

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - MAY 4, 1998**

The regular session of the Ann Arbor City Council was called to order at 7:33 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, Stephen C. Hartwell, Patrick A. Putman, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 11.

ABSENT : 0.

INTRODUCTIONS

WALK THE BOULEVARD

Peace Neighborhood Center representative Timothy Johnson invited City Council to the third annual Walk the Boulevard event on May 9, 1998, sponsored by the West Stadium Business and Professional Association, to benefit the Peace Neighborhood Center Summer Day Camp program.

PUBLIC COMMENTARY - RESERVED TIME

BARBARA STAHLER-SHOLK - UNITY RALLY

Barbara Stahler-Sholk, 637 N. Fourth Ave., thanked Council for its support of the Unity Rally on May 9, at Wheeler Park, from 12 noon until 3:00 p.m., which will provide a peaceful, nonviolent response to the planned KKK rally. Ms. Stahler-Sholk reviewed the program of speakers and events scheduled for the Unity Rally, and stated that AATA will provide shuttle service between Pioneer High School parking lot and Wheeler Park.

RICK WITTEN - UNITY RALLY

Rick Witten, 2119 Glencoe Hills Dr., urged the Community's participation in the planned Rally for Community and Justice on May 9 in response to the Klan Rally. He stated that the unity rally will help avoid events that occurred two years ago when the Community

failed to provide a unified, constructive response to the KKK visit, allowing violence and hatred to dominate the day. Mr. Witten encouraged pledging money for every minute that the Klan speaks, as a way to turn hateful speech into good works. He stated that the money will be donated to the NAACP, the Ann Arbor Community Center and the Fair Housing Center of Washtenaw County.

PAUL LAMBERT - HUMAN RIGHTS

Paul Lambert, 201 W. William St., spoke in support of the Unity Rally at Wheeler Park to show solidarity in the face of hatred. Mr. Lambert stated that he is disturbed by the hatefulness and Community-destroying rhetoric displayed by the two events taking place this week: the Klan rally and the vote in Ypsilanti concerning its human rights ordinance.

BUNYAN BRYANT - UNITY RALLY

Bunyan Bryant, 1902 Independence Blvd., thanked City Council for its support of the Unity Rally on May 9 at Wheeler Park, and appealed to the young people of the Community to participate in a nonviolent response to the Klan by coming to the Unity Rally. He stated that the Unity Rally is an opportunity for the Community to celebrate and reinstate its commitment to cultural diversity and to a safe and a just Community.

ROBERT OPPENHEIMER - NONVIOLENT RALLY

Robert Oppenheimer, 807 Lawrence St., encouraged participation in the Unity Rally to show the Community's distaste of the Klan and its values in a nonviolent response. He stated that violent behavior only helps the Klan. Mr. Oppenheimer expressed concern that certain needs concerning young people are not being addressed in this City, and encouraged Ann Arbor to put more resources into helping its youth to encourage interracial and cross-cultural dialogue.

JOHN ELLISON - BROADWAY BRIDGES

John Ellison, 331 E. Kingsley St., stated that the Broadway Bridges project needs further study before final adoption, since the proposed plan decreases access to streets in the Kerrytown area and Old Fourth Ward Historic District. He expressed further concern that the increased size of the bridge will lead to faster speeds, adding to the destruction of the character of the Kerrytown neighborhood. Mr. Ellison requested that Councilmember Kwan abstain from voting on the final adoption of the project due to conflicts of interest. (Statement on file in the City Clerk's Office)

SAFIYA KHALID - POLICE

Safiya Khalid, P.O. Box 130654, Ann Arbor, expressed concern with the unjust treatment she received from the police and court system, and was outraged that the KKK receives more protection from the police than she does.

CHRIS CROCKETT - BROADWAY BRIDGES

Chris Crockett, 506 E. Kingsley St., President of the Old Fourth Ward Association, expressed concern with the negative impact of the Broadway Bridges project on the quality of life in the Old Fourth Ward Historic District area, and requested a traffic impact study of the neighborhood when the schools are in session. She expressed further concern with the impact of the proposed traffic pattern on the well being of the neighborhood businesses.

PUBLIC HEARINGS

PLANNED UNIT DEVELOPMENTS (ORDINANCE NO. 7-98)

A public hearing was conducted on the proposed amendments to Chapters 55 (Zoning) and 57 (Subdivision and Land Use Control) of Title V of the Ann Arbor City Code concerning Planned Unit Developments (PUD=s). Notice of public hearing was published April 29, 1998.

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

ATRIUM III LAND DIVISION

A public hearing was conducted on the proposed Atrium III Land Division, 8.67 acres, Victors Way, east of Boardwalk Drive and north of I-94. Notice of public hearing was published April 26, 1998.

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

PARKE-DAVIS REVISED SITE PLAN

A public hearing was conducted on the proposed Parke-Davis Revised Site Plan, 61.51 acres, 2800 Plymouth Road. Notice of public hearing was published April 26, 1998.

The following person appeared:

Peter Pollack, of Pollack Design Associates, 220 S. Main St., representing the petitioner, stated that he would be available to answer questions concerning the project.

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

1998-1999 CITY OF ANN ARBOR BUDGET

A public hearing was conducted on the proposed 1998-1999 City of Ann Arbor Budget. Notice of public hearing was published April 26, 1998.

The following people appeared:

Steven Rapundalo, 3106 Bluett Dr., representing the Orchard Hills-Maplewood Homeowners Association, requested that funds be set aside for the design of a new water tower in the northeast area to address water pressure problems due to new developments. Mr. Rapundalo also requested that adequate funding be provided for the Northeast Area Plan update because of the tremendous growth in the area.

Safiya Khalid, P.O. Box 130654, Ann Arbor, questioned whether funds were set aside in the proposed budget to weed out employees in City Administration and in the Police Department who make some people feel that they are less than citizens. She also questioned whether funds would be available for housing and services for very low-income people.

There being no one else to speak, the Mayor declared the hearing recessed until May 18, 1998.

SOLID WASTE FEE INCREASES

A public hearing was conducted on the proposed solid waste fee increases. Notice of public hearing was published April 26, 1998.

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

RIGHT-OF-WAY PERMIT FEE INCREASES

A public hearing was conducted on the proposed right-of-way permit fee increases. Notice of public hearing was published April 26, 1998.

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

COMMUNITY DEVELOPMENT CONSOLIDATE STRATEGY AND PLAN

A public hearing was conducted on the proposed Community Development Consolidated Strategy and Plan Fiscal Year 1998-99 One-Year Action Plan for submission to the Department of Housing and Urban Development. Notice of public hearing was published April 26, 1998.

The following person appeared:

Melissa Danforth, Ann Arbor Tenants Union Coordinator, requested that the Tenants Union proposal be fully funded. She stated that the agency, which provides a vital service to tenants in Ann Arbor, is making long-range plans to better serve low-income tenants and will be expanding its telephone hours

and walk-in services for greater accessibility.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

MOTIONS AND RESOLUTIONS

Add Resolution to Keep Parking Free on Sundays (Councilmember ~~S~~ Daley,
Sponsors: **KOLB, VEREEN-DIXON**, and Mayor Sheldon)

Delete: Resolution Regarding Global Warming (Councilmember Daley)
(Rescheduled for May 18, 1998)

Add: Resolution Concerning Outdoor Sales on Private Property During the
Summer Art Fair (Building)

CLERK'S REPORT

Add: Communication from State Representative Elizabeth Brater regarding
Resolution R-181-4-98, Resolution Opposing Dove Hunting in Michigan -
File.

Add: Petition from concerned business and property owners in the Kerrytown Area
regarding the proposed Broadway Bridges Project - Public Services.

Add: Communication from Beth Gilford, 1215 Lutz Ave., regarding proposed
Broadway Bridges Project - Public Services

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF APRIL 13, 20 AND 22 APPROVED

Councilmember Carlberg moved that the working session minutes of April 13, 1998, the
regular session minutes of April 20, 1998, and the budget working session of April 22, 1998
be approved, with the following correction to the April 20 minutes:

R-179-4-98 APPROVED AS AMENDED

(RESOLUTION REGARDING THE EMERGENCY ACCESS ROAD BETWEEN BARCLAY PARK AND ARBOR HILLS AND CHANGE REQUESTS FOR THE SITE DEVELOPMENT AGREEMENT)...

The question being the resolution as amended, on a voice vote the Mayor declared the motion carried, with Councilmember Kwan {~~dissenting~~} **ABSTAINING**....

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

R-188-5-98 APPROVED

RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE RENEWAL OF HEALTH CARE CONTRACTS

Whereas, The City provides health care insurance coverages to City employees, in accordance with Personnel Rules and Regulations and various labor contracts, at an estimated annual cost of approximately \$6,339,952, or 7.8% over current estimated costs. The contracts with Blue Cross Blue Shield, Blue Care Network, Care Choices and M-Care are due for renewal on July 1, 1998;

Whereas, The renewal rate for Blue Cross Blue Shield of Michigan increased approximately 10%, M-Care increased 2.6%, Care Choices increased 3.7% over last year=s rates and Blue Care Network retained the same rates; and

Whereas, Blue Cross Blue Shield, Blue Care Network, Care Choices and M-Care received Human Rights approval as of May 4, 1998;

RESOLVED, That the City Administrator or designee be authorized to execute the renewal contracts with Blue Cross Blue Shield, Blue Care Network, M-Care and Care Choices for a one year period beginning July 1, 1998, at the monthly rates as quoted in Attachment "A", on file in the City Clerk=s Office.

R-189-5-98 APPROVED

RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE RENEWAL OF EMPLOYEE DENTAL CARE CONTRACT

Whereas, The City provides dental care insurance to City employees in accordance with Personnel Rules and Regulations and various labor contracts at an estimated annual cost of approximately \$352,989, or 1.9% over current estimated costs, the contract with Delta Dental of Michigan is due for renewal on July 1, 1998;

Whereas, Southeast Michigan Council of Governments (SEMCOG), through the Greater Detroit Area Health Council (GDAC), has established a Health Care purchasing alliance that allows the City to purchase dental insurance through Delta Dental of Michigan at lower rates;

Whereas, Purchasing dental insurance through the SEMCOG Health Care purchasing alliance guarantees the City will obtain the lowest possible rate; and

Whereas, Delta Dental of Michigan received Human Rights approval as of April 13, 1998;

RESOLVED, That the City Administrator or designee be authorized to execute the renewal contract with Delta Dental of Michigan for a one-year period beginning July 1, 1998 at the following GDAC monthly quoted rates:

	1998	GDAC 1997	GDAC% Increased/ (Decreased)	Suffix
<u>Rates</u>	<u>Rates</u>	<u>Rates</u>		
0003		\$33.53	\$28.40 18%	
0004		\$34.03	\$30.33 12%	
0006		\$34.03	\$30.33 12%	
0008		\$34.03	\$30.33 12%	
0030		\$34.03	\$30.33 12%	
0020		\$28.54	\$31.62 (9.7%)	
0001		\$28.54	\$31.62 (9.7%)	
0002		\$28.54	\$31.62 (9.7%)	
0005		\$28.54	\$31.62 (9.7%)	

R-190-5-98 APPROVED

RESOLUTION AUTHORIZING NOTICE OF INTENT TO ISSUE WATER SUPPLY SYSTEM REVENUE BONDS

Whereas, The City of Ann Arbor, County of Washtenaw, State of Michigan (the City) intends to issue and sell revenue bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed Four Million Seven Hundred Thousand Dollars (\$4,700,000) for the purpose of paying part of the cost of acquiring and constructing additions and improvements to the water supply system; and

Whereas, A notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended;

RESOLVED, That:

1. The City Clerk be hereby authorized and directed to publish a notice of intent to issue bonds in the Ann Arbor News, of Ann Arbor, Michigan, a newspaper of general circulation in the City;
2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form:

NOTICE TO TAXPAYERS AND ELECTORS OF
THE CITY OF ANN ARBOR AND TO USERS OF SAID CITY'S
WATER SUPPLY SYSTEM OF INTENT TO ISSUE BONDS AND
THE RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the City Council of the City of Ann Arbor, Washtenaw, County, Michigan, intends to issue and sell Revenue Bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed Four Million Seven Hundred Thousand Dollars (\$4,700,000), for the purpose of paying part of the cost of acquiring and constructing additions and improvements to the water supply system to serve the City.

SOURCE OF PAYMENT OF
REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON SAID REVENUE BONDS SHALL BE PAYABLE solely from the revenues received by the City from the operations of said water supply system. Said revenues will consist of rates and charges billed to the users of the system, a schedule of which is presently on file in the office of the City Clerk. Said rates and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the system, to pay the principal of and interest on said bonds and to pay other obligations of the system.

BOND DETAILS

SAID BONDS will be payable in annual installments not to exceed twenty-five (25) in number and will bear interest at the rate or rates to be determined at public sale but in no

event to exceed eight percent (8%) per annum on the balance of the bonds from time to time remaining unpaid.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

Winifred Northcross
Clerk, City of Ann Arbor

3. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the water supply system=s users and the City=s taxpayers and electors of this City=s intent to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed;

4. The City Clerk and Finance Director are each authorized to file a Notice of Intent to Issue an Obligation with the Municipal Finance Division and to pay the fee relating thereto; and

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

R-191-5-98 APPROVED

RESOLUTION AUTHORIZING NOTICE OF INTENT TO
ISSUE SEWAGE DISPOSAL SYSTEM REVENUE BONDS

Whereas, The City of Ann Arbor, County of Washtenaw, State of Michigan (the ACity=) intends to issue and sell revenue bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed Four Million Six Hundred Thousand Dollars (\$4,600,000) for the purpose of paying part of the cost of acquiring and constructing additions and improvements to the sewage disposal system; and

Whereas, A notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 33 of Act 94,

Public Acts of Michigan, 1933, as amended;

RESOLVED, That:

1. The City Clerk be hereby authorized and directed to publish a notice of intent to issue bonds in the Ann Arbor News, of Ann Arbor, Michigan, a newspaper of general circulation in the City;
2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form:

NOTICE TO TAXPAYERS AND ELECTORS OF
THE CITY OF ANN ARBOR AND TO USERS OF SAID CITY'S
SEWAGE DISPOSAL SYSTEM OF INTENT TO ISSUE BONDS AND
THE RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the City Council of the City of Ann Arbor, Washtenaw, County, Michigan, intends to issue and sell Revenue Bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed Four Million Six Hundred Thousand Dollars (\$4,600,000), for the purpose of paying part of the cost of acquiring and constructing additions and improvements to the water supply system to serve the City.

SOURCE OF PAYMENT OF
REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON SAID REVENUE BONDS SHALL BE PAYABLE solely from the revenues received by the City from the operations of said sewage disposal system. Said revenues will consist of rates and charges billed to the users of the system, a schedule of which is presently on file in the office of the City Clerk. Said rates and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the system, to pay the principal of and interest on said bonds and to pay other obligations of the system.

BOND DETAILS

SAID BONDS will be payable in annual installments not to exceed twenty-five (25) in number and will bear interest at the rate or rates to be determined at public sale but in no event to exceed eight percent (8%) per annum on the balance of the bonds from time to time remaining unpaid.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

Winifred Northcross
Clerk, City of Ann Arbor

3. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the water supply system=s users and the City=s taxpayers and electors of this City=s intent to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed;

4. The City Clerk and Finance Director are each authorized to file a Notice of Intent to Issue an Obligation with the Municipal Finance Division and to pay the fee relating thereto; and

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

R-192-5-98 APPROVED

RESOLUTION NO. 3 - SET PUBLIC HEARING DATE FOR
PLATT ROAD SANITARY SEWER EXTENSION

Whereas, The City Council has ordered the City Assessor to prepare a special assessment roll for the purpose of defraying that part of the cost of the following described sanitary sewer to be defrayed by special assessment:

150 m of 200 mm sanitary sewer from an existing manhole on Platt Road to a location just north of the I-94 right-of-way, District 476, File No. 90010; and

Whereas, The City Assessor has prepared said special assessment roll and has the same on file in the Assessor's Office with his certificate attached thereto;

RESOLVED,

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

2. That the City Council meet on June 1, 1998, at 7:30 p.m. at the Council Chambers in the Guy C. Larcom, Jr. Municipal Building in said city for the purpose of reviewing said special assessment roll;

3. That the City Clerk give notice of said hearing to review the special assessment roll by having notice thereof published in The Ann Arbor News not less than (10) full days prior to the date of the hearing, and by mailing notice at least (10) days prior to the date of hearing to the owner of each lot and parcel of land subject to the assessment, as indicated by the records of the City Assessor's Office; and

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

**NOTICE OF REVIEW OF
SPECIAL ASSESSMENT ROLL**

PLEASE TAKE NOTICE That the City Council has caused to be prepared a special assessment roll for the purpose of defraying the private property's share of the cost of sanitary sewer as described as follows:

150 m of 200 mm sanitary sewer from an existing manhole on Platt Road to a location just north of the I-94 right-of-way, District 476, File No. 90010;

TAKE FURTHER NOTICE That the property to be included in said special

assessment district is as follows:

<u>Assessor=s Code</u>	<u>Property Owner</u>	<u>Property Share</u>
12-10-400-024 (2 connections)	Amador, Joseph III 6280 Rawsonville Ypsilanti, MI 48111	\$ 11,747.50
12-10-400-036 (1 connection)	Hogan, Cecil 3822 Platt Road Ann Arbor, MI 48108	6,454.25
12-10-400-038 (1 connection)	Wiseman, Don and Cheryl 3786 Platt Road Ann Arbor, MI 48108	6,454.25
	TOTAL	\$ 24,656.00

TAKE FURTHER NOTICE That said special assessment roll is on file in the Office of the City Assessor and is available for public examination.

TAKE FURTHER NOTICE That the City Council will meet on June 1, 1998, at the Council Chambers in the Guy C. Larcom, Jr. Municipal Building at 7:30 p.m., for the purpose of reviewing said special assessment roll. Any person aggrieved by the special assessment roll or the necessity of the improvement may file his/her objections thereto in writing prior to the closing of said hearing.

TAKE FURTHER NOTICE That appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner of party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter delivered to the clerk prior to the close of said hearing and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

City Clerk

R-193-5-98 APPROVED

RESOLUTION TO APPROVE THE CONSOLIDATED
STRATEGY AND PLAN FISCAL YEAR 1998-99 ONE-YEAR

ACTION PLAN FOR SUBMISSION TO THE DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT

Whereas, The Community Development Department has prepared the Consolidated Strategy and Plan FY 1998 One Year Action Plan of the City=s Consolidated Strategy and Plan for the period July 1, 1998 through June 30, 1999;

Whereas, Public hearings have been held to solicit the views of Ann Arbor residents interested in the city=s programs; and

Whereas, The CDBG Executive Committee has reviewed the document and recommended its approval to City Council and the Human Services Task Force recommended approval of the projects with the understanding that City Council may amend the projects in the future;

RESOLVED, That City Council approve the Consolidated Strategy and Plan FY 1998 One Year Action Plan substantially in the form on file in the Office of the City Clerk for submission to the Department of Housing and Urban Development (HUD);

RESOLVED, That City Council authorize the Mayor and City Clerk to execute any required program documents and upon approval by the Department of Housing and Urban Development, the City Council accept the \$2,024,000 allocation to be available until expended without regard to fiscal year; and

RESOLVED, That City Council approve the Community Development Block Grant and HOME funding allocations and authorize the Community Development Department to negotiate contractual agreements with subgrantees to be detailed for subsequent City Council review and approval.

R-194-5-98 APPROVED

RESOLUTION TO APPROVE PAYMENT TO THE UNIVERSITY
OF MICHIGAN FOR THE RECONSTRUCTION OF KEECH STREET
AND THE PAVING OF BUFFALO STREET PARKING LOT

Whereas, The reconstruction of Keech St. and paving of the Buffalo St. parking lot are needed;

Whereas, The paving of the Buffalo Street parking lot is included in the current City Capital Improvement Plan (CIP) as an AA-Essential= priority project;

Whereas, The University of Michigan has agreed to design and build both projects for the City and has received bids;

Whereas, The total cost of the project undertaken by the University is \$212,000 for Keech and \$481,000 for Buffalo;

Whereas, The City share is \$106,000 (50%) for Keech and \$177,500 (39.6%) for Buffalo;

Whereas, Funds sufficient for the City share of Keech are appropriated and available in the 1996 Street Resurfacing Millage Fund (062); and

Whereas, Funds sufficient for the City share of Buffalo are appropriated and available in the Parking System Fund (044);

RESOLVED That a payment of \$106,000 from the 1996 Street Resurfacing Millage Fund (062) to the University of Michigan for the reconstruction of Keech Street be approved and that a payment of \$177,500 from the Parking System Fund (044) to the University of Michigan for the paving of Buffalo Street be approved; and

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

R-195-5-98 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL
SERVICES AGREEMENT WITH ENGINEERING AND TESTING
SERVICES, INC. FOR TESTING SERVICES FOR THE 1998
ANNUAL STREET RESURFACING PROJECT

Whereas, It is necessary to employ a qualified testing firm to perform essential testing for the 1998 Annual Street Resurfacing Project;

Whereas, Proposals for this testing were received and evaluated by the Engineering Division on the basis of qualifications and fees;

Whereas, Engineering and Testing Services, Inc. has demonstrated the required experience, personnel and competitive fee schedule to perform the work;

Whereas, Engineering and Testing Services, Inc. received approval from the Human Resources Department on March 17, 1998; and

Whereas, On April 6, 1998, Council adopted this project's budget which includes sufficient funds for this agreement;

RESOLVED, That Council approve a professional services agreement with Engineering and Testing Services, Inc., in the amount of \$75,000.00 for construction testing and inspection services for the 1998 Annual Street Resurfacing Project, and that the Mayor and City Clerk be authorized to sign the agreement substantially in the form on file with the City Clerk.

R-196-5-98 APPROVED

RESOLUTION TO APPROVE PURCHASE OF
25-YARD REFUSE COMPACTOR BODY INSTALLED
FROM REFUSE & RECYCLING, INC.

Whereas, A replacement Lodal 25 year frontload refuse compactor body is needed for a 1991 Lodal, City of Ann Arbor Refuse Truck;

Whereas, Refuse and Recycling, Inc. Is the regional Lodal Distributor and sole source supplier of Lodal refuse trucks and parts;

Whereas, Without this purchase the City of Ann Arbor will have to purchase a new truck for substantially more money; and

Whereas; Refuse and Recycling, Inc. received Human Resources approval on

September 18, 1997;

RESOLVED, That City Council approves the issuance of a purchase order to Refuse and Recycling, Inc. for the purchase of a replacement 25-yd. frontload refuse compactor body, installed and painted, for \$61,300.00, with the funds to be available without regard to fiscal year.

R-197-5-98 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER TO DUECO, INC. FOR TWO AERIAL DEVICES FOR CITY VEHICLES - BID NO. 3150

Whereas, The City=s Fleet Services Division of the Public Services Department needs to purchase two aerial devices for City vehicles;

Whereas, Dueco, Inc. was the lowest responsible bidder (Bid #3150) for the purchase of two aerial devices; and

Whereas, Dueco, Inc. received Human Resources approval on April 14, 1998;

RESOLVED, That City Council approve the issuance of a purchase order to Dueco, Inc. for the purchase of two aerial devices, for a total of \$52,069.00, with the funds to be available without regard to fiscal year.

R-198-5-98 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER TO VALLEY TRUCK PARTS, INC. FOR TRANSMISSION REPAIRS AND OTHER REPAIR PARTS/SERVICE - BID NO. 2859

Whereas, The Fleet Services Division of the Public Services Department purchases repair parts and heavy truck transmission services for City of Ann Arbor trucks;

Whereas, Valley Truck Parts, Inc. was the lowest responsible bidder for truck transmission repairs (Bid No. 2859);

Whereas, Valley Truck Parts, Inc. provides repair parts and other repair services for City of Ann Arbor trucks; and

Whereas, Valley Truck Parts, Inc. received Human Resources approval on August 15, 1997;

RESOLVED, That City Council approve the issuance of a purchase order to Valley

Truck Parts, Inc. in the amount of \$35,000.00 for fiscal year 1997-98; and

RESOLVED, That the City Administrator may extend this contract for one additional year, if agreeable to both parties, and under the terms in Bid No. 2859, and issue a purchase order to Valley Truck Parts, Inc. In the amount of \$35,000.00 for fiscal year 1998-99.

R-199-5-98 APPROVED

RESOLUTION TO APPROVE SOLE SOURCE CONTRACT WITH
MILLER PIPELINE CORPORATION FOR REPLACEMENT OF 10"
SANITARY SEWER ON UNIVERSITY OF MICHIGAN

STADIUM SITE

Whereas, The 10" sanitary sewer that crosses the University of Michigan Stadium site is collapsing;

Whereas, Due to the depth of the sewer and proximity of the stadium's foundation, the methods of replacing the sewer are limited;

Whereas, XPANDIT is the recommended and strongly preferred method of replacement and Miller Pipeline Corp. is the sole provider of XPANDIT services in the United States;

Whereas, A scope of services and cost has been negotiated with Miller Pipeline Corp. in the amount of \$39,230.00 base price, plus \$3,300.00/day for additional work;

Whereas, Adequate funds are in the approved Fiscal Year 1997/98 Sewage Disposal System Fund budget; and

Whereas, On April 13, 1998 Miller Pipeline Corp. received Human Rights approval;

RESOLVED, That City Council approve a contract with Miller Pipeline Corp. in the amount of \$39,230.00 for replacement of 161' of 10" sanitary sewer, and that the Mayor and City Clerk be authorized to sign the agreement substantially in the form on file with the City Clerk; and

RESOLVED, That a contingency fund in the amount of \$17,500.00 be established and the City Administrator be authorized to approve potential change orders from the contingency fund.

R-200-5-98 APPROVED

RESOLUTION TO PLACE UNPAID UTILITIES CHARGES
ON THE 1998 TAX ROLL

Whereas, On April 6, 1998 the City Administrator reported to this Council that there were \$42,182.00 of unpaid charges for water, sanitary sewer and stormwater services furnished to certain premises in the City, which on March 31, 1998 had remained unpaid for a period of six months or more;

Whereas, In accordance with Michigan Public Act 94 of the Public Acts of 1933 and Ann Arbor City Ordinance Code; Chapter 13, Section 2:92; Chapter 29, Section 2:72 Collections and Chapter 33, Section 2:206 collections notices have been sent by first class mail to the owners of such premises giving notice of the total amount due for such services and that such amounts would be assessed with a 10% penalty by this Council on June 1, 1998, unless sooner paid, as a tax against said premises;

Whereas, On April 7, 1998, such notices were sent by first class mail to the owners of the premises so served notifying them of the said Council meeting and of the assessment with the 10% penalty to be then placed against such property if the amount due is not paid by May 1, 1998; and

Whereas, The Clerk has on file a current listing of such delinquent charges totaling \$35,215.00;

RESOLVED, That such outstanding (over 6 months) delinquent utilities charges be levied against such owners and premises and that the City Assessor place the same with a 10% penalty on the next tax roll of the City and that the said charges so assessed shall be collected in the same manner as general City taxes; and

RESOLVED, That the Utilities Department and City Treasurer be permitted to accept payment for delinquent utilities charges up to 10 working days prior to the printing of the July 1998 tax notices.

R-201-5-98 APPROVED

RESOLUTION TO APPROVE CONTRACT WITH LUCENT TECHNOLOGIES, OCTEL MESSAGING DIVISION, TO UPGRADE THE CITY=S VOICE PROCESSING SYSTEM

Whereas, The City=s voice processing system is a key component of the City=s information technology infrastructure;

Whereas, The equipment was purchased in 1993 and now needs to be upgraded to meet increasing demands;

Whereas, The existing Octel Branch XP system has reached mailbox and disk storage capacity, renewal of the maintenance contract would result in a 25% increase, and repair parts will not be available after July, 1999;

Whereas, Octel has provided excellent service and dependability for the past five years, and has the proficiency to upgrade the City=s voice processing system in a manner that would be transparent to the end user;

Whereas, Octel is the sole source provider of upgrades to this system, and the price provided is through the Octel and State of Michigan extended purchasing contract resulting in a 35% GSA discount;

Whereas, Lucent Technologies, Octel Messaging Division received Human Rights approval on April 27, 1998; and

Whereas, The source of funds for this purchase will be the Fiscal Year 1997-98 Operating Budget of the Information Services Division of the Administrative Services Department;

RESOLVED; That a purchase order be issued to Lucent Technologies, Octel

Messaging Division, in the amount of \$40,580.00; and

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

R-202-5-98 APPROVED

RESOLUTION TO APPROVE CONTRACT WITH AMERICAN MANAGEMENT SYSTEMS, INC. FOR SOFTWARE MAINTENANCE AND SUPPORT OF LOCAL GOVERNMENT FINANCIAL SYSTEM - LGFS

Whereas, The City of Ann Arbor entered into a License Agreement with American Management Systems, Inc. in 1981 for the use of the Local Government Financial System (LGFS) software;

Whereas, The City's financial system has been structured around the LGFS software package for the past 17 years;

Whereas, Under the terms of this License Agreement, the City is entitled to purchase annual software maintenance at 10% of the prevailing market price or \$32,950.00;

Whereas, American Management Systems, Inc. received Human Rights approval April 6, 1998; and

Whereas, Funding for the LGFS software maintenance is budgeted in the Fiscal Year 1997-98 Information Services budget;

RESOLVED, That the City Administrator be authorized to issue a purchase order to American Management Systems, Inc. for the sum of \$32,950.00 for LGFS software maintenance; and

RESOLVED, That the Mayor and City Clerk be authorized to sign a contract on behalf of the City of Ann Arbor, which has been approved by the City Attorney as to form and the City Administrator as to content.

R-203-5-98 APPROVED

RESOLUTION TO APPROVE CONSULTING AGREEMENT

WITH THE BUSKE GROUP FOR COMMUNITY NEEDS
ASSESSMENT: CABLE TV

Whereas, The City of Ann Arbor has engaged in a cable television franchise renewal process as stipulated in federal law;

Whereas, The Cable Division of the City Clerk=s Department issued a Request for Proposals (RFP #438) seeking a consultant to perform a Community needs assessment in conjunction with the cable television franchise renewal process;

Whereas, Competitive proposals were received by the Purchasing Division on April 9, 1998 and evaluated by members of the Cable Communications Commission and City staff;

Whereas, The evaluation team is recommending The Buske Group based on the highest overall scoring in the evaluation process; and

Whereas, Funding for the project has been allocated in both the FY 97/98 and Fiscal Year 1998/99 Cable Division budgets;

RESOLVED, That City Council approve a consulting agreement with The Buske Group in the amount of \$33,990.00 for a Community Needs Assessment - Cable TV, and that the Mayor and City Clerk be authorized to sign the agreement substantially in the form on file with the City Clerk.

R-204-5-98 APPROVED

RESOLUTION TO APPROVE OWNERSHIP TRANSFER
OF A RESORT CLASS C LICENSED BUSINESS TO
THE BROKEN EGG, INC., 221 NORTH MAIN STREET

RESOLVED, That the request from The Broken Egg, Inc. to transfer the ownership of a 1994 12-Month Resort Class C licensed business with a Dance Permit, located in escrow at R 2, 11913 S. Gilkey Lake, Denton, MI, Barry Township, Barry County, from Evyaneeah=s, Inc.; and to transfer location (governmental unit) to 221 N. Main St., Ann Arbor, Washtenaw County, be approved.

R-205-5-98 APPROVED

RESOLUTION DECLARING BEECHWOOD DRIVE
PROPERTY EXCESS CITY PROPERTY

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

Whereas, Additional parcels have been identified and determined to be excess property;

Whereas, The Real Estate Committee has reviewed information about these additional parcels and recommends that City Council declare them excess property and take actions necessary to dispose of the property; and

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

Part of Lot 11 of Ganzhorn Hill Subdivision, City of Ann Arbor, Washtenaw County, Michigan as recorded in Liber 1296 of Plats, pages 300-303, Washtenaw County Records;

RESOLVED, That City Council declare this parcel excess City property;

RESOLVED, That City Council direct the City Administrator and the Real Estate Committee to take actions necessary to dispose of this property and to present City Council with recommendations for subsequent review;

RESOLVED, That any funds expended relating to the disposition of the properties be reimbursed from sale proceeds realized; and

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

R-206-5-98 APPROVED

RESOLUTION TO APPROVE THE INCREASE OF
THE STANDING PURCHASE ORDER TO GORDON=S, INC.
IN THE AMOUNT OF \$25,000.00 FOR CONCESSION
ITEMS AT VARIOUS RECREATION FACILITIES

Whereas, The City of Ann Arbor operates concession operations at nine different recreation facilities;

Whereas, Gordon=s, Inc. is a major supplier of concession items used for resale at the concessions;

Whereas, Gordon=s, Inc. is very competitive in their pricing, provide very good customer service, meet delivery schedules and locations, and operate the Marketplace for emergency needs; and

Whereas, Gordon=s received Human Rights approval on March 10, 1998;

RESOLVED, That the Mayor and Council approve an increase to the standing purchase order for Gordon=s, Inc. in the amount of \$25,000.00 for the 1997-98 fiscal year for a total of \$50,000.00.

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

ORDINANCES - SECOND READING

7-98 POSTPONED

PLANNED UNIT DEVELOPMENTS (PUDs)

An Ordinance to Amend Chapters 55 and 57 of
Title V of the Code of the City of Ann Arbor

This ordinance would clarify and strengthen the intent section, provide clearer and stronger standards for approval, differentiate between the PUD zoning application and approval process and the PUD site plan application and approval process, clarify the effect of approval of a PUD zoning district approval and a PUD site plan approval, clarify the process for expirations and extensions, enhance language regarding amendments, and add language regarding previously established PUDs.

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

Councilmember Herrell moved that the ordinance be postponed until the May 18, 1998 regular session of Council to review, with the City Attorney and City Planning staff, proposed changes regarding protection of natural features, adding natural features into the intent statement, and clarifying the definition of A public benefit.

On a voice vote the Mayor declared the motion carried.

9-98 APPROVED

DISHONORED CHECK

An Ordinance to Amend Section 1:602 of Chapter 20
of Title 1 of the Code of the City of Ann Arbor

This ordinance would allow future changes to the dishonored check fee to be made by resolution of City Council.

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

On a voice vote the Mayor declared the motion carried.

ORDINANCES - FIRST READING

10-98 APPROVED

ELKS PROPERTY REZONING

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

This ordinance would change the zoning of 2.95 acres, located at 325 West Eisenhower

Parkway, from PUD (Planned Unit Development District) to O (Office District).

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

On a voice vote the Mayor declared the motion carried.

11-98 APPROVED

WILLIAM STREET TOWNHOMES REZONING

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

This ordinance would change the zoning of 0.12 acre, located at 210 and 214 West William Street, from C2B (Business Service District) to C2A (Central Business District).

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

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

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

MOTIONS AND RESOLUTIONS

POSTPONED

RESOLUTION TO APPROVE THE BROADWAY BRIDGES PROJECT

Whereas, Pursuant to Council Resolution No. R-159-3-89, it is the City=s Policy to have its own major projects reviewed by appropriate City departments to ensure that they adhere to relevant City private development standards to the extent possible;

Whereas, On February 9, 1998 the Public Services Department submitted plans to the City Planning Department for an internal review of the plans, for the purpose of reporting to the City Administrator if the Broadway Bridges project adhered to applicable City private development standards; and

Whereas, On March 17, 1998 the City Planning Commission met for the purpose of considering the Broadway Bridges project and affirmed by resolution that the project does adhere to City private development standards, with three exceptions: he project will require the placement of fill within the 100 year flood plain, certain landscape screening and buffer requirements for off-street parking cannot be provided for parking that is proposed to be constructed beneath a portion of the bridge that will span Depot Street and the Consolidated Rail tracks, and no storm water retention is provided;

RESOLVED, The City Council approve the Broadway Bridges project as submitted to and reviewed by the Planning Commission on March 17, 1998.

Councilmember Lumm moved that the resolution be adopted.

Councilmember Hanna-Davies moved that the resolution be postponed to the May 18, 1998 regular session of Council to address the concerns of the Old Fourth Ward Historic District.

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

R-207-5-98 APPROVED

RESOLUTION APPROVING BUILDING AUTHORITY CONTRACT
AND NOTICE TO PROVIDE FINANCING FOR THE FOURTH
& WASHINGTON PARKING STRUCTURE CONSTRUCTION

Whereas, There exists in and for the City of Ann Arbor (the City), an imperative need to acquire and construct certain parking improvements, as hereinafter in the Contract of Lease (the Contract), on file in the City Clerk's Office, more particularly set forth;

Whereas, This City Council has determined, and does hereby reaffirm, that it is necessary for the public health, safety and welfare of the City to acquire said facilities for the use of the City;

Whereas, Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, provides through the procedures of building authority financing a means for the acquisition, construction and financing of such facilities;

Whereas, The City, in accordance with the provisions of said Act 31, as amended, has previously adopted Articles of Incorporation and has established the Ann Arbor Building Authority (the Authority), with full powers to acquire and construct such facilities;

Whereas, This City Council determines it to be in the best interest of the City to acquire and finance said facilities through the Authority in accordance with the provisions of said Act 31, as amended; and

Whereas, A contract between the City and the Authority providing for the acquisition, construction and financing of said facilities and such matters as are deemed necessary thereto has been prepared;

RESOLVED, That:

1. The City Council of the City hereby determines it to be necessary for the public health, safety and welfare of the City to acquire the said facilities as set forth in the Contract, on file in the City Clerk's Office, for the use of the City.
2. This City Council deems it to be in the best interest of the City to finance the cost of such facilities through the Authority in accordance with the provisions of the aforesaid Act 31, as amended.
3. This City Council hereby approves the Contract for the acquisition and financing of said facilities, as hereto attached.
4. The Notice of Intention of Entering into Contract of Lease as hereto attached shall be published in the Ann Arbor News, a newspaper of general circulation in the City, promptly upon adoption of this resolution, said Notice to appear as a display advertisement

at least one-quarter (1/4) page in size;

5. The Mayor and City Clerk of the City are authorized to execute immediately and deliver to the Authority the Contract approved by this resolution. The Contract shall become effective upon the expiration of forty-five (45) days following the date of publication of the aforesaid Notice, unless, under the provisions of Section 8(b) of said Act 31, as amended, the effectiveness of the Contract is stayed by reason of the filing of a petition for referendum thereon and the resultant necessity of prior approval thereof by the qualified electors of the City. The City Council does hereby determine that the designated newspaper is the newspaper circulating in the City which reaches the largest number of persons to whom the aforesaid Notice is directed and that publication of the aforesaid Notice in the designated newspaper represents the most practical and feasible means of informing the taxpayers and electors of the City of the aforesaid project and the financing thereof. A copy of the Contract shall be placed on file in the office of the City Clerk and shall be available for public examination.

6. The City Council of the City does hereby ratify and confirm its covenant in the aforesaid Contract to levy ad valorem taxes against all taxable property in the City to the extent necessary to meet the obligations of the City thereunder in the event revenues from other sources are insufficient for any reason whatsoever. Any such taxes levied to pay the Cash Rental under said Contract shall be limited as to rate or amount in the manner provided by law.

7. The City Clerk or the City Finance Director be and is hereby authorized, if applicable, to file a notice of intent to issue the obligation with the Michigan Department of Treasury and to pay the fee relating thereto.

8. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this resolution be and the same hereby are rescinded.

NOTICE OF INTENTION OF ENTERING INTO LIMITED
TAX-SUPPORTED CONTRACT OF LEASE AND OF
RIGHT TO PETITION FOR REFERENDUM THEREON

TO THE TAXPAYERS AND ELECTORS
OF THE CITY OF ANN ARBOR, MICHIGAN:

PLEASE TAKE NOTICE that the City of Ann Arbor has approved and executed a Contract of Lease with the Ann Arbor Building Authority pursuant to Act No. 31, Public Acts of Michigan, 1948 (First Extra Session, as amended). Such Contract provides, among other things, that said Building Authority will demolish the Fourth and Washington Parking Structure and acquire, construct and equip a new parking structure and WILL ISSUE ITS BONDS TO FINANCE THE ESTIMATED COST OF THE SAME FOR SAID CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,500,000. Said bonds will mature serially from 1999 to 2016, inclusive, and will bear interest not exceeding 7% per annum on the outstanding principal balance.

The Contract further provides that the City will lease said facilities from said Building Authority and WILL PAY AS RENTAL TO SAID BUILDING AUTHORITY ALL SUMS NECESSARY TO RETIRE THE PRINCIPAL OF AND INTEREST ON SAID BONDS, TOGETHER WITH ALL COST OF OPERATING AND MAINTAINING SAID FACILITIES AND ALL COSTS of said Building Authority in connection therewith, regardless of whether the facilities are completed or are untenable. The principal amount to be borrowed by the Building Authority will be indebtedness of the City for purposes of City Charter, statutory and constitutional debt limitations, and said principal amount, together with the City's rental obligation for payment thereof, may be increased to cover increased costs of the facilities.

CITY CONTRACT OBLIGATION

BY VIRTUE OF SAID CONTRACT AND ACT, ALL OF THE CITY'S REQUIRED PAYMENTS TO THE BUILDING AUTHORITY WILL BE LIMITED TAX FULL FAITH AND CREDIT GENERAL OBLIGATIONS OF THE CITY PAYABLE FROM ANY AVAILABLE FUNDS OF THE CITY, AND THE CITY WILL BE REQUIRED TO LEVY AD VALOREM TAXES ON ALL TAXABLE PROPERTY WITHIN ITS BOUNDARIES, TO THE EXTENT NECESSARY TO MAKE THE PAYMENTS REQUIRED TO RETIRE THE BONDS AND INTEREST THEREON, IF OTHER FUNDS FOR THAT PURPOSE ARE NOT AVAILABLE, AND AS LIMITED BY LAW. HOWEVER, THE OBLIGATION TO LEVY TAXES IS LIMITED BY APPLICABLE CONSTITUTIONAL, CHARTER AND STATUTORY TAX RATE LIMITATIONS.

SAID CONTRACT SHALL BECOME EFFECTIVE WITHOUT VOTE OF THE ELECTORS OF THE CITY, AS PERMITTED BY LAW, UPON THE EXPIRATION OF 45 DAYS FOLLOWING THE DATE OF PUBLICATION OF THIS NOTICE, UNLESS A PETITION REQUESTING AN ELECTION ON THE QUESTION OF WHETHER SUCH CONTRACT SHOULD BE EFFECTIVE, SIGNED BY NOT LESS THAN 10% OF THE

REGISTERED ELECTORS OF THE CITY, IS FILED WITH THE CITY CLERK WITHIN SAID PERIOD. If such petition is so filed, said Contract shall not be effective without an approving vote by a majority of electors of the City voting on the question.

This Notice is given pursuant to the requirements of Section 8(b) of the aforesaid Act 31, as amended. Further information concerning the details of said Contract, the facilities being financed and the matters set out in this Notice may be secured from the City Clerk's Office. A copy of said Contract is on file in the office of the City Clerk for public inspection.

Winifred Northcross
Clerk, City of Ann Arbor

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-208-5-98 APPROVED

RESOLUTION CONSENTING TO THE TRANSFER OF
EMPLOYMENT FROM THE CITY OF ANN ARBOR TO
PITTSFIELD TOWNSHIP - CAYMAN CHEMICAL

Whereas, Cayman Chemical Company Inc. has stated its desire to obtain tax exempt industrial development revenue bonds from the Michigan Strategic Fund to finance the acquisition and rehabilitation of a new facility that will be located in Pittsfield Township;

Whereas, The place of employment of the employees of Cayman Chemical will consequently be transferred from the City of Ann Arbor to Pittsfield Township; and

Whereas, Cayman Chemical has requested a resolution of consent to such transfer, pursuant to Public Act 270 of 1984, the Michigan Strategic Fund Act, MCLA Section 125.2012a, in order to timely complete the financing;

RESOLVED, That the Ann Arbor City Council hereby consents to the transfer of employment for Cayman Chemical Company, Inc., from the City of Ann Arbor to Pittsfield Township; and

RESOLVED, That the City Clerk be hereby instructed to send a copy of this resolution to the Michigan Strategic Fund, Gordon B. Alexander, Loan Administrator, Michigan Jobs Commission, 525 W. Ottawa St., 5th Floor, Lansing, MI 48933.

Councilmember Lumm moved that the resolution be adopted.

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

R-209-5-98 APPROVED AS AMENDED

RESOLUTION TO APPOINT A JOINT STUDY GROUP
TO REVIEW AND MAKE RECOMMENDATIONS REGARDING
SURVIVAL FLIGHT OPERATIONS

A resolution to appoint a joint study group to review and make recommendations regarding the Survival Flight operations was considered.

Councilmember Lumm moved that the resolution be adopted.

Council unanimously agreed that the fifth paragraph of the resolution be amended by adding a public representative and a Survival Flight Team representative to the Joint Study Group membership list.

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

The resolution as adopted reads as follows:

R-209-5-98

RESOLUTION TO APPOINT A JOINT STUDY GROUP
TO REVIEW AND MAKE RECOMMENDATIONS REGARDING
SURVIVAL FLIGHT OPERATIONS

Whereas, On April 6, 1998 the Ann Arbor City Council passed Resolution No. R-156-4-98, in which it requested that "the University of Michigan Hospital and University of Michigan Board of Regents give serious consideration to the acquisition of new and quieter helicopters for their Survival Flight Operation";

Whereas, The University of Michigan Health Systems and the Ann Arbor City Council have a mutual interest in the success of the Survival Flight program, but also recognize that residents in and near the flight paths have been negatively impacted by the noise produced by the helicopters currently in use; and

Whereas, In response to the City Council=s request, the University of Michigan Health Systems has proposed a Joint Study Committee;

RESOLVED, That the Ann Arbor City Council, in conjunction with the University of Michigan, appoint a Joint Study Group on Survival Flight Operations, whose charge shall be to work through the Ann Arbor Airport Advisory Committee to review Survival Flight operations and recommend options that minimize the noise impact of flight operations and are consistent with Survival Flight=s life saving mission;

RESOLVED, That the members of the Joint Study Group are:

City of Ann Arbor representatives:

James Hawley, Manager, Ann Arbor Airport

Burt Lamkin, Chair, Ann Arbor Airport Advisory Committee

Michael Homa, Federal Aviation Administration, Ann Arbor Airport Tower Chief

University of Michigan representatives:

Lisa Baker, Associate Vice President

Paul Moggach, Director, Insurance and Risk Management

David Hyland, Ph.D., Chair, Aerospace Engineering

Public representative

Survival Flight Team representative;

and

RESOLVED, That this Joint Study Group be dissolved following the presentation of its recommendations, unless otherwise directed by City Council.

R-210-5-98 APPROVED AS AMENDED

RESOLUTION TO KEEP PARKING FREE ON SUNDAYS

A resolution to keep parking free on Sundays was considered.

Councilmember Daley moved that the resolution be adopted.

Council unanimously agreed that the resolution be amended as follows:

4th paragraph:

Whereas, A recently completed econometric study by the University of Michigan School of Public Policy demonstrated that the DDA managed structures and lots will be able to pay for their own upkeep, including replacement, ~~{debts}~~ **DEBT** service, ongoing maintenance, and timely repair by graduated increases in the monthly and hourly rates charged for their use;

6th paragraph:

Whereas, The Ann Arbor City Council desires to maintain a vital downtown, and to encourage visitors to the downtown every day of the week in order to create a lively and safe atmosphere and to support downtown merchants ~~{and}~~, businesses, **AND PLACES OF WORSHIP**; and

7th paragraph:

Whereas, The Ann Arbor Transportation Authority, Ann Arbor=s only public mass transit system, has limited schedules and ~~{reduces}~~ **REDUCED** service on Sundays and holidays, thus making it difficult for visitors to access the downtown via this means;

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

The resolution as adopted reads as follows:

R-210-5-98

RESOLUTION TO KEEP PARKING IN CITY-OWNED
STRUCTURES AND LOTS FREE ON SUNDAYS AND HOLIDAYS

Whereas, The City of Ann Arbor contracts with the Ann Arbor Downtown Development Authority (DDA) to manage its parking structures and lots;

Whereas, The DDA voted recently to commence charging a new fee of \$1.00 for use of these parking structures and lots on Sundays;

Whereas, This new fee will go into effect 30 days after the DDA vote, unless the City Council formally resolves to reject the DDA recommendation;

Whereas, A recently completed econometric study by the University of Michigan School of Public Policy demonstrated that the DDA managed structures and lots will be able to pay for their own upkeep, including replacement, debt service, ongoing maintenance, and timely repair by graduated increases in the monthly and hourly rates charged for their use;

Whereas, Charging for parking in these structures and lots during Sunday usage was not demonstrated to be necessary to meet the projected costs;

Whereas, The Ann Arbor City Council desires to maintain a vital downtown, and to encourage visitors to the downtown every day of the week in order to create a lively and safe atmosphere and to support downtown merchants, businesses, and places of worship; and

Whereas, The Ann Arbor Transportation Authority, Ann Arbor's only public mass transit system, has limited schedules and reduced service on Sundays and holidays, thus making it difficult for visitors to access the downtown via this means;

RESOLVED, That the Ann Arbor City Council reject the DDA action to implement a charge for parking in the city-owned structures and lots on Sundays; and

RESOLVED, That there shall continue to be no charge for use of these structures and lots on Sundays and holidays.

R-211-5-98 APPROVED

RESOLUTION TO APPROVE ATRIUM III LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Atrium III Land Division, 8.67 acres, Victors Way east of Boardwalk Drive and north of I-94.

Whereas, Thomas B. McMullen Company has requested land division approval in order to divide the property at 1000 Victors Way (Assessor's Code No. 12-09-201-060) into two separate parcels; and

Whereas, The Ann Arbor City Planning Commission, on April 21, 1998, recommended approval of said request;

RESOLVED, That City Council approve the Atrium III Land Division, subject to the recording of access easements and the relocation of existing parking, as described below:

Parcel B-1

Commencing at the Southeast corner of Lot 3 of Atrium Office Center, a subdivision of part of the Northwest 1/4 of Section 9, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 26 of Plats, pages 78, 79, and 80, inclusive, Washtenaw County Records; thence N 08°19'50" W 300.75 feet along the East line of said Lot to the POINT OF BEGINNING; thence S 87°24'40" W 565.50 feet to a point on the West line of said Lot; thence N 07°53'50" W 56.63 feet along said West line to a point on the South right-of-way line of Victor's Way Court (private) as recorded in said Atrium Office Center; thence along the South, East and North right-of-way lines of Victor's Way Court in the following five courses: N 87°24'40" E 240.00 feet, Northeasterly 47.12 feet along the arc of a 30.00-foot radius circular curve to the left, through a central angle of 90°00'00", having a chord which bears N 42°24'40" E 42.43 feet, N 02°35'20" W 52.78 feet, Northwesterly 47.12 feet along the arc of a 30.00-foot radius circular curve to the left, through a central angle of 90°00'00", having a chord which bears N 47°35'20" W 42.43 feet, S 87°24'40" W 170.82 feet; thence N 02°36'40" W 26.40 feet; thence N 87°23'20" E 18.00 feet; thence N 02°36'40" W 26.00 feet; thence N 87°23'20" E 26.00 feet; thence N 02°36'40" E 165.65 feet; thence N 87°23'20" E 181.00; thence S 02°36'40" E 130.50 feet; thence N 87°23'20" E 250.76 feet to a point on the East line of said Lot; thence S 08°19'50" E 258.20 feet to the Point of Beginning. Being a part of Lot 3 of said Atrium Office Center, together with a private turnaround easement known as Victor's Way Court

as recorded in Liber 26 of Plats, pages 78, 79 and 80, Washtenaw County Records, and containing 3.65 acres of land, more or less. Being subject to easements and restrictions of record, if any.

Parcel B-2

Commencing at the Southeast corner of Lot 3 of A Atrium Office Center, ≅ a subdivision of part of the Northwest 1/4 of Section 9, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 26 of Plats, pages 78, 79, and 80, inclusive, Washtenaw County Records; thence N 08°19'50" W 558.95 feet along the East line of said Lot to the POINT OF BEGINNING; thence S 87°23'20" W 250.76 feet; thence N 02°36'40" W 130.50 feet; thence S 87°23'20" W 181.00 feet; thence S 02°36'40" E 165.65 feet; thence S 87°23'20" W 26.00 feet; thence S 02°36'40" E 26.00 feet; thence S 87°23'20" W 18.00 feet; thence S 02°36'40" E 26.40 feet to a point on the North right-of-way line of Victor=s Way Court (private) as recorded in said A Atrium Office Center; ≅ thence along the North right-of-way line the following two courses: S 87°24'40" W 46.74 feet and Southerly 49.90 feet along the arc of a 30.00-foot radius circular curve to the left, through a central angle of 95°18'30", having a chord which bears S 39°45'25" W 44.35 feet to a point on the North right-of-way line of Victor=s Way; thence S 87°24'40" W 151.60 feet along said right-of-way line to a point on the West line of said Lot 3; thence along said West line in the following three courses: N 29°35'05" E 122.96 feet, N 17°33'30" E 125.00 feet and N 02°37'30" W 237.41 feet; thence S 87°22'30" W 256.10 feet to a point on the East right-of-way line of Boardwalk Drive; thence along said right-of-way line Northerly 42.11 feet along the arc of a 631.22-foot radius circular curve to the left, through a central angle of 03°49'20", having a chord which bears N 00°15'40" E 42.10 feet; thence N 01°39'00" W 22.40 feet continuing along said right-of-way line to a point on the North line of said Lot; thence N 87°22'30" E 808.66 feet along said North line to a point on the East line of said Lot; thence S 08°19'50" E 405.16 feet to the Point of Beginning. Being a part of Lot 3 of said A Atrium Office Center ≅ and containing 5.72 acres of land, more or less, being subject to easements and restrictions of record, if any.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-212-5-98 APPROVED

RESOLUTION TO APPROVE MAPLE HILLS
APARTMENTS ANNEXATION

A communication was received from the City Planning Commission transmitting its

recommendation of approval of the proposed Maple Hill Apartments Annexation, 0.85 acre, west side of Maple Road north of Adrienne Drive.

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, C & G Properties is the owner of said property; and

Whereas, It is the desire of C & G Properties 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:

BEGINNING at the Northeast corner of Section 36, T2S, R5E, Scio Township, Washtenaw County, Michigan; thence S 01°19'00" E 165.00 feet along the East line of said Section 36 and the centerline of Maple Road; thence S 88°22'30" W 225.00 feet; thence N 01°19'00" W 165.00 feet; thence N 88°22'30" E 225.00 feet along the North line of said Section 36 to the Place of Beginning, being a part of the Northeast 1/4 of said Section 36, containing 0.85 acres of land, more or less, being subject to the rights of the public over the easterly 33 feet thereof as occupied by Maple Road, also being subject to easements and restrictions of record, if any.

Councilmember Lumm moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-213-5-98 APPROVED

RESOLUTION TO APPROVE PARKE-DAVIS
REVISED SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Parke-Davis Revised Site Plan, 61.51 acres, 2800 Plymouth Road.

Whereas, The Warner-Lambert Company has requested revised site plan approval in order to construct three building additions and three parking lots in the Parke-Davis research complex, located at 2800 Plymouth Road, as follows: 440-square foot addition to Building 14; 2,241-square foot addition to Building 40; 2,300-square foot addition to Building 80; and two parking lots on the southern portion of the site and one parking lot at the northeast corner of the site; and

Whereas, The Ann Arbor City Planning Commission, on April 21, 1998, recommended approval of said request;

RESOLVED, That City Council approve the Parke-Davis Revised Site Plan.

Councilmember Lumm moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

POSTPONED

RESOLUTION AUTHORIZING SUMMARY PUBLICATION
OF ORDINANCE 7-98 - AMENDMENTS TO CHAPTERS 55
AND 57, PLANNED UNIT DEVELOPMENTS

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

RESOLVED, That the publication of Ordinance 7-98 be by the following summary:

Ordinance 7-98 revises Chapter 55 (Zoning) and Chapter 57 (Subdivision and Land Use Control) with regard to planned unit developments. The revisions will clarify and strengthen the intent section, provide clearer and stronger standards for approval, differentiate between the PUD zoning application and approval process and the PUD site plan application and approval process; clarify the effect of approval of a PUD zoning district approval and a PUD site plan approval, clarify the process for expirations and extensions, enhance language regarding amendments, and add language regarding previously established PUDs.

The complete text of this ordinance is available at the Ann Arbor City Clerk's Office.

Councilmember Kwan moved that the resolution be adopted.

Councilmember Kolb moved that the resolution be postponed to the May 18, 1998 regular session of Council to be considered following approval of Ordinance 7-98.

On a voice vote the Mayor declared the motion carried.

R-214-5-98 APPROVED

**RESOLUTION TO AUTHORIZE AN EASEMENT FOR
2781 PACKARD ROAD - COBBLESTONE FARM**

Whereas, The City of Ann Arbor owns and operates the Cobblestone Farm Museum at 2781 Packard Road;

Whereas, As a Certified Local Government, the city has received approval of a \$29,300.00 federal preservation fund grant to do rehabilitation work on the 1844 historic farmhouse; and

Whereas, The Michigan Department of State requires for such grant projects an easement guaranteeing maintenance of the rehabilitation work and public access to the site for five years from the completion of the project;

RESOLVED, That City Council authorizes the Mayor and Clerk to sign an easement prepared by the Department of State and approved as to form and content by the City Attorney=s Office guaranteeing maintenance of the rehabilitation work and public access to Cobblestone Farm for five years from the date the grant project is completed.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-215-5-98 APPROVED

**RESOLUTION TO AUTHORIZE AN EASEMENT FOR
500 NORTH MAIN STREET - MUSEUM ON MAIN STREET**

Whereas, The City of Ann Arbor owns the land at 500 North Main Street;

Whereas, The Washtenaw County Historical Society leases that land, has placed a historic building on it, and is currently restoring the building for use as the Museum On Main Street, a Museum of County Life;

Whereas, Washtenaw County, as a Certified Local Government, has a federal preservation fund grant to complete the interior restoration of the Museum, with the matching funds provided by the Society;

Whereas, The Department of State requires for such grant projects that all parties with an interest in the land or the building sign an easement guaranteeing public access to the site for five years from the completion of the project; and

Whereas, The terms of the city=s lease with the Society guarantee public

access;

RESOLVED, That City Council authorize the Mayor and Clerk to sign an easement prepared by the Department of State and approved as to form and content by the City Attorney=s Office guaranteeing public access to 500 North Main Street for five years from the date the grant project is completed.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-216-5-98 APPROVED

RESOLUTION CONCERNING OUTDOOR SALES ON PRIVATE PROPERTY DURING THE SUMMER ART FAIR

Whereas, The City of Ann Arbor's Zoning Ordinance establishes requirements for temporary outdoor sales on private property;

Whereas, Section 5:10.15(2)h states "The City Council may, by resolution, designate certain dates and locations as special events temporary outdoor sales areas. Said resolution shall include conditions and standards of conduct to be in force for outdoor sales and displays on private property";

Whereas, City Council approved resolution R-103-3-94 in 1994 regarding outdoor sales on private property which was to be effective for the 1994 Art Fair and all subsequent Art Fairs;

Whereas, The areas used for temporary outdoor sales have continued to increase over and above that experienced in 1994;

Whereas, With the additional activity the layout and arrangement of these areas has created additional concerns over the potential for accidents/injury due to increased travel distances; dead-end aisle configurations and decreased pedestrian aisle width, and

Whereas, The standards adopted for the 1994 Art Fair, by Resolution R-103-3-94 did not address these issues;

RESOLVED, That previous resolutions regarding temporary outdoor sales on private property be rescinded, and that this resolution replace them and be effective for the 1998 Art Fairs and all subsequent fairs;

RESOLVED, That for the days of the Summer Art Fairs a special events temporary outdoor sales area is hereby established and that the owners of commercially zoned

property fronting on the following streets may use their private yard areas for outdoor sales and display: Liberty Street from Main to South State, William Street from Thompson to South State Street, South University from East University to Washtenaw, Main Street from Huron to William, Thompson from Liberty Street to the Mannered Street Parking Structure entrance, Mannered from Liberty to Jefferson, and South State Street from Washington to William; and

RESOLVED, That the following standards be in force for outdoor sales and display areas on private property:

1. Outdoor sales areas located more than 50 feet from the public right-of-way (sidewalk or alley) require a 10 foot wide emergency access/escape passageway.
2. A 6 foot wide pedestrian passage between sales and display booths shall be maintained. The 6 feet shall be measured from the element of the booth projecting furthest horizontally into the required passage. No canopy, awning, overhang or other element shall project into the required pedestrian passage.
3. For every 50 lineal feet of booth, a 10 foot wide aisleway shall be provided.
4. The maximum length of travel, measured from the most remote point on the private property to the public right-of-way along the natural and unobstructed line of travel shall not exceed 200 feet. The path of travel must be under the control of or available to all person(s) using the private property.
5. Booths and associated pedestrian passageways arranged so as to form a dead-end, or where there is not a connection at both ends of the passageway leading to the public right-of-way, shall be designed so that the length of the dead-end aisle is not more than 22 times the least width of the aisle.
6. Booth material shall be made of fire retardant material.
7. There shall be no open flames for cooking, demonstration, or entertainment purposes.
8. Each private property area shall be equipped with fire extinguishers arranged so that no point of the private property area shall be more than 75 feet from an extinguisher. The fire extinguishers shall be class 2-A 10-BC.
9. Wiring for temporary electrical power shall comply with the requirements of the National Electrical Code.
10. A Zoning Compliance Application form must be filled out, submitted to, and

approved by the City for all proposed areas on private property no later than the 1st of July of each year.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

COUNCILMEMBER HARTWELL

Councilmember Hartwell requested that Community Network Television repair the noisy camera in the Council Chamber.

COMMUNICATIONS FROM THE MAYOR

RECENTLY SIGNED PROCLAMATIONS

Mayor Sheldon reported that she recently signed proclamations in recognition of:

- Tiina Hakinen Honorary Citizen;
- Try Transit Week, May 11-15, 1998;
- National Safe Boating Week, May 16-22; and
- Professional Social Work Centennial Month, September 1998.

ANNOUNCEMENTS

- Congratulations to Michelle Richards, Executive Director of the Center for Empowerment and Economic Development, on being named the 1998 Michigan Women in Business Advocate of the Year by the U.S. Small Business Administration;
- Thanks to the Fire and Police Departments and Building Director Larry Pickel and Plan Reviewer Charles Boulard, who went Above and beyond in responding to notify Kerrytown staff and secure the premises during a recent fire;
- Working sessions of Council will be held on Wednesday, May 6, at 7:00 p.m., to review the City Administrator's performance goals, and on Monday, May 11, 7:00 p.m., for a budget hearing.

APPOINTMENTS APPROVED

Mayor Sheldon recommended the following appointments at the April 20, 1998 regular session of Council:

Ann Arbor Commission on Art in Public Places

Jan Onder
2671 Apple Way 48104
Term: 5/4/98 to 12/31/2001

Ann Arbor Housing Commission

Michael R. Martin (reappointment - resident)
1721 Green Rd.. 48105
Term: 5/4/98 to 4/30/2003

Board of Examiners of Electricians and Electrical Contractors

Dennis M. Darling (reappointment - electrical engineer/plant supervisor)
448 Manor Dr. 48105
Term: 5/4/98 to 5/3/2002

Robert Eix (reappointment - local public utility representative)
Detroit Edison
425 S. Main St. 48104
Term: 5/4/98 to 5/3/2002

Ann Arbor Commission on Disability Issues

Raymond F. Sylvain (reappointment)
106 Packard Rd., Apt. 205 48104
Term: 5/4/98 to 5/3/2001

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

On a voice vote the Mayor declared the motion carried.

NOMINATION PLACED ON TABLE

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

Finance Advisory Committee

Linda Schlanderer (reappointment)
2930 Easy St. 48104
Term: 6/1/98 to 5/31/2001

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Commercial Task Force Final Report
2. Status of Remaining Fiscal Year 1997-98 Water Utilities Operations and Maintenance Capital Projects
3. Recommendations for Award from the City Administrator=s Performance Bonus to the Employees Who Have Made Positive Contributions to the Organization in 1997
4. March Investment Portfolio Report
5. Dishonored Check Fees
6. 3rd Quarter - Quarterly Report
7. University of Michigan Helicopters

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

COMMUNICATIONS FROM THE CITY ATTORNEY

PUBLIC COMMENTARY SPEAKER

City Attorney Abigail Elias reported that one of the people who signed up to speak during Public Commentary, an announced candidate for public office, was asked not to address Council at this time until clarification is obtained on the State law prohibiting use of public facilities by candidates under certain circumstances.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER DALEY

Councilmember Daley encouraged everyone to come out and support a diverse, unified and nonviolent Community on May 9 by attending the Peace Neighborhood Center A Walk the Boulevard= event, by pledging money against the Klan, by supporting SOS Crisis Center at its fundraising tea party, and by participating in the nonviolent rally against the Klan at Wheeler Park.

Ms. Daley announced that AATA will offer free bus rides during Try Transit Week, May 11-15, 1998, and urged everyone to do their part to reduce congestion and protect the environment by taking the bus.

Ms. Daley stated that she was pleased to read the letter about Grace Brennock, an employee in the City Treasurer's Office, and commended Ms. Brennock for her actions.

Ms. Daley stated that she has received calls from people concerned about the plans the police are making for the Klan rally, and asked everyone to extend a "wait and see" attitude before criticizing the police. She gave credit to the police for efforts in responding to the rally by listening and working with the Community to protect everyone's right to free speech and assembly and to maintain safety.

COUNCILMEMBER CARLBERG

Councilmember Carlberg emphasized the importance for the Community to attend the Community Rally at Wheeler Park to find creative ways to address concerns about violence.

COUNCILMEMBER HANNA-DAVIES

Councilmember Hanna-Davies expressed hope that everyone will come out for the Community Rally to give the media something positive to cover, and encouraged people to pledge money for every minute that the Klan speaks to turn the Klan's appearance into a fundraiser for civil rights.

COUNCILMEMBER PUTMAN

Councilmember Putman invited everyone to attend the fourth annual Superball Tournament on May 16 that benefits the Ann Arbor School system.

Mr. Putman extended congratulations to Councilmember Vereen-Dixon who will receive the "Woman of Distinction Award" from the Huron Valley Girl Scout Council.

COUNCILMEMBER LUMM

Councilmember Lumm also recognized Councilmember Vereen-Dixon for receiving the "Woman of Distinction Award", and recognized Councilmember Putman for receiving the "Volunteer and Board Member of the Year" award from the Michigan Federation for Child and Family Service Agencies.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Larry Warren, University of Michigan Hospitals Executive

Director, regarding Resolution R-156-4-98, Resolution to Request the University of Michigan to Acquire New and Quieter Helicopters for Its Survival Flight Operation, adopted by Council April 6, 1998 - Public Services.

2. Communication from State Representative Elizabeth Brater regarding Resolution R-160-4-98, Resolution to Support the Inclusion of Local Parks Funding in the Proposed Environmental Bond Initiative, adopted by Council April 6, 1998 - Parks and Recreation.
3. Communication from the Interfaith Council for Peace and Justice regarding 1998 Unity Rally - File.

4. Communication from State Representative Elizabeth Brater regarding Resolution R-181-4-98, Resolution Opposing Dove Hunting in Michigan - File.
5. Petitions from concerned business owners, property owners, residents and customers in the Kerrytown Area regarding the proposed Broadway Bridges Project - Public Services.
6. **Communication from Beth Gilford, 1215 Lutz Ave., regarding proposed Broadway Bridges Project - Public Services**

The following minutes were received for file:

1. **Taxicab Board - January 29, 1998**
2. **Ann Arbor Transportation Authority - March 18, 1998**
3. **Community Development Block Grant Executive Committee - March 16 and April 6, 1998**
4. **Airport Advisory Committee - March 18, 1998**
5. **Board of Review - March 16, 1998**
6. **Downtown Development Authority Board - February 12, February 24 and March 12, 1998**
7. **Zoning Board of Appeals - March 25, 1998**
8. **Sign Board of Appeals - March 10, 1998**
9. **Building Board of Appeals - March 11, 1998**

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

PETER POLLACK - BROADWAY BRIDGES CITIZEN COMMITTEE

Peter Pollack, 515 Detroit St., thanked Council for its comments regarding the commitment of the Citizens Advisory Committee for the Broadway Bridges Project. Mr. Pollack stated that while the Committee's recommendations may not be favored by neighbors adjacent to the project, the committee members will continue to approach the process with integrity.

ADJOURNMENT

There being no further business to come before Council, the Mayor declared the meeting adjourned at 10:13 p.m.

**W. Northcross
Clerk of the Council**

**Janet L. Chapin
Recording Secretary**