

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - JUNE 15, 1998**

The regular session of the Ann Arbor City Council was called to order at 7:18 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

ROLL CALL OF COUNCIL

PRESENT: Councilmembers Jean Carlberg, Heidi Cowing Herrell, Stephen Hartwell, Patrick Putman, Christopher Kolb, Elisabeth Daley, Tobi Hanna-Davies, Mayor Ingrid B. Sheldon, 8.

ABSENT: Councilmembers Patricia Vereen-Dixon, Jane Lumm, David Kwan, 3.

RECESS FOR EXECUTIVE SESSION

Councilmember Carlberg moved that the regular session of Council be recessed for an executive session to discuss a privileged communication.

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Putman, Kolb, Daley, Hanna-Davies, Mayor Sheldon, 8;

Nays, 0.

The Mayor declared the motion carried and the meeting recessed at 7:19 p.m.

REGULAR SESSION RECONVENED

Councilmember Hanna-Davies moved that the executive session be adjourned and that the regular session of Council be reconvened.

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Putman, Kolb, Daley, Hanna-Davies, Vereen-Dixon, Lumm, Kwan, Mayor Sheldon, 11;

Nays, 0.

The Mayor declared the motion carried and the regular session reconvened at 8:52 p.m.

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 Jean Carlberg, Heidi Cowing Herrell, Stephen Hartwell, Patrick Putman, Christopher Kolb, Elisabeth Daley, Tobi Hanna-Davies, Patricia Vereen-Dixon, Jane Lumm, David Kwan, Mayor Ingrid B. Sheldon, 11;

ABSENT : 0.

INTRODUCTIONS

PRESENTATION OF AWARD OF APPRECIATION TO DAVID FANSLAW

Parks and Recreation Superintendent Ronald Olson presented an award of appreciation to David Fanslow in recognition of his efforts in organizing a city-wide Huron River Clean-Up. Mr. Fanslow garnered the support of 160 volunteers on Saturday, April 18, 1998, and through team effort, 30 cubic feet of garbage was collected from the Huron River area.

PUBLIC COMMENTARY - RESERVED TIME

GEOFF PERKINS - GLAZIER WAY CONSTRUCTION PROJECT

Geoff Perkins, 3092 Glazier Way, expressed concern about the assessments for the Glazier Way project. He stated that there is inequity in the way city staff proposes to assess city versus township residents who live in the special assessment district. Mr. Perkins stated that the long-term residents of Glazier Way are being made to bare an unreasonably burdensome share of the cost and many of the elderly people live on fixed incomes and cannot afford the assessments. Mr. Perkins concluded that the township residents object strongly to the assessments because they are unaffordable and would eventually force them off of their properties.

NANCY OVERALL - GLAZIER WAY RECONSTRUCTION

Nancy Overall, 3092 Glazier Way, expressed concern regarding the proposed Glazier Way project assessment. She stated that many of the neighbors wanted the road to receive

normal ongoing maintenance to control the dust, and simple maintenance of the road was neglected so the road deteriorated. She stated that the cost is unconscionable and has been passed on to residents who did not want the road paved. Ms. Overall stated that since staff insists that the road be developed as an arterial route, the city should assume responsibility for the majority of the cost.

KEN CLARK - BIKE PARKING

Ken Clark, 497 Larkspur St., Chairman of the Bicycle Committee, announced the installation of 40 bicycle parking hoops in the downtown area. He stated that this has been a 2 yr. project of the Bicycle Committee and they are pleased to accomplish Phase I. Mr. Clark stated that the bicycle hoops are free, and have been installed in front of downtown businesses. He encouraged cyclist to use the parking hoops, and anyone interested in providing hoops at their business should contact the Bicycle Program.

LYNNE WOLFF - BROADWAY BRIDGES

Lynne Wolff, 2111 Delafield, urged City Council to make the necessary decision to begin movement on the Broadway Bridge project. She stated that everyone will not get exactly what they want because it is impossible to please everyone.

SAFIYA KHALID - EQUAL JUSTICE UNDER THE LAW IN ANN ARBOR

Safiya Khalid, P. O. Box 130654, alleged that there is inequality under the law in Ann Arbor. She stated that it is unfair that a court appointed lawyer cannot use evidence that will prove you innocent. Ms. Khalid urged the citizens of Ann Arbor to inform any possible juror in Washtenaw County of this situation, and to visit her web site for more details.

PUBLIC HEARINGS

ARBOR LANDINGS PHASE II REVISED SITE PLAN)

A public hearing was conducted on the proposed Arbor Landings Phase II Revised Site Plan, 37.7 acres, 545 Landings Boulevard. Notice of public hearing was published June 7, 1998.

The following persons appeared:

Jeanette Okuley, 3250 Kingwood Street, urged Council to reject the resolution to approve the Arbor Landings Phase II revised site plan which includes the relocation of Building No. 26 and two parking areas to be within the 140 ft. greenbelt on the east side of the site.

She stated that her privacy, sense of security and quality of life will suffer significant adverse effects if this building is built in the proposed location. (Communication on file in the City Clerk's Office)

Frederick W. Hammond, 426 Rose Drive, spoke in opposition to the proposed Arbor Landings Phase II revised site plan. He stated that in 1987 Arbor Landings agreed that they would not build any closer to 140 ft. and he feels they should stick to their agreement. Mr. Hammond recommended that the apartment complex remain as is, without the proposed building.

Cheryl Ransom, 410 Rose Drive, stated that the proposed modification of the original site plan for the Arbor Landings apartment development is unacceptable. She mentioned that 10 years ago the developer agreed not to locate a building within 140 ft. of Rose Drive, therefore, a 140 ft. setback was agreed upon by the neighborhood association. Ms. Ransom stated that Rose Drive residents do not want the building in the proposed location and requested that the apartment developer honor the original agreement. (Communication on file in the City Clerk's Office)

Lydia Kuniavsky, 420 Rose Drive, spoke in opposition to the proposed Arbor Landings revised site plan. She stated that they never expected this new building would ever occur because of the agreement with the neighborhood. She stated that the Rose Drive neighborhood has been cheated. Ms. Kuniavsky stated that she is opposed to Arbor Landings wanting to receive profit at the expense of the residents.

David Szczygiel, 3245 Kingwood, stated that it is very difficult for him to see the addition of the proposed building because it would unnecessarily congest people together and displace more

animals and wildlife. Mr. Szczygiel stated that he refuses to suffer any more reduction in the quality of the environment merely for profit. He urged Council to reject the proposal to build in the greenbelt.

Jim Donelan, Director of Construction for Associated Estates, representing Arbor Landings, stated that in December 1988 a complete site plan, including Phase II, was approved by the City of Ann Arbor and minor adjustments to the original site plan were

approved in 1997, but after surveying work they found that the wetland area had expanded beyond its original limits and into the Phase II building pads. He stated that one of the most viable solutions to deal with the problem was to relocate Building No. 26 to the greenbelt, and Arbor Landings has agreed to provide additional landscaping and berming to provide some visual separation.

Tom Covert, Land Planner with Atwell Hicks, stated that they are proposing to move Building No. 26 and its parking to a wetland area. Mr. Covert explained that the existing tree groupings would remain along Rose Drive, and the sidewalk provided will avoid any existing major trees and landscaping. He noted that Arbor Landings is also proposing a 6 ft. berm between the building and the existing landscaping along Rose Drive.

Mr. Kuniavsky, 420 Rose Drive, spoke in opposition to the Arbor Landings Phase II revised site plan. He stated that the City should force the developer to keep the agreement to preserve the 140 ft. greenspace. Mr. Kuniavsky stated that proposed plan is unacceptable and would be detrimental to the Rose Drive neighborhood.

REVISIONS TO PUBLIC LAND DEVELOPMENT REGULATIONS REGARDING PLANNED UNIT DEVELOPMENTS (PUDs)

A public hearing was conducted on the proposed revisions to land development regulations regarding planned unit developments (PUDs). Notice of public hearing was published June 7, 1998.

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

ADDITION TO PARKING VIOLATION FINE SCHEDULE - INCREASE IN A PARKED ON WALK= VIOLATION FINE

A public hearing was conducted on the proposed addition to the parking violation fine schedule: Increase in A parked on walk= violation fine. Notice of public hearing was published June 14, 1998.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

CONSENT AGENDA

Revise: Resolution to Approve the Renewal of Human Resources Management System Software Maintenance (\$33,242.00) (Administrative Services)

Move: Resolution to Approve Street Closings and Allocate Community Events Funds for the 1998 Ann Arbor Jaycees Fourth of July Parade (Building) (*Consider following Consent Agenda*)

Add & Move: Resolution to Approve Permanent Outdoor Alcoholic Beverage Service at 221 East Washington Street - d.b.a. Blue Nile Restaurant (City Clerk) (*Consider following Consent Agenda*)

MOTIONS AND RESOLUTIONS

Add Resolution to Amend the FY 98/99 Building Department Budget
8 Votes (\$50,000.00) (Building) (VOTES REQUIRED)
Required:

Add Resolution to Approve the Purchase of 1.68 acres of Park Land at Platt
8 Votes Road and I-94 for an addition to Southeast Area Park (Parks and Recreation) (8 VOTES REQUIRED)
Required:

Add Resolution to Appropriate Funding from Development Contributions
8 Votes for Cranbrook Park (\$10,800.00) (Parks and Recreation) (8 VOTES
Required: REQUIRED)

Add: Resolution to Approve the 1998 Ann Arbor Jaycees Carnival (Mayor Sheldon)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: Environmental Bond Capital Improvement Projects

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

Add: Communication from Cheryl Ransom regarding Arbor Landings Phase II Revised Site Plan - Planning

Add: Petition regarding the Proposed Special Assessment for Glazier Way Reconstruction - File

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF MAY 18, MAY 27 AND JUNE 1 APPROVED

Councilmember Putman moved that the recessed regular session minutes of May 18, 1998, the continued regular session of May 27, 1998 and the regular session minutes of June 1, 1998 be approved as presented.

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:

(Bid No. 3174);

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 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

\$2,010,000	Advanced from the Water Supply System Fund (Fund 042) pending the sale of Water Revenue Bonds
<u>140,000</u>	1996 Street Resurfacing Millage Fund (Fund 062)
\$2,150,000	TOTAL

Section II, Expenses

\$1,688,500	Construction
81,000	Design Engineering
113,500	Construction Engineering
44,000	Testing, Consulting, and Professional Services
134,000	Contingencies approved by the City Administrator
19,000	Miscellaneous Costs
<u>70,000</u>	Overhead Charges
\$2,150,000	

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

R270b-6-98 APPROVED

RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT
WITH IMAGING SUBSURFACE, INC. FOR CONSTRUCTION TESTING SERVICES
FOR THE TRANSMISSION WATER MAIN IMPROVEMENTS PROJECT

Whereas, It is necessary to employ a qualified testing firm to perform essential construction testing for the Transmission Water Main Improvements Project;

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

Whereas, Imaging Subsurface, Inc. has demonstrated the required experience, personnel and competitive fee schedule to perform the work;

Whereas, On May 4, 1998 the Human Resources Department gave approval for said company for said work; and

Whereas, Funding for this agreement is available within the approved Transmission Water Main Improvements Project budget;

RESOLVED, That Council authorizes a professional services agreement in the standard City form in the amount of \$25,100 with Imaging Subsurface, Inc. for construction testing and inspection services for the Transmission Water Main Improvements Project;

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

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

R-271-6-98 APPROVED

RESOLUTION TO APPROVE CONTRACT WITH THOMPSON-MCCULLY CO. AND TO ESTABLISH PROJECT BUDGET FOR THE 1998 DOWNTOWN RESURFACING PROJECT - BID NO. 3146

Whereas, The 1997-2003 Capital Improvements Program includes the Annual Resurfacing Program in its Capital Program Summary of Street Construction;

Whereas, Competitive bids were received by the Purchasing Division on May 27, 1998, and the Thompson-McCully Company was the lowest responsible bidder at \$680,346.50;

Whereas, The Thompson-McCully Company has received approval from the Human Resources Department on March 19, 1998; and

RESOLVED, That City Council approve a contract, per Bid No. 3146, with the Thompson-McCully Company in the amount of \$680,346.50 for the construction of the 1998 Downtown Street Resurfacing Project, and that the Mayor and the City Clerk be authorized to sign the agreement substantially in the form on file with the City Clerk;

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

826,000	Fund 062, The 1996 Street Millage Fund
<u>\$826,000</u>	<u>TOTAL</u>

Section II, Expense

\$680,350	Construction
15,000	Design Engineering
45,000	Construction Engineering
25,000	Testing, Consulting and Professional Services
50,000	Contingencies approved by the City Administrator
10,650	Miscellaneous Charges
<u>\$826,000</u>	<u>TOTAL</u> ; and

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

R-272-6-98 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT TO

GEORGE A. ODIEN, INC. TO AND TO ESTABLISH A PROJECT BUDGET
FOR THE DEPOT STREET STORM SEWER IMPROVEMENTS PROJECT
BID NO. 2996

Whereas, It has been found necessary to construct a storm sewer to alleviate the flooding problems in the N. Main Street/Depot Street area;

Whereas, George A. Odien, Inc. of Brighton, Michigan has submitted to the City on June 3, 1998, a bid for said work in the total amount of \$243,310 which amount is the lowest responsible bid;

Whereas, The Human Resources Department has, on June 15, 1998, approved said company for said construction; and

Whereas, The Agreement for Storm Water Pipeline Occupation between the City and Consolidated Rail Corporation, the license permit between the City and Michigan Consolidated Gas Company, and the license permit between the City and First Martin Corporation have not been executed;

RESOLVED, That a contract in the amount of \$243,310 be awarded to George A. Odien, Inc. for the construction of the Depot Street Storm Sewer Improvements Project (Bid No. 2996);

RESOLVED, That the construction contract award is contingent upon the execution in a form approved by the City Attorney for the following documents: Agreement for Storm Water Pipeline Occupation between the City and Consolidated Rail Corporation, the license permit between the City and Michigan Consolidated Gas Company, and the license permit between the City and the First Martin Corporation;

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

RESOLVED, That the 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

\$434,560	1994 Series I Storm Water Bond Proceeds
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Section II - Expense

\$243,310	Construction
\$ 26,650	Tideflex Check Valve
\$ 65,000	Design Engineering
\$ 36,500	Construction Engineering

\$ 12,000	Consulting and Testing
\$ 19,500	Contingencies approved by the City Administrator
\$ 12,000	Miscellaneous Costs
<u>\$ 19,600</u>	Bond Overhead Charge
\$434,560	TOTAL; and

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

R-273-6-98 APPROVED

RESOLUTION TO APPROVE PURCHASE OF FIVE SINGLE AXLE DUMP TRUCKS FROM WOLVERINE TRUCK SALES BID NO. 3172

Whereas, The Fleet Services Division of the Public Services Department needs to purchase five replacement dump trucks for the City=s fleet;

Whereas, Wolverine Truck Sales, was the lowest responsible bidder, Bid No. 3174, for new dump trucks, for \$68,866 per truck, and a total of \$344,330; and

Whereas, Wolverine Truck Sales received Human Rights approval from the Human Resources Department on December 8, 1997;

RESOLVED, That City Council approves the issuance of a purchase order to Wolverine Truck Sales for the purchase of three 1999 Sterling dump trucks, in the total amount of \$206,598, from 1997-98 budgeted Motor Equipment and Major Street Funds, and the issuance of purchase order to Wolverine Truck Sales for the purchase of two 1999 Sterling dump trucks, in the total amount of \$137,732, from 1998-99 budgeted Motor Equipment Funds, with funding for these purchases to be available without regard to fiscal year.

R-274-6-98 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH TOLTEST, INC. FOR THE FULLER/GEDDES/HURON PARKWAY INTERSECTION IMPROVEMENT PROJECT

Whereas, It is necessary to employ a qualified testing firm to perform essential testing for the Fuller/Geddes/Huron Parkway Intersection Improvement Project;

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

Whereas, Toltest, Inc. has demonstrated the required experience, personnel and

competitive fee schedule to perform the work;

Whereas, On May 4, 1998 the Human Resources Department gave approval of said company for said work; and

Whereas, Sufficient funds have been appropriated for this contract;

RESOLVED, That Council authorizes a professional services agreement in the standard City form in the amount of \$27,000 with Toltest, Inc. for construction testing and inspection services for the Fuller/Geddes/Huron Parkway Intersection Improvement Project;

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

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

R-275-6-98 APPROVED

RESOLUTION TO APPROVE SERVICE CONTRACT BETWEEN
THE CITY OF ANN ARBOR AND THE DOWNTOWN DEVELOPMENT AUTHORITY

Whereas, It is necessary for the City to provide the services of a Parking Special Projects Assistant to assist the DDA and National Garages in managing the City-owned parking facilities currently leased to and operated by the DDA;

RESOLVED, That a service contract between the City, the Downtown Development Authority, and National Garages be approved substantially in the form on file with the City Clerk.

R-276-6-98 APPROVED

RESOLUTION TO APPROVE UNIVERSITY OF MICHIGAN
PARKING ENFORCEMENT AGREEMENT

Whereas, The City and University of Michigan mutually entered into an agreement whereby the University agrees to reimburse the City for services provided in collection and adjudicating parking violations issued on University of Michigan properties;

RESOLVED, That City Council authorizes the Mayor and City Clerk to execute on

behalf of the City a parking enforcement agreement, substantially in the form on file with the City Clerk, following approval as to substance by the City Administrator and as to form by the City Attorney.

R-277-6-98 APPROVED

RESOLUTION TO INCREASE THE FINE AND ADD VIOLATION CODE 16
TO THE PARKING FINE SCHEDULE APPROVED APRIL 6, 1998, R-149-4-98

Whereas, The City Council approved a parking fine increase on April 6, 1998, and

Whereas, Violation code 16 was inadvertently omitted from the parking fine schedule approved by City Council;

RESOLVED, That the parking fine schedule be revised to include Code 16 (Parked on Walk); and

RESOLVED, That the parking fine be increased in conjunction with previously increased fines from \$15.00 to \$20.00 if paid within 14 days and \$20.00 to \$25.00 if paid after 14 days.

R-278-6-98 APPROVED

RESOLUTION TO APPROVE TWO AMENDMENTS TO THE
CONSOLIDATED ACC BETWEEN THE CITY OF ANN ARBOR AND HUD
IN SUPPORT OF THE SECTION 8 VOUCHER PROGRAM

Whereas, The City of Ann Arbor, acting by and through the Housing Commission has a Consolidated Annual Contributions Contract (ACC) to provide funding in support of 675 units of Section 8 (Certificates and Vouchers) subsidized housing;

Whereas, As allocations of Certificate or Vouchers expire, HUD must determine how to renew, either from existing appropriated program project reserves, or through new appropriations; and

Whereas, HUD has determined a need to appropriate \$1,523,488 to fund two new allocations (MI064VO015 and MI064VO018) covering a total of 242 units for a twelve month period (04/01/98 to 3/31/99 for #015, and 06/01/98 to 5/31/99 for #018) to replace expired allocations (MI064VO010, MI064VO013 and MI064VO014);

RESOLVED, That City Council approve the execution of both Renewal Funding Amendments for a total budget authority of \$1,523,488 to the Consolidated ACC for Section 8 Voucher and Certificate programs, between the City of Ann Arbor and HUD, by the Executive Director of the Housing Commission.

R-279-6-98 APPROVED

RESOLUTION APPROVING THE WASHTENAW COUNTY/
CITY OF ANN ARBOR COMMUNITY CORRECTIONS COMPREHENSIVE
APPLICATION FOR FUNDING FOR FY 98/99

Whereas, On August 6, 1989, by resolution number 98-0219, the Washtenaw County Board of Commissioners established, in conjunction with the Ann Arbor City Council, a City/County Community Corrections Advisory Board, pursuant to Public Act 511 (PA511) of 1988;

Whereas, Washtenaw County/City of Ann Arbor Community Corrections Advisory Board meets monthly on the second Tuesday of every month, pursuant to the By-Laws established for that Board;

Whereas, This application represents and demonstrates four successful years of implementation based on the original Comprehensive Corrections Advisory Board and that said application was recommended for forwarding to the Washtenaw County Board of Commissioners and City Council for review and approval at the next regularly scheduled meeting; and

Whereas, State of Michigan, Michigan Department of Corrections/Office of Community Corrections set a mandatory deadline for submission by not later than May 15, 1998 and will be reviewed and considered for approval by the State Board of Community Corrections regularly scheduled meeting to be held on July 23, 1998 in Lansing, Michigan;

RESOLVED, That City Council approve the Washtenaw County/City of Ann Arbor Community Corrections Comprehensive Application for funding for FY 1998/99.

R-280-6-98 APPROVED

RESOLUTION TO AWARD CONTRACT FOR REPLACEMENT OF
VENTILATION SYSTEM FOR SEWAGE EQUALIZATION AND RETENTION BASIN
BID NO. 3160

Whereas, The existing ventilation fans and associated equipment t the Wastewater Treatment Plant=s (WWTP=s) Sewage Equalization and Retention Basin are currently inoperable due to excessive deterioration, and adequate ventilation is required to safely enter this regulated confined space;

Whereas, A replacement ventilation system need to be installed to increase the

existing ventilation capacity to provide a safe confined space entry for plant personnel during routine preventive maintenance and other necessary repairs, and pedestal mounted lights need to be installed on the roof of this facility to correct existing inadequate lighting;

Whereas, On April 30, 1998, the Water Utilities Department, through the Purchasing Division, advertised for bids for Improvements to the Wastewater Treatment Plant's Equalization and Retention Basin Ventilation System as specified in Bid No. 3162;

Whereas, On May 27, 1998, three (3) bids were received and reviewed, and Process Piping and Equipment, Inc. is recommended as the lowest responsible bidder at \$289,900;

Whereas, On May 29, 1998, the Human Resources Department approved Process Piping and Equipment, Inc. to perform this work for the City; and

Whereas, Funds to finance this project are available in the approved FY 9/98 WWTP Operations and Maintenance Budget;

RESOLVED, That Council accept the recommended low bid and award a contract to Process Piping and Equipment, Inc. for \$289,900 to perform the work specified in Bid No. 3160 and a contingency of \$30,100 for change orders to be approved by the City Administrator; and

RESOLVED, That the total project budget of \$320,000 is approved for the life of the project to be available until expended without regard to fiscal year.

R-281-6-98 APPROVED

RESOLUTION TO APPROVE CONTRACT AND ESTABLISH PROJECT BUDGET
FOR THE DOORS REPLACEMENT PROJECT AT THE WASTEWATER TREATMENT
PLANT - BID NO. 3161

Whereas, Many of the existing doors at the Wastewater Treatment Plant (WWTP) have reached or exceeded their design life expectancy and are rapidly deteriorating;

Whereas, Replacement of doors at the WWTP are needed to prevent further deterioration and additional structural replacement;

Whereas, Replacement doors and frames will be made of corrosion resistant materials to increase longevity;

Whereas, Bids were solicited under Bid No. 3161 and the following three bids were received on June 2, 1998;

Plat Construction Co.	\$113,654
MTI Construction Co.	\$117,478
Baseline Constructors	\$142,000

Whereas, These bids are reviewed and Plat Construction Co. is recommended as the lowest responsible bidder;

Whereas, On June 2, 1998, the Human Resources Department approved Plat Construction Co. to perform this work; and

Whereas, Funds to finance this project are available in the approved FY 97/98 WWTP Operations and Maintenance budget;

RESOLVED, That Council accept the bid and approve the contract with Plat Construction Co., Inc. for \$113,654 to perform the work specified in Bid No. 3161, 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 \$11,346 to finance change orders to be approved by the City Administrator, and approve a total project budget of \$125,000 for the life of the project, to be available until expended without regard to fiscal year.

R-282-6-98 APPROVED

RESOLUTION TO AWARD CONTRACT FOR MAINTENANCE SERVICES
FOR ELECTRICAL POWER DISTRIBUTION SYSTEM EQUIPMENT AT THE
WASTEWATER TREATMENT PLANT - BID NO. 3162

Whereas, It has been five years since the last comprehensive preventive maintenance work was completed on the Wastewater Treatment Plant=s (WWTP=s) power distribution system equipment and it is standard practice to perform this type of maintenance at intervals of three to five years;

Whereas, Catastrophic failure of an electrical breaker could lead to extended down time and loss of treatment capacity, which may result in violation of the WWTP=s discharge permit limitations;

Whereas, The testing, calibration, timing adjustments, infrared thermography and repairs require specialized test equipment and expertise;

Whereas, The Water Utilities Department WWTP Division, through the Purchasing Department, advertised for bids for maintenance improvements to the electrical power distribution system equipment as specified in Bid No. 3162;

Whereas, Three bids were received and reviewed, and Michigan Switchgear Service, Inc. is recommended as the lowest responsible bidder at \$39,980;

Whereas, On May 29, 1998, the Human Resources Department approved Michigan Switchgear, Inc. to perform this work for the City; and

Whereas, Funds to finance this project are available in the approved FY 97/98 WWTP Operations and Maintenance Budget;

RESOLVED, That Council accept the recommended low bid and award a contract to Michigan Switchgear Service, Inc. for \$39,980 to perform the work specified in Bid No. 3162, and that the Mayor and City Clerk be authorized to sign the contract approved as to form by the City Attorney;

RESOLVED, That Council approve a total project budget of \$50,000, consisting of \$39,980 for the work outlined in Bid No. 3162 and a contingency of \$10,020 for change orders to be approved by the City Administrator; and

RESOLVED, That the total project budget of \$50,000 is approved for the life of the project to be available until expended without regard to fiscal year.

R-283-6-98 APPROVED

RESOLUTION TO AWARD CONTRACT FOR INSTALLATION OF THE
WASTEWATER TREATMENT PLANT WATER MAIN EXTENSION
BID NO. 3163

Whereas, The Wastewater Treatment (WWTP=s) existing artesian well and associated softening equipment are unreliable and costly to maintain and operate;

Whereas, During August 1997, Ann Arbor Township completed construction of a new water main which passes through the northwest portion of the WWTP property;

Whereas, The WWTP will eliminate the need for maintenance intensive softening equipment by tapping into this new water supply;

Whereas, On May 27, 1998, the WWTP, through the Purchasing Division, advertised and received four bids for Installation of the Wastewater Treatment Plant Water Main Extension Project as specified in Bid No. 3163;

Whereas, George A. Odien, Inc. submitted the lowest responsive and responsible bid of \$61,323;

Whereas, On May 28, 1998, the Human Resources Department approved George A. Odien, Inc. to perform this work for the City; and

Whereas, Funds to finance this project are available in the approved FY 97/98 WWTP Operations and Maintenance Budget;

RESOLVED, That Council award a contract to George A. Odien, Inc. for \$61,323 to perform the work specified in Bid No. 3163, and that the Mayor and City Clerk be authorized to sign the contract approved as to form by the City Attorney;

RESOLVED, That Council approve a total project budget of \$70,000, consisting of \$61,323 for the work outlined in Bid No. 3163 and a contingency of \$8,677 for change orders to be approved by the City Administrator; and

RESOLVED, That the total project budget of \$70,000 is approved for the life of the project to be available until expended without regard to fiscal year.

R-284-6-98 APPROVED

RESOLUTION TO APPROVE RECYCLING COLLECTION CONTRACT
WITH RECYCLE ANN ARBOR - RFP NO. 432

Whereas, Proposals to provide recycling collection services were received by the Purchasing Division on March 16, 1998 in response to RFP number 432;

Whereas, Recycle Ann Arbor (RAA) submitted the lowest-cost proposal and also received the highest score from the Selection Committee in the non-price portion of the proposal;

Whereas, The Solid Waste Commission endorsed the selection of RAA to provide recycling collection services in response to RFP number 432;

Whereas, RAA received Human Rights approval from the Human Resources Department on March 25, 1998; and

Whereas, Funding for the program is available within the Solid Waste Department's 1998/99 operating budget;

RESOLVED, That City Council authorize the Mayor and Clerk to sign a three year contract with a twenty one month renewal option with Recycle Ann Arbor, substantially in the form on file in the Clerk's office, with a year one cost per household per month of \$2.28, a cost per cart per month of \$10.71, and an annual escalator not to exceed three percent.

R-285-6-98 APPROVED

RESOLUTION TO APPROVE THE RENEWAL OF THE HUMAN RESOURCES MANAGEMENT SYSTEM (HRMS) SOFTWARE MAINTENANCE CONTRACT

Whereas, The Information Services Division of the Administrative Services Department wishes to renew the Human Resources Management System (HRMS) software maintenance contract with Integral Systems;

Whereas, Integral Systems is the sole vendor for the HRMS software maintenance;

Whereas, Integral Systems was approved by the Human Resources Department on, June 3, 1998;

Whereas, Funds for the HRMS software maintenance are provided in the Information Services Division of the Administrative Services Department budget for fiscal year 1998-1999;

RESOLVED, That the City Administrator is authorized to issue a purchase order to Integral Systems for the sum of \$33,242.00 for software maintenance.

R-286-6-98 APPROVED

RESOLUTION TO ACCEPT BOARD OF INSURANCE MINUTES OF JUNE 4, 1998 AND TO AUTHORIZE PAYMENTS

RESOLVED, That City Council accept the Board of Insurance Administration minutes of June 4, 1998 and to authorize payments.

R-287-6-98 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER WITH REFUSE & RECYCLING EQUIPMENT, INC.

Whereas, The Fleet Services Division of the Public Services Department needs

repair parts for City of Ann Arbor Lodal refuse vehicles;

Whereas, Refuse & Recycling Equipment, Inc. is the Lodal distributor and sole source supplier of Lodal parts for this area;

Whereas, Refuse & Recycling Equipment Inc. received Human Resources approval from the Human Resources Department on September 18, 1997; and

Whereas, Funding for these purchases is available within the approved Motor Equipment Fund, Public Services Department, budgeted accounts;

RESOLVED, That City Council approve a purchase order to Refuse & Recycling Equipment, Inc. for \$20,000, for fiscal year 1997-98.

R-288-6-98 APPROVED

RESOLUTION TO APPROVE CONTRACT WITH MIDWESTERN
CONSULTING, INC. (MCI) FOR ENGINEERING AND SURVEYING SERVICES
FOR DROP-OFF STATION DRIVE AND PARKING LOT IMPROVEMENTS
LANDFILL COVER AND DRAINAGE EVALUATION

Whereas, Asphalt paving at the Ellsworth Road drop-off station would substantially improve conditions for customer usage;

Whereas, An engineering evaluation of the site needs to be conducted because of the instability of the soil conditions due to its history as a landfill site;

Whereas, The City would also like to evaluate drainage patterns on portions of Phase I of the Landfill and along Ellsworth Road and prepare a grading plan to improve that drainage;

Whereas, MCI received Human Resources approval on February 10, 1998; and

Whereas, Funding for this project is available in the Environmental Bond;
RESOLVED, That City Council approve the attached contract with MCI for engineering and surveying services as outlined in the contract, not to exceed \$27,500, funded through the Environmental Bond; and

RESOLVED, That the Mayor and City Clerk are authorized to sign a contract substantially in the form on file in the Clerk=s office.

The question being the foregoing Consent Agenda items as presented, on a voice vote

the Mayor declared the motion carried.

R-289-6-98 APPROVED

RESOLUTION TO APPROVE PERMANENT OUTDOOR ALCOHOLIC BEVERAGE SERVICE AT 221 E. WASHINGTON ST. D.B.A. BLUE NILE RESTAURANT

RESOLVED, That the request from Kaffa House, Inc. (d.b.a. Blue Nile Restaurant) for a new outdoor service area (30' X 5') located on city sidewalk, held in conjunction with an existing Class C licensed business, located at 221 East Washington Street, Ann Arbor, be approved.

Councilmember Kolb moved that the resolution be adopted.

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

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Putman, Kolb, Daley, Hanna-Davies, Vereen-Dixon, Lumm, Mayor Sheldon, 10;

Nays, 0;

Abstain, Councilmember Kwan, 1.

The Mayor declared the motion carried.

R-290-6-98 APPROVED AS AMENDED

A resolution to approve street closings and allocate community events funds for the 1998 Ann Arbor Jaycees Fourth of July parade was considered.

Councilmember Putman moved that the resolution be adopted.

Councilmember Putman moved to amend the resolution as follows:

Paragraph 1:

Whereas, The City has received requests from the Ann Arbor Jaycees to hold a parade, **AND FROM TORTOISE & HARE RUNNING AND FITNESS CENTER TO HOLD A 5K RUN** in the City of Ann Arbor on

Independence Day, Saturday, July 4, 1998;

Paragraph 10:

RESOLVED, THAT ANY ADDITIONAL EXPENSE, I.E. TRANSPORTATION, POLICE COSTS, THAT MAY INCUR AS A RESULT OF THE TORTOISE & HARE 5K RUN WILL BE THE RESPONSIBILITY OF TORTOISE & HARE. TORTOISE & HARE WILL ALSO PROVIDE CERTIFICATES OF INSURANCE.

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

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 TO APPROVE STREET CLOSINGS AND
ALLOCATE COMMUNITY EVENTS FUNDS FOR THE
1998 ANN ARBOR JAYCEES FOURTH OF JULY PARADE**

Whereas, The City has received requests from the Ann Arbor Jaycees to hold a parade, and from Tortoise & Hare Running and Fitness Center to hold a 5K run in the City of Ann Arbor on Independence Day, Saturday, July 4, 1998;

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 1998-99 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.;

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, 1998 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; and

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 1998-99 Community Events Account.

RESOLVED, That any additional expense, i.e. transportation, police costs, that may incur as a result of the Tortoise & Hare 5K run will be the responsibility of Tortoise & Hare. Tortoise & Hare will also provide certificates of insurance.

ORDINANCES - SECOND READING

7-98 APPROVED AS AMENDED
(Vetoed by the Mayor on June 22, 1998)

PLANNED UNIT DEVELOPMENTS

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

This ordinance would revise the Zoning and Subdivision and Land Use Control chapters of the City Code with regard to planned unit developments. The revisions 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 Herrell moved that the ordinance be adopted at second reading.

Councilmember Herrell moved that the ordinance be amended as follows:

Chapter 55: Section 5:80 (2)(a)

2. Modifications Permitted.

- (a) Use regulations, and area, height and placement ... at least 20 percent of the dwelling units ~~<for availability>~~ to **BE AVAILABLE TO AND AFFORDABLE TO** persons who meet the low-income definition

Chapter 55: Section 5:80 (6)(e)

6. Standards for PUD Zoning District Review

- (e) If the proposed district allows residential uses, the ... to develop at least 20 percent of the dwelling units ~~<for availability>~~ to **BE AVAILABLE TO AND AFFORDABLE TO** persons and families

On voice vote the Mayor declared the motion carried.

Councilmember Herrell moved that the ordinance be amended as follows:

Chapter 57: Section 5:123(3)(a)(ii)

Procedure for PUD Site Plan Review.

- (a) (ii) ... ~~<If architectural review was provided as a beneficial effect of the PUD zoning district, detailed architectural floor plans and elevations, and a listing of existing and proposed exterior materials shall be provided. Such materials will become part of the PUD site plan.>~~

On roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Kolb, Hanna-Davies, Vereen-Dixon, 6;

Nays, Councilmembers Putman, Daley, Lumm, Kwan, Mayor Sheldon, 5.

The Mayor declared the motion carried.

Councilmember Herrell moved that the ordinance be amended as follows:

Chapter 55, Section 5:80(4)(e)

4. PUD Zoning District Review Submittal Requirements

- (e) ... and number of stories; and design standards by which the development will be evaluated ~~<, if design review is proposed as a beneficial effect.>~~

On roll call the vote was as follows:

Councilmembers Carlberg, Herrell, Hartwell, Kolb, Hanna-Davies, Vereen-Dixon, 6;

Nays, Councilmembers Daley, Lumm, Kwan, Mayor Sheldon, 4.

The Mayor declared the motion carried.

The question being the ordinance as amended, on roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Putman, Kolb, Daley, Hanna-Davies, Vereen-Dixon, Lumm, Kwan, Mayor Sheldon, 11;

Nays, 0.

The Mayor declared the motion carried.

ORDINANCES - FIRST READING

19-98 APPROVED

FORESTCOVE M-14 OFFICE PARK 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 9.2 acres, located at the south side of Miller Road west of M-14, from R1B (Single-Family Dwelling to O (Office District).

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

On a voice vote the Mayor declared the motion carried.

20-98 APPROVED AS AMENDED

NEWPORT RIDGE CONDOMINIUMS 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 43.6 acres, located at the west side of Nixon Road north of M-14, from TWP (Township District) to AG (Agricultural District).

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

Councilmember Carlberg moved to amend the resolution as follows:

Section 4: PUD Regulations

- (H) Natural Features Protection: **ALL LOTS SHALL BE CREATED OUTSIDE ANY NATURAL FEATURES OPEN SPACE REQUIRED BY CHAPTER 55, EXCEPT LOT 54.** Plans for the building envelope of each unit shall be submitted to the Planning Department prior to the issuance of building permits.

With unanimous consent of Council, the petitioner answered questions concerning the amendment.

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

21-98 APPROVED

214 WEST WILLIAM STREET 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 a 3 Foot wide parcel, located at 214 West William Street, from C2B (Business Service District) to C2A (Central Business District).

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

On a voice vote the Mayor declared the motion carried.

22-98 APPROVED

202 WEST WILLIAM STREET 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 0.04 acre, located at 202 West William Street, from C2B (Business Service District) to C2A (Central Business District).

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

On a voice vote the Mayor declared the motion carried.

23-98 DEFEATED**SIGNS AND OUTDOOR ADVERTISING**

An ordinance to Amend Chapter 61 of
Title V of the Code of the City of Ann Arbor

This ordinance would eliminate the existing limitation on the information which can be placed on a sign advertising the sale or rental of a single or two-family house, and add a requirement that any such temporary sign must be removed within 48 hours after a purchase offer has been accepted, or within 48 hours after a lease has been entered into between landlord and tenant. This ordinance would add a new subsection to allow temporary signs to be placed only on private property, with the consent of the owner of the property. The other proposed changes clarify and render more consistent provisions of Chapter 61.

Councilmember Lumm moved that the resolution be postponed until the July 6, 1998 meeting.

On roll call, the vote was as follows:

Yeas, Councilmembers Putman, Kolb, Vereen-Dixon, Lumm, Kwan, 5.

Nays, Councilmembers Carlberg, Herrell, Daley, Hanna-Davies, Mayor Sheldon, 5.

Mayor Sheldon declared the motion defeated.

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 roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Daley, Hanna-Davies, Mayor Sheldon, 5;

Nays, Councilmembers Hartwell, Putman, Kolb, Vereen-Dixon, Lumm, 5;

Abstention, Councilmember Kwan, 1.

MOTIONS AND RESOLUTIONS**R-291-6-98 APPROVED****RESOLUTION TO APPROVE THE BROADWAY BRIDGES PROJECT**

A resolution to approve the Broadway Bridges project was considered.

Councilmember Hanna-Davies moved that the resolution be adopted.

Councilmember Kolb moved that the resolution be amended to include the following language after the 3rd paragraph of the resolution:

RESOLVED, THAT THE BROADWAY BRIDGES PROJECT BE AMENDED SO THAT CAREY STREET IS LEFT OPEN, TWO WAYS IF POSSIBLE, BUT AT LEAST ONE-WAY DOWN (NORTH); AND

RESOLVED, THAT THE BROADWAY BRIDGES PROJECT BE AMENDED SO THAT THE CONNECTOR STREET (N. DIVISION STREET) TO DETROIT STREET BE LEFT OPEN;

On a voice vote the Mayor declared the motion carried.

Councilmember Carlberg moved that resolution be amended as follows:

RESOLVED, THAT THE BROADWAY BRIDGES PROJECT BE AMENDED SO THAT THE OUTER LANES OF BROADWAY ARE 12 FT. WIDE AND THE SIDEWALKS ARE 11 FT. WIDE;

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

Councilmember Hanna-Davies moved that the following language be added to the resolution:

RESOLVED, THAT THE BROADWAY BRIDGES PROJECT BE AMENDED SO THAT THE CURVE IN THE DIVISION STREET APPROACH TO THE BRIDGES BE TIGHTENED AS MUCH AS REASONABLY POSSIBLE TO SLOW THE TRAFFIC DOWN;

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

Councilmember Hanna-Davies moved that the following language be added to the resolution:

RESOLVED, THAT THE BROADWAY BRIDGES PROJECT BE AMENDED SO THAT A WIDE CHOICE OF DESIGNS FOR SEPARATING THE SIDEWALK FROM TRAFFIC, TO MAKE THE BRIDGES AS ATTRACTIVE AS POSSIBLE TO PEDESTRIANS AND CYCLISTS, BE BROUGHT BACK TO COUNCIL FOR FINAL DESIGN DECISION.

On a voice vote the Mayor declared the motion carried.

Councilmember Herrell moved that the resolution be amended as follows:

RESOLVED, That City Council approve the Broadway Bridges project as ~~<submitted to>~~ **AMENDED HERE** and reviewed by the Planning Commission on March 17, 1998 **CONTINGENT UPON THE DEVELOPMENT OF A PLAN TO BE PRESENTED TO COUNCIL BEFORE THE COMMENCEMENT OF CONSTRUCTION OF THE BRIDGES, TO EITHER MITIGATE THE LOSS OF 100 YEAR FLOOD STORAGE ELSEWHERE IN THE WATERSHED OR AN ALTERNATIVE MITIGATION RELATING TO FLOOR STORAGE OR WATER QUALITY ELSEWHERE IN THE WATERSHED.**

On a voice vote the Mayor declared the motion carried.

Councilmember Kolb moved that the resolution be amended as follows:

RESOLVED, THAT THE BROADWAY BRIDGES PROJECT BE AMENDED SO THAT TRAFFIC IS REROUTED TO ALLOW ONE-WAY INTO TOWN, AS OPPOSED TO ONE-WAY OUT;

On a voice vote the Mayor declared the motion carried.

Councilmember Herrell moved to amend the resolution as follows:

RESOLVED, THAT THE BROADWAY BRIDGES PROJECT BE AMENDED SO THAT THE OUTSIDE RAIL IS 4'6" TO CONFORM TO STANDARDS FOR BICYCLE RAILINGS;

After further discussion, the amendment was withdrawn.

The question being the resolution as amended, on voice vote the Mayor declared the motion carried with Councilmember Putman dissenting.

The resolution as adopted reads as follows:

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: the project will required 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, That the Broadway Bridges Project be amended so that Carey Street is left open, two ways if possible, but at least one way down (north);

RESOLVED, That the Broadway Bridges Project be amended so that the connector street (N. Division Street) to Detroit Street be left open;

RESOLVED, That the Broadway Bridges Project be amended so that the outer lanes of Broadway are 12 ft. wide and the sidewalks are 11 ft. wide;

RESOLVED, That the Broadway Bridges Project be amended so that the curve in the Division Street approach to the bridges be tightened as much as reasonably possible to slow the traffic down;

RESOLVED, That the Broadway Bridges Project be amended so that a wide choice of designs for separating the sidewalk from the traffic, to make the bridges as

attractive as possible to pedestrians and cyclists, be brought back to Council for final design decision;

RESOLVED, That the Broadway Bridges Project be amended so that construction traffic is rerouted to allow one-way into town, as opposed to one-way out; and

RESOLVED, The City Council approve the Broadway Bridges project as amended here and reviewed by the Planning Commission on March 17, 1998 contingent upon the development of a plan to be presented to Council before the commencement of construction of the bridges, to either mitigate the loss of 100 year flood storage elsewhere in the watershed or an alternative mitigation relating to flood storage or water quality elsewhere in the watershed.

R-292-6-98 APPROVED
(Vetoed by the Mayor on June 22, 1998)

RESOLUTION AUTHORIZING SUMMARY PUBLICATION
OF ORDINANCE NO. 7-98 AMENDMENTS TO CHAPTERS 55 AND 57
PLANNED UNIT DEVELOPMENTS

Councilmember Daley moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

POSTPONED

RESOLUTION NO. 4 - CONFIRM ASSESSMENT
ROLL FOR PLATT ROAD SANITARY SEWER

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

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

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

RESOLVED,

1. That said special Assessment Roll as prepared by the City Assessor be hereby confirmed in the amount of \$17,093.50 and designated as Sanitary Sewer Special Assessment District Number 476, File Number 90010;

2. That said Special Assessment Roll be divided into fifteen (15) equal annual installments, the first of which shall be due on December 1, 1998, and the fourteen (14) subsequent installments to be due on June 1 of each and every year thereafter; and

3. That the deferred installments of said Special Assessment Roll bear interest at the rate of 7% to be adjusted to 1 per cent per annum above the average interest rate of any bonds issued to finance the improvements, commencing December 1, 1998, said interest to be collected annually on the due date of the second and subsequent installments of said Special Assessment Roll.

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

PLATT ROAD SANITARY SEWER
DISTRICT NUMBER 476, FILE NUMBER 90010

PROPERTY SHARE

12-10-400-024 (2 connections)	Amador, Joseph III 6280 Rawsonville Ypsilanti, MI 48111	\$ 4,185.00
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	\$ 17,093.50

Councilmember Kwan moved that the resolution be postponed until July 6, 1998 for further review by City staff.

On a voice vote the Mayor declared the motion carried.

R-293-6-98 APPROVED

RESOLUTION RECOGNIZING INDIVIDUALIZED HOME NURSING CARE, INC.
AS A NON-PROFIT ORGANIZATION IN THE CITY OF ANN ARBOR

Whereas, Individualized Home Nursing Care, Inc. is a nonprofit organization;

Whereas, The United States Department of Treasury-Internal Revenue Service recognizes Individualized Home Nursing Care, Inc. as a tax exempt, nonprofit organization; and

Whereas, Individualized Home Nursing Care, Inc. needs the City to recognize it as a nonprofit organization in the community in order to conduct fundraising activities with State approval,

RESOLVED, That the Mayor and City Council recognize Individualized Home Nursing Care, Inc. as a nonprofit organization in the City of Ann Arbor.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-294-6-98 APPROVED

RESOLUTION ALLOCATING FUNDS FROM
THE FY 1997-98 COMMUNITY EVENTS FUND

Whereas, The Ann Arbor Blues and Jazz Festival and the Ann Arbor Public Schools Hikone Exchange Program have requested city funding for their respective programs; and

Whereas, These organizations have traditionally been granted some level of funding by the City Council.

RESOLVED, That the Ann Arbor City Council hereby allocates \$2,250 to the Ann Arbor Blues and Jazz Festival and \$1,750 to the Hikone Exchange Program from the FY 1997-98 Community Events Fund. Said monies shall be paid to the Ann Arbor Blues and Jazz Festival and the Ann Arbor Public Schools, respectively.

RESOLVED, That the Mayor and City Clerk are hereby authorized to execute a Public Services Agreement with each of these organizations, in a form approved by the City Attorney.

Councilmember Lumm moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

TABLED

RESOLUTION TO APPROVE ARBOR LANDINGS PHASE II
REVISED SITE PLAN AND WETLAND USE PERMIT

Whereas, Associated Estates Realty Corporation has requested revised site plan approval in order to construct Building 25 within an existing wetland and relocate Building 26 to the east side of Arbor Landings Apartments (545 Landings Boulevard);

Whereas, The petitioner has requested a wetland use permit in order to fill 1,555 square feet of wetland and its associated natural features open space, and create 3,110 square feet of new wetland to mitigate the fill area; and

Whereas, The Ann Arbor City Planning Commission, on June 2, 1998, reviewed said request;

RESOLVED, That City Council approve the Arbor Landings Phase II Revised Site Plan and Wetland Use Permit, with the condition that no certificate of occupancy may be issued prior to completion of the sidewalk and left turn lane adjacent to Dexter Road.

A communication was received from the Planning Commission transmitting its recommendation of denial of the proposed Arbor Landings Phase II revised site plan and wetland use permit, 37.7 acres, 545 Landings Boulevard.

Councilmember Vereen-Dixon moved that the resolution be adopted.

Council unanimously agreed that the resolution be amended as follows:

4th paragraph

RESOLVED, That City Council approve the Arbor Landings Phase II Revised Site Plan and Wetland Use Permit, with the condition that **THERE BE NO PHYSICAL BUILDING WITHIN 140 FT. OF THE GREENBELT AS ORIGINALLY PROPOSED, AND** no certificate of occupancy may be issued prior to completion of the sidewalk and left turn land adjacent to Dexter Road.

With unanimous consent of Council, the petitioner answered questions concerning the amendment.

Councilmember Carlberg moved that the resolution be tabled to allow petitioner to propose a different plan that preserves the green space.

On a voice vote the Mayor declared the motion carried.

R-295-6-98 APPROVED

RESOLUTION TO APPROVE REVISIONS TO LAND DEVELOPMENT REGULATIONS REGARDING PLANNED UNIT DEVELOPMENTS

Whereas, In conjunction with Planned Unit Development (PUD) amendments to Chapters 55 and 57, Sections 1:3 and 1:4 of the Land Development Regulations are proposed to be revised by changing a Preliminary Phase PUD to a PUD Zoning District and a Final Phase PUD to a PUD Site Plan; and

Whereas, The Ann Arbor City Planning Commission, on March 10, 1998, recommended approval of said revisions;

RESOLVED, That City Council approve the revisions to the Land Development Regulations, dated March 6, 1998 (on file in the City Clerk's Office).

A communication was received from the Planning Commission transmitting its recommendation of approval of the proposed revisions to land development regulations regarding planned unit developments.

Councilmember Putman moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-296-6-98 APPROVED

RESOLUTION NO. 2: PREPARE ASSESSMENT ROLL FOR THE GLAZIER WAY ROADWAY PROJECT

Whereas, The City Council has directed and ordered the City Administrator to have prepared plans, specifications and estimates of cost for Glazier Way Roadway Project described as follows:

Glazier Way Roadway Project - Approximately 2,940 lineal feet of roadway reconstruction, 2,600 lineal feet of 12-inch water main, and 625 lineal feet of 8-inch sanitary sewer along Glazier Way, between Huron Parkway and Green Road

File No. 96061

District No. 23; and

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

land which should be included in the special assessment district; and

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

RESOLVED,

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

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

3. That the City Council hereby determine to proceed with the acquisition and construction of the Glazier Way Roadway Project described as follows:

Glazier Way Roadway Project - Approximately 2,940 lineal feet of roadway reconstruction, 2,600 lineal feet of 12-inch water main, and 625 lineal feet of 8-inch sanitary sewer along Glazier Way, between Huron Parkway and Green Road;

4. That the City Council determine that the cost of said improvement, including all incidentals, to be \$2,439,450.00, and that of said total cost, the sum of \$699,613.36, be paid by special assessment upon the property specially benefited within the City, and that a sum of \$595,474.12, be paid by the City as City share future recoverable (Land Outside the City), and the balance of the cost thereof, \$1,145,362.52, be paid by the City at large;

5. The amount of \$2,429,450.00 be advanced from the 1996 Street Millage Fund (Fund 062) pending the sale of the appropriate bonds;

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

(Assessment District spreadsheet on file in the City Clerk=s Office)

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

Councilmember Putman moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

Councilmember Putman exited at 11:42 p.m.

R-297-6-98 APPROVED

RESOLUTION TO MODIFY POLICE BUDGET FOR 1998-99
FOR POLICE CLERICAL PAY INCREASES

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

RESOLVED, That \$11,496 be transferred from the Contingency-Pay Increase account to the Police Department for the fiscal year 1997-98; and

RESOLVED, That \$8,410 be transferred from the Contingency-Pay Increase account to the Police Department for the fiscal year 1998-99.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-298-6-98 APPROVED

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

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 four years;

Whereas, Funding for the lease of that office was again included in our FY 1998-99 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 April 6, 1998;

RESOLVED, That the City of Ann Arbor enter into a lease agreement in the amount of \$6,800 with First Martin Corporation/Traver Village Limited Partnership for the office space described in Appendix A of the lease agreement document, (on file in the City Clerk's Office) located at 2605 Plymouth Road, for use as a Community Policing office from July 1, 1998 until June 30, 1999; 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 Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-299-6-98 APPROVED

RESOLUTION TO APPROVE APPROPRIATION
OF FUNDS FROM MRF CAPITAL REPLACEMENT ACCOUNT OF
THE SOLID WASTE FUND

Whereas, Resource Recovery Systems (RRS) of Centerbrook, Connecticut under the existing MRF operating contract with the City, is entitled to receive reimbursement for certain capital replacement and repair expenditures from the capital replacement account of the Solid Waste Fund; and

Whereas, Capital replacement and repair expenditures of \$53,730 were made by RRS during the time period of July 1, 1995 through August 31, 1997; and

Whereas, Payment of these claims was delayed until a complete settlement was negotiated with RRS on capital replacement funding and other issues; and

Whereas, Capital replacement and repair expenditures by RRS in the September 1, 1997 through June 30, 1998 period are estimated not to exceed \$25,000; and

Whereas, The capital replacement account has a current balance of approximately \$111,000; and

Whereas, RRS received updated Human Rights approval from the Human Resources Department on May 26, 1998;

Resolved, That City Council appropriates an amount not to exceed \$78,730 from the capital replacement account of the Solid Waste Fund to cover these contract obligations.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-300-6-98 APPROVED

RESOLUTION TO APPROVE CONTRACT AMENDMENTS WITH
RESOURCE RECOVERY SYSTEMS, INC. RELATING TO THE CITY'S
MATERIALS RECOVERY FACILITY

Whereas, Resource Recovery Systems of Centerbrook, Connecticut (RRS) designed, built and operates the City-owned materials recovery facility and waste transfer station (MRF);

Whereas, Disputes relating to the construction contract with RRS are ready to be resolved;

Whereas, Several modifications are needed in the operating contract to increase the City's performance security, improve proper care of rolling stock and equipment, restore the long-term health of the capital replacement fund and restructure financial and operational components to the mutual benefit of both parties; and

Whereas, RRS received updated Human Rights approval from the Human Resources Department on May 26, 1998;

RESOLVED, That City Council approve the *Overall Settlement Agreement* with RRS and that the Mayor and City Clerk are authorized to sign this agreement;

RESOLVED, That City Council approves the operating contract changes substantially in the form on file in the City Clerk's office (Exhibit A), and that the Mayor and City Clerk are authorized to sign this amended agreement and other documents as may be required to implement the contract and settlement agreement, as approved by the City Attorney; and

RESOLVED, That the City Administrator is authorized to sign any documents as may be required and take all administrative actions as may be required to implement this resolution.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-301-6-98 APPROVED AS AMENDED

RESOLUTION TO AMEND THE FY 98/99
BUILDING DEPARTMENT BUDGET

Whereas, Warner Lambert/Parke Davis is anticipating an ambitious expansion program at its Ann Arbor facility at Plymouth Road and Huron Parkway;

Whereas, This program will involve construction of multiple buildings in multiple phases over at least 3 years;

Whereas, This program will involve approximately \$100 - \$150 million of in-place construction over the same period;

Whereas, This will dramatically increase the workload of the Building Department for the duration of the project;

Whereas, This will place a severe strain on existing Building Department resources to coordinate City departments at all points of the construction process, review plans in a timely manner, and provide timely inspections; and

Whereas, Revenues from the project are anticipated to be adequate to offset the proposed increase in Building Department staffing;

RESOLVED, That the Building Department budget be increased by \$50,000 from anticipated additional building inspection fees; and

RESOLVED, That the Public Services Department, Fleet Services Division, be authorized to provide the Building Department with one additional vehicle, and that the Building Department vehicle use budget lines be amended to reflect same.

A resolution to amend the FY 98/99 Building Department budget was considered.

Councilmember Kolb moved that the resolution be adopted.

Councilmember Lumm moved that the resolution be amended as follows:

7th Paragraph

RESOLVED, That the Building Department budget be increased by \$50,000 ~~<from anticipated additional building inspection fees>~~ **TO REFLECT THE CONTRACTING OUT OF OUTSIDE TEMPORARY BUILDING-RELATED SERVICES REQUIRED TO SUPPORT WARNER LAMBERT - PARKE-DAVIS. THE CONTRACTED SERVICES WOULD BE FOR UP TO 3 YEARS AND FOR UP TO \$50,000 ANNUALLY.**

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

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

6th Paragraph

~~<Whereas, Revenues from the project are anticipated to be adequate to offset the proposed increase in Building Department staffing;>~~

7th Paragraph

RESOLVED, That the Building Department budget be increased by \$50,000 ~~<from anticipated additional inspection fees>~~ **AND THAT REVENUES DUE TO ANTICIPATED BUILDING INSPECTION FEES BE INCREASED BY \$50,000 TO OFFSET THE PROPOSED INCREASE IN BUILDING DEPARTMENT STAFFING;**

On a voice vote the Mayor declared the motion carried.

Councilmember Daley exited at 12:15 a.m.

The question being the resolution as amended, on roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Kolb, Hanna-Davies, Vereen-Dixon, Mayor Sheldon, 8;

Nays, Councilmember Lumm, 1.

The resolution as adopted reads as follows:

RESOLUTION TO AMEND THE FY 98/99
BUILDING DEPARTMENT BUDGET

Whereas, Warner Lambert/Parke Davis is anticipating an ambitious expansion program at its Ann Arbor facility at Plymouth Road and Huron Parkway;

Whereas, This program will involve construction of multiple buildings in multiple phases over at least 3 years;

Whereas, This program will involve approximately \$100 - \$150 million of in-place construction over the same period;

Whereas, This will dramatically increase the workload of the Building Department for the duration of the project;

Whereas, This will place a severe strain on existing Building Department resources

to coordinate City departments at all points of the construction process, review plans in a timely manner, and provide timely inspections; and

RESOLVED, That the Building Department budget be increased by \$50,000 and that revenues due to anticipated building inspection fees be increased by \$50,000 to offset the proposed increase in Building Department staffing;

RESOLVED, That the Public Services Department, Fleet Services Division, be authorized to provide the Building Department with one additional vehicle, and that the Building Department vehicle use budget lines be amended to reflect same.

R-302-6-98 APPROVED

RESOLUTION TO APPROVE THE PURCHASE OF 1.68 ACRES OF PARK LAND AT PLATT ROAD AND I-94 FOR AN ADDITION TO SOUTHEAST AREA PARK

Whereas, The 1.68 acres adjacent to Southeast Area Park are for sale and the Park Advisory Commission and Mayor and Council approved a grant application to acquire the land to increase recreation opportunities and provide for other usus related to the park;

Whereas, The 1994 Park, Recreation and Open Space Plan recommended that the parcel be acquired to add to Southeast Area Park and the City entered into a matching grant agreement with the Michigan DNR for matching funds to assist with the purchase.

Whereas, The Michigan DNR approved a matching Natural Resources Trust Fund grant for up to \$187,336 of the purchase costs as specified in the grant project agreement;

Whereas, The required Environmental Assessment of the property was completed with no adverse findings and the proposed purchase agreement will offer \$283,000 for the property, consistent with the approved real estate appraisals; and

Whereas, There are sufficient funds in the Park Acquisition Millage (Fund 024) to match the total purchase price of \$283,000 plus \$20,000 estimated incidental closing costs and other fees totaling \$303,000;

RESOLVED, That the Park Advisory Commission recommends the Mayor and City Council approve a sales agreement for the purchase of the 1.68 acres of park land adjacent to Southeast Area Park, described below, for park use and recommends the Mayor and Clerk to sign the agreement substantially in the form on file with the City Clerk and authorize up to \$303,000 from the Park Acquisition Millage (fund 024) for the purchase and associated closing costs and fees for the life of the project, with up to \$187,336 of State grant funds to be reimbursed to the Park Acquisition Millage Fund.

Part of the SE 1/4 Section 10, T3S, R6E, commencing at the southeast corner of said section, thence north 1 degree east 336.2 feet for a point of beginning, thence north 89 degrees west 264.44 feet, thence north 1 degree east 417.74 feet, thence south 55 degrees 16 minutes east 317.98 feet, thence south 1 degree west 241.16 feet to a point of beginning, except that portion as public roadway easement for Platt Road.

Councilmember Vereen-Dixon moved that the resolution be adopted.

Councilmember Kwan moved that the resolution be postponed to allow review of additional information.

On roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Kolb, Lumm, Kwan, Mayor Sheldon, 5;

Nays, Councilmembers Herrell, Hartwell, Hanna-Davies, Vereen-Dixon, 4.

The Mayor declared the motion defeated.

The question being the resolution as presented, on roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Kolb, Hanna-Davies, Lumm, Mayor Sheldon, 8;

Nays, Councilmember Kwan, 1.

The Mayor declared the motion carried.

R-303-6-98 APPROVED

RESOLUTION TO APPROPRIATE FUNDING FROM
DEVELOPMENT CONTRIBUTIONS FOR CRANBROOK PARK

Whereas, Cranbrook Park is designated in the 1995-2001 Park Rehabilitation and Development Millage budget for renovation;

Whereas, Development contributions from Brookside Commons totaling \$10,800 (\$7500 in December, 1997, and \$3300 in April, 1998) were received from the developer;

Whereas, The funds are earmarked for Cranbrook Park for the purchase and installation of a pedestrian bridge;

RESOLVED, Funds totaling \$10,800 are to be appropriated into the Cranbrook Park

Project budget in the FY 98/99 budget for the life of the project in the Park Rehabilitation and Development Millage (Fund 18) so that this improvement can be accomplished.

Councilmember Vereen-Dixon moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-304-6-98 APPROVED

RESOLUTION TO APPROVE THE 1998 JAYCEES CARNIVAL

Whereas, The Ann Arbor Jaycees have requested permission to hold a carnival at the Pioneer High School parking lot from July 1-5, 1998;

Whereas, The City Code of Ordinance 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 1998-99 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 lances 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 completion of the event.

9. All other concerns shall be regulated by the City Administrator, the Chief of Police or their designee.

RESOLVED, That the City of Ann Arbor support this event in the amount of \$3600 for the reimbursement of City expenditures with funds to be appropriated from the 1998-99 Community Events Account; and

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

Councilmember Kwan 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

Mayor Sheldon recommended the following appointments at the June 1, 1998 regular session of Council:

Washtenaw County Emergency Telephone District Board

Neal G. Berlin (City of Ann Arbor representative reappointment)

City Planning Commission

Sandra L. Arlinghaus (reappointment)
1964 Boulder Dr.
Ann Arbor, MI 48104
Term: 07/01/98 to 06/30/2001

Councilmember Kwan 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:

Community Development Citizen Participation Executive Committee

Julia S. Morris (replacing Larry Gable at term expiration)
7 Regent Dr.
Ann Arbor, MI 48104
Term: 07/06/98 to 06/30/2001

Housing Board of Appeals

Lelahni Wessinger (reappointment)
2216 Melrose Ave.
Ann Arbor, MI 48104
Term: 07/06/98 to 06/20/2001

Ronald Yarrington (reappointment)
201 W. William St., #2
Ann Arbor, MI 48104
Term: 07/06/98 to 06/30/2001

Housing Policy Board

James E. Miller (replacing Cynthia Akah who resigned)
3991 Waldenwood
Ann Arbor, MI 48105
Term: 07/06/98 to 07/14/99

Community Development Waiver and Review Board

Patricia Dufek (reappointment)
4 Ruthven Place
Ann Arbor, MI 48104
Term: 07/06/98 to 07/05/2000

Gertrude Jones (replacing Clark Shuler at term expiration)
809 Daniel St.
Ann Arbor, MI 48103
Term: 07/06/98 to 07/05/2000

RECENTLY SIGNED PROCLAMATIONS

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

- Michigan Family Day - July 7, 1998
- Law Day - June 8 - June 14, 1998
- Conway Central Express Day - June 20, 1998

ANNOUNCEMENTS

- Council Working Session - June 17, 1998 at 7:00 p.m. to discuss City Administrator Performance Goals
- Council Working Session - June 22, 1998 at 7:00 p.m.
- June 29, 1998 softball game canceled due to scheduling conflict

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Impervious Surface Study Update
2. Relationship Between the City Planning Commission and the Downtown Development Authority regarding Replacement of Existing Parking Structures and Siting New Parking Structures
3. Refunding Resolutions and Ordinances

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

COMMUNICATIONS FROM THE CITY ATTORNEY

City Attorney Abigail Elias reported that:

- Nordic Power filed an application for a Certificate of Necessity and the City of Ann Arbor has filed a motion to intervene.

- The Ann Arbor News article regarding Lansing successfully banning the Klan from appearing was not accurate. The Court of Appeals overturned the Trial Courts decision, therefore, the Klan won the right to appear.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER VEREEN-DIXON

Councilmember Vereen-Dixon stated that Lucille Porter, sponsor of the African-American Downtown Festival, presented a plaque thanking Council for its support of the event.

COUNCILMEMBER HANNA-DAVIES

Councilmember Hanna-Davies announced that the City will celebrate Juneteenth, the signing of the Emancipation Proclamation, Saturday, June 20, 1998 from 12:00 noon to 6:00 p.m. at Wheeler Park.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Cheryl Ransom regarding Arbor Landings Phase II Revised Site Plan - Planning
2. Petition regarding the Proposed Special Assessment for Glazier Way Reconstruction - File
3. Communication from Joyce Zuck regarding Amendments to Chapter 61 - Signs and Outdoor Advertising - File

The following minutes were received for file:

1. Airport Advisory Committee - April 15, 1998
2. Building Board of Appeals - April 9, 1998
3. Ann Arbor Taxicab Board - April 30, 1998
4. Cable Communications Commission - April 28, 1998
5. Ann Arbor Employees Retirement System - March 19, and April 16, 1998
6. Human Rights Commission - March 18 and April 15, 1998

7. Ann Arbor Energy Commission - May 14, 1998

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERALRICHARD HESELSCHWERDT - OZONE HOUSE

Richard Heselschwerdt, 3423 Carpenter, spoke in objection to the gay picnic held at the Ozone House on Sunday, June 14, 1998. He stated that he loves everyone but does not agree with the gay lifestyle. Mr. Heselschwerdt requested City Council not to allocate the recently approved \$32,000 to the Ozone House.

ADJOURNMENT

There being no further business to come before Council, the Mayor declared the meeting adjourned at 1:00 a.m.

W. Northcross
Clerk of the Council

Frances M. McMullan
Recording Secretary