

REGULAR SESSION - JANUARY 7, 1991

The regular session of the Ann Arbor City Council was called to order at 7:32 p.m. in the City Hall Council Chamber by Mayor Gerald D. Jernigan.

Council stood for one moment of silence.

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

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Ann Marie Coleman, M. Terry Martin, Ingrid B. Sheldon, Elizabeth S. Brater, Nelson K. Meade, Jerry S. Schleicher, Mark Ouimet, Thais Anne Peterson, Joe Borda, Mayor Gerald D. Jernigan, 10.

ABSENT : Councilmember Larry Hunter, 1.

INTRODUCTIONS

NEW ASSISTANT CITY ADMINISTRATOR INTRODUCED

Acting City Administrator Donald Mason introduced the new Assistant City Administrator for Environmental Services, Rob Bauman. Mr. Bauman stated that he is looking forward to working with City Council and staff to help solve the environmental challenges facing the City.

WASHTENAW DEVELOPMENT COUNCIL VIDEO PRESENTATION

Gretchen Waters, representing the Washtenaw Development Council, presented a video on Washtenaw County, produced by the Michigan Consolidated Gas Company, which will be used as a tool in the WDC's efforts to bring new companies to the county.

AUDIENCE PARTICIPATION - Reserved Time

JERI BURBANK - PRIVATIZATION

Jeri Burbank, 2101 Straton Ct., Vice President of A.F.S.C.M.E. Local 369, spoke in opposition to privatizing City services. Ms. Burbank stated that services provided by private contractors are proven to be less flexible and more costly, and requested that the union be allowed to work with Council to arrive at a reasonable solution.

THOMAS LEE - PRIVATIZATION

Thomas Lee, representing A.F.S.C.M.E. Local 369, spoke in opposition to privatizing City services and expressed concern with City employees losing their jobs. Mr. Lee stated that problems concerning money should be directed at the people who make the decisions, rather than the workers.

ELAINE HAMPTON - PRIVATIZATION

Elaine Hampton, 2167 Hemlock, representing A.F.S.C.M.E. Local 369, spoke in opposition to privatizing City services. Ms. Hampton expressed fear that Council will make a hasty decision regarding privatization, causing a loss of jobs and reduced City services. Ms. Hampton stated that she would cooperate in working toward a solution.

JERRY PERRINE - PRIVATIZATION

Jerry Perrine, member of A.F.S.C.M.E. Local 369, spoke in opposition to privatizing City services which he believes would be very costly in the long run. Mr. Perrine expressed concern that privatization would mean loss of jobs for City employees and reduced services to citizens.

JENNIFER TURNBULL - PRIVATIZATION

Jennifer Turnbull, member of A.F.S.C.M.E. Local 369, spoke in opposition to privatizing City services. Ms. Turnbull stated that the idea of privatization has been politically motivated and that Council is making a mistake by rushing through an issue as important as privatizing a public service.

LARRY FOX - HOUSING CRISIS

Larry Fox, 530 S. State St., read a news article concerning a local man who tried to get arrested in order to get out of the cold. Mr. Fox suggested that the vacant house at 339 S. Ashley St. be used temporarily to house homeless people, since plans to move the structure have been delayed.

BRIAN CHAMBERS - HOUSING CRISIS

Brian Chambers, Ann Arbor resident, stated that government cutbacks in the social services area will create a more serious homeless problem. Mr. Chambers requested that Council consider creative solutions for affordable housing, as well as for solid waste collection, such as setting up a nonprofit private entity for collection service.

DALYNN PARK - MIDEAST CRISES

Dalynn Park, 1006 1/2 Lincoln Ave., representing the Huron Valley Greens, submitted a petition from Ann Arbor citizens in support of a proposed resolution opposing a war for oil in the Persian Gulf. Ms. Park stated that it is imperative for communities to speak out as a united whole against war, and requested that Council consider the resolution. (Petition and resolution on file in the City Clerk's Office)

LISA DANTO - MIDEAST CRISES

Lisa Danto, 731 Gott St., representing the Huron Valley Greens, read the petition from Ann Arbor citizens requesting that the Ann Arbor City Council adopt the proposed resolution opposing a war for oil in the Persian Gulf. (Petition and resolution on file in the City Clerk's Office)

PUBLIC HEARINGS

ALLEN ZONING (ORDINANCE NO. 67-90)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.1 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Allen property, 2530 James Street. Notice of public hearing was published December 16, 1990.

There being no one to speak the Chair declared the hearing closed.

ALVAREZ ZONING (ORDINANCE NO. 68-90)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.17 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Alvarez property, southwest corner of Joseph and Victoria Streets. Notice of public hearing was published December 16, 1990.

There being no one to speak the Chair declared the hearing closed.

PARRISH ZONING (ORDINANCE NO. 69-90)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.22 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Parrish property, 486 Barber Avenue. Notice of public hearing was published December 16, 1990.

There being no one to speak the Chair declared the hearing closed.

SCHMIDT/WERFELMANN ZONING (ORDINANCE NO. 70-90)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.19 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Schmidt/Werfelmann property, 445 Clarendon Drive. Notice of public hearing was published December 16, 1990.

There being no one to speak the Chair declared the hearing closed.

STONER ZONING (ORDINANCE NO. 71-90)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.35 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Stoner property, 2521 James Street. Notice of public hearing was published December 16, 1990.

There being no one to speak the Chair declared the hearing closed.

MICHIGAN ISLAMIC ACADEMY SITE PLAN

A public hearing was conducted on the proposed Michigan Islamic Academy site plan, 2.95 acres, 2301 Plymouth Road. Notice of public hearing was published December 24, 1990.

The following person appeared:

Scott Hoeft of Hobbs and Black Associates, project architect, reviewed the proposal and stated that the Planning Commission recommended its approval, subject to a \$5,000.00 park contribution. Mr. Hoeft stated that his client questions the provision being imposed upon this particular site, but will abide by any ruling.

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

NATIONAL BANK OF DETROIT SITE PLAN

A public hearing was conducted on the proposed National Bank of Detroit site plan, 1.25

acres, 3500 Plymouth Road. Notice of public hearing was published December 24, 1990.

There being no one to speak the Chair declared the hearing closed.

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

CONSENT AGENDA

Delete: Resolution to Approve Purchase of Two Dump Trucks - Bid No. 2047 (\$96,590.00)

MOTIONS AND RESOLUTIONS

Revise: ~~Resolution to Approve Bids for Moving Houses at 116 W. William St. and 339 S. Ashley St. - Bid No. 2054 (\$150,000.00)~~ **RESOLUTION TO REJECT BID NO. 2054 TO RELOCATE HOUSES AT 339 S. ASHLEY ST. AND 116 W. WILLIAM ST.**

Add: Resolution for School Board Member Recognition Week, January 13-19, 1991 (Mayor Jernigan)

Add: Resolution Requesting that for the Purpose of Towing Cars, Five Days Calendar Notice be Reinterpreted to Mean Business Days (Councilmember Borda)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: CDBG Budget and Schedule

CLERK'S REPORT

Add: Communication from William J. Pollard, 2139 Ascot Rd., regarding Noise Compatibility Study for the Ann Arbor Airport - Transportation.

Add: Communication from Erwin Frederick, Lodi Township Supervisor, regarding Noise Compatibility Study for the Ann Arbor Airport - Transportation.

On a voice vote the Chair declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF DECEMBER 17 APPROVED

Councilmember Coleman moved that the regular session minutes of December 17, 1990 be approved as presented.

On a voice vote the Chair declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

R-1-1-91 APPROVED

RESOLUTION TO APPROVE PURCHASE OF ONE MINI 1/2-TON PICKUP AND ONE 15-PASSENGER VAN - BID NO. 2053

Whereas, At the request of the Municipal Garage, the Purchasing Department solicited bids for one pickup and one 15-passenger van;

Whereas, Bids were solicited from 38 vendors, of which 6 submitted bids;

Whereas, John Colone Chrysler/Plymouth submitted the lowest responsible bid for Item #4 (\$9,773.00) and #5 (\$17,084.00) for a total cost of \$25,857.00; and

Whereas, John Colone Chrysler/Plymouth was approved by the Personnel/Human Rights Department on December 18, 1990;

RESOLVED, That Council accept the bid of John Colone Chrysler/Plymouth in the amount of \$25,857.00 as the lowest responsible bid; and

RESOLVED, That the Acting City Administrator be directed to issue a purchase order in the amount of \$25,857.00 to supply one mini 1/2-ton pickup and one 15-passenger van to John Colone Chrysler/Plymouth, in accordance with this resolution and Bid No. 2053.

R-2-1-91 APPROVED

RESOLUTION AUTHORIZING AGREEMENT TO DEFER
SPECIAL ASSESSMENTS FOR MAFEE PROPERTY

Whereas, Reza F. Mafee and Mary Mafee, husband and wife, are the owners of property described below; and

Whereas, The owners have executed an agreement to defer payment of special assessments which benefit certain property located in the City of Ann Arbor, Washtenaw County, Michigan, and more fully described as follows:

Lot 16 of Orchard Hills Subdivision No. 1 according to the plat thereof as recorded in Liber 10 of plats, page 44, Washtenaw County Records;

RESOLVED, That the agreement be approved by this Council in the form now on file in the City Clerk's Office, and the Mayor and City Clerk be authorized to sign it.

R-3-1-91 APPROVED

RESOLUTION AUTHORIZING AGREEMENT TO DEFER
SPECIAL ASSESSMENTS FOR HOLTER PROPERTY

Whereas, Marvin R. Holter and Francis J. Holter, husband and wife, are the owners of property described below; and

Whereas, The owners have executed an agreement to defer payment of special assessments which benefit certain property located in the City of Ann Arbor, Washtenaw County, Michigan, and more fully described as follows:

Beginning at the S.W. corner of Lot 4, Orchards Hills Subdivision, according to the Plat thereof recorded in Liber 5, Page 2, Washtenaw County Records,

thence west in the south line of Lot 4, 91.25 feet; thence south deflecting 90E17' to the left 115.03 feet to an iron pipe; thence east deflecting 89E43' to the left 88.29 feet to an iron pipe; thence north deflecting 88E52'30" to the left 117.92 feet to the place of beginning;

RESOLVED, That the agreement be approved by this Council in the form now on file in the City Clerk's Office, and the Mayor and City Clerk be authorized to sign it.

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

ORDINANCES - Second Reading

67-90 APPROVED

ALLEN 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 0.1 acre, located at 2530 James Street, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Sheldon moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Coleman, Martin, Sheldon, Brater, Meade, Schleicher, Ouimet, Peterson, Mayor Jernigan, 9;

Nays, 0;

Absent during vote, Councilmember Borda, 1.

The Chair declared the motion carried and the ordinance adopted at second reading.

68-90 APPROVED

ALVAREZ 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 1866 Joseph Street, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Coleman moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Coleman, Martin, Sheldon, Brater, Meade, Schleicher, Ouimet, Peterson, Borda, Mayor Jernigan, 10;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

69-90 APPROVED

PARRISH 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 0.22 acre, located at 486 Barber Avenue, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Coleman moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Coleman, Martin, Sheldon, Brater, Meade, Schleicher, Ouimet, Peterson, Borda, Mayor Jernigan, 10;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

70-90 APPROVED

SCHMIDT/WERFELMANN 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 0.19 acre, located at 445 Clarendon Drive, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Coleman moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Coleman, Martin, Sheldon, Brater, Meade, Schleicher, Ouimet, Peterson, Borda, Mayor Jernigan, 10;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

71-90 APPROVED

STONER 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 0.35 acre, located at 2521 James Street, from TWP (Township District) to R1C (Single-Family Dwelling District).

Councilmember Coleman moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Coleman, Martin, Sheldon, Brater, Meade, Schleicher, Ouimet, Peterson, Borda, Mayor Jernigan, 10;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

72-90 APPROVED

DEFINITION OF DUTIES OF TWO ASSISTANT ADMINISTRATORS
AND THE FINANCE DIRECTOR

An Ordinance to Amend Sections 1:32, 1:33, 1:34
of Chapter 4 of Title I of the Code of the City
of Ann Arbor and To Add a New Section 1:75

This ordinance would define the duties of the Assistant City Administrator for Budget and Administrative Services, the Assistant City Administrator for Environmental Services, and the Finance Director.

Councilmember Coleman moved that the ordinance be adopted at second reading.

On roll call the vote was as follows:

Yeas, Councilmembers Coleman, Martin, Sheldon, Brater, Meade, Schleicher, Ouimet, Peterson, Borda, Mayor Jernigan, 10;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading.

ORDINANCES - First Reading

1-91 APPROVED

MILL CREEK 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 2.67 acres, located northeast of Stone School Road and Birch Hollow Drive, from UNZ (Unzoned) to R3 (Townhouse District).

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

On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

2-91 APPROVED

SWIFT RUN DRAIN DISTRICT PARCEL 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 22.33 acres, located south of Wolverine Drive and west of Platt Road, from UNZ (Unzoned) to PL (Public Land District).

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

On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

3-91 APPROVED

KUEBLER LANGFORD PARK ZONING

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

This ordinance would change the zoning of 27.5 acres, located north of M-14 and west of Main Street, from UNZ (Unzoned) to PL (Public Land District).

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

On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

4-91 APPROVED

OLD WEST SIDE HISTORIC DISTRICT

An Ordinance to Amend Title III of the Ann Arbor Register of Historic Places

This ordinance would revise the Old West Side Historic District regulations to bring them into closer conformance with the City's other residential historic districts.

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

On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

MOTIONS AND RESOLUTIONS

R-4-1-91 APPROVED

RESOLUTION TO APPROVE MICHIGAN ISLAMIC ACADEMY SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Michigan Islamic Academy site plan, 2.95 acres, 2301 Plymouth Road.

Whereas, The Muslim Community Association has requested site plan approval in order to construct a 36,000 square foot addition onto the existing Islamic Center;

Whereas, The Ann Arbor City Planning Commission, at its meeting of December 11, 1990, recommended approval of said request; and

RESOLVED, That the Michigan Islamic Academy Site Plan be hereby approved, subject to the provisions of a \$5,000.00 park contribution prior to building permit issuance for Phase II and to the deferral of 47 vehicular parking and 118 bicycle parking spaces.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-5-1-91 APPROVED

RESOLUTION TO APPROVE NATIONAL BANK OF DETROIT SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of technical denial (5 yeas, 0 nays) of the proposed National Bank of Detroit site plan, 1.25 acres, 3500 Plymouth Road.

Councilmember Meade moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-6-1-91 APPROVED AS AMENDED

RESOLUTION REGARDING WALTEC SERVICES

A resolution to request proportional WALTEC services from Washtenaw County for the City of Ann Arbor was considered.

Councilmember Schleicher moved that the resolution be adopted.

Councilmember Sheldon moved that the resolution be amended by calling for the separation of the administrative entity and the grant recipient.

On roll call the vote was as follows:

Yeas, Councilmembers Martin, Sheldon, Schleicher, Ouimet, Borda, Mayor Jernigan, 6;

Nays, Councilmembers Coleman, Brater, Meade, Peterson, 4.

The Chair declared the motion carried.

Councilmember Sheldon moved that the ninth and tenth paragraphs of the resolution be amended as follows:

RESOLVED, That the City Council hereby give notice to the Washtenaw County Board of Commissioners that the City of Ann Arbor insists upon ~~proportional service being returned to Ann Arbor,~~ and **THE GRANT RECIPIENT AND ADMINISTRATIVE ENTITY BEING SEPARATED WITH THE GOAL OF** prudent fund administration which will result in more people being served, thus fulfilling the goals set up by the JTPA; and

RESOLVED, That **SHOULD THE GRANT RECIPIENT AND ADMINISTRATIVE ENTITY NOT BE SEPARATED,** the City of Ann Arbor file a request with the appropriate State body to become its own service delivery area.

On a voice vote the Chair declared the motion carried.

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

Yeas, Councilmembers Sheldon, Martin, Schleicher, Ouimet, Borda, Mayor Jernigan, 6;

Nays, Councilmembers Coleman, Brater, Meade, Peterson, 4.

The Chair declared the motion carried.

The resolution as adopted reads as follows:

R-6-1-91

RESOLUTION REGARDING WALTEC SERVICES

Whereas, In 1983 the City of Ann Arbor, Washtenaw County, Livingston County, and the Private Industry Council entered into a partnership agreement establishing the service delivery area to administer Job Training Partnership Act (JTPA) funds;

Whereas, The JTPA funds are to provide programs to train and place youth and adults with barriers to employment and enable disadvantaged citizens of Livingston and Washtenaw Counties to become self-sufficient;

Whereas, Washtenaw County, designated as both the grant recipient and administrative entity for the JTPA funds (which have been about 4 million annually), established WALTEC (Washtenaw-Ann Arbor-Livingston Training and Employment Center) as the County department responsible for administering the grants and providing client services;

Whereas, From 1983 to 1989, WALTEC maintained offices in both Ann Arbor and Ypsilanti to serve clients;

Whereas, In 1989 Washtenaw County consolidated its WALTEC offices in the Towner Building in Ypsilanti, thus closing its Ann Arbor Office;

Whereas, Although the consolidation was done with assurances by the County that it would decrease costs, the consolidation into the Towner Building has resulted in substantial increased costs;

Whereas, From 1988 to 1991 the budget line item for rent alone has increased by 130.7%, for less space, significantly reducing the amount of funds available for programs to serve the people for whom this program was intended to help; and

Whereas, The consolidation to Ypsilanti has resulted in a significant reduction in the number of Ann Arbor residents being served (a bus trip to Towner from Ann Arbor can take up to two hours requiring multiple transfers) and creating additional barriers to employment for the citizens of Ann Arbor, the major population center in the County;

RESOLVED, That the City Council hereby give notice to the Washtenaw County Board of Commissioners that the City of Ann Arbor insists upon the grant recipient and administrative entity being separated with the goal of prudent fund administration which will result in more people being served, thus fulfilling the goals set up by the JTPA; and

RESOLVED, That should the grant recipient and administrative entity not be separated, the City of Ann Arbor file a request with the appropriate State body to become its own service delivery area.

TABLED

RESOLUTION APPROVING AIRPORT PART 150
NOISE EXPOSURE MAP DOCUMENT

Whereas, The City has been participating in a Federal Air Regulation Part 150 Noise Study of the Ann Arbor Municipal Airport;

Whereas, One requirement of this study is that a FAR Part 150 Noise Exposure Map Document be prepared and approved for submission to the FAA for a technical review; and

Whereas, The City has prepared a Noise Exposure Map Document identifying existing noise and land-use conditions on and adjacent to the Ann Arbor Municipal Airport;

RESOLVED, That the FAR Part 150 Noise Exposure Map Document be approved for submission to the Federal Aviation Administration for technical review, and that the Mayor be authorized to affix his signature to the Noise Exposure Maps attesting that the documents have been prepared utilizing the best available information and that interested persons were afforded the opportunity to offer comments, views, and data on the study as referenced in this document.

Councilmember Martin moved that the resolution be adopted.

The Chair declared a recess at 9:20 p.m.

The Chair again called the meeting to order at 9:40 p.m.

Councilmember Brater moved that the resolution be tabled to the January 22, 1991 regular session of Council for further information.

On a voice vote the Chair declared the motion carried and the resolution tabled.

R-7-1-91 APPROVED

RESOLUTION TO REJECT BID NO. 2054
TO RELOCATE HOUSES AT 339 S. ASHLEY ST.
AND 116 W. WILLIAM ST.

Whereas, The City of Ann Arbor has obtained ownership of the properties located at 339 S. Ashley St. and 116 W. William St. for the purpose of constructing a parking structure;

Whereas, The City issued an invitation to Bid No. 2054 for the purpose of relocating

the structures per City Council Resolution R-602-11-90, approved November 5, 1990;

Whereas, Two bids were received Thursday, December 13, 1990 for relocating the structures from the following companies;

Feret Associates	\$114,554.00
Mosser Construction	\$134,000.00

Whereas, The amount of the low bid was in excess of the preliminary budget and may have been caused by the compressed bidding schedule, and the weather;

Whereas, City Council remain committed to trying to move these two structures in order to maintain affordable housing in the downtown; and

Whereas, The proposed time schedule for the construction of the Kline's lot parking structure will allow for the two houses to be moved by early Spring, 1991;

RESOLVED, That the Mayor and City Council reject all bids submitted for Bid No. 2054 for the relocation of the houses located at 339 S. Ashley St. and 116 W. William St.; and

RESOLVED, That the Mayor and City Council direct the City Administrator to have bids prepared under individual components for the moving and the foundation/excavation work for the house at 116 W. William St. to the City-owned lot at 340 S. Ashley St. for the house at 339 S. Ashley St. and to 201 W. William St.

Councilmember Sheldon moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

TABLED

RESOLUTION TO AUTHORIZE AGREEMENTS WITH WASHTENAW COUNTY DRAIN COMMISSIONER FOR TRAVER CREEK CULVERT IMPROVEMENT PROJECT

Whereas, It is necessary to improve the Traver Creek Culvert which passes under Plymouth Road and the Ann Arbor Railroad;

Whereas, It is desirable to perform the culvert improvements prior to the reconstruction of the adjacent portion of Plymouth Road;

Whereas, On June 22, 1990 the City petitioned the Washtenaw County Drain Commissioner (WCDC) to immediately perform the culvert improvements as a special assessment project;

Whereas, The WCDC has received approval from the Traver Creek Statutory Drain Board to perform the culvert improvements;

Whereas, The WCDC intends to sell bonds to finance the culvert project and to levy assessments against benefiting parties;

Whereas, Temporary advancement of funds to the WCDC from the City for pre-bonding expenditures is necessary to facilitate the expedition of the culvert project;

Whereas, Formal agreements are necessary to outline the responsibilities of the City and the WCDC with respect to:

- construction management by the City of the culvert project,
- re-payment by the WCDC for said management,
- temporary advancement by the City of pre-bonding expenditures incurred by the WCDC on the culvert project,
- reimbursement of said pre-bonding expenditures by the WCDC;

Whereas, These agreements have been reviewed and approved by the City Attorney's Office; and

Whereas, On November 29, 1990 these agreements were approved by the Traver Creek Statutory Drain Board, and subsequently executed by the Washtenaw County Drain Commissioner;

RESOLVED, That Council authorize two agreements with the Traver Creek Drain Crossing Project Drainage District as follows:

1. A professional services agreement for the City to act as Construction Manager of the Traver Creek Drain Crossing Project under Plymouth Road and the Ann Arbor Railroad, with compensation to the City by the Drain Project in the estimated amount of \$102,500.00,
2. A contract for the City to provide temporary advancement of pre-bonding expenses to the Traver Creek Drain Crossing Project Drainage District in the estimated total amount of \$885,000.00, with reimbursement to the City of all

advanced funds upon bond sale by the WCDC;

RESOLVED, That the Mayor and Clerk be hereby authorized and directed to execute the agreements after approval as to substance by the Acting City Administrator; and

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

Section I, Revenue

\$885,000.00 Fund 062, 1989 Street Resurfacing Millage

Section II, Expense

\$ 55,000.00	Engineering Design
617,500.00	Construction Contract Work
102,500.00	Construction Engineering (Inspection, Staking, Quality Control, Construction Contract Administration)
90,000.00	Right-of-Way Acquisition
<u>20,000.00</u>	Appraisal and Title Work
\$885,000.00	TOTAL

Councilmember Schleicher moved that the resolution be adopted.

Councilmember Coleman moved that the resolution be tabled to the February 4, 1991 regular session of Council.

On a voice vote the Chair declared the motion carried and the resolution tabled.

R-8-1-91 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR PUBLIC UTILITIES FROM D & J ENTERPRISES

Whereas, D & J Enterprises, a Michigan co-partnership, is the owner of property described below; and

Whereas, The owner has delivered an easement for public utilities over property located in the City of Ann Arbor, Washtenaw County, Michigan, more fully described as

follows:

I. CENTERLINE DESCRIPTION OF 40 FOOT WIDE WATER MAIN EASEMENT:

Part of the SE 1/4 of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan described as commencing at the S 1/4 corner of Section 5 and proceeding thence N 01E34'35" E 448.64 feet along the N & S 1/4 line of Section 5 and N 87E25'50" E 290.00 feet and S 02E34'10" E 20.00 feet to the point of beginning on the South line of an existing water main easement recorded in Liber 2072, Pages 593-600 W.C.R.; thence S 02E34'10" E 45.00 feet to a point of ending.

II. CENTERLINE DESCRIPTION FOR A 30 FOOT SANITARY SEWER EASEMENT:

Part of the SE 1/4 of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan being described as commencing at the S 1/4 corner of Section 5 and proceeding thence N 01E34'35" E 448.64 feet along the N & S 1/4 line of Section 5 and N 87E25'50" E 305.00 feet to point "A" the point of beginning: thence S 02E34'10" E 160.00 feet to a point of ending, also beginning at said point "A" N 02E34'10" W 55.00 feet to a point of ending on the southerly line of an existing sanitary sewer easement recorded in Liber 2072, Pages 593-600 W.C.R.

RESOLVED, That said easement be accepted by the City of Ann Arbor.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-9-1-91 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR PUBLIC UTILITIES FROM SIGNATURE VILLAS ASSOCIATES (BURLINGTON OFFICE CENTER, III)

Whereas, Signature Villas Associates, a Michigan co-partnership, is the owner of property described below; and

Whereas, The owner has delivered an easement for public utilities over property located in the City of Ann Arbor, Washtenaw County, Michigan and more fully described as

follows:

Commencing at the North 1/4 corner of Section 8, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 86E38'10" W 679.67 feet along the North line of said Section 8; thence S 0E50'20" E 642.16 feet; thence S 0E56'50" E 417.74 feet; thence along the following five courses along the South line of proposed Waymarket Way 16.60 feet along the arc of a non-tangential circular curve to the right, radius 454.00 feet, chord N 64E04'21" W 16.60 feet, N 63E01'30" W 405.43 feet, 232.81 feet along the arc of a circular curve to the left, radius 445.00 feet, chord N 78E00'45" W 230.16 feet, S 87E00'00" W 159.82 feet and 57.94 feet along the arc of a circular curve to the right, radius 520.00 feet, chord N 89E48'28" W 57.91 feet for a PLACE OF BEGINNING; thence S 14E41'00" W 188.79 feet; thence S 63E01'30" E 145.75 feet; thence S 07E29'56" W 120.00 feet; thence N 82E30'04" W 10.00 feet; thence S 07E29'56" W 82.24 feet; thence S 63E01'30" E 219.65 feet; thence S 26E58'30" W 30.00 feet; thence N 63E01'30" W 240.86 feet; thence N 07E29'56" E 103.45 feet; thence S 82E30'04" E 10.00 feet; thence N 07E29'56" E 98.79 feet; thence N 63E01'30" W 158.94 feet; thence N 14E41'00" E 204.39 feet; thence 40.52 feet along the arc of a non-tangential circular curve to the left, radius 520.00 feet, chord S 84E23'01" E 40.51 feet along the South line of said Waymarket Way to the Place of Beginning, being part of the NW 1/4 of said Section 8, and subject to easements of record, if any;

and

Commencing at the North 1/4 corner of Section 8, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 86E38'10" W 679.67 feet along the North line of said Section 8; thence S 0E50'20" E 642.16 feet; thence S 0E56'50" E 417.74 feet; thence along the following five courses along the South line of proposed Waymarket Way 16.60 feet along the arc of a non-tangential circular curve to the right, radius 454.00 feet, chord N 64E04'21" W 16.60 feet, N 63E01'30" W 405.43 feet, 232.81 feet along the arc of a circular curve to the left, radius 445.00 feet, chord N 78E00'45" W 230.16 feet, S 87E00'00" W 159.82 feet and 291.91 feet along the arc of a circular curve to the right, radius 520.00 feet, chord N 76E55'04" W 288.10 feet for a PLACE OF BEGINNING; thence S 37E54'08" W 165.20 feet, thence N 52E05'52" W 40.00 feet; thence N 37E54'08" E 160.63 feet; thence 40.27 feet along the arc of a non-tangential circular curve to the left, radius 520.00 feet, chord S 58E37'02" E 40.26 feet along the South line of said Waymarket Way to the Place of Beginning, being part of the NW 1/4 of said Section 8, and subject to easements of record, if any;

RESOLVED, That said easement be accepted by the City of Ann Arbor.

Councilmember Sheldon moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-10-1-91 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR PUBLIC UTILITIES FROM GILBERT AND JUANITA SEARS

Whereas, Gilbert J. Sears and Juanita R. Sears, husband and wife, are the owners of property described below;

Whereas, The owners have delivered an easement for public utilities over property located in the City of Ann Arbor, Washtenaw County, Michigan, and more fully described as follows:

EASEMENT FOR WATERMAIN PURPOSES OVER RESTAURANT SITE "D"

RESTAURANT SITE "D"

A PART OF THE NORTHWEST 1/4 OF SECTION 9, T-3-S, R-6-E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 9; THENCE S 01E40'20" E 660.14 FEET ALONG THE WEST LINE OF SECTION 9 AND FOLLOWING STATE ROAD; THENCE N 87E09'00" E 1,253.11 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BOARDWALK DRIVE, 66 FEET WIDE; THENCE S 01E40'20" E 296.60 FEET ALONG SAID LINE TO A POINT IN THE CENTERLINE OF A 40 FOOT WIDE DRAINAGE EASEMENT AS DESCRIBED IN LIBER 1765, PAGES 67 AND 68 OF DEEDS, WASHTENAW COUNTY RECORDS, THE FOLLOWING FIVE COURSES BEING ALONG SAID CENTERLINE: (1) S 89E46'35" E 295.12 FEET, AND (2) S 79E05'19" E 26.06 FEET, AND (3) N 67E06'57" E 80.49 FEET, AND (4) N 78E53'15" E 54.16 FEET, AND (5) N 52E30'26" E 44.58 FEET TO THE POINT OF BEGINNING, THE FOLLOWING FIVE COURSES CONTINUING ALONG THE CENTERLINE OF SAID 40 FOOT WIDE DRAINAGE EASEMENT: (1) N 52E30'26" E 13.13 FEET, AND (2) N

71E58'23" E 78.52 FEET, AND (3) S 83E17'17" E, 20.58 FEET, AND (4) N 72E02'49" E 113.64 FEET, AND (5) N 46E12'44" E 63.10 FEET TO A POINT ON THE WESTERLY LINE OF ANN ARBOR RAILROAD (100 FEET WIDE); THENCE S 08E19'40" E 369.20 FEET ALONG SAID LINE; THENCE S 88E19'40" W, 305.03 FEET; THENCE N 01E40'20" W 265.74 FEET TO THE POINT OF BEGINNING AND CONTAINING 87,959 SQUARE FEET OR 2.019 ACRES.

EASEMENT FOR WATERMAIN PURPOSES

AN EASEMENT FOR WATERMAIN PURPOSES ACROSS THE ABOVE DESCRIBED SITE BEING DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SITE; THENCE ALONG THE WEST LINE OF SAID SITE N 01E40'20" W 161.77 FEET; THENCE N 88E19'40" E 18.40 FEET; THENCE S 01E40'20" E, 88.77 FEET; THENCE N 88E19'40" E 61.95 FEET; THENCE S 01E40'20" E 40.00 FEET; THENCE S 88E19'40" W 61.95 FEET; THENCE S 01E40'20" E 33.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SITE; THENCE ALONG SAID SOUTH LINE S 88E19'40" W 18.40 FEET TO THE POINT OF BEGINNING.

RESOLVED, That said easement be accepted by the City of Ann Arbor.

Councilmember Sheldon moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-11-91 APPROVED AS AMENDED

RESOLUTION REGARDING UNIVERSITY OF MICHIGAN BILLING FOR POLICE SERVICES, 1990-91

A resolution regarding University of Michigan billing for police services for 1990-91 was considered.

Councilmember Coleman moved that the resolution be adopted.

Councilmember Schleicher moved that the third paragraph of the resolution be amended as follows:

RESOLVED, That the agreement reached between ~~William B. Krumm~~

THE UNIVERSITY OF MICHIGAN and the ~~City Administrator~~ **CITY OF ANN ARBOR** be accepted for billing of police services for the period July 1, 1990 through June 30, 1991;

On a voice vote the Chair declared the motion carried.

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

The resolution as adopted reads as follows:

R-11-1-91

RESOLUTION REGARDING UNIVERSITY OF MICHIGAN BILLING FOR POLICE SERVICES, 1990-91

Whereas, The University of Michigan and the City of Ann Arbor have agreed on a method for billing police services for the period July 1, 1990, through June 30, 1991; and

Whereas, The University of Michigan will require the City of Ann Arbor to provide some additional police services after July 1, 1991;

RESOLVED, That the agreement reached between the University of Michigan and the City of Ann Arbor be accepted for billing of police services for the period July 1, 1990, through June 30, 1991; and

RESOLVED, That the City Administrator be directed to continue negotiations with the University of Michigan for a formal contract to provide police services after July 1, 1991.

R-12-1-91 APPROVED

RESOLUTION FOR SCHOOL BOARD MEMBER RECOGNITION WEEK, JANUARY 13-19, 1991

Whereas, The citizens of the City of Ann Arbor recognize the vital importance of education in our community;

Whereas, The citizens of the City of Ann Arbor recognize the contribution of those

individuals who give of their time and talents to set the policies for education in our community by being members of our school board; and

Whereas, The school board members of the Ann Arbor Public Schools serve our community tirelessly and often without recognition;

RESOLVED, That the week of January 13-19, 1991, be proclaimed as School Board Recognition Week, and that all citizens of Ann Arbor recognize the following trustees of the Ann Arbor Public Schools for their support and educational leadership for the benefit and welfare of the entire Ann Arbor community:

Ann Arbor Public Schools Board of Education, 1990-91:

- Lynn N. Rivers, President
- Tanya Israel, Vice-President
- Anthony J. Barker, Trustee
- Eunice Royster Harper, Trustee
- Stephen C. Hartwell, Trustee
- Martha Krehbiel, Trustee
- John G. Marriott, Trustee
- Mary Jane Tramontin, Trustee
- Robert D. Wallin, Trustee

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-13-1-91 APPROVED

RESOLUTION REQUESTING THAT FOR THE PURPOSE OF TOWING CARS, FIVE DAYS CALENDAR NOTICE BE REINTERPRETED TO MEAN BUSINESS DAYS

Whereas, Automobiles belonging to certain citizens of this community were legally but unwisely towed during the past holidays resulting in unnecessary and unjust expense to their owners;

Whereas, Once every seven years, Christmas and New Year's Day fall on Tuesdays making for the possibility of two four-day holidays back-to-back, if Christmas Eve and New Year's Eve are included;

Whereas, This situation occurred this year causing many citizens to unfairly have their cars towed at great expense; and

Whereas, Our citizens could continue to be unfairly fined and towed during holiday periods if overly enthusiastic City employees are allowed to merely give five calendar days notice before towing;

RESOLVED, That for the purpose of this resolution, business days shall be defined as those days which are not legal holidays in the State of Michigan, nor are they Saturdays or Sundays;

RESOLVED, That cars not be towed unless five business days have passed, especially during holiday periods; and

RESOLVED, That the Acting City Administrator do whatever is possible to see that those fines and costs for towing issued during the recent holidays to residents of the William and Hamilton Streets area be returned.

Councilmember Borda moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS APPROVED

Mayor Jernigan recommended the following appointments at the December 17, 1990 regular session of Council:

MUNICIPAL GARAGE RELOCATION TASK FORCE

Mark Wishka
211 Third St.

Jim Babcock
513 W. Washington St.

Dan Byrne
515 W. Liberty St.

Sandra J. Harris
216 Charles St.

Brad Opdyke
618 Spring St.

Heather Phillips
614 N. Main St.

SIGN BOARD OF APPEALS

Terry L. Alexander (reappointment)
4825 Washtenaw Ave.
Term: 1/7/91 to 1/6/94

COMMUNITY DEVELOPMENT WAIVER AND REVIEW BOARD

Maria Rosa P. McCabe (reappointment)
631 Revena Pl.
Term 1/7/91 to 1/6/93

Mike Palmisano (reappointment)
1522 High Hollow Dr.
Term: 1/7/91 to 1/6/93

Clark B. Shuler (reappointment)
3000 Glazier Way, #140
Term: 1/7/91 to 1/6/93

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

On a voice vote the Chair declared the motion carried.

Mayor Jernigan placed the following nominations on the table and requested confirmation of the appointments at this time:

SIGN BOARD OF APPEALS

Daniel W. Ketelaar (to replace Debbie Gerber Schwartz)
717 W. Huron St.
Term: 1/7/91 to 9/11/92

ANN ARBOR COMMISSION ON HANDICAPPER CONCERNS

Clark B. Shuler
3000 Glazier Way, #140
Term: 1/7/91 to 1/6/94

Paul H. Jett
3382 Williamsburg Dr.
Term: 1/7/91 to 1/6/92

Helen Elisa Meador
P.O. Box 7488
Term: 1/7/91 to 1/6/94

ANN ARBOR COMMISSION ON HANDICAPPER CONCERNS (Cont.)

RoAnne Chaney
2568 Packard Rd.
Term: 1/7/91 to 1/6/93

Verna H. Spayth
2765 Adrienne Dr.
Term: 1/7/91 to 1/6/94

Anne Carpenter
2200 Fuller Rd., #705B

Term: 1/7/91 to 1/6/94

Carolyn M. Earl
3272 Springbrook Ave.
Term: 1/7/91 to 1/6/92

Sherry Warden (reappointment)
414 Westwood Ave.
Term: 1/7/91 to 1/6/92

Marjorie Oliver-Cash (reappointment)
1560 Woodland Dr.
Term: 1/7/91 to 1/6/93

John Jackson (reappointment)
2200 Fuller Rd., #812
Term: 1/7/91 to 1/6/93

Will Frey (reappointment)
1555 Ardmoor Dr.
Term: 1/7/91 to 1/6/93

Gerri Meadows-Franklin (reappointment)
1420 Pear St.
Term: 1/7/91 to 1/6/92

Nina Homel (reappointment)
1357 Huron River Dr.
Ypsilanti, MI
Term: 1/7/91 to 1/6/92

Council unanimously agreed that the above nominations for appointment be considered at this time.

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

On a voice vote the Chair declared the motion carried.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

Acting City Administrator Donald Mason submitted the following reports for information of Council:

1. Transmittal of Comprehensive Annual Financial Report, June 30, 1990
2. Tenants Screening Policy (Housing Commission)
3. Veterans Park Recycling Bin
4. Series "A" Bond Issue
5. Revised Schedule for January and February Council Meetings
6. Newsletter Suggestions
7. Solid Waste Collection Request for Proposal (RFP)
8. Police Department Mission Statement
9. City Council/Solid Waste Commission Working Session on January 28, 1991
10. Plymouth Road Reconstruction/U of M Contribution
11. CDBG Budget and Schedule

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

RECESS FOR EXECUTIVE SESSION

Councilmember Schleicher moved that the meeting be recessed to hold an executive session for the purpose of discussing pending litigation.

On a voice vote the Chair declared the motion carried and the meeting recessed at 10:37 p.m.

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

On a voice vote the Chair declared the motion carried and the meeting reconvened at 10:57 p.m.

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. Notice from State Boundary Commission regarding errors in the Commission's Findings of Fact in proposed annexations - Planning, Attorney, Assessor.
2. Communication from Elsa Cole, University of Michigan General Counsel, regarding amendment to university ordinance to regulate parking, traffic and littering on U of M property - Police, Transportation.
3. Communication from Transportation Director James Valenta to Tina Smith, 1606 Shadford Rd., regarding City's snow and ice control policy - File.
4. Communication from William J. Pollard, 2139 Ascot Rd., regarding Noise Compatibility Study for the Ann Arbor Airport - Transportation.
5. Communication from Erwin Frederick, Lodi Township Supervisor, regarding Noise Compatibility Study for the Ann Arbor Airport - Transportation.

The following minutes were received for file:

1. Planning Commission - November 13 and 27, 1990
2. Employees' Retirement System Board - November 14, 1990

3. Ann Arbor Transportation Authority - November 21, 1990
4. Sign Board of Appeals - November 13, 1990
5. Zoning Board of Appeals - November 21, 1990
6. Historic District Commission - November 8 and 15, 1990

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

On a voice vote the Chair declared the motion carried.

AUDIENCE PARTICIPATION - General

None.

ADJOURNMENT

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

On a voice vote the Chair declared the motion carried and the meeting adjourned at 10:58 p.m.

W. Northcross
Clerk of the Council

Janet L. Chapin
Recording Secretary