

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - OCTOBER 21, 2002**

The regular session of the Ann Arbor City Council was called to order at 7:30 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, Michael R. Reid, Jean Carlberg, Heidi Cowing Herrell, Stephen C. Hartwell, Marcia Higgins, Christopher Easthope, Wendy A. Woods, Mayor John Hieftje, 11.

ABSENT : 0.

INTRODUCTIONS

PROCLAMATION

Mayor Hieftje presented a proclamation honoring the work of Safe House and the U of M Sexual Assault Prevention and Awareness Center (SAPAC) during Domestic Violence Awareness Month.

WASHTENAW COUNTY COALITION ON GENDER VIOLENCE AND SAFETY

Police Chief Daniel Oates announced the formation of the new Washtenaw County Coalition on Gender Violence and Safety and the Washtenaw County – City of Ann Arbor Partnership to support the coalition.

PUBLIC COMMENTARY - RESERVED TIMEBLAINE COLEMAN – DIVEST FROM ISRAEL

Blaine Coleman spoke on behalf of Divesting from Israel.

KAREN DESLIERRES – DIVEST FROM ISRAEL

Karen Deslierres spoke about Council supporting Divesting from Israel.

ELIZABETH DALEY – RIVER KEEPER CELEBRATION (ROBERT KENNEDY, JR.)

Elizabeth Daley provided an update in reference to the River Keeper Celebrations.

SHEMON SALAM – DIVESTMENT

Shemon Salam spoke about divestment from Israel.

PUBLIC HEARINGSSNOW PARKING RESTRICTIONS (ORDINANCE NO. 38-02)

A public hearing was conducted on the proposed amendment to Chapter 126, Section 10:143, Snow Parking Restrictions. Notice of public hearing was published October 20, 2002.

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

USE OF PUBLIC RIGHTS-OF-WAY BY TELECOMMUNICATION PROVIDERS
(ORDINANCE NO. 40-02)

A public hearing was conducted on the proposed Ordinance to Repeal Chapter 38, Title II of the Code of the City of Ann Arbor, to Amend the Code by Adopting a new Chapter 38 Entitled Use of Public Rights-of-Way by Telecommunications Providers, which new chapter shall be designated as Chapter 38 of Title II, and to Amend Section 4:71 of Chapter 50 of Title IV. Notice of public hearing was published October 20, 2002.

Paul Lambert, Ann Arbor resident, asked that the construction within the road way be contained as much as possible to a minimum.

There being no further comments, the Mayor declared the hearing closed.

APPROVAL OF AGENDA

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

Move: Resolution to Approve a Contract with Governmental Consultant Services, Inc. for Lobbying Services (\$32,000.00) (Administrator-Roger Fraser, City Administrator) (***Consider after approval of Consent Agenda Items***)

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF OCTOBER 7, 2002 APPROVED

Councilmember Robinson moved that the regular session minutes of October 7, 2002 be approved as presented.

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following item was removed from the Consent Agenda and placed at the end:

Resolution to Approve a Contract with Governmental Consultant Services, Inc. for Lobbying Services (\$32,000.00) (Administrator-Roger Fraser, City Administrator)

CONSENT AGENDA ITEMS APPROVED

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

R-416-10-02 APPROVED

RESOLUTION TO GRANT WATER AND SEWER SERVICES
OUTSIDE CITY LIMITS TO 3090 CHERRY TREE LANE

Whereas, On October 7, 2002, the owner of the property at 3090 Cherry Tree Lane requested that the City extend public water and sewer service to his property in Pittsfield Township prior to the completion of the annexation process;

Whereas, The owner desires to enter into the standard agreements with the City which provides an equitable method of obtaining City services outside of its corporate boundaries; and

Whereas, On September 9, 2002 the owner petitioned the City for annexation under Planning Department file number 12111U10.1 and 12111U10.2.

RESOLVED, That the Mayor and Clerk be authorized and requested to sign the agreements to allow City water and sewer services to the land during the time it is still outside of the Corporate City Limits; that the Water Utilities Department be directed to send a copy of this resolution by first class mail to the above property owner; and shall promptly have this resolution and the agreements recorded in the office of the Register of Deeds of Washtenaw County, Michigan and send a completely executed copy of the agreements to the owners.

R-417-10-02 APPROVED

RESOLUTION TO GRANT WATER AND SEWER SERVICES OUTSIDE CITY LIMITS TO 2974 SHADY LANE

Whereas, on October 9, 2002, the owner of the property at 2974 Shady Lane requested that the City extend public water and sewer service to her property in Pittsfield Township prior to the completion of the annexation process;

Whereas, the owner desires to enter into the standard agreements with the City which provides an equitable method of obtaining City services outside of its corporate boundaries; and

Whereas, On July 16, 2002 the owner petitioned the City for annexation under Planning Department file number 12033B5.1 and 12033B5.2.

RESOLVED, That the Mayor and Clerk be authorized and requested to sign the agreements to allow City water and sewer services to the land during the time it is still outside of the Corporate City Limits (subject to review by the City Attorney’s Office); that the Water Utilities Department be directed to send a copy of this resolution by first class mail to the above property owners; and shall promptly have this resolution and the agreements recorded in the office of the Register of Deeds of Washtenaw County, Michigan and send a completely executed copy of the agreements to the owners.

R-418-10-02 APPROVED

RESOLUTION OF INTENT TO AMEND THE DATE OF THE PUBLIC HEARING TO CONSIDER EXTENSION OF THE ANN ARBOR DOWNTOWN DEVELOPMENT AUTHORITY

Whereas, The Ann Arbor Downtown Development Authority was created by the City of Ann Arbor in 1982 under State of Michigan Public Acts 197 of 1975 as a vehicle for urban renewal with the mission to: “undertake public improvements that have the greatest impact in strengthening the downtown area and attracting new private investments”;

Whereas, The Ann Arbor DDA is now in its 20th year, with its expiration scheduled for 2012, and there are compelling reasons for extending the DDA before its expiration;

Whereas, The DDA has recommended a 2002-2032 DDA/TIF Plan which would guide its efforts upon approval of the extension of its TIF for thirty years;

Whereas, The first step in the State-prescribed process is City Council approval of a resolution of intent to set the date of a public hearing to consider extension of the DDA;

Whereas. On August 19, 2002 City Council approved a resolution of intent setting the date for this public hearing as November 21, 2002, which was reported to be the date of the second City Council meeting in November, 2002; and

Whereas, The correct date of the City Council meeting is Monday, November 18, 2002;

RESOLVED, That the date set forward by the City of Ann Arbor for its public hearing to gather community comments on the extension of the Ann Arbor Downtown Development Authority and its amended TIF Plan shall be moved to Monday, November 18, 2002 at 7:30 PM at the Ann Arbor City Hall, Council Chambers, 100 North Fifth Avenue, Ann Arbor, MI 48107.

R-419-10-02 APPROVED

RESOLUTION TO ACCEPT BOARD OF INSURANCE
ADMINISTRATION MINUTES OF OCTOBER 11, 2002
AND TO AUTHORIZE PAYMENTS

RESOLVED, that the attached Board of Insurance Administration Minutes of October 11, 2002 be accepted and that the recommended courses of action therein, including payments, be authorized.

MINUTES
October 11, 2002
CITY OF ANN ARBOR BOARD OF INSURANCE ADMINISTRATION

Present: James Armstrong - Risk Manager
Abigail Elias – City Attorney
Marilyn Mack – Claims Specialist
Bob West – Assistant City Attorney
Joe Upton – Councilperson
Ron Olson – Administration
Karen Lancaster – Interim Treasurer

CLAIMS DENIED:

- CC017-02 Wayne Kilbourn
Bodily Injury
Discussed by James Armstrong, Risk Manager

- CC074-02 Laky Michaelides
Sewer Back Up
Discussed by James Armstrong, Risk Manager

CLAIMS APPROVED:

- CC070-02 Jay Wiard/AAA Insurance
Vehicle Damage/Subrogation
Discussed by James Armstrong, Risk Manager

- CC071-02 Carson Tucker
Vehicle Damage
Discussed by James Armstrong, Risk Manager

- CC063-02 Lisa Hussan
Sewer Back Up
Discussed by James Armstrong, Risk Manager

- CC056-02 Brian Gray/Elizabeth Hedgeman
Sewer Back Up
Discussed by James Armstrong, Risk Manager

Prepared by:
Marilyn Mack, Claims Specialist
10/12/02

R-420-10-02 APPROVED

RESOLUTION TO APPROVE A FIVE (5) YEAR LEASE
OF A NEW MODEL 2100 VACTOR,
JACK DOHENY SUPPLIES, NORTHVILLE, MI

Whereas, The current 1996 Vactor is at the end of its useful service life;

Whereas, Jack Doheny Supplies of Northville, MI. is the sole source supplier of Vactor products in the Michigan, Ohio, and Northern Indiana area;

Whereas, Jack Doheny Supplies of Northville, MI received Human Rights Approval on March 28, 2002;

Whereas, The City Attorney has approved the lease as to form;

Whereas, A five (5) year lease price of \$192,223.58 was negotiated; and

Whereas, The required funds for year one of the lease have been budgeted in the FY 2002/03 Sewage Disposal System Operating and Maintenance budgets and future lease payments will be budgeted for the remaining years of the lease in the FY 04 through FY 07 Sewage Disposal System Operating and Maintenance budgets

RESOLVED, That the City Council approve the five (5) year lease of a model 2100 Vactor from Jack Doheny Supplies, of Northville, MI in the amount of \$192,223.58, and authorizes the City Administrator to execute the necessary lease documents;

RESOLVED, That the City Administrator be directed to budget the remaining lease payments as part of the Sewage Disposal System Operating & Maintenance budgets of FY 04, FY 05, FY 06 and FY 07, and

RESOLVED, That the City Administrator be directed to take the necessary administrative actions to place the required yearly payments in a reserve to allow for payment of the lease from said reserve to Jack Doheny Supplies at the end of the lease term.

R-421-10-02 APPROVED

RESOLUTION TO APPROVE TRANSFER OF A CLASS “C” AND
“SDM” LIQUOR LICENSED BUSINESS LOCATED AT
625 HILTON BOULEVARD – D/B/A ROAD RUNNER PIZZA

RESOLVED, That the request from Let Us Entertain You, Inc. (d/b/a Road Runner Pizza) to transfer the ownership a 2002 Class “C” and “SDM” licensed business, located at 625 Hilton Blvd., from 3S Limited Corporation, to Let Us Entertain You, Inc., be approved.

R-422-10-02 APPROVED

RESOLUTION OF INTENT TO SET A PUBLIC HEARING DATE
TO CONSIDER A LOCAL DEVELOPMENT AUTHORITY PLAN FOR THE
ANN ARBOR/YPSILANTI SMART ZONE

Whereas, An Ann Arbor/Ypsilanti Smart Zone has been created to provide business support services to small, start up companies, primarily in the life sciences and information technology areas, principally in the Ann Arbor and Ypsilanti downtown areas;

Whereas, On May 20th and 21st, 2002 the Ann Arbor City Council and Ypsilanti City Council voted to establish a multi-jurisdictional Local Development Finance Authority (LDFA) with which to capture revenues to support this Smart Zone;

Whereas, Both City Councils have appointed LDFA members, who after much work have drafted and voted to recommend a proposed LDFA Plan; and

Whereas, A public hearing on the proposed LDFA Plan is required by the State of Michigan;

RESOLVED, The City of Ann Arbor intends to hold a public hearing on Monday, November 18, 2002 at 7:30 PM at the Ann Arbor City Hall, Council Chambers, 100 North Fifth Avenue, Ann Arbor, MI 48107 for the purpose of taking public comment on the proposed LDFA Plan.

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

Councilmember Easthope moved that the following Resolution be approved:

R-423-10-02 APPROVED

RESOLUTION TO APPROVE A CONTRACT WITH
GOVERNMENTAL CONSULTANT SERVICES, INC. FOR LOBBYING SERVICES

Whereas, In 2001, City Council sought proposals for the provision of lobbying services for the City and awarded a one-year contract to Governmental Consultant Services, Inc. (GCSI) which under the terms of the contract provided for two six-month service periods;

Whereas, GCSI's contract for services will expire on October 31, 2002;

Whereas, GCSI has done an outstanding job of communicating issues currently pending before the legislature;

Whereas, An effective lobbying relationship will take multiple years to effectively mature and it is in the City's best interest to continue to retain the services of GCSI;

Whereas, Funds for this contract are included in the Administrator's Office FY 2002/2003 budget; and

Whereas, Human Rights approval and compliance with the living wage ordinance was received on October 8, 2002;

RESOLVED, That Council approve an 8 month contract with GCSI in the amount of \$32,000.00 to complete the fiscal year 2002/2003 to perform lobbying services to the City in accordance with City RFP #514;

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

RESOLVED, That the City Administrator be authorized to take the necessary administrative actions, including the authority to execute on behalf of the City any related documentation to identify GCSI as lobbyist for the City of Ann Arbor, to implement this resolution.

On roll call the vote was as follows:

Yeas, Councilmembers Hartwell, Easthope, Woods, Robinson, Johnson, Carlberg, Herrell, Mayor Hieftje, 8;

Nays, Councilmembers Higgins, Upton, Reid, 3.

The Mayor declared the motion carried.

ORDINANCES - SECOND READING

38-02 APPROVED

SNOW PARKING RESTRICTIONS

An Ordinance To Amend Section 10:143
of Chapter 126 of Title X of The Code of The City of Ann Arbor

(The complete text of Ordinance 38-02 is on file in the City Clerk's Office).

Councilmember Johnson moved that the Ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried.

40-02 APPROVED

**USE OF PUBLIC RIGHTS-OF-WAY
BY TELECOMMUNICATION PROVIDERS**

An Ordinance To Repeal Chapter 38, Title II of The Code of The City of Ann Arbor, To Amend The Code of The City of Ann Arbor By Adopting A New Chapter, Which New Chapter Shall Be Designated As Chapter 38 of Title II of The Code of The City of Ann Arbor, and To Amend Section 4:71 of Chapter 50 of Title IV of The Code of The City of Ann Arbor

(The complete text of Ordinance 40-02 is on file in the City Clerk's Office).

Councilmember Woods moved that the Ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried.

ORDINANCES - FIRST READING

41-02 APPROVED

SOLID WASTE CLEAN COMMUNITIES

An Ordinance to Amend Sections 2:5, 2:12, 2:13 and 2:14 of Chapter 26 of Title II, and 7:104 of Chapter 82 of Title VII of The Code of The City of Ann Arbor, and to Add a New Section 7:106 to Chapter 82 of Title VII of the Code of the City of Ann Arbor

(The complete text of Ordinance 41-02 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.

MOTIONS AND RESOLUTIONS

DELETED

**RESOLUTION TO REVISE THE GEORGETOWN
TRAFFIC CALMING VOTING DISTRICT**

Whereas, The traffic calming program for Georgetown Boulevard was recently re-started, as a result of the City Council resolution approved on August 19, 2002, and this action closely followed the unsuccessful vote on a previous plan for the area;

Whereas, The traffic calming program, as amended by the City Council on August 5, 2002, would create a new voting district which would disenfranchise a large section of the neighborhood which had been actively involved in the traffic calming process since the inception of the process on this street in April 2000; and

Whereas, Residents requested that the re-started process add the participant list and voting district as originally designed to the one established by the recent council resolution;

RESOLVED, That City Council directs that the voting district for traffic calming on Georgetown Boulevard include the households specified by the rules in the August, 2002 Council resolution and in addition any household that was in the voting district used in the previous vote in July 2002.

POSTPONED

RESOLUTION TO GRANT TWO CLASS "C" LIQUOR LICENSES

Whereas the City of Ann Arbor was notified by the State of Michigan Liquor Control Commission that the City was granted an additional 2 Liquor Licenses to be awarded to eligible Ann Arbor businesses;

Whereas New Liquor Licenses are available because of the population increase in the City of Ann Arbor as a result of the 2000 U.S. Census; and

Whereas The Special Liquor Committee has:

1. Published a public notice of availability and invitations to submit written applications in the Ann Arbor News on June 2, 2002;
2. Mailed out questionnaires to all applicants who requested to be considered for the granting of a new license;
3. Carefully reviewed all information provided by applicants; and

Whereas the applications have been the subject of a successful background check and review by the Ann Arbor Police Department;

RESOLVED; That the Mayor and the Ann Arbor City Council approves the Special Liquor Committee's recommendation to grant a new Class C liquor license to:

1. Achilles Restaurant, 3075 Packard Rd., 48103
2. Yamato Japanese Restaurant, 403 N. Fifth Ave., 48104

RESOLVED; That the above licenses are granted with the understanding that they shall not be sold or transferred without the approval of the Ann Arbor City Council;

RESOLVED; That the City Clerk forward a copy of this resolution to the businesses listed above and the State Liquor Control Commission; and

RESOLVED; That the City Clerk send a written notification to all unsuccessful applicants notifying them of the Ann Arbor City Council decision.

Councilmember Reid moved that the resolution be adopted.

Councilmember Reid moved that the resolution be tabled for a later date.

On a voice vote the Mayor declared the motion carried.

R-424-10-02 APPROVED

RESOLUTION TO APPROVE A CONTRACT BETWEEN THE CITY AND WASHTENAW COUNTY HEALTH DEPARTMENT TO PROVIDE PART-TIME ADMINISTRATIVE SUPPORT SERVICES BY THE CITY TO THE WASHTENAW COUNTY COALITION ON GENDER VIOLENCE AND SAFETY, AND TO ACCEPT AND APPROPRIATE FUNDS RECEIVED FROM THE WASHTENAW COUNTY HEALTH DEPARTMENT FOR THIS SERVICE TO THE ANN ARBOR POLICE DEPARTMENT

Whereas, The City of Ann Arbor values City-County cooperation to maximize existing resources and coordinate systems to effectively and efficiently deliver streamlined and improved services to citizens in our community,

Whereas, The Ann Arbor Police Department is a member of the Washtenaw County Coalition on Gender Violence and Safety whose mission is to address and prevent sexual assault, dating and domestic violence, and stalking related to these issues in our community,

Whereas, The Washtenaw County Coalition on Gender Violence and Safety works to facilitate coordination of existing resources to deliver streamlined and improved services to citizens victimized by the above crimes, through projects such as the anti-violence public awareness campaign, and the new 24/7 Sexual Assault Response Team (SART) Program to provide immediate assistance and medical treatment to victims of sexual assault in the county, and

Whereas, The City of Ann Arbor Police Department has been awarded a \$35,000.00 grant from the Washtenaw County Health Department to provide part-time administrative support to the Washtenaw County Coalition on Gender Violence and Safety for the programs mentioned above, and other programs consistent with the Coalition’s mission,

RESOLVED, That the Mayor and City Council approve a contract between the Washtenaw County Health Department and the City, in which the Ann Arbor Police Department provides part-time administrative assistance to the Washtenaw County Coalition on Gender Violence and Safety, and bills the Washtenaw County Health Department for reimbursement for this service in the amount of \$35,000.00;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute a contract for services with the Washtenaw County Health Department after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That Council approve a budget in the amount of \$35,000.00 and that the funds be appropriated to the Ann Arbor Police Department from the contract with the Washtenaw County Health Department without regard to fiscal year.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-425-10-02 APPROVED

RESOLUTION TO IMPLEMENT ORDINANCE NO. 40-02 AND THE REQUIREMENTS OF ACT NO. 48, PUBLIC ACTS OF 2002

Whereas, The State of Michigan recently enacted the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Act No. 48, Public Acts of 2002 (“Act 48”);

Whereas, Act 48, among other things, provides for uniform permits and permit fees for access to and use of the public rights-of-way by telecommunications providers;

Whereas, Act 48 further provides, among other things, for a distribution of funds from the Metropolitan Extension Telecommunications Rights-of-Way Oversight Authority (the “Authority”), established pursuant to Section 3 of Act 48, *provided* the City takes certain action in compliance with Act 48;

Whereas, The City Council has, contemporaneously with this Resolution, adopted

Ordinance No. 40-02, enacting a new Chapter 38 of the City Code, for purposes of complying with the requirements of Act 48, so as to ensure that the City qualifies for distributions from the Authority under Act 48; and

Whereas, The City Council desires to give additional instruction and direction to the City Administrator and other City personnel charged with implementing Chapter 38;

RESOLVED, That the City Administrator be authorized and directed to identify all telecommunications providers who were issued telecommunications permits and/or other right-of-way permits by the City, including all telecommunications providers identified in the City's engineering or construction permit files, and, as part of that process, to compile a list of all telecommunication providers who have paid fees to the City since 1990;

RESOLVED, That the City Administrator be authorized and directed to provide a copy of the Ordinance No. 40-02 to all telecommunications providers identified above, to all regulated telephone interexchange carriers and competitive access providers listed on the web site of the Michigan Public Service Commission, all regulated local telephone companies licensed in Michigan listed on such web site, and to Comcast Cablevision of the South, Inc., in satisfaction of the requirements of Section 13(4) of Act 48; and

RESOLVED, That the City Administrator be directed to return to telecommunications providers any checks or portion of checks received by the City from such providers for access and usage of the public rights-of-way in the City after November 1, 2002, not including either any \$500.00 application fee as allowed under Act 48 or any funds received from the Authority.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-426-10-02 APPROVED

RESOLUTION TO AUTHORIZE SUMMARY PUBLICATION OF AN ORDINANCE TO REPEAL CHAPTER 38, TITLE II OF THE CODE OF THE CITY OF ANN ARBOR, TO AMEND THE CODE BY ADOPTING A NEW CHAPTER 38 ENTITLED USE OF PUBLIC RIGHTS-OF-WAY BY TELECOMMUNICATIONS PROVIDERS, WHICH NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER 38 OF TITLE II, AND TO AMEND SECTION 4:71 OF CHAPTER 50 OF TITLE IV

Whereas, Section 7.4 of the City Charter authorizes the publication by summary of

ordinances over 500 words in length;

RESOLVED, That Ordinance No. 40-02 be published by the following summary:

Ordinance No. 40-02 amends the City Code by repealing the existing Chapter 38 (Use of Rights-Of-Way by Telecommunications Providers) which governs use of the City’s public rights-of-way by telecommunications providers for their facilities, and replacing it with a new Chapter 38 (Use of Public Rights-Of-Way by Telecommunications Providers), Sections 2:701-2:716, to govern the use of the City’s public rights-of-way by telecommunications providers for their facilities. The Ordinance also amends Section 4:71 of the City Code to provide that telecommunications providers are required to comply with the provisions of Chapter 50.

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 Woods moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-427-10-02 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM TRACY L WHITE
1790 DAVID COURT – WICKFIELD COURT LOOPING WATER MAIN PROJECT

Whereas, Tracey L. White, a single woman, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 3884, Page 208, recorded July 12, 1999; and

Whereas, Tracey L. White, a single woman, has delivered an easement to the City for the construction and maintenance of municipally operated public services to run with the land and burden the respective property perpetually, being more particularly described as follows:

Parallel with the Eastern property line of Lot 33, Starwick Heights No. 3 Subdivision, as recorded in Liber 19 of Plats, Pages 77-78, Washtenaw County Records, Ann Arbor, Michigan, being described as follows: Eight-feet wide continuing along the Eastern property

Line of Lot 33, Starwick Heights No. 3 Subdivision, and being
Approximately 680 square feet.

RESOLVED, That the City hereby accepts said grant of easement.

Councilmember Robinson moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-428-10-02 APPROVED

**RESOLUTION ACCEPTING UTILITY EASEMENT FROM CARLA JEAN LANGE
1780 DAVID COURT – WICKFIELD COURT LOOPING WATER MAIN PROJECT**

Whereas, Carla Jean Lange, a single woman, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 2559, Page 080, recorded November 26, 1991; and

Whereas, Carla Jean Lange, a single woman, has delivered an easement to the City for the construction and maintenance of municipally operated public services to run with the land and burden the respective property perpetually, being more particularly described as follows:

Parallel with the Western property line of Lot 32, Starwick Heights No. 3 Subdivision, as recorded in Liber 19 of Plats, Pages 77-78, Washtenaw County Records, Ann Arbor, Michigan, being described As follows: Seven-foot wide continuing along the Western property Line of Lot 32, Starwick Heights No. 3 Subdivision, and being Approximately 645 square feet.

RESOLVED, That the City hereby accepts said grant of easement.

Councilmember Carlberg 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 October 7, 2002 regular session of Council:

Hospitality Committee

Joyce Chesbrough (Re-appointment)
P.O. Box 2423
Ann Arbor, MI 48106
Term: October 21, 2002 – January 1, 2005

Gina Dailey (Re-appointment)
645 N. Fifth Avenue
Ann Arbor, MI 48104
Term: October 21, 2002 – January 1, 2005

Kevin Dailey (Re-appointment)
645 N. Fifth Avenue
Ann Arbor, MI 48104
Term: October 21, 2002 – January 1, 2005

Makha Fall (Re-appointment)
2673 Arrowwood Tr.
Ann Arbor, MI 48105
Term: October 21, 2002 – January 1, 2005

Gregory Fox (Re-appointment)
554 S. First St.
Ann Arbor, MI 48103
Term: October 21, 2002 – January 1, 2005

Rev. Emmett Green (Re-appointment)

Second Baptist Church
850 Red Oak Road
Ann Arbor, MI 48103
Term: October 21, 2002 – January 1, 2005

Mary Hall Thiam, Ed.D (Re-appointment)
2755 Arrowwood Tr.
Ann Arbor, MI 48105
Term: October 21, 2002 – January 1, 2005

Ebba Hierta
915 Miner St.
Ann Arbor, MI 48103
Term: October 21, 2002 – January 1, 2005

Brigitte Maassen, Co-Chair (Re-appointment)
1178 Heatherway
Ann Arbor, MI 38104
Term: October 21, 2002 – January 1, 2005

Cecilia Paas, Co-Chair (Re-appointment)
2392 Grant Drive
Ann Arbor, MI 48108
Term: October 21, 2002 – January 1, 2005

Mary Pfaus (Re-appointment)
7609 Cottonwood Lane
Dexter, MI 48130
Term: October 21, 2002 – January 1, 2005

Richard Ross, Sr., Dr. (Re-appointment)
1835 Franklin Ct.
Ann Arbor, MI 48103
Term: October 21, 2002 – January 1, 2005

Ulla Roth (Re-appointment)
1317 Franklin Blvd.
Ann Arbor, MI 48103
Term: October 21, 2002 – January 1, 2005

Hiromi Sano (Re-appointment)
1050 Wall St., #1A

Ann Arbor, MI 48105

Term: October 21, 2002 – January 1, 2005

Rowena Wilhelm (Re-appointment)
710 Greenhills Dr.
Ann Arbor, MI 48105
Term: October 21, 2002 – January 1, 2005

Housing Policy Board

Ashley Zwick (Fill a Vacancy from James Miller)
821 West Liberty
Ann Arbor, MI 48103
Term: October 21, 2002 – October 20, 2005

Sign Board of Appeals

Helen M. Corey (Fill a vacancy from Robert Lilienfeld)
1015 Rose Avenue
Ann Arbor, MI 48104
Term: October 21, 2002 – October 20, 2005

Zoning Board of Appeals

Al Raymond (Re-appointment)
2375 Mershon Dr.
Ann Arbor, MI 48103
Term: October 21, 2002 – October 20, 2005

NOMINATIONS PLACED ON TABLE

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

Elizabeth Dean Fund
Mary Jean Babic
902 Miller Avenue
Ann Arbor, MI 48103
Term: November 7, 2002 – July 31, 2002

John Roberts
915 Brooks
Ann Arbor, MI 48103
Term: November 7, 2002 – July 31, 2002

Human Rights Commission

Ryung-wha Lee Kim (Re-appointment)
925 Greenhills Drive
Ann Arbor, MI 48105
Term: November 7, 2002 – October 31, 2005

Carla McKenzie (Fill vacancy of Lynn D'Orio)
2121 Medford Road, #3
Ann Arbor, MI 48104
Term: November 7, 2002 – October 31, 2002

Historic District Commission

Michael K. Bruner (Fill vacancy of Gregory Jones)
909 Gott Street
Ann Arbor, MI 48103
Term: November 7, 2002 – November 6, 2005

Housing Policy Board

Andrea Mayes Krueger (Fill term of Jennifer Hall)
2271 Hemlock Court
Ann Arbor, MI 48108
Term: November 7, 2002 – January 7, 2004

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

On a voice vote the Mayor declared the motion carried.

- Mayor Hieftje announced that there would be a working session held on October 28, 2002 at 7:00 pm to discuss transportation issues in and around the City.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Roger Fraser, City Administrator, announced that interviews for the Fire Chief would be conducted on October 31st and November 1st. He asked if any member of Council wished to be included. Council Members Johnson, Woods and Reid expressed their interest.

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

None.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Human Rights Commission regarding Fire Chief Search
2. Communication from Michigan Department of Consumer & Industry Services Liquor Control Commission regarding Cancellation of Liquor Transfer Application – 201-203 E. Washington

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

The following minutes were received for file (J):

1. City Market Commission – September 19, 2002
2. Ann Arbor Human Rights Commission – September 18, 2002
3. Housing Policy Board – May 2, 2002, June 6, 2002, July 18, 2002
4. Community Development Block Grant Executive Committee – May 13, 2002, June 10, 2002, July 8, 2002, August 12, 2002, September 9, 2002

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

Councilmember Easthope 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 8:50 p.m.

Kathleen M. Root
Clerk of the Council

Anissa R. King
Recording Secretary