

**ANN ARBOR CITY COUNCIL AGENDA
REGULAR SESSION - MARCH 19, 2001**

The regular session of the Ann Arbor City Council was called to order at 7:35 p.m. in the City Hall Council Chamber by Mayor John Hieftje.

Council stood for a moment of silence.

Mayor Hieftje Let 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

International Council for Local Environmental Initiatives “Cities for Climate Protection Program” Award and Million Solar Roofs Award

Energy Coordinator Dave Konkle gave a slide presentation regarding the Cities for Climate Protection Program and global warming.

U.S. Department of Energy Director Peter M. Dreyfuss presented the City of Ann Arbor with an award for the Cities for Climate Protection Program and recognized the City for their leadership in the International Council for Local Environmental Initiatives (ICLEI) Climate Protection Program. He also presented the Million Solar Roofs Award to the City of Ann Arbor for the Leslie Science Center Nature House. The Mayor accepted both awards on the City’s behalf.

PUBLIC COMMENTARY - RESERVED TIME

Matthew Schwartz – Student Neighborhood Action Project

Matthew Schwartz, 1026 Vaughn, #3, spoke in support of the Student Neighborhood Action Project which wants to clean up the neighborhoods in Ann Arbor. A

neighborhood cleanup and barbecue are scheduled for April 1, 2001. Mr. Schwartz invited Council and anyone else to come out and help clean up the neighborhood.

Wendy Lynn – Friends of the Bluffs

Wendy Lynn, 1696 Miller, founding member of Friends of The Bluffs, spoke in support of saving the Bluffs on the west side of North main Street, south of Huron View Blvd. Ms. Lynn stated that the Bluffs would create a green-belt connecting the existing parks and protect the Huron River.

Doug Cowherd – Bluffs Park Addition

Doug Cowherd, 1117 Brooks, spoke in support of the purchase of the Bluffs as a city park.

PUBLIC HEARINGS

BAILEY ZONING (ORDINANCE NO. 2-01)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.5 acre from TWP (Township District) to R1A (Single-Family Dwelling District), Bailey property, 2129 Victoria Circle. Notice of public hearing was published March 4, 2001.

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

DELOSH ZONING (ORDINANCE NO. 3-01)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 4.28 acres from TWP (Township District) to R1B (Single-Family Dwelling District), DeLosh property, 4040 East Huron River Drive. Notice of public hearing was published March 4, 2001.

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

HAARER ZONING (ORDINANCE NO. 4-01)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.59 acre from TWP (Township District) to R1B (Single-Family Dwelling District), Haarer property, 2610 Geddes Road. Notice of public hearing was published March 4, 2001.

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

HAMILTON ZONING (ORDINANCE NO. 5-01)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 1.52 acres from TWP (Township District) to R1C (Single-Family Dwelling District), Hamilton property, 2700 Nixon Road. Notice of public hearing was published March 4, 2001.

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

MARTIN/LONGANECKER ZONING (ORDINANCE NO. 6-01)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.17 acre from TWP (Township District) to R1D (Single-Family Dwelling District), Martin/Longanecker property, Lot 80, Westover Hills Subdivision. Notice of public hearing was published March 4, 2001.

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

SINGER ZONING (ORDINANCE NO. 7-01)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.51 acre from TWP (Township District) to R1B (Single-Family Dwelling District), Singer property, 2641 Geddes Road. Notice of public hearing was published March 4, 2001.

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

TYLER ZONING (ORDINANCE NO. 8-01)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.59 acre from TWP (Township District) to R1B (Single-Family Dwelling District), Tyler property, 381 Orchard Hills Drive. Notice of public hearing was published March 4, 2001.

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

NESLER'S PLACE LAND DIVISION

A public hearing was conducted on the proposed Nesler's Place Land Division, 0.64 acre, 1715 Fulmer Street. Notice of public hearing was published March 11, 2001.

The following person appeared in opposition of the proposed land division:

A resident on Fulmer street stated that no lots of this nature now exist within the neighborhood. To allow the development of housing directly up on the Garden Homes Park line, would destroy the look and feel that exists there today.

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

405 AND 415 NORTH MAPLE ROAD LAND DIVISION

A public hearing was conducted on the proposed 405 and 415 North Maple Road Land Division, 8.16 acres. Notice of public hearing was published March 11, 2001.

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

415 NORTH MAPLE ROAD SITE PLAN

A public hearing was conducted on the proposed 415 North Maple Road Site Plan, 5.67 acres. Notice of public hearing was published March 11, 2001.

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

MICHIGAN NATURAL RESOURCES TRUST FUND PARK GRANT APPLICATION

A public hearing was conducted on the proposed Michigan Natural Resources Trust Fund Park Grant Application. Notice of public hearing was published March 18, 2001.

The following person appeared in support of the proposed grant application:

Rob Wolkers, representing skate boarders and their families living in the Ann Arbor area.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

INTRODUCTIONS

Add: Million Solar Roofs Award – Leslie Science Center – Peter Dryefuss

D - MOTIONS AND RESOLUTIONS

Revise: Resolution To Approve Nesler's Place Land Division, 0.64 acre, 1715 Fulmer (Planning Commission Recommendation: Approval – 8 years, 0 nays)

Correct: ~~Resolution to Approve Michigan Natural Resources Trust Fund Grant for the Skateboard Park~~
Title Resolution Authorizing a Grant Application to Michigan Department of Natural Resources for Matching Funds for Development of a Skate Park Facility (Parks and Recreation) **(8 Votes Required)**

Correct: ~~Resolution to Approve Amendment to Lease for District Court Probation Department Offices~~
Title Resolution for Second Extension/Amendment of Lease Agreement with Dan-Man I, L.L.C. for District Court Probation Department, 206 East Huron Street (\$49,200.00) (15th District Court) **(8 Votes Required)**

Add: Resolution Authorizing Appointment of Scott C. Rayburn As Interim Fire Chief (Administrator)

Add: Resolution for Community Events Fund Disbursements (Community Events Fund Committee)

I – CLERK'S REPORT

Add: Communication from the City Planning Commission Regarding Suggested Changes to Capital Improvement Plan (CIP) preparation Calendar and Process – File

Add Topic:

RECESS FOR CLOSED SESSION TO DISCUSS PENDING LITIGATION AND TO CONSIDER MATERIAL EXEMPT FROM DISCLOSURE.

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES**MINUTES OF MARCH 5, 2001 APPROVED**

Councilmember Robinson moved that the regular session minutes of March 5, 2001 be approved as presented.

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA**CONSENT AGENDA ITEM REMOVED**

With unanimous consent of Council, the following item was removed from the Consent Agenda for consideration immediately following approval of the Consent Agenda:

Resolution to Approve the Agreement with Salvation Army (\$75,000.00)
(Community Development)

CONSENT AGENDA ITEMS APPROVED

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

R-84-3-01 APPROVED

RESOLUTION TO APPROVE CONTRACT WITH

THE THOMPSON-MCCULLY COMPANY,
AND TO ESTABLISH PROJECT BUDGET FOR THE 2001 ANNUAL STREET
RESURFACING PROJECT

Whereas, The 2000-2006 Capital Improvements Program includes the Annual Resurfacing Program in its Capital Program Summary of Street Construction;

Whereas, Competitive bids were received by the Purchasing Division on March 12, 2001, and The Thompson-McCully Company was the lowest responsible bidder at \$3,090,246.75;

Whereas, The Thompson-McCully Company has received Human Rights approval on March 19, 2001; and

Whereas, Funding for this project is available from Fund 062 (1996 Street Millage Fund) and the Utilities Department’s proposed 2001/2002 budget as detailed below;

RESOLVED, That City Council approve a contract, per Bid No. 3440, with The Thompson-McCully Company in the amount of \$3,090,246.75 for the construction of the 2001 Annual Street Resurfacing Project, and that the Mayor and the City Clerk be authorized to sign the agreement substantially in the form on file with the City Clerk;

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

<u>Section I, Revenue</u>	
\$3,320,000	The Street Resurfacing Millage (Fund 0062)
110,000	Proposed 01/02 Utilities Dept. budget (Water O/M)
85,000	Proposed 01/02 Utilities Dept. budget (Sanitary System O/M)
<u>175,000</u>	Proposed 01/02 Utilities Dept. budget (Storm Water O/M)
<u>\$3,690,000</u>	<u>TOTAL</u>

<u>Section II, Expense</u>	
\$3,090,250	Construction
65,000	Design Engineering
245,000	Construction Engineering
70,000	Testing, Consulting and Professional Services
150,000	Contingencies approved by the City Administrator
<u>69,750</u>	Miscellaneous Costs
<u>\$3,690,000</u>	<u>TOTAL;</u>

RESOLVED, That Council authorize the City Administrator to delete streets from the Project Street List to keep the project cost within the available funds; and

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

R-85-3-01 APPROVED

RESOLUTION TO APPROVE AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT FOR THE HURON PARKWAY WASHTENAW AVENUE INTERSECTION IMPROVEMENTS PROJECT

Whereas, Professional engineering services were needed in the form of material testing services for the Huron Parkway-Washtenaw Avenue Intersection Improvements Project;

Whereas, It is now necessary to amend the existing professional services agreement with Taweel Engineering Services, P.C. to compensate them for additional work tasks that are necessary to complete the material testing requirements of the project; and

Whereas, Taweel Engineering Services, P.C. has received Human Rights approval on November 21, 2000;

RESOLVED, That Council approve an amendment to a Professional Services Agreement with Taweel Engineering Services, P.C. in the amount of \$26,619.30 for the Huron Parkway-Washtenaw Avenue Intersection Improvements Project;

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

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

R-86-3-01 APPROVED

RESOLUTION TO INCREASE THE CONTRACT TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR THE SOUTH INDUSTRIAL HIGHWAY ROAD IMPROVEMENTS PROJECT

Whereas, On March 1, 1999 City Council approved an agreement with the Michigan Department of Transportation (MDOT) and established the project budget for the S. Industrial Highway Road Improvements Project (R-91-3-99). This agreement defined each party=s responsibilities for the performance of the project and set the conditions of payment therefore;

Whereas, It was determined necessary during the course of the project=s construction to replace certain water mains due to their failure and to prevent future damage to the newly reconstructed street, the cost of which was greater than originally budgeted; and

Whereas, Sufficient funds exist within the Street Resurfacing Millage (Fund 0062) as contained in the approved Public Services Department budget;

RESOLVED, That the contract with MDOT be increased by \$26,000.00 so that the City can reimburse MDOT for the City share of the increased project costs; and

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

R-87-3-01 APPROVED

RESOLUTION TO APPROVE A CHANGE ORDER
WITH DAN'S EXCAVATING, INC. FOR THE
BROADWAY BRIDGES PARTIAL REHABILITATION PROJECT
(\$24,567.95)

Whereas, Dan's Excavating, Inc. was awarded a construction contract on September 18, 2000 (R-453-9-00) in the amount of \$31,493.49 for the Broadway Bridges Partial Rehabilitation Project (Bid No. 3371);

Whereas, Additional work in the amount of \$24,567.95 was required to satisfactorily complete the project; and

Whereas, Dan's Excavating, Inc. has received Human Rights approval on August 23, 2000;

RESOLVED, That Council approve Change Order No. 1 to the Contract with Dan's Excavating, Inc. in the amount of \$24,567.95 for the Broadway Bridges Partial Rehabilitation Project; and

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

R-88-3-01 APPROVED

RESOLUTION TO APPROVE PURCHASE OF
LIQUID OXYGEN AND CARBON DIOXIDE
FOR WATER TREATMENT FROM PRAXIAR INC,
BID NO. 3452

Whereas, The Water Treatment Division uses liquid oxygen (LOX) and carbon dioxide (CO₂) in daily operations;

Whereas, Contracts for supplying estimated requirements are the most stable and cost-effective way of meeting water treatment needs;

Whereas, The existing contracts with Praxair, Inc for supplying LOX and CO₂ will end on March 31, 2001;

Whereas, Of the two bids received to supply LOX and CO₂ per Bid No. 3452, Air Liquide submitted the lower bid;

Whereas, Air Liquide's bid includes conditions unacceptable to the City;

Whereas, Praxair is the other bidder which can supply LOX and CO₂ per Bid No. 3452; and

Whereas, Praxair, Inc. received the Human Rights approval on July 19, 2000;

RESOLVED, That Council accept Praxair, Inc.'s bid of \$.34/hcf for LOX and \$93/ton for CO₂ in accordance with the terms of Bid No. 3452;

RESOLVED, That the City Administrator be directed to enter into a purchasing agreement in accordance with this resolution at a projected cost of approximately \$206,000 for a 15-month term ending on June 30, 2002;

RESOLVED, That the agreement may be renewed for up to two one-year periods provided both parties agree to an extension;

RESOLVED, That the City Administrator be authorized and directed to sign a purchase order with Praxair, Inc. for the purchase of LOX and CO₂; and

RESOLVED, That the purchase of LOX and CO₂ to be funded from the Operation and Maintenance Budget of the Water Supply System.

R-89-3-01 APPROVED

RESOLUTION TO AWARD CONTRACT TO CALGON CORP.
FOR REPLACEMENT OF GRANULAR ACTIVATED CARBON
AND WATER TREATMENT PLANT, BID NO. 3442

Whereas, The Water Treatment Division uses Granular Activated Carbon in its water filtration process;

Whereas, Contracts for supplying estimated requirements are the most stable and cost-effective way of meeting the water treatment needs; and

Whereas, Calgon Corp. submitted the lowest responsible bid for the supply of granular activated carbon per Bid No. 3442; and

Whereas, Calgon Corp. received the Human Rights approval on March 7, 2001;

RESOLVED, That the City Council accepts Calgon Corp.'s bid of \$22.33/ft³ to supply GAC to the Water Treatment Plant;

RESOLVED, That the City Administrator be directed to enter into a purchasing agreement in accordance with this resolution at a projected cost of approximately \$46,223 per year for FY 2001/02, FY 2002/03 and FY 2003/03. Costs after the first year are subject to annual price adjustments equal to the Producers Price Index for Industrial Commodities;

RESOLVED, That \$138,670 be approved as an overall purchase including a \$13,867 contingency for change orders within the scope of the contract and to be approved by the City Administrator;

RESOLVED, That the agreement may be renewed for up to two one-year periods after the initial three-year period proved both parties agree to the extension;

RESOLVED, That the City Administrator be authorized and directed to sign a purchase order with Calgon Corp. for the purchase of granular activated carbon;

RESOLVED, That the City Administrator be directed to accept the next lowest responsible bidder if Calgon Corp. is unable to furnish adequate supplies; and

RESOLVED, That this purchase of GAC be funded from the Water Supply System Operations and Maintenance Budget

R-90-3-01 APPROVED

RESOLUTION AUTHORIZING WATER MAIN, SANITARY SEWER, BIKE LANE AND PAVEMENT IMPROVEMENT CHARGES FOR NORTHSIDE COMMONS

Whereas, The City has previously constructed a water main, sanitary sewers, bike lane and paving improvement described as follows:

Water Main: Job No. 0371, Dist. No. 84086;

<u>Parcel #</u>	<u>L.F.</u>	<u>\$/L.F.</u>	<u>Total Cost per Parcel</u>
09-16-201-002	376.88	\$42.367577	\$15,967.49
09-19-201-001	120.15	\$42.367577	\$ 5,090.46
09-19-201-003	1,371.49	\$42.367577	\$58,106.67
09-19-150-005	298.14	\$42.367577	<u>\$12,631.46</u>
<i>Total Water Main Improvement Charges =</i>			<u>\$91,796.08</u>

Sanitary Sewer:

Dist. No. 397, Job No. 3588, 25.56 acres @ \$171.05258/acre = \$4,372.10

Paving Dhu Varren Rd. Bike Lane:

<u>Parcel #</u>	<u>L.F.</u>	<u>\$/L.F.</u>	<u>Acre</u>	<u>\$/Acre</u>	<u>per Parcel</u>	<u>Total Cost</u>
09-16-201-002	249.88	\$2.01	1.23	\$101.68		\$ 627.84
09-16-201-001	150.03	\$2.01	1.08	\$101.68		\$ 411.68
09-16-201-003	211.22	\$2.01	2.76	\$101.68		\$ 705.63
09-16-150-005	298.14	\$2.01	5.10	\$101.68		<u>\$1,118.46</u>
<i>Total Bike Lane Improvement Charges =</i>						<u>\$2,863.61</u>

Paving Dhu Varren Rd.:

<u>Parcel #</u>	<u>L.F.</u>	<u>\$/L.F.</u>	<u>Total Cost per Parcel</u>
09-16-201-002	216.88	\$26.731935	\$ 5,797.62
09-16-201-001	120.15	\$26.731935	\$ 3,211.84
09-16-201-003	211.22	\$26.731935	\$ 5,646.32
09-16-150-005	298.14	\$26.731935	<u>\$ 7,969.86</u>
<i>Total Paving Improvement Charges =</i>			<u>\$22,625.64</u>

GRAND TOTAL OF IMPROVEMENT CHARGES \$121,657.43 ; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is to be levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following newly-annexed property which is specifically benefited by the above improvements:

<u>Annexation Address:</u>	Northside Commons
<u>City Assessor Code:</u>	09-16-200-001
<u>Annexation Number :</u>	A99-02
<u>Planning File No .:</u>	9162T21.1 & .2

Beginning at the North ¼ corner of Section 16, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence N 85°48'08" E 298.14 feet along the North line of said Section and the centerline of Dhu Varren Road; thence S 01°06'40" E 352.44 feet; thence S 85°48'08" W 50.00 feet; S 01°06'40" E 472.61 feet; thence S 85°48'08" W 248.14 feet to a point on the North and South ¼ line of said Section; thence S 01°06'40" E 499.57 feet along said North and South ¼ line; thence S 86°06'50" W 759.70 feet to a point on the centerline of Pontiac Trail; thence N 06°19'30" E 1348.22 feet along said centerline to a point on the north line of said Section and the centerline of Dhu Varren Road; thence N 86°29'10" E 584.84 feet along said North line and said centerline to a point of Beginning. Excepting there from the Westerly 33 feet of the Northerly 200 feet. Being a part of the North ½ of Section 16, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan, and containing 25.41 acres of land, more or less. Being subject to the rights of the public over the Southerly 33 feet of Dhu Varren Road and the Easterly 33 feet of Pontiac Trail. Also being subject to a 20-foot wide private drive easement as described in Liber 542, Page 281, Liber 901, Page 139, Liber 1568, Page 479 and Liber 1881, Page 163, Washtenaw County Records. Also being subject to other easements and restrictions of record, if any. Now situated in the City of Ann Arbor.

2. That the improvement charge levied be \$121,657.43 and be designated as Utilities Improvement Charge No. 684;

3. That this improvement charge be divided into 15 equal installments; the first to be due on June 1, 2001, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the

improvement charge to bear interest at the rate of 7.28% per annum commencing June 1, 2001;

4. That the City Clerk be directed to send a copy of this resolution by first class mail to the owner of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

5. That this levied improvement charge is to be invoiced to Norfolk Development Corporation, Kim O. Wilkins, 6360 Jackson Rd. Suite F, Ann Arbor, MI 48103, the owners of the property known as Northside Commons; and be credited in the amounts of \$91,796.08 to Fund 0042-073-7151, \$4,372.10 to Fund 0043-073-7151 and \$25,489.25 to Fund 062-019-7151.

R-91-3-01 APPROVED

RESOLUTION TO APPROVE THE PURCHASE OF AN AUTOCLAVE FROM JADE SCIENTIFIC, INC. FOR THE WASTEWATER TREATMENT PLANT, BID. 3420

Whereas, It is necessary to replace the existing autoclave at the City=s Wastewater Treatment Plant (WWTP);

Whereas, Jade Scientific, Inc. submitted a responsible bid in the amount of \$43,398; and

Whereas, On March 2, 2001, the Human Resources Department approved Jade Scientific, Inc. to supply equipment to the City;

RESOLVED, That Council accept the bid in the amount of \$43,398.00 and approve the purchase of an autoclave with a 20" x 20" x 38" chamber and a five-year preventative maintenance contract from Jade Scientific, Inc.; and

RESOLVED, That this purchase be funded by the approved Operation and Maintenance Budget of the Sewage Disposal Fund for fiscal year 2000/2001.

R-92-3-01 APPROVED

RESOLUTION AUTHORIZING WATER MAIN, AND SANITARY SEWER IMPROVEMENT CHARGES FOR 2775 NEWPORT ROAD

Whereas, The City has previously constructed a water main and sanitary sewers improvement described as follows:

Water Main: 12" water main in Newport Rd., Job No. A-301W = \$2,694.64

Sanitary Sewer: Job No. 3798, Dist. No. 391, \$63.77/connection (oversize) = \$63.77

\$795.00/connection (lateral) = \$795.00

GRAND TOTAL OF IMPROVEMENT CHARGES \$3,553.41 ; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is to be levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following newly-annexed property which is specifically benefited by the above improvements:

<u>Annexation Address:</u>	2775 Newport Road
<u>City Assessor Code:</u>	09-18-201-025
<u>Annexation Number :</u>	A96-17
<u>Planning File No :</u>	9180T20.1,.2 and .4

Commencing at the N 1/4 corner of Section 18, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 89 degrees 32' W 66.01 feet along the North line of said section for the PLACE OF BEGINNING; thence S 0 degrees 30' W 960.68 feet along a line parallel to and 66 feet Westerly of the N-S 1/4 line of said section; thence S 89 degrees 32' W 618.74 feet; thence N 0 degrees 30' E 587.68 feet; thence N 89 degrees 32' E 192.0 feet; thence N 0 degrees 30' E 373.0 feet; thence N 89 degrees 32' E 426.74 feet along the North line of said section and the centerline of Newport Road to the Place of Beginning, being a part of the East 684.75 feet of the NW 1/4 of said section and containing 12.00 acres of land more or less, subject to the rights of the public over the Northerly 33 feet thereof as occupied by Newport Road. Subject to easements and restrictions of record; Now situated in the City of Ann Arbor.

2. That the improvement charge levied be \$3,553.41 and be designated as Utilities Improvement Charge No. 680;

3. That this improvement charge be divided into 15 equal installments; the first to be due on June 1, 2001, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 5.8% per annum commencing June 1, 2001;

4. That the City Clerk be directed to send a copy of this resolution by first class mail to the owner of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

5. That this levied improvement charge be invoiced to the owners of the property known as 2775 Newport Road, and be credited in the amounts of \$2,694.64 to Fund 042-073-7151, and \$858.77 to Fund 043-073-7151.

R-93-3-01 APPROVED

RESOLUTION TO APPROVE REHABILITATION AGREEMENT WITH SAMUEL AND JANE FERRARO

Whereas, An application was received from Samuel and Jane Ferraro for rehabilitation assistance for their home located at 1941 Alhambra;

Whereas, The homeowners meet the City's criteria for participation in the Housing Rehabilitation Program;

Whereas, Four bids were received on March 1, 2001 and Mr. and Mrs. Ferraro will be executing an agreement with the lowest responsible bidder, Michael P. McCarthy, who received Human Rights approval on September 13, 2000 to complete the rehabilitation work; and

Whereas, On Friday, March 16, 2001 the Waiver and Review Board approved the waiver of the \$29,360.00 maximum for rehabilitation assistance up to the amount of \$32,115.00.

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Samuel and Jane Ferraro in the amount of \$32,115.00 as a 0% interest, deferred payment loan, and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the office of the City Clerk with funds to be available without regard to fiscal year; and

RESOLVED, That City Council authorize that payments can be made to the contractor, Michael P. McCarthy, on behalf of the homeowner for the work completed on the project.

R-94-3-01 APPROVED

RESOLUTION TO APPROVE TRANSFER OF A CLASS C
 LICENSED BUSINESS LOCATED AT 314-316 SOUTH
 FOURTH AVENUE, D.B.A. PAPA CHULO'S

RESOLVED, That the ownership transfer of a 2000 Class C licensed business, located at 314-316 S. Fourth Ave., from Maude=s Restaurant, Inc. to Papa Chulo=s, Inc., and a new Dance-Entertainment Permit in conjunction with the license, be approved.

R-95-3-01 APPROVED

RESOLUTION TO APPROVE A PROPOSAL AND FUNDING
 FOR A COMMUNITY TELEVISION NETWORK EXHIBIT IN
 THE MEDIAWORKS GALLERY OF THE
 ANN ARBOR HANDS ON MUSEUM

Whereas, Community Television Network has served Ann Arbor since 1973 by providing a variety of community-based media production and distribution services;

Whereas, The Ann Arbor Hands On Museum was established in 1982 out of a belief that teachers, students, and families in our community, and throughout southeastern Michigan, would benefit from an interactive, innovative science and technology education institution;

Whereas, As a result of recent expansion, The Ann Arbor Hands On Museum is creating the "MediaWorks Gallery" that will feature a number of premier exhibits that focus on the technology of human communication;

Whereas, The Ann Arbor Hands On Museum and Community Television Network staff have developed a plan for the creation of an anchor exhibit in the "MediaWorks Gallery" that will provide an interactive and educational experience about how the technology of television production works;

Whereas, Community Television Network has adopted a long term strategic objective of providing educational and technology resources to youth in the community, thus making a collaboration with The Ann Arbor Hands On Museum a natural extension of other CTN activities;

Whereas, This project represents a commitment by two long-standing community institutions to provide a meaningful experience for youth and other patrons of The Ann Arbor Hands On Museum that may lead to continued involvement in community-based media via Community Television Network;

Whereas, Funding for this project will be appropriated from the Cable Fund (Fund 016) Fund Balance in the amount of \$30,000.00; and

Whereas, The Cable Communications Commission unanimously approved a motion at its February 21, 2001 meeting in support of the CTN – Ann Arbor Hands On Museum Exhibit Proposal and is recommending that the City Council support and approve the funding for this project;

RESOLVED, That City Council approve the Community Television Network – Ann Arbor Hands On Museum Exhibit Proposal as presented and authorize an appropriation of \$30,000.00 from the Cable Fund Balance (Fund 016) to the City Clerk/Cable Division FY 00/01 budget for the purpose of financing this project.

R-96-3-01 APPROVED

RESOLUTION TO ACCEPT THE BOARD OF INSURANCE
ADMINISTRATION MINUTES OF MARCH 9, 2001
AND TO AUTHORIZE PAYMENTS

RESOLVED, That the attached Board of Insurance Administration Minutes of March 9, 2001, be accepted and that the payments therein be authorized.

MINUTES
MARCH 9, 2001
CITY OF ANN ARBOR BOARD OF INSURANCE ADMINISTRATION

Present: Joe Upton, Councilperson
Joan Lowenstein, Councilperson 2.

Absent: Karen Sanford, City Treasurer 1.

Also Present: James Armstrong, Safety Manager
Abigail Elias, City Attorney
Susan Campbell, Risk Management Office
Bob West, Assistant City Attorney 4.

CLAIMS DENIED:

CASE NO.

- CC 9-01 Property damage claim of MichCon (815 W. Jefferson)
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board denied the claim.
- CC 15-01 Vehicle damage claim of Alison Vratil
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board denied the claim.

OTHER BUSINESS:

CASE NO.

- CC 40-00 Lawsuit of Dana Barton by Camille Horne, Attorney
Discussed by Bob West, Assistant City Attorney and the Board was
given a status update.
- CC 192-00 Sewer back up claim of Jane Belanger (735 S. Division)
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board had no action.
- CC 234-00 Vehicle damage claim of National City Ins. for Jason Witley
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board authorized settlement.
- CC 69-00 &
CC 135-00 Sewer back up claim of Joel Benedek by Craig Ross, Attorney
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board authorized settlement.

CASE NO.

- CC 66-00 Sewer back up claim of Walden Management (1945 Pauline)
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board authorized settlement.
- CC 167-00 Sewer back up claim of William & Patricia Earl (2425 Miller)
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board authorized settlement.
- CC 10-01 Sewer back up claim of Adam Desmarais (1100 W. Liberty)
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board authorized settlement.
- CC 13-01 Property damage claim of David Chambers
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board authorized settlement.
- CC 16-01 Vehicle damage claim of Todd & Agnes Wallbom
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board authorized settlement.
- CC 21-01 Vehicle damage claim of Nationwide Insurance for S. Drobny
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board authorized settlement.
- CC 25-01 Vehicle damage claim of Isabelle Berquin
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the Board authorized settlement.
- Vehicle damage claim of Fire Department
Discussed by Jim Armstrong, Mgr. of Safety & Risk Management and
the 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.

POSTPONED

RESOLUTION TO APPROVE THE AGREEMENT
WITH SALVATION ARMY

Whereas, The Salvation Army operates a 16-bed emergency shelter at 809 Henry Street and provides a range of services for homeless individuals and families;

Whereas, There is a community need to increase the number of emergency shelter beds for individuals and families;

Whereas, The Salvation Army purchased a building at 3660 Packard Road to be used as a 33-bed emergency shelter and has requested funds from the city to assist with rehabilitation;

Whereas, The Salvation Army will be leveraging resources from the Michigan State Housing Development Authority and private sources for this work;

Whereas, This project is consistent with the City's Consolidated Strategy and Plan as well as the Continuum of Care document;

Whereas, The Washtenaw County Continuum of Care Board unanimously supported the Salvation Army's request to the Michigan State Housing Development Authority for funding support;

Whereas, The Community Development Executive Committee at its meeting on February 12, 2001 recommended approval of the project request; and

Whereas, Human Rights approval was received for the contractor on April 20, 2000;

RESOLVED, That City Council approve the agreement with the Salvation Army in the amount of \$75,000 of Community Development Block Grant Funds as a zero %, deferred payment loan for the rehabilitation of 3660 Packard Road for use as an emergency shelter for homeless families and individuals.

RESOLVED, That City Council authorize the Mayor and City Clerk to execute this agreement substantially in the form on file in the office of the City Clerk with funds to be available until expended without regard to fiscal year.

Councilmember Hartwell moved that the resolution be adopted.

Councilmember Hartwell moved that the resolution be postponed until the April 2, 2001 regular session of Council for additional information.

On a voice vote the Mayor declared the motion carried.

ORDINANCES - SECOND READING

10-01 APPROVED AS AMENDED

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 Herrell moved that the ordinance be adopted at second reading.

Councilmember Lowenstein moved that Section 5:507(4) be amended as follows:

5:507. Permitted Signs

- (4) Portable real estate “open house” signs with an area not greater than 6 square feet. One such sign may be located on the premises being sold. No more than two additional such signs are permitted and may be placed in the public right-of-way, notwithstanding the prohibition in Section 5:508(12) provided, however, that a property owner whose property abuts the public right-of-way where any such sign is placed may remove and destroy or otherwise dispose of such sign without notice to any person. shall have the right to remove and destroy or otherwise dispose of without notice to any person, signs which are placed without his or her permission on his or her property, including signs placed in that portion of the public right-of-way which is an easement across the property. All of the signs permitted by this Section 5:507(4) and pertaining to a single property may be displayed only for 6 hours during 1 day in any 7-day period. All such signs shall be located so as not to interfere with the free passage of vehicular and pedestrian traffic upon the public right-of-way, and so as not to constitute a hazard to public safety.

On a voice vote the Mayor declared the motion carried.

Councilmember Herrell moved that Section 5:506(1)(b) be amended as follows:

Section 5:506(1) Political Signs

- (b) ~~Except for signs advocating or opposing a candidate for public office or a position on an issue to be determined at the election,~~
 sSuch signs shall be set back at least 15 feet from the street and at least 5 feet from the inside edge of the sidewalk, or in accordance with Table 5:505 where conditions do not permit such placement....

On a voice vote the Mayor declared the motion carried.

The question being the ordinance at second reading as amended, on a voice vote the Mayor declared the motion carried.

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 Easthope moved that the ordinance be adopted at second 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 Easthope moved that the ordinance be adopted at second 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 Easthope moved that the ordinance be adopted at second 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 Easthope moved that the ordinance be adopted at second 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, 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 Easthope moved that the ordinance be adopted at second 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 Easthope moved that the ordinance be adopted at second 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 Easthope moved that the ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried.

ORDINANCES - FIRST READING

None.

MOTIONS AND RESOLUTIONS

POSTPONED

RESOLUTION TO DEVELOP POLICY ON ROAD
NARROWING AND ROAD DIETING

Whereas, Many communities are developing policies on "road dieting," that is the narrowing the width of roads and the number of lanes of traffic;

Whereas, Many neighborhoods are interested in slowing down the traffic speed and volume on the roads in front of their homes;

Whereas, The City has adopted a traffic calming program; and

Whereas, This issue requires that transportation, land use, and environmental concerns be evaluated in developing a strong policy;

RESOLVED, That the City Council request that the Environmental Commission study and develop a policy recommendation for the Council to adopt regarding road widths and road dieting.

Councilmember Easthope moved that the resolution be adopted.

Councilmember Hartwell moved that the resolution be postponed until the May 21, 2001 regular session of Council until a Traffic Commission/Committee is formed or a work session takes place.

On a voice vote the Mayor declared the motion carried.

R-97-3-01 SUBSTITUTE RESOLUTION
APPROVED AS AMENDED

Original Resolution:

RESOLUTION TO ADOPT CAPITAL IMPROVEMENTS PROGRAM
PREPARATION CALENDAR AND PROCESS

Whereas, The Planning Department and the Planning Commission historically have prepared a capital improvement program for the City;

Whereas, The Capital Improvement Program has been principally a planning tool;

Whereas, In order for the City to effectively plan, finance and meet the capital improvement needs of the City, the Capital Improvement Program needs to be fully integrated with the policy development and financial planning and decision making of the City; and

Whereas, The Budget/Finance Advisory Committee has been created to achieve a comprehensive overview of the City's financial planning;

RESOLVED, That the City Council of the City of Ann Arbor hereby adopt and approve the Capital Improvement Program Preparation Calendar and Process attached to this resolution.

Councilmember Carlberg moved that the resolution be adopted.

Council unanimously agreed that the substitute resolution suggested by the City Planning Commission be placed on the table for adoption.

The substitute Resolution to Adopt Capital Improvements Program Preparation Calendar and Process was considered.

Councilmember Carlberg moved that the substitute resolution be amended as follows:

Capital Improvement Program (CIP) Preparation Calendar and Process
March 19, 2001

Time Frame

Task

April-May

~~City Planning Commission (CPC)~~ A subcommittee of the Budget/Finance Advisory Committee, called CIP Review Subcommittee (CIPRS), which includes at least two Planning Commissioners appointed by the City Planning Commission, establishes polices for the next CIP, which covers the next fiscal year and the ensuing five fiscal years....

On a voice vote the Mayor declared the motion carried.

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

The resolution as adopted reads as follows:

R-97-3-01 APPROVED

RESOLUTION TO ADOPT CAPITAL IMPROVEMENTS
PROGRAM PREPARATION CALENDAR AND PROCESS

Whereas, Michigan law provides that the Planning Commission shall prepare coordinated and comprehensive programs of public structures and improvements for the ensuing six years;

Whereas, The Capital Improvement Program is principally a planning tool;

Whereas, In order for the City to effectively plan, finance and meet the capital improvement needs of the City, The Capital Improvement Program needs to be fully integrated with the policy development and financial planning and decision making of the City; and

Whereas, The Budget/Finance Advisory Committee has been created to achieve a comprehensive overview of the City's financial planning;

RESOLVED, That the Ann Arbor City Council adopt the Capital Improvement Program Preparation Calendar and Process attached to this resolution.

Capital Improvement Program
Preparation Calendar and Process

<u>Time Frame</u>	<u>Task</u>
April-May	A subcommittee of the Budget/Finance Advisory Committee, called the CIP Review Subcommittee (CIPRS), which includes at least two Planning Commissioners appointed by the City Planning Commission establishes policies for the next CIP, which covers the next fiscal year and the ensuing five fiscal years. Operating departments prepare and submit project information sheets that explain each project including data on the need, capital costs, operating costs, schedule, funding sources(s), etc.
May-August	Financial Planning Team forecasts available resources including operating funds, bonding capacity, etc.
June	Staff complies CIP data sheets for review by City Administrator and Budget Director.

Following review by the City Administrator and Budget Director, staff submits the CIP data sheets for review to a subcommittee of the Budget/Finance Advisory Committee, called the CIP Review Subcommittee (CIPRS), which includes at least two Planning Commissioners appointed by the City Planning Commission.

July-mid August CIPRS meets with departments to discuss the submitted items and establish a priority listing of projects by categories.

Mid August-Sept. CIPRS meets to establish an overall priority list for all projects.

Staff compiles a funding needs schedule for all fund sources and reviews it with the Financial Planning Team to determine funding gaps and prepares an informational report for City Administrator, City Council and CPC.

Staff prepares CIP and transmits to the Planning Commission.

October-Mid Nov. Planning Commission reviews the CIP, holds a public hearing, adopts the CIP, and transmits the adopted CIP to City Council.

Mid Nov.-Dec. City Council holds a working session (if desired), a public hearing, and adopts the 6-year CIP for the fiscal year beginning next July 1.

R-98-3-01 APPROVED

RESOLUTION TO AUTHORIZE SUMMARY PUBLICATION OF ORDINANCE NO. 10-01 – SIGNS AND OUTDOOR ADVERTISING

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

RESOLVED, That Ordinance No. 51-99 be published by the following summary:

Ordinance No. 10-01 amends Sections 5:501, 5:502, 5:505, 5:506, 5:507, 5:508 and 5:517 of Chapter 61 of the Ann Arbor City Code. The amendments change the requirements for certain types of signs, including requirements for exterior business signs, Afor sale≡ and Afor rent≡ signs on single and two-family properties, Aopen house≡ signs, Apolitical≡ signs and contractor signs, provide for certain exceptions and variances for signs on historic buildings, limit the life of a variance, and update the definition of Amessage unit.≡

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

Councilmember Easthope moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-99-3-01 APPROVED

RESOLUTION FOR CITY OF ANN ARBOR TO PARTNER WITH WASHTENAW COUNTY TO BECOME MEMBERS OF THE INTERNATIONAL COUNCIL FOR LOCAL INITIATIVES

Whereas, The International Council for Local Environmental Initiative (ICLEI) was chartered by the United Nations in 1990 and assists local governments around the world to implement policies and programs for sustainable development;

Whereas, The City of Ann Arbor joined the ICLEI’s “Cities for Climate Protection Program” (CCP) through Council resolution in October, 1997;

Whereas, There is no fee for membership in the CCP;

Whereas, Elected officials and City staff have attended annual conferences annually to learn how best to implement the program in our community;

Whereas, ICLEI has paid for travel and lodging costs for elected officials and staff to attend these conferences;

Whereas, Washtenaw County became a member of the CCP on February 7,2001, through action of the County Commissioners;

Whereas, ICLEI has chosen Ann Arbor as the host City for it's RIO +10 North America Preparatory Meeting;

Whereas, Washtenaw County has agreed to partner with the City and split the cost of full membership in ICLEI which is \$2,750/yr;

Whereas, Full membership in ICLEI would solidify our support for the ICLEI programs and contribute to the continued growth of the organization; and

Whereas, The Environmental Commission, the Energy Commission and the Environmental Management Team all voted to recommend the City/County membership in ICLEI;

RESOLVED, That the City of Ann Arbor partner with Wastenaw County and become members of the International Council for Local Environmental Initiatives; and

RESOLVED, That the City split the \$2,750.00 annual fee with Washtenaw County and agree to pay \$1,375.00/yr for membership in ICLEI. Funds are located in the City-wide Membership fund.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-100-3-01 APPROVED

RESOLUTION TO APPROVE ANG ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Ang Annexation, 9.0 acres, 3985 Stone Road.

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

Whereas, Eugenius SBC Ang and Rosa Gan C.G. Ang are the owners of said property; and

Whereas, It is the desire of Eugenius SBC Ang and Rosa Gan C.G. Ang to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

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

Parcel 1

Beginning at the Southwest corner of Section 10, Town 3 South, Range 6 East, Pittsfield Township, Washtenaw County, Michigan; thence North 00 degrees 53 minutes 05 seconds West 500.00 feet along the West line of said section and the centerline of Stone School Road; thence North 87 degrees 54 minutes 55 seconds East 350.00 feet; thence South 00 degrees 53 minutes 05 seconds East 500.00 feet to a point on the South line of said section and the centerline of Ellsworth Road; thence South 87 degrees 54 minutes 55 seconds West 350.00 feet along said South line and said centerline to the Point of Beginning, said parcel being a part of the Southwest 1/4 of Section 10, Town 3 South, Range East, Pittsfield Township, Washtenaw County, Michigan.

Parcel 2

Commencing at the Southwest corner of Section 10, Town 3 South, Range 6 East, Pittsfield Township, Washtenaw County, Michigan; thence North 00 degrees 53 minutes 05 seconds West 500.00 feet along the West line of said section and the centerline of Stone School Road to the point of beginning; thence continuing North 00 degrees 53 minutes 05 seconds West 304.22 feet; thence North 87 degrees 54 minutes 55 seconds East 832.26 feet along the Westerly extension of and the

Southerly line of ARBOR OAKS SUBDIVISION NO. 1, of part of the Southwest 1/4 of Section 10, Town 3 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 19 of Plats, pages 67 through 71, inclusive, Washtenaw County Records; thence South 00 degrees 53 minutes 05 seconds East 504.22 feet; thence South 87 degrees 54 minutes 55 seconds West 482.26 feet; thence North 00 degrees 53 minutes 05 seconds West 200.00 feet; thence South 87 degrees 54 minutes 55 seconds West 350.00 feet to the point of beginning, except the Easterly 3.00 acres.

Councilmember Hartwell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

DEFEATED

RESOLUTION TO APPROVE NESLER’S PLACE LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of denial (0 yeas, 8 nays) of the proposed Nesler’s Place Land Division, 0.64 acre, 1715 Fulmer Street.

Whereas, Elsa Nesler has requested land division approval in order to divide the property at 1715 Fulmer Street (Assessor=s Code Nos. 09-19-212-025 and 09-19-212-026) into three separate parcels; and

Whereas, The Ann Arbor City Planning Commission, on February 22, 2001, recommended denial of said request;

RESOLVED, That City Council approve the Nesler=s Place Land Division, as described below, subject to the provision of a revised plan showing the corrected landmark tree and easement placements and subject to the recording of a utility and access easement prior to any permit issuance:

Parcel A

Part of Lots 50 and 51, AGarden Homes Park Subdivision,≡ a subdivision of part of the West 2 of Section 19, T2S, R6E, Ann Arbor Township, and part of the Northeast 3 of Section 24, T2S, R5E, Scio Township, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 20, pages 92 and 93, Washtenaw County Records, described as: Commencing at the Southeast corner of Lot 51, AGarden Homes Park Subdivision,≡ thence N 00°02'00" E 60.00 feet to the Point of Beginning; thence N

89°26'05" W 70.00 feet; thence N 00°33'55" E 4.32 feet; thence N 89°26'05" W 106.10 feet; thence N 00°01'14" W 40.68 feet; thence N 17°05'58" E 15.65 feet; thence S 89°26'05" E 170.59 feet; thence S 00°02'00" W 60.00 feet to the Point of Beginning, subject to any easements or restrictions of record and also subject to a 30-foot wide easement for ingress, egress and public utilities.

Parcel B

Part of Lots 50 and 51, A Garden Homes Park Subdivision, is a subdivision of part of the West 2 of Section 19, T2S, R6E, Ann Arbor Township, and part of the Northeast 3 of Section 24, T2S, R5E, Scio Township, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 20, pages 92 and 93, Washtenaw County Records, described as: Commencing at the Southeast corner of Lot 51, A Garden Homes Park Subdivision, is thence N 00°02'00" E 120.00 feet to the Point of Beginning; thence N 89°26'05" W 170.59 feet; thence N 17°05'58" E 15.65 feet; thence N 00°01'34" E 45.00 feet; thence S 89°26'05" E 166.00 feet; thence S 00°02'00" W 60.00 feet to the Point of Beginning, subject to any easements or restrictions of record and also subject to a 30-foot wide easement for ingress, egress and public utilities.

Parcel C

Part of Lots 50 and 51, A Garden Homes Park Subdivision, is a subdivision of part of the West 2 of Section 19, T2S, R6E, Ann Arbor Township, and part of the Northeast 3 of Section 24, T2S, R5E, Scio Township, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 20, pages 92 and 93, Washtenaw County Records, described as: Commencing at the Southeast corner of Lot 51, A Garden Homes Park Subdivision, is thence N 00°02'00" E 180.00 feet; thence N 89°26'05" W 166.00 feet to the Point of Beginning; thence S 00°01'24" W 45.00 feet; thence S 17°05'58" W 31.30 feet; thence S 00°01'14" E 40.68 feet; thence N 89°26'05" W 63.00 feet; thence N 00°03'30" E 115.68 feet; thence S 89°26'05" E 73.01 feet to the Point of Beginning, containing 7919.62 square feet, subject to any easements or restrictions of record and also subject to a 30-foot wide easement for ingress, egress and public utilities.

Councilmember Carlberg moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, 0;

Nays, Councilmembers Hartwell, Higgins, Easthope, Woods, Robinson, Johnson, Upton, Lowenstein, Carlberg, Herrell, Mayor Hieftje, 11.

The Mayor declared the motion defeated.

R-101-3-01 APPROVED

RESOLUTION TO APPROVE 405 AND 415 NORTH MAPLE ROAD
LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed 405 and 415 North Maple Road Land Division, 8.16 acres.

Whereas, William Davis III has requested land division approval in order to divide the property at 405 and 415 North Maple Road (Assessor=s Code No. 08-25-101-006) into two separate parcels; and

Whereas, The Ann Arbor City Planning Commission, on February 22, 2001, recommended approval of said request;

RESOLVED, That City Council approve the 405 and 415 North Maple Road Land Division, as described below:

Parcel A (5.67 acres) - Commencing at the NE corner of Section 25, T2S, R5E, City of Ann Arbor, Washtenaw County, Michigan; thence S 88°53'00" W 1050.04 feet along the North line of said Section 25 for a POINT OF BEGINNING; thence S 01°38'00" E 273.67 feet along a line parallel with and 1050 feet westerly of the east line of said section; thence S 79°00'00" W 58.16 feet; thence S 54°54'07" W 329.01 feet; thence northwesterly 663.62 feet along the arc of a 1938.57-foot radius curve to the left, with a central angle of 19°36'49", chord bearing N 54°07'40" W 660.38 feet along the north line of I-94 Expressway; thence N 04°41'00" E 70.82 feet; thence N 88°53'00" E 847.92 feet along the North line of said Section 25 to the Point of Beginning, being a part of the NE 1/4 of said Section 25, containing 5.67 acres of land more or less, subject to and including a 32.00-foot wide easement for ingress, egress and public utilities.

Parcel B (2.46 acres) - Commencing at the NE corner of Section 25, T2S, R5E, City of Ann Arbor, Washtenaw County, Michigan; thence S 88°53'00" W 1050.04 feet along the North line of said Section 25; thence S 01°38'00" E 273.67 feet along a line parallel with and 1050 feet westerly of the east

line of said section ; thence S 79°00'00" W 58.16 feet for a POINT OF BEGINNING; thence S 11°00'00" E 20.00 feet; thence N 79°00'00" E 54.86 feet; thence S 01°38'00" E 655.36 feet along a line parallel with and 1050 feet westerly of the east line of said section; thence along the north line of I-94 Expressway the following two courses: N 30°43'00" W 128.90 feet and northwesterly 460.34 feet along the arc of a 1938.57-foot radius curve to the left, with a central angle of 13°36'20", chord bearing N 37°31'05" W 459.26 feet; thence N 54°54'07" E 329.01 feet to the Point of Beginning, being a part of the NE 1/4 of said Section 25, containing 2.46 acres of land, more or less, subject to and including a 32.00-foot wide easement for ingress, egress and public utilities.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-102-3-01 APPROVED

RESOLUTION TO APPROVE 415 NORTH MAPLE ROAD SITE PLAN
AND DEVELOPMENT AGREEMENT

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed 415 North Maple Road Site Plan and Development Agreement, 5.67 acres.

Whereas, Maple Village Self Storage LLC has requested site plan approval in order to construct a 54,338-square foot self-storage facility at 415 North Maple Road;

Whereas, An alternative natural features mitigation plan has been requested to allow a credit of 50 percent of the DBH for each invasive species tree being removed toward the required tree replacement;

Whereas, A development agreement has been prepared to address the installation of trees in Veterans Memorial Park, conveyance of an easement for access to the existing storm water detention pond, and maintenance of the private detention basin on the adjacent lot; and

Whereas, The Ann Arbor City Planning Commission, on February 22, 2001, recommended approval of said request;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated March 9, 2001; and

RESOLVED, That City Council approve the 415 North Maple Road Site Plan upon the conditions that (1) the Development Agreement is signed by all necessary parties and (2) all terms of the Development Agreement are satisfied; and

RESOLVED, That City Council approve the alternative natural features mitigation plan has been proposed, which will allow a credit of 50 percent of the DBH for each invasive species tree being removed toward the required tree replacement, thereby reducing the required number of three-inch caliper replacement trees from 103 to 74.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-103-3-01 APPROVED

RESOLUTION TO APPROVE THE PURCHASE AGREEMENT FOR 17.77 ACRES FOR THE BLUFF ADDITION

Whereas, The Park Advisory Commission recommends the acquisition of the 17.77-acre Bluffs Park addition in compliance with the adopted 2000 Park Recreation and Open Space Plan;

Whereas, The Mayor and Council approved a matching grant application to the Michigan Natural Resources Trust Fund, which was approved, totaling \$550,000;

Whereas, The land was appraised at \$1,440,000 and the owner originally wanted \$1.8 million for the property and after extensive discussion a price of \$1,500,000 was agreed to with the owner from Trans-World Investment Corporation;

Whereas, The Park Advisory Commission reviewed this property acquisition and it is in compliance with the 2000 Park Recreation and Open Space Plan and voted to support the purchase at its March 13, 2001 special meeting; and

Whereas, The required Phase I Environmental Assessment was completed, with no negative findings;

RESOLVED, That the Mayor and Council approve of a purchase agreement between the City and Trans-World Investments Corporation, in the amount of \$1,500,000, payable in two payments (\$1,100,000 at closing and \$400,000 paid after the State Legislature appropriates the grant funds and the grant agreement is executed between the City and the Michigan Department of Natural Resources), substantially in the form on file with the City Clerk;

RESOLVED, That the Mayor and Council authorize the Mayor and Clerk to sign the agreement; and

RESOLVED, That the Mayor and Council appropriate \$1,500,000 for the purchase and \$12,000 to cover incidental acquisition expenses to total \$1,512,000 from the Parkland Acquisition Millage Fund balance for the life of the project.

Councilmember Johnson moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-104-3-01 APPROVED

RESOLUTION AUTHORIZING A GRANT APPLICATION TO MICHIGAN DEPARTMENT OF NATURAL RESOURCES FOR MATCHING FUNDS FOR DEVELOPMENT OF A SKATE BOARD PARK FACILITY

Whereas, There is a desire for a skate park facility to serve City residents;

Whereas, The Park Advisory Commission recommends the application;

Whereas, The development of a skate park is proposed in year one, of the recently approved Park Rehabilitation and Development Millage; and

Whereas, The total cost of development of a skate park facility is estimated to be \$278,000 and funding for the \$70,000 local match has been identified through the Park Rehabilitation and Development Millage;

RESOLVED, That the Mayor and City Council approve an application for the Natural Resources Trust Fund matching grant funds and authorize the City Administrator to execute all documents necessary to enter into an agreement with the Michigan Department of Natural Resources for the construction of the Skate Park Facility; and

RESOLVED, That if the grant is approved by the State, the Mayor and Council appropriate \$70,000 in grant funds and establish a \$278,000 budget for the life of the project.

Councilmember Hartwell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-105-3-01 APPROVED

RESOLUTION TO APPROVE AN UPDATED LEASE AGREEMENT
BETWEEN THE CITY AND THE MICHIGAN THEATER FOUNDATION INC.
FOR THE USE OF THE MICHIGAN THEATER BUILDING

Whereas, The historic Michigan Theater is a treasured asset to the Ann Arbor community, drawing thousands of visitors annually to the State Street area;

Whereas, The City of Ann Arbor and the Michigan Theater Foundation, Inc. agree that it is necessary 1) to jointly protect and maintain the Michigan Theater building as an historic landmark in perpetuity; 2) to cooperatively assure that the Michigan Theater building be operated as a specialty film exhibition venue and community performing arts center; and 3) to support and assist one another in fulfilling these purposes for the good of the community;

Whereas, Pursuant to those goals, the City of Ann Arbor agreed to lease the Michigan Theater building to the Michigan Theater Foundation, Inc. beginning in 1982. The terms of that lease included five-year renewal options for up to 30 years, and the current option will expire December 31, 1999;

Whereas, The Michigan Theater Foundation, Inc. is undertaking a \$4.4 million capital campaign to complete restoration of the Michigan Theater building. The Foundation feels that longer lease term would favorably impact the campaign by demonstrating the stability of the relationship between the City and the Foundation and has therefore requested a renegotiation of the lease term, as well as some other lease provisions; and

Whereas, The City Attorney and the City Administrator have recommended a 25-year lease, with two renewal options of 25 years, and have asked for Council's direction on the term of the lease;

RESOLVED, That the Mayor and Council adopt a lease extension to paragraph two of the existing Michigan Theater lease to extend the lease. The current lease term expires on December 31, 2004. At the expiration of the current lease term, the amended lease term will be from January 1, 2005 through December 31, 2029. At the end of the lease term and each renewal term thereafter, the lease shall automatically be extended for a renewal term of twenty-five (25) year, unless at least sixty (60) days prior to the end of the lease term or renewal term, either party has notified the other in writing that it does not intend to renew the lease or that it intends to alter one or more of

the terms thereof. The combined period of the amended lease term and renewal terms shall not exceed seventy-five (75) years;

RESOLVED, That the Mayor and Council direct the City Attorney to prepare the appropriate amended language in proper form not later than March 26, 2001, suitable for the Michigan Theater Foundation, Inc. to review and sign; and

RESOLVED, That the Mayor and Council authorize the Mayor and City Clerk to sign the amended agreement.

Councilmember Higgins moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-106-3-01 APPROVED

RESOLUTION TO APPROVE A CONTRACT AMENDMENT WITH
CAMP DRESSER AND MCKEE TO SANITARY SEWER OVER FLOW STUDY

Whereas, There are areas in the City of Ann Arbor where residents experience sanitary sewer backups after rain events;

Whereas, By Resolution No. R-381-7-99 an advisory task force was approved to develop options to mitigate the impact of sanitary sewer backups;

Whereas, By Resolution No. R-80-2-00 a professional services agreement in the amount of \$498,497.00 was approved with Camp Dresser & McKee to provide engineering services for the Sanitary Sewer Overflow Study;

Whereas, The study is nearing completion and efforts to continue moving forward with implementation are essential to demonstrate a concerted effort for preventing future sanitary sewer backups;

Whereas, A contract amendment is needed to bridge the gap between the study and implementing recommendations;

Whereas, Previously allocated contract contingency funds have been depleted; and

Whereas, Camp Dresser and McKee received Human Rights approval on March 13, 2001;

RESOLVED, That a contract amendment in the amount of \$78,388.00 be approved with Camp Dresser & McKee to support public information and public

involvement essential for effective implementation of the sanitary sewer overflow prevention study recommendations;

RESOLVED, That an additional contingency in the amount of \$11,612.00 be approved to finance change orders to be approved by the City Administrator;

RESOLVED, That the Mayor and City Clerk be authorized to sign the Amendment Number 3 to the professional services agreement with approved as to form by the City Attorney;

RESOLVED, That the contract amendment with CDM be funded by a \$90,000.00 appropriation of Sanitary Sewage Disposal System operating fund balance and funds be available for the life of the project until expended without regard to the fiscal year; and

RESOLVED, That upon sale of Bonds that the funds be reimbursed to the Sewage Disposal System Fund.

Councilmember Hartwell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-107-3-01 APPROVED

RESOLUTION FOR SECOND EXTENSION/AMENDMENT OF LEASE AGREEMENT WITH DAN MAN I, L.L.C. FOR DISTRICT COURT PROBATION DEPARTMENT, 206 EAST HURON STREET

Whereas, The City of Ann Arbor currently leases from DAN-MAN I, L. L.C., approximately 2,600 square feet of office space at 206 East Huron Street for District Court Probation Department offices;

Whereas, The current lease will expire April 1, 2001 and the District Court currently needs office space for the Probation Department's operations; and

Whereas, The amendment would extend the term of the current lease an additional twelve (12) months ending March 31, 2002, and would increase each monthly payment \$150.00 for annual payments of \$49,200.000;

RESOLVED, That City Council approve the amendments to the current lease with DAN-MAN I, L.L.C. for 206 East Huron Street for 15th District Court's Probation

Department, and that the Mayor and City Clerk be authorized to sign the agreement substantially corresponding to that on file with the City Clerk.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-108-3-01 APPROVED

RESOLUTION TO MODIFY THE LEASE AGREEMENT WITH DAHLMANN APARTMENTS, LTD. FOR OFFICE SPACE FOR DISTRICT COURT RECORDS STORAGE

Whereas, The City of Ann Arbor currently leases space in the City Center Building from Dahlmann Apartments Ltd. for storage of 15th District Court records and files; and

Whereas, Dahlmann Apartments, Ltd. has proposed modifications to extend the lease term to November 30, 2001 with a total annual lease payment of \$10,390.44, or \$865.87 per month;

RESOLVED, That City Council approve modifications to the lease for space in the City Center Building for 15th District Court records and files, and that the Mayor and City Clerk be authorized to sign the agreement substantially corresponding to that on file with the City Clerk.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-109-3-01 APPROVED

RESOLUTION AUTHORIZING APPROVAL OF SECOND AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE CITY OF ANN ARBOR AND WALTER C. LUNSFORD

Whereas, The City entered into an Employment Agreement effective January 7, 2000, with Walter C. Lunsford to serve as Interim Police Chief of the City of Ann Arbor;

Whereas, The City and Walter C. Lunsford entered into a First Amendment to the Employment Agreement on January 22, 2001;

Whereas, The City and Walter C. Lunsford desire to amend and extend the employment agreement, in accordance with Section 5 of the agreement, as amended;

Whereas, The proposed Second Amendment to Employment Agreement between Walter C. Lunsford and the City of Ann Arbor extends the agreement 90 days; and

Whereas, The City Attorney has approved the form of the proposed Second Amendment to Employment Agreement between Walter C. Lunsford and the City of Ann Arbor;

RESOLVED, That the Mayor and City Clerk be authorized to execute the Second Amendment to Employment Agreement between Walter C. Lunsford and the City of Ann Arbor in the form on file in the Clerk's office.

Councilmember Robinson moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-110-3-01 APPROVED

RESOLUTION AUTHORIZING APPROVAL APPOINTMENT OF SCOTT C. RAYBURN AS INTERIM FIRE CHIEF

Whereas, The City desires to appoint an Interim Fire Chief following the resignation of George Markus until a new Fire Chief is appointed; and

Whereas, The City Administrator has recommended the appointment of Scott C. Rayburn to serve as Interim Fire Chief;

RESOLVED, That Scott C. Rayburn be hereby appointed Interim Fire Chief effective immediately, to fulfill the responsibilities of Fire Chief until such time as a Fire Chief is employed.

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-111-3-01 APPROVED

RESOLUTION FOR COMMUNITY EVENTS FUNDS DISBURSEMENTS

Whereas, The City Council Community Events Committee met and reviewed funding requests from the community groups; and

Whereas, The Ann Arbor City Council wishes to support activities that promote or bring the community together to celebrate its riches;

RESOLVED, That the Ann Arbor City Council approve the following allocations from the 2000-2001 Community Events Fund:

- 1) Ann Arbor Film Festival - \$500 to provide tickets to the underserved of the Ann Arbor Area.
- 2) University Students Against Cancer - \$200 to purchase candles for the candlelight vigil.
- 3) Main Street Area Association - \$1,630 to underwrite costs of the meters for the Taste of Ann Arbor, Rolling Sculpture Car show and Victorian Evening.

Councilmember Higgins 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 appointments at the March 5, 2001 regular session of Council:

Ann Arbor Commission on Art in Public Places

Susan L. Froelich, At Large Representative (reappointment)

1218 Ardmoor Drive
Ann Arbor, MI 48103
Term: 03/19/2001 to 12/31/2004

Peter Pollack, At Large Representative (reappointment)
220 South Main Street
Ann Arbor, MI 48104
Term: 09/19/2001 to 12/31/2004

Historic District Commission

Michelle Derr (to fill vacancy)
929 Olivia Avenue
Ann Arbor, MI 48104
Term: 03/19/2001 to 03/18/2004

Human rights Commission

Tony Ramirez (to fill vacancy)
920 East Ann Street
Ann Arbor, MI 48104
Term: 03/19/2001 to 10/31/2004

Councilmember Johnson 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 nomination on the table for approval at a later date:

Housing Policy Board

Amy Klinke
929 West Washington
Ann Arbor, MI 48103
Term: 04/05/2001 to 04/04/2004

TAKE BACK THE NIGHT MARCH

Mayor Hieftje announced that April 6, 2001 is the Take Back the Night March. A rally will be held at the University of Michigan Diag.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Year 2001 Assessed Values for Properties subject to flooding
2. Clean Committee
3. Snow Removal
4. Packard Street Reconstruction Project
5. February 2001 Investment Portfolio Report

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

STATUS OF POLICE CHIEF RECRUITMENT

City Administrator Neal G. Berlin stated that Mayor Pro Tem Carlberg, Councilmember Higgins, Associate Administrator Olson, and Human Resources Director Dave Ferber will attend the Annual Meeting of the Police Executive Research Foundation to meet with and provide information to those interested in the Ann Arbor police chief position.

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER EASTHOPE

Councilmember Easthope requested that Councilmember Woods stay on as a member of the Environmental Commission Committee until her term expires in September.

COUNCILMEMBER WOODS

Councilmember Woods announced that April 26, 2001 will be celebrated as Take Your Daughters To Work Day. On that day, between 11-12 p.m., she and the Mayor will be in Council Chambers to take part in the celebration.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communication was referred as indicated:

1. Communication from the City Planning Commission Regarding Suggested Changes to Capital Improvement Plan (CIP) Preparation Calendar and Process.
- File

The following minutes were received for file:

1. Ann Arbor Energy Commission – February 8, 2001 - File

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY – GENERAL

None.

RECESS FOR CLOSED SESSION

Councilmember Carlberg moved that the regular session of Council be recessed for a closed session to discuss pending litigation and to consider material exempt from disclosure.

On a voice vote the Mayor declared the motion carried and the meeting recessed at 9:25 p.m.

Councilmember Robinson moved that the regular session of Council be reconvened.

On a voice vote the Mayor declared the motion carried and the meeting reconvened at 11:05 p.m.

ADJOURNMENT

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

On a voice vote the Mayor declared the motion carried and the meeting adjourned at 11:05 p.m.

Yvonne Carl
Interim Clerk of the Council

Anissa R. King
Recording Secretary