

**ANN ARBOR CITY COUNCIL MINUTES  
REGULAR SESSION - JANUARY 4, 1999**

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, Joseph Upton, David Kwan, Jean Carlberg, Heidi Cowing Herrell, Stephen C. Hartwell, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 10.

ABSENT : Councilmember Patrick A. Putman, 1.

**INTRODUCTIONS**

YOUTH-ADULT PARTNERSHIP SUMMIT

Justina Hierta, representing the Youth-Adult Partnership Summit, invited everyone to participate in the Summit to be held at the Clarion Hotel on February 19 and 20. Ms. Hierta stated that the Summit is a teen-initiated and teen and adult-driven collaborative to increase youth involvement in Ann Arbor. Ann Arbor Public Schools Interim Superintendent David Flowers, two School Board Members, and several students expressed their support for the Summit.

SNOW REMOVAL PROCESS

Mayor Sheldon thanked the City employees involved in the snow removal process, which is continuing due to a storm that dumped 15 inches of snow over the weekend. City Administrator Neal Berlin reported that the City's snow removal equipment can clear 4-6 inches of snow in 24 hours, and that a huge snow fall will take considerably longer to plow. He further reported that City crews have been working 12-hour shifts around the clock to clear the snow, starting with arterial streets and followed by residential streets, in accordance with the trash pickup cycle.

**PUBLIC COMMENTARY - RESERVED TIME**

ROGER RAYLE - PALL-GELMAN CONTAMINATION

Roger Rayle, 3141 N. Wagner Rd., Scio Township, reported that a public hearing concerning the Pall-Gelman contamination will be held on January 19 at Abbot School. He expressed concern that Pall-Gelman's efforts to increase flow and dioxane discharge levels into Honey Creek from its core system cleanup would significantly increase dioxane in the creek and the Huron River.

#### ELMER WHITE - COMMONWEALTH/GREEN ROAD TRAFFIC LIGHT

Elmer White, attorney representing the Chapel Hill Condominium Association, expressed concern with the traffic increase at Commonwealth and Green Road due to proposed development, which he believes will double the amount of traffic on Green Road. Mr. White stated that there is a strong and compelling case for the extension of Commonwealth into the proposed development and for the installation of a traffic light at the Green/Commonwealth intersection. (Statement on file in the City Clerk's Office)

### **PUBLIC HEARINGS**

#### PLANNED UNIT DEVELOPMENTS (ORDINANCE NO. 49-98)

A public hearing was conducted on the proposed amendments to Chapters 55 and 57 of the Ann Arbor City Code regarding Planned Unit Developments. Notice of public hearing was published December 20, 1998.

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

#### ERIM REVISED FINAL PHASE PUD SITE PLAN

A public hearing was conducted on the proposed ERIM Revised Final Phase PUD Site Plan, 35.26 acres, 1968 Green Road. Notice of public hearing was published December 27, 1998.

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

1529 FRANKLIN STREET LAND DIVISION

A public hearing was conducted on the proposed 1529 Franklin Street Land Division, 0.45 acre. Notice of public hearing was published December 27, 1998.

The following persons appeared:

Francis Redding, 112 W. Jefferson St., petitioner, stated that the proposal received unanimous approval from the Planning Commission and requested Council=s support for the plan. Ms. Redding stated that he would be available to answer questions from Council.

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

PARKE-DAVIS TECHNICAL DEVELOPMENT FACILITY PLANNED PROJECT SITE PLAN

A public hearing was conducted on the proposed 1600 Huron Parkway (Parke-Davis Technical Development Facility) Planned Project Site Plan, 30.2 acres. Notice of public hearing was published December 27, 1998.

The following people appeared:

Wendy Carman, representing the Orchard Hills/Maplewood Homeowners Association, expressed concern that the proposal will contribute to the already heavy traffic conditions on Plymouth Road and further compromise the ability of Bromley or Orchard Hills residents to leave their subdivisions. She requested that : 1) Council authorize a traffic study, which includes the potential effects of placing a traffic signal at either Georgetown or Prairie St.; 2) a public hearing be held for the residents to express their concerns; and 3) the site development agreement include a requirement to align the driveway with Prairie St. should the traffic study find that a traffic signal at Prairie St. is the best solution. (Statement on file in the City Clerk=s Office)

Steve Rapundalo, 3106 Bluett Dr., expressed concern with the site plan=s traffic impact study, which he believes is inaccurate because it was conducted on a day that school was not in session. He spoke in support of Ms. Carman=s request for a traffic study to be done as soon as possible and for a neighborhood public meeting to discuss the issues and options. He also requested language in the site development agreement requiring Parke-Davis to move the curb cut should the traffic study or community opinion deem it necessary.

Peter Pollack, of Pollack Design Associates, representing the petitioner, reviewed the site plan drawings. He stated that proposal tries to balance the environmental qualities of this complex site with the large development. Mr. Pollack reported that Parke-Davis will be constructing fewer than the City-

required parking spaces, and is working with AATA for access to the site.

Mark Eichkorn, representing Parke-Davis, reported that Parke-Davis would be willing to conduct the traffic study and locate its entry at the location deemed the best for the area. Mr. Eichkorn urged approval of the proposal and stated that he would be available to answer questions from Council.

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

#### 524 SOUTH MAIN STREET REVISED SITE PLAN

A public hearing was conducted on the proposed 524 South Main Street Revised Site Plan, 0.3 acre. Notice of public hearing was published December 27, 1998.

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

#### APPLICATION OF IXC CARRIER, INC. FOR USE OF PUBLIC RIGHTS-OF-WAY

A public hearing was conducted on the proposed application of IXC Carrier, Inc. for Permit #1998-1 for use of public rights-of-way to provide telecommunications. Notice of public hearing was published December 25, 1998.

The following person appeared:

Mark Trella, representing IXC Carrier, Inc., stated that he would be available to answer questions from Council.

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

## **APPROVAL OF AGENDA**

### AGENDA APPROVED AS AMENDED

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

#### CONSENT AGENDA

Add: Resolution Recognizing the Michigan Rowing Association as a Nonprofit Organization in the City of Ann Arbor (Mayor Sheldon)

On a voice vote the Mayor declared the motion carried.

## **APPROVAL OF COUNCIL MINUTES**

### MINUTES OF DECEMBER 14, 17 AND 21 APPROVED

Councilmember Carlberg moved that the working session minutes of December 14, 1998, the special session minutes of December 17, 1998, and the regular session minutes of December 21, 1998 be approved as presented.

On a voice vote the Mayor declared the motion carried.

## **CONSENT AGENDA**

### CONSENT AGENDA ITEMS APPROVED

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

#### R-1-1-99 APPROVED

#### RESOLUTION TO APPROVE CONTRACT AND ESTABLISH PROJECT BUDGET FOR SEWAGE SLUDGE PUMP REPLACEMENT PROJECT - BID NO. 3205

**Whereas, The primary sewage sludge and thickened sewage sludge pumps and associated systems at the Wastewater Treatment Plant (WWTP) are essential components of the WWTP;**

**Whereas, The sewage sludge pumps and associated systems have exceeded their design life expectancy, are unreliable and are costly to maintain and operate;**

**Whereas, Catastrophic failure of the sludge pumping system would severely**

impact the WWTP=s ability to process sewage sludge;

Whereas, Replacement of this equipment and improvements to associated facilities and infrastructure will increase process efficiency and flexibility;

Whereas, Bids were solicited under Bid No. 3205 and 4 bids were received on September 30, 1998;

Whereas, Process Piping & Equipment, Inc. is recommended as the lowest responsible bidder;

Whereas, On October 1, 1998 the Human Resources Department approved Process Piping & Equipment, Inc. to perform this work; and

Whereas, Funds to finance this project are available in the Prior Sewer Revenue Bond Balances (\$640,000.00), the FY 1997/98 Fund Balance (\$360,000.00), and the FY 1998/99 WWTP Operations and Maintenance budget (\$364,000.00);

**RESOLVED**, That Council accept the bid and approve the contract with Process Piping & Equipment, Inc. for \$1,364,000.00 to perform the work specified in Bid No. 3205, 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 total project budget of \$1,364,000.00 for the life of the project, to be available until expended without regard to fiscal year.

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R-2-1-99 APPROVED

RESOLUTION TO ESTABLISH PROJECT BUDGET AND  
TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH  
GREELEY AND HANSEN FOR DISINFECTION FACILITIES FOR  
THE WASTEWATER TREATMENT PLANT - RFP NO. 453

Whereas, The Wastewater Treatment Plant (WWTP) handles sufficient quantities of chlorine and sulfur dioxide to be required to develop and maintain a Process Safety Management Program (PSM) and Risk Management Plan (RMP) under recently promulgated Federal rules;

Whereas, During the development of this PSM, it was determined that several improvements and safety management measures need to be implemented for both the chlorine and sulfur dioxide systems, which will require significant investment of monetary and staff resources on an ongoing basis;

Whereas, The RMP rules, which address management of hazardous chemicals to

ensure the safety of the environment and surrounding community, require compliance by June 21, 1999, and it was determined that the required improvements and safety management measures resulting from the development of the RMP, which includes public participation, will result in even more demands on monetary and staff resources;

Whereas, The Water Utilities Department received proposals from four professional engineering firms in response to RFP No. 453 to provide engineering services for the pre-qualification of UV equipment manufacturers and design services for implementation of this technology at the WWTP, including bid assistance for procurement and installation of this equipment;

Whereas, The Water Utilities Department reviewed these proposals using the selection criteria listed in RFP No. 453 and recommends Greeley and Hansen as the most qualified engineering firm to provide the requested services;

Whereas, Funds for this contract are available in the FY 1997/98 Sewage Disposal Fund Balance (\$250,000.00) and the approved FY 1998/99 WWTP Operations and Maintenance budget (\$65,000.00); and,

Whereas, On March 25, 1998, the Human Resources Department approved Greeley and Hansen to perform this work for the City;

RESOLVED, That Council approve the contract with Greeley and Hansen for \$308,440.00 to provide engineering services for the upgrade of disinfection facilities at the WWTP, 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 in the amount of \$6,560.00 to finance change orders to be approved by the City Administrator, and approve a total project budget of \$315,000.00 for the life of the project, to be available until expended without regard to fiscal year.

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R-3-1-99 APPROVED

RESOLUTION TO AWARD CONTRACT FOR REPLACEMENT  
FLOW METERS FOR WATER TREATMENT PLANT - BID NO. 3225

Whereas, It is necessary to provide accurate flow measurement for the City of Ann Arbor Water Treatment Plant to provide reliable operations to meet water demands and provide the best possible water quality;

Whereas, Of the four bids received, Bailey-Fischer & Porter Co. furnished the lowest responsible bid; and

Whereas, On December 14, 1998, the Human Resources Department approved Bailey-Fischer & Porter Co.;

RESOLVED, That the Council accept the proposal and award a contract to Bailey-Fischer & Porter Co. in the amount of \$50,000.00 to furnish six magnetic flow meters for the Water Treatment Plant;

RESOLVED, That a contingency in the amount of \$5,000.00 be approved to finance change orders to be approved by the City Administrator;

RESOLVED, That the Mayor and the City Clerk be authorized and directed to sign the contract, which is substantially in a form on file with the City Clerk; and

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

Source of Funds: Water Supply System Prior Bond Proceeds

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R-4-1-99 APPROVED

RESOLUTION TO AMEND ANN ARBOR EMPLOYEES=  
DEFERRED COMPENSATION PLAN AND TRUST AGREEMENT

Whereas, Amendments to the Internal Revenue Code have been enacted that allow enhancements of the benefits of the deferred compensation plan;

Whereas, The Deferred Compensation Administration Board, **after careful consideration of available options, recommends amendment of the Plan and Trust to name the City Treasurer as Trustee, as the most efficient and cost-effective administrative non-custodial Trustee arrangement for the Trust;**

Whereas, The Deferred Compensation Administration Board further recommends amendment of the Plan and Trust to increase the one-time employer or employee-initiated in-service withdrawals from inactive small-balance accounts to the new account balance maximum established by the Taxpayer Relief Act of 1997;

Whereas, City Council, by Resolution dated December 7, 1998, directed the City Administrator to initiate the necessary administrative changes in the 457 Plan and Trust to provide for a City contribution of twenty dollars (\$20.00) per pay period match for all permanent non-union employees participating in the ICMA 457 deferred compensation plan;

Whereas, All of the above changes require amendment of the deferred compensation plan after notice; and

Whereas, Notice, as required under the Plan, was provided to Participants of

**the recommended amendments;**

**RESOLVED, That the City of Ann Arbor amend and restate the deferred compensation plan (the Plan) in the form of the Ann Arbor Employees= Deferred Compensation Plan on file with the City Clerk, effective January 1, 1999.**

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R-5-1-99 APPROVED

**RESOLUTION NO. 3 - SET PUBLIC HEARING DATE  
FOR SHADY LANE SANITARY SEWER PROJECT**

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

Shady Lane Sanitary Sewer Project, District No. 477, File No. 93049; 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 be made available for public examination;
2. That the City Council meet on February 1, 1999, at 7:30 o=clock p.m., at the Council Chamber 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 described as follows:

Shady Lane Sanitary Sewer Project, District No. 477, File No. 93049.

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>
12-03-309-019	Schoenhofen, Robert & Dorothy 2938 Shady Lane Ann Arbor, Michigan 48108	\$10,245.00
	TOTAL	\$10,245.00

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 February 1, 1999, at the Council Chamber in the Guy C. Larcom, Jr. Municipal Building, at 7:30 o=clock p.m., for the purpose of reviewing said special assessment roll. Any person aggrieved by the special assessment roll or the necessity of the improvement may file his/her objections thereto in writing prior to the closing of said hearing.

TAKE FURTHER NOTICE That appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner 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

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R-6-1-99 APPROVED

RESOLUTION NO. 3 - SET PUBLIC HEARING DATE  
FOR SHADY LANE WATER MAIN PROJECT

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

Shady Lane Water Main Project, District 94049, File No. 94049; 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 February 1, 1999, at 7:30 o=clock p.m., at the Council Chambers in the Guy C. Larcom, Jr. Municipal Building in said city for the purpose of reviewing said special assessment roll;

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

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

#### NOTICE OF REVIEW OF SPECIAL ASSESSMENT ROLL

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

Shady Lane Water Main Project, District No. 94049, File No. 94049.

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>
12-03-309-019	Schoenhofen, Robert & Dorothy 2938 Shady Lane Ann Arbor, Michigan 48108	\$9,630.00
	TOTAL	\$9,630.00

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 February 1, 1999 at the Council Chambers in the Guy C. Larcom, Jr. Municipal Building, at 7:30 o=clock p.m., for the purpose of reviewing said special assessment roll. Any person aggrieved by the special assessment roll or the necessity of the improvement may file his/her objections thereto in writing prior to the closing of said hearing.

TAKE FURTHER NOTICE That appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner 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

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R-7-1-99 APPROVED

RESOLUTION TO APPROVE AMENDMENT TO  
ANN ARBOR FIRE FIGHTERS WAGE SCHEDULE TO REFLECT  
ARBITRATOR'S AWARD - JULY 1, 1997-JUNE 30,

1998

Whereas, The City of Ann Arbor and the Ann Arbor Firefighters Association have gone through formal negotiations, mediation, and entered into the Act 312-Arbitration process on the wage reopener for the last year of the existing July 1, through June 30, 1998 three-year labor agreement;

Whereas, Through the arbitration process, an award was made to settle the reopener;

Whereas, Said award provides for a wage increase equal to 0% effective July 1, 1997; and 4% percent effective January 1, 1998. The award further provides that this wage increase applies to all firefighters who retired or separated after January 1, 1998, and that all payouts made to said retirees shall be recalculated based upon the retroactivity of 4% to January 1, 1998, with pension payments adjusted accordingly based upon such recalculations;

Whereas, It is necessary to amend the existing contract to add this change to the salary schedule;

RESOLVED, That the City Council approve the amendment to the Ann Arbor Firefighters contract and any other action required to execute and implement this award; and

RESOLVED, That the City Council authorize the Mayor and City Clerk to sign the supplemental bargaining agreement which is approved by the City Administrator as to substance, and the City Attorney as to form.

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R-8-1-99 APPROVED

RESOLUTION TO TEMPORARILY CHANGE THE PARK  
CLOSURE TIME AT WHEELER PARK FROM 12:00 A.M. TO  
10:00 P.M. FOR A PERIOD OF TEN MONTHS

Whereas, The Ann Arbor Police Department, Parks and Recreation Department staff and the Park Advisory Commission have received complaints about undesirable and illegal use of Wheeler Park that includes the time beyond 10:00 p.m. in Wheeler Park;

Whereas, Many actions are being implemented to increase safety and security in the park for general park use;

Whereas, On November 18, 1998 a public meeting was held where the residents voted in favor of the early park closure which was confirmed by a majority of residents that responded to a survey questionnaire sent prior to the meeting, to close the park at 10:00 p.m. for a 10-month trial period; and

Whereas, The Park Advisory Commission approved a resolution recommending the temporary 10:00 p.m. closure time at its December 15, 1998 meeting;

RESOLVED, That pursuant to City Ordinance Chapter 39, Section 3.3, the Mayor and City Council direct that Wheeler Park be posted to close at 10:00 p.m. for a period of 10 months from the approval of this resolution, and that the impact be reviewed during that period with neighborhood involvement.

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R-9-1-99 APPROVED

RESOLUTION TO APPROVE OWNERSHIP TRANSFER OF  
A CLASS C LICENSED BUSINESS TO CAFÉ FELIX, INC.,  
204 SOUTH MAIN STREET

RESOLVED, That the request from Café Felix, Inc. to transfer the ownership of a 1993 Class C licensed business, located in escrow at 8089 Main, Dexter, MI, from Frank S. Gucker, and to transfer location (governmental unit) (MLC 436.1531(1)) to 204 South Main Street, Ann Arbor, be approved; and

RESOLVED, That the request from Café Felix, Inc. for an outdoor service area, located on City sidewalk, measuring 380 square feet, be approved.

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R-10-1-99 APPROVED

RESOLUTION TO APPROVE NEW MICRO BREWER  
LICENSE FOR ANN ARBOR BREWING COMPANY, L.L.C.,  
523-529 SOUTH MAIN STREET

RESOLVED, That the request from Ann Arbor Brewing Company, L.L.C. for a new Micro Brewer license, to be located at 523-529 South Main Street, Ann Arbor, be approved.

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R-11-1-99 APPROVED

RESOLUTION RECOGNIZING THE MICHIGAN ROWING  
ASSOCIATION AS A NONPROFIT ORGANIZATION IN  
THE CITY OF ANN ARBOR

Whereas, The Michigan Rowing Association is a non-profit organization;

Whereas, The United States Department of Treasury-Internal Revenue Service recognizes the Michigan Rowing Association as a tax exempt, non-profit organization; and

Whereas, The Michigan Rowing Association needs the City to recognize it as a non-profit organization in the community in order to conduct fundraising activities with State approval;

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

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

## **ORDINANCES - SECOND READING**

49-98 POSTPONED

### **PLANNED UNIT DEVELOPMENTS**

An Ordinance to Amend Sections 5:10.27, 5:45, 5:45A and 5:107 of Chapter 55 and Sections 5:121, 5:123, 5:125-5:128, 5:130-5:140 of Chapter 57 of Title V of the Code of the City of Ann Arbor, and to Repeal Section 5:80 of Chapter 55 of Title V of the Code of the City of Ann Arbor and Replace it with a New Section 5:80.

This ordinance would **revise Chapter 55 (Zoning) and Chapter 57 (Subdivision and Land Use Control) to: 1) clarify and strengthen the intent section; 2) provide clearer and stronger standards for approval; 3) differentiate between the PUD zoning application and approval process and the PUD site plan application and approval process, including clarification of language for the requirements of each application; 4) clarify the effect of approval of a PUD zoning district approval and a PUD site plan approval; 5) clarify the process for expirations and extensions; 6) enhance language regarding amendments to PUD zoning districts; and 7) 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:

**5:80 (2) Modifications Permitted. ...**

- (a) Use regulations, and area, height and placement regulations as provided in this Chapter, except that a modification allowing greater residential density may be approved only if the PUD zoning district proposes development of at least 20 percent of the dwelling units ~~<to be available to and affordable to persons who~~**

~~meet the low-income definition of the United States Department of Housing and Urban Development~~ AS AFFORDABLE HOUSING FOR LOWER INCOME HOUSEHOLDS.

5:80 (6) Standards for PUD Zoning District Review. ...

- (a) ... The beneficial effects for the City which warrant the zoning include, but are not limited to, features such as:
  - (i) Innovation in land use and variety in design, layout and type of structures WHICH FURTHERS THE STATED DESIGN GOALS AND PHYSICAL CHARACTER OF ADOPTED LAND USE PLANS AND POLICIES;
  - (iv) Preservation and protection of natural features that exceeds ordinance requirements, ESPECIALLY FOR THOSE FEATURES PRIORITIZED IN THE LAND DEVELOPMENT REGULATIONS AS BEING OF HIGHEST CONCERN, or that preserves existing conditions instead of merely providing mitigation;...
  - (vii) The use and reuse of existing sites and buildings WHICH CONTRIBUTES TO THE DESIRED CHARACTER AND FORM OF AN ESTABLISHED NEIGHBORHOOD.
- (e) If the proposed district allows residential uses, the residential density proposed shall be consistent with the Master Plan and policies adopted by the City unless a modified density has been proposed <in order> to develop at least 20 percent of the dwelling units <to be available to and affordable to persons and families who fit the low-income definitions of the United States Department of Housing and Urban Development> AS AFFORDABLE HOUSING FOR LOWER INCOME HOUSEHOLDS. PROVISIONS TO ASSURE THE AFFORDABILITY AND AVAILABILITY OF SUCH HOUSING SHALL BE INCLUDED IN THE SUPPLEMENTAL REGULATIONS.
- (f) The supplemental regulations shall include analysis and justification sufficient to determine what the purported benefit is, how the special benefit will be

provided, and performance standards by which the special benefit will be evaluated. ~~<Such beneficial effect(s) may include, but are not limit to, contributing to the desired character and form of an established neighborhood; furthering the stated design goals and physical character of adopted land use plans and policies; and exceeding the protection priorities of highest concern of the land development regulations.>~~

5:133. Development Agreements. ...Where a PUD zoning district allows residential uses and proposes development of at least 20 percent of the dwelling units ~~<for persons who meet the low income definitions of the United States Department of Housing and Urban Development>~~ AS AFFORDABLE HOUSING FOR LOWER INCOME HOUSEHOLDS, approval of a PUD site plan shall be conditioned upon the execution of a development agreement which assures the affordability AND AVAILABILITY of such housing....

Councilmember Kolb moved that the ordinance be postponed until the January 19, 1999 regular session of Council for review of the proposed amendments by the City Attorney.

On a voice vote the Mayor declared the motion carried.

**ORDINANCES - FIRST READING**

**1-99 APPROVED**

**3110 CHERRY TREE LANE 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 0.57 acre, located at 3110 Cherry Tree Lane, from R1B (Single-Family Dwelling District) to R1D (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

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**2-99 APPROVED**

**2101 HILL STREET REZONING**

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

This ordinance would change the zoning of 1.92 acres, located at 2101 Hill Street, from PUD (Planned Unit Development District) to R1A (Single-Family Dwelling District).

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

On a voice vote the Mayor declared the motion carried.

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**3-99 APPROVED****SECURING DANGEROUS BUILDINGS****An Ordinance to Amend Sections 8:387 and 8:390 of  
Chapter 101 of Title XIII of the Code of the City of Ann Arbor**

This ordinance would clarify procedures related to City departments obtaining board-up services necessary to secure buildings.

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

On a voice vote the Mayor declared the motion carried.

**MOTIONS AND RESOLUTIONS****R-12-1-99 APPROVED AS AMENDED****RESOLUTION TO APPROVE BUDDY=S MINI MART SITE PLAN**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Buddy=s Mini Mart Site Plan, 0.79 acre, 3031 Washtenaw Avenue.

A resolution to approve the Buddy=s Mini Mart Site Plan was considered.

Councilmember Hartwell moved that the resolution be adopted.

Councilmember Carlberg moved that the following paragraph be added to the resolution:

**RESOLVED, That City Council approve the Buddy=s Mini Mart Site Plan, subject to the condition that no work shall be done which disturbs the surface of the site without prior Michigan Department of Environmental Quality (MDEQ) written approval, and subject to there being no action on the site which would allow any additional infiltration of water below the surface unless and until the City (a) receives written verification from the MDEQ that Best Management Practices are planned and are being followed with respect to stormwater management during construction and until such time as stormwater is managed in accordance with the Site Plan; (b) that the City receives written verification from the MDEQ that groundwater and soil corrective actions meet the requirements of NREPA Part 213 for groundwater and soils; and (c) that copies of all correspondence, reports, test results and other documents sent to the MDEQ also shall be sent to the City;**

**provided, however, that building permits may be issued for work which is in furtherance of MDEQ approved actions;**

**With unanimous consent, Tom Christ, representing Buddy=s Mini Mart, answered questions from Council.**

**The question being the proposed amendment, on a voice vote the Mayor declared the motion carried.**

**Councilmember Carlberg moved that the following paragraph be added to the resolution:**

**RESOLVED, That an 8-foot masonry wall be constructed at the rear of the property.**

**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:**

R-12-1-99

**RESOLUTION TO APPROVE BUDDY=S MINI MART SITE PLAN**

Whereas, Buddy=s Mini Marts has requested site plan approval in order to demolish the existing carwash at 3031 Washtenaw Avenue and construct a new carwash, convenience store and gas station; and

Whereas, The Ann Arbor City Planning Commission, on October 20, 1998, recommended approval of said request;

**RESOLVED, That City Council approve the Buddy=s Mini Mart Site Plan, subject to a Traffic Control Order to prohibit left-hand turns onto Washtenaw Avenue during peak hours being requested and subject to a sign being installed prior to issuance of a certificate of occupancy;**

**RESOLVED, That City Council approve the Buddy=s Mini Mart Site Plan, subject to the condition that no work shall be done which disturbs the surface of the site without prior Michigan Department of Environmental Quality (MDEQ) written approval, and subject to there being no action on the site which would allow any additional infiltration of water below the surface unless and until the City (a) receives written verification from the MDEQ that Best Management Practices are planned and are being followed with respect to stormwater management during construction and until such time as stormwater is managed in accordance with the Site Plan; (b) that the City receives written verification**

from the MDEQ that groundwater and soil corrective actions meet the requirements of NREPA Part 213 for groundwater and soils; and (c) that copies of all correspondence, reports, test results and other documents sent to the MDEQ also shall be sent to the City; provided, however, that building permits may be issued for work which is in furtherance of MDEQ approved actions; and

RESOLVED, That an 8-foot masonry wall be constructed at the rear of the property.

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R-13-1-99 APPROVED AS AMENDED

RESOLUTION TO APPROVE NORTHEAST CORPORATE CENTER  
SITE PLAN AND SITE DEVELOPMENT AGREEMENT

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Northeast Corporate Center Site Plan and Site Development Agreement, 16.52 acres, 2500 Green Road.

A resolution to approve the Northeast Corporate Center Site Plan and Site Development Agreement was considered.

Councilmember Herrell moved that the resolution be adopted.

With unanimous consent, Kenneth Cline, of Hobbs & Black Associates Architects, answered questions from Council.

Councilmember Herrell moved that the following language be added to the resolution:

RESOLVED, That the 34 parking spaces shown in the northwest corner of the site plan be deferred.

On a voice vote the Mayor declared the motion carried.

The question being the resolution as amended, with the site development agreement dated January 4, 1999, on a voice vote the Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-13-1-99

RESOLUTION TO APPROVE NORTHEAST  
CORPORATE CENTER  
SITE PLAN AND SITE DEVELOPMENT AGREEMENT

Whereas, 2500 Green Road Associates has requested site plan approval in order to

construct two one-story office buildings at 2500 Green Road;

Whereas, A site development agreement has been prepared addressing joint storm water detention facility maintenance and improvements to the Plymouth/ Green intersection; and

Whereas, The Ann Arbor City Planning Commission, on December 1, 1998, recommended approval of said request;

RESOLVED, That City Council approve the Site Development Agreement, substantially in the form of that attached, dated January 4, 1999;

RESOLVED, That City Council approve the Northeast Corporate Center Site Plan, upon the conditions that: (1) the Site Development Agreement be signed by all necessary parties; and (2) all terms of the Site Development Agreement be satisfied; and

RESOLVED, That the 34 parking spaces shown in the northwest corner of the site plan be deferred.

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R-14-1-99 APPROVED

RESOLUTION TO APPROVE ERIM REVISED FINAL PHASE PUD SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed ERIM Revised Final Phase PUD Site Plan, 35.26 acres, 1968 Green Road.

Whereas, ERIM has requested revised final phase PUD site plan approval in order to make small changes to the final phase PUD site plan, located at 1968 Green Road, as well as conform with the revisions recently made to the preliminary phase PUD; and

Whereas, The Ann Arbor City Planning Commission, on December 15, 1998, recommended approval of said request;

RESOLVED, That City Council approve the ERIM Revised Final Phase PUD Site Plan.

Councilmember Carlberg moved that the resolution be adopted.

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

The question being the resolution as presented, on a voice vote the Mayor declared the

motion carried, with Councilmember Kwan abstaining.

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R-15-1-99 APPROVED

RESOLUTION TO APPROVE 1529 FRANKLIN STREET  
LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed 1529 Franklin Street Land Division, 0.45 acre.

Whereas, Francis Redding has requested land division approval in order to divide the property at 1529 Franklin Street (Assessor=s Code No. 09-19-214-022) into two separate parcels; and

Whereas, The Ann Arbor City Planning Commission, on December 15, 1998, recommended approval of said request;

RESOLVED, That City Council approve the 1529 Franklin Street Land Division, described below, subject to the recording of an access and utility easement.

East Parcel

BEGINNING at the Northeast corner of Lot 101 as shown on the Plat of Garden Homes Park Subdivision as recorded in Liber 20 of Plats, on Pages 92, 93 and 94, Washtenaw County Records; thence along the East line of said Lot 101, S 00 deg 02' 35" W 82.48 feet; thence along the South line of said Lot 101, N 89 deg 22' 25" W 119.50 feet; thence N 00 deg 02' 35" E 982.48 feet to a point on the North line of said Lot 101; thence along said North line, S 89 deg 22' 25" E 119.50 feet to the Point of Beginning, being the East 1/2 of said Lot 101 and containing 9,856 square feet of land, more or less, subject to easements and restrictions of record, if any. Also being subject to the right of ingress and egress over the North 30.00 feet thereof. Also subject to the right of storm sewer installation and maintenance over the south 6.00 feet thereof.

West Parcel

BEGINNING at the Southeast corner of Lot 101, as shown on the Plat of Garden Homes Park Subdivision, as recorded in Liber 20 of Plats, on Pages 92, 93 and 94, Washtenaw County Records; thence along the West line of said Lot 101, N 00 deg 02' 35" E 82.48 feet; thence along the North line of said Lot 101, S 89 deg 22' 25" E 119.50 feet; thence S 00 deg 02' 35" W 82.48 feet to a point on the South line of said Lot 101; thence along said South line N 89 deg 22' 25" W 119.50 feet to the Point of Beginning, being the West 1/2 of said Lot 101 and containing 9,856 square feet of land, more or less, subject to easements and restrictions of record, if any. Also having the right of ingress and egress over the North 30.00 feet to the East 1/2 or said Lot 101. Also subject to the right of storm sewer installation and maintenance over the south 6.00 feet thereof.

Councilmember Daley moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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## R-16-1-99 APPROVED AS AMENDED

RESOLUTION TO APPROVE 1600 HURON PARKWAY  
(PARKE-DAVIS TECHNICAL DEVELOPMENT FACILITY)  
PLANNED PROJECT SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed 1600 Huron Parkway (Parke-Davis Technical Development Facility) Planned Project Site Plan, 30.2 acres.

A resolution to approve the 1600 Huron Parkway (Parke-Davis Technical Development Facility) Planned Project Site Plan was considered.

Councilmember Kwan moved that the resolution be adopted.

With unanimous consent, Peter Pollack, of Pollack Design Associates, and Mark Eichkorn, representing Parke-Davis, answered questions from Council.

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

RESOLVED, That Parke-Davis immediately perform a traffic study, acceptable to the City, of the intersections along Plymouth Road that its traffic can reasonably expect to impact;

RESOLVED, That if the traffic study shows that a traffic light is warranted at one of these intersections, Parke-Davis shall pay its fair share of the cost of said traffic light upon notice from the City of its implementation; and

RESOLVED, That if the traffic study shows that said traffic light is warranted at Prairie Street, Parke-Davis shall align its Plymouth Road access with Prairie Street.

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:

R-16-1-99

RESOLUTION TO APPROVE 1600 HURON PARKWAY  
(PARKE-DAVIS TECHNICAL DEVELOPMENT FACILITY)  
PLANNED PROJECT SITE PLAN

Whereas, Parke-Davis has requested planned project site plan approval in order to construct a development facility, laboratory, office space, chiller plant at 1600 Huron Parkway, and a tunnel under Huron Parkway connecting the two Parke-Davis sites (1600 Huron Parkway and 2800 Plymouth Road); and

Whereas, The Ann Arbor City Planning Commission, on December 1, 1998, recommended approval of said request;

RESOLVED, That City Council approve the 1600 Huron Parkway (Parke-Davis Technical Development Facility) Planned Project Site Plan, which includes the planned project modification to the height requirement to allow the laboratory to be a maximum height of 80 feet, subject to preserving as green space a minimum 75-foot wide buffer along Plymouth Road between Huron Parkway (excepting the proposed driveway);

RESOLVED, That Parke-Davis immediately perform a traffic study, acceptable to the City, of the intersections along Plymouth Road that its traffic can reasonably expect to impact;

RESOLVED, That if the traffic study shows that a traffic light is warranted at one of these intersections, Parke-Davis shall pay its fair share of the cost of said traffic light upon notice from the City of its implementation; and

RESOLVED, That if the traffic study shows that said traffic light is warranted at Prairie Street, Parke-Davis shall align its Plymouth Road access with Prairie Street.

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R-17-1-99 APPROVED

RESOLUTION TO APPROVE 524 SOUTH MAIN STREET  
REVISED SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed 524 South Main Street Revised Site Plan, 0.3 acre.

Whereas, Jerry Spears has requested revised site plan approval in order to construct 6,591 square feet of third floor office space at 524 South Main Street; and

Whereas, The Ann Arbor City Planning Commission, on December 15, 1998, recommended approval of said request;

RESOLVED, That City Council approve the 524 South Main Street Revised Site Plan.

Councilmember Daley moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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POSTPONED

RESOLUTION AUTHORIZING SUMMARY PUBLICATION  
OF ORDINANCE 49-98 - AMENDMENTS TO CHAPTERS 55 AND 57  
REGARDING 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 49-98 be by the following summary:

Ordinance 49-98 revises Chapter 55 (Zoning Ordinance) and Chapter 57 (Subdivision and Land Use Control) to 1) clarify and strengthen the intent section; 2) provide clearer and stronger standards for approval; 3) differentiate between the PUD zoning application and approval process and the PUD site plan application and approval process, including clarification of language for the requirements of each application; 4) clarify the effect of approval of a PUD zoning district approval and a PUD site plan approval; 5) clarify the process for expirations and extensions; 6) enhance language regarding amendments to PUD zoning districts; and 7) add language regarding previously established PUDs.

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

Councilmember Herrell moved that the resolution be adopted.

Councilmember Daley moved that the resolution be postponed until the January 19, 1999 regular session of Council for consideration with Ordinance 49-98.

On a voice vote the Mayor declared the motion carried.

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R-18-1-99 APPROVED

RESOLUTION TO ACCEPT AND APPROPRIATE GRANTS  
TO INSTALL A SOLAR ENERGY DEMONSTRATION AND  
PROVIDE FREE HOME ENERGY RATINGS

Whereas, The City of Ann Arbor has been awarded a \$10,000.00 grant from the State of Michigan Department of Consumer and Industry Services, \$5,000.00 for installation a solar energy demonstration at the Ann Arbor Landfill and \$5,000.00 to provide

free home energy ratings;

Whereas, The Ann Arbor Area Community Foundation=s Energy Fund, upon recommendation from the Energy Commission, has awarded the Energy Office a \$1,750.00 grant to help buy down the cost of home energy ratings in Ann Arbor;

Whereas, \$100.00 per home energy rating will be rebated through a separate State incentive program allowing the Ann Arbor Energy Office to offer approximately 30 free home energy ratings for Ann Arbor households;

Whereas, Sundo Solar partnered with the City to submit the grant application to the State of Michigan to construct a solar powered fountain at the Ann Arbor Landfill;

Whereas, Sundo Solar has submitted an estimate of \$5,000 for labor and materials to construct the solar energy demonstration at the Ann Arbor Landfill;

Whereas, The Energy Office has reviewed this price and found it to be fair;

Whereas, Sundo Solar obtained Human Rights approval on July 30, 1998; and

Whereas, The Energy Office will oversee these grant funded projects;

RESOLVED, That the City be authorized to accept and appropriate a grant from the State Department of Consumer and Industry Services, Office of Energy Resources for \$10,000; \$5,000 for Sundo Solar to construct a solar energy demonstration at the Ann Arbor Landfill; and \$5,000 to help fund a demonstration project for home energy ratings for Ann Arbor households;

RESOLVED, That the City be authorized to accept and appropriate a grant from the Ann Arbor Area Community Foundation for \$1,750.00 to help fund a demonstration project for home energy ratings for Ann Arbor households;

RESOLVED, That funding under these grants be expended until completed, regardless of fiscal year; and

RESOLVED, That the Mayor and City Clerk be authorized to sign the City Attorney approved grant documents for the encouragement of a pilot program for a home energy rating program in Ann Arbor and a solar energy demonstration at the Ann Arbor Landfill.

Councilmember Daley moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-19-1-99 APPROVED

RESOLUTION TO APPROPRIATE \$6,529.00 IN GRANT FUNDS  
TO THE LESLIE SCIENCE CENTER BUDGET

Whereas, The Leslie Science Center is operated with revenues from fees and charges, membership dues, rental income, and interest income from the Leslie Science Center Trust;

Whereas, The grant funds from the Ann Arbor Area Community Foundation of \$6529.00 will increase the FY 1998/99 Leslie Science Center budget; and

Whereas, The additional funds will provide an interpretive orienteering course for local youth in 1998-99;

RESOLVED, That the Mayor and Council approve the resolution to accept and appropriate \$6,529.00 from the Ann Arbor Area Community Foundation into the 1998-99 fiscal year budget.

Councilmember Daley moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-20-1-99 APPROVED

RESOLUTION APPROVING A GRANT OF EASEMENT TO  
AMERITECH MICHIGAN FOR UNDERGROUND CABLE LINE  
FACILITIES AT THE ANN ARBOR CITY AIRPORT

Whereas, The City of Ann Arbor is the owner of the following described property:

Parcel II: Beginning at the SW Corner of Section 17, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan; thence N 01° 56' 30" W along the W line of said Section 2056.63 feet; thence N 87° 28' 30" E 1290.33 feet; thence S 01° 56' 50" 724.05 feet along the E line of the W half of the SW Quarter of said Section; thence N 87° 21' 30" E 1290.46 feet along the N line of the S half of the SW Quarter of said Section; thence S 01° 57' 20" E 1320.48 feet along the N and S Quarter line of said Section; thence S 87° 08' 50" W 2581.35 feet along the S line of the SW Quarter of said Section to the PLACE OF BEGINNING, being a part of the SW Quarter of said Section 17, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan.

Parcel III: The W half of the NE Quarter; the E half of the NW Quarter; the W half of the SE Quarter, and the NE Quarter of the SW Quarter, all in Section 17, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan.

Parcel VI: The SE Quarter of the SE Quarter, Section 17, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan.

Whereas, The Michigan Bell Telephone Company, also known as Ameritech Michigan, a Michigan corporation, has requested a grant of easement from the City of Ann Arbor for the construction, operation and maintenance of underground utility line facilities, described as across certain airport property in order to provide better service to its customers adjacent to the Ann Arbor City Airport, specifically;

The Southerly 6 feet of the above described parcels; and

Whereas, The City Administration does not object to the granting of the easement;

RESOLVED, That Grant of Easement be approved by City Council subject to conditions, including indemnification of the City; and

RESOLVED, That the Mayor and Clerk be authorized to execute the grant of easement in substantially the form now on file in the City Clerk's office.

Councilmember Daley moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

## **REPORTS FROM COUNCIL COMMITTEES**

### **COUNCILMEMBER VEREEN-DIXON**

Councilmember Vereen-Dixon announced that on January 15, from 1-5 p.m., Mort Meisner, former Channel 7 News Director, will conduct a seminar on working effectively with the media.

## **COUNCIL PROPOSED BUSINESS**

None.

## **COMMUNICATIONS FROM THE MAYOR**

### **APPOINTMENTS APPROVED / POSTPONED**

Mayor Sheldon recommended the following appointments at the October 19 and December 21, 1998 regular sessions of Council:

Huron River Watershed Council

David Borneman (reappointment - representative)  
Natural Area Preservation Coordinator  
Parks and Recreation Department  
Term: 01/04/99 to 10/31/2001

Frank Porta (reappointment - representative)  
Water Utilities Director  
Term: 01/04/99 to 10/31/2001

Craig Hupy (reappointment - alternate)  
Field Services Superintendent  
Water Utilities Department  
Term: 01/04/99 to 10/31/2001

Board of Review

Raul Perdomo (reappointment)  
720 Brooks St. 48103  
Term: 01/04/99 to 01/31/2002

Doris Preston (reappointment)  
593 Landings Blvd. 48103  
Term: 01/04/99 to 01/31/2002

Robert White (reappointment)  
1849 Saxon Rd. 48103  
Term: 01/04/99 to 01/31/2001

Sign Board of Appeals

Robert Lilienfeld (reappointment)  
1019 Berkshire Rd. 48104  
Term: 01/04/99 to 01/03/2002

Community Development Executive Committee (POSTPONED)

Jane Wilson (to fill vacancy)  
1521 Martha Ave.  
Term: 01/04/99 to 06/30/2002

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

Councilmember Daley moved that the appointment of Jane Wilson to the Community Development Executive Committee be postponed until the January 19, 1999 regular

session of Council to allow review of her application.

On a voice vote the Mayor declared the motion carried.

The question being the Mayor's recommendations for appointments, with the exception of the appointment to the Community Development Executive Committee, on a voice vote the Mayor declared the motion carried.

#### NEXT REGULAR SESSION

Mayor Sheldon announced that due to the Dr. Martin Luther King, Jr. holiday on Monday, January 18, Council's second regular session in January will be held on Tuesday, January 19.

### **COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

#### 24-HOUR SNOW REMOVAL PHONE NO.

City Administrator Neal Berlin announced that the City's 24-hour telephone number for snow removal is 994-2359.

#### REPORT SUBMITTED

City Administrator Berlin submitted the following report for information of Council:

1. Upcoming Maynard Parking Structure Repairs (On file in the City Clerk's Office).

### **COMMUNICATIONS FROM THE CITY ATTORNEY**

#### LANSING VS. BOLT

City Attorney Abigail Elias reported that she will provide Council with a report regarding the decision of the court in the Lansing vs. Bolt lawsuit.

### **COMMUNICATIONS FROM COUNCIL**

#### MAYOR SHELDON

Mayor Sheldon announced that the annual Dr. Martin Luther King, Jr. Unity March will be held on January 10, at 4:00 p.m., beginning at the Washtenaw County Building and ending at the Second Baptist Church.

#### COUNCILMEMBER HANNA-DAVIES

Councilmember Hanna-Davies encouraged everyone to attend the Dr. Martin Luther King, Jr. Unity March, sponsored by the Second Baptist Church. She stated that the march will be followed by a Program of Rededication, which will feature guest speaker Louis Green, head of the Michigan Department of Civil Rights. Free shuttle service will be provided from downtown parking lots.

### **CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS**

The following minutes were received for file:

1. Planning Commission - November 10 and November 17, 1998
2. Housing Policy Board - December 17, 1998
3. Ann Arbor Building Authority - July 17, 1998

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

On a voice vote the Mayor declared the motion carried.

### **PUBLIC COMMENTARY - GENERAL**

None.

### **RECESS FOR EXECUTIVE SESSION**

Councilmember Kolb moved that the regular session of Council be recessed for an executive session to discuss collective bargaining agreements.

On roll call the vote was as follows:

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

Nays, 0.

The Mayor declared the motion carried and the meeting recessed at 9:45 p.m.

### **REGULAR SESSION RECONVENED**

Councilmember Upton moved that the executive session be adjourned and that the regular session of Council be reconvened.

On a voice vote the Mayor declared the motion carried and the regular session reconvened at 10:45 p.m.

### **ADJOURNMENT**

There being no further business to come before Council, the Mayor declared the meeting adjourned at 10:45 p.m.

W. Northcross  
Clerk of the Council

Janet L. Chapin  
Recording Secretary