

**ANN ARBOR CITY COUNCIL MINUTES  
REGULAR SESSION - OCTOBER 7, 1996**

The regular session of the Ann Arbor City Council was called to order at 7:40 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

Council stood for a moment of silence.

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

**ROLL CALL OF COUNCIL**

**PRESENT :** Councilmembers Tobi Hanna-Davies, Patricia Vereen-Dixon, Jane Lumm, David Kwan, Jean Carlberg, Heidi Cowing Herrell, Stephen C. Hartwell, Patrick A. Putman, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 11.

**ABSENT :** 0.

**INTRODUCTIONS**

**MICHIGAN STUDENT ASSEMBLY PRESENTATION**

Michigan Student Assembly President Fiona Rose and MSA City Liaison Srinu Vourganti gave a presentation on university student involvement in the Ann Arbor community. Ms. Rose outlined the various community and outreach projects sponsored by MSA and expressed hope of increasing communication between the students and the community through these programs.

**WATER TASTE-OFF AWARD**

Elgar Brown, representing the Michigan Department of Environmental Quality and trustee of the Michigan Section of the American Water Works Association, presented Utilities Director Frank Porta, Water Plant Superintendent Harvey Mieske, and Water Quality Manager Janice Skadsen with the state's 1996 Water Taste-Off Award for the best tasting drinking water in Michigan.

**PRESENTATION OF DONATIONS FROM COUNCIL/MEDIA SOFTBALL GAMES**

Don Faber, representing the Ann Arbor News, and Associate City Administrator Ronald Olson presented the funds raised from this summer=s Council/Media softball games to Alfreda Rooks of the Shelter Association of Washtenaw County. Ms. Rooks expressed her appreciation on behalf of the Shelter and invited Councilmembers to future fundraising events.

**GOLDEN TROWEL AWARDS**

Parks and Recreation Superintendent Ronald Olson, Park Advisory Commission Chair Patty Creal, and Mayor Sheldon presented the 1996 Golden Trowel Awards to individuals, businesses and non-profit organizations for outstanding landscaping efforts and for beautifying public rights-of-way with plantings. (List of winners on file in the City Clerk=s Office).

**PUBLIC COMMENTARY - RESERVED TIME****ANDY GULVEZAN - ANNOUNCEMENTS/UNFINISHED BUSINESS**

Andy Gulvezan, 2104 Pauline Blvd., expressed concern with the number of citizens who do not vote and with the high college drop-out rate. Mr. Gulvezan spoke in favor of socialized medicine.

**CENDRA LYNN - SPEEDING ON CREST AVENUE**

Cendra Lynn, 121 Crest Ave., representing the Crest Neighborhood Watch Group, requested installation of two stop signs at the corner of Crest and Buena Vista as a solution to the speeding problems on Crest Avenue between W. Washington and W. Liberty Streets. Ms. Lynn submitted petitions in support of the stop signs and stated that all area residents are in agreement with this solution. (Petitions on file in the City Clerk=s Office)

**ELIZABETH LYNN - SPEEDING ON CREST AVENUE**

Elizabeth Lynn, 121 Crest Ave., expressed concern for the safety of children and pets on Crest Avenue because of speeding traffic that use Crest to cut through to Liberty Street. Ms. Lynn requested Council=s help with the speeding problem by authorizing the installation of stop signs.

**VIVIAN LOUIE - ARMORY BUILDING**

Vivian Louie, 2413 Laurelwood Cir., representing the Homeless Action Committee,

expressed concern with the lack of shelter space and services for homeless people, especially with the approaching winter season. Ms. Louie requested that Council pursue the acquisition of the armory building for use as a homeless shelter and to centralize support services to help reduce the homeless population in Ann Arbor. (HAC position statement on file in the City Clerk=s Office).

**SAFIYA KHALID - CONTINUED FRAUD AT CITY HALL**

Safiya Khalid, P.O. Box 130654, Ann Arbor, stated that her son was beaten by the Ann Arbor Police one year ago in August, objected to the practices of the City Attorney=s staff during her trial, spoke in opposition to the Mayor=s programs, and urged Ann Arbor citizens to vote against the Mayor at the upcoming election.

**JESSICA CURTIN - BILL FOR RALLY**

Jessica Curtin, 913 S. Forest Ave., read a resolution adopted by the Michigan Student Assembly objecting to the City=s attempt to bill the National Women=s Rights Organizing Committee (NWROC) for the cost of the June 22 KKK rally and counter rally. The resolution requests that the City rescind the billing. (MSA resolution on file in the City Clerk=s Office)

**SHANTA DRIVER - BILL FOR RALLY**

Shanta Driver, 999 Whitmore, Detroit, MI, stated that the City administration cannot justify the billing to NWROC for the cost of the June 22 rally, and that City Council should assert its authority by rescinding the billing. Ms. Driver demanded that Council stand up for free speech and not allow free speech to be restricted to only those who can afford to pay.

**PUBLIC HEARINGS**

**BRIARWOOD LOT 11A REZONING (ORDINANCE NO. 36-96)**

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 4.97 acres from R4B (Multiple-Family Dwelling District) to O (Office District), Briarwood Lot 11A, west side of Briarwood Circle. Notice of public hearing was published September 15, 1996.

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

**BRIARWOOD LOT 11A SITE PLAN**

A public hearing was conducted on the proposed Briarwood Lot 11A Site Plan, 4.62

acres, Briarwood Circle west of Main Street. Notice of public hearing was published September 29, 1996.

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

#### **PARK PLAZA PHASE I SITE PLAN**

A public hearing was conducted on the proposed Park Plaza Phase I Site Plan, 2.96 acres, west side of South Industrial Highway north of Astor Drive. Notice of public hearing was published September 29, 1996.

The following person appeared:

Bill Jarratt of Jarratt Associates, Inc., project architect, briefly described the proposal and stated that efforts were made to preserve the natural features on the site and to design the building with a residential look to conform to the neighborhood.

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

#### **CHERRY TREE LANE WATER MAIN SPECIAL ASSESSMENT PROJECT**

A public hearing was conducted on the proposed Cherry Tree Lane Water Main Special Assessment Project. Notice of public hearing was published September 22, 1996.

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

#### **CHERRY TREE LANE SANITARY SEWER SPECIAL ASSESSMENT PROJECT**

A public hearing was conducted on the proposed Cherry Tree Lane Sanitary Sewer Special Assessment Project. Notice of public hearing was published September 22, 1996.

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

### **APPROVAL OF AGENDA**

#### **AGENDA APPROVED WITH CHANGES**

Councilmember Hanna-Davies moved that the agenda be approved with the following changes:

#### **APPROVAL OF COUNCIL MINUTES**

**Add:** Working Session of September 23, 1996

**ORDINANCES - SECOND READING**

**Delete:** Amendment to Chapter 55, Rezoning of 4.97 acres from R4B (Multiple-Family Dwelling District) to O (Office District), Briarwood Lot 11A, west side of Briarwood Circle (Ordinance No. 36-96)

**8 Votes Required:** Ordinance to Add New Chapter 34, Sections 2:300-2:313 - Gas Franchise (Ordinance No. 37-96) (**8 VOTES REQUIRED**)

**MOTIONS AND RESOLUTIONS**

**Delete:** Resolution to Approve Briarwood Lot 11A Site Plan and Site Development Agreement, 4.62 acres, Briarwood Circle west of Main Street (Planning Commission recommendation: Approval - 8 years, 0 nays)

**Correct Title:** Resolution to ~~Put~~ **INSTALL** Stop Signs on Crest Avenue (Councilmembers Daley and Kolb)

**Revise:** Resolution to Seek Alternatives/Individual Solutions to Flooding Problems in Evergreen-Scioto Hills Area (Councilmembers Daley and Kolb)

**Delete:** Resolution Regarding Billing of the Klan and NWROC for Police Activities of June 22, 1996 (Councilmember Daley)

**Revise:** Resolution ~~to Grant~~ **GRANTING** Utility Easement<s> to Ann Arbor Township and Health Care and Retirement Corporation (**WATER MAIN LOOP - PHASE I**) (8 Votes Required) (Attorney</Utilities>)

**Add:** Resolution Accepting Easement for Light, Odor and Noise from Washtenaw Hills Manor, Inc. (Waste Water Treatment Plan) (8 Votes Required) (Attorney)

**Add:** Resolution to Approve Street Closing for Children=s Play Space Autumn Harvest Festival (Councilmembers Hanna-Davies and Vereen-Dixon)

#### COMMUNICATIONS FROM THE CITY ADMINISTRATOR

**Add:** Resolution to Improve Delivery of City Services to Residents of Housing Commission Developments

#### CLERK=S REPORT

**Add:** Petition from the Citizens of the Neighborhood Watch Group regarding solution to prevent speeding on Crest Street between Washington and Liberty - File

On a voice vote the Mayor declared the motion carried.

#### APPROVAL OF COUNCIL MINUTES

#### MINUTES OF SEPTEMBER 9,16 and 23 APPROVED

Councilmember Putman moved that the working session minutes of September 9, 1996, the regular session minutes of September 16, 1996, and the working session minutes of September 23, 1996 be approved, with the following correction to Page 15 of the September 16 minutes:

#### ANNOUNCEMENTS...

On Monday, September 30, 1996 at 6:00 p.m., at ~~Vet=s~~ **VETERANS MEMORIAL** Park, field no. 3, the Council will meet the News media in a softball game. ...

On a voice vote the Mayor declared the motion carried.

**CONSENT AGENDA**

**CONSENT AGENDA ITEMS APPROVED**

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

**R-446-10-96 APPROVED**

**RESOLUTION TO APPROVE CGP  
AMENDMENT-004 TO CONSOLIDATED ANNUAL  
CONTRIBUTIONS CONTRACT WITH HUD**

Whereas, The City of Ann Arbor and HUD executed a Consolidated Annual Contributions Contract (ACC) # C-3001, dated November 16, 1970, for the provision of public housing in the City of Ann Arbor; and

Whereas, HUD has agreed to provide comprehensive grant assistance from its federal fiscal year 1996 appropriations in the amount of \$480,255.00 to assist the Housing Commission in modernization of physical and site conditions at existing public housing developments as well as in upgrades to its management and operations;

Whereas, Residents and staff of the Housing Commission have participated in defining and prioritizing of the work items included in this year=s grant, as a part of an annual five-year plan submission to HUD; and

Whereas, The Board of the Housing Commission approved the execution of CGP Amendment -004 to the Consolidated Annual Contributions Contract with HUD at its regular meeting on September 18, 1996;

**RESOLVED**, That the City Council approve this CGP Amendment -004 to the Consolidated Annual Contributions Contract with HUD in the amount of \$480,255.00, and authorize the Executive Director of the Housing Commission to execute the Amendment per the HUD Form-52840 on file in the City Clerk=s Office.

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**R-447-10-96 APPROVED**

**RESOLUTION TO INCREASE STANDING PURCHASE  
ORDER TO D. J. WHEELER HYDRO ELECTRIC SERVICES  
TO \$40,000.00 FOR FISCAL YEAR 1996/97**

Whereas, It is necessary to maintain the City=s hydroelectric dams in accordance with Federal Energy Regulatory Commission requirements;

Whereas, It is necessary to maintain the City=s recreational dams in accordance with MDEQ requirements and good operating principles;

Whereas, D. J. Wheeler Hydro Electric Services is maintaining the controllers, PLCs and computer programming for the dam controllers; and

Whereas, On June 28, 1996, the Human Resources Department approved D. J. Wheeler Hydro Electric Services for this work;

**RESOLVED**, That Council increase the standing purchase order to D. J. Wheeler Hydro Electric Services to \$40,000.00 to cover the cost of continuing this service for the remainder of fiscal year 1996/97.

Source of Funds: Water Supply System=s FY 1996/97 approved O&M Budget

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**R-448-10-96 APPROVED**

**RESOLUTION TO GRANT SEWER SERVICE OUTSIDE  
CITY LIMITS TO 2652 DEXTER ROAD**

Whereas, R. Bruce Rutledge, owner of the property at 2652 Dexter Road, on August 13, 1996, has requested that the City extend public sewer service to his property in Scio Township prior to the completion of the annexation process;

Whereas, Mr. Rutledge desires to enter into the standard agreement with the City which provides an equitable method of obtaining City service outside of its corporate boundaries; and

Whereas, On August 1, 1996, R. Bruce Rutledge petitioned the City for annexation under Planning Department File No. 8244E15.1 and .2;

**RESOLVED**, That the Mayor and Clerk be authorized and requested to sign the agreement to allow City water service to the land during the time it is still

outside of the corporate limits; that the City Clerk be directed to send a copy of this resolution and the agreement by first class mail to the above property owner; and that the Utilities Department shall promptly have this resolution and the agreement recorded in the office of the Register of Deeds of Washtenaw County, Michigan.

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**R-449-10-96 APPROVED**

**RESOLUTION TO APPROVE A CONSTRUCTION  
CONTRACT FOR LESLIE PARK IMPROVEMENTS AND  
ESTABLISH A PROJECT BUDGET - BID NO. 2943**

Whereas, Leslie Park is designated in the 1989-94 Park Rehabilitation and Development Millage budget for renovation;

Whereas, Competitive bids were received by the Purchasing Division on September 5, 1996, and John Hollowell & Associates Inc. was the lowest responsible bidder at \$46,330.00;

Whereas, Funds for the project are available from the 1989-94 Parks Rehabilitation and Development Millage totaling \$100,000.00 in the Fiscal Year 1996/97 budget; and

Whereas, The Human Resources Department approval was received on July 1, 1996 for John Hollowell & Associates, Inc.;

**RESOLVED**, That the Mayor and City Council approve a construction contract, per Bid No. 2943, with John Hollowell & Associates Inc. in the amount of \$46,330.00 for improvements to Leslie Park, and authorize the Mayor and City Clerk to sign the agreement substantially in the form on file with the City Clerk; and

**RESOLVED**, That the Mayor and City Council approve a construction contingency in the amount of \$4,633.00 (10%) to cover potential contract change orders to be approved by the City Administrator, and approve a total project budget of \$50,963.00 for the life of the project.

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**R-450-10-96 APPROVED**

**RESOLUTION TO APPROVE SERVICE CONTRACT  
WITH PROJECT GROW COMMUNITY GARDENS  
FOR FISCAL YEAR 1996/97**

Whereas, The City of Ann Arbor has approved a budget for Project Grow Community Gardens to provide gardening and other services to Ann Arbor residents during FY 96/97 budget year;

Whereas, Project Grow Community Gardens has contracted with the City in the past to provide gardening services to Ann Arbor residents;

Whereas, Twenty-one Thousand Eight Hundred Dollars (\$21,800.00) has been appropriated to Project Grow Community Gardens to provide gardening and other services to Ann Arbor residents during fiscal year 1996/97;

Whereas, Project Grow Community Gardens fulfilled the conditions of its fiscal year 1995/96 contract with the City; and

Whereas, Human Rights approval was provided on September 25, 1996;

**RESOLVED**, That the Mayor and City Council approve a service contract with Project Grow Community Gardens in the amount of \$21,800.00, and authorize the Mayor and Clerk to sign the agreement in the form substantially on file with the City Clerk; and

**RESOLVED**, That the Mayor and Council direct the City Administrator to allocate \$21,800.00 from the approved fiscal year 1996/97 budget to Project Grow Community Gardens.

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**R-451-10-96 APPROVED**

**RESOLUTION TO APPROVE HOUSING REHABILITATION  
AGREEMENT WITH JOHNNIE H. AND KATHY E. DEW  
FOR 114 WEST SUMMIT STREET**

Whereas, An application was received from Johnnie H. and Kathy E. Dew for rehabilitation assistance for their home located at 114 West Summit Street, Ann Arbor;

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

Whereas, Three bids were received on September 19, 1996 and Mr. and Mrs. Dew will be executing an agreement with the lowest responsible bidder, who has Human Rights approval, to complete the rehabilitation work; and

Whereas, On Wednesday, October 2, 1996, the Waiver and Review Board approved the waiver of the maximum rehabilitation assistance limit of \$26,420.00 up

to \$30,000.00;

**RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Johnnie H. and Kathy E. Dew in the amount of \$30,000.00 as a 0% interest deferred payment loan which requires no payment until a change in ownership, and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the office of the City Clerk.**

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**R-452-10-96 APPROVED**

**RESOLUTION TO APPROVE HOUSING REHABILITATION  
AGREEMENT WITH CLARA L. NOLAND FOR  
8 ROCKLAND COURT**

**Whereas, An application was received from Clara L. Noland for rehabilitation assistance for her home located at 8 Rockland Court, Ann Arbor;**

**Whereas, The homeowner meets the City's criteria for participation in the Housing Rehabilitation Program;**

**Whereas, Three bids were received on September 26, 1996, and Ms. Noland will be executing an agreement with the lowest responsible bidder, who has Human Rights approval, to complete the rehabilitation work; and**

**Whereas, On Wednesday, October 2, 1996, the Waiver and Review Board approved the waiver of the maximum rehabilitation assistance limit of \$26,420.00 up to \$30,000.00;**

**RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Clara L. Noland in the amount of \$30,000.00 as a 0% interest deferred payment loan which requires no payment until a change in ownership, and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the office of the City Clerk.**

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**R-453-10-96 APPROVED**

**RESOLUTION TO ESTABLISH FUNDING AND APPROVE  
AGREEMENT WITH THE MICHIGAN  
DEPARTMENT OF  
TRANSPORTATION FOR THE WASHTENAW  
AVENUE  
RESURFACING PROJECT**

**Whereas, It is necessary to approve an agreement with the Michigan Department of Transportation for the Washtenaw Avenue (Highway I-94 BL) Resurfacing Project;**

**Whereas, The estimated cost of the project is \$941,000.00 with the City share estimated to be \$23,500.00 (12.5% of project cost after Federal and State aid); and**

**Whereas, Funds to cover the City share of the cost are currently available within the Major Street Fund;**

**RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the contract number 96-5416 with the Michigan Department of Transportation for the Washtenaw Avenue Resurfacing Project following approval as to form by the City Attorney and as to substance by the City Administrator; and**

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

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**R-454-10-96 APPROVED**

**RESOLUTION ALLOCATING FUNDS FOR THE 1996  
ANN ARBOR/HIKONE STUDENT EXCHANGE**

**Whereas, The City of Ann Arbor formally recognized Hikone, Japan, as a sister city on February 3, 1969, and the citizens of Ann Arbor have maintained a relationship with the citizens of Hikone since that time;**

Whereas, The purpose of the sister city program is to expand global understanding and give expression to the common desires for friendship, peace, goodwill, acceptance of diversity and cooperation for a better world for all;

Whereas, An academic exchange of middle school students has been established with student delegates representing the City of Ann Arbor in Hikone, Japan, in 1988, 1990, 1992 and 1994;

Whereas, The Ann Arbor/Hikone Exchange Program received Human Rights approval on September 30, 1996; and

Whereas, The City of Ann Arbor has financially supported each of the previous student trips to Hikone and for the 1996 program, a citywide committee has selected ten middle school students to participate in the sister city program;

RESOLVED, That the City of Ann Arbor City Council approve an expenditure of \$10,000.00 in the 1996/97 Budget in the Community Events account for the Hikone Student Exchange Program and that the City Administrator be granted the administrative authority necessary to successfully complete the action.

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R-455-10-96 APPROVED

RESOLUTION RECOGNIZING THE UNIVERSITY  
MUSICAL SOCIETY AS A NON-PROFIT  
ORGANIZATION  
IN THE CITY OF ANN ARBOR

Whereas, The University Musical Society is a non-profit organization;

Whereas, The United States Department of Treasury-Internal Revenue Service recognizes The University Musical Society as a tax exempt, non-profit organization; and

Whereas, The University Musical Society needs the City to recognize it as a non-profit organization in the community in order to conduct fundraising activities with State approval;

RESOLVED, That the Mayor and City Council recognize The University Musical Society as a non-profit organization in the City of Ann Arbor.

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R-456-10-96 APPROVED

**RESOLUTION APPROVING STREET CLOSINGS FOR  
THE UNIVERSITY OF MICHIGAN HOMECOMING PARADE**

Whereas, The University of Michigan will be sponsoring the 1996 Homecoming Parade on Friday, October 18, 1996;

Whereas, It is necessary to close certain City streets for the parade to proceed in a safe and orderly manner;

Whereas, The street closures will be signed and barricaded by representatives of the University of Michigan homecoming committee, and properly supervised by both the sponsor and the Ann Arbor Police Department;

Whereas, The sponsor will obtain all necessary permits and be responsible to comply with all procedures, rules and regulations and to pay all costs and fees required by the City to stage such an event; and

Whereas, The sponsor has requested that the City support this event by waiving these Transportation Division fees:

|                   |             |
|-------------------|-------------|
| meter bag deposit | \$1,420.00; |
|-------------------|-------------|

**RESOLVED**, That City Council authorize the closing of South University from Forest to State, Church from Willard to North University, East University from Willard to South University, North University from State to Fletcher, East William from Maynard to State, Tappan from Monroe to South University, Thayer from East Washington to North University, South State from Madison to North University and Fletcher from North University to Washington between the hours of 6:00 and 7:00 p.m. on Friday, October 18, 1996 for the University Homecoming Parade;

**RESOLVED**, That Forest from Willard to Washtenaw and South University from Forest to Washtenaw be closed between 5:00 - 6:15 p.m. to allow adequate time to stage the parade;

**RESOLVED**, That Council agree to waive the parking meter bag deposit fees; and

**RESOLVED**, That \$375.00 be transferred from the Community Events Account to pay for police services.

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

**ORDINANCES - SECOND READING**

**37-96 POSTPONED**

**GAS FRANCHISE**

**An Ordinance to Amend the Code of the City of Ann Arbor by Adding New Sections 2:300-2:313 and a New Chapter, which New Sections and Chapter shall be Designated as Sections 2:300-2:313 of Chapter 34 of Title II of the Code**

**This ordinance would grant to Michigan Consolidated Gas Company a franchise to transact local business in the City for the purposes of conveying gas into and through and supplying and selling gas in the City of Ann Arbor and all other incidental matters, including a franchise to lay, maintain, operate, and use gas pipes, mains, conductors, service pipes, and other necessary equipment in the highways, streets, alleys, and other public places in the City.**

**Councilmember Kolb moved that the ordinance be adopted at second reading.**

**Councilmember Kolb moved that the ordinance be postponed until the December 2, 1996 regular session of Council for negotiations between the City and MichCon concerning the side agreement.**

**On a voice vote the Mayor declared the motion carried, with Councilmembers Lumm and Kwan dissenting.**

**ORDINANCES - FIRST READING**

**38-96 APPROVED**

**BRIARWOOD RESIDUAL LOTS 12, 13,  
14 AND 15 REZONING**

**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 16.47 acres, located at Briarwood Circle,  
from AG (Agricultural District) to PUD (Planned Unit Development District)  
Preliminary Phase.**

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

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

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**39-96 APPROVED**

**KARRINGTON OF ANN ARBOR ZONING**

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

**This ordinance would change the zoning of 4.15 acres, located at 2190 Ann Arbor-  
Saline Road from TWP (Township District) to R4B (Multiple-Family Dwelling District).**

**Councilmember Lumm moved that the ordinance be approved at first reading.**

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

**MOTIONS AND RESOLUTIONS**

**R-457-10-96 APPROVED**

**RESOLUTION TO APPROVE PARK PLAZA PHASE I SITE PLAN**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Park Plaza Phase I Site Plan, 2.96 acres, west side of South Industrial Highway north of Astor Drive.

Whereas, K & K Investment Company has requested site plan approval in order to construct a 10,000-square foot laundromat; and

Whereas, The Ann Arbor City Planning Commission, on September 5, 1996, recommended approval of said request;

**RESOLVED**, That City Council approve the Park Plaza Phase I Site Plan, subject to recording an access easement to the parcel to the south prior to issuance of permits; and

**RESOLVED**, That the Building Department shall not issue permits until the access easement has been recorded.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-458-10-96 APPROVED**

**RESOLUTION TO APPROVE RUTLEDGE ANNEXATION**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Rutledge Annexation, 0.36 acre, 2652 Dexter Avenue.

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

Whereas, Raymond B. Rutledge is the owner of said property; and

Whereas, It is the desire of Raymond B. Rutledge to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

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

**Lots 219 and 220, Scioto Hills Subdivision No. 1, Scio Township, Washtenaw County, Michigan.**

**Councilmember Vereen-Dixon moved that the resolution be adopted.**

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

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**R-459-10-96 APPROVED**

**RESOLUTION REGARDING PERFORMANCE GOALS FOR THE ADMINISTRATOR**

**RESOLVED**, That the Ann Arbor City Council adopt the following performance goals for the Administrator developed by the City Administrator Committee:

**PERFORMANCE GOALS**

**30% - Human Resources**

- X     Resolve Labor Relations and Human Resources positions**
- X     Complete position classifications (2/3 job descriptions remaining)**
- X     Improve file management and security**
- X     Complete rules and regulations (city-wide)**
- X     Develop upward evaluation tool for review and approval by Administrator Review Committee for self by 12/15/96 and begin development of similar process for department heads by 6/30/97**
- X     Report demonstrated progress (change and increased opportunities) on city-wide training consolidation and joint training efforts with other agencies**
- X     Report demonstrated progress on employee involvement in organizational change and service improvement**
- X     Preparation of an affirmative action policy/plan which has been submitted to the Michigan Civil Rights Commission in accordance with its process as provided in Resolution R-73-2-95**

**30% - Financial**

- X Develop long-range financial plan
- X Develop incentive program for department operations based on budgetary cost savings
- X Develop program to review service priorities and delivery, and to develop organizational efficiencies
- X Develop measures of success based on customer service satisfaction, service efficiency and cost containment for city over-all

**30% - Information Services**

- X Develop updated strategic plan for information services

10% - Develop maintenance facility report including alternative financing, ownership, construction and management scenarios, including evaluation of services (public/private)

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-460-10-96 APPROVED**

**RESOLUTION CONSENTING TO TRANSFER OF EMPLOYMENT  
TO THE CHARTER TOWNSHIP OF PITTSFIELD, MICHIGAN**

Whereas, The Economic Development Corporation of the Charter Township of Pittsfield (the "EDC") has indicated that pursuant to Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), it is willing to undertake a project (the "project") on behalf of Personalized Nursing Services, Inc., d/b/a Arbor Hospice, Home Care & Care-Ousel, a Michigan non-profit corporation;

Whereas, Said project will result in the transference of employment associated with Arbor Hospice from the City of Ann Arbor, Michigan, to the Charter Township of Pittsfield, Michigan; and

Whereas, Section 8(3) of Act No. 338 provides that an EDC may not undertake a project where the project will result in the transference of employment from another Michigan municipality unless the governing body of the municipality from which the employment is to be transferred consents to the transfer of employment;

**RESOLVED**, That this City Council does hereby consent to such transfer of employment from this City to the Charter Township of Pittsfield, Michigan, as may result from the Arbor Hospice Project to be undertaken by the aforesaid EDC;

**RESOLVED**, That the City Clerk be and is hereby directed to deliver a certified copy of this resolution to the Secretary of the aforesaid EDC; and

**RESOLVED**, That all resolutions or parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-461-10-96 APPROVED AS AMENDED**

**RESOLUTION TO INSTRUCT ENERGY COMMISSION IN  
REACHING AGREEMENT WITH MICH CON GAS CO. FOR  
CONCLUSION OF THE FRANCHISE ORDINANCE PROCESS**

A resolution to instruct the Energy Commission in reaching an agreement with the MichCon Gas Co. for conclusion of the franchise ordinance process was considered.

Councilmember Kolb moved that the resolution be adopted.

Council unanimously agreed that the third paragraph of the resolution be amended as follows:

**RESOLVED, That the City Council identify the following guidelines for the Ann Arbor Energy Commission in reaching an agreement with MichCon:**

- 1) Low-Income Furnace AND ENERGY CONTROL DEVICE Program**
- 2) Low-Income ENERGY CONSERVATION Education Program**
- 3) Housing ENERGY ANALYSIS Inspection Program ...**

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

The resolution as adopted reads as follows:

**R-461-10-96**

**RESOLUTION TO INSTRUCT ENERGY COMMISSION IN  
REACHING AGREEMENT WITH MICH CON GAS CO. FOR  
CONCLUSION OF THE FRANCHISE ORDINANCE PROCESS)**

Whereas, MichCon, the Ann Arbor Energy Commission, and Ann Arbor City Council met on September 23, 1996 to discuss the Franchise Ordinance and other agreements between MichCon and the City; and

Whereas, The Ann Arbor Energy Commission is willing to help negotiate these other agreements between MichCon and the City;

**RESOLVED, That the City Council identify the following guidelines for the Ann Arbor Energy Commission in reaching an agreement with MichCon:**

- 1) Low-Income Furnace and Energy Control Device Program**
- 2) Low-Income Energy Conservation Education Program**
- 3) Housing Energy Analysis Inspection Program**
- 4) Low-Income Home Service Plan Program to be administered by the Community Development Department to meet the needs of low-income individuals or human service agencies**
- 5) Natural Gas Vehicle Program**
- 6) Emergency Heating Fund to be administered by the Community Development Department to meet the needs of low-income individuals or human service agencies**
- 7) Energy Commission Program to meet goals identified in the Ann Arbor Energy Plan;**

**RESOLVED, That this agreement be reviewed annually to ensure compliance and progress on the established priorities, and to make recommendations to establish new priorities during the life of the franchise agreement; and**

**RESOLVED, That this agreement and the franchise ordinance be submitted together for City Council approved within sixty (60) days.**

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**R-462-10-96 APPROVED**

**RESOLUTION TO APPROVE ACCEPTANCE OF FINANCIAL TRANSACTION DEVICES FOR ADDITIONAL TAXES, ASSESSMENTS AND FEES**

**Whereas, City Council approved Resolution R-85-3-96 on March 4, 1996 authorizing acceptance of payments by financial transaction devices (debit/credit card, etc.) for parking violations and associated fees and Parks and Recreation Department fees;**

**Whereas, City Council approved Resolution R-267-6-96 on June 17, 1996 authorizing the Finance Department and Treasurer to authorize financial transaction devices (debt/credit card, etc.) for specific fees, and in accordance with State law specified what taxes, assessments, or fees for which payment by financial transaction devices would not be accepted;**

**Whereas, A number of city departments have expressed an interest in being able to accept financial transaction devices (debit/credit cards, etc.) to collect fees;**

**Whereas, The Washtenaw County Board of Commissioners on August 7, 1996**

approved a resolution authorizing acceptance by payments by financial transaction devices for certain taxes, assessments and/or fees;

Whereas, City Council wishes to allow our citizens to have the flexibility to choose from a variety of financial transaction payment methods;

RESOLVED, That City Council authorize the City Administrator to create such procedures necessary to govern the use of financial transaction devices (debit/credit cards, etc.) for certain City taxes, assessments and/or fees, including but not limited to the following:

- Solid Waste - special collections, compost and yard/waste disposal fees;
- Planning - petition review fees;
- Building - permit fees;
- Transportation - metered bag fees;
- Utilities - water payments, water and sewer taps, and assorted fees;
- Treasurer - property taxes, invoices, police and fire alarm fees;

RESOLVED, That prior to the implementation of the program, a review by the City Administrator include a cost analysis on the impact to city revenues; identification of options to eliminate the City absorbing transaction fees; and a review of the input from customer surveys prepared by the Treasurer's Office on the utilization of financial transaction devices;

RESOLVED, That prior to implementation of the program, the City Administrator submit to City Council for review the policy for acceptance of financial transaction devices (debit/credit cards, etc.) for payment of taxes, assessments and/or fees; and

RESOLVED, That City Council authorize the City Administrator to bring forward a resolution for City Council consideration, in accordance with Act No. 280, Public Acts of 1995, identifying any specific payments by financial transaction devices (debit/credit card, etc.) which the City will not accept for obligations owed to the City.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried, with Councilmember Kwan dissenting.

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**R-463-10-96 APPROVED**

**RESOLUTION REVISING GUIDELINES FOR EVALUATING  
SANITARY SEWER BACK-UP CLAIMS**

**RESOLVED, That the Mayor and City Council adopt the following guidelines for evaluation of claims made to the Board of Insurance Administration for damages caused by backups from the City=s sanitary sewer system:**

The Insurance Board may recommend approval of full or partial payment of claims, in an amount not to exceed \$3,500.00, for damage resulting from sanitary sewer backups from the City=s system. However, if one of the following conditions has caused the damage for which the claim is made, the claim should be denied:

- 1. A defect or obstruction in the sanitary sewer lateral or house lead serving the customer.
- 2. Failure or obstructions caused by the introduction of prohibited materials into the collection system by the claimant.

Payment of claims shall be denied unless the claimant has submitted the property which was involved in the backup to a drain inspection. If roof drains or footing drains are found to have been connected to the sanitary sewer system in violation of City law at the time of connection, payment will be denied.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**AMENDED AND POSTPONED**

**RESOLUTION TO INSTALL STOP SIGNS ON CREST AVENUE**

A resolution to install stop signs on Crest Avenue was considered.

Councilmember Daley moved that the resolution be adopted.

Council unanimously agreed that the seventh and eighth paragraphs of the resolution be amended as follows:

Whereas, ~~<Seventy-three>~~ **EIGHTY-SEVEN** members of the area Neighborhood Watch group have signed a petition urging the installation of two signs on Crest at Buena Vista, one facing north and one facing south; and

Whereas, The cost of two stop signs is \$500.00, and can be covered, along with ~~<their installation and>~~ **FUTURE** maintenance, with already budgeted monies in the Transportation Department of the City;

Councilmember Daley moved that the resolution be postponed to the October 21, 1996 regular session of Council for further review by the Public Services Director and City Attorney.

On a voice vote the Mayor declared the motion carried.

The resolution as amended and postponed reads as follows:

**RESOLUTION TO INSTALL STOP SIGNS ON CREST AVENUE**

Whereas, Crest Avenue is a straight, uninterrupted connection between the two major byways of Huron Avenue and Liberty Street;

Whereas, Crest Avenue is wholly a residential street, with the exception of a playground owned by the Ann Arbor Public Schools toward its south end; children and animals can often be found crossing or playing in the street;

Whereas, Residents of Crest Avenue have long perceived a problem with non-local drivers cutting through their street, sometimes at unsafe and illegal speeds;

Whereas, At least one family pet has been killed by such a driver;

Whereas, The City cannot commit the level of police presence to this location which may be necessary to fully control the potential for accidents in the area;

Whereas, The intersection of Crest Avenue and Buena Vista Street is currently governed only by one stop sign for drivers on Buena Vista;

Whereas, Eighty-seven members of the area Neighborhood Watch group have signed a petition urging the installation of two stop signs on Crest at Buena Vista, one facing north and one facing south; and

Whereas, The cost of two stop signs is \$500.00, and can be covered, along with future maintenance, with already budgeted monies in the Transportation Department of the City;

**RESOLVED**, That the Ann Arbor City Council direct the City Administrator to establish two additional stop signs at the intersection of Crest and Buena Vista, one facing north and one facing south; and that the cost of these signs be paid for by already budgeted monies in the Transportation Department.

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**R-464-10-96 APPROVED**

**RESOLUTION TO SEEK ALTERNATIVES/INDIVIDUAL SOLUTIONS  
TO FLOODING PROBLEMS IN EVERGREEN-SCIOTO HILLS AREA**

Whereas, In the spring of 1996, Councilmembers Kolb and Daley were contacted by multiple residents of the Evergreen-Scioto Hills area of Ann Arbor=s Fifth Ward, seeking help with flooding problems they were experiencing on and nearby their properties;

Whereas, Some of these flooding problems were created by the construction of the Interstate I-94;

Whereas, In an effort to resolve these flooding problems, the City=s Public Services and Water Utilities Departments outlined a series of possible solutions, which included the installation of storm sewers throughout the area, creation of a retention pond on land currently planned as a neighborhood park, directing area runoff into the Sister Lakes, and estimates of the costs involved in each of these options;

Whereas, In an effort to gather citizen opinion on these proposals, the Public Services and Water Utilities Departments sent a questionnaire to affected property owners, asking their opinion of the gravity of the flooding problems, and whether they would support any or all of the proposed solutions;

Whereas, The response to the questionnaire was an outpouring of distress, expressed both in the responses to the questionnaire, and in numerous calls and letters to City staff and elected representatives, and focusing on:

- X no perceived need for flooding remediation
- X the desire to keep roads unpaved
- X the desire to save trees
- X the desire to develop the neighborhood park as planned
- X concern for pollution problems in the Sister Lakes

and, last but in no way least,

- X the extremely high cost of the property assessment which would be levied against affected property owners, some of whom own several lots in the area;

Whereas, The Ann Arbor City Council desires to maintain a stock of housing which is affordable to all Ann Arbor citizens;

Whereas, To proceed with the options outlined by the City would be to make continued home ownership unaffordable to many residents in the Evergreen-Scioto Hills area;

Whereas, The City Council takes seriously both the need for a resolution to the identified flooding problems, and the strong opposition to the global solutions proposed by City staff; and

Whereas, Residents of the Evergreen-Scioto Hills area desire some assurance that the City will not now or in the near future proceed with the proposed solutions and their associated funding mechanisms;

**RESOLVED**, That the City Council direct the City Administrator to put aside the already proposed solutions and work with property owners to seek new and different solutions to the flooding perceived as problematic by residents of this area;

**RESOLVED**, That consideration should be given to simple mechanical solutions which may be unique to each individual property experiencing flooding problems, and that innovative financing be considered for any solution which would place an unreasonable burden on a property owner; and

**RESOLVED**, That the City Attorney investigate whether the City might seek a

settlement from the State of Michigan for the flooding problems resulting from the construction of I-94 and/or reimbursement for the cost of their remediation.

Councilmember Daley moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-465-10-96 APPROVED**

**RESOLUTION TO APPOINT THE CITY ASSESSOR**

**RESOLVED**, That David W. Gould be hereby appointed to the position of City Assessor for the City of Ann Arbor effective October 7, 1996.

Councilmember Lumm moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-466-10-96 APPROVED AS AMENDED**

**RESOLUTION TO APPROVE CONTRACT WITH  
RECYCLE ANN ARBOR FOR DROP-OFF STATION  
OPERATIONS - RFP NO. 350**

A resolution to approve a contract with Recycle Ann Arbor for drop-off station operations was considered.

Councilmember Putman moved that the resolution be adopted.

Council unanimously agreed that the following paragraph be added after the seventh paragraph of the resolution:

**RESOLVED, That the Administrator report back to City Council within 90 days on the results of an effort to partner with Washtenaw County to help offset the cost of providing recycling services to non-City residents;**

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

The resolution as adopted reads as follows:

**R-466-10-96**

**RESOLUTION TO APPROVE CONTRACT WITH  
RECYCLE ANN ARBOR FOR DROP-OFF STATION  
OPERATIONS - RFP NO. 350**

Whereas, Proposals for operation of a consolidated drop-off station were received by the Purchasing Division on January 3, 1995 in response to RFP Number 350;

Whereas, Recycle Ann Arbor was chosen as the preferred vendor by the RFP selection committee and by the Solid Waste Commission;

Whereas, Combining the two existing drop-off stations into one comprehensive facility will save the City money and provide a greater convenience for the citizens of Ann Arbor;

Whereas, Recycle Ann Arbor received Human Rights approval on September 27, 1996; and

Whereas, Funding for the 1996/97 portion of the services will be provided from the approved Solid Waste Department budget;

**RESOLVED, That City Council approve a contract with Recycle Ann Arbor in the amount of \$75,620.00 per full fiscal year, for a total of \$277,273.00 for the full term of the contract;**

**RESOLVED, That the term of the contract shall run from November 1, 1996 to June 30, 2000;**

**RESOLVED, That the Administrator report back to City Council within 90 days on the results of an effort to partner with Washtenaw County to help offset the cost of providing recycling services to non-City residents; and**

**RESOLVED, That the Mayor and City Clerk be authorized to sign the agreement substantially in the form of that on file in the City Clerk=s Office.**

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**R-467-10-96 APPROVED**

**RESOLUTION TO ACCEPT AND APPROPRIATE A GRANT  
TO CREATE AND INSTALL A LANDFILL GAS COLLECTION  
MURAL AT THE MRF EDUCATION CENTER**

**Whereas, The City of Ann Arbor has adopted an Integrated Solid Waste Management Strategy to reduce, reuse, recycle and responsibly manage municipal solid waste;**

**Whereas, The recovery of landfill gas for the generation of electricity is a component of the city=s waste management strategy and a landfill gas-to-energy system is in the process of being installed on the city=s closed landfill;**

**Whereas, The State of Michigan Public Service Commission has allocated grant funds Ato educate the public about the use of biomass fuel for electric utility power supply through the use of an educational display;=;**

**Whereas, The installation of a landfill gas recovery mural at the city=s Material Recovery Facility (MRF) Education Center would be an appropriate addition to this facility;**

**Whereas, Matching funding for this grant project will be provided within the city=s existing 1996/97 budget, utilizing in-kind services from Administrative Services/Energy Coordination and the Department of Solid Waste; and**

**Whereas, The State has awarded a grant to the City of Ann Arbor pending City Council=s approval;**

**RESOLVED, That the City be authorized to accept and appropriate a grant from the State Public Service Commission in coordination with the Michigan Department of Commerce, Contract and Grant Administration for \$4,780.00 for the creation of a landfill gas collection mural to be installed in the stairway of the MRF Education Center during 1996/97;**

**RESOLVED, That funding under this grant be expended until completed, regardless of fiscal year; and**

**RESOLVED, That the Mayor and City Clerk be authorized to sign the approved grant contract documents.**

**Councilmember Kolb moved that the resolution be adopted.**

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

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**R-468-10-96 APPROVED**

**RESOLUTION TO APPROVE THE TRANSFER OF  
PROPERTIES FROM THE ANN ARBOR HOUSING  
COMMISSION TO THE CITY OF ANN ARBOR**

**Whereas, The Department of Housing and Urban Development (HUD) gave preliminary approval to the Ann Arbor Housing Commission on October 10, 1991 to purchase properties located in the City of Ann Arbor, Michigan, and more fully described as follows:**

**PARCEL A - A parcel of land being part of the Northeast 1/4 of Section 10, T3S, R6E, Pittsfield township, Washtenaw County, Michigan. Also described as beginning at the southeast corner of Lot 27 of "Springwater Subdivision No. 1," thence S 01 degrees 46 minutes 30 seconds W 99.00 feet; thence N 89 degrees 57 minutes 00 seconds W 489.13 feet to the Point of Beginning; thence N 89 degrees 57 minutes 00 seconds W 105.05 feet; thence N 01 degrees 44 minutes 00 seconds E 99.00 feet; thence S 89 degrees 57 minutes 00 seconds E 105.05 feet; thence S 01 degrees 44 minutes 00 seconds W 99.00 feet to the Point of Beginning, containing 0.2386 acres.**

**PARCEL B - A parcel of land being part of the Northeast 1/4 of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan. Also described as beginning at the southeast corner of Lot 27 of "Springwater Subdivision No. 1," thence S 01 degrees 46 minutes 30 seconds W 99.00 feet; thence N 89 degrees 57 minutes 00 seconds W 326.06 feet to the Point of Beginning; thence N 89 degrees 57 minutes 00 seconds W 163.07 feet; thence N 01 degrees 44 minutes 00 seconds E 99.00 feet; thence S 89 degrees 57 minutes 00 seconds E 163.07 feet; thence S 01 degrees 44 minutes 00 seconds W 99.00 feet to the Point of Beginning, containing 0.3705 acres.**

**PARCEL C - A parcel of land being part of the Northeast 1/4 of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan. Also described as beginning at the southeast corner of Lot 27 of**

"Springwater Subdivision No. 1," thence S 01 degrees 46 minutes 30 seconds W 99.00 feet; thence N 89 degrees 57 minutes 00 seconds W 162.99 feet to the Point of Beginning; thence N 89 degrees 57 minutes 00 seconds W 163.07 feet; thence N 01 degrees 44 minutes 00 seconds E 99.00 feet; thence S 89 degrees 57 minutes 00 seconds E 163.07 feet; thence S 01 degrees 44 minutes 00 seconds W 99.00 feet to the Point of Beginning, containing 0.3705 acres.

PARCEL D - A parcel of land being part of the Northeast 1/4 of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan. Also described as beginning at the southeast corner of Lot 27 of "Springwater Subdivision No. 1," thence S 01 degrees 46 minutes 30 seconds W 99.00 feet; thence N 89 degrees 57 minutes 00 seconds W 162.99 feet; thence N 01 degrees 44 minutes 00 seconds E 99.00 feet; thence S 89 degrees 57 minutes 00 seconds E 163.07 feet to the Point of Beginning, containing 0.3704 acres.

PARCEL E: Beginning at the NW corner of Lot 70 of Wagner-McComb Boulevard Gardens, as recorded in Liber 3 of Plats, page 19, Washtenaw County Records; thence S 88°23'20" E 340.25 feet along the North line of said Lot 70; thence S 24°12'10" W 60.06 feet along the East line of said lot; thence N 88°18'45" W 315.66 feet to a point on the East right-of-way line of Platt Road; thence North 55.05 feet along said right-of-way line to the Point of Beginning, said parcel being a part of Lot 70 of said Wagner-McComb Boulevard Gardens.

PARCEL F: Commencing at the NW corner of Lot 70 of Wagner-McComb Boulevard Gardens, as recorded in Liber 3 of Plats, page 19, Washtenaw County Records; thence South 55.05 feet along the East right-of-way line of Platt Road to the Point of Beginning; thence S 88°18'45" E 315.66 feet; thence S 24°12'10" W 60.06 feet along the East line of said lot; thence N 88°13'20" W 291.04 feet to a point on the East right-of-way line of Platt Road; thence North 55.05 feet along said right-of-way line to the Point of Beginning, said parcel being a part of Lot 70 of said Wagner-McComb Boulevard Gardens.

PARCEL G: Beginning at the SW corner of Lot 70 of A Wagner-McComb Boulevard Gardens, as recorded in Liber 3 of Plats, page 19, Washtenaw County Records; thence North 55.05 feet along the East right-of-way line of Platt Road; thence S 88°13'20" E 291.04 feet; thence S 24°12'10" W 60.06 feet along the East line of said lot; thence N 88°07'00" W 266.42 feet along the South line of said lot to the Point of Beginning, said parcel being a part of Lot 70 of said Wagner-McComb Boulevard Gardens.

Whereas, The Ann Arbor Housing Commission purchased the property at

3432 Platt Road (parcels A, B, C, D) on January 30, 1992 for the amount of \$99,500.00 to be used for the new development project with property=s owner identified as the City of Ann Arbor acting by and through the Ann Arbor Housing Commission;

Whereas, The Ann Arbor Housing Commission purchased the property known as Lot 70 of Wagner-McComb Boulevard Gardens on Platt Road (parcels E, F, G) on February 28, 1992 for the amount of \$40,000.00 to be used for the new development project with property=s owner identified as the City of Ann Arbor acting by and through the Ann Arbor Housing Commission;

Whereas, After the purchases were completed, it was determined that portions of the properties are in the 100-year flood plain and HUD determined that it would not give final approval for these properties nor reimburse the Housing Commission for the purchase price of the properties;

Whereas, Efforts by the Housing Commission to sell these properties have been unsuccessful;

Whereas, The Housing Commission is now asking that the properties be conveyed back to the City in exchange for a reduction of the debt owed by the Housing Commission to the City; and

Whereas, The Housing Policy Board at its meeting on June 19, 1996, recommended that the City take title of the Platt Road properties from the Housing Commission and credit the debt owed on the properties;

**RESOLVED**, That City Council approve the transfer of the above described properties from the Ann Arbor Housing Commission to the City of Ann Arbor;

**RESOLVED**, That \$100,000.00 be appropriated in the General Fund Non-Departmental Account (Housing Commission Land Purchase) with the source of revenue being Sale of Fixed Assets, and that an additional \$39,500.00 be appropriated to the Non-Departmental Account (Housing Commission Land Purchase) with the source of revenue being the General Fund Housing Contingency Account; and

**RESOLVED**, That the Mayor and City Clerk or any other authorized City official be authorized to execute such documents substantially in the form on file in the office of the City Clerk as may be necessary to effectuate this transfer.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-469-10-96 APPROVED****RESOLUTION TO APPROVE CONTRACT AMENDMENT  
AND ESTABLISH BUDGET FOR PHASE III OF THE TERTIARY  
FILTER RENOVATIONS PROJECT AT THE WASTEWATER  
TREATMENT PLANT - RFP NO. 328**

Whereas, In April 1994, the City awarded a contract to McNamee, Porter & Seeley, Inc. (MPS) to complete Phase I (study and recommend renovations) activities for the Tertiary Filter Renovations Project, and in April 1995 and February 1996 the City awarded Amendments No. 1 and No. 2 to this contract to MPS to complete Phase II (preliminary design and cost estimate) activities for this project;

Whereas, Per the City's request, on September 23, 1996, MPS submitted a proposal to provide professional services to qualify acceptable filter equipment manufacturers, complete final design bid documents, obtain necessary regulatory agency approval of the design, and assist the City in selecting the lowest responsible bidder for the renovations;

Whereas, The Utilities Department reviewed the proposal submitted by MPS and determined it to be reasonable;

Whereas, Funds for this project are available, to be advanced from the Sewage Disposal System Fund pending sale of Sewer Revenue Bonds in the Spring of 1997; and

Whereas, On August 29, 1996, the Human Resources Department approved MPS to perform this work for the City;

**RESOLVED**, That Council approve an interim advance of \$180,000.00 from the Sewage Disposal Fund pending the sale of future Sewage Revenue Bonds;

**RESOLVED**, That Council approve Amendment No. 3 to the contract with MPS for \$163,079.00 to complete Phase III of the Tertiary Filter Renovations Project at the Wastewater Treatment Plant, and that the Mayor and City Clerk be authorized to sign the amendment substantially in a form on file with the City Clerk; and

**RESOLVED**, That Council approve a contingency in the amount of \$16,921.00 to finance change orders to be approved by the City Administrator, and approve a total project budget of \$180,000.00 for the life of the project, to be available until expended without regard to fiscal year.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-470-10-96 APPROVED**

**RESOLUTION TO APPROVE OPERATING LEASE  
FOR COMMUNITY HIGH PARKING LOT**

**Whereas, The City has maintained an operating lease with the Ann Arbor Board of Education to operate the Community High School parking lot in a manner which provided public parking during certain non-school periods;**

**Whereas, The previous two year lease which called for equal distribution of revenue expired March 1, 1995; and**

**Whereas, The lease will be retroactive from March 1, 1995, through December 31, 1996, with an automatic annual renewal under the same terms and**

conditions unless either party provides written notice to terminate at least thirty days prior to lease expiration;

**RESOLVED**, That this Council approve a lease of the above premises for use as a parking lot and authorize the signing of the lease.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-471-10-96 APPROVED**

**RESOLUTION WAIVING TEMPORARY MORATORIUM  
ON TELECOMMUNICATIONS PERMITS AND APPROVING  
TEMPORARY TELECOMMUNICATIONS RIGHT-OF-WAY PERMIT  
AGREEMENT WITH MCI TELECOMMUNICATIONS CORPORATION**

Whereas, The Ann Arbor City Council has adopted a temporary moratorium on the processing and issuance of telecommunications permits pending development and adoption of a telecommunications permit ordinance and other related ordinances and procedures;

Whereas, Said temporary moratorium currently is not scheduled to end until November 29, 1996;

Whereas, MCI Telecommunications Corporation ("MCI") has requested a waiver of said temporary moratorium to allow it to construct approximately 2.47 miles of conduit in the public rights-of-way of the City of Ann Arbor for the purpose of completing a redundant conduit route;

Whereas, The construction which MCI proposes is in the nature of a repair or maintenance operation and otherwise presents unique circumstances;

Whereas, MCI presents a case of hardship due to the anticipated onset of winter weather prior to the end of the temporary moratorium; and

Whereas, MCI has agreed to a Temporary Telecommunications Right-of-Way Permit Agreement which will allow and govern the construction of the approximately 2.47 miles of conduit;

**RESOLVED**, That the temporary moratorium on telecommunications permits is waived as to MCI solely for the purpose of constructing approximately 2.47 miles of conduit to complete a redundant conduit route; and

**RESOLVED, That the Temporary Telecommunications Right-of-Way Permit Agreement between the City and MCI is approved.**

**Councilmember Kwan moved that the resolution be adopted.**

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

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**R-472-10-96 APPROVED**

**RESOLUTION ACCEPTING UTILITY EASEMENT FROM  
THE KROGER CO. - SOUTH MAPLE ROAD**

**Whereas, The Kroger Co., an Ohio corporation, is the owner of property located in the City of Ann Arbor, Washtenaw County, Michigan, and more particularly described as follows:**

**An easement 40 feet in width, being part of SE 1/4 of Section 25, T2S, R5E, Scio Township, Washtenaw County, Michigan; lying 20 feet on either side of the centerline described as follows:**

**Commencing at the E 1/4 corner of Section 25; thence S 00° 28' 00" W 374.00 feet along the East line of Section 25 to the POINT OF BEGINNING of the following described easement; thence N 89° 06' 36" W 635.89 feet, parallel with the East-West 1/4 line of Section 25; thence N 44° 02' 46" W 50.43 feet to reference point A; thence N 44° 02' 46" W 71.77 feet; thence N 00° 53' 24" E 310.08 feet to a point of ending. Also beginning at reference point A; thence S 45° 53' 24" W 198.26 feet; thence S 00° 47' 33" W 247.00 feet; thence S 45° 47' 44" W 20.64 feet; thence S 00° 47' 44" W 57.44 feet; thence S 44° 12' 16" E 91.80 feet; thence S 89° 12' 16" E 97.68 feet; thence S 00° 47' 44" W 18.03 feet to the POINT OF ENDING; and**

**An easement 68 feet in width, being part of the SE 1/4 of Section 25, T2S, R5E, Scio Township, Washtenaw County, Michigan, lying 18 feet North and 50 feet South of the following described line:**

**Commencing at the E 1/4 corner of Section 25; thence S 00° 28' 00" W 344.00 feet along the East line of Section 25 to the POINT OF BEGINNING of the following described easement: thence N 89° 06' 36" W 651.76 feet; parallel with the East-West 1/4 line of Section 25 to the Point of Ending.**

**Whereas, Said owner has delivered an easement to the City for the construction and maintenance of utilities on the above described premises;**

**RESOLVED, That the City hereby accept said easement.**

**Councilmember Kwan moved that the resolution be adopted.**

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

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**R-473-10-96 APPROVED**

**RESOLUTION GRANTING UTILITY EASEMENT TO  
ANN ARBOR TOWNSHIP AND HEALTH CARE  
AND RETIREMENT  
CORPORATION - WATER MAIN LOOP PHASE I**

**Whereas, Ann Arbor Charter Township, a Michigan municipal corporation, and Health Care and Retirement Corporation, an Ohio corporation, have requested an easement for the construction and maintenance of a water main in, on and over City owned properties (Exhibit 1 - on file in the City Clerk=s Office) to supply water to the Nursing and Rehabilitation Center under construction on Huron River Drive;**

**Whereas, Installation of the water main is consistent with the February 1, 1994 Policy Statement between the City and Ann Arbor Township and the June 22, 1984 Water Supply Contract; and**

**Whereas, The City, Township and Heath Care and Retirement Corporation mutually agree to the terms and conditions of the easement;**

**RESOLVED, That City Council approve the utility easement for the construction and maintenance of a water main in, on and over property located in the Township of Ann Arbor more fully described as follows:**

Commencing at the N 1/4 corner of said Section 36, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 02° 22' 30" W 492.54 feet along the N-S 1/4 line of said Section 36, thence N 87° 29' 01" E 366.13 feet; thence S 02° 28' 50" E 237.10 feet; thence S88° 06' 05" E 974.78 feet; thence S 54° 05' 55" E 147.26 feet; thence S 09° 05' 55" E 198.30 feet to the POINT OF BEGINNING; thence S 09° 05' 55" E 64.49 feet; thence S 69° 47' 00" W 222.18 feet; thence N 74° 55' 10" W 69.23 feet; thence N 69° 47' 00" E 245.77 feet; thence N 09° 05' 55" W 31.58 feet; thence N 80° 54' 06" E 40.00 feet along the south R.O.W. line of the Conrail Railroad (100 > wide), to the POINT OF BEGINNING. Being subject to easements or restrictions of record, if any; and

Commencing at the N 1/4 Corner of Section 36, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 02° 22' 30" W 492.54 feet along the N-S 1/4 line of said Section 36, thence N 87° 29' 01" E 366.13 feet; thence S 02° 28' 50" E 237.10 feet; thence S 88° 06' 05" E 974.78 feet; thence S 54° 05' 55" E 147.26 feet; thence S 09° 05' 55" E 262.79 feet; thence S 69° 47' 00" W 222.18 feet to the POINT OF BEGINNING, thence S 69° 47' 00" W 44.21 feet; thence S 25° 30' 16" W 205.93 feet to the northeasterly edge of the Huron River; thence along the northeasterly edge of the Huron River to a point which is N 41° 41' 24" W 21.27 feet and N 61° 05' 40" W 20.43 feet from the last described course; thence N 25° 30' 16" E 212.75 feet; thence N 69° 47' 00" E 3.99 feet; thence S 74° 55' 10" E 69.23 feet to the POINT OF BEGINNING; Being subject to easements or restrictions of record, if any.

RESOLVED, That City Council direct the Mayor and City Clerk to execute the grant of easement.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-474-10-96 APPROVED**

**RESOLUTION ACCEPTING EASEMENT FOR LIGHT,  
ODOR AND NOISE FROM WASHTENAW HILLS MANOR, INC. -  
WASTE WATER TREATMENT PLANT**

Whereas, Washtenaw Hills Manor, Inc. Is the owner of property located in the Township of Ann Arbor, Washtenaw County, Michigan, and more particularly described as follows:

Commencing at the Center of Section 36, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence N 02° 22' 30" E 2604.23 feet along the North and South 1/4 line of said Section to the North 1/4 corner of said Section 36; thence S 00° 44' 05" E 626.83 feet along the centerline of Dixboro Road; thence S 03° 31' 10" E 688.15 feet continuing along said centerline; thence N 80° 55' 40" E 301.42 feet to the POINT OF BEGINNING; thence S 03° 31' 10" E 176.63 feet; thence S 86° 37' 40" W 300.00 feet; thence S 03° 31' 10" E 527.43 feet along the centerline of Dixboro Road; thence along the centerline of Huron River Drive in the following four (4) courses: S 80° 37' 35" E 186.66 feet, easterly 193.00 feet along the arc of a 407.90 foot radius circular curve to the right, through a central angle of 27° 06' 35", having a chord which bears S 67° 04' 15" E 191.20 feet; S 53° 31' 00" E 471.67 feet and S 62° 48' 45" E 680.50 feet; thence N 27° 11' 15" E 416.31 feet; thence S 87° 55' 45" E 309.11 feet; thence N 21° 44' 45" E 204.54 feet to an iron pipe; thence continuing N 21° 44' 45" E 10.0 feet more or less to the high water mark of the Huron River; thence Northwesterly along said high water mark 1605 feet more or less to a point which bears N 80° 55' 40" E from the POINT OF BEGINNING; thence S 80° 55' 40" W 4.7 feet more or less to an iron pipe; thence continuing S 80° 55' 40" W 452.00 feet to the POINT OF BEGINNING. Being a part of the NE 1/4 of Section 36, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan.

Whereas, Said owner has delivered an easement to the City for the benefit of the City property for normal lights, odors and noise emanating from the Waste Water Treatment Plant located on the above described premises;

**RESOLVED**, That said easement be hereby accepted.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-475-10-96 APPROVED**

**RESOLUTION TO APPROVE STREET CLOSING FOR  
CHILDREN=S PLAY SPACE AUTUMN HARVEST FESTIVAL**

**Whereas, the quality of life for children in Ann Arbor is important;**

**Whereas, High quality early childhood education and care has been shown to improve the quality of life for children throughout their lives with increased levels of education, reduced delinquency and teen pregnancy, and higher levels of income generating employment;**

**Whereas, Play is the work of children;**

**Whereas, Play with parents and other significant adults has been shown to improve the quality of children=s lives;**

**Whereas, The City of Ann Arbor has a continuing history of support for early childhood education and care as evidenced by the Children=s Festivals at West Park, the Child Care Scholarship Program, Community Development loans to women entrepreneurs, funding to Child Care Network, Community Center programs, and the outstanding Parks and Recreation programs;**

**Whereas, Children=s Playspace is celebrating its tenth anniversary with an Autumn Harvest Festival at the Ashley Square Building on Sunday, October 20, 1996, beginning at 1:00 p.m. and concluding at 4:00 p.m.; and**

**Whereas, The Autumn Harvest Festival provides a wide range of high quality, developmentally appropriate free play activities for children and parents in Ann Arbor;**

**RESOLVED, That City Council authorize the closing at Ann Street adjacent to the Ashley Square parking lot from Ashley Street to First Street from 11:00 a.m. to 5:00 p.m. on Sunday, October 20, 1996, for the Children=s Playspace Tenth Anniversary Autumn Harvest Festival;**

**RESOLVED, That Council agree to waive the parking meter bag deposit fees for this event;**

**RESOLVED, That if it is determined by the City that additional police supervision is needed the cost of this service will be paid from the community events accounts; and**

**RESOLVED, That neighbors in the houses on Ann Street will receive ample notice of the event and adequate access to parking arranged by Children=s Playspace.**

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

#### REPORTS FROM COUNCIL COMMITTEES

None.

#### COUNCIL PROPOSED BUSINESS

##### COUNCILMEMBERS LUMM/HERRELL

Councilmembers Lumm and Herrell reported that the Natural Features Ordinance Committee will be meeting with the Planning Commission in a working session on October 8 to review the changes to Chapter 57 and the guidelines for developers to preserve or replace natural features. Ms. Herrell stated that the proposed ordinance will soon be brought to Council for consideration.

##### COUNCILMEMBER KOLB

Councilmember Kolb stated that he and several cosponsors will bring back the Human Rights Ordinance for first reading at the October 21, 1996 regular session of Council.

##### COUNCILMEMBER VEREEN-DIXON

Councilmember Vereen-Dixon expressed concern that the Felch street area will be losing a stop sign, and stated that she will be talking with the City Administrator and the necessary departments concerning the matter.

## COMMUNICATIONS FROM THE MAYOR

### PROCLAMATIONS

Mayor Sheldon announced that she recently signed the following proclamations in recognition of:

- X Rev. Emmet L. Green=s 30th Anniversary at Second Baptist Church of Ann Arbor - September, 1996;
- X Dr. Cresswell upon receipt of Tree of Life Award - October 8, 1996;
- X SAVE Today for Tomorrow - Stop America=s Violence Everywhere - October 9, 1996;
- X Ann Arbor Area Quality Week - October 13-19, 1996;
- X United Nations Day - October 24, 1996; and
- X 25th Anniversary of C.O.P.E.-O=Brien Youth Center - October 28, 1996.

### MICHIGAN MUNICIPAL LEAGUE CONFERENCE

Mayor Sheldon reported on the Michigan Municipal League conference and the outcome of Council=s proposed amendments to the MML policies:

1-E, Section 2, Legislative and Urban Affairs (page 6) -  
Congress is urged to provide clarifying amendments to the Federal Fair Housing Act and THE AMERICANS WITH DISABILITIES ACT...  
(Accepted)

1-I, Section 1, (page 6) -  
Congress and the President are urged to address the plight of the homeless in America. THEY SHOULD CHANGE THE HOMELESS FUNDING ALLOCATION SYSTEM FROM COMPETITIVE GRANTS FOR NON EMERGENCY SHELTER GRANT RECIPIENTS TO A SYSTEM UTILIZING THE COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATIONS CRITERIA.  
(Defeated)

1-J, Section 2, (page 7) -  
...THE LEGISLATURE SHOULD RESTORE THE GENERAL FUNDS WHICH MSHDA HAD RECEIVED TO ADDRESS ISSUES REGARDING HOMELESSNESS...  
(Accepted)

1-J, Section 5 , (page 7) -  
...THE LEGISLATURE SHOULD CONTINUE TO SUPPORT PERIODIC HOUSING INSPECTIONS OF ALL RENTAL UNITS...  
(Accepted)

3-J, Section 3, Solid Waste Management, (page 16) -  
The Michigan Municipal League supports amendments to Part 115 of  
1994 P.A. 451 to allow the Afree-flow across county lines of solid  
waste generated within the state CONSISTENT WITH THE COUNTY  
SOLID WASTE PLANS;....

*(Accepted)*

Delete - Abut simplify the local unit approval process by requiring  
plans

to be approved by a simple majority of local units within each county≡

*(Defeated)*

### **MICHIGAN MUNICIPAL ACHIEVEMENT AWARDS**

The Mayor announced that the City of Ann Arbor received the following awards in  
the 1996 Michigan Municipal Achievement Awards Competition: First Place for the  
Parks and Recreation Department=s Corporate Challenge Canoe Race which  
provides funding for recreation scholarships; and Honorable Mention for the  
Community Development Department=s Guidelines for Nonprofit Agencies.

### **FIRE DEPARTMENT AWARD**

Mayor Sheldon congratulated the Ann Arbor Fire Department for receiving the 1995  
Life Safety Achievement Award from the International Association of Fire Chiefs and  
Operation Life Safety. The honor is given to fire departments whose communities  
had no loss of life due to fire for an entire year.

### **SAMPLE VOTING**

The Mayor announced that the City Clerk=s Office has set up sample voting at  
various times and locations prior to the November general election to allow voters  
to become familiar with the new voting system.

### **WORKING SESSION**

The Mayor reminded Council that a working session is scheduled for 6:30 p.m.,  
October 14, to discuss the implications of the revisions to Public Act 18 and for  
E-Mail training.

### **APPOINTMENTS APPROVED**

Mayor Sheldon recommended the following appointments at the September 16, 1996  
regular session of Council:

#### **SIGN BOARD OF APPEALS**

Sharon L. Knight (replacing Dan Ketelaar who resigned)

208 W. Ann St.  
Term: 10/7/96 to 6/5/97

**HISTORIC DISTRICT COMMISSION**

Gregory L. Jones (reappointment)  
2520 Devonshire Rd.  
Term: 10/7/96 to 10/6/99

**COMMUNITY DEVELOPMENT CITIZEN PARTICIPATION  
EXECUTIVE COMMITTEE**

Calvin D. Clark (to fill vacancy)  
727 N. Maple Rd.  
Term: 10/7/96 to 6/30/98

**EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEES**

Lt. Jack Ceo (Police Department representative)  
Term: 10/10/96 to 1/1/98

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

On a voice vote the Mayor declared the motion carried.

**NOMINATIONS PLACED ON TABLE**

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

**HUMAN RIGHTS COMMISSION**

Cynthia Ewing (reappointment)  
2008 Carhart Ave.  
Term: 11/1/96 to 10/31/99

**HURON RIVER WATERSHED COUNCIL**

David Borneman (reappointment - representative)  
Natural Area Preservation Coordinator  
City of Ann Arbor Parks and Recreation Department  
Term: 11/1/96 to 10/31/98

Frank Porta (reappointment - representative)  
Director  
City of Ann Arbor Utilities Department  
Term: 11/1/96 to 10/31/98

Craig Hupy (reappointment - alternate)  
Superintendent, Field Services  
City of Ann Arbor Utilities Department  
Term: 11/1/96 to 10/31/98

**SIGN BOARD OF APPEALS**

John L. Guthrie (reappointment)  
1531 Northwood St.  
Term: 10/21/96 to 10/20/99

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR****NEW WATER MAIN CONSTRUCTION**

Associate Administrator Ronald Olson reported that a meeting was held with representatives of five developments concerning problems with new water main construction. Mr. Olson informed Council that a specific issue was identified and that staff will be working to improve the situation.

**REPORTS SUBMITTED**

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

1. Shelter Plus Care Annual Progress Report
2. Groundwater Supply Protection Program
3. Slurry Wall Completion
4. Solid Waste Collection Services RFP
5. Resolution to Improve Delivery of City Services to Residents of Housing Commission Developments

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

**COMMUNICATIONS FROM THE CITY ATTORNEY**

**KHALID TRIAL**

City Attorney Abigail Elias responded to the comments of Safiya Khalid, in which Ms. Khalid accused a City Attorney staff member of tampering with the jury during her prosecution. Ms. Elias assured Council that members of her staff do not engage in such conduct, and that Ms. Khalid was convicted of the charges against her through the evidence presented at the trial, not by jury tampering.

**COMMUNICATIONS FROM COUNCIL**

**COUNCILMEMBER VEREEN-DIXON**

Councilmember Vereen-Dixon announced that October is Cooperative Month.

**COUNCILMEMBER HANNA-DAVIES**

Councilmember Hanna-Davies encouraged Councilmembers to attend the following upcoming events:

- X Forum regarding cuts at University of Michigan Hospital, October 12, noon to 3:30 p.m., St. Andrew=s Episcopal Church, 306 N. Division St.
- X Welfare simulation for elected officials and candidates, October 19, 9:30 a.m. to noon.
- X Lecture by Geoffrey Canada on AConfronting Violence in Our Communities,= October 26, 10:00 a.m. to noon, free and open to the public. Mr. Canada is an acclaimed author and educator who established freedom schools in New York City.

Ms. Hanna-Davies stated that she would like to correct misinformation appearing in the Ann Arbor News which quoted Marilyn Quayle as saying that the Ann Arbor Hands on Museum operates without government spending. Ms. Hanna-Davies stated that the Hands on Museum gets its space from the City for one dollar a year and operates in partnership with City government along with private support.

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

The following communications were referred as indicated:

1. Resolution from Charter Township of Van Buren regarding EPA rule changes permitting the importation of hazardous wastes - File.
2. Ann Arbor Police Department Crime and Incident Report for Fiscal Year 1995/1996 - File
3. Communication from Peter A. Long, EDC Counsel, transmitting the 1996 Annual Report and Balance Sheet of the Ann Arbor Economic Development Corporation - File.
4. Communication from State Representative Elizabeth S. Brater congratulating Ann Arbor upon receipt of an award from the Byrne Memorial Formula Grants - File.
5. Communication from Community Impact regarding funding to retain its Community Organizer and Educational Advocate - File.

- 6. Communication from Gail A. Farley, Fuller Road resident, regarding Huron High School football stadium - File.**
- 7. Communication from James E. Miller, President of Ann Arbor Housing Development Corporation, regarding grant to Michigan Multicities Local Initiatives Support Corporation for affordable housing projects - File.**
- 8. Petition from the Citizens of the Neighborhood Watch Group regarding solution to prevent speeding on Crest Ave. between Washington and Liberty Sts.- File.**

**The following minutes were received for file:**

- 1. Planning Commission - August 6 and 20, 1996**
- 2. Housing Commission - July 17 and August 21, 1996**
- 3. Housing Policy Board - September 18, 1996**
- 4. Community Development Block Grant Executive Committee - August 19, 1996**
- 5. Ann Arbor Energy Commission - September 12, 1996**
- 6. Ann Arbor Transportation Authority - August 21, 1996**
- 7. Zoning Board of Appeals - May 22 and June 26, 1996**

**Councilmember Kolb 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, the Mayor declared the meeting adjourned at 10:50 p.m.

**W. Northcross  
Clerk of the Council**

**Janet L. Chapin  
Recording Secretary**