

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - FEBRUARY 20, 2001**

The regular session of the Ann Arbor City Council was called to order at 7:37 p.m. in the City Hall Council Chamber by Mayor John Hieftje.

Council stood for a moment of silence.

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

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Jean Robinson, Robert M. Johnson, Joseph Upton, Joan Lowenstein, Jean Carlberg, Heidi Cowing Herrell, Stephen C. Hartwell, Marcia Higgins, Christopher Easthope, Wendy A. Woods, Mayor John Hieftje, 11.

ABSENT : 0.

INTRODUCTIONS

HUMAN RIGHTS COMMISSION

Helen Fox, Chairperson of the Human Rights Commission, introduced members of the Commission and stated that the Commission has been working on such issues as police profiling, affirmative action, living wage, and the homeless shelter. She also reported on the passing of Human Rights Commissioner Harry Mial, Sr.

NEUTRAL ZONE TEEN CENTER

Lisa Dankas, representing the Neutral Zone Teen Center, and several teen center students gave a presentation on the various programs offered at the Center, and thanked Council for its support.

PUBLIC COMMENTARY - RESERVED TIMEJIM MOGENSEN - LIVING WAGE ORDINANCE

Jim Mogensen, 3780 Greenbrier Blvd., spoke in support of the proposed Living Wage Ordinance.

MALCOLM MARTS - LIVING WAGE ORDINANCE

Malcom Marts, 261 Wallace Blvd., Ypsilanti, Michigan, charter member of the Washtenaw Coalition for Living Wage, spoke in support of the proposed Living Wage Ordinance.

FRED VEIGEL - LIVING WAGE ORDINANCE

Fred Veigel, 1612 W. Cross, Ypsilanti, Michigan, president of the Huron Valley Central Labor Council, spoke in support of the proposed Living Wage Ordinance.

RICK MCHUGH - LIVING WAGE ORDINANCE

Rick McHugh, 9360 Hidden Circle, Dexter, Michigan, spoke in support of the proposed Living Wage Ordinance.

J.P. DENOYER - LIVING WAGE ORDINANCE

J.P. Denoyer, 2016 Medford, spoke in opposition of the proposed Living Wage Ordinance.

CHARLIE GROSS - LIVING WAGE ORDINANCE

Charlie Gross, 422 Crest, a member of the Washtenaw Coalition for Living Wage, spoke in support of the proposed Living Wage Ordinance.

PAT RYAN - RESOLUTION IN SUPPORT OF RETAINING NANCY FRANCIS

Pat Ryan, 303 Wildwood, spoke in support of Judge Nancy Francis retaining control of her dockets in the Washtenaw County Juvenile Court.

LARRY PURDY - LIVING WAGE ORDINANCE

Larry Purdy, 1026 W. Liberty St., spoke in opposition of the proposed Living Wage Ordinance.

PUBLIC HEARINGS

None.

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

APPROVAL OF COUNCIL MINUTES

Revise: Working Session of January 29, 2001

CONSENT AGENDA

Delete: Resolution for Payment of Professional Services from the ASU Group to Include Sewer Backup Adjusting Services, Safety Training Services, and Out of Contact Liability Claim Services (\$50,000.00) (Human Resources)

ORDINANCES - FIRST READING

Add Ordinance to Add New Chapter 23, Sections 1:811-1:821 - Living
Sponsors: Wage Ordinance (Councilmember **S Herrell, ROBINSON, JOHNSON, AND CARLBERG**)

MOTIONS AND RESOLUTIONS

Correct Resolution Supporting the Sixth Annual African-American
Title: Downtown Festival and Street ~~[Cleaning]~~ **CLOSING** (Councilmember Robinson)

Add: Resolution to Authorize the City Administrator to Execute the Third Party Administrator Contract for Workers= Compensation and Liability with Crawford and Company (Human Resources)

Add & Resolution ~~[on the Malletts Creek]~~ **TO CREATE A MALLETTTS**

Correct **CREEKSHED** Coordinating Committee (CouncilmemberS Carlberg AND HERRELL)

Title:

Add: Resolution in the Matter of The Juvenile Court and the Honorable Nancy C. Francis (Councilmembers Carlberg and Woods)

Add: Resolution to Commemorate the Life and Contributions of Mr. Harry Mial, Sr. to the City of Ann Arbor on the News of His Passing (Councilmember Woods)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: Affirmative Action Plan - Completion Time Line (Human Resources)

CLERK=S REPORT

Add: Communication from Martha Johnson, Vice President of Government Affairs, Ann Arbor Area Chamber of Commerce, regarding proposed Living Wage Ordinance - File

Add: Communication from Gregory Markus, 1238 Ferdon Rd., regarding proposed Living Wage Ordinance - File

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF JANUARY 29 AND FEBRUARY 5 APPROVED

Councilmember Herrell moved that the working session minutes of January 29, 2001 and the regular session minutes of February 5, 2001 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-60-2-01 APPROVED

RESOLUTION AUTHORIZING PURCHASES FROM TRAFFIC SIGNAL, INC.
FOR TRAFFIC SIGNAL MATERIALS

Whereas, The Signal Division of the Public Services Department has spent approximately \$5,000.00 to date with Traffic Signal, Inc. and anticipates another \$5,000.00 in miscellaneous purchase by the end of the fiscal year;

Whereas, Traffic Signal, Inc. was the low bidder for fiber optic cable required for the signal interconnection of the Packard and Eisenhower intersection;

Whereas, The low bid for the fiber optic cable is \$24,150.00;

Whereas, Traffic Signal, Inc. received Human Rights approval on January 21, 2001; and

Whereas, Sufficient funds have been budgeted in the Public Services Department, Signal Division=s fiscal year 2000/2001 Major Street fund;

RESOLVED, That purchases of \$35,000.00 be authorized to Traffic Signal, Inc. for signal materials and supplies.

R-61-2-01 APPROVED

RESOLUTION TO APPROVE \$35,000.00 FOR ANN ARBOR OBSERVER
ADVERTISING IN FISCAL YEAR 2000/2001

Whereas, The City of Ann Arbor seeks to provide thorough information about its services and programs to its residents on a regular basis;

Whereas, The City has utilized the Ann Arbor Observer for this purpose for many years;

Whereas, The Community Communications Coordinating Committee (C4) is comprised of representatives of CTN, Parks and Solid Waste Departments and meets

regularly under the direction of an Associate City Administrator with the goal of strengthening City communication with its citizens about services and programs;

Whereas, The C-4 Committee has made significant strides toward its goal this year, including the creation of a new city calendar (The Tree Town Log), the creation of a new URL (www.a2gov.org), the inclusion of a wider variety of information on the City web site, and more regular distribution of press releases and contact with the media about an array of City issues;

Whereas, The C-4 Committee has determined that an important communication tool is regular use of the Ann Arbor Observer, and to this end has spent time over the past several months formulating a new, more attractive look for its AFor the People≡ advertisements which will garner more attention from the public; and

Whereas, Approximately \$15,000.00 has already been spent in Fiscal Year 2000/2001 on advertising in the Ann Arbor Observer, and it is anticipated that a total of \$35,000 will be spent this fiscal year;

RESOLVED, That advertising in the amount of \$35,000.00 in the Ann Arbor Observer is approved for Fiscal Year 2000/2001.

R-62-2-01 APPROVED

RESOLUTION TO ACCEPT BOARD OF INSURANCE ADMINISTRATION MINUTES OF FEBRUARY 8, 2001 AND TO AUTHORIZE PAYMENTS

RESOLVED, That the attached Board of Insurance Administration Minutes of February 8, 2001, be accepted and that the payments therein be authorized:

MINUTES
FEBRUARY 8, 2001
CITY OF ANN ARBOR BOARD OF INSURANCE ADMINISTRATION

Present: Joe Upton, Councilperson
Karen Sanford, City Treasurer
Joan Lowenstein, Councilperson 3.

Absent: None

Also Present: James Armstrong, Safety Manager
Abigail Elias, City Attorney
Susan Campbell, Risk Management Office

OTHER BUSINESS:

CASE NO.

CC 11-01 Sewer back up claim of Stephen Postema (1017 Woodbridge)
Board authorized settlement.

Prepared by,

Susan Campbell,
Senior Secretary/Claims Processing Clerk

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

ORDINANCES - SECOND READING

None.

ORDINANCES - FIRST READING

2-01 APPROVED

BAILEY 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 0.5 acre, located at 2129 Victoria Circle, from TWP (Township District) to R1A (Single-Family Dwelling District). (The complete text of Ordinance 2-01 is on file in the City Clerk's Office).

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

On a voice vote the Mayor declared the motion carried.

3-01 APPROVED

DELOSH 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 4.28 acres, located at 4040 East Huron River Drive, from TWP (Township District) to R1B (Single-Family Dwelling District). (The complete text of Ordinance 3-01 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

4-01 APPROVED

HAARER 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 0.59 acre, located at 2610 Geddes Road, from TWP (Township District) to R1B (Single-Family Dwelling District). (The complete text of Ordinance 4-01 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

5-01 APPROVED

HAMILTON 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 1.52 acres, located at 2700 Nixon Road, from TWP (Township District) to R1C (Single-Family Dwelling District). (The complete text of Ordinance 5-01 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

6-01 APPROVED

MARTIN/LONGANECKER 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 0.17 acre, located at Lot 80 of Westover Hills

Subdivision, from TWP (Township District) to R1D (Single-Family Dwelling District). (The complete text of Ordinance 6-01 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

7-01 APPROVED

SINGER 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 0.51 acre, located at 2641 Geddes Road, from TWP (Township District) to R1B (Single-Family Dwelling District). (The complete text of Ordinance 7-01 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

8-01 APPROVED

TYLER 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 0.59 acre, located at 381 Orchard Hills Drive, from TWP (Township District) to R1B (Single-Family Dwelling District). (The complete text of Ordinance 8-01 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

9-01 APPROVED

LIVING WAGE REQUIREMENTS IN CITY CONTRACTS AND GRANTS

An Ordinance to Amend the Code of the City of Ann Arbor
By Adding New Sections 1:811-1:821 and a New Chapter
Which New Sections and Chapter Shall Be Designated
As Sections 1:811-1:820 of Chapter 23 of Title I of the Code

(The complete text of Ordinance 9-01 is on file in the City Clerk=s Office).

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

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Easthope, Woods, Robinson, Johnson,
Lowenstein, Mayor Hieftje, 9;

Nays, Councilmembers Higgins, Upton, 2.

The Mayor declared the motion carried.

10-01 APPROVED

SIGN AND OUTDOOR ADVERTISING

An Ordinance to Amend Sections 5:501, 5:502, 5:505, 5:506, 5:507, 5:508
and 5:517 of Chapter 61 of Title V of the Code of the City of Ann Arbor

(The complete text of Ordinance 10-01 is on file in the City Clerk=s Office).

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-63-2-01 APPROVED

RESOLUTION ESTABLISHING 2001 FEES AND CHARGES FOR DEPARTMENT
OF PARKS AND RECREATION FACILITIES GOLF COURSES

Whereas, The Department of Parks and Recreation recommends the proposed fees for 2001 to achieve golf course self-support, and allow sufficient funds in the Enterprise Fund to pay Building Authority Bonds and complete additional golf course capital improvement projects;

Whereas, A review of current rate policies was conducted and the goal of setting an equitable fee policy differentiating between resident and non-resident is being continued;

Whereas, Comparative analysis of comparable golf courses has been provided;

Whereas, The Department of Parks and Recreation has been directed to implement policies to achieve levels of self support for the Golf Course Enterprise Fund of 100% level of self-support; and

Whereas, The Parks and Recreation Advisory Commissions reviewed and approved the fee proposal at a recent meetings;

RESOLVED, That the attached golf course fee schedule be approved by the Mayor and City Council and be effective commencing with the start of the 2001 season and remain active unless modified:

2001 PROPOSED DAILY RATES

	Huron Hills		Leslie Park	
	<u>resident</u>	<u>non-resident</u>	<u>resident</u>	<u>non-resident</u>
Weekday 9	\$10.50	\$10.50	\$15.00	15.00
Weekday 18	17.00	17.00	24.00	24.00
Weekend 9/Holiday	11.50	11.50	16.00	16.00
Weekend 18/Holiday	18.00	18.00	27.00	27.00
Twilight	9.00	9.00	13.00	13.00
9 Hole Junior*	8.00	8.00	10.50	10.50
18 Hole Junior*	12.00	12.00	14.50	14.50
9 Hole Senior*	8.00	8.00	10.50	10.50
18 Hole Senior*	12.00	12.00	14.50	14.50
9 Hole Cart	NA	NA	12.00	12.00
18 Hole Cart	NA	NA	24.00	24.00
9 Hole Cart-single rider	NA	NA	6.50	6.50
18 Hole-single rider	NA	NA	13.00	13.00
Senior 9 Hole Cart*	NA	NA	9.00	9.00
Senior 18 Hole Cart*	NA	NA	18.00	18.00

9 Hole Pull Cart	2.00	2.00	2.00	2.00
18 Hole Pull Cart	3.00	3.00	3.00	3.00
9 Hole Disabled Cart	8.00	8.00	8.00	8.00
18 Hole Disabled Cart	13.00	13.00	13.00	13.00
9 Hole Club Rental	7.50	7.50	7.50	7.50
18 Hole Club Rental	10.00	10.00	10.00	10.00
Park User Fee	-0-	1.00	-0-	3.50
9 Hole Junior* w/hhgc pass	\$2.00	NA		
18 Hole Junior* w/hhgc pass	\$4.00	NA		

*not good on holidays or weekends

PROPOSED 2001 SEASON PASS RATES

Option 1 - Season pass good only for Huron Hills Golf Course

**Pre Season Discount - 2001
(March 1-14)**

	<u>Resident</u>	<u>Non-Resident</u>
5 day*	\$555.00	\$700.00
7 day	585.00	740.00
Youth* (17 & under)	100.00	500.00
Senior* (60 & older)	340.00	500.00

Rounds of golf required to cover cost of pass:

	<u>Resident</u>	<u>Non-Resident</u>
5 day* (rate/wkday 18)	\$32.65	\$36.84
7 day (rate/wkend 18)	32.50	37.00
Youth* (rate/jr 18)	NA	35.71
Senior* (rate/sr 18)	28.33	35.71

**Regular Sales
(March 15 - end of season)**

	<u>Resident</u>	<u>Non-Resident</u>
5 day*	\$595.00	\$745.00
7 day	660.00	825.00
Youth* (17 & under)	100.00	530.00
Senior* (60 & older)	360.00	530.00

Rounds of golf required to cover cost of pass:

	<u>Resident</u>	<u>Non-Resident</u>
5 day* (rate/wkday 18)	\$35.00	\$39.21
7 day (rate/wkend 18)	36.67	41.25
Youth* (rate/jr 18)	NA	37.86
Senior* (rate/sr 18)	30.00	37.86

*weekdays only, excluding holidays

PROPOSED 2001 SEASON PASS RATES
Option 2 - Season pass good for both Huron Hills and Leslie Park

Pre Season Discount - 2001
(March 1-14)

	<u>Resident</u>	<u>Non-Resident</u>
5 day*	\$790.00	\$ 1,045.00
7 day	850.00	1,050.00
Youth* (17 & under)	445.00	670.00
Senior* (60 & older)	445.00	655.00

Rounds of golf required to cover cost of pass:

	<u>Resident</u>	<u>Non-Resident</u>
5 day (rate/wkday 18)	\$32.92	\$38.08
7 day (rate/wkend 18)	31.49	36.23
Youth (rate/jr 18)	30.69	37.22
Senior (rate/sr 18)	30.69	37.22

Regular Sales
(March 15 - end of season)

	<u>Resident</u>	<u>Non-Resident</u>
5 day*	\$840.00	\$1,105.00
7 day	925.00	1,210.00
Youth* (17 & under)	480.00	725.00
Senior* (60 & older)	480.00	725.00

Rounds of golf required to cover pass:

	<u>Resident</u>	<u>Non-Resident</u>
5 day (rate/wkday 18)	\$35.00	\$40.18
7 day (rate/wkend 18)	34.26	39.67
Youth (rate/jr 18)	33.10	40.28
Senior (rate/sr 18)	33.10	40.28

*weekdays only, excluding holidays

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-64-2-01 APPROVED

RESOLUTION SUPPORTING THE SIXTH ANNUAL AFRICAN-AMERICAN DOWNTOWN FESTIVAL AND STREET CLOSING

Whereas, The Community Leasing Post, Inc. has submitted a request to hold the Sixth Annual African-American Downtown Festival from Friday, June 1, 2001 at 6 p.m. through Saturday, June 2, 2001, 9 p.m.;

Whereas, The Festival will be held on East Ann St. from N. Main St. to N. Fifth Ave., and N. Fourth Ave. from Huron St. to Catherine St., including sidewalks;

Whereas, The Community Leasing Post also has requested approval for closing the streets where the Festival will be held;

Whereas, This event is designed to address the needs of young people and to give them a sense of belonging to the community as a whole;

Whereas, Pinelake Co-Opportunity Center will be participating in this year=s Festival; and

Whereas, The Community Leasing Post has successfully promoted positive community relationships through the African-American Downtown Festival;

RESOLVED, That the Mayor and City Council approve the event and street closings as requested.

Councilmember Robinson moved that the resolution be adopted. On a voice vote the Mayor declared the motion carried.

R-65-2-01 APPROVED

RESOLUTION TO MODIFY THE POLICE BUDGET FOR PAY INCREASES

Whereas, The raises for both union and nonunion employees 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;

Whereas, It was expected that the various union contracts would be settled by June 30, 2000 when the budget was adopted and the funds that were in the 1999-2000 budget for pay increases has been added to the General Fund Balance along with the balances from the 1998-1999 budget; and

Whereas, The Contingencies-Pay Increases has been exhausted because of wage settlements in excess on anticipated;

RESOLVED, That \$2,443,928.00 be appropriated from the General Fund balance to the Police Department for the 2000-2001 budget year.

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-66-2-01 APPROVED AS AMENDED

RESOLUTION REGARDING ON STREET PARKING REFORMS

A resolution regarding on street parking reforms was considered.

Councilmember Hartwell moved that the resolution be adopted.

Councilmember Upton moved that the resolution be amended as follows:

~~[RESOLVED, That implementation of the AFreedom from Fine program and AParking Ticket Amnesty period be delayed until the proposed budget for 2002/03 is discussed with Mayor and Council.]~~

RESOLVED, THAT PARAGRAPH 3 OF THE FIRST RESOLVED CLAUSE OF RESOLUTION R-553-11-00, DATED NOVEMBER 9, 2000 (AFREEDOM FROM FINE PROGRAM), BE AND IS RESCINDED;

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Higgins, Woods, Johnson, Upton, Lowenstein, Mayor Hieftje, 7;

Nays, Councilmembers Herrell, Hartwell, Easthope, Robinson, 4.

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

RESOLVED, THAT THE SECOND RESOLVED CLAUSE OF RESOLUTION R-553-11-00, DATED NOVEMBER 9, 2000 (APARKING TICKET AMNESTY PROGRAM), BE AND IS RESCINDED.

On roll call the vote was as follows:

Yeas, Councilmembers Hartwell, Higgins, Woods, Johnson, Upton, Lowenstein, Mayor Hieftje, 7;

Nays, Councilmembers Carlberg, Herrell, Easthope, Robinson, 4.

The Mayor declared the motion carried.

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

Yeas, Councilmembers Carlberg, Higgins, Woods, Johnson, Upton, Lowenstein, Mayor Hieftje, 7;

Nays, Councilmembers Herrell, Hartwell, Easthope, Robinson, 4.

The Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-66-2-01

RESOLUTION REGARDING ON STREET PARKING REFORMS

Whereas, By Resolution of Council on November 9, 2000 (R-553-11-00) certain street parking reforms were directed to be initiated;

Whereas, The AFreedom from fine program and Aparking Ticket Amnesty period could, together, result in a revenue loss to the General Fund of over \$1 million; and

Whereas, The City Administrator does not recommend implementation of these

two reforms because of the adverse impact on other general fund programs;

RESOLVED, That paragraph 3 of the first Resolved clause of Resolution R-553-11-00, dated November 9, 2000 (AFreedom from Fine≡ program), be and is rescinded; and

RESOLVED, That the second Resolved clause of Resolution R-553-11-00, Dated November 9, 2000 (AParking Ticket Amnesty≡ program), be and is rescinded.

R-67-2-01 APPROVED

RESOLUTION TO ACCEPT AND TO APPROVE FUNDS FROM THE UNITED STATES DEPARTMENT OF THE TREASURY TO THE ANN ARBOR POLICE

Whereas, The Ann Arbor Police Department has been awarded \$63,809.38 from the United States Department of the Treasury=s Bureau of Alcohol, Tobacco, and Firearms for the G.R.E.A.T. Program;

Whereas, It is anticipated that these funds will be used over a 6-month period to teach children the harmful effects of gangs and to point them in positive directions so that gangs lose their allure;

Whereas, A total of 1,385 middle school students were taught the G.R.E.A.T. Program in the last school year; and

Whereas, It is expected that an additional 1,466 middle school students will be taught, during this school year, utilizing these grant funds;

RESOLVED, That the Mayor and City Council do hereby accept the grant award and appropriate the funds for the life of the grant to the Ann Arbor Police Department=s budget to be expended in accordance with the provision of the grant;

RESOLVED, That this grant be received in a form acceptable to the City attorney; and

RESOLVED, That the City Administrator or his designee be authorized to take all administrative actions necessary to implement these provisions.

Councilmember Easthope moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-68-2-01 APPROVED AS AMENDED

RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE THE
THIRD PARTY ADMINISTRATOR CONTRACT FOR WORKERS= COMPENSATION
AND LIABILITY WITH CRAWFORD AND COMPANY

A resolution regarding the City Administrator to execute the Third Party Administrator Contract for Workers= Compensation and Liability with Crawford and Company was considered.

Councilmember Easthope moved that the resolution be adopted.

Councilmember Lowenstein moved that the following language be added after the fourth paragraph;

WHEREAS, CRAWFORD & COMPANY WILL CHARGE A ONE-TIME FEE OF \$1750.00 TO ENTER WORKERS COMPENSATION FILES INTO THEIR DATABASE;

and that the last paragraph of the resolution be amended as follows:

RESOLVED, That the City Administrator be authorized to execute [the]A Third Party Administrator contract for workers= compensation and liability with Crawford & Company for a three year period beginning February 15, 2001, SUBJECT TO APPROVAL BY THE CITY ADMINISTRATOR AND CITY ATTORNEY.

On a voice vote the Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-68-2-01

RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE
THE THIRD PARTY ADMINISTRATOR CONTRACT FOR WORKERS=
COMPENSATION AND LIABILITY WITH CRAWFORD AND COMPANY

Whereas, The renewal for these services through The ASU Group would increase

the annual cost to \$104,000.00;

Whereas, Crawford & Company provided the best proposal with the lowest composite rate structure of \$84,170.00, saving the City over 19% from the proposed annual renewal rate from The ASU Group;

Whereas, Crawford & Company will charge a one-time fee of \$1,750.00 to enter workers compensation files into their database;

Whereas, Human Rights Approval was granted on February 13, 2001; and

Whereas, It is recommended that the City enter into a three year contract with Crawford & Company for the services of Third Party Administrator for workers' compensation and liability;

RESOLVED, That the City Administrator be authorized to execute a Third Party Administrator contract for workers' compensation and liability with Crawford & Company for a three-year period beginning February 15, 2001, subject to approval by the City Administrator and City Attorney.

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

AMENDED AND POSTPONED

RESOLUTION TO CREATE A MALLETT'S CREEKSHED
COORDINATING COMMITTEE

A resolution to create a Malletts Creekshed Coordinating Committee was considered.

Councilmember Carlberg moved that the resolution be adopted.

Councilmember Carlberg moved that the last paragraph of the resolution be amended as follows:

RESOLVED, That the following persons be appointed by Council to the Malletts Creekshed Coordinating Committee:

Craig Hupy and Sue McCormick - Water Utilities Department

Cresson Sloten - Public Services Department

Kirstin Condict - Parks and Recreation Department

Jerry Hancock - Building Department

Coy Vaughn - Planning Department

Janis Bobrin, Dennis Wojcik and Harry Sheehan - Washtenaw County

Drain Commissioner's Office

Jesse Gordon - Ann Arbor Township, Malletts Creek Association

Ron Emaus, and Scott Dierks - Malletts Creek Association

~~[Kris Olsen - Ann Arbor Township Planning Commission and Huron River Watershed]~~

Jean Carlberg and ~~[Heidi Herrell]~~ **JOAN LOWENSTEIN** - Ann Arbor City Council

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

Councilmember Upton moved that the resolution be postponed until the March 5, 2001 regular session of Council for further consideration of the committee's membership composition.

On a voice vote the Mayor declared the motion carried.

The resolution as postponed reads as follows:

RESOLUTION TO CREATE A MALLETT'S CREEKSHED
COORDINATING COMMITTEE

Whereas, Council Resolution R-105-3-00, amended March 6, 2000, resolved that the Action Plan include a Malletts Creek Coordinating Committee, of appropriate city, county and township staff as well as environmental organizations and members of the public, and elected officials, to assess and make recommendations about the proposals that will affect Malletts Creekshed, to provide assessment of ongoing data about conditions in the creekshed, to make recommendations of new policies and practices that will enhance the quality and function of the creekshed;

RESOLVED, That the following persons be appointed by Council to the Malletts Creekshed Coordinating Committee:

- Craig Hupy and Sue McCormick - Water Utilities Department
- Cresson Sloten - Public Services Department
- Kirstin Condict - Parks and Recreation Department
- Jerry Hancock - Building Department
- Coy Vaughn - Planning Department
- Janis Bobrin, Dennis Wojcik and Harry Sheehan - Washtenaw County Drain Commissioner's Office
- Jesse Gordon - Ann Arbor Township, Malletts Creek Association
- Ron Emaus and Scott Dierks - Malletts Creek Association
- Jean Carlberg and Joan Lowenstein - Ann Arbor City Council

R-69-2-01 APPROVED AS AMENDED

RESOLUTION IN THE MATTER OF THE JUVENILE COURT AND
THE HONORABLE NANCY C. FRANCIS

A resolution in the matter of Juvenile Court and the Honorable Nancy C. Francis was considered.

Councilmember Carlberg moved that the resolution be adopted.

Councilmember Upton moved that the ninth paragraph of the resolution be amended as follows:

RESOLVED, That the Ann Arbor City Council [~~joins the Washtenaw
County Board of Commissioners in its~~] request [~~to~~] Chief Judge Timothy

Connors to [~~retain~~] **RECONSIDER RETAINING** Judge Francis in control of her dockets and structure a cooperative process involving Judge Francis to implement recommended innovations and improvements within the Juvenile Division;

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-69-2-01

RESOLUTION IN THE MATTER OF THE JUVENILE COURT AND
THE HONORABLE NANCY C. FRANCIS

Whereas, The well-being of Ann Arbor=s children and families is central to all policies and programs designed and implemented by the city;

Whereas, The Hon. Judge Nancy Francis has demonstrated extraordinary ability and commitment and implemented creative approaches and solutions to the difficult issues of juvenile justice;

Whereas, Chief Judge Timothy Connors of the Washtenaw County Trial Court has announced reassignment of the dockets of judges presiding over sensitive cases addressing abuse, neglect, and delinquency and has transferred Judge Nancy Francis= dockets and responsibilities to another judge;

Whereas, Recent recommended innovations to improve efficiency and services in the Juvenile caseload within the Family Court Division are being implemented with the cooperation of Chief Judge Connors, Judge Nancy Francis and the County Administrator, and did not contemplate removal of Judge Francis;

Whereas, On February 7, 2001, the Washtenaw County Board of Commissioners, by resolution, requested reconsideration of Judge Connors decision to replace Judge Francis and further urged identification of an alternative solution appropriate to the needs of the vulnerable juvenile population as well as the efficient and cost effective operation of the court; and

Whereas, No evidence exists that substantive discussions to reach such a compromise have occurred or are planned;

RESOLVED, That the Ann Arbor City Council recognizes the excellence of the Honorable Judge Nancy Francis= services to this community through her professional dedication to the protection and guidance of children and the preservation and strengthening of families wherever possible in her capacity as our elected Juvenile Court Judge;

RESOLVED, That the Ann Arbor City Council request Chief Judge Timothy Connors to reconsider retaining Judge Francis in control of her dockets and structure a cooperative process involving Judge Francis to implement recommended innovations and improvements within the Juvenile Division;

RESOLVED, That Ann Arbor City Council urges that discussions between Washtenaw County Administration, interested and knowledgeable persons from the Washtenaw County Bar and Community, the Trial Court and Judge Francis be structure and pursued to reach agreement on such a cooperative process; and

RESOLVED, That the City Administrator communicate this resolution to the Chief Justice of the Michigan State Supreme Court, State Representative John Hansen, State Representative Chris Kolb, State Senator Alma Wheeler Smith, the Washtenaw County Board of Commissioners, Chief Judge Timothy Connors, Family Court Chief Judge Archie Brown, Judge Nancy Francis, and the Washtenaw County Administrator, Robert Guenzel.

R-70-2-01 APPROVED

RESOLUTION TO COMMEMORATE THE LIFE AND CONTRIBUTIONS OF MR. HARRY MIAL, SR. TO THE CITY OF ANN ARBOR ON THE NEWS OF HIS PASSING

Whereas, The City of Ann Arbor has learned of the passing of Mr. Harry Mial, on February 16, 2001;

Whereas, Mr. Harry Mial, Sr. became the second African-American teacher in the Ann Arbor Public School District in 1954 at Jones Elementary School;

Whereas, Mr. Harry Mial, Sr. became the first African-American principal in the Ann Arbor School District when he became principal at Northside Elementary School;

Whereas, Mr. Harry Mial, Sr. was the principal at Northside Elementary School for fifteen years;

Whereas, Mr. Harry Mial, Sr. served as Acting Director of Research and Evaluation for the Ann Arbor School District;

Whereas, Mr. Harry Mial, Sr. previously served on the Human Relations Committee from December, 1963 through May, 1966;

Whereas, Mr. Harry Mial, Sr. was a member of the Ann Arbor Human Rights Commission appointed March 29, 1999;

Whereas, Mr. Harry Mial, Sr. was a member of the Ann Arbor Human Rights Commission at the time of his passing;

Whereas, Mr. Harry Mial, Sr. was a dedicated member of the Human Rights Commission recommending ways to improve city government programs and ordinances designed to eliminate discrimination or remove effects of past discrimination;

Whereas, Mr. Harry Mial, Sr. was a dedicated member of the Human Rights Commission investigating, holding hearings and making recommendations to City Council regarding complaints from those protected under the Human Rights Ordinance;

Whereas, Mr. Harry Mial, Sr. was a dedicated member of the Human Rights Commission making recommendations regarding affirmative actions programs;

Whereas, Mr. Harry Mial, Sr. was a dedicated member of the Human Rights Commission encouraging community education to combat discrimination; and

Whereas, Mr. Harry Mial, Sr. was a dedicated member of the Human Rights Commission making recommendations regarding the coordination of Federal, State and local programs;

RESOLVED, That the City Council of Ann Arbor extends its deepest sympathy to his wife, Dr. Joetta Mial, and to their sons and extended family;

RESOLVED, That the City Council of Ann Arbor celebrates the life of Mr. Harry Mial, Sr. as a citizen who worked tirelessly to enrich the lives of all citizens of Ann Arbor;

RESOLVED, That the City Council of Ann Arbor acknowledges the many contributions of Mr. Harry Mial, Sr. to make Ann Arbor a more inclusive community; and

RESOLVED, That a copy of this resolution be conveyed to Dr. Joetta Mial and her family.

Councilmember Woods 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 Hieftje recommended the following Council committee assignments. All terms end in November, 2001.

Affordable Housing Steering Committee
Councilmember Woods

Budget/Finance Advisory Committee
Councilmember Hartwell

City Administrator Committee
Councilmember Woods
City Attorney Committee
Councilmember Woods

Community Events Fund Committee
Councilmember Woods

Downtown Marketing Task Force
Councilmember Woods

HIV/AIDS Task Force
Councilmember Woods

Labor Negotiating Committee
Councilmember Woods

Park Advisory Commission
Councilmember Woods

Special Liquor Committee
Councilmember Woods

Train Whistle Task Force
Councilmember Woods

Councilmember Higgins 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 Hieftje placed the following nominations on the table for approval at a later date:

Huron River Watershed Council Liaisons

Sumedh Bahl (from Board Member to Alternate)
100 N. Fifth Ave., PO Box 8647 48107
Term: 01/04/1999 to 10/31/2001

Craig Hupy (from Alternate to Board Member)
100 N. Fifth Ave., PO Box 8647 48107
Term: 01/04/1999 to 10/31/2001

John Hieftje (from Board Member to Alternate)
100 N. Fifth Ave. PO Box 8647 48107
Term: 02/20/2001 to 10/31/2003

Joan Lowenstein (to fill a vacancy)
100 N. Fifth Ave. PO Box 8647 48107
Term: 02/20/2001 to 10/31/2003

Employee=s Retirement System Board

Larry Hahn (reappointment)

204 Lynn Anne Ct. 48103
Term: 03/05/2001 to 12/31/2004

Park Advisory Commission

John M. Satarino (to fill vacancy)
808 Hutchins Ave. 48103
Term: 03/05/2001 to 03/04/2004

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Police Chief Candidates Recruitment Sources
2. Airport Project Sponsor of The Year Award
3. Information Regarding Nonprofit Organizations and Proposed Living Wage Ordinance
4. Recruitment Plan- Technology Services
5. Petition to Contest The National Pollutant Discharge Elimination System (NPDES) Permit for the Wastewater Treatment Plant
6. Affirmative Action Plan - Completion Time Line

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

COMMUNICATIONS FROM THE CITY ATTORNEY

MICHIGAN PUBLIC SERVICE COMMISSION

City Attorney Abigail Elias reported that she has been participating in a collaborate process at the Michigan Public Service Commission regarding telecommunications.

REPORT ON COMPLETED ANNEXATION

City Attorney Elias submitted a report on the completion of the Martin/Longanecker

property annexation, 0.17 acre, 3415 Porter Ave., from Scio Township. (Report on file in the City Clerk's Office).

COMMUNICATIONS FROM COUNCIL

None.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Martha Johnson, Vice President of Government Affairs, Ann Arbor Area Chamber of Commerce, regarding proposed Living Wage Ordinance - File
2. Communication from Gregory Markus, 1238 Ferdon Rd., regarding proposed Living Wage Ordinance - File

The following minutes were received for file:

1. Downtown Development Authority - December 6 and December 11, 2000, January 3, 2001
2. Housing Policy Board - February 1, 2001
3. Employees= Retirement System Board - December 21, 2000
4. Retiree Health Care (VEBA Trust) Board - December 21, 2000
5. City Market Commission - January 25, 2001

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

There being no further business to come before Council, it was moved by Councilmember Herrell that the meeting be adjourned.

On a voice vote the Mayor declared the motion carried and the meeting adjourned at 10:22 p.m.

Yvonne Carl
Interim Clerk of the Council

Anissa R. King
Recording Secretary