

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - JUNE 16, 1997**

The regular session of the Ann Arbor City Council was called to order at 7:30 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

Council stood for a moment of silence.

Mayor Sheldon led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

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

ABSENT : Councilmember Stephen C. Hartwell, 1.

INTRODUCTIONS

None.

PUBLIC COMMENTARY - RESERVED TIME

ROBERT KYES - M-14/BARTON DRIVE INTERCHANGE

Robert Kyes, 1915 Longshore Dr., stated that money was appropriated years ago to construct a connector from M-14 to Pontiac Trail, but a decision was made to build a temporary alternative interchange at Barton Drive. He stated that the interchange, which served as a temporary convenience, has become a permanent deadly hazard and a constant nuisance to the Barton neighborhoods. Mr. Kyes challenged Council to heed the concerns of the Ann Arbor Northside taxpayers and voters, and close the interchange.

JIM COLEMAN - EARHART SUBDIVISION

Jim Coleman, 3968 Penberton, expressed support for the resolution to remove stop signs in the Earhart Subdivision. He indicated that neighbors were not notified or asked if they wanted the stop signs prior to their installation. Mr. Coleman stated that the stop signs are not warranted because the traffic volume is low in this neighborhood, and urged Council to support the resolution and the addition of two stop signs at the intersection of Waldenwood and Penberton.

KATHY GRISWOLD - CHAPTER 40 OF CITY CODE

Kathy Griswold, 3565 Fox Hunt Dr., stated that Ann Arbor has not consistently enforced Chapter 40 which restricts vegetation at intersections and along the curb, and, as a result, many neighborhoods have properties in violation that pose serious traffic hazards for vehicles and pedestrians. Ms. Griswold urged the City of Ann Arbor to aggressively enforce this ordinance and suggested that an enforcement program be implemented.

PAUL ALMAN - BIKE RACE

Paul Alman, 642 Greenhills Dr., on behalf of the Ann Arbor Velo Club, thanked City Council for its ongoing support and co-sponsorship of the Festival of Cycling event. He thanked Parks Superintendent Ron Olson, the Parks and Recreation Department, and Police Sergeant Chris Heatley for coordinating all the city services needed for the event. Mr. Alman extended special thanks to Mayor Sheldon for distributing awards at the event, and asked Council to wear their Tour de Kids t-shirts with pride.

BILL BARKER - EARHART SUBDIVISION STOP SIGNS

Bill Barker, 3931 Waldenwood, supported the removal of stop signs in the Earhart Subdivision and stated that the neighborhood stands on its history of safety.

CECY EWING - GAY PRIDE PROCLAMATION

Cecy Ewing, 2008 Carhart, encouraged City Council to support the resolution proclaiming Gay Pride Week and commemorating the 25th Anniversary of the first Gay Pride Week in Ann Arbor. She stated that the resolution shows commitment and respect for diversity, allows visibility for a population that is invisible to the greater community, and augments the City ordinance passed 25 years ago.

BOB EDWARDS - GAY PRIDE WEEK

Bob Edwards, 722 Dewey, representing Parents, Family and Friends of Lesbians and Gays, expressed support for the resolution proclaiming Gay Pride Week in Ann Arbor. He stated that Gay Pride Week is a community and public celebration that would heighten the awareness of Ann Arbor's human diversity and give the City an opportunity to pull together support for diverse communities.

JIM TOY - GAY PRIDE PROCLAMATION

Jim Toy, 3000 S. State, supported the resolution proclaiming Gay Pride Week in Ann Arbor, and stated that he co-authored the original proclamation passed by the City of Ann Arbor in 1972. He thanked the sponsors and urged Council to support the resolution.

PUBLIC HEARINGS

CITY-OWNED PARK PARCELS ZONING (ORDINANCE NO.19-97)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of City-owned Park Parcels to PL (Public Land District): Burr Oak Park No. 2 on the west side of Burr Oak Drive; a portion of Bird Hills Park on the east side of Downup Circle; Garden Homes Park north of Foss Street; a portion of Leslie Science Center located east of the science center; two small portions of Burns Park, one between the Burns Park Elementary School and Granger Avenue, and the other at the southeast corner of Wells Street and Baldwin; Pittsview Park at the southwest corner of Packard and Pittsview; and a portion of Swift Run Park (former Ann Arbor Landfill) along the railroad right-of-way. Notice of public hearing was published June 1, 1997.

The following people appeared:

Terry Hearth, 2351 Foss, questioned what the rezoning meant and if it is strictly for housekeeping.

Wayne Middleton, 515 Burr Oak, stated that he supports the rezoning but would like language added to the ordinance stating that the land will always be a park.

There being no one else to speak, the Mayor declared the hearing closed.

BRUESTLE ZONING

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.4 acres from TWP (Township District) to R1C (Single-Family Dwelling District), Bruestle property, 2385 South Main Street. Notice of public hearing was published June 1, 1997.

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

HURON VALLEY TRAVEL SITE PLAN

A public hearing was conducted on the proposed Huron Valley Travel Site Plan, 0.62 acres, 2008 South State Street. Notice of public hearing was published June 8, 1997.

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

1113 WILLARD STREET SITE PLAN

A public hearing was conducted on the proposed 1113 Willard Street Site Plan, 0.14 acres. Notice of public hearing was published June 8, 1997.

The following person appeared:

Dan Bohl, petitioner, urged Council to support the project. He stated that the project would add to the tax base and provide additional student housing.

There being no one else to speak, the Mayor declared the hearing closed.

PURCHASE, POSSESSION OR CONSUMPTION OF LIQUOR BY MINORS (ORDINANCE 27-97)

A public hearing was conducted on the proposed amendments to Chapter 109, Sections 9:74, 9:81, 9:82 and 9:84, Purchase, Possession or Consumption of Liquor by Minors. Notice of public hearing was published June 8, 1997.

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

TRAFFIC ORDINANCE (ORDINANCE 30-97)

A public hearing was conducted on the proposed amendments to Chapter 126, Traffic. Notice of public hearing was published June 8, 1997.

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

BUILDING DEPARTMENT FEE INCREASES

A public hearing was conducted on the Building Department fee increases. Notice of public hearing was published June 15, 1997.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

CONSENT AGENDA

Revised: Resolution to Approve the Provision of Court Appointed Counsel for Indigent Defendants at Public Expense by Model Cities Legal Services (\$130,000.00) (District Court)

MOTIONS AND RESOLUTIONS

Add & Resolution to Approve Lease Agreement with Sprint Spectrum,
Move: L.P., for Space Atop the Ann Ashley Parking Structure (Downtown Development Authority) **(Moved to beginning of New Business - Departmental - See Resolution No. R-262-6-96)**

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Correct <~~Comprehensive Drop-off Station~~> **STREET SURFACE TREATMENT**
Title: **PROGRAM**

Correct: <Gelman Sciences Inc., Request for Use of Right-of-Way and
Title: ~~Extension to Discharge Treated Water into the Sanitary Sewer~~>
COMPREHENSIVE DROP-OFF STATION

Add: **GELMAN SCIENCES INC., REQUEST FOR USE OF RIGHT-OF-WAY AND EXTENSION
 TO DISCHARGE TREATED WATER INTO THE SANITARY SEWER**

CLERK=S REPORT

Add: Communication from Joyce and Wayne Middleton regarding rezoning of Burr Oak Park No. 2 (Ordinance No. 19-97) - Planning

Add: Communication from Richard W. Zemmin, Vice President of Sales, MichCon, regarding acceptance of Ordinance No. 37-96, granting a gas franchise to MichCon - File

Add: Petitions from residents of Earhart Subdivision regarding removal of stop signs - File

Add: Communication from State Representative Liz Brater in response to council resolution R-200-5-97, a resolution in opposition of House Bill 4037. (Approved by Council May 19, 1997) - File

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF MAY 19, MAY 28, AND JUNE 2, 1997 APPROVED

Councilmember Hanna-Davies moved that the regular session minutes of May 19, 1997, the continued regular session minutes of May 28, 1997, and regular session minutes of June 2, 1997 be approved with the following correction to page 11 of the May 28 minutes:

Council unanimously agreed that the last paragraph of Councilmember Carlberg=s proposed language be amended as follows:

RESOLVED, That a Housing and Human **SERVICES** Contingency Fund of \$100,000 be created in the Non-departmental Budget for 1997- 98 from General Fund Fund Balance.

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEM REMOVED

Council unanimously agreed to remove the Resolution to Approve Amendments to Housing Program Guidelines from the Consent Agenda for separate consideration.

POSTPONED

RESOLUTION TO APPROVE AMENDMENTS
TO HOUSING PROGRAM GUIDELINES

Councilmember Kwan moved that the resolution be adopted.

Councilmember Kwan moved that the resolution be postponed until the July 7, 1997 regular session of Council for further information concerning conversions to rental property.

On a voice vote the Mayor declared the motion carried.

(NOTE: Resolution reconsidered and approved - See Resolution No. R-282-6-97 following Communications from Council)

CONSENT AGENDA ITEMS APPROVED

Councilmember Daley moved that the following Consent Agenda items be approved as presented:

R-238-6-97 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT TO
DOUGLAS N. HIGGINS, INC. AND ESTABLISH A PROJECT BUDGET FOR THE
THE NORTHWOOD WATER MAIN REPLACEMENT PROJECT
(BID NO. 3047)

Whereas, It has been found necessary to construct a new 200 mm water main in Northwood Street from Arbordale Street to Arbordale Street;

Whereas, Competitive bids were received by the Purchasing Division on May 29, 1997, and Douglas N. Higgins was the lowest responsible bidder at \$173,576.50;

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 April 18, 1997, approved said company for said construction project;

RESOLVED, That a contract in the amount of \$173,576.50 be awarded to Douglas N. Higgins, Inc. for the construction of the Northwood Water Main Replacement Project (Bid No. 3047);

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

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

\$263,927	Advanced from the Water Supply System Fund (Fund 042) to be reimbursed follow
\$263,927	TOTAL

Section II - Expenses

\$ 173,577	Construction
\$ 20,850	Design Engineering
\$ 26,050	Construction Engineering
\$ 8,700	Consulting and Testing
\$ 13,900	Contingencies approved by the City Administrator
\$ 8,700	Miscellaneous Costs
\$ 12,150	Bond Overhead Charge

\$ 263,927 TOTAL; and

RESOLVED, That Council authorize the City Administrator to take necessary administrative actions to implement this resolution.

R-239-6-97 APPROVED

**RESOLUTION TO APPROVE PURCHASE
OF ONE DUMP TRUCK AND ONE TRUCK CHASSIS FROM
BILL WINK CHEVROLET GMC
(BID NO. 3059; ITEMS #1 & #3)**

Whereas, A replacement dump truck is needed for the City of Ann Arbor=s Parks Department;

Whereas, A replacement truck chassis is needed for a Fleet Services service truck;

Whereas, Bill Wink Chevrolet GMC was the lowest responsible bidder, bid #3059, items #1 and #3; and

Whereas, Bill Wink Chevrolet GMC received Human Resources Department approval on June 16, 1997;

RESOLVED, That City Council approves the issuance of a purchase order to Bill Wink Chevrolet GMC for the purchase of these trucks for \$75,224, and reappropriate \$75,224 from 1996-97 Public Services General Fund Budget to the 1997-98 Public Services budget, to be available without regard to fiscal year.

R-240-6-97 APPROVED

**RESOLUTION NO. 4 - AMEND ASSESSMENT ROLL FOR
NEWPORT HILLS STREETLIGHTS**

Whereas, 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 streetlights 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; and

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

Whereas, 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 57,600 and designated as Streetlight special Assessment District Number 2, File Number 96031;

2. That said Special Assessment Roll be divided into six (6) equal annual installments, the first of which shall be due on, December 1, 1997 and the five (5) subsequent installments to be due on June 1 of each and every year thereafter; and

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

R-241-6-97 APPROVED

**RESOLUTION TO APPROVE PURCHASE OF
DUMP TRUCK/HOOK LIFT LOADER FROM MOTOR CITY FORD
(BID NO. 3059 ITEM #2)**

Whereas, A replacement dump truck is needed for the City of Ann Arbor=s Park Department;

Whereas, Motor City Ford was the lowest responsible bidder, bid #3059, item #2; and

Whereas, Motor City Ford received Human Resources Department approval on December 18, 1996;

RESOLVED, That City Council approves the issuance of a purchase order to Motor City Ford for the purchase of a dump truck with hook lift loader for \$50,790, and re-appropriates \$50,790 from 1996-97 Public Services General Fund Budget to the 97-98 Public Services budget, to be available without regard to fiscal year.

R-242-6-97 APPROVED

**RESOLUTION TO ESTABLISH A PROJECT BUDGET
FOR THE 1998 MISCELLANEOUS STORM SEWER PROJECT**

Whereas, Extensions of the City storm sewer system are needed in certain areas to correct drainage problems; and

Whereas, Funding for this project is available from the 1996-97 Stormwater Fund Operations & Maintenance budget;

RESOLVED, That City Council adopt the following budget for the life of the project, to be available until expended without regard to fiscal year:

Section I, Revenue

<u>\$50,000</u>	1996-97 Stormwater Fund Operations & Maintenance budget
<u>\$50,000</u>	<u>TOTAL</u>

Section II, Expense

\$33,000	Construction
5,500	Design Engineering
6,000	Construction Engineering
1,500	Testing and Professional Services
2,500	Contingencies approved by the City Administrator
<u>1,500</u>	Miscellaneous Costs
<u>\$50,000</u>	<u>TOTAL</u> ; and

RESOLVED, That Council authorize the City Administrator to take the necessary administrative actions to implement this resolution.

R-243-6-97 APPROVED

RESOLUTION NO. 1 - PREPARE PLANS AND SPECIFICATIONS FOR SIDEWALK GAP PROGRAM SPECIAL ASSESSMENT PROJECT, ALONG S. MAIN ST. AND ANN ARBOR-SALINE RD. BETWEEN SCIO CHURCH RD. AND EISENHOWER PARKWAY; AND EISENHOWER PARKWAY BETWEEN STONE SCHOOL ROAD AND BOARDWALK DRIVE

RESOLUTION NO. 1
(Special Assessment Project)

Whereas, Council deems it necessary to acquire and construct the following improvement: SIDEWALK, DISTRICT NO. 30; FILE NO. 97045; described as:

Sidewalk along the gaps in the existing sidewalk along:

- a) S. Main St. and Ann Arbor-Saline Rd. between Scio Church Rd. and

Eisenhower Parkway; and

- b) Eisenhower Parkway between Stone School Road and Boardwalk Drive;**

RESOLVED, That

- 1. The City Administrator is directed to have prepared plans and specifications for said improvement project, and an estimate of the cost thereof;**
- 2. The City Administrator is directed to file a report of same with the City Clerk, including a recommendation as to what proportion of the cost should be paid by special assessment and what part, if any, should be a general obligation of the City, the number of installments in which the assessments may be paid, and the land which should be included in the special assessment district;**
- 3. The City Clerk shall present said report to the Council and make it available for public examination;**
- 4. The sum of \$30,000 is appropriated for the planning and design of said project, such sum being advanced from the general fund balance pending the sale of appropriate bonds;**
- 5. Any unspent portion of said sum is re-appropriated and re-advanced as above for said project for succeeding fiscal years until bonds are sold and the general fund reimbursed, or until said project is officially closed; and**
- 6. Council declares its intent to issue bonds to pay all or part of the cost of such improvement project, funding reserves, paying for credit enhancement, and the cost of issuance of such bonds (either initially or ultimately), provided that such bonds are issued in conformity with applicable State statutes and all documents, provisions, and details pertaining to such bonds are acceptable to and approved by this Council and provided, further, that such bonds can be sold.**

R-244-6-97 APPROVED

**RESOLUTION TO APPROVE PURCHASE
OF TWO REFUSE TRUCKS
FROM REFUSE & RECYCLING EQUIPMENT, INC.**

Whereas, Replacement residential refuse trucks are needed by the Solid Waste Department;

Whereas, Refuse & Recycling Equipment, Inc. is the regional Lodal distributor and their quotes for two new refuse trucks is a price decrease of \$5,000, or 3.7 percent, from the March 17, 1997 purchase of an identical vehicle;

Whereas, It is in the City=s best interest to continue to standardize refuse and recycling vehicles;

Whereas, Refuse & Recycling Equipment, Inc. received Human Resources approval on March 18, 1997; and

Whereas, Funds for this purchase are available within Solid Waste and Public Service Department=s General Fund Budgets;

RESOLVED, That City Council approves the issuance of a purchase order to Refuse & Recycling Equipment, Inc. for the purchase of two new Lodal refuse trucks for \$262,482 and appropriates this from the 1997/98 Solid Waste Department=s General Fund Budget, to be available without regard to fiscal year.

R-245-6-97 APPROVED

RESOLUTION TO APPROVE THE PROVISION OF
COURT APPOINTED COUNSEL FOR INDIGENT DEFENDANTS AT PUBLIC
EXPENSE
BY MODEL CITIES LEGAL SERVICES

Whereas, Individuals charged with misdemeanor violations for which jail time may be imposed are entitled to have counsel represent them;

Whereas, Those defendants who are determined by the court to be indigent have a right to have counsel appointed to represent them at public expense;

Whereas, The City of Ann Arbor by law, must provide funding for 15th District Court operations;

Whereas, Funds for court appointed counsel have been approved in the 15th District Court's FY 97-98 budget in an estimated amount of \$130,000.00;

Whereas, Under Michigan Court Rule 8.110(C), the Chief Judge is the chief administrative official in the District Court with the responsibility for oversight of the appointment of counsel for indigent defendants;

Whereas, The 15th District Court frequently appoints Model Cities Legal Services attorneys to represent indigent defendants based on their proven abilities, demonstrated knowledge and sensitivity in performing their work;

Whereas, Model Cities Legal Services attorneys bill the court for these services at a rate that is less than the prevailing rate for criminal defense counsel; and

Whereas, Model Cities Legal Services has Human Rights approval effective June 4, 1997;

RESOLVED, The Ann Arbor City Council authorizes, subject to the appropriate agreement between 15th District Court and Model Cities Legal Services, payment not to exceed the amount of \$130,000.00 to Model Cities Legal Services for indigent representations for FY 1997-98.

R-246-6-97 APPROVED

**RESOLUTION TO APPROVE CONTRACT FOR BLOOM ROOFING SYSTEM, INC.
AND ESTABLISH PROJECT BUDGET FOR IMPROVEMENTS TO THE
WASTEWATER TREATMENT PLANT ROOFING SYSTEM
(BID NO. 3053)**

Whereas, The roofing systems on ten of the buildings at the Wastewater Treatment Plant have reached their design expectancy;

Whereas, The existing roofing systems are causing structural damage to some buildings, and could potentially cause damage to treatment equipment;

Whereas, Bids were solicited under Bid No. 3053 and the only bid received on May 23, 1997, was from Bloom Roofing System, Inc., for \$82,250;

Whereas, Bloom Roofing System, Inc. is recommended as the lowest responsible bidder;

Whereas, On February 18, 1997, the Human Resources Department approved Bloom Roofing System, Inc. to do this work; and

Whereas, Funds to finance this project are available in the approved FY 96/97 WWTP Operations and Maintenance budget.

RESOLVED, That Council accept the bid and approve the contract with Bloom Roofing System, Inc. for \$82,250 to do the work specified in Bid No. 3053, and that the Mayor and City Clerk be authorized to sign the contract approved as to form by the City Attorney; and

RESOLVED, That Council approve a contingency for this work for \$7,750 to finance change orders to be approved by the City Administrator, and approve a total project budget of \$90,000 for the life of the project, to be available until expended without regard to fiscal year.

R-247-6-97 APPROVED

RESOLUTION TO APPROVE
PROFESSIONAL ENGINEERING SERVICES CONTRACT
WITH MR. JAMES L. MCCOY, P.E.,
FOR THE WATER UTILITIES DEPARTMENT

Whereas, Professional engineering services by Mr. James L. McCoy, P.E. for electrical design, repair and replacement of various roofs, and design and bidding assistance for several equipment replacement projects for the Water and Wastewater Treatment Divisions during FY 96/97 is projected to total \$35,000;

Whereas, The Water Utilities Department has determined that there is a continuing need for Mr. McCoy's services for FY 97/98 of \$40,000;

Whereas, Mr. McCoy, has become very familiar with the Wastewater Treatment Plant systems through his significant involvement with numerous projects at the Wastewater Treatment Plant for eight years;

Whereas, Mr. McCoy=s professional engineering skills, knowledge of the Water Utilities facilities and recommended rate (\$75/hour) make him a cost effective provider of these services;

Whereas, Funds for these services are available in the approved FY 96/97 and FY 97/98 Water Utilities Operations and Maintenance budgets; and

Whereas, On June 6, 1997, the Human Resources Department approved Mr. James L. McCoy, P.E., to perform this work for the City.

RESOLVED, That Council approve a contract with Mr. James L. McCoy, P.E., on an As-needed and As approved basis for \$75,000 to provide professional engineering services for the Water Utilities Department during FY 96/97 and FY 97/98 and that Council authorize the Mayor and City Clerk to sign this contract approved as to form by the City Attorney.

R-248-6-97 APPROVED

RESOLUTION TO APPROVE CONTRACT WITH STRUCTURAL PRESERVATION SYSTEMS, INC. AND TO ESTABLISH PROJECT BUDGET FOR MISCELLANEOUS CONCRETE REPAIRS AT THE WASTEWATER TREATMENT PLANT (BID NO. 3052)

Whereas, Many of the existing concrete structures at the Wastewater Treatment Plant have reached or exceeded their design life expectancy and are rapidly deteriorating;

Whereas, Repairs to concrete structures at the Wastewater Treatment Plant are needed to prevent further deterioration and structure replacement;

Whereas, Failure of the concrete structures would severely impact the Wastewater Treatment Plant=s ability to process sewage sludge;

Whereas, Bids were solicited under Bid No. 3052 and the following five bids were received on May 23, 1997;

Structural Preservation Systems, Inc.	\$ 67,900
Western Waterproofing Co.	\$ 81,404
Calculus Construction Co., Inc.	\$ 83,013
Seal-All Waterproofing Co., Inc	\$ 174,655
Grunwell-Cashero Co., Inc.	\$ 239,033

Whereas, **Structural Preservation Systems, Inc.** is recommended as the lowest responsible bidder;

Whereas, On June 3, 1997, the Human Resources Department approved **Structural Preservation Systems, Inc.** to perform this work; and

Whereas, Funds to finance this project are available in the approved FY 96/97 WWTP Operations and Maintenance budget.

RESOLVED, That Council accept the bid and approve the contract with **Structural Preservation Systems, Inc.** for \$67,900 to perform the work specified in Bid No. 3052, and that the Mayor and City Clerk be authorized to sign the contract approved as to form by the City Attorney; and

RESOLVED, That Council approve a contingency for this work in the amount of \$7,100 to finance change orders to be approved by the City Administrator, and approve a total project budget of \$75,000 for the life of the project, to be available until expended without regard to fiscal year.

R-249-6-97 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL SERVICES CONTRACT WITH CH2M HILL MICHIGAN, INC. AND TO ESTABLISH PROJECT BUDGET FOR PROCESS SAFETY MANAGEMENT PROGRAM AT THE WASTEWATER TREATMENT PLANT, (RFP NO. 412)

Whereas, Federal Regulations require that facilities with processes using highly hazardous chemicals implement a Process Safety Management program;

Whereas, The treatment processes at the Wastewater Treatment Plant use chlorine and sulfur dioxide, which are classified as highly hazardous chemicals;

Whereas, The Water Utilities Department issued RFP No. 412 to develop and implement a Process Safety Management program for the Wastewater Treatment Plant;

Whereas, CH2M HILL Michigan, Inc. was determined to have the best qualifications and proposal; and

Whereas, On June 2, 1997, the Human Resources Department approved CH2M HILL Michigan, Inc. to provide professional services to the City.

RESOLVED, That Council approve a contract with CH2M HILL Michigan, Inc. for \$52,200 to perform the work specified in RFP No. 412, and that the Mayor and City Clerk be authorized to sign the contract approved as to form by the City Attorney; and

RESOLVED, That Council approve a contingency for this work in the amount of \$6,800 to finance change orders to be approved by the City Administrator, and approve a total project budget of \$59,000 for the life of the project, to be available until expended without regard to fiscal year.

R-250-6-97 APPROVED

**RESOLUTION TO AWARD CONTRACT
FOR LANDSCAPING AT THE WATER TREATMENT PLANT
(BID NO. 3037)**

Whereas, It is necessary to provide landscaping at the Water Treatment Plant to comply with Chapter 62 of the City Ordinance;

Whereas, Of the five bids received, John Hollowell & Assoc., Inc has submitted the lowest and responsible bid for said work in the amount of \$32,875;

Whereas, On February 10, 1997 the Personnel/Human Rights Department approved John Hollowell & Assoc., Inc; and

Whereas, The Contractual proposal specifies the services to be performed by the said company, and payments to be made by the City, and all are agreeable to the City;

RESOLVED, That Council accepts the bid proposal and awards a contract to John Hollowell & Assoc, Inc in the amount of \$32,875 for landscaping at the Water Treatment Plant;

RESOLVED, That Council approves a contingency in the amount of \$3,300 for change orders to be approved by the City Administrator;

RESOLVED, That the Mayor and the City Clerk are authorized and directed to sign said contract which is substantially in a form on file in the City Clerk's Office; and

RESOLVED, That \$36,175 is appropriated for the life of the project, to be available until expended without regard to the fiscal year.

Source of Funds: Water Supply System Fund, Operating and Maintenance Budget FY 96-97.

R-251-6-97 APPROVED

RESOLUTION TO AUTHORIZE JANITORIAL SERVICES AGREEMENT WITH JANI-KING OF MICHIGAN, INC. FOR THE WATER TREATMENT PLANT BUILDING (BID NO. 3055)

Whereas, The Water Utilities Department has need of a long term contract for janitorial services for the Water Treatment Plant Laboratory and Office building;

Whereas, Bid No. 3055 was advertised for the cleaning of the Water Treatment Plant building;

Whereas, Of five bids received, Jani-King of Michigan, Inc., submitted the lowest responsible bid; and

Whereas, On May 27, 1997, the Human Resources Department approved Jani-King of Michigan, Inc. to provide these services to the City;

RESOLVED, That the City Council authorize a Service Agreement with Jani-King of Michigan, Inc. in the amount of \$30,492 per year for janitorial services at the Water Treatment Plant for a three-year period and with two one-year options to renew;

RESOLVED, That Mayor and City Clerk be authorized to sign the agreement approved as to form by the City Attorney; and

RESOLVED, That the Water Treatment Plant, though the City of Ann Arbor Purchasing Department, be permitted to offer the contract to the next lowest responsible bidder in case Jani-King of Michigan, Inc., is unable to perform.

Source of funds: Fiscal Year 97/98 Water Treatment Plant O&M Budget

R-252-6-97 APPROVED

**RESOLUTION TO APPROVE
CONSULTANT SERVICES CONTRACT
WITH ADMINISTRATIVE CONTROLS MANAGEMENT, INC.
FOR WATER TREATMENT PLANT CONSTRUCTION CLAIMS ANALYSIS**

Whereas, The general contract for the \$18 million construction of the ozonation system and other related Water Treatment Plant improvements has submitted a time delay claim in the amount of \$902,000;

Whereas, In order to effectively analyze this claim, the City needs construction claims analysis services of Administrative Controls Management, Inc.

Whereas, Administrative Controls Management, Inc. has submitted a proposal to provide these services at a cost not-to-exceed \$24,500;

Whereas, Administrative Controls Management, Inc. is uniquely qualified to efficiently provide these services in a timely manner, since it has performed the construction management assessment of this project in the mid-point of construction and has been providing limited assistant throughout the construction, and therefore it is not recommended that proposals be solicited from other consultants; and

Whereas, Administrative Controls Management, Inc. received Human Rights approval on January 31, 1997 to provide these services;

RESOLVED, That Council approve a contract with Administrative Controls Management, Inc. to provide claims analysis consulting services for the Water Treatment Plant construction for an amount not-to-exceed \$24,600 and that these funds remain available for the life of the contract without regard to fiscal year; and

RESOLVED, That the Mayor and City Clerk area authorized to sign this contract which substantially in a form on file with the City Clerk.

R-253-6-97 APPROVED

**RESOLUTION TO APPROVE CONTRACT
WITH CAPITAL CONSULTANTS ENGINEERING
FOR BARTON DRIVE PEDESTRIAN PATHWAY - RFP NO. 411**

Whereas, Barton Drive Pedestrian pathway is designated in the 1997-98 and 1998-99 Park Rehabilitation Millage for renovation;

Whereas, Competitive proposals for engineering design were received by the Purchasing Division on April 29, 1997 with Capital Consultants Engineers being the best qualified and submitted the lowest fee proposal at \$52,179.73;

Whereas, Capital Consultants Engineers has received human rights approval from the Department of Human Resources as of June 9, 1997; and

Whereas, Funding for the project including construction is available within the approved budget under the 1997-98 and 1998-99 Park Rehabilitation and Development Millage for Barton Drive Pedestrian Pathway and the approved ISTEAA grant received from the Michigan Department of Transportation;

RESOLVED, That the Mayor and Council approve a contract per RFP No. 411 with Capital Consultants Engineers for engineering services to assist in the design and location of the Barton Drive Pedestrian Pathway in the amount of \$52,179.73 and authorize the Mayor and City Clerk to sign the agreement substantially in the form on file with the City Clerk; and

RESOLVED, That the Mayor and City Council approve a consultant contingency in the amount of \$5,217.97 (10%) to cover potential contract change orders to be approved by the City Administrator and to approve a total consultant budget of \$57,397.70 for the life of the project.

R-254-6-97 APPROVED

**RESOLUTION TO ACCEPT BOARD OF INSURANCE
MINUTES OF JUNE 5, 1997 AND AUTHORIZE PAYMENTS**

RESOLVED, That the attached Board of Insurance Administration Minutes of June 5, 1997, be accepted and that the payments therein be authorized.

**MINUTES
CITY OF ANN ARBOR BOARD OF INSURANCE ADMINISTRATION**

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

Absent: None

**Also Present: Daniel J. Cullen, Risk Manager
Stacey Washington, Assistant City Attorney
Bob West, Assistant City Attorney
Abigail Elias, City Attorney
Allen D. Moore, Finance Director
William Stapleton, Attorney at Law
Eileen Goldman, Claims Processing Clerk 7.**

CITIZENS' CLAIMS APPROVED: (and check issued)

<u>CASE NO.</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
CC 37-97	Vehicle damage claim of AAA for Ellen McKeown	\$369.83
CC 2-97	Property damage claim of Miriam Garber	\$42.29
CC 29-97	Sewer back-up claim of Darin Miller (2317 Parkwood)	\$1,052.00
CC 40-97	Sewer back-up claim of J. & B. Schwab (2805 Sequoia Parkway)	\$665.00
CC 36-97	Vehicle damage claim of Alvin Uhle	\$1,009.92
CC 30-97	Vehicle damage claim of State Farm Insurance	\$1,860.00

Co. for Joanne Weintraub

CC 31-97	Vehicle damage claim of Patricia Reilly	\$50.00
CC 25-97	Property damage claim of LeRoy and Catherine Baker	\$2,050.00
CC 22-96	Lawsuit of Margaret Green-Murray by David Elkin, Attorney	\$32,500.00
CC 100-95	Lawsuit of Melanie Morrison by David Cahill, Attorney	\$3,000.00
CC 35-97	Property damage claim of Carolyn Grawi-Brandt	\$24.50
CC 41-97	Property damage claim of Larry Sanford	\$40.00
CC 38-97	Property damage claim of Toshiye Shigemasa	\$187.20
CC 44-97	Sewer back-up claim of Laura Machida (1771 Fulmer)	\$1,415.00
	TOTAL	\$44,265.74

LEGAL EXPENSES AND/OR CASE RELATED EXPENSES:

<u>CASE NO.</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
CC 56-96	Lawsuit of Peter Buczkowski by Marc Wander, Attorney Judith Halprin Court Reporting	\$109.50
CC 69-96	Lawsuit of Laura Fleischer by Howard Victor, Atty Chapa & Giblin	\$203.50

CC 56-96	Lawsuit of Peter Buczkowski by Marc Wander, Attorney Huron Reporting	\$200.75
	TOTAL	\$513.75

MISCELLANEOUS:

ASU-Risk Management Services, Workers= Compensation Claims Account, 2nd Quarter Administration Fee Contract Year 2/5/97 - 2/5/98	\$10,750.00
ASU-Risk Management Services, Liability Claims Administration Program, balance of 1st Quarter Administration Fee Contract Year 2/15/97 - 2/15/98	\$2,830.00
ASU-Risk Manager Services, Liability Claims Administration Program, 2nd Quarter Administration Fee Contract Year 2/15/97 - 2/15/98	\$8,025.00
TOTAL	\$21,605.00

REIMBURSEMENTS RECEIVED --

PD 70-97	Reimbursement from Sheryl Cass for repairs to Public Serv. Vehicle No. 9000	\$470.00
TOTAL DEPOSITED SINCE 5-1-97		\$470.00

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

CC 16-97	Lawsuit of Alan Valusek by Jonathan Rose, Attorney Discussed by Robert W. West, Assistant City Attorney, and the Board denied the claim.
CC 52-97	Lawsuit of Paul Jensen Discussed by Robert W. West, Assistant City Attorney, and the Board denied the claim.
CC 60-97	Vehicle damage claim of Patricia Settimi Discussed by Daniel J. Cullen, Risk Manager, and the

Board denied the claim.

- CC 53-97** **Property damage claim of Detroit Edison (Huron/Ingalls)**
Discussed by Daniel J. Cullen, Risk Manager, and the
Board denied the claim.
- CC 55-97** **Property damage claim of Detroit Edison (Huron/Fifth)**
Discussed by Daniel J. Cullen, Risk Manager, and the
Board denied the claim.
- CC 57-97** **Property damage claim of Detroit Edison (Huron/Glen)**
Discussed by Daniel J. Cullen, Risk Manager, and the
Board denied the claim.
- CC 58-97** **Property damage claim of Detroit Edison (Huron/Thayer)**
Discussed by Daniel J. Cullen, Risk Manager, and the
Board denied the claim.
- CC 47-97** **Property damage claim of Detroit Edison (Huron/Main)**
Discussed by Daniel J. Cullen, Risk Manager, and the
Board denied the claim.
- CC 54-97** **Property damage claim of Linda Prieskorn**
Discussed by Daniel J. Cullen, Risk Manager, and the
Board denied the claim.

OTHER BUSINESS:

CASE NO.

- CC 76-96** **Personal injury claim of Jane Friedman**
Discussed by Daniel J. Cullen, Risk Manager, and the
Board authorized settlement.
- CC 136-96** **Lawsuit of Marcia Bauer by James Cmejrek, Attorney**
Discussed by Stacey M. Washington, Assistant City
Attorney, and the Board received an update.
- CC 107-95** **Lawsuit of Nancy Erickson by Constance Ritter, Attorney**
Discussed by Robert West, Assistant City Attorney, and
the Board authorized settlement.
- CC 91-96** **Lawsuit of Michigan Municipal Risk Management**

Discussed by Daniel J. Cullen, Risk Manager, and Abigail Elias, City Attorney, and the Board authorized settlement.

- CC 105-96 Property damage claim of Dan Mascellino
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.**
- CC 131-96 Property damage claim of Karen Tyree
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.**
- CC 39-97 Property damage claim of Veterans Hospital
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.**
- CC 62-97 Sewer back-up claim of Barnes & Noble, Inc.
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.**
- CC 59-97 Sewer back-up of William Jones
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.**
- CC 63-97 Sewer back-up claim of Beverly Ziegler
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.**
- CC 64-97 Sewer back-up claim of Kwang Suk Yoon
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.**
- CC 65-97 Sewer back-up claim of William Wilson/Lynne DeMoor
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.**

- CC 66-97** Sewer back-up claim of Ron and Maxine Latocki
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 56-97** Property damage claim of Detroit Edison (3552 Frederick)
Discussed by Daniel J. Cullen, Risk Manager, and the Board authorized settlement.
- CC 61-97** Property damage claim of Paul Lambarth
Discussed by Daniel J. Cullen, Risk Manager, and the Board tabled the matter pending further information.
- CC 67-97** Property damage claim of Warren F. Mayer
Discussed by Daniel J. Cullen, Risk Manager, and the Board tabled the matter pending further information.

REQUESTS FOR INFORMATION ON PENDING CLAIMS

awaiting more information:

CASE NO.	NAME	INCIDENT DATE	CLAIM RECEIVED	INFO FROM CLAIMANT	DATE OF CORRES.	ND. RPT FROM CLM. SRVC.	DATE TO
CC 50-97	Farah Prof.	3-14-97	4-23-97	X	5-16-97		
CC 68-97	Det. Edison	11-25-96	5-29-97		6-2-97	Transp.6-2-97	
CC 69-97	Det. Edison	4-15-97	5-29-97		6-2-97	Transp.6-2-97	
CC 70-97	Cheng	11-96	6-2-97		6-2-97	Forestry 6-2-97	

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

CASE NO.

- CC 52-97** Lawsuit of Paul Jensen
- CC 53-97** Property damage claim of Detroit Edison (Huron and Ingalls)
- CC 54-97** Property damage claim of Linda Ann Prieskorn
- CC 55-97** Property damage claim of Detroit Edison (Huron and Fifth)
- CC 56-97** Property damage claim of Detroit Edison (3552 Frederick)
- CC 57-97** Property damage claim of Detroit Edison (Huron and Glen)
- CC 58-97** Property damage claim of Detroit Edison (Huron and Thayer)
- CC 59-97** Sewer back-up claim of William G. Jones (3012 Sequoia Pkwy)
- CC 60-97** Vehicle damage claim of Patricia G. Settimi
- CC 61-97** Property damage claim of Paul Lambarth

- CC 62-97 Sewer back-up claim of Barnes & Noble, Inc.**
- CC 63-97 Sewer back-up claim of Beverly J. Ziegler**
- CC 64-97 Sewer back-up claim of Kwang Suk Yoon**
- CC 65-97 Sewer back-up claim of William Wilson and Lynne DeMoor**
- CC 66-97 Sewer back-up claim of Ron & Maxine Latocki**
- CC 67-97 Property damage claim of Warren F. Mayer**
- CC 68-97 Property damage claim of Detroit Edison (Huron and Division)**
- CC 69-97 Property damage claim of Detroit Edison (Packard and Thompson)**
- CC 70-97 Property damage claim of Chung-Li & Wey-Fong Cheng**

**Prepared by,
Daniel J. Cullen,
Risk Manager**

R-255-6-97 APPROVED

**RESOLUTION TO APPROVE THE
1997 ANN ARBOR JAYCEES CARNIVAL**

Whereas, The Ann Arbor Jaycees have requested permission to hold a carnival at the Pioneer High School parking lot from July 2-6,1997;

Whereas, The City Code of Ordinances prohibits such amusements without the permission of City Council, and is subject to the conditions established by Council; and

Whereas, The event sponsor has requested that the City support this event by transferring funds from the 1997-98 Community Events Account for payment of the extra costs for services provided by the Police Department (estimated to be \$3600);

RESOLVED, That the following constitute the conditions under which permission is granted to hold the event:

- 1. Noise emitting from the operations of the carnival shall not exceed 80 decibels measured at any adjacent property line.**
- 2. The carnival shall operate only between the hours indicated on the approved Special Events Permit.**
- 3. The Police Department may require certain machines to cease operation if excessive noise complaints are received.**

4. Evidence of proper liability insurance protection shall be submitted and approved by the City Attorney.
5. Vendors of food and/or beverage shall be properly licensed to insure sanitary conditions of products consumed by the public.
6. Proper fire lanes shall be maintained at all times.
7. Electrical connections shall be made by a licensed electrician.
8. The event sponsors shall clear the parking lot and surrounding area of any debris resulting from the operation of the carnival upon termination of the event.
9. All other concerns shall be regulated by the City Administrator and the Police Department.

RESOLVED, That the City of Ann Arbor support this event in the amount of up to \$3600 for the reimbursement of City expenditures with funds to be appropriated from the 1997-98 Community Events Account; and

RESOLVED, That permission can be revoked at any time for good cause by the City Administrator, The Chief of Police or City Council.

**R-256-6-97 APPROVED
RESOLUTION TO APPROVE STREET CLOSINGS AND
ALLOCATE COMMUNITY EVENTS FUNDS FOR THE
1997 ANN ARBOR JAYCEES FOURTH OF JULY PARADE**

Whereas, The City has received a request from the Ann Arbor Jaycees to hold a parade in the City of Ann Arbor on Independence Day, Friday, July 4, 1997;

Whereas, It will be necessary to close certain city streets from 8:00 a.m. to 1:00 p.m. to allow for adequate staging and cleanup time and other streets starting at 10:00 a.m. for the parade itself;

Whereas, The Ann Arbor Jaycees agree to obtain the necessary permits and comply with all procedures, rules, and regulations established to stage such an event; and

Whereas, The Ann Arbor Jaycees has further requested that the City support this event by transferring funds from the 1997-98 Community Events Account for payment of the costs for services provided by the following departments:

	Police	\$2700.00 est.
	Transportation	<u>\$ 400.00</u> est
TOTAL		\$3100.00 est.

and waive the following Transportation Division fees:

Meter Bag Deposit	\$3800.00
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RESOLVED, That the Fourth of July Parade is hereby approved being routed along South State, Liberty, Main and William Streets beginning at 10:00 a.m.;

RESOLVED, That Maynard (all) and Jefferson (from Thompson to Maynard) be closed for the staging and cleanup of the parade from 8:00 a.m. to 1:00 p.m.; and

RESOLVED, That the closing of certain streets along the route as needed from 10:00 a.m. to 12:00 noon on Friday, July 4, 1997 along with parking prohibitions, as required, is also approved (including Division Street from Jefferson to Washington);

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

RESOLVED, That the City support the event in the amount of up to \$3100.00 for reimbursement of City expenditures with funds to be appropriated from the 1997-98 Community Events Account.

The question being the foregoing Consent Agenda items as presented, on a voice vote the Mayor declared the motion carried.

ORDINANCES - SECOND READING

19-97 APPROVED

CITY-OWNED PARK PARCELS ZONING

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 ordinance would change the zoning of City-owned park parcels to PL (Public Land District): Burr Oak Park No. 2 on the west side of Burr Oak Drive; a portion of Bird Hills Park on the east side of Downup Circle; Garden Homes Park north of Foss Street; a portion of Leslie Science Center located east of the science center; two portions of Burns Park, one between the Burns Park Elementary School and Granger Avenue, and the other at the southeast corner of Wells Street and Baldwin; Pittsview Park at the southwest corner of Packard and Pittsview; and a portion of Swift Run Park (former Ann Arbor Landfill) along the railroad right-of-way (Ordinance No. 19-97)

Councilmember Putman moved that the ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried.

24-97 APPROVED

BRUESTLE PROPERTY ZONING

An Ordinance to Amend the Zoning Map Being Part of Chapter 55 of Title V of the Code of the City of Ann Arbor

This ordinance would change the zoning of 0.4 acres, located at 2385 South Main Street, from TWP (Township District) to R1C (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

26-97 APPROVED

**REVISION TO FAIRFAX CENTER
PRELIMINARY AND FINAL PHASE PUD REZONING**

**An Ordinance to Correct the Property Description in
Ordinance No. 83-92, Entitled A Fairfax Center Revised PUD≅
by Amending that Ordinance**

**This ordinance would correct the property description in Ordinance No. 83-92,
entitled A Fairfax Center Revised PUD≅, which, as a result of a drafting error,
described 11.20 acres instead of a 2.71 acre portion of the 11.20 acres.**

Councilmember Putman moved that the ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried.

27-97 APPROVED

**PURCHASE POSSESSION OR CONSUMPTION
OF LIQUOR BY MINORS**

**An Ordinance to Amend Sections 9:74, 9:81, 9:82 and 9:84 of
Chapter 109 of Title IX of the Code of the City of Ann Arbor**

**This ordinance would bring the City Code into compliance with the Michigan Liquor
Control Act by making the purchase, possession or consumption of liquor by
minors, as well as attempts to commit each of these crimes, offenses punishable as
misdemeanors.**

Councilmember Kwan moved that the ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried.

28-97 APPROVED

NONDISCRIMINATION BY CITY CONTRACTORS

**An Ordinance to Amend Section 9:161 of Chapter 112
of Title IX of the Code of the City of Ann Arbor**

This ordinance would clarify the City Administrator=s responsibility in enforcing the ordinance, increase the minimum amount of a purchase subject to contract compliance guidelines, and extend the duration of the review process from semi annual to annual for all vendors except construction contracts.

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

On a voice vote the Mayor declared the motion carried.

29-97 APPROVED

PURCHASING PROCEDURES

**An Ordinance to Amend Sections 1:312 and 1:321 of
Chapter 14 of Title 1 of the Code of the City of Ann Arbor**

This ordinance would change the bid procedure to eliminate verbal solicitations language and replace it with the procedures adopted by administrative policy, would clarify the City Administrator=s authority to approve the purchase of goods and services where the total amount does not exceed \$25,000.00, and would recognize the City Administrator=s right to designate another person to authorize purchase orders that do not exceed \$25,000.00.

Councilmember Kwan moved that the ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried.

30-97 APPROVED

TRAFFIC

An Ordinance to Amend Sections 10:7, 10:79, 10:80, 10:84, 10:128, 10:129, 10:130, 10:131, 10:132, 10:133, 10:135, 10:149, 10:154 and 10:156 of Chapter 126 of Title X of the Code of the City of Ann Arbor.

This ordinance would bring the city code into conformity with the state motor vehicle code and the state penal code.

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

On a voice vote the Mayor declared the motion carried.

ORDINANCES - FIRST READING

31-97 APPROVED

SUBDIVISION AND LAND USE CONTROL

**An Ordinance to Amend Chapter 57,
of Title V of the Code of the City of Ann Arbor**

This ordinance would establish a formal process for reviewing development petitions containing natural features and improve enforcement provisions.

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

On a voice vote the Mayor declared the motion carried.

32-97 APPROVED**FOREST CREEK ZONING****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 ordinance would change the zoning of 8.32 acres, located at 3315 Stone School Road, from TWP (Township District) to R3 (Townhouse District).

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

On a voice vote the Mayor declared the motion carried.

MOTIONS AND RESOLUTIONS**R-257-6-97 APPROVED****RESOLUTION PROCLAIMING GAY PRIDE WEEK
AND COMMEMORATING THE 25TH ANNIVERSARY OF THE FIRST
GAY PRIDE WEEK IN ANN ARBOR**

Whereas, In June of 1969 there occurred on Christopher Street in New York City a significant and far-reaching attempt of gay and lesbian people to achieve their liberation, known as the Stonewall Uprising;

Whereas, Three years later, in 1972, the Ann Arbor City Council both added homosexuality to the protected classes in the Ann Arbor Human Rights Ordinance, and passed a resolution proclaiming Gay Pride Week 1972, the first such recognition by any municipality in the U.S.;

Whereas, 1997 marks the 28th anniversary of the Stonewall Uprising, and the 25th anniversary of Ann Arbor's exemplary support for the liberation of gay and lesbian people as demonstrated by its Human Rights Ordinance and the proclamation of the first Gay Pride Week;

Whereas, The freedom of no person can be assured when the freedom of any person is proscribed; and

Whereas, Despite many positive cultural changes, the oppression of gay and lesbian persons continues to pervade every area of our corporate life;

RESOLVED, That the Ann Arbor City Council, representing the City of Ann Arbor and its residents, recognize the ongoing struggles of the gay and lesbian community, and congratulate them on their progress toward freedom and equality;

RESOLVED, That the Ann Arbor City Council recognize the many positive and important contributions of gay and lesbian individuals, businesses, and community organizations to our civic community life; and

RESOLVED, That the week of June 21 through 27, 1997 be proclaimed Gay Pride Week 1997, commemorating the 25th anniversary of Ann Arbor=s first Gay Pride Week, and offering recognition and support to our gay and lesbian family members, coworkers, neighbors, friends, community members, and selves.

Councilmember Daley moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-258-6-97 APPROVED AS AMENDED

RESOLUTION REGARDING EARHART SUBDIVISION STOP SIGNS

A resolution regarding Earhart Subdivision stop signs was considered.

Councilmember Lumm moved that the resolution be adopted.

Council unanimously agreed that the third paragraph of the resolution be amended as follows:

Whereas, The neighbors collected over <tba> 125 signatures to remove the cul-de-sac stop signs and do not perceive the lack of stop signs as a safety hazard or risk; and

The question being the resolution as amended, on a voice vote the Mayor declared the motion carried.

The resolution as adopted reads as follows:

RESOLUTION REGARDING EARHART SUBDIVISION STOP SIGNS

Whereas, Since its development in 1969, the Earhart Subdivision has not had

STOP signs for traffic exiting the cul-de-sacs along Penberton and Waldenwood Drives south of Tremont. Further, the four-legged Penberton/Waldenwood intersection has been a two-way stop since 1981;

Whereas, The City recently installed 22 cul-de-sac STOP signs along Penberton and Waldenwood Drives without prior notification or at the request of the affected residents;

Whereas, The neighbors collected 125 signatures to remove the cul-de-sac STOP signs and do not perceive the lack of STOP signs as a safety hazard or risk; and

Whereas, The neighbors also believe that the natural layout of the road restricts sight distance at the Penberton/Waldenwood intersection, and that a 4-way STOP (in lieu of the present 2-way STOP) would improve traffic safety;

RESOLVED, That as soon as is practicable, the 22 cul-de-sac STOP signs along Penberton and Waldenwood Drives are removed (rescinding traffic control order #s 2273 and 2274), and a 4-way STOP is created (and appropriate signs are installed) at the four-legged Penberton/Waldenwood intersection.

R-259-6-97 APPROVED

**RESOLUTION TO APPROVE
HURON VALLEY TRAVEL SITE PLAN**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Huron Valley Travel Site Plan, 0.62 acre, 2008 South State Street.

Whereas, John Kosta has requested site plan approval in order to construct a one-story, 1,800-square foot addition to the existing office building (Phase I) and a two-story, 3,350-square foot separate office building (Phase II) at 2008 South State Street; and

Whereas, The Ann Arbor City Planning Commission, on April 15, 1997, recommended approval of said request;

RESOLVED, That City Council approve the Huron Valley Travel Site Plan.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-260-6-97 APPROVED

**RESOLUTION TO APPROVE
1113 WILLARD STREET SITE PLAN**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed 1113 Willard Street Site Plan, 0.14 acres.

Whereas, M.I.B. Development has requested site plan approval in order to construct a four-story, 14,416-square foot apartment building at 1113 Willard Street; and

Whereas, The Ann Arbor City Planning Commission, on May 20, 1997, recommended approval of said request;

RESOLVED, That City Council approve the 1113 Willard Street Site Plan.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-261-6-97 APPROVED

RESOLUTION TO APPROVE SAWULSKI ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Sawulski Annexation, 0.14 acres, west side of Westover Avenue, north of Porter Avenue.

Whereas, The territory hereinafter described is located in the Township of Scio and is adjacent to the corporate limits of the City of Ann Arbor;

Whereas, David A. Sawulski is the owner of said property; and

Whereas, It is the desire of David A. Sawulski to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

RESOLVED, That the following described lands and premises situated and being in the Township of Scio, Washtenaw County, Michigan, be detached from said Township of Scio and annexed to the City of Ann Arbor, to-wit:

Lot 54, Westover Hills Subdivision, Township of Scio, County of Washtenaw, according to the plat thereof, as recorded in Liber 5 of Plats, Page 32, Washtenaw County Records.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-262-6-97 APPROVED

**RESOLUTION TO APPROVE LEASE AGREEMENT
WITH SPRINT SPECTRUM, L.P. FOR SPACE ATOP THE
ANN-ASHLEY PARKING STRUCTURE**

Whereas, The Downtown Development Authority (DDA) has responsibility for all maintenance relating to the parking structures lease from the City of Ann Arbor (City);

Whereas, The lease between the DDA and the City identified a parking system that was economical and self-supporting as responsive to the community=s needs;

Whereas, Sprint Spectrum, L.P. has presented the DDA with a proposal to install an antenna atop the Ann Ashley Parking Structure elevator shaft under a lease for a term of five (5) years, renewable for up to four (4) additional five (5) - year terms with rent increases of three percent (3%) a year;

Whereas, The DDA has evaluated the Sprint Spectrum, L.P. proposal as an appropriate economical use of the space to contribute toward self-support of the parking system; and

Whereas, The lease by the City of the space identified in the Sprint Spectrum, L.P. proposal does not conflict with the DDA lease agreement with the City;

RESOLVED, That the DDA recommends the City negotiate a lease agreement with Sprint Spectrum, L.P. for the installation of an antenna atop the Ann Ashley Parking Structure elevator shaft which allocates the lease proceeds to the DDA for the operation of the parking system.

Councilmember Vereen-Dixon moved that the resolution be adopted.

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

R-263-6-97 APPROVED

**RESOLUTION TO APPROVE CONTRACT WITH WEBB ELECTRIC, INC.
AND TO ESTABLISH PROJECT BUDGET FOR WATER TREATMENT PLANT
AND WASTEWATER TREATMENT PLANT PROCESS AND INFORMATION
CONTROL SYSTEMS - BID NO.**

2990 (\$5,775,000)

Whereas, The Water Utilities Department, through RFP No. 290, selected EMA, Inc. as the most qualified and capable firm to provide the engineering services for the study, design and installation of the Water Treatment Plant and Wastewater Treatment Plant Process and Information Control Systems;

Whereas, The design of the Water Treatment Plant and Wastewater Treatment Plant Process and Information Control Systems is complete;

Whereas, Bids were solicited under Bid No. 2990 to purchase and install the Process and Information Control Systems and two bids were received on April 24, 1997;

Whereas, Webb Electric, Inc. is recommended as the lowest responsible bidder;

Whereas, On April 28, 1997, the Human Resources Department approved Webb Electric, Inc. to perform this work; and

Whereas, Funds to finance this project are available in the Water Supply Capital Projects Budget and the Sewage Disposal System Capital Projects Budget.

RESOLVED, That Council accept the bid and approve the contract with Webb Electric, Inc. for \$5,250,000 to perform the work specified in Bid No. 2990, and that the Mayor and City Clerk be authorized to sign the contract approved as to form by the City Attorney; and

RESOLVED, That Council approve a contingency for this work in the amount of \$525,000 to finance change orders to be approved by the City Administrator, and approve a total project budget of \$5,775,000 for the life of the project, to be available

until expended without regard to fiscal year.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-264-6-97 APPROVED

**RESOLUTION TO APPROVE TRANSFER OF GENERAL FUND,
NON-DEPARTMENTAL FUND MONIES FOR A CLASSIFICATION/ROLE STUDY
FROM 1996/97 FISCAL YEAR TO 1997/98 FISCAL YEAR**

Whereas, Funds in the amount of \$150,000 were established in the 1996/97 Fiscal Year Fund, Non-Departmental Budget for a Classification/Role Evaluation Study to replace the City's Job Reclassification System;

Whereas, The funds were not expended during the 1996/97 Fiscal Year; and

Whereas, It is anticipated that the funds will be expended during the 1997/98 Fiscal Year

RESOLVED, That the \$150,000 funding for the Classification/Role Evaluation Study appropriated in the 1996/97 Fiscal Year General Fund, Non-Departmental budget be reappropriated to the following fiscal year in the General Fund, Non-Departmental budget until completion of the project.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-265-6-97 APPROVED

**RESOLUTION TO APPROVE PURCHASE OF ONE REAR LOAD
REFUSE COLLECTION TRUCK FROM D & H MACK/KENWORTH SALES
AND SERVICE, INC. AND REAPPROPRIATION OF FUNDS
BID NO. 3048 (\$124,208.07)**

Whereas, A replacement rear load refuse collection truck is needed by the Solid Waste Department;

Whereas, D & H Mack/Kenworth Sales & Service provided the lowest qualified bid of \$124,208.07 in response to bid number 3048;

Whereas, D & H Mack/Kenworth Sales & Service received Human Resources approval on May 22, 1997; and

Whereas, Funds for this purchase are available within the Solid Waste Department=s and Public Service Department=s General Fund 96/97 budget;

RESOLVED, That the \$124,208.07 appropriated in the Fiscal Year 1996/97 budget be reappropriated to the Fiscal Year 1997/98 budget; and

RESOLVED, That City Council approves the issuance of a purchase order to D & H Mack/Kenworth Sales & Service for the purchase of one new Mack rear load collection truck with a Dempster body at a cost of \$124,208.07 per bid number 3048, and appropriates this amount from the Solid Waste Department=s and the Public Service Department=s General Fund budget, to be available without regard to fiscal year.

Councilmember Lumm moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-266-6-97 APPROVED

**RESOLUTION TO APPROVE AN APPROPRIATION
ADJUSTMENT FROM MRF CAPITAL RENEWAL FUND
(\$13,546.00)**

Whereas, A Capital Renewal and Replacement Fund has been created through the Operating Contract with the City's MRF operator, Resource Recovery Systems;

Whereas, The Fund is intended to finance repair and replacement of rolling stock and equipment at the MRF;

Whereas, Both the City and RRS are making on-going contributions into this Fund;

Whereas, There are sufficient dollars available in the Fund to cover this expenditure; and

Whereas, Payment for this repair has been made through the 1996/97 Solid Waste Department operating budget;

RESOLVED, That City Council authorizes an appropriation adjustment in the amount of \$13,546.00 to be transferred from the MRF Capital Renewal Fund into the Solid Waste Department 1996/97 operating budget, account 010-071-0610-2430 for authorized and expended repairs to the City's 1985 Mack yard horse/transfer tractor (VIN 1M2AYYO6Y9FM001364) used for MRF operations.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-267-6-97 APPROVED

**RESOLUTION TO ACCEPT AND APPROPRIATE
A COUNTY GRANT OF \$7,300.00 TO CONDUCT A PILOT
VEGETATIVE FOOD COMPOSTING PROGRAM**

Whereas, The City of Ann Arbor has adopted an Integrated Solid Waste Management Strategy to reduce, reuse, recycle, compost and responsibly manage municipal solid waste;

Whereas, The Integrated Solid Waste Management Strategy calls for AIncreasing the Volume of Compostables Recovered;

Whereas, Washtenaw County has awarded the City of Ann Arbor a grant of \$7,300 from the A Green Backs for Green Acts program to compost vegetative food scraps; and

Whereas, Matching funding for this grant project will be provided within the City's existing 1997/98 budget, utilizing equipment and in-kind services from the Department of Solid Waste;

RESOLVED, That the City is authorized to accept and appropriate a grant from Washtenaw County for \$7,300.00 for a APilot Vegetative Food Composting Program

RESOLVED, The Solid Waste Department is authorized to expend a grant match of \$3,100 from the 1997/98 approved budget

RESOLVED, That funding under this grant be expended until completed, regardless of fiscal year; and

RESOLVED, That the Mayor and City Clerk are authorized and directed to sign the approved grant contract documents.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-268-6-97 APPROVED

**RESOLUTION TO APPROVE SECOND AMENDMENT
TO CONTRACT WITH DEVELOPMENT STRATEGIES PLUS FOR
SUPERVISORY SKILLS TRAINING**

Whereas, City Council recognizes that supervisory training for all City of Ann Arbor supervisors is appropriate to improve the efficiency, effectiveness and morale of the supervisors and their respective staffs;

Whereas, A consulting agreement was executed between the City of Ann Arbor and Development Strategies Plus in the amount of \$21,750 to provide training in basic supervisory skills;

Whereas, An amendment to the consulting agreement was approved by City Council on April 7, 1997, to increase the number of training sessions under the contract, which increased the total compensation under the contract to \$40,600;

Whereas, It has been determined, after feedback from the supervisors who completed the training and the Administration, that further amendment of the contract would be beneficial to the City to allow the Development Strategies Plus to conduct all future training sessions;

Whereas, Funding for this additional training will be provided through the Human Resources Department 1996/97 fiscal year training budget; and

Whereas, Any unexpended balance of funds in the 1996/97 fiscal year Human Resources Department training budget will need to be reallocated to the following fiscal year until such time as the project is completed;

RESOLVED, That City Council approve the second amendment of the consulting agreement with Development Strategies Plus for expanded services for a total amended amount of \$96,425;

RESOLVED, That City Council approve a contingency fund of \$5,500 to cover additional amendment of the agreement relating to this training, such amendments to be approved by the City Administrator;

RESOLVED, That any unexpended balance of funds in the 1996/97 fiscal year Human Resources Department training budget be reallocated to the following fiscal year until such time as the project is completed; and

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

Councilmember Putman moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-269-6-97 APPROVED

**RESOLUTION TO APPROVE TRANSFER
OF HUMAN RESOURCES DEPARTMENT BUDGET MONIES
FROM EMPLOYEE ASSISTANCE PROGRAM (EAP)SERVICES FROM
THE 1996/97 FISCAL YEAR TO THE 1997/98 FISCAL YEAR**

Whereas, The City Council on April 7, 1997, approved a one year contract with Employee Assistance Associates, Inc. (EAA) to provide Employee Assistance Program (EAP) services in the amount of \$28,445 with the option of two, one year extensions at an increase in cost not to exceed 3 percent per year;

Whereas, The parties have not yet completed negotiation of the contract;

Whereas, The monies budgeted for these services are included in the Human Resources Department Budget for the 1996/97 Fiscal Year; and

Whereas, It is anticipated the EAP services will be available in the 1997/98 Fiscal Year;

RESOLVED, That the \$28,445 unexpended funding budgeted for these services in the Human Resources Department Budget for the 1996/97 Fiscal Year be reappropriated into the following fiscal year=s Human Resources Department Budget.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-270-6-97 APPROVED

**RESOLUTION TO CARRY FORWARD FY 96/97
CITY GENERAL FUNDS TO FY 97/98 AND AMEND THE
COMMUNITY DEVELOPMENT BUDGET**

Whereas, City General Fund allocations to Washtenaw Affordable Housing Corporation Homebuyer Program totaling \$40,000 remain unspent, and;

Whereas, City General Fund allocations to the Shelter Association of Washtenaw totaling \$20,000 to improve its facilities remain unspent, and;

Whereas, City General Funds allocated to Green Glacier Community Center totaling \$12,593 targeted for services residing at Green Road remain unspent, and;

Whereas, The proposed services are expected to be provided but not before June 30, 1997.

RESOLVED, That City Council approve the amendment to the FY 1997/98 Community Development Department budget and that the unexpended balance be reappropriated in FY 1997/98.

RESOLVED, That City Council authorize the Community Development Department to negotiate contractual agreements and/or amendments with subgrantees consistent with the City=s purchasing procedures.

Councilmember Putman moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-271-6-97 APPROVED

**RESOLUTION TO APPROVE AMENDMENTS TO FY 1996/97
AGREEMENTS WITH ANN ARBOR COMMUNITY CENTER, SHELTER ASSOCIATION
OF WASHTENAW COUNTY, WASHTENAW AFFORDABLE HOUSING
CORPORATION/WASHTENAW COUNTY**

Whereas, City General Fund allocations to Washtenaw Affordable Housing Corporation Homebuyer Program totaling \$40,000 remain unspent;

Whereas, City General Fund allocations to the Shelter Association of Washtenaw totaling \$20,000 to improve its facilities remain unspent;

Whereas, City General Funds allocated to Green Glacier Community Center totaling \$12,593 targeted for services to youth residing at Green Road remain unspent; and

Whereas, The proposed services are expected to be provided but not before June 30, 1997.

RESOLVED, That City Council approve the amendment to the FY 1997/98 Community Development Department budget and that the unexpended balance be reappropriated in FY 1997/98; and

RESOLVED, That City Council authorize the Community Development Department to negotiate contractual agreements and/or amendments with subgrantees consistent with the City=s purchasing procedures.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-272-6-97 APPROVED

**RESOLUTION TO AUTHORIZE
TRANSFER OF FUNDS FOR PURCHASE OF CASHIERING SYSTEM
TO FY 97/98 BUDGET**

Whereas, City Council approved the fiscal year 1997-98 budget which included funds for a cashiering system; and

Whereas, Financing for the new system includes carrying forward \$50,000 from the 1996-97 Technology Challenge Grant.

RESOLVED, That City Council authorize the reappropriation of \$50,000 from the Technology Challenge Grant line item from fiscal year 1996-97 to fiscal year 1997-98.

Councilmember Lumm moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-273-6-97 APPROVED**RESOLUTION TO APPROVE SALE OF EXCESS
CITY PROPERTY TO PETER ALLEN & ASSOCIATES**

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 West 38 feet of Lot 3, Block 3 South, Range 2 East, Original Plat of the City of Ann Arbor, also right of way over the west 3 1/2 feet of land adjoining on the east of said west 38 feet of Lot 3. Subject to easements and restrictions of record, including a Right of Way over the west 3 1/2 feet of land adjoining on the east of said west 38 feet of Lot 3. Commonly known as 214 W. William Street. The West 38 feet of the East 94 feet of Lot 3, Block 3 South of Huron Street, Range 2 East, according to the original Plat of the Village (now City) of Ann Arbor, Washtenaw County, Michigan. Excepting and reserving a right of way over the west 3 1/2 feet of said land and granting a right of way over the East 3 1/2 feet of the land adjoining on the West and releasing a right of way over the East 7 feet of said land, for the use of the adjoining property owners on the East. Subject to easements and restrictions of record. Commonly known as 210 W. William Street.

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, The Real Estate Committee recommends that the City accept the Option Agreement submitted by Peter Allen & Associates, Inc. to purchase the property described above upon exercise of the option for the sum of Forty Seven Thousand and Five Hundred and 00/100 Dollars (\$47,500.00); and

Whereas, The City Council has received the appraisal report on the property described above.

RESOLVED, That City Council approve the Option Agreement for the sale of the property described above to Peter Allen & Associates, Inc. for the sum of \$47,500 upon exercise of the option;

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

and the documents necessary to implement this agreement;

RESOLVED, That proceeds be deposited in the Affordable Housing Fund and the General Fund in accordance with City Council approved Resolution R-495-10-95; and

RESOLVED, That the City Administrator is authorized to take any necessary administrative actions to complete the transaction.

Councilmember Vereen-Dixon moved that the resolution be adopted.

Council unanimously agreed with Councilmember Kwan=s request that he be allowed to abstain from the vote.

The question being the resolution as presented, on a voice vote the Mayor declared the motion carried, with Councilmember Kwan abstaining.

R-274-6-97 APPROVED

**RESOLUTION TO APPROVE BUDGET AND HARDWARE
PURCHASE FOR THE DATA BASE SERVER REPLACEMENT PROJECT
BID NO. 3056**

Whereas, The Data Base Server is a key component in the implementation of client/server applications on the City=s Network Computing System (NCS);

Whereas, The existing Compaq ProLiant 2000 Data Base Server does not have the performance, storage capacity, and fault tolerance features needed to support existing and future NCS applications;

Whereas, The technical staff of the Information Services Division has developed a project scope of work and hardware specifications for a new Compaq ProLiant 6000 Data Base Server with the features needed to support the City=s network applications;

Whereas, Bid Number 3056: "Compaq Servers" was sent to five vendors and returned by five;

Whereas, Inacom Information Systems at \$42,545.70 was determined to be the lowest cost vendor for the Compaq ProLiant 6000 hardware needed for the Data Base Server;

Whereas, Information Services recommends that a ten percent contingency (\$4,254.30) be added to the Inacom bid to cover any unforeseen costs related to the specifications, installation, and configuration of the Data Base Server for a total project budget of \$46,800;

Whereas, Inacom Information Systems received Human Rights approval for a one year period on August 6, 1996;

Whereas, The source of funds for this purchase will be the FY 96-97 operating budget of the Information Services Division of the Administrative Services Department;

RESOLVED, That a budget of \$46,800 is established for the Data Base Server Replacement Project;

RESOLVED, That the unexpended project budget as of July 1, 1997 be reappropriated from FY 96-97 to FY 97-98;

RESOLVED, That purchase orders be issued to Inacom Information Systems in the amount of \$42,545.70 for the Compaq ProLiant 6000 Data Base Server hardware; and

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

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-275-6-97 APPROVED

**RESOLUTION TO APPROVE
REPRIORITIZATION OF \$35,000.00 FROM NEW DEVELOPMENT
PROGRAM TO LOW-RENT OPERATIONS**

Whereas, Council has approved \$179,000 in funding from two fiscal years to provide assistance to the Housing Commission both for its new development program (\$119,000) and for its low-rent operations (\$60,000);

Whereas, The New Development Program status has stabilized and currently is moving forward with less difficulty such that \$58,882 in City appropriated funds still remain unspent as a contingency;

Whereas, The Low-Rent program has also achieved significant gains through the City funding of temporary contractual help for vacancy reduction and unit turnaround, but with funding nearly exhausted; and

Whereas, The Commission seeks to continue its additional effort on intake and unit turnaround to reach its occupancy goals as established under the jointly executed Memorandum of Agreement with HUD and the City of Ann Arbor;

RESOLVED, That the City Council approve the reappropriation of \$35,000 from FY 96/97 for New Development program to FY 97/98 for continued funding of temporary contractual labor targeted to intake and unit turnaround, said funding to be allocated for three individuals (2.5 FTE), two on unit rehab and a half-time person on intake.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-276-6-97 APPROVED**RESOLUTION TO APPROVE
REAPPROPRIATION OF BUY RECYCLED GRANT AWARD FUNDS
FOR SOUTHEAST AREA PARK**

Whereas, Mayor and Council approved a Resolution from the Solid Waste Department to reaffirm support for purchasing recycled products and establishing criteria for the 1996-97 Buy Recycled Set Aside Fund;

Whereas, Through a grant application, the Parks and Recreation Department was awarded grants for two projects, totaling \$21,545 for the provision of bleachers and players benches constructed of recycled materials at Southeast Area Park (includes \$15,965 for bleachers for the softball fields and basketball court and \$5,580 for players benches for the softball fields);

Whereas, The established account for the Buy Recycled Grant Awards expires with the end of the 1996-97 fiscal year; and

Whereas, Purchase of materials for each of these projects has been delayed beyond the end of the fiscal year due to the site not being ready to receive delivery of the materials for installation;

RESOLVED, That the Mayor and Council approve the reappropriation of \$21,545 from the Solid Waste Department FY 96/97 budget to the FY 97/98 budget for the continuation of the purchase of recycled materials as approved by the Buy Recycled Grant Awards for Southeast Area Park, for the life of the project.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-277-6-97 APPROVED**RESOLUTION TO AUTHORIZE REAPPROPRIATION
OF FUNDS FOR PURCHASE OF PICKUP TRUCK TO FY 1997/98**

Whereas, The production and delivery of a pickup truck from Red Holman Pontiac, purchase order 7-2787-91, will not take place until fiscal year 1997-98; and

Whereas, City Council approved this purchase January 8, 1997, R-5-197;

RESOLVED, That City Council approves the appropriation of \$17,535 to 1997-98 Public Services Department accounts, for the purchase of a 1998 GMC Pickup Truck.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-278-6-97 APPROVED

**RESOLUTION TO ENTER INTO A LEASE AGREEMENT WITH
BESSIE PREKETES FOR THE COMMUNITY POLICING OFFICE AT
3022 PACKARD ROAD**

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 three years;

Whereas, Funding for the lease of that office was again included in our FY 1997-98 general fund budget; and

Whereas, The landlord, Bessie Preketes, has received Human Rights approval from the Human Resources Department on June 5, 1997;

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 described in Appendix A of this document, located at 3022 Packard Road, for use as a Community Policing office from July 1, 1997 until June 30, 1998; and

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

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-279-6-97 APPROVED

**RESOLUTION TO ENTER INTO A LEASE AGREEMENT WITH
FIRST MARTIN CORPORATION/TRAVER VILLAGE LIMITED PARTNERSHIP
FOR THE COMMUNITY POLICING OFFICE AT
2605 PLYMOUTH ROAD**

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 three years;

Whereas, Funding for the lease of that office was again included in our FY 1997-98 general fund budget; and

Whereas, The landlord, First Martin Corporation/Traver Village Limited Partnership, has received Human Rights approval from the Human Resources Department on May 28, 1997;

RESOLVED, That the City of Ann Arbor enter into a lease agreement in the amount of \$6,600 with First Martin Corporation/Traver Village Limited Partnership for the office space described in Appendix A of this document, located at 2605 Plymouth Road, for use as a Community Policing office from July 1, 1997 until June 30, 1998; and

RESOLVED, That the City Council authorize the Mayor and City Clerk to sign the attached lease agreement with First Martin Corporation/Traver Village Limited Partnership.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-280-6-97 APPROVED

**RESOLUTION ACCEPTING AND APPROPRIATING TO
THE POLICE DEPARTMENT GRANT FUNDS FROM THE MICHIGAN OFFICE**

**OF HIGHWAY SAFETY FOR THE PURPOSE OF HIGHWAY SAFETY PROJECT
SAFE AND SOBER**

Whereas, Dedicated traffic enforcement is viewed as one way of enhancing public safety;

Whereas, The Michigan Office of Highway Safety Planning has made grant funds available for the purpose of such dedicated enforcement; and

Whereas, The Ann Arbor Police Department has been awarded \$4,617.00 in grant funds by MHSP to facilitate participation in dedicated enforcement at selected locations under the title Safe and Sober;

RESOLVED, That City Council accept the grant award and appropriate the funds for the life of the grant to the Police Department budget to be spent in accordance with the provisions of the grant; and

RESOLVED, The City Administrator is authorized to take all administrative actions necessary to implement these provisions.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-281-6-97 APPROVED

**RESOLUTION TO AUTHORIZE
SUMMARY PUBLICATION OF ORDINANCE 30-97 - TRAFFIC**

Whereas, Section 7.4 of the City Charter authorizes the publication by summary of ordinances over 500 words in length;

RESOLVED, That Ordinance No. 30-97 be published by the following summary:

Ordinance No. 30-97 amends the City Code by amending the regulations in Chapter 126 - Traffic Ordinance. The amendments change the penalties for certain traffic violations, clarify the reporting requirements for traffic accidents, clarify the procedure for release of an impounded skateboard, remove the designation of a maximum fine for skateboard violations, and provide a penalty for failure to answer a traffic citation or comply with an order of the court regarding the citation.

The complete text of this ordinance is available for inspection at the City Clerk's Office on the 2nd floor of the Guy C. Larcom Municipal Building, 100 N. Fifth Avenue.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS APPROVED/POSTPONED/DEFEATED

Mayor Sheldon recommended the following appointments at the January 6 and 21, February 3 and 18, March 3 and 17, April 7 and 21, May 5 and 19, and June 2, 1997 regular sessions of Council:

EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEES (POSTPONED)

Larry Hahn (reappointment)
1524 Brookfield Dr.
Ann Arbor, MI 48103
Term: 01/20/97 to 12/31/2000

SOLID WASTE COMMISSION

Robert Tidmore (Chamber of Commerce Representative)
432 Sumark Way
Ann Arbor, MI 48104
Term: 05/01/97 to 04/30/99

Carol J. Miller (DEFEATED)
(replacing Donald Gray as Civil Engineering representative)
2412 Georgetown Blvd.
Ann Arbor, MI 48105
Term: 05/05/97 to 04/30/99

Arthur W. Stauch (to complete unexpired term - resident near Landfill)
3012 Williamsburg
Ann Arbor, MI 48108
Term: 06/16/97 to 04/30/98

ANN ARBOR ENERGY COMMISSION

Kenneth Saulter (reappointment)
1925 Ivywood
Ann Arbor, MI 48103
Term: 06/16/97 to 06/15/2000

Councilmember Lumm moved that Council concur with the recommendations of the Mayor.

Councilmember Kolb moved that the appointments to the Employees Retirement System Board of Trustees and Solid Waste Commission be considered separately.

On a voice vote the Mayor declared the motion carried.

Councilmember Kolb moved that the appointment to the Employees Retirement System Board of Trustees be postponed.

On a voice vote the Mayor declared the motion carried.

Council unanimously agreed to consider each appointment to the Solid Waste Commission separately.

The question being the appointment of Robert Tidmore to the Solid Waste Commission, on a voice vote the Mayor declared the motion carried.

The question being the appointment of Carol J. Miller to the Solid Waste Commission, on roll call the vote was as follows:

Yeas, Councilmembers Lumm, Kwan, Putman, Mayor Sheldon, 4;

Nays, Councilmembers Carlberg, Herrell, Kolb, Daley, Vereen-Dixon, Hanna-Davies, 6.

The Mayor declared the motion defeated.

The question being the appointment of Arthur W. Stauch to the Solid Waste Commission, on voice vote the Mayor declared the motion carried.

The question being the appointment to the Ann Arbor Energy Commission, on a voice vote the Mayor declared the motion carried.

Council unanimously agreed with the Mayor=s request to waive the rules of Council to consider the following recommendations for appointment to the Planning Commission:

CITY PLANNING COMMISSION

**Councilmember Jean Carlberg (reappointment)
Term: 07/01/97 to 06/30/98**

**Richard E. Corpron (reappointment)
953 Scio Church Rd.
Ann Arbor, MI 48103
Term: 07/01/97 to 06/30/2000**

**Zoran Guberinich (reappointment)
1358 King George Blvd.
Ann Arbor, MI 48108
Term: 07/01/97 to 6/30/2000**

Councilmember Lumm moved that Council concur with the recommendations of the Mayor.

On a voice vote the Mayor declared the motion carried.

NOMINATIONS PLACED ON TABLE

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

HOUSING BOARD OF APPEALS

**Dick Fleece (replacing Barry Johnson as County Health Dept. representative)
18451 Pleasant Lake Rd.
Manchester, MI 48158
Term: 07/07/97 to 6/30/2000**

BICYCLE COORDINATING COMMITTEE

**Manfred Schmidt (reappointment)
3214 Williamsburg
Ann Arbor, MI 48108
Term: 07/07/97 to 07/06/2000**

FINANCE ADVISORY COMMITTEE

**Del Dunbar (reappointment)
3295 Bluett
Ann Arbor, MI 48105
Term: 07/07/97 to 05/31/2000**

ANNOUNCEMENTS

Mayor Sheldon made the following announcements of upcoming events:

- X Council Working Session, June 23, 1997, 7:00 p.m.**
- X Council Working Session, June 30, 1997, 7:00 p.m.**

- X City Hall closed Friday, July 4, 1997 for Independence Day
- X Trash pick-up deferred a half day on Friday, July 4, 1997 to Saturday, July 5, 1997

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

City Administrator Neal G. Berlin submitted the following reports for information of Council:

1. Street Surface Treatment Program
2. Comprehensive Drop-off Station
3. Gelman Sciences Inc., Request for Use of Right-of-Way and Extension to Discharge Treated Water into the Sanitary Sewer

(Reports on file in the City Clerk's Office)

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER LUMM

Councilmember Lumm thanked Tour de Kids for the T-shirts given to Councilmembers.

COUNCILMEMBER VEREEN-DIXON

Councilmember Vereen-Dixon stated that she would like to receive only the first page or a summary of petitions submitted to Council.

RESOLUTION RECONSIDERED

Councilmember Kwan moved that the Resolution to Approve Amendments to Housing Program Guidelines be placed on the table for reconsideration.

On a voice vote the Mayor declared the motion carried.

R-282-6-97 APPROVED AS AMENDED

Councilmember Kwan moved that the resolution be adopted.

Council unanimously agreed that the following items listed under Terms and Conditions in the Housing Program Guidelines be amended as follows:

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1. **Civil Rights:** To be updated by City Attorney Abigail Elias to include physical limitations.

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14. **Due on Sale:** The loan recipient agrees to repay the loan balance in full upon any changes of ownership of said property including transfer by gift, mortgage, sale, sale by land contract, **CONVERSION TO RENTAL PROPERTY** or inheritance if change occurs prior to the expiration of any security interest agreements. The recipient agrees to notify the city of intent to sell the property.

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22. **Special Conditions:** All deferred loans shall be subject to the following conditions.
 - a. **Property Security Interest:**after a 10 year period from the completion of work. If within a 10 year period, there is a change in ownership either by sale, mortgage, gift, sale by land contract, ~~or~~ inheritance, **OR CONVERSION TO RENTAL PROPERTY**, the amount shall be repaid in full....

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Property Security Interest:The entire amount shall be repaid in full at the time of change in ownership either by sale, mortgage, gift, sale by contract, <or> inheritance OR CONVERSION TO RENTAL PROPERTY.

The question being the resolution with the amended Housing Program Guidelines, on a voice vote the Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-282-6-97

**RESOLUTION TO APPROVE
AMENDMENTS TO
HOUSING PROGRAM GUIDELINES**

Whereas, The Community Development Department operates the City's housing programs utilizing City Council approved Housing Program Guidelines and Department of Housing and Urban Development regulations;

Whereas, Periodically the Housing Program Guidelines are amended; and

Whereas, The Community Development Waiver and Review Board has reviewed and recommended approval of the amendments to the Housing Program Guidelines at its meetings on November 13, 1996 and May 28, 1997;

RESOLVED, That City Council approve amendments to the City of Ann Arbor Housing Program Guidelines, relating to updating the procedures for subordinations, increasing the amount of negotiated work from \$5,000 to \$7,500 with an annual Consumer Price Index (CPI) adjustment and changing the terms for deferred loan eligible households from forgiving the first \$4,500 of the loan upon completion of work to forgiving the \$4,500 after a 10 year period from the completion of work, with the full guidelines substantially on file in the office of the City Clerk.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. **Communication from State Representative Liz Brater in response to council resolution R-189-5-97 in support of the 50,000 Empty Bowls campaign and the federal waiver of food stamp work requirements. (Approved by Council May 5, 1997) - File**
2. **Communication from Joyce and Wayne Middleton regarding rezoning of Burr Oak Park No. 2 (Ordinance No. 19-97) - Planning**
3. **Communication from Richard W. Zemmin, Vice President of Sales, MichCon, regarding acceptance of Ordinance No. 37-96, granting a gas franchise to MichCon - File**
4. **Petitions from residents of Earhart Subdivision regarding removal of stop signs - File**
5. **Communication from State Representative Liz Brater in response to council resolution R-200-5-97, a resolution in opposition of House Bill 4037 - File**

The following minutes were received for file:

1. **Airport Advisory Meeting Minutes - April 16, 1997**
2. **Ann Arbor Energy Commission Minutes - May 15, 1997**
3. **Ann Arbor Transportation Authority - May 21, 1997**
4. **Ann Arbor Taxicab Board - April 24, 1997**
5. **Downtown Development Authority Meeting - April 10, 1997**

Councilmember Kolb moved that the Clerk's Report be accepted.

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

There being no further business to come before Council, the Mayor declared the meeting adjourned at 10:25 p.m.

**Winifred Northross
Clerk of the Council**

**Frances M. McMullan
Recording Secretary**