

**MEETING RECONVENED  
REGULAR SESSION - MARCH 25, 1991  
CONTINUATION OF MARCH 18, 1991**

Mayor Jernigan reconvened the regular session of March 18, 1991 on March 25, 1991, in the City Hall Council Chamber at 7:30 p.m.

**ROLL CALL OF COUNCIL**

Present: Councilmembers Larry Hunter, Ann Marie Coleman, M. Terry Martin, Ingrid Sheldon, Elizabeth Brater, Nelson Meade, Jerry Schleicher, Mark Ouimet, Thais Anne Peterson, Joe Borda, Mayor Gerald D. Jernigan, 11

Absent: 0

**PUBLIC HEARINGS**

A combined public hearing was conducted on the following: (1) Rehabilitation Agreement with the Shelter Association for the Structure to be located at 201 West William; (2) Rehabilitation Agreement with the Shelter Association for the Structure to be located at 340 South Ashley; (3) Lease of Property at 201 West William with Shelter Association; and (4) Lease of Property at 340 South Ashley with Shelter Association.

The following persons appeared:

**Jane L. Barney**, 423 W. Liberty Street, resident of the Near Old West Side, member of the Shelter Association, said that she has several interests in the houses under discussion this date. She said that the proposed moving of the houses and the subsequent renovation of these houses will continue the trend of renovations and improvements to the neighborhood. The proposed use will be characteristic of the neighborhood and will provide low-cost housing for working people who are homeless. (Complete statement filed with the City Clerk.)

**Loree O'Brian**, 433 Second Street, said that the subsidizing the renovation and rental of the houses will create an area of concentrated low-income housing projects, namely the Shelter, a lot that the City has allotted for low-income housing; low-income housing should be scattered throughout the City. She cited abandoned buildings in the neighborhood, parking lots, isolation of the sites and increased property taxes (for subsidization) as

further reasons for objecting to the proposal.

**Kate Warner**, 1804 Linwood Avenue, spoke in favor of the relocation and conveyance of the City's land: needed is decent lower-cost housing that is affordable, close to employment, transportation and shopping, is consistent with the character of the neighborhood, is owned and managed by a reliable non-profit organization with proven abilities.

**Lloyd Williams**, 449 Fourth St., congratulated Council for supporting the developments because of the urgent need for affordable housing, and the need for rejuvenation of an area.

**Jean Summerfield**, 2317 Packard, Executive Director of the Shelter Association, said that 47% of the shelter guests are working people who cannot afford to move into housing until they save up the money. Additional services have been initiated to help people get started, such job placement and interim housing. They would like to expand into permanent housing development. Assured neighbors that there is nothing to fear from this development.

**Jean Robertson**, 911 Olivia, read a letter from Barbara Smith, president of the Old West Side Association, said that development of the houses for low-cost housing is good, will have a positive effect on the neighborhood; endorsed the Shelter Association as a reliable property manager, have identified potential sources of low-cost financing.

**Paquetta A. Palmer**, 436 Third Street, said that she felt least wanted when the Single Room Occupancy was rejected a few years ago. She said that the City needs a wide variety of housing and incomes; her fears are that there are too many rich people coming into the neighborhood.

**Carol McCabe**, an employee of the Shelter Association, 420 W. Huron Street, said that the shelter has a large stake in the program and want to see it work. If a wide variety of housing is not created in Ann Arbor it is in danger of becoming an elitist community that no one would want. There are not many units but it is important because it gets things started. They have a good track record with other similar establishments as well as local businesses and churches.

**Kristin Hoppe**, 340 S. Division, member of the Ann Arbor Area Housing Coalition, said that the Ann Arbor Shelter Association is very qualified to manage housing low-cost housing in the community, that the development would provide a new sense of security for children of homeless families, asked that Council proceed with implementation as quickly as possible.

**Ken Land**, Owner of the building where he works at 342 South Ashley, circulated pictures which showed the street before and after renovations on the street. He said that he supports the project but more time is needed to iron out some small problems. He questioned the lease agreement and sought to be protected from what could happen, so that the buildings would be in character with the neighborhood and properly maintained. He would like to see a non-partisan individual to oversee the project.

**Barbara Tapley**, 441 Second Street, co-owner of the Counseling Center of Ann Arbor, basically in support of the project but is concerned because Ashley Street has an identity problem and will be isolated by the parking garage. She said that low income housing concentrates in the area because it is the area of lowest resistance. Provisions should be made to advertise the availability of these apartments to all people who qualify and to those who meet the minimum requirements per HUD guidelines and requirements of references.

**Jim Sweeton**, 380 Cloverdale, president of the Shelter Association of Ann Arbor, expressed pride in the City and Association for bringing this project this far and urged timely completion.

**Thomas Richardson**, 111 N. Main Street, representing the Law Montessori School, addressed concerns about the property at 201 W. William Street. The School said that it believes the use of the premises as transitional housing by the Association would be incompatible with their preschool; the Association's record is good but not flawless because of the many small children spending the day at the preschool; the City should defer action and consider additional sites that are not adjacent to pre-schools. (A complete statement to the Council was filed with the City Clerk.)

**Joe Summers**, 722 Washington Street, said that this project is such a minimal response to an overwhelming problem in the City. He said that property taxes increase as a result of wealthy people moving into old neighborhoods and "gentrifying" them and causing low-income families to have to move out of those neighborhoods.

**Dixie Copro**, 403 W. Liberty Street, active in housing issues in cities across the U.S. said that she is very close to being a low-income person. She is the manager of a travel agency and said that it is extremely hard to find affordable housing and stay afloat if you live in Ann Arbor. Recently she chose to move from an apartment to a rooming house to keep pace with her income. She questioned the stereotype placed on people because of their income level.

**Jen Rubin**, 611 Longshore, said that living near a parking lot and abandoned dwellings is a viable alternative to not having a place to live at all and that parks and playgrounds are only a few blocks away for children to play.

**Lori Freedman**, 544 S. First Street, said that she and her husband welcome the addition of low-income housing to the neighborhood. She asked that the Council not be persuaded by myths and prejudices and to take the steps needed to maintain affordable housing in the community.

**Lisa Danto**, 731 Gott Street, said that when campaigning in the Fifth Ward, she learned that 1/2 of the people contacted supported a parking structure in that area. She said that more shelter is needed for the people of this town regardless of their income. It is important that those who pay taxes receive the basics of food and clothing which are guaranteed by the Constitution.

**Mike Foote**, 3150 Morgan Road, Pittsfield Township, said that sometimes one's desires have to be sacrificed for the greater good.

**Toby Hannah-Davies**, 1549 Broadway, said that she lives near housing for low-income people that has many more units than that proposed here and that it works out fine. She said that her field is early childhood education and that Maria Montessori's philosophy was committed to the children who were neglected by society. Anyone who follows that philosophy would welcome low-income housing next door.

**Leslie Meade**, 995 Fountain Street, said that this project would contribute to the diversity of the neighborhood, would benefit the Montessori School and would breakdown the stereotypes of people of different incomes.

**Ruth Crowder**, 711 Wesley, said that the City needs a diverse downtown, with vibrant stores and people who live downtown and with parks. This is a good opportunity for the City and the non-profit venture.

**Thomas Buford**, 621 Second Street, questioned the City's procedure for notification of citizens regarding public hearings. The Old West Side is not particularly fragile but is pretty solid. He said that the house next door houses people less fortunate and that there have been no problems. He endorsed the housing projects and the City's partnership in them.

**Emily Salvett**, 2006 Greenhills, said that if the Shelter did own the land in question, it could put whatever it liked on the land and that Council should minimize its roll in the affairs of private organizations trying to help others in

the community and to re-examine its basic function.

**Steve Thorpe**, 124 Chapin, expressed his opinion that the shelter is not the best neighbor. He cited incidents of harassments and littering that he felt were caused by residents of the Shelter.

**David Austin**, Part-owner of the Wildflour Community Bakery, said that he works with many people who are either on the street or a step away and for the most part the experiences have been positive. He said that the stereotypes attributed to people of lower incomes are for the most part false, and speaking on behalf of the bakery and the downtown business community, they welcome diverse housing in the area, this is an opportunity to really contribute to it.

**Barbara Morgan**, 1117 W. Huron, Staff member of the Shelter Association, working with the day program on South Ashley. She said that a lot of the people that stay at the shelter are working and trying to get ahead but cannot afford what is available to them. She said that housing is a right of everyone and not a privilege.

**Michael Appel**, 711 Wesley, recently elected to the Shelter Board, said that the housing proposed would not be a shelter, but permanent low-income housing. He explained how the tenant selection process would work. The money that will be borrowed is expected to come at below market rates which will in turn serve to reduce the rents on the houses. The impact on the neighborhood will be identical except for the income of the residents.

**Rebecca Mintz**, an employee of the Shelter Association, 112 S. Ashley, assesses new clients who come to the shelter. She said the people who come to the shelter have nothing because they have lost or sold everything and have come to the shelter as a last resort. She said that the clients ask first for a job and second for a place to live. The Shelter Association will be good and conscientious in selecting those who will live in the houses.

**Dan Byrne**, 515 W. Liberty, told of the many diverse businesses and houses in the neighborhood. He said that the housing project proposed here would not change the character of the neighborhood.

**Gary Elling**, 1402 Maywood, works at 525 W. William and is on the Board of the Shelter Association. He said that this will not be an emergency shelter, will be managed by different staff. He said that the housing will be brought up to code and maintained under the housing code standards.

The following communications were received and filed:

**James Crippen representing Betty Lyons** who objected because she believed that moving a house to 201 West William would violate existing City Building Codes (Filed)

**James Crippen representing Gertrude Zahn** who objected because (1) to introduce a low-cost housing unit in the middle of a commercially developing block is not conducive to the orderly development of the area; and (2) set-back lines and other provisions of the code may be violated. (Filed)

There being no further speakers, the Chair declared the hearing closed.

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Meeting Recessed: 9:00 p.m.

Meeting Reconvened: 9:10 P.M.

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MOTIONS AND RESOLUTIONS

R-145-3-91 APPROVED - AGREEMENT AMENDED

RESOLUTION TO APPROVE REHABILITATION AGREEMENT WITH THE SHELTER ASSOCIATION FOR THE STRUCTURE TO BE LOCATED AT 201 WEST WILLIAM

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

Whereas, City Council resolution R-546-9-89 approved September 11, 1989 authorized the City to convey the relocated structure to a qualified non-profit housing development corporation and that the Mayor appoint a committee to recommend criteria and conditions to select the said non-profit; and

Whereas, The Kline's Lot Housing Committee has met and recommended the following actions;

RESOLVED, That the Mayor and City Council approve the agreement with the Shelter Association of Ann Arbor in the amount of \$50,000 for the rehabilitation of the structure to be located at 201 W. William;

RESOLVED, That the Mayor and City Council approve the sale to the Shelter Association of the structure being relocated from 339 S. Ashley to 201 W. William for \$1;

RESOLVED, That the Mayor and City Council approve the lease agreement with the Shelter Association for the City owned parcel at 201 W. William for \$1; and

RESOLVED, That the Mayor and City Council authorize the Mayor and City Clerk to execute the appropriate documents relating to these transactions substantially in the form on file in the office of the City Clerk;

Affordable Housing Fund 070-002-1206-4421

Councilmember Sheldon moved that the resolution be approved.

Councilmember Peterson moved that the agreements be amended in Section I. - Scope of Services:

Complete the rehabilitation of the building, ***in a style that reflects the character of the adjoining properties***, including interior and exterior improvements being relocated....

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

Councilmember Schleicher moved that the resolution be amended by adding the following language:

Fifth paragraph:

RESOLVED, That the Mayor and City Council approve the sale to the Shelter Association of the structure being relocated from 339 S. Ashley to 201 W. William for \$1.00 ***contingent upon sale of the bonds to construct the Kline's Lot Parking Structure***.

On roll call the vote was as follows: Yeas, Councilmembers Martin, Schleicher, Ouimet, Borda, Mayor Jernigan, 5  
Nays, Councilmembers Hunter, Coleman, Sheldon, Brater, Meade, Peterson, 6

The Chair declared the motion defeated.

The question on the floor is approval of the resolution and the agreement as amended, on roll call the vote was as follows: Yeas, Councilmembers Hunter, Coleman, Sheldon, Brater, Meade, Ouimet, Peterson, Borda, Mayor Jernigan, 9  
Nays, Councilmembers Martin, Schleicher, 2

The Chair declared the motion carried.

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R-146-3-91 APPROVED - AGREEMENT AMENDED

RESOLUTION TO APPROVE REHABILITATION AGREEMENT WITH THE  
SHELTER ASSOCIATION FOR THE STRUCTURE TO BE  
LOCATED AT 340 SOUTH ASHLEY

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

Whereas, City Council resolution R-546-9-89 approved September 11, 1989 authorized the City to convey the relocated structure to a qualified non-profit housing development corporation and that the Mayor appoint a committee to recommend criteria and conditions to select the said non-profit;

Whereas, The Kline's Lot Housing Committee has met and recommended the following actions;

RESOLVED, That the Mayor and City Council approve the agreement with the Shelter Association of Ann Arbor in the amount of \$50,000 for the rehabilitation of the structure to be located at 340 S. Ashley;

RESOLVED, That the Mayor and City Council approve the sale to the Shelter Association of the structure being relocated from 116 W. William to 340 S. Ashley for \$1;

RESOLVED, That the Mayor and City Council approve the lease agreement with the Shelter Association for the City owned parcel at 340 S. Ashley for \$1; and

RESOLVED, That the Mayor and City Council authorize the Mayor and City Clerk to execute the appropriate documents relating to these transactions substantially in the form

on file in the office of the City Clerk.

Councilmember Coleman moved that the resolution be approved.

Councilmember Peterson moved that the agreements be amended in Section I. - Scope of Services:

Complete the rehabilitation of the building, **in a style that reflects the character of the adjoining properties,** including interior and exterior improvements being relocated....

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

Councilmember Schleicher moved that the resolution be amended by adding the following language:

Fifth paragraph:

RESOLVED, That the Mayor and City Council approve the sale to the Shelter Association of the structure being relocated from 116 W. William to 340 S. Ashley for \$1.00 **contingent upon sale of the bonds to construct the Kline's Lot Parking Structure.**

On roll call the vote was as follows: Yeas, Councilmembers Martin, Schleicher, Ouimet, Borda, Mayor Jernigan, 5  
Nays, Councilmembers Hunter, Coleman, Sheldon, Brater, Meade, Peterson, 6

The Chair declared the motion defeated.

The question on the floor is approval of the resolution and the agreement as amended, on roll call the vote was as follows: Yeas, Councilmembers Hunter, Coleman, Sheldon, Brater, Meade, Ouimet, Peterson, Borda, Mayor Jernigan, 9  
Nays, Councilmembers Martin, Schleicher, 2

The Chair declared the motion carried.

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## R-147-3-91 APPROVED

RESOLUTION APPROVING LEASE OF PROPERTY AT  
340 S. ASHLEY STREET WITH SHELTER ASSOCIATION

Whereas, The City of Ann Arbor is the owner of a vacant lot commonly known as 340 South Ashley Street and more particularly described as follows:

The East 100 feet of the South 40 feet of Lot 4, Block 3 South Range 2 East, William S. Maynard's Addition to the City of Ann Arbor according to Liber "7" of Deeds, Page 548, Washtenaw County Records; and

Whereas, The City and the Ann Arbor Shelter Association have agreed to enter a lease which provides that after the relocation of the structure presently located at 116 West William Street to the property at 340 South Ashley Street, the Shelter Association will assume ownership of and rehabilitate the structure for use as affordable housing rental units;

RESOLVED, That this Council approves a lease of the above described lot with the Ann Arbor Shelter Association upon the following terms and conditions;

1. Rent shall be \$1.00 per year, payable in advance.
2. The structure owned by Shelter Association and located on the lot may be used only as rental property for affordable housing, defined as housing made available to persons with annual incomes not greater than 80% of Ann Arbor's median income as determined by the Department of Housing and Urban Development.
3. Rents charged by the Shelter Association shall not be greater than fair market rents for comparable units in the City of Ann Arbor as determined by HUD;
4. The Shelter Association shall rent apartments to its tenants for period of not less than six months;
5. The term of the lease shall be for 30 years beginning June 1, 1991;
6. The Shelter Association shall pay any taxes or special assessments which may come due on the property during the term of the lease;
7. The lease shall contain such other terms and conditions as are usual in a commercial lease and which are approved as to form by the City Attorney and as to substance by the City Administrator.

Councilmember Coleman moved that the resolution be approved.

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

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R-148-3-91 APPROVED

RESOLUTION APPROVING LEASE OF PROPERTY AT  
201 W. WILLIAM STREET WITH SHELTER ASSOCIATION

Whereas, The City of Ann Arbor is the owner of a vacant lot commonly known as 201 West William Street and more particularly described as follows:

Beginning at the intersection of the west line of Ashley Street (66' wide) and the south line of William Street (66'wide) and proceeding along the west line of Ashley Street south of 00E 04' 37" east 133.15 feet; thence due west 88.99 feet to a point 30.00 feet easterly of the centerline of the Ann Arbor Rail Road; thence along the easterly right of way line of the Ann Arbor Rail Road north 21E 32' 40" west 85.10 feet; thence due east 64.14 feet; thence north 00E 04' 37" west 54.00 feet to a point on south line of William Street due east 56.00 feet to the point of beginning, being a part of block 4 south, range 2 east, "William S. Maynard's Addition" to the Village block 4 south, range 2 east, "William S. Maynard's Addition" to the Village (now City) of Ann Arbor, recorded in Liber 2 of deeds, page 548, Washtenaw; and

Whereas, The City and the Ann Arbor Shelter Association have agreed to enter a lease which provides that after the relocation of the structure presently located at 339 S. Ashley Street to the property at 201 West William, the Shelter Association will assume ownership of and rehabilitate the structure for use as affordable housing rental units;

RESOLVED, That this Council approves a lease of the above described lot with the Ann Arbor Shelter Association upon the following terms and conditions;

1. Rent shall be \$1.00 per year, payable in advance;
2. The structure owned by Shelter Association and located on the lot may be used only as rental property for affordable housing, defined as housing made available to persons with annual incomes not greater than 80% of Ann Arbor's median income as determined by the Department of Housing and Urban Development;
3. Rents charged by the Shelter Association shall not be greater than fair market rents for comparable units in the City of Ann Arbor as determined by HUD;
4. The Shelter Association shall rent apartments to its tenants for period of not less

than six months;

- 5. The term of the lease shall be for 30 years beginning June 1, 1991;
- 6. The Shelter Association shall pay any taxes or special assessments which may come due on the property during the term of the lease;
- 7. The lease shall contain such other terms and conditions as are usual in a commercial lease and which are approved as to form by the City Attorney as to substance by the City Administrator.

Councilmember Coleman moved that the resolution be approved.

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

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R-149-3-91 APPROVED - RFP AMENDED

RESOLUTION TO APPROVE REQUEST FOR BID PACKAGES

Councilmember Martin moved that the resolution be approved.

Councilmember Coleman moved that the RFP be amended on **Page 16** as follows:

**Holidays are defined as those holidays consistent with current City policy.**

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

Councilmember Hunter moved that the resolution be tabled pending receipt of further information on the prevailing wage, contract monitoring staff and costs.

On roll call the vote was as follows: Yeas, Councilmembers Hunter, Coleman, Brater, Meade, Peterson, 5  
Nays, Councilmembers Martin, Sheldon, Schleicher, Ouimet, Borda, Mayor Jernigan, 6

The Chair declared the motion defeated.

Councilmember Hunter moved that the resolution be amended by adding a final paragraph as follows:

**RESOLVED, That the Solid Waste Department submit information in detail regarding administrative staff and costs.**

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

The question on the floor is approval of the resolution as amended. On roll call the vote was as follows: Yeas, Councilmembers Hunter, Martin, Sheldon, Brater, Schleicher, Ouimet, Borda, Mayor Jernigan, 8  
Nays, Councilmembers Coleman, Meade, Peterson, 3

The Chair declared the motion carried.

Following is the resolution as amended:

R-149-3-91

RESOLUTION TO APPROVE REQUEST FOR  
BID PACKAGES FOR TRASH COLLECTION

Whereas, The attached "Draft" RFP was distributed to the City's Privatization Task Force, the Solid Waste Commission and the City Council in accordance with R-509-9-90 (Resolution--Request for Bid Packages for Trash Collection and Disposal);

RESOLVED, That the City Council directs the City's Purchasing Agent to issue Request for Proposal No. 274 -- Proposal for Collection of Residential and Commercial/Multi-Family Solid Waste.

RESOLVED, That the Solid Waste Department submit information in detail regarding administrative staff and costs.

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R-150-3-91 APPROVED AS AMENDED

RESOLUTION TO DISPLAY SYMBOLS OF APPRECIATION

Councilmember Martin moved that the revised resolution be approved.

Councilmember Coleman moved that the resolution be amended by adding the following language:

**RESOLVED, That the Ann Arbor City Council express sorrow for those who died from all countries;**

and

RESOLVED, The City accepts the donation of the American flags and yellow ribbons on the Main Street light poles and authorizes their continued display **as well as the black ribbons which express sorrow at the deaths of people of all nations.**

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

The question on the floor is approval of the resolution as amended. On a voice vote, the Chair declared the motion carried.

Following is the resolution as approved:

R-150-3-91

#### RESOLUTION TO DISPLAY SYMBOLS OF APPRECIATION

Whereas, The majority of the citizens of Ann Arbor support the efforts of the United Nation's Security Council;

Whereas, A coalition of nations joined with the United States in opposing aggressive actions against countries in the Middle East; and

Whereas, Citizens of Ann Arbor have shown their support of the men and women in the armed forces who volunteered to show their support of the United Nation's Security Council action;

RESOLVED, The Ann Arbor City Council hereby joins with the majority of the citizens of Ann Arbor and the State of Michigan in a demonstration of appreciation and welcome to members of the Armed Forces;

RESOLVED, That the Ann Arbor City Council express sorrow for those who died from all countries;

RESOLVED, The Ann Arbor City Council hereby approves the overt expression of appreciation displayed in the City and hereby sanctions the use of City property for the display of symbols which express pride in members of the armed forces who have been involved in the Middle East crisis; and

RESOLVED, The City accepts the donation of the American flags and yellow ribbons on the Main Street light poles and authorizes their continued display as well as the black ribbons which express sorrow at the deaths of people of all nations.

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R-151-3-91 APPROVED

RESOLUTION TO OPPOSE TRANSFER OF FEDERAL URBAN AID TO THE STATES

Councilmember Brater moved that the resolution be approved.

Councilmember Sheldon moved that the resolution be amended as follows:

WHEREAS, the lack of concern displayed by the current governor ***and previous administration*** of Michigan for the needs of children, the poor, and people with disabilities....

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.

The question on the floor is approval of the resolution as amended. On a voice vote, the Chair declared the motion carried.

Following is the resolution as amended:

R-151-3-91 APPROVED

RESOLUTION TO OPPOSE TRANSFER OF FEDERAL URBAN AID TO THE STATES

Whereas, There has been a federal proposal to redirect \$15 billion in Federal funding from the cities to the states;

Whereas, This would mean a loss of control by the cities as to the use of this funding, as well as loss of some money to the state in the form of administrative overhead;

Whereas, The City of Ann Arbor has received an entitlement of \$1,460,139 in the current fiscal year through the Community Development Block Grant Program (CDBG), which is among the programs proposed to be shifted to the jurisdiction of the state;

Whereas, The lack of concern displayed by the current governor and previous

administration of Michigan for the needs of children, the poor, and people with disabilities may hamper the city's already limited ability to extend service to these groups, should the state gain control of our CDBG funds; and

Whereas, The U. S. Conference of Mayors, a bipartisan group, has objected to this proposal, stating that it opposes "the concept of combining Community Development Block Grant and other federal urban aid programs in a single block grant to be administered by the states,"

RESOLVED, That the Ann Arbor City Council opposes the redirection of federal urban aid to the states; and

RESOLVED, That a copy of this resolution be directed to the President, the Governor, and our representatives and senators in Lansing and Washington.

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R-152-3-91 APPROVED

RESOLUTION TO ENDORSE THE EFFORTS OF THE ANN ARBOR CHAPTER OF SUPPORT OUR SOLDIERS, WASHTENAW COUNTY

Whereas, The United States of America, operating in conjunction with many other nations under United Nations Resolution 678, began Operation Desert Storm on January 16, 1991, for the purpose of liberating Kuwait from the military occupation of Iraq;

Whereas, Support Our Soldiers, Washtenaw County, is an organization dedicated to supporting and encouraging the families in Michigan who have members serving in Operation Desert Storm; and

Whereas, The Ann Arbor Chapter of said organization is dedicated to such support and encouragement for members of our own community who have placed themselves at risk in this cause;

RESOLVED, That the City Council of the City of Ann Arbor hereby endorse the efforts of the Ann Arbor Chapter of Support Our Soldiers, Washtenaw County to provide aid and comfort to families in our community who are making a special sacrifice in this time of war; and

RESOLVED, That the City Council hereby acknowledges Support Our Soldiers, Washtenaw County's program of displaying the American Flag and yellow ribbons in our community as a sign of appreciation and concern for our brave citizens in the military who are making personal sacrifices for our defense and for a better future for the world; and as

an outward sign to their families here at home that they all are in our thoughts and prayers.

Councilmember Sheldon moved that the resolution be approved.

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

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R-153-3-91 APPROVED

RESOLUTION TO AMEND PROFESSIONAL SERVICES AGREEMENT  
WITH G. R. KUNKLE AND ASSOCIATES, INC. AND  
APPROVE A PROJECT BUDGET FOR GROUNDWATER REMEDIATION  
PROGRAM AT THE CITY OF ANN ARBOR LANDFILL  
PHASE 1 (\$766,616.00)

Whereas, Previous investigations have concluded that the City Landfill Phase-I is partially unlined and that the upper aquifer north of, and within, the landfill boundary has been impacted;

Whereas, The City of Ann Arbor is now required to implement a Groundwater Remedial Program for this site;

Whereas, The City Council on February 4, 1991 awarded a professional services agreement to the G. R. Kunkle & Associates, Inc. for Preparatory Design for Groundwater Remediation Program Landfill-Phase I in the amount of \$63,345;

Whereas, It is now necessary to amend the said agreement to include preparing: A) Remediation Work Plan, B) Interim Remedial Response, C) Preliminary Remedial Action Design and D) Miscellaneous Design for the Groundwater Remediation Program at Landfill and its vicinity;

Whereas, This amendment will increase the contract amount to \$766,616; and

Whereas, G. R. Kunkle & Associates, Inc. was approved by the Personnel/Human Rights Department on December 18, 1990 for the project;

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

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

Section I - Revenue

<u>\$1,035,616</u>	1990 Environmental Bond, Series A
\$1,035,616	TOTAL

Section II - Expenditure

\$ 766,616	Consulting
\$ 115,000	Contingencies for changes to be approved in writing by the City Administrator
<u>\$ 154,000</u>	City engineering, project management, and administration.
\$1,035,616	TOTAL

Councilmember Martin moved that the resolution be approved.

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

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R-154-3-91 APPROVED

RESOLUTION TO AMEND PROFESSIONAL SERVICES AGREEMENT  
 WITH HARZA ENVIRONMENTAL SERVICES, INC. AND APPROVE  
 A PROJECT BUDGET FOR FINAL ENGINEERING OF CLOSURE  
 FOR LANDFILL-PHASE II AT THE CITY OF ANN ARBOR  
 LANDFILL (\$535,694.00)

Whereas, The filling of the first three cells of Phase II of the landfill was completed in 1989;

Whereas, The City of Ann Arbor is required to provide final cover for the filled portions of Phase II;

Whereas, The City Council on February 4, 1991 awarded a professional services agreement to the Harza Environmental Services, Inc. to begin the preparatory design for the final closure of the Landfill-Phase II in the amount of \$78,500;

Whereas, It is now necessary to amend said agreement to include preparing the design of the closure of the Phase II Landfill and to assist the City with the construction inspection and certification of Cells I, II, and III of Phase II;

Whereas, This amendment will increase the contract amount to \$535,694; and

Whereas, Harza Environmental Services, Inc. was approved by the

Personnel/Human Rights Department on December 19, 1990 for this project;

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

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

Section I - Revenue

\$916,694	1990 Environmental Bond Issue, Series A
\$916,694	TOTAL

Section II - Expenditure

\$535,694	Consulting
\$ 80,000	Contingencies for changes to be approved in writing by the City Administrator
\$301,000	City engineering, construction inspection, project management, and administration
\$916,694	TOTAL

Councilmember Martin moved that the resolution be approved.

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

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R-155-3-91 APPROVED

RESOLUTION TO APPROVE AN AGREEMENT AND TO ACCEPT A MORTGAGE TO SECURE PAYMENT OF AMOUNTS OWED FOR PERSONAL PROPERTY TAXES

Whereas, The City of Ann Arbor sued in Circuit Court to collect certain unpaid personal property taxes;

Whereas, David Woodrow has agreed to pay those taxes within 9 months in full plus interest; and

Whereas, Woodrow has agreed to secure payment with a mortgage;

RESOLVED, That the Mayor and Clerk are authorized to sign the Agreement on file with the City Clerk; and

RESOLVED, That the City agrees to accept as security a mortgage, the form of which is on file with the City Clerk.

Councilmember Martin moved that the resolution be approved.

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

\*\*\*\*\*

R-156-3-91 APPROVED

RESOLUTION PROCLAIMING APRIL AS RAPE PREVENTION MONTH

Whereas, Rape is a serious crime which affects many;

Whereas, One out of three women and one out of seven men will be raped in their lifetimes, 60 to 80% of the time by someone they know (FBI), a fact which suggests that nearly every citizen and family in Ann Arbor will be touched either directly or indirectly by this problem;

Whereas, Rape continues to be the single most under-reported crime in our country with less than 10% reported to the police; and less than 5% involved in the court system;

Whereas, The month of April is a time for many informational and educational events in the State of Michigan and this community about the causes and prevention of rape; and

Whereas, The 9th Annual Take Back the Night March is an educational event for those involved and for the community and will take place April 20 1991;

RESOLVED, that the Mayor and City Council support efforts to stop rape and hereby designates April as Rape Prevention Month, encouraging members of our community to support learning about and support rape prevention; and

RESOLVED, That the Mayor and City Council take from the Community Events Fund the costs for the Annual Take Back the Night March.

Councilmember Martin moved that the resolution be approved.

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

### **REPORTS FROM COUNCIL COMMITTEES**

Downtown Development Authority Citizens Advisory Council - Report on the Downtown Resident Voter Questionnaire **(Filed with the City Clerk)**

### **COUNCIL PROPOSED BUSINESS**

None.

### **COMMUNICATIONS FROM THE MAYOR**

#### **APPOINTMENTS NOMINATED**

Mayor Jernigan placed the following names in nomination for appointment at the next Council meeting:

#### **DOWNTOWN DEVELOPMENT AUTHORITY**

Lorri D. Sipes (to replace Sandra Campbell)  
208 W. Liberty Street  
Term: April 4, 1991 to July 17, 1992

#### **BOARD OF EXAMINERS OF ELECTRICIANS AND ELECTRICAL CONTRACTORS**

Kenneth J. Wadland (to replace Lyle Laidlaw)  
308 W. Jefferson  
Term: April 4, 1991 to September 8, 1991

**HOUSING POLICY BOARD**

Abraham Kadushin  
2866 Baylis Drive  
Term: April 4, 1991 to April 3, 1994

Timothy P. Wintermute (To replace Reverend Robert Wallace)  
920 Greene Street  
Term: April 4, 1991 to January 8, 1992

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

Acting City Administrator Don Mason presented the following communications for the information of Council:

1. Huron River Phosphorus Study
2. Hazardous Waste Site
3. 1990-91 State Arson Grant Update
4. Community Reinvestment Act Reports
5. Michigan Underground Storage Tank Financial Assurance Fund (MUSTFA) Recoveries
6. Parking Advisory Committee
7. Banner Towing Operations at the Airport
8. Huron Parkway and Nixon Pedestrian Concerns
9. Barton Drive Jurisdiction
10. Ashley/William Parking Structure Operational Plan
11. Principal and Interest Schedule for Parking Structure Renovations
12. Officers in High School
13. Response to Police Harassment Charges

14. Response From Governor regarding Day Care Licensing
15. Employee Certification
16. Michigan Municipal League Region I Meeting/Detective Jerry Wright
17. Police Response/South Quad
18. Response to Questions Regarding Trust Funds
19. Ann Arbor Police Department Annual Report - January 1, 1990 to December 31, 1990
20. Response to Mayor Jernigan Solid Waste Cost Issue
21. Solid Waste User Fees for Tax Exempt Properties
22. Yard Waste Collection Starting Monday, April 1
23. Solid Waste Labor Costs and Related Subjects

Don Mason informed the Council of a meeting with Department of Natural Resources to be held at 3:30 p.m. on April 1, 1991 regarding Phase III of the landfill.

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

Assistant City Attorney John Van Loon presented the following reports on annexation completions:

- \* Vincent/Keith Annexation - 1856 Joseph Street
- \* City-Owned Lots 117 and 118 of Dexter Avenue Hills, excluding M-14 right-of-way
- \* Mainstreet Partners - 2074 S. Main Street
- \* State Boundary Commission, Docket #89-AR-19 for :  
2081, 2129, 2153, 2115, 2143 and 2165 Newport Road
- \* Atwell-Hicks - 1241 South Maple Road

#### **COMMUNICATIONS FROM COUNCIL**

None.

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

The following communications were received:

1. State Senator Joe Conroy transmitting proposed Senate Bill 96-110 - Civil Infractions Package - File
2. George M. Elworth, representing the Attorney General's office recommending approval of the City's proposed Charter Amendment 8.20 (renewal of 2 mill tax for street reconstruction for five years - File
3. State Senator Lana Pollack regarding proposed budget cuts affecting child care licensing - File
4. Citizens for Ann Arbor Seniors' Center - Ann Arbor Senior Center Building Site - File
5. Governor John Engler - Charter Amendment, Section 8.20 - File

The following minutes were received and are filed with the City Clerk:

1. Building Board of Appeals - January 22, 1991
2. Special Meeting of Board of Canvassers - March 5, 1991
3. Ann Arbor Energy Commission - February 14, 1991

Councilmember Schleicher moved that the Clerk's Report be approved.

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

**AUDIENCE PARTICIPATION - GENERAL**

None.

**ADJOURNMENT**

There being no further business, Councilmember Coleman moved that the meeting be adjourned.

On a voice vote, the Chair declared the motion carried and the meeting was adjourned at 11:30 p.m.

W. Northcross  
Clerk of the Council

Linda J. Wise  
Recording Secretary