETLIGHT PROJECT
(\$57,600)

Whereas, The City Council has directed and ordered the City Administrator to have prepared plans, specifications and estimates of cost for Newport Hills Streetlights described as follows:

Decorative Streetlights along White Oak Drive, White Oak Court, Pin Oak Drive, and Oak Hills Drive in the Newport Hills Site Condominium (Phases I, II, and III);

File No. 96031

District No. 2; and

Whereas, The City Administrator has had the same prepared and has filed the same with the City Clerk together with his recommendations as to what part of the cost thereof should be paid by special assessment and what part should be paid by the City at large, the number of installments in which the special assessments may be paid, and the lands which should be included in the special assessment district; and

Whereas, The same has been presented to the City Council and examined and reviewed by the Council:

RESOLVED,

I. That the plans, specifications, estimate of cost, and the recommendations of the City Administrator be filed with the City Clerk and be available for public examination;

2. That the plans, specifications, estimate of cost, and recommendations of the City Administrator for said improvements as filed with the City Clerk by the City Administrator and presented to the Council be approved;

3. That the City Council hereby determine to proceed with the acquisition and construction of the Newport Hills Streetlights described as follows:

Decorative Streetlights along White Oak Drive, White Oak Court, Pin Oak Drive, and Oak Hills Drive in the Newport Hills Site Condominium (Phases I, II, and III);

File No. 96031

District No. 2; and

4. That the City Council determine the cost of said improvement, including all incidentals, to be \$57,600, and that of said total cost, the total of \$57,600, be paid by special assessment upon the property specially benefited within the City;

5. That an amount of \$57,600 be advanced from the General Fund pending the sale of the appropriate bonds;

6. That the following described lots and parcels of land be designated as constituting the special assessment district against which the cost of said improvement shall be assessed, or against which an improvement charge shall, pursuant to Section 1.278 of the City Code, be levied:

RESOLUTION NO. 2

NEWPORT HILLS STREETLIGHTS

FILE NO. 96031

DISTRICT NO. 2

Estimated Total Project Cost	\$57,600
Total Number of Units	72
Estimated Cost per Unit	\$800

<u>ASSESSOR'S CODE</u>	<u>PROPERTY OWNER</u>	<u>ESTIMATED COST</u>
09-18-104-001 Unit No. 1	Darryl & Patricia Albright 2790 White Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-104-002 Unit No. 2	William & Lee Bria 2720 White Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-104-003 Unit No. 3	Alexander & Barbara Gough 2700 White Oak Drive Ann Arbor, Michigan 48103	\$800.00

<u>ASSESSOR-S CODE</u>	<u>PROPERTY OWNER</u>	<u>ESTIMATED COST</u>
09-18-104-004 Unit No. 4	Steven & Terri Wild 2690 White Oak Drive Ann Arbor, Michigan 48103-2361	\$800.00
09-18-104-005 Unit No. 5	Eric & Cheryl Brust 2682 White Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-104-008 Unit No. 12	Michael J. Atwell 2674 White Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-104-009 Unit No. 13	Clark & Amy Shuler 2666 White Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-104-010 Unit No. 14	Steven & Sandra Bertani 2658 White Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-104-011 Unit No. 15	R.E.M. Vero, Inc. 2648 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-104-012 Unit No. 16	R.E.M. Vero, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	\$800.00
09-18-104-013 Unit Nos. 17-19; 22-28; 45-54	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139	\$16,000.00
09-18-105-001 Common Area (Detention)	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	\$800.00
09-18-105-002 Unit No. 6	James Walsh Trust & Susan Ashford Trust 2723 White Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-105-003 Unit No. 7	Paul & Doris Steinkraus 2713 White Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-105-004 Unit No. 8	Douglas & Rose Marie Roland 2703 White Oak Drive Ann Arbor, Michigan 48103	\$800.00

<u>ASSESSOR-S CODE</u>	<u>PROPERTY OWNER</u>	<u>ESTIMATED COST</u>
09-18-106-001 Unit No. 29	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	\$800.00
09-18-106-002 Unit No. 30	R.E.M. Vero, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	\$800.00
09-18-106-003 Unit No. 36	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139	\$800.00
09-18-200-002 Unit No. 11	Samual & Amy Frydenlund 2648 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-200-003 Unit No. 10	David H. Humes 2644 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-200-005 Unit No. 37	Peter & Peggy Bistolarides 2640 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-200-006 Unit No. 38	Joseph & Carolyn Newton 2636 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-200-007 Unit No. 39	Andrew Rosenzweig & Susan Weinman 2634 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-200-008 Unit No. 40	Chris Hsu 2632 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-200-009 Unit No. 41	James & Emily Saylor 2630 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-200-010 Unit No. 42	Douglas & Suzanne Wanty 2628 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-200-011 Unit No. 43	R. Scott & Arlene Turner 2626 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00

<u>ASSESSOR-S CODE</u>	<u>PROPERTY OWNER</u>	<u>ESTIMATED COST</u>
09-18-200-012 Unit No. 44	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139	\$800.00
09-18-200-013 Unit No. 31	Dennis & Janice Curtice 2609 White Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-200-014 Unit No. 32	Douglas Portz & Ann Oldendorf 3332 Riverbend Drive Ann Arbor, Michigan 48105	\$800.00
09-18-200-015 Unit No. 33	R.E.M. Vero, Inc. 2648 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-200-016 Unit No. 34	R.E.M. Vero, Inc. P.O. Box 766 Ann Arbor, Michigan 48139-0766	\$800.00
09-18-200-017 Unit No. 35	R.E.M. Vero, Inc. P.O. Box 766 Ann Arbor, Michigan 48139	\$800.00
09-18-201-001 Unit No. 9	Brian & Regina Bergner 2647 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-002 Unit No. 73	Edwin & Ruth Curley 2645 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-003 Unit No. 72	Glenn Golden & Evans Carlyn 2643 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-004 Unit No. 71	Anthony & Catherine Scilingo 2641 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-005 Unit No. 70	Arthur & Pamela Schwartz 2639 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-006 Unit No. 69	K & Tara M. Bhabhrawala 2637 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00

<u>ASSESSOR-S CODE</u>	<u>PROPERTY OWNER</u>	<u>ESTIMATED COST</u>
09-18-201-007 Unit No. 68	Alex H. & Sally S. Nguyen 2635 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-008 Unit No. 67	Kathleen G. Benua 2633 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-009 Unit No. 66	Stephen & Cynthia Ondra 2631 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-010 Unit No. 65	Gregory & Linda Neagos 2629 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-011 Unit No. 64	Ralph & Frances Yang 2627 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-012 Unit No. 63	Kim Kyungmann & Lee Youngsook 2625 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-013 Unit No. 62	Walter & Dorothy Rollins 2623 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-014 Unit No. 61	Gregory & Elizabeth Graziano 2621 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-015 Unit No. 60	George Kelsey & Taffeta Evans 1118 Crane Road Milan, Michigan 48160	\$800.00
09-18-201-016 Unit No. 59	Enzo & Terrie Fanelli 2617 Pin Oak Drive Ann Arbor, Michigan 48103	\$800.00
09-18-201-017 Unit No. 58	R.E.M. Vero, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	\$800.00
09-18-201-018 Unit No. 57	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139	\$800.00

<u>ASSESSOR=S CODE</u>	<u>PROPERTY OWNER</u>	<u>ESTIMATED COST</u>
09-18-201-019 Unit No. 56	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	\$800.00
09-18-201-020 Unit No. 55	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139	\$800.00

; and

7. That the City Assessor be hereby directed to prepare a special assessment roll in accordance with the foregoing determinations of the City Council, and to file the same, together with his certificate attached thereto, with the City Clerk for presentation to the City Council.

R-483-10-96 APPROVED

RESOLUTION NO. 3 - SET PUBLIC
HEARING DATE FOR NEWPORT
HILLS STREETLIGHT PROJECT

Whereas, The City Council has ordered the City Assessor to prepare a Special Assessment Roll for the purpose of defraying that part of the cost of the following described streetlight project to be defrayed by Special Assessment: Newport Hills Decorative Streetlights along White Oak Drive, White Oak Court, Pin Oak Drive, and Oak Hills Drive in the Newport Hills Site Condominium, Phases I, II, and III, District 2, File No. 96031; and

Whereas, The City Assessor has prepared said Special Assessment Roll and has the same on file in the Assessor=s Office with his certificate attached thereto;

RESOLVED,

1. That said Special Assessment roll be on file in the office of the City Assessor and shall be made available for public examination;

2. That the City Council meet on November 18, 1996, at 7:30 o=clock p.m. at the Council Chambers in the Guy C. Larcom, Jr. Municipal Building in said city for the purpose of reviewing said Special Assessment Roll;

3. That the City Clerk give notice of said hearing to review the Special Assessment Roll by having notice thereof published in The Ann Arbor News not less than (10) full days

prior to the date of the hearing, and by mailing notice at least (10) days prior to the date of hearing to the owner of each lot and parcel of land subject to the assessment, as indicated by the records of the City Assessor=s Office; and

4. That said notice so published and mailed be in substantially the following form:

**NOTICE OF REVIEW OF
SPECIAL ASSESSMENT ROLL**

PLEASE TAKE NOTICE That the City Council has caused to be prepared a Special Assessment Roll for the purpose of defraying the private property=s share of the cost of sanitary sewer as described as follows:

Newport Hills Streetlights along White Oak Drive, White Oak Court, Pin Oak Drive, and Oak Hills Drive in the Newport Hills Site Condominium, Phases I, II, and III, District 2, File No. 96031

TAKE FURTHER NOTICE That the property to be included in said Special Assessment District is as follows:

NEWPORT HILLS DDA STREETLIGHTS
DISTRICT NUMBER 2, FILE NUMBER 96031

		<u>PROPERTY SHARE</u>
09-18-104-001	Darryl & Patricia Albright 2790 White Oak Drive Ann Arbor, Michigan 48103	\$ 800.00
09-18-104-002	William & Lee Bria 2720 White Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-104-003	Alexander & Barbara Gough 2700 White Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-104-004	Steven & Terri Wild 2690 White Oak Drive Ann Arbor, Michigan 48103-2361	800.00
09-18-104-005	Eric & Cheryl Brust	800.00

	2682 White Oak Drive Ann Arbor, Michigan 48103	
09-18-104-008	Michael J. Atwell 2674 White Oak Drive Ann Arbor, Michigan 48103	800.00
		<u>PROPERTY SHARE</u>
09-18-104-009	Clark & Amy Shuler 2666 White Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-104-010	Steven & Sandra Bertani 2658 White Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-104-011	R.E.M. Vero, Inc. 2648 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-104-012	R.E.M. Vero, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	800.00
09-18-104-013	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139	\$ 16,000.00
09-18-105-001	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	800.00
09-18-105-002	James Walsh Trust & Susan Ashford Trust 2723 White Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-105-003	Paul & Doris Steinkraus 2713 White Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-105-004	Douglas & Rose Marie Roland 2703 White Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-106-001	Newport Hills Builders, Inc.	800.00

P.O. Box 766
Hamburg, Michigan 48139-0766

		<u>PROPERTY SHARE</u>
09-18-106-002	R.E.M. Vero, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	800.00
09-18-106-003	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139	800.00
09-18-200-002	Samual & Amy Frydenlund 2648 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-200-003	David H. Humes 2644 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-200-005	Peter & Peggy Bistolarides 2640 Pin Oak Drive Ann Arbor, Michigan 48103	\$ 800.00
09-18-200-006	Joseph & Carolyn Newton 2636 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-200-007	Andrew Rosenzweig & Susan Weinman 2634 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-200-008	Chris Hsu 2632 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-200-009	James & Emily Saylor 2630 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-200-010	Douglas & Suzanne Wanty 2628 Pin Oak Drive Ann Arbor, Michigan 48103	800.00

		<u>PROPERTY</u>
<u>SHARE</u>		
09-18-200-011	R. Scott & Arlene Turner 2626 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-200-012	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139	800.00
09-18-200-013	Dennis & Janice Curtice 2609 White Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-200-014	Douglas Portz & Ann Oldendorf 3332 Riverbend Drive Ann Arbor, Michigan 48105	800.00
09-18-200-015	R.E.M. Vero, Inc. 2648 Pin Oak Drive Ann Arbor, Michigan 48103	\$ 800.00
09-18-200-016	R.E.M. Vero, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	800.00
09-18-200-017	R.E.M. Vero, Inc. P.O. Box 766 Hamburg, Michigan 48139	800.00
09-18-201-001	Brian & Regina Bergner 2647 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-201-002	Edwin & Ruth Curley 2645 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-201-003	Glenn Golden & Evans Carlyn 2643 Pin Oak Drive Ann Arbor, Michigan 48103	800.00

<u>SHARE</u>		<u>PROPERTY</u>
09-18-201-004	Anthony & Catherine Scilingo 264 1 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-201-005	Arthur & Pamela Schwartz 2639 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-201-006	K & Tara M. Bhabhrawala 2637 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-201-007	Alex H. & Sally S. Nguyen 2635 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-201-008	Kathleen G. Benua 2633 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-201-009	Stephen & Cynthia Ondra 2631 Pin Oak Drive Ann Arbor, Michigan 48103	\$ 800.00
09-18-201-010	Gregory & Linda Neagos 2629 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-201-011	Ralph & Frances Yang 2627 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-201-012	Kim Kyungmann & Lee Youngsook 2625 Pin Oak Drive Ann Arbor, Michigan 48103	800.00
09-18-201-013	Walter & Dorothy Rollins 2623 Pin Oak Drive Ann Arbor, Michigan 48103	800.00

<u>SHARE</u>		<u>PROPERTY</u>	
09-18-201-014	Gregory & Elizabeth Graziano 2621 Pin Oak Drive Ann Arbor, Michigan 48103		800.00
09-18-201-015	George Kelsey & Taffeta Evans 1118 Crane Road Milan, Michigan 48160		800.00
09-18-201-016	Enzo & Terrie Fanelli 2617 Pin Oak Drive Ann Arbor, Michigan 48103		800.00
09-18-201-017	R.E.M. Vero, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766		800.00
09-18-201-018	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139		800.00
09-18-201-019	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139-0766	\$	800.00
09-18-201-020	Newport Hills Builders, Inc. P.O. Box 766 Hamburg, Michigan 48139		800.00
	TOTAL	\$	57,600

TAKE FURTHER NOTICE That said Special Assessment Roll is on file in the Office of the City Assessor and is available for public examination.

TAKE FURTHER NOTICE That the City Council will meet on November 18, 1996, at the Council Chambers in the Guy C. Larcom, Jr. Municipal Building at 7:30 o=clock p.m., for the purpose of reviewing said Special Assessment Roll. Any person aggrieved by the Special Assessment Roll or the necessity of the improvement may file his/her objections thereto in writing prior to the closing of said hearing.

TAKE FURTHER NOTICE That appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her

appearance by letter delivered to the clerk prior to the close of said hearing and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

R-484-10-96 APPROVED

RESOLUTION TO AWARD A
CONSTRUCTION CONTRACT TO
DOUGLAS N. HIGGINS, INC. AND
ESTABLISH A PROJECT BUDGET
FOR THE GEDDES AVENUE
SANITARY SEWER - BID NO. 2936 (\$67,565)

Whereas, It has been found necessary to construct an 8-inch sanitary sewer in Geddes Avenue from Shipman Circle easterly approximately 230 feet;

Whereas, Douglas N. Higgins, Inc. of Ann Arbor, Michigan has submitted to the City on October 9, 1996, a bid for said work in the total amount of \$67,565 which amount is the lowest responsible bid;

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

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

Whereas, The Human Resources Department has, on October 21, 1996, approved said company for said construction project;

RESOLVED, That a contract in the amount of \$67,565 be awarded to Douglas N. Higgins, Inc. for the construction of the Geddes Avenue Sanitary Sewer Project (Bid No. 2936);

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;

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:

GEDDES AVENUE SANITARY SEWER

Section I - Revenue

\$102,720	From the sale of Sewer Bond Series XVII
\$102,720	TOTAL; and

Section II - Expense

\$67,570	Construction
8,110	Design Engineering
10,140	Construction Engineering
3,380	Consulting and Testing
5,410	Contingencies approved by the City Administrator
3,380	Miscellaneous Costs
4,730	Bond Overhead Charge
\$102,720	TOTAL

R-485-10-96 APPROVED

RESOLUTION TO AUTHORIZE A PUBLIC SERVICES AGREEMENT WITH THE ANN ARBOR SUMMER FESTIVAL, INC. (\$15,000)

Whereas, The Ann Arbor Summer Festival has been a favorite community event for years, providing social events for public enjoyment;

Whereas, The Ann Arbor Summer Festival contributes significantly to nonprofit organizations serving low-income youth, senior citizens, and others who might not otherwise be able to attend such events through the distribution of hundreds of tickets to these organizations, as requested by City Council;

Whereas, The City of Ann Arbor has pledged its support for the Summer Festival in the past; and

Whereas, The continued success of the Summer Festival relies upon the generosity of the community;

RESOLVED, That the City Council authorize the execution of a public services agreement in the amount of \$15,000 with the Ann Arbor Summer Festival, Inc.; and

RESOLVED, That the \$15,000 be charged to the Community Events account of the 1996/97 Adopted budget.

R-486-10-96 APPROVED

RESOLUTION AUTHORIZING LEVY OF MILLAGE ON THE DECEMBER 1996 COUNTY TAX ROLL FOR THE CITY'S SHARE OF THE MALLET'S CREEK STORM DRAIN

Whereas, Washtenaw County has levied an assessment on the City of Ann Arbor for debt payments on the Mallet's Creek (Pittsfield-Ann Arbor) storm drain in the amount of \$216,000.43;

Whereas, The Council in prior years has authorized a special millage on the December Washtenaw County tax levy (on City of Ann Arbor properties only) for payment of this item;

RESOLVED, That Council does hereby authorize a levy of 0.0808 mills on the December, 1996 Washtenaw County tax levy (City of Ann Arbor properties only) for the City share of this debt payment as outlined above.

R-487-10-97 APPROVED

RESOLUTION TO ACCEPT BOARD OF INSURANCE ADMINISTRATION MINUTES OF OCTOBER 3, 1996 AND TO AUTHORIZE PAYMENTS

RESOLVED, That the attached Board of Insurance Administration Minutes of October 3, 1996 be accepted and that the payments therein be authorized.

MINUTES

CITY OF ANN ARBOR BOARD OF INSURANCE ADMINISTRATION
OCTOBER 3, 1996

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

Absent: None

Also Present: Daniel J. Cullen, Risk Manager
Bob West, Assistant City Attorney
Eileen Goldman, Claims Processing Clerk
Julie Walmsley 4.

CITY EMPLOYEES= BODILY INJURIES
(Medical bills paid since last meeting)

<u>CASE NO.</u>	<u>NAME</u>	<u>DEPT.</u>	<u>INJURY</u>	<u>AMOUNT</u>
3441	Tom Wojewski	Utilities	Spinal Cord	\$2,500.00

CITIZENS' CLAIMS APPROVED: (and check issued)

<u>CASE NO.</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
CC 68-96	Vehicle damage claim of Jennifer Cullip	\$764.58
CC 79-96	Vehicle damage claim of Jerry Fawley	\$51.00
	TOTAL	\$815.58

LEGAL EXPENSES AND/OR CASE RELATED EXPENSES:

<u>CASE NO.</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
CC 55-95	Lawsuit of Molly Light by Stephen Bernstein, Attorney Smart Corporation	\$61.87
CC 55-95	Lawsuit of Molly Light by Stephen Bernstein, Attorney Mercy Medical Group	\$5.00
CC 55-95	Lawsuit of Molly Light by Stephen Bernstein, Attorney Health Information Management Services	\$3.36
CC 136-95	Lawsuit of Marcia Bauer by James Cmejrek, Attorney Peter Kelley, Mediator	\$25.00

CC 136-95	Lawsuit of Marcia Bauer by James Cmejrek, Attorney Charles Borgsdorf, Mediator	\$25.00
CC 136-95	Lawsuit of Marcia Bauer by James Cmejrek, Attorney Stephen Postema, Mediator	\$25.00
WC 10-95	Workers= Compensation Case of Mary Rinne Keller, Thoma	\$120.59
CC 91-96	Lawsuit of Michigan Municipal Risk Management Authority (MMRMA) Hooper, Hathaway	\$7,174.50
CC 22-96	Lawsuit of Margaret Green-Murray Huron Reporting Service, Inc.	\$160.50
		TOTAL \$7,600.82

MISCELLANEOUS:

Multi-Line Claims Adjusting for first quarter (August 15, 1996 - November 15, 1996)	\$7,792.50
C.M. Althoff Company additional insurance premium for Fiduciary coverage for 8-12-96 to 8-12-97	\$2,000.00

REIMBURSEMENTS RECEIVED --

PD 68-96	Reimbursement from AAA of Michigan Insurance for Robert Moustakas accident involving Police Vehicle #73	\$500.00
PD 55-96	Reimbursement from AAA of Michigan Insurance for Justin Bhatia accident involving Police Vehicle #70	\$500.00

TOTAL DEPOSITED SINCE 9-5-96	\$1,000.00
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CITIZEN'S CLAIMS DENIED:

CASE NO.

CC 71-96	Bodily injury claim of Julie Walmsley Discussed by Daniel J. Cullen, Risk Manager, and the Board denied
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the claim.

- CC 75-96 Property damage claim of Paulette Allen-Heney
Discussed by Daniel J. Cullen, Risk Manager, and the Board denied the claim.
- CC 86-96 Bodily injury claim of Cynthia Kwiatowski
Discussed by Daniel J. Cullen, Risk Manager, and the Board denied the claim.
- CC 76-96 Claim for indemnity of Chubb Group Insurance Co.
Discussed by Daniel J. Cullen, Risk Manager, and the Board denied the claim.

OTHER BUSINESS:

CASE NO.

- WC 8-95 Workers= Compensation Case of Marianne Wilcher
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 55-95 Lawsuit of Molly Light by Stephen Bernstein, Attorney
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 80-96 Property damage claim of Mid-American Sales
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 82-96 Property damage claim of James Sexsmith
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 84-96 Property damage claim of Wilson White Company
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 83-96 Improper towing and storage claim of Alain Galamet
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 87-96 Vehicle damage claim of AAA Michigan
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.

- PD 98-96 Vehicle damage claim of Police Vehicle #171
Discussed by Daniel J. Cullen, Risk Manager, and the Board tabled the matter pending further information.
- PD 106-96 Vehicle damage claim of Police Vehicle #151
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- PD 86-96 Vehicle damage claim of Transportation Vehicle #4147
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 88-96 Vehicle damage claim of Betty Barfield
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 90-96 Vehicle damage claim of Auto-Owners Insurance
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 85-96 Sewer back-up claim of John Rasmussen
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 96-96 Washtenaw County Trial Court judgment claim of Joseph Niskar
Discussed by Robert West, Assistant City Attorney, and the Board authorized settlement.

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

CASE NO.

- CC 84-96 Property damage claim of Wilson White Company
- CC 85-96 Sewer backup claim of John Rasmussen
- CC 86-96 Personal injury claim of Cynthia Kwiatkowski
- CC 87-96 Vehicle damage claim of AAA Michigan
- CC 88-96 Vehicle damage claim of Betty Barfield
- CC 89-96 Property damage claim of Marc S. Bernstein
- CC 90-96 Vehicle damage claim of Auto-Owners Insurance
- CC 91-96 Lawsuit of Michigan Municipal Risk Management Authority
- CC 92-96 Property damage claim of Ann Arbor Public Schools
- CC 93-96 Sewer backup claim of Seth Shapiro
- CC 94-96 Sewer backup claim of Dan & Jane Pampreen
- CC 95-96 Sewer backup claim of Craig Colton
- CC 96-96 Judgment claim of Joseph Niskar

Councilmember Lumm moved that the Consent Agenda be approved.

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

ORDINANCES - SECOND READING

36-96 APPROVED

BRIARWOOD LOT 11A

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 4.97 acres from R4B (Multiple-Family Dwelling District) to O (Office District), Briarwood Lot 11A, west side of Briarwood Circle.

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

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

ORDINANCES - FIRST READING

40-96 APPROVED

NONDISCRIMINATION AND
CODE VIOLATION CITATIONS

AN ORDINANCE TO AMEND 9:163 OF CHAPTER 112 OF TITLE IX, TO ADD SECTION 9:164 OF CHAPTER 112 OF TITLE IX OF THE ANN ARBOR CITY CODE, AND TO AMEND SECTION 1:17 OF CHAPTER 1 OF TITLE I OF THE ANN ARBOR CITY CODE

These amendments would increase the penalty for violation of the Nondiscrimination ordinance, provide for private action for damages or injunctive relief by an individual and designate one who is authorized to issue a citation for violation of Chapter 112.

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

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

41-96 APPROVED

704 SPRING STREET 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 0.42 acre of property located at 704 Spring Street from O (Office District) to R2A (Two-Family Dwelling District).

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

POSTPONED

RESOLUTION TO APPROVE THE AGREEMENT FOR THE PROVISION OF LAW ENFORCEMENT SERVICES TO THE ANN ARBOR PUBLIC SCHOOLS BY THE CITY OF ANN ARBOR

Whereas, The Ann Arbor Public Schools desire to purchase certain law enforcement services from the City of Ann Arbor Police Department; and

Whereas, The Ann Arbor Public Schools and the City of Ann Arbor have reached agreement on the manner in which the law enforcement services are to be provided as well as the respective charges for those services;

RESOLVED, That the agreement for law enforcement services between Ann Arbor Public Schools and the City of Ann Arbor is accepted; and

RESOLVED, That the Mayor and Clerk are authorized to execute the agreement in the form on file with the City Clerk.

Councilmember Lumm moved that the ordinance be approved.

Councilmember Hartwell moved that the resolution be postponed pending the review of the agreement by a committee of City/schools/ officials, that the resolution be postponed until December 16, 1996, and to continue the contract under the terms of the previous agreement.

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

R-488-10-96 APPROVED AS REVISED

RESOLUTION REGARDING TRAFFIC ON CREST AVENUE

Whereas, Crest Avenue is a straight, uninterrupted connection between the two major byways of Huron Avenue and Liberty Street;

Whereas, Crest Avenue is wholly a residential street, with the exception of a playground owned by the Ann Arbor Public Schools toward its south end; children and animals can often be found crossing or playing in the street;

Whereas, Residents of Crest Avenue have long perceived a problem with non-local drivers cutting through their street, sometimes at unsafe and illegal speeds;

Whereas, At least one family pet has been killed by such a driver;

Whereas, The City cannot commit the level of police presence to this location which may be necessary to fully control the potential for accidents in the area;

Whereas, The intersection of Crest Avenue and Buena Vista Street is currently governed only by one stop sign for drivers on Buena Vista;

Whereas, Eighty-seven members of the area Neighborhood Watch group have signed a petition urging the installation of two stop signs on Crest at Buena Vista, one facing north and one facing south; and

Whereas, The cost of two stop signs is \$500.00, and can be covered, along with future maintenance, with already budgeted monies in the Public Services Department of the City;

RESOLVED, That, because Crest is under construction now with water main replacements, that semi-permanent barricades be installed across Crest at Bemidji and Buena Vista until Spring, 1997, at which time an evaluation of the performance of this alternative plan shall take place and be reported to the Council by its first meeting in May, 1997; and

RESOLVED, If the trial is successful, the barricades be removed and that area of Crest be top soiled and seeded, and if the experiment fails, the pavement on Crest between Bemidji and Buena Vista be installed and other solutions to the cut-through traffic then be investigated.

Councilmember Daley moved that the resolution be approved as revised.

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

R-489-10-96 APPROVED

RESOLUTION TO POSTPONE THE FIRST REGULAR NOVEMBER SESSION OF THE ANN ARBOR CITY COUNCIL

Whereas, Prior to 1994, when the City=s elections were moved from April to November, a Council meeting that fell on Election Day was moved to the next Thursday, permitting a lame duck session of the Council and providing an opportunity to recognize and thank outgoing Councilmembers;

Whereas, The first Regular Session of the Ann Arbor City Council for the month of November 1996 is scheduled for Monday, November 4, 1996;

Whereas, November 4 is the night before the City General election, and would ordinarily be the final session for outgoing Councilmembers; and

Whereas, Postponing this meeting would be in keeping with prior City tradition;

RESOLVED, That the first Regular Session of the Ann Arbor City Council for the month of November 1996 be postponed until 7:30 p.m. on THURSDAY, NOVEMBER 7, 1996.

Councilmember Carlberg moved that the resolution be approved.

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

R-490-10-96 APPROVED

RESOLUTION TO APPROVE BRIARWOOD LOT 11A SITE PLAN AND SITE DEVELOPMENT AGREEMENT

Whereas, Beachum and Roeser Development Corporation has requested site plan approval in order to construct a 15,000-square foot office building;

Whereas, A site development agreement has been prepared addressing pathways, storm water detention, an educational environmental study area, and traffic and circulation improvements for South State Street; and

Whereas, The Ann Arbor City Planning Commission, on August 20, 1996, recommended approval of said request;

RESOLVED, That City Council approve the Site Development Agreement,

substantially in the form of that dated October 16, 1996.

RESOLVED, That City Council approve the Briarwood Lot 11A Site Plan, upon the conditions that (1) the Site Development Agreement is signed by all necessary parties; and (2) all terms of the Site Development Agreement are satisfied.

Councilmember Lumm moved that the resolution be approved.

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

R-491-10-96 APPROVED

RESOLUTION TO AWARD A NEGOTIATED CONSTRUCTION CONTRACT TO HEANEY GENERAL CONTRACTING, INC. FOR FULLER PARK RENOVATIONS AND REJECT ALL BIDS SUBMITTED UNDER BID NO. 2932 (\$1,835,000)

Whereas, Fuller Park is scheduled for renovation in the CIP and funding is included in the 1989-95 and 1995-2001 Park Rehabilitation and Development millages and the 1993-1997 Park Maintenance and Repair Millage;

Whereas, The Public, the Park Advisory Commission and the Planning Commission reviewed and approved the project plan;

Whereas, Competitive bids were received by the Purchasing Division on August 7, 1996 and Heaney General Contracting, Inc. was the lowest responsible bidder;

Whereas, The lowest responsible bid, even with all deducts, exceeded the project budget and the City negotiated with Heaney contracting to obtain an acceptable negotiated bid; and

Whereas, Heaney General Contracting, Inc. has received Human Rights approval from the Human Resources Department on August 12, 1996;

RESOLVED, That the City Council reject all bids and, under Section 14.3(d) of the City Charter, award a negotiated contract at a reasonable price;

RESOLVED, That the City Council approve a negotiated contract, per Bid No. 2932, with Heaney General Contracting, Inc. in the amount of \$1,775,000 for the renovations to Fuller Park, and that the Mayor and City Clerk be authorized to sign the agreement substantially in the form on file with the City Clerk; and

RESOLVED, That City Council approve a construction contingency in the amount of \$60,000 to cover potential contract change orders, to be approved by the City Administrator, and approve a total project budget of \$1,835,000 for the life of the project.

Councilmember Kolb moved that the resolution be approved.

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

R-492-10-96 APPROVED

RESOLUTION TO MODIFY VARIOUS BUDGETS FOR PAY INCREASES (\$307,210)

Whereas, The certain raises for various employee groups were not known at the time that the Budget was approved and funds were placed in the Contingencies-Pay Increases account until the amounts were known;

RESOLVED, That \$307,210 be transferred from the Contingency-Pay Increase account to the various Departments as listed on the following schedule.

	Non Union	Teamsters	Police Administrative Command	Police Clerical	Total
Mayor	1,697				1,697
City Administrator	12,762				12,762
City Attorney	17,072				17,072
15th District Court	34,752				34,752
Administrative Services	24,811	6,463			31,274
Building	6,112	7,674			13,786
City Clerk	3,577				3,577
Community Development	354				354
Finance	31,765	3,205			34,970
Fire	3,446				3,446
Human Resources	13,725				13,725
Parks & Recreation	7,845	27,680			35,525
Planning	12,807				12,807
Police	12,963	5,840	11,201	6,967	36,971
Public Services	16,474	17,974			34,448
Solid Waste	8,925	11,119			20,044
	<u>209,087</u>	<u>79,955</u>	<u>11,201</u>	<u>6,967</u>	<u>307210</u>

Councilmember Lumm moved that the resolution be approved.

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

R-493-10-96 APPROVED

**RESOLUTION TO APPROVE USE OF FISCAL YEAR
1996-97 GENERAL FUND HOUSING CONTINGENCY
FUNDS FOR THE ANN ARBOR HOUSING COMMISSION
(\$35,000)**

Whereas, The Housing Commission, with assistance from the City of Ann Arbor, continues to strive at improving its performance and delivery of services, especially with focus on PHMAP indicators of vacancy and unit turnaround; and

Whereas, In support of this effort, City Council approved the use of \$25,000 of FY95/96 Housing Contingency funds (R96-3-96) to enable the temporary contractual hiring of two people to focus on unit rehab and turnaround; and

Whereas, Those expended funds have resulted in the turnaround of 25 units, plus touch-up work on 6-8 more, with reoccupancy of 18 of said units, in addition to 13 other units previously made ready; and

Whereas, A backlog of eleven vacant units, needing rehab still exists out of a pool of 44 vacancies, with new vacancies occurring at a rate of 3 month; and

Whereas, To fully address vacancy reduction, continued supplemental staffing is required to catch up;

RESOLVED, That the City Council approve the use of \$35,000 from the FY96/97 Housing Contingency fund to allow for supplemental contractual staffing assistance in application processing (\$10,000, one person 5 months) and unit rehab (\$25,000, two persons for 6 months).

R-494-10-96 APPROVED

**RESOLUTION TO APPROVE FISCAL YEAR 1996-97
DEPARTMENT OF JUSTICE COMMUNITY POLICING TO
COMBAT DOMESTIC VIOLENCE CONTRACT WITH THE
DOMESTIC VIOLENCE PROJECT, INC. (\$32,087)**

Whereas, At its meeting on November 13, 1995 City Council received a communication regarding a grant from the Department of Justice;

Whereas, At its meeting on July 15, 1996 City Council accepted and appropriated for the life of this project a \$134,364 grant from the United States Department of Justice;

Whereas, The Domestic Violence project, Inc. has agreed to the language of the service contract;

Whereas, The police Department has recommended this service contract between the City and the Domestic Violence Project, Inc.; and

Whereas, The Human Resources Department reviewed and approved this contract on October 10, 1996;

RESOLVED, That the Mayor and City Council approve the allocation of \$32,087 to the Domestic Violence Project, Inc. and to authorize the contractual agreement, negotiated by the Police Department, in accordance with the City's purchasing procedures;

RESOLVED, That the Mayor and City Council authorize the Mayor and City Clerk to execute this contract substantially in the form on file in the Office of the City Clerk beginning November 5, 1996 and terminating on November 3, 1997.

Councilmember Lumm moved that the resolution be approved.

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

R-495-10-96 APPROVED

**RESOLUTION TO AUTHORIZE AN AMENDMENT TO
THE PROFESSIONAL SERVICES AGREEMENT WITH
ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.
FOR THE UNDERGROUND STORAGE TANK SITE
REMEDICATION AT THE ANN ARBOR UTILITIES
FIELD SERVICES OFFICE (\$15,000)**

Whereas, It is necessary to prepare a Final Closure Report summarizing the activities during the Leaking Underground Storage Tank Site Investigations at 2000 South Industrial, Ann Arbor Utilities Field Services Office;

Whereas, On February 5, 1996 the City entered into an agreement with

Engineering Consultants & Technology, Inc. (ECT) in the amount of \$18,420 to conduct a site investigation and an initial assessment report of the Utilities Field Services office located at 2000 South Industrial;

Whereas, Environmental Consulting & Technology, Inc. of Northville, Michigan, is experienced in similar site investigation and report preparation;

Whereas, ECT has submitted a proposal to prepare the final report for a cost of \$6,200; and

Whereas, The Human Resources Department has approved the company on October 21, 1996 for said work;

RESOLVED, That the City Council authorizes the Amendment to the Professional Services Agreement with Environmental Consulting & Technology, Inc., of Northville Michigan, in the amount of \$6,200 for the preparation of the Final Closure Report for the Utilities Field Services Office;

RESOLVED, That the City Administrator is hereby authorized and directed to sign the said amendment after approval as to form by the City Attorney, and approval as to substance by the Public Services Director;

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

RESOLVED, That \$15,000 is appropriated from the Water Supply Fund (042) to cover the cost of the final closure report.

Councilmember Lumm moved that the resolution be approved.

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

R-496-10-96 APPROVED

**RESOLUTION TO APPROVE SALE OF EXCESS CITY PROPERTY
TO REATHA M. BASS AND WILLIAM ASKEW (\$3,000)**

Whereas, The City of Ann Arbor is the owner of certain property which is located in the City of Ann Arbor, Washtenaw County, State of Michigan and more fully described as follows:

That part of Lot 18 lying South of a line running from the Southeast Corner of Lot 11 Southeasterly to Beakes Street and parallel to the North line of Lot 18, Block 3, Map of Ormsby and Page=s Addition, according to recorded plat thereof.

Subject to easements and restrictions of record, if any.

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 developed and implemented a process to dispose of such real estate, which includes the property described above;

Whereas, Bids were received on August 29, 1996 relating to such real estate, including the property described above;

Whereas, The Real Estate Committee recommends that the City accept the bid submitted by Reatha M. Bass and William Askew in the amount of \$3,000 on the property described above; and

Whereas, The property described above is an unbuildable lot on which, as recommended by the Administrator, an appraisal is unnecessary **because of** its limited value except to the neighboring property owner, the difficulty in establishing a market value, and the cost involved;

RESOLVED, That City Council approve the sale of the property described above to Reatha M. Bass and William Askew upon the payment of the sum of \$3,000; and

RESOLVED, That City Council authorize the Mayor and City Clerk to execute the sales agreement substantially in the form on file in the Office of the City Clerk and the documents necessary to implement this agreement.

Councilmember Kwan moved that the resolution be approved.

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

R-497-10-96 APPROVED

RESOLUTION TO APPROVE SALE OF EXCESS CITY PROPERTY TO ANTHONY V. GRAMMATICO (\$2,000)

Whereas, The City of Ann Arbor is the owner of certain property which is located in the City of Ann Arbor, Washtenaw County, State of Michigan and more fully described as follows:

All that part of Lots 117 and 118 of Dexter Avenue Hills Subdivision, Scio Township, Washtenaw County, Michigan, as recorded in Liber 6 of Plats, Page 49, Washtenaw County Records, which lies Southeasterly of a line

described as: Beginning at a point on the East-West 1/4 line of Section 24, T2S, R5E, Scio Township, Washtenaw County, Michigan, which is S 89° 31' 47" West, a distance of 1089.80 feet from the center post of said Section 24; thence N 47° 03' 52" East, a distance of 800 feet to a point in ending. Subject to easements and restrictions of record, if any.

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 developed and implemented a process to dispose of such real estate, which includes the property described above;

Whereas, Bids were received on August 29, 1996 relating to such real estate, including the property described above;

Whereas, The Real Estate Committee recommends that the City accept the bid submitted by Anthony V. Grammatico in the amount of \$2,000 on the property described above; and

Whereas, The property described above is an unbuildable lot on which, as recommended by the Administrator, an appraisal is unnecessary **because of** its limited value except to the neighboring property owner, the difficulty in establishing a market value, and the cost involved;

RESOLVED, That City Council approve the sale of the property described above to Anthony V. Grammatico upon the payment of the sum of \$2,000; and

RESOLVED, That City Council authorize the Mayor and City Clerk to execute the sales agreement substantially in the form on file in the Office of the City Clerk and the documents necessary to implement this agreement.

Councilmember Kwan moved that the resolution be approved.

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

R-498-10-96 APPROVED

**RESOLUTION TO APPROVE SALE OF EXCESS CITY PROPERTY
TO JOHN R. AND MARY A. HATHAWAY (\$300)**

Whereas, The City of Ann Arbor is the owner of certain property which is located in the City of Ann Arbor, Washtenaw County, State of Michigan and more fully described as follows:

The Easterly eight feet of the Southerly fifty-five feet of Lot 42 of Weinberg=s Subdivision of the City of Ann Arbor, being a resubdivision of a portion of Maynard and Morgan=s Addition to the City of Ann Arbor, according to the recorded plats thereof in Washtenaw County Records, except the Easterly two feet of the Northerly four feet thereof. Subject to easements and restrictions of record, if any.

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 developed and implemented a process to dispose of such real estate, which includes the property described above;

Whereas, Bids were received on August 29, 1996 relating to such real estate, including the property described above;

Whereas, The Real Estate Committee recommends that the City accept the bid submitted by John R. Hathaway and Mary A. Hathaway in the amount of \$300.00 on the property described above; and

Whereas, The property described above is an unbuildable lot on which, as recommended by the Administrator, an appraisal is unnecessary **because of** its limited value except to the neighboring property owner, the difficulty in establishing a market value, and the cost involved;

RESOLVED, That City Council approve the sale of the property described above to John R. Hathaway and Mary A. Hathaway upon the payment of the sum of \$300.00; and

RESOLVED, That City Council authorize the Mayor and City Clerk to execute the sales agreement substantially in the form on file in the Office of the City Clerk and the documents necessary to implement this agreement.

Councilmember Kwan moved that the resolution be approved.

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

R-499-10-96 APPROVED

**RESOLUTION TO APPROVE SALE OF EXCESS CITY PROPERTY
TO PRESTON AND VIDA MARTIN (\$100)**

Whereas, The City of Ann Arbor is the owner of certain property which is located in

the City of Ann Arbor, Washtenaw County, State of Michigan and more fully described as follows:

All of the land that lies South of the South line of the Bemidji Drive right-of-way and North of and adjacent to a line described as follows: Commencing at the intersection of the North line of West Liberty Street and the West line of Crest Avenue, in the City of Ann Arbor, County of Washtenaw, State of Michigan, and running thence Northerly in the West line of Crest Avenue 206.85 feet for a Place of Beginning; thence deflecting 104° 07' left and running Southwesterly for a distance of 137.94 feet. Excepting therefrom a parcel of land more fully described in Liber 573, Pages 259-260 as recorded in Deeds of Washtenaw County Records. Subject to easements and restrictions of record, if any.

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 developed and implemented a process to dispose of such real estate, which includes the property described above;

Whereas, Bids were received on August 29, 1996 relating to such real estate, including the property described above;

Whereas, The Real Estate Committee recommends that the City accept the bid submitted by Preston and Vida Martin in the amount of \$100.00 on the property described above; and

Whereas, The property described above is an unbuildable lot on which, as recommended by the Administrator, an appraisal is unnecessary **because of** its limited value except to the neighboring property owner, the difficulty in establishing a market value, and the cost involved;

RESOLVED, That City Council approve the sale of the property described above to Preston and Vida Martin upon the payment of the sum of \$100.00; and

RESOLVED, That City Council authorize the Mayor and City Clerk to execute the sales agreement substantially in the form on file in the Office of the City Clerk and the documents necessary to implement this agreement.

Councilmember Kwan moved that the resolution be approved.

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

R-500-10-96 APPROVED**RESOLUTION TO APPROVE SALE OF EXCESS CITY PROPERTY
TO JOHN C. STEGEMAN (\$500)**

Whereas, The City of Ann Arbor is the owner of certain property which is located in the City of Ann Arbor, Washtenaw County, State of Michigan and more fully described as follows:

That part of Lot 15, C.T. Wilmots Addition, as recorded in Liber 67 of Deeds, Page 384, lying East of the East line of Observatory Street. Subject to easements and restrictions of record, if any.
and

That part of Lot 20, except the South 25 feet, C.T. Wilmots Addition, as recorded in Liber 67 of Deeds, Page 384, lying East of the East line of Observatory Street.

Subject to easements and restrictions of record, if any.

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 developed and implemented a process to dispose of such real estate, which includes the property described above;

Whereas, Bids were received on August 29, 1996 relating to such real estate, including the property described above;

Whereas, The Real Estate Committee recommends that the City accept the bids submitted by John C. Stegeman in the total amount of \$500.00 on the property described above; and

Whereas, The property described above is an unbuildable lot on which, as recommended by the Administrator, an appraisal is unnecessary **because of** its limited value except to the neighboring property owner, the difficulty in establishing a market value, and the cost involved;

RESOLVED, That City Council approve the sale of the property described above to John C. Stegeman upon the payment of the sum of \$500.00; and

RESOLVED, That City Council authorize the Mayor and City Clerk to execute the sales agreement substantially in the form on file in the Office of the City Clerk and the

documents necessary to implement this agreement.

Councilmember Kwan moved that the resolution be approved.

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

R-501-10-96 APPROVED AS REVISED

**RESOLUTION AUTHORIZING SETTLEMENT OF
ANN ARBOR TENANTS UNION LAWSUIT
AGAINST THE CITY**

Whereas, The Ann Arbor Tenants Union (AATU) filed a lawsuit against the City of Ann Arbor and the Ann Arbor YMCA; and

Whereas, The City and the AATU have reached an agreement to resolve this dispute between them;

RESOLVED, That the City Council states that:

- 1. The City Administration shall enforce, consistent with standards of equal protection and due process, all ordinances or other laws which apply to the Ann Arbor YMCA residential program in the same manner as it applies those laws and ordinances to other owners of similar rental property.**
- 2. By this Resolution, this Council does not grant to or take away from the Ann Arbor Tenants Union any rights or interest in any contract between the City and the Ann Arbor YMCA, between the City and the United States Department of Housing and Urban Development, or between the City and any other entity or agency.**
- 3. The City Attorney is authorized to execute all documents necessary to dismiss, with prejudice, the pending lawsuit against the City in Washtenaw Trial Court File No. 95-4233-CH.**

Councilmember Kolb moved that the resolution be approved.

Councilmember Kwan received the unanimous consent of the Council to abstain due to a possible conflict of interest.

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

On a voice vote, the Mayor declared the motion carried with Councilmember Kwan

abstaining.

REPORTS FROM COUNCIL COMMITTEES

Councilmember Kolb reported that the Washtenaw County Regional Dispatch Authority has met twice and has passed a budget and developed the director and deputy director job descriptions. By-laws will be drafted and employment concerns will be addressed.

Councilmember Kwan said that the City's Cablecasting Commission is working toward bringing cable modems to the community, hopefully by first quarter 1998.

COUNCIL PROPOSED BUSINESS

November 7, 1996

Amendment to Chapter 110, Section 9:91 - Domestic Partnerships (Councilmember Kolb)

COMMUNICATIONS FROM THE MAYOR

Mayor Sheldon requested confirmation of the following nominations which were placed on the table at the October 7, 1996 Council meeting:

HUMAN RIGHTS COMMISSION

Cynthia Ewing (reappointment)

2008 Carhart 48104

Term: 11-01-96 to 10-31-99

HURON RIVER WATERSHED COUNCIL

David Borneman (reappointment - representative)

Natural Area Preservation Coordinator

City of Ann Arbor Parks and Recreation Department

Term: 11-01-96 to 10-31-98

Frank Porta (reappointment - representative)

Director

City of Ann Arbor Utilities Department

Term: 11-01-96 to 10-31-98

Craig Hupy (reappointment - Alternate)

Superintendent, Field Services

City of Ann Arbor Utilities Department

Term: 11-01-96 to 10-31-98

SIGN BOARD OF APPEALS

John L. Guthrie (reappointment)

1531 Northwood 48103

Term: 10-21-96 to 10-20-99

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

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

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

HURON RIVER WATERSHED COUNCIL

Haldon L. Smith (reappointment - representative)

1606 Shadford Rd. 48104

Term: 11-04-96 to 10-31-98

RECREATION ADVISORY COMMISSION

Martha W. Graham (to fill vacancy)

2321 Easy St. 48104

Term: 11-07-96 to 08-31-99

HUMAN RIGHTS COMMISSION

Harry Mial, Sr.. (reappointment)

1200 Minglewood St. 48103

Term: 11-07-96 to 10-31-99

RECENTLY SIGNED PROCLAMATIONS

- * Dating Violence Education and Awareness Day - October 10, 1996**
- * Dennis Rahiim Watson Day - October 22, 1996 (speaker at Minority Student Leadership Conference at UM)**
- * Social Group Work Week - October 24-27, 1996**

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

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

- * Crest Avenue Stop Signs
- * Hydropower Station

The memorandums were filed with the City Clerk.

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

COMMUNICATIONS FROM THE CITY ATTORNEY

City Attorney Abigail Elias reported that the Karrington property annexation from Pittsfield Township was completed and filed with the State on June 25, 1996.

City Attorney Elias reported that the City's favorable decision regarding the designation of certain historic buildings has been appealed to a higher court. It is hoped that the lower court's decision in favor of the City will be upheld.

City Attorney Elias said that the comments made during public commentary that Ms. Khalid would face up to 36 months imprisonment for a recent conviction was misleading because Ms. Khalid has not been sentenced and the maximum sentence for her offense under City Code is 3 months.

City Attorney Elias said that the City Attorney's Office staff is now complete with the addition of Attorney Mary Fales.

COMMUNICATIONS FROM COUNCIL

Councilmember Lumm thanked Utilities Director Frank Porta for the report on the Hydropower stations. She said that it would be helpful to see the preliminary analysis as well.

Councilmember Hanna-Davies announced that citizens could call the City Clerk's office, 994-2725, to determine where voting machine instructions would be held for the upcoming November General election.

Councilmember Hanna-Davies announced that Geoffrey Canada, an award winning educator and author of *Fist, Stick, Knife, Gun*, would be speaking on Saturday, October 26, at Huron High School, beginning at 10:00 a.m., about confronting violence in the communities.

Councilmember Hanna-Davies congratulated the People's Food Co-op on its 25th Anniversary. A proclamation will be presented to them declaring October 27, 1996 as People's Food Co-op Day.

Councilmember Kolb suggested that the Voting Machine instruction dates and time could be published in the Ann Arbor News.

Councilmember Kolb announced that the Ann Arbor Branch NAACP Annual Freedom Fund Dinner would be held on November 2, 1996.

Councilmember Kolb said that he took part in the *Welfare Simulation* that Councilmember Hanna-Davies has talked about recently. He encouraged all to go and to experience this simulation of what a welfare mom has to deal with every month. He said that the experience has made him more supportive of human services funding and support services.

Councilmember Hanna-Davies said that the next *Welfare Simulation* would be held on Monday, November 11, 1996 at the Alice Lloyd Dormitory at 10:00 a.m.

Councilmember Daley said that in the last two weeks she has received many telephone calls from her constituents with traffic concerns, such as speeding, cut-through traffic and drivers ignoring traffic signs. She reminded citizens that Ann Arbor is a small town and that when driving to be mindful of children, pets and pedestrians and to obey the traffic laws.

CLERK=S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

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

- * Senator Carl Levin - Update on Status of Economic Growth and Regulatory Paperwork Act of 1995 (S.650) - FILED
- * Marion S. Powers - requesting enactment of an ordinance restraining cats from trespassing - FILED
- * City of Melvindale, Michigan, transmitting a resolution stating its opposition to changes in EPA rules which would permit the importation of hazardous waste from foreign countries - FILED
- * Ann Arbor Bicycle Coordinating Committee regarding Off-Road Cycling Opportunity - FILED
- * Real Estate Committee Roster - FILED
- * Audrey Jackson - Recall Petitions - FILED

CLERK=S REPORT OF MINUTES RECEIVED AND FILED

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

- * Human Rights Commission - July 17, 1996
- * Housing Board of Appeals - July 2, 1996
- * Housing Board of Appeals - August 6, 1996
- * Energy Commission - October 10, 1996
- * Airport Advisory Committee - August 21, 1996
- * Building Board of Appeals - June 18, 1996
- * Building Board of Appeals - July 16, 1996
- * Building Board of Appeals - August 20, 1996

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

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

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

There being no further business, Mayor Sheldon declared the meeting adjourned at 10:15 p.m.

Linda J. Wise
Recording Secretary
Acting Clerk of the Council