

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - JUNE 2, 1997**

The regular session of the Ann Arbor City Council was called to order at 7:39 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, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 9.

ABSENT : Councilmembers Stephen C. Hartwell, Patrick A. Putman, 2.

INTRODUCTIONS

DAKAR SISTER CITY PRESENTATION

Mayor Sheldon and Councilmember Vereen-Dixon presented the AResolution for Sister City Affiliation \cong with Dakar, Senegal, West Africa (adopted by City Council February 18, 1997) to Dr. Richard H. Ross, Sr. and Alpha Phi Alpha Fraternity member William Hampton, who were instrumental in developing the sister city relationship. Mayor Sheldon also presented Dr. Ross with a pictorial history of Ann Arbor to present as a gift to the Mayor of Dakar.

BROADWAY BRIDGES STATUS REPORT

Public Services Director William Wheeler presented an update of the Broadway Bridges project and introduced Sue Gott and Steve Ott, of Johnson, Johnson and Roy, who reviewed the environmental assessment. Ms. Gott reported that the environmental assessment, which is necessary for federal funding eligibility, was recently approved by state and federal agencies for publication and will be available in the next seven to ten days. Mr. Wheeler reviewed the project schedule and stated that the next important steps will be site plan preparation and the Request for Proposal process. Construction is expected to begin in spring 1999 and take two years to complete.

PUBLIC COMMENTARY - RESERVED TIME**SAFIYA KHALID - CITY OF ANN ARBOR COVERUP**

Safiya Khalid, P.O. Box 130654, Ann Arbor, objected to being persecuted by the City and court system, and objected to her son being taken from her by the courts. Ms. Khalid appealed for community support, through donations, to her son=s defense fund.

AUDREY JACKSON - CITY/COUNTY HOMELESS SHELTER

Audrey Jackson, 2557 Sandalwood Cir., expressed concern with the pending agreement between the City of Ann Arbor and Washtenaw County for a homeless facility. Ms. Jackson spoke in support of the southeast area residents who objected to the proposed shelter in their neighborhood because they were not involved in the decision-making process. She requested that funding be committed for the facility, and that residents and city and county officials continue to have discussions on an appropriate site.

FREDA HERSETH - ESTABLISHING A GREENBELT

Freda Herseth, 2209 Stellar Rd., objected to the proposed relocation of the Barton Dr./M-14 interchange to the greenway easement between Whitmore Lake Rd. and Pontiac Tr. Ms. Herseth stated that the current greenway easement should be used to complete a greenbelt, which will help to unite neighborhoods, preserve wildlife, reduce pollution, and support alternative forms of transportation.

JESSICA CURTIN - HOMELESSNESS

Jessica Curtin, 917 S. Forest Ave., representing the National Women=s Rights Organizing Coalition, objected to the increasing harassment of the homeless and youth by the Ann Arbor Police and to the proposal to discontinue affirmative action at the University of Michigan. Ms. Curtin stated that a movement is being organized against these repressive attacks.

ANNETTE BOWMAN - HOMELESS SHELTER

Annette Bowman, 3429 Braeburn Cir., expressed concern with the county's plan to build a homeless shelter at the corner of Ellsworth and Stone School Roads. Ms. Bowman stated that her concerns include: 1) the lack of a complete plan for services to benefit the homeless and no identified source of revenue for these services; 2) the negative impact on the surrounding neighborhood; and 3) overlooking or dismissal of site options, innovative services, and public input.

LUKE MASSIE - RACISM IN ANN ARBOR

Luke Massie, 300 Whitmore, Detroit, MI, representing the National Women's Rights Organizing Coalition, objected to the increasing harassment of the homeless and youth by the Ann Arbor Police. Mr. Massie stated that a movement to protest these conditions is being organized, and announced that a protest against the charges brought against the eight counter demonstrators arrested at the KKK rally will be held on June 18 at the courthouse building.

CLAUDIA MYSZKE - HOMELESS SHELTER

Claudia Myszke, 3874 W. Loch Alpine, representing the Southeast Area Task Force, objected to the proposed homeless shelter at the Ellsworth Road site, and requested that Council delay committing financial support through the proposed letter of intent with Washtenaw County. Ms. Myszke stated that not enough investigation was done to designate the Ellsworth site as the only viable site for the shelter, and objected to the proposed letter of intent which treats the tentative site as if it has already been designated for a homeless facility. She expressed concern that the needs and desires of the adjacent communities and the homeless have been neglected in this process.

ROBERT KLINGLER - INCOME TAX STUDY / HOMELESS SHELTER

Robert Klingler, 11 Metroview Ct., requested that another public hearing be held on the city income tax issue because it was not adequately discussed. Mr. Klingler stated that he supports a new shelter facility, but has reservations about the proposed Ellsworth Road site. He expressed concern with inadequate public input and lack of information on the shelter issue, and stated that the majority of southeast Ann Arbor residents are opposed to the current proposal.

PUBLIC HEARINGS

ARBORLAND ZONING (ORDINANCE NO. 18-97)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 5.15 acres from P (Parking District) to C3 (Fringe Commercial District), Arborland property, 3613 Washtenaw Avenue. Notice of public hearing was published May 18, 1997.

The following people appeared:

Jerold Lax, 110 Miller Ave., attorney representing the developer, requested approval of the proposed rezoning and area plan and reported that both proposals had the unanimous recommendation of the Planning Commission. Mr. Lax stated that he and representatives of the developer and the project engineer would be available for questions.

Gary Gobb, 2050 Chalmers Dr., objected to the proposal because it would significantly reduce the greenway and would reduce the road from three lanes to two lanes, which he believes is inadequate for a local collector road. Mr. Gobb stated that the City should request the full 90 feet for the greenway and road or demand funding from the developer, which could be used to improve the site=s screening.

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

ARBORLAND AREA PLAN

A public hearing was conducted on the proposed Arborland Area Plan, 36.7 acres, 3613 Washtenaw Avenue. Notice of public hearing was published May 25, 1997.

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

ANN ARBOR CAT CLINIC SITE PLAN AND LAND DIVISION

A public hearing was conducted on the proposed Cat Clinic Site Plan and Land Division, 2.14 acres, southwest corner of Packard Road and Cherry Tree Lane. Notice of public hearing was published May 25, 1997.

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

CENTRAL AVENUE STREET VACATION

A public hearing was conducted on the proposed Central Avenue Street Vacation, a portion of Central Avenue between Mason and Highlake and between Highlake and Bethlehem Cemetery. Notice of public hearing was published May 11, 1997.

The following person appeared:

Kathy Packard, 324 Highlake Ave., one of the petitioners, stated that she would be available to answer questions from Council.

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

ERIM/BLACK AND VEATCH SITE PLAN

A public hearing was conducted on the proposed ERIM/Black and Veatch Site Plan, 35.26 acres, 1968 Green Road. Notice of public hearing was published May 25, 1997.

The following person appeared:

Robert Black, 516 Spring St., representing ERIM, stated he would be available for questions. He reported that the project is the implementation of a planning process started several years ago to restore the northeast neighborhood into its proper environmental context. Mr. Black applauded ERIM for choosing to maintain its corporate headquarters within the city.

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

THE EARLE BUILDING/FRESH CREAM CAFE BUILDING REVISED SITE PLAN

A public hearing was conducted on the proposed Earle Building/Fresh Cream Cafe Building Revised Site Plan, 0.26 acre, 117, 119, 121 and 123 West Washington Street. Notice of public hearing was published May 25, 1997.

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

APPROVAL OF AGENDA**AGENDA APPROVED WITH CHANGES**

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

MOTIONS AND RESOLUTIONS

Delete: Resolution Regarding the Use of the Arboretum by the ROTC (Councilmember Hanna-Davies)

Delete: Resolution Regarding Community Participation in Developing City Service and Budget Priorities (Councilmember Lumm) (Approved 5/28/97 as a budget resolution amendment)

Add: Resolution Regarding Employee Benefits (Councilmember Lumm)

Add: Resolution Regarding the Ann Arbor Transportation Authority (AATA) (Councilmember Lumm)

Add: Resolution Establishing Competitiveness Steering Committee for Ann Arbor (Councilmember Lumm)

Add: Resolution of Intent Not to Pursue a City Income Tax (Mayor Sheldon) (Postponed May 28, 1997)

Add: Resolution Proclaiming Gay Pride Week and Commemorating the 25th Anniversary of the First Gay Pride Week in Ann Arbor (Councilmembers Daley, Carlberg and Kolb)

Add: Resolution Concerning Letter of Intent with Washtenaw County for Sheltering for the Homeless (City Administrator)

CLERK=S REPORT

Add: Petition regarding funding for public parking in the South University area - File

Add: Communication from Ron Smolarski, 114 Felch St., regarding women=s shelter at Main and Felch Streets - File

Add: Communication from Robert Frank, 910 Spring St., regarding shelter at Main and Felch Streets - File

Add: Communication from property owners and business tenants of the Fourth Ave./Ann St. neighborhood regarding the Hands-On Museum=s schoolbus staging - File

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF MAY 12, 1997 APPROVED

Councilmember Lumm moved that the budget working session minutes of May 12, 1997 be approved as presented.

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-212-6-97 APPROVED

RESOLUTION TO APPROVE AWARD OF CONSTRUCTION CONTRACT TO LANZO LINING SERVICES, INC. FOR SIGNOR POND SANITARY SEWER REPAIRS - BID NO. 3045

Whereas, Approximately 300 feet of 1930's sanitary sewer pipe, including the aerial crossing of Signor Pond, must be lined to maintain reliable service and to prevent potential environmental damage to the Huron River;

Whereas, The lowest qualified bid of \$81,818.00 was received in response to Bid No. 3045 and is recommended for award of the contract by the Water Utilities Department; and

Whereas, On May 20, 1997, the Human Rights Department approved Lanzo Lining Services, Inc.;

RESOLVED, That Council accept the bid of Lanzo Lining Services, Inc. for Signor Pond sanitary sewer repairs at a cost not to exceed \$81,818.00, to be funded

from the FY 1996/97 Sewage Disposal System, Field Services Operations and Maintenance Budget;

RESOLVED, That Council approve a \$100,000.00 project budget for the life of project without regard to fiscal year, comprised of the construction contract cost of \$81,818.00 and a contingency of \$18,182.00 to finance change orders approved by the City Administrator; and

RESOLVED, That Council authorize the Mayor and City Clerk to sign a contract, approved as to form by the City Attorney, in the amount of \$81,818.00 with Lanzo Lining Services, Inc.

R-213-6-97 APPROVED

**RESOLUTION NO. 1 - PREPARE PLANS
AND SPECIFICATIONS FOR WALL STREET STORM
SEWER SPECIAL ASSESSMENT PROJECT**

Whereas, Council deems it necessary to acquire and construct the following improvement:

Wall Street Storm Sewer; District No. 74; File No. 93029;
described as Wall Street - Install storm sewer from
Broadway Street to Maiden Lane;

RESOLVED, That:

1. The City Administrator be directed to have prepared plans and specifications for said improvement project, and an estimate of the cost thereof;
2. The City Administrator be directed to file a report of same with the City Clerk, including a recommendation as to what proportion of the cost should be paid by special assessment and what part, if any, should be a general obligation of the City, the number of installments in which the assessments may be paid, and the land which should be included in the special assessment district;
3. The City Clerk shall present said report to the Council and make it available for public examination;
4. The sum of \$10,000.00 be appropriated for the planning and design of said project, such sum being advanced from the Street Millage fund pending the sale of appropriate bonds;
5. Any unspent portion of said sum is re-appropriated and re-advanced as above for said project for succeeding fiscal years until bonds are sold and the Street

Millage fund reimbursed, or until said project is officially closed; and

6. Council declare its intent to issue bonds to pay all or part of the cost of such improvement project, funding reserves, paying for credit enhancement, and the cost of issuance of such bonds (either initially or ultimately), provided that such bonds are issued in conformity with applicable State statutes and all documents, provisions, and details pertaining to such bonds are acceptable to and approved by this Council and provided, further, that such bonds can be sold.

R-214-6-97 APPROVED

**RESOLUTION TO APPROVE HOUSING AFFORDABILITY
AGREEMENT WITH WASHTENAW AFFORDABLE HOUSING
CORPORATION REGARDING 3544 OAKWOOD STREET**

Whereas, An application was received in May, 1997 from Washtenaw Affordable Housing Corporation for financial assistance to be used for the acquisition of property located at 3544 Oakwood to be used as affordable housing for a very low income family;

Whereas, From the total estimated project cost of \$87,200.00, WAHC will be leveraging funds from the Michigan Housing Trust Fund and Local Initiatives Support Corporation;

Whereas, The Housing Policy Board, at its meeting on May 21, 1997, recommended City Council approval of \$34,700.00 of Community Development block Grant funds for the project;

Whereas, WAHC agrees to resolve conditions relating to obtaining an appraisal and contractor=s inspection which support the asking price, pursuing homeownership options with tenants in order to sell the property within 5 years to a qualified family; and

Whereas, Human Rights approval was received for the contractor in March, 17,1997;

RESOLVED, That City Council approve the Housing Affordability Agreement in the amount of \$34,700.00 of Community Development Block Grant Funds as a 3% interest, deferred payment loan to be repaid within five years when the property is converted to homeownership; and

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

R-215-6-97 APPROVED

**RESOLUTION TO APPROVE RENEWAL OF
HUMAN RESOURCES MANAGEMENT SYSTEM (HRMS)
SOFTWARE MAINTENANCE CONTRACT**

Whereas, The Information Services Division of the Administrative Services Department wishes to renew the Human Resources Management System (HRMS) software maintenance contract with Integral Systems;

Whereas, Integral Systems is the sole vendor for the HRMS software maintenance;

Whereas, Integral Systems was approved by the Human Resources Department on May 23, 1997; and

Whereas, Funds for the HRMS software maintenance is provided in the Information Services Division of the Administrative Services Department budget for fiscal year 1997;

RESOLVED, That the City Administrator be authorized to issue a purchase order to Integral Systems for the sum of \$27,198.00 for software maintenance.

R-216-6-97 APPROVED

**RESOLUTION TO TRANSFER DELINQUENT ALARM
FEES TO THE 1997 CITY TAX ROLL**

Whereas, There are unpaid charges for alarm related fees to properties within the City which were unpaid on December 31, 1996;

Whereas, City Council did, on December 9, 1974, resolve that notice be given by first class mail to the owner of such properties of the amount due, and that Council did intend that such amount would be assessed against such properties as a special assessment unless paid on or before April 1, 1997;

Whereas, The City Clerk has on file a list of such presently unpaid charges, a copy of which is incorporated as "Schedule A"; and

Whereas, Notice has been sent to all owners of property affected by such delinquent alarm related fees, in accordance with the Council resolution of December 9, 1974, to advise said property owners of the impending assessment;

RESOLVED, That the City Clerk shall forthwith certify to the City Assessor such unpaid charges and the names of owners of the premise so served; and

RESOLVED, That such charges be levied as special assessments against such owners and premises according to "Schedule A" together with an additional penalty charge of 10% of the total unpaid, as provided in Section 1:292 of the Ann Arbor City Code, and that the City Assessor shall place the same on the next tax roll of the City and that such charges be collected in the same manner as general City taxes.

R-217-6-97 APPROVED

**RESOLUTION ORDERING CREDIT ON ASSESSMENT
FOR LONGSHORE DRIVE WATER MAIN SPECIAL
ASSESSMENT PROJECT**

Whereas, The special assessment roll for Long Shore Drive Water Main, being District Number 95071, File Number 95071, was confirmed by Council on December 19, 1995 in the amount of \$28,290.21;

Whereas, The final cost of this project, as distributed between city share and property share, has fixed the final property share as amounting to \$25,326.86; and

Whereas, The assessment thus levied proved to be larger than necessary to defray the cost of the improvement;

RESOLVED, That such excess, in accordance with section 1:301 of the City Code, in the amount of \$2,964.05, be applied to the unpaid installments of said special assessment against each lot or parcel of land; and

RESOLVED, That any amount of such excess as to any lot or parcel of land which cannot be applied as aforesaid be refunded in cash to the person, persons, or corporation who previously paid said assessment in full.

DISTRIBUTION OF FINAL COST

		<u>Preliminary</u> <u>Estimate</u>	<u>Final Cost</u>
09-20-102-003	Ferguson, D.H. & D.S. 1301 Prescott Ann Arbor, MI 48103	\$ 9,681.55	\$ 8,667.21

09-20-102-004	Wilcox, Donald & Reona 903 Spring Street Ann Arbor, MI 48103	\$ 9,398.65	\$ 8,413.95
09-20-400-008	Kojiro, Christopher & K. 355 Kellogg Street Ann Arbor, MI 48105	\$ 9,210.71	\$ 8,245.70
	TOTAL PROPERTY SHARE	\$ 28,290.91	\$ 25,326.86

R-218-6-97 APPROVED

**RESOLUTION TO DENY TRANSFER OWNERSHIP OF
A 1996 CLASS C LIQUOR LICENSED BUSINESS LOCATED AT
421 EAST LIBERTY STREET - D.B.A. THE LAMPLIGHTER**

RESOLVED, That the request from The Lamplighter, Inc. to transfer ownership of a 1996 Class C licensed business, located at 421 East Liberty Street, Ann Arbor, MI 48104, Washtenaw County, from Dino=s Lamplighter, Inc. (d.b.a. The Lamplighter), be denied.

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

ORDINANCES - SECOND READING

18-97 APPROVED

ARBORLAND 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 5.15 acres, located at 3613 Washtenaw Avenue, from P (Parking District) to C3 (Fringe Commercial District).

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

On roll call the vote was as follows:

Yeas, Councilmembers Vereen-Dixon, Lumm, Kwan, Carlberg, Herrell, Kolb, Mayor Sheldon, 7;

Nays, Councilmembers Daley, Hanna-Davies, 2.

The Mayor declared the motion carried.

25-97 APPROVED

CITY ADMINISTRATOR APPROVAL OF PURCHASE ORDERS

An Ordinance to Amend Section 1:311 of Chapter 14

of Title I of the Code of the City of Ann Arbor

This ordinance would allow purchase orders in excess of \$5,000.00 to be approved by the City Administrator or his/her authorized representative.

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

On a voice vote the Mayor declared the motion carried.

ORDINANCES - FIRST READING

26-97 APPROVED

REVISION TO FAIRFAX CENTER
PRELIMINARY AND FINAL PHASE PUD REZONING

An Ordinance to Correct the Property Description in
Ordinance No. 83-92, Entitled AFairfax
Center Revised PUD≅,
by Amending that Ordinance

This ordinance would correct the property description in Ordinance No. 83-92, entitled AFairfax Center Revised PUD≅, which, as a result of a drafting error, described 11.20 acres instead of a 2.71 acre portion of the 11.20 acres.

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

On a voice vote the Mayor declared the motion carried.

27-97 APPROVED

**PURCHASE, POSSESSION OR CONSUMPTION
OF LIQUOR BY MINORS**

**An Ordinance to Amend Sections 9:74, 9:81, 9:82 and 9:84 of
Chapter 109 of Title IX of the Code of the City of Ann Arbor**

This ordinance would bring the City Code into compliance with the Michigan Liquor Control Act by making the purchase, possession or consumption of liquor by minors, as well as attempts to commit each of these crimes, offenses punishable as misdemeanors.

Councilmember Hanna-Davies moved that the ordinance be approved at first reading.

Council unanimously agreed that a public hearing be scheduled on the proposed ordinance prior to second reading.

The question being the ordinance as presented, on a voice vote the Mayor declared the motion carried.

28-97 APPROVED AS AMENDED

NONDISCRIMINATION BY CITY CONTRACTORS

**An Ordinance to Amend Section 9:161 of Chapter 112
of Title IX of the Code of the City of Ann Arbor**

This ordinance would clarify the City Administrator=s responsibility in enforcing the ordinance, increase the minimum dollar amount of a purchase subject to contract compliance guidelines, and extend the duration of the review process from semi annual to annual for all vendors except construction contracts.

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

Council unanimously agreed that paragraph (6) of Section 9:161 be further amended as follows:

- (6) All City contracts shall provide further that breach of the obligation ~~<to take affirmative action>~~ **NOT TO DISCRIMINATE** shall be a material breach of the contract...

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

29-97 APPROVED

PURCHASING PROCEDURES

An Ordinance to Amend Sections 1:312 and 1:321 of Chapter 14 of Title 1 of the Code of the City of Ann Arbor

This ordinance would change the bid procedure to eliminate verbal solicitations language and replace it with the procedures adopted by administrative policy, would clarify the City Administrator=s authority to approve the purchase of goods and services where the total amount does not exceed \$25,000.00, and would recognize the City Administrator=s right to designate another person to authorize purchase orders that do not exceed \$25,000.00.

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

On a voice vote the Mayor declared the motion carried.

30-97 APPROVED

TRAFFIC

An Ordinance to Amend Sections 10:7, 10:80, 10:84, 10:128, 10:129, 10:130, 10:131, 10:133, 10:135, 10:149 and 10:154, to Delete Sections 10:79(2), 10:131 and 10:156(6), to Renumber Sections 10:79 and 10:156, and to Add Section 10:156(1) of Chapter 126 of Title X of the Code of the City of Ann Arbor

This ordinance would bring the city code into conformity with the state motor vehicle code and the state penal code.

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

On a voice vote the Mayor declared the motion carried.

MOTIONS AND RESOLUTIONS

R-219-6-97 APPROVED AS AMENDED

**RESOLUTION TO APPROVE CAT CLINIC
SITE PLAN AND LAND DIVISION**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Ann Arbor Cat Clinic Site Plan and Land Division, 2.14 acres, southwest corner of Packard Road and Cherry Tree Lane.

R-219-6-97

**RESOLUTION TO APPROVE ANN ARBOR CAT CLINIC
SITE PLAN AND LAND DIVISION**

Councilmember Daley moved that the resolution be adopted.

Councilmember Carlberg moved that the fourth paragraph of the resolution be amended as follows:

RESOLVED, That City Council approve the Ann Arbor Cat Clinic Site Plan, subject to the recording of mutual access easements and a storm sewer easement prior to the issuance of building permits, AND SUBJECT TO THE PRESERVATION OF THE EXISTING NON-INVASIVE VEGETATION SPECIES LOCATED IN THE REQUIRED REAR OPEN SPACE, EXCEPT FOR NECESSARY REMOVAL RELATED TO REQUIRED UTILITY AND LIGHTING WORK, UNTIL SUCH TIME AS THE DEFERRED PARKING SHOWN ON THE SITE PLAN MAY BE INSTALLED;

On a voice vote the Mayor declared the motion carried.

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-219-6-97

**RESOLUTION TO APPROVE CAT CLINIC
SITE PLAN AND LAND DIVISION**

Whereas, The Ann Arbor Cat Clinic has requested land division approval in order to divide the property at the southwest corner of Packard Road and Cherry

Tree Lane (Assessor's Code No. 12-11-102-029) into two separate parcels;

Whereas, The Ann Arbor Cat Clinic also has requested site plan approval in order to construct a 3,705-square foot veterinary hospital and kennel and 1,942-square foot second floor residential apartment; and

Whereas, The Ann Arbor City Planning Commission, on May 20, 1997, recommended approval of said request;

RESOLVED, That City Council approve the Ann Arbor Cat Clinic Site Plan, subject to the recording of mutual access easements and a storm sewer easement prior to the issuance of building permits, and subject to the preservation of the existing non-invasive vegetation species located in the required rear open space, except for necessary removal related to required utility and lighting work, until such time as the deferred parking shown on the site plan may be installed; and

RESOLVED, That City Council approve the Ann Arbor Cat Clinic Land Division, as described below:

Ann Arbor Cat Clinic Parcel (0.94 acres)

Land situated in the City of Ann Arbor, Washtenaw County, Michigan, to-wit: Part of the East one half of Section 11, Town 3 South, Range 6 East, Pittsfield Township (now City of Ann Arbor), Washtenaw County, Michigan, described as Commencing at the Northeast corner of Section 11; thence S 87°30'27" W 1492.61 feet along the North line of Section 11 to its intersection with the centerline of Cherry Tree Road (private); thence S 01°23'33" E 83.01 feet along said centerline of Cherry Tree Road to the South right-of-way line of Packard Road; thence continuing along the center line of Cherry Tree Road S 01°23'33" E 5.02 feet to a POINT OF BEGINNING; thence S 01°23'33" E 208.20 feet along said centerline of Cherry Tree Road; thence S 87°30'27" W 165.22 feet; thence N 33°22'33" W 67.76 feet; thence N 02°29'33" W 150.00 feet; thence N 87°30'27" E 204.00 feet along the proposed south line of Packard Road to the Place of Beginning, containing 0.94 acres of land, more or less, (0.78 acres net), being subject to the rights of the public over the east 33 feet thereof as occupied by Cherry Tree Road, together with and subject to easements and restrictions of record, if any.

Future Development Parcel (1.20 acres)

Land situated in the City of Ann Arbor, Washtenaw County, Michigan, to-wit: Part of East one half of Section 11, Town 3 South, Range 6 East, Pittsfield Township (now City of Ann Arbor), Washtenaw County, Michigan, described as Commencing at the Northeast corner of Section 11; thence S 87°30'27" W 1492.61 feet along the North line of Section 11 to its intersection with the centerline of Cherry Tree Road

(private); thence S 01°23'33" E 83.01 feet along said centerline of Cherry Tree Road to the South right-of-way line of Packard Road; thence continuing along the centerline of Cherry Tree Road S 01°23'33" E 5.02 feet; thence S 01°23'33" E 208.20 feet along said centerline of Cherry Tree Road; thence S 87°30'27" W 165.22 feet for a POINT OF BEGINNING; thence S 01°07'33" E 73.65 feet; thence S 89°00'35" W 181.17 feet; thence N 15°59'25" W 130.99 feet along the Easterly line of Turnberry Lane; thence along the Easterly line of Turnberry Lane 98.50 feet along the arc of a curve to the right, radius 376.26 feet, long chord bearing N 08°29'26" W 98.22 feet; thence N 00°59'25" W 52.00 feet along the Easterly line of Turnberry Lane; thence N 87°30'27" E 187.55 feet along the proposed south line of Packard Road; thence S 02°29'33" E 150.00 feet; thence S 33°22'33" E 67.76 feet to the Place of Beginning, containing 1.20 acres of land, more or less, being subject to easements and restrictions of record, if any.

R-220-6-97

RESOLUTION TO APPROVE ARBORLAND AREA PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Arborland Area Plan, 36.7 acres, 3613 Washtenaw Avenue.

Whereas, Arborland Associates Ltd. Partnership has requested area plan approval in order to raze the existing Arborland Mall and construct a new strip commercial center at 3613 Washtenaw Avenue; and

Whereas, The Ann Arbor City Planning Commission, on April 1, 1997, recommended approval of said request;

RESOLVED, That City Council approve the Arborland Mall Area Plan, subject to the following conditions: (1) that the timing of the conveyance to the City of the public right-of-way proposed by the petitioner on the west side of the site and the allowance of parking in the proposed right-of-way prior to construction of a public road be addressed in an agreement during site plan review, and (2) that parking stalls south of Retail Buildings F and G be reconfigured prior to site plan approval.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-221-6-97 APPROVED**RESOLUTION TO APPROVE CENTRAL AVENUE
STREET VACATION**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Central Avenue Street Vacation, a portion of Central Avenue from Mason to Highlake and from Highlake to Bethlehem Cemetery.

Whereas, Richard and Linda Hennigar, Kathleen Packard, and Eric and Andrea Olson have requested that a portion of Central Avenue be vacated for public street purposes;

Whereas, The Ann Arbor City Planning Commission, at its meeting of April 15, 1997, recommended approval of said request; and

Whereas, The Ann Arbor City Council, on May 5, 1997, approved a resolution of intent to vacate this street and held a public hearing on the matter on June 2, 1997;

RESOLVED, That City Council approve the vacation of a portion of Central Avenue, described below:

Parcel 1

Beginning at the southwest corner of Lot 62, Lake Wood Subdivision as recorded in Liber 6 of Plats, Page 12, Washtenaw County Records; thence southerly along the westerly line of said Lot 62 extended 25.00 feet to the southerly line of Central Avenue; thence easterly along the southerly line of said Central Avenue, 150 feet to a point on the easterly line of said Lot 62 extended; thence northerly 25.00 feet along said easterly line of Lot 62 extended, to the southeast corner of said Lot 62; thence westerly along southerly line of said Lot 62, 150 feet to the southwest corner of said Lot 62, and the place of beginning. Said parcel being a part of the northeast 1/4 of Section 25, T2S, R5E, City of Ann Arbor, Washtenaw County, Michigan, and containing 0.086 acres of land, more or less.

Parcel 2

Commencing at the southeast corner of Lot 23, Lake Wood Subdivision as recorded in Liber 6 of Plats, Page 12, Washtenaw County Records; thence westerly along the southerly line of said Lot 23, 10.00 feet to the place of beginning; thence continuing westerly along the southerly line of said Lot 23, 135 feet to the southwest corner of said Lot 23; thence southerly along the westerly line of said Lot 23 extended 25.00 feet to the southerly line of Central Avenue; thence easterly along the southerly line of said Central Avenue 135 feet; thence northerly 25.00 feet parallel to the westerly line of Highlake Avenue to the place of beginning. Said parcel being a part of the northeast 1/4 of Section 25, T2S, R5E, City of Ann Arbor, Washtenaw County, Michigan and containing 0.078 acres of land, more or less.

Parcel 3

Commencing at the southwest corner of Lot 22, Lake Wood Subdivision as recorded in Liber 6 of Plats, Page 12, Washtenaw County records; thence easterly along the southerly line of said Lot 22, 10.00 feet to the place of beginning; thence continuing easterly along the southerly line of said Lot 22, 140 feet to the southeast corner of said Lot 22; thence southerly along the easterly line of said Lot 22 extended 25.00 feet to the southerly line of Central Avenue; thence westerly along the southerly line of said Central Avenue, 140 feet; thence northerly 25.00 feet parallel to the easterly line of Highlake Avenue to the place of beginning. Said parcel being a part of the northeast 1/4 of Section 25, T2S, R5E, Washtenaw County, Michigan, and containing 0.080 acres of land, more or less.

RESOLVED, That a portion of the right-of-way adjacent to Highlake Avenue be retained to provide a $\Delta T \cong$ turn-around; and

RESOLVED, That a certified copy of this resolution be recorded at the

Washtenaw County Register of Deeds Office following approval of this resolution.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-222-6-97 APPROVED

**RESOLUTION TO APPROVE ERIM/BLACK AND VEATCH
SITE PLAN AND SITE DEVELOPMENT AGREEMENT**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed ERIM/Black and Veatch Site Plan and Site Development Agreement, 35.26 acres, 1968 Green Road.

Whereas, ERIM, Incorporated has requested site plan approval in order to construct a three-story, 88,255-square foot multiple-tenant office building at 1968 Green Road;

Whereas, A site development agreement has been prepared addressing traffic improvements, public utilities, public utilities easements, and parking; and

Whereas, The Ann Arbor City Planning Commission, on May 20, 1997, recommended approval of said request;

RESOLVED, That City Council approve the site development agreement, substantially in the form of that attached, dated May 23, 1997; and

RESOLVED, That City Council approve the ERIM/Black and Veatch Site Plan, upon the conditions that (1) the Site Development Agreement is signed by all necessary parties; and (2) all terms of the Site Development Agreement are satisfied.

Councilmember Vereen-Dixon moved that the resolution be adopted.

Council unanimously agreed with Councilmember Kwan's request that he be allowed to abstain from the vote.

The question being the resolution as presented, on a voice vote the Mayor declared the motion carried, with Councilmember Kwan abstaining.

R-223-6-97 APPROVED

**RESOLUTION TO APPROVE THE EARLE BUILDING/
FRESH CREAM CAFE BUILDING REVISED SITE PLAN**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Earle Building/Fresh Cream Cafe Building Revised Site Plan, 0.26 acre, 117, 119, 121 and 123 West Washington Street.

Whereas, Cooperative Investments has requested site plan approval in order to construct an addition and an expansion project at 117, 119, 121 and 123 West Washington Street; and

Whereas, The Ann Arbor City Planning Commission, on May 20, 1997, recommended approval of said request, subject to combination of the lots prior to issuance of building permits;

RESOLVED, That City Council approve The Earle Building/Fresh Cream Cafe Building Revised Site Plan, subject to combination of the lots prior to issuance of building permits; and

RESOLVED, That the Building Department shall not issue building permits until the lots have been combined.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-224-6-97 APPROVED

RESOLUTION TO APPROVE WEST ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed West Annexation, 0.28 acre, 3147 Cherry Tree Lane.

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

Whereas, David West and Susan Schrock-West are the owners of said property; and

Whereas, It is the desire of David West and Susan Schrock-West to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

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

Commencing at an iron pipe marking the NE corner of Section 11, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan; thence S 88°33'00" W 1324.52 feet; thence S 0°04'50" W 828.19 feet to an iron pipe for the PLACE OF BEGINNING; thence continuing S 00°04'50" W 75.00 feet to an iron pipe; thence S 89°39'00" W 164.24 feet; thence N 00°21'00" W 75.00 feet; thence N 89°39'00" E 164.55 feet to the Place of Beginning, being a parcel of land in the E 1/2 of the W 1/2 of the NE 1/4 of Section 11, T3S, R6E, Washtenaw County Records.

Councilmember Lumm moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-225-6-97 APPROVED

**RESOLUTION TO AUTHORIZE REAPPROPRIATION
OF FUNDS FOR TRAINING AND CONSULTING TO
FISCAL YEAR 1997-1998**

Whereas, It is acknowledged that consulting assistance to the Planning Department is important to help the department complete several research and ordinance revision tasks in its work program;

Whereas, It is important to train department staff to maximize use of technology tools in order to increase productivity and efficiency; and

Whereas, Scheduling, staffing and unanticipated workloads have prevented the Planning Department from fully utilizing the funds provided for achieving the work program tasks and computer training planned for FY 1996-97;

RESOLVED, That City Council authorize funds in the amount of \$8,000.00, and that the funds be reappropriated to Planning Department account number 010-050-0110-2700 for Fiscal Year 1997-98 to enable the department to complete the consultant selection process; and

RESOLVED, That City Council authorize funds in the amount of \$2,625.00, and that the funds be reappropriated in the Technology Challenge account number 010-019-0190-2700 for Fiscal Year 1997-98 to enable the Planning Department to complete scheduled computer training.

Councilmember Vereen-Dixon moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-226-6-97 APPROVED AS CORRECTED

**RESOLUTION TO APPROVE FISCAL YEAR 1997-1998
ALLOCATIONS TO NONPROFIT AGENCIES FOR HOUSING,
HUMAN SERVICES AND ECONOMIC DEVELOPMENT SERVICES**

A resolution to approve fiscal year 1997-1998 allocations to nonprofit agencies for housing, human services and economic development services was considered.

Councilmember Hanna-Davies moved that the resolution be adopted.

Council unanimously agreed with the following requests from Councilmembers to abstain from the vote on specific allocations:

Councilmember Daley - Trailblazers of Washtenaw, Inc.;
Councilmember Vereen-Dixon - Arrowwood Hills Cooperative;
Councilmember Kwan - Ann Arbor YMCA;
Councilmember Lumm - Child and Family Services; and
Councilmember Carlberg - Washtenaw Affordable Housing Corporation.

Council unanimously agreed that the question be divided and that separate votes be taken on the allocations to Trailblazers of Washtenaw, Inc., Arrowwood Hills Cooperative, Ann Arbor YMCA, Child and Family Services, and Washtenaw Affordable Housing Corporation.

The question being the proposed allocation to Trailblazers of Washtenaw, Inc., on a voice vote the Mayor declared the motion carried, with Councilmember Daley abstaining.

The question being the proposed allocation to Arrowwood Hills Cooperative, on a voice vote the Mayor declared the motion carried, with Councilmember Vereen-Dixon abstaining.

The question being the proposed allocation to the Ann Arbor YMCA, on a voice vote the Mayor declared the motion carried, with Councilmember Kwan dissenting.

The question being the proposed allocation to Child and Family Services, on a voice vote the Mayor declared the motion carried, with Councilmember Lumm abstaining.

The question being the proposed allocation to Washtenaw Affordable Housing Corporation, on a voice vote the Mayor declared the motion carried, with Councilmember Carlberg abstaining.

Council unanimously agreed to correct the following allocation:

Interfaith Hospitality Network <~~\$6,2500~~> \$6,250

The question being the remaining allocations with the above correction, on a voice vote the Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-226-6-97

**RESOLUTION TO APPROVE FISCAL YEAR 1997-1998
 ALLOCATIONS TO NONPROFIT AGENCIES FOR HOUSING,
 HUMAN SERVICES AND ECONOMIC DEVELOPMENT SERVICES**

Whereas, The Human Services Task Force has recommended the allocation

of \$904,000 in general funds and \$4,000 in drug forfeiture funds from the drug enforcement fund to the following organizations for Fiscal Year 1997/98; and

Whereas, The Human Resources Department has reviewed and approved these contractors as of May, 1997;

RESOLVED, That the Mayor and City Council approve the allocations to the nonprofit agencies as listed and authorize the Community Development Department, to negotiate contractual agreements either directly with the agencies or with outside organizations acting as fiduciaries in accordance with the City's purchasing procedures:

Academy for African-American Students	\$9,500
Ann Arbor Community Center (Includes \$4,000 in Drug Forfeiture Funds)	28,000
Ann Arbor Community Development Corporation	13,000
Ann Arbor Hunger Coalition	5,500
Ann Arbor Public Schools	1,750
Ann Arbor Tenants Union	3,000
Arrowwood Hills Cooperative - Includes Tenant Services and Housing Rehabilitation	49,000
Assault Crisis Center	4,500
Avalon Housing, Inc.	1,000
Bryant Community Center (Parks & Recreation Dept.)	8,000
Catholic Social Services including funds for RSVP, WCCOA, ADA & food	40,400
Center for Occupational & Personalized Education	20,000
Child & Family Services/Huron Services for Youth	46,800
Community Action Network	46,000
Community Leaning Post	7,750
Corner Health Center	10,000
Domestic Violence Project	40,000
Fair Housing Center of Washtenaw	6,000
Food Gatherers, Inc. Including funds for Food Bank and Food Rescues	31,000
Second Baptist Church-Human Services	<u>4,000</u>
	35,000
Father Pat Jackson House, Inc.	8,500
HIV/AIDS Resource Center	10,000
Housing Bureau for Seniors Homeshare and Foreclosure Prevention Services	33,000
Motor Meals of Ann Arbor, Inc.	<u>5,500</u>
	38,500
Options Center, Inc.	28,000
Ozone House, Inc.	32,000
Packard Community Clinic	30,000

Peace Neighborhood Center	24,000
Pinelake Village Cooperative	24,000
Salvation Army	19,950
Shelter Association of Washtenaw	126,000
St. Andrew=s Breakfast Program	8,000
Student Advocacy Center of Michigan	16,750
Trailblazers of Washtenaw, Inc.	
Clubhouse Services	18,000
Washtenaw Affordable Housing Corp.(Homebuyer Program)	10,000
Washtenaw Development Council	38,000
Washtenaw Interventions	14,250
Washtenaw Literacy	2,500

RESOLVED, That the Mayor and City Council approve allocations to the agencies as listed from the nondepartmental budget AYouth Challenge Program:≡

Ann Arbor Art Center - StART Work Program	18,400
Ann Arbor Public Schools - Teen Enrichment Program	11,000
Ann Arbor YMCA - Youth Volunteer Corp.	5,100
Community Action Network	
Neighborhood Coalition of Southeast Ann Arbor	\$35,500
Total	<u>\$908,000</u>

RESOLVED, That all projects (except the Washtenaw Development Council) give priority to very low income households and that performance be monitored by the Community Development Department.

R-227-6-97 APPROVED

**RESOLUTION TO APPROVE APPROPRIATIONS TO
THE GENERAL DEBT SERVICE FUNDS**

Whereas, Three bond/other debt issues were approved after the 1996-97 General Debt Service Fund budget was passed by Council;

Whereas, The principal and interest requirements on these issues are chargeable to the General Debt Service Funds budget; and

Whereas, These requirements will be covered primarily by transfers from other funds/accounts, as well as by the use of prior fund balance and by other sources of revenue;

RESOLVED, That City Council approve the following revised budget for the

1996-97 General Debt Service Funds:

<p>Sources of funds:</p> <p>Balance</p> <p>\$175,130</p>	<p>\$145,496</p> <p>18,736</p> <p>2,199</p> <p>1,754</p> <p><u>1,249</u></p>	<p>Transfers From General Fund & Major Special Assessment Debt Service/Prior Fund 5,696 Other Revenue Transfer From Retirement Fund Taxes Other Debt Service/Prior Fund Balance</p>
<p>Uses of funds:</p>	<p>\$112,412</p> <p>53,914</p> <p>5,018</p> <p>3,320</p> <p>266</p> <p><u>200</u></p> <p>\$175,130</p>	<p>Principal Interest Contractual/Professional Services Tax Refunds Advertising Paying Agent Fees</p>

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-228-6-97 APPROVED

**RESOLUTION TO APPROVE CONTRACT WITH
CORBY ENERGY SERVICES, INC. AND TO ESTABLISH
A PROJECT BUDGET FOR THE KERRYTOWN
STREETLIGHTING PROJECT - BID NO. 3033**

Whereas, On September 14, 1995, the DDA Board authorized the allocation of \$175,000 in funds for the design and construction of new streetlights along Detroit Street, Fifth Avenue, the south side of Kingsley Street, and the north side of Catherine Street, all consistent with the DDA Master Plan;

Whereas, On August 8, 1996 the DDA Board approved the issuance of a purchase order in the not-to-exceed amount of \$90,000 for the purchase of the streetlights;

Whereas, On January 8, 1997, Council authorized the issuance of a purchase order to Union Metal Corporation in the amount of \$71,390 for the purchase of the streetlights;

Whereas, Competitive bids were received by the Purchasing Division on May 7, 1997, for the installation of said lights, and Corby Energy Services, Inc. was the lowest responsible bidder at \$85,370;

Whereas, On May 8, 1997, the DDA Board approved the contract with Corby Energy Services, Inc., and authorized funding for the project;

Whereas, Funding for this project is available from the DDA Operating Budget (Fund 003); and

Whereas, The Human Resources Department has, on May 15, 1997, approved Corby Energy Services, Inc. to do business with the City;

RESOLVED, That City Council approve a contract, per Bid No. 3033, with Corby Energy Services, Inc. in the amount of \$85,370 for the installation of streetlights around the Kerrytown Historic District, and that the Mayor and City Clerk be authorized to sign the agreement substantially in the form on file with the City Clerk;

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

Section I, Revenue

\$ 71,390	Previously appropriated from the DDA Operating Budget (Fund 003) by Council Resolution No. R-4-1-97
<u>127,610</u>	Appropriated from the DDA Operating Budget (Fund 003)
\$199,000	TOTAL

Section II, Expense

\$157,000	Construction
15,000	Design Engineering
8,000	Construction Engineering
7,000	Testing, Consulting, and Professional Services
<u>12,000</u>	Contingencies approved by the City Administrator
\$199,000	TOTAL; and

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

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-229-6-97 APPROVED

**RESOLUTION TO APPROVE TRANSFER OF
EXPENDITURES FROM THE LOCAL STREET FUND
TO THE MAJOR STREET FUND**

Whereas, On April 15, 1996, Council approved resolutions R-167-4-96, R-168-4-96, and R-166-4-96 that authorized contracts for crack sealing, microsurfacing, slurry and cape sealing to extend the life of the roadway;

Whereas, Funds were allocated in the Public Services Department Major and Local Streets budget;

Whereas, The contractor completed more work last construction season than was anticipated and will be able to do the same amount this construction season;

Whereas, There are sufficient funds in the Major Street budget to complete the scheduled work;

Whereas, There are not sufficient funds in the Local Street budget to complete the scheduled work; and

Whereas, In order to prevent an overrun in the Local Street fund, the Public Services Department proposes that up to \$50,000 of Transportation=s Local Street Fund fringe benefit expenditures be shifted and charged to the Major Street Fund;

RESOLVED, That Mayor and City Council approve that up to \$50,000 of expenditures of the Local Street Fund be charged to the Major Street Fund.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-230-6-97 APPROVED

RESOLUTION TO APPROVE PURCHASE OF 25-YARD REFUSE COMPACTOR BODY FROM REFUSE AND RECYCLING, INC.

Whereas, A replacement Lodal 25 yard frontload refuse compactor body is needed by the Public Services Department=s Fleet Services Division for a truck repair;

Whereas, Refuse and Recycling, Inc. is the regional Lodal distributor and sole source supplier of Lodal refuse trucks and parts;

Whereas, Without this purchase, the City of Ann Arbor will have to purchase a new truck for substantially more money; and

Whereas, Refuse and Recycling, Inc. received Human Resources approval on March 18, 1997;

RESOLVED, That City Council approve the issuance of a purchase order to Refuse & Recycling, Inc. for the purchase of a replacement 25 yard frontload refuse compactor body for \$28,209.00, and appropriate \$28,209.00 from Public Services General Fund Budget, to be available without regard to fiscal year.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-231-6-97 APPROVED

**RESOLUTION TO APPROVE CONTRACT WITH
DUNN ELECTRIC COMPANY FOR REPLACEMENT OF
EMERGENCY GENERATOR FOR GUY C. LARCOM, JR.
MUNICIPAL BUILDING - BID NO. 3041**

Whereas, The City is in need of replacing the emergency generator at the Guy C. Larcom, Jr. Municipal Building;

Whereas, The replacement generator will provide electricity for the basement plus add protection for the Information Services and Police Computing Centers;

Whereas, Bid No. 3041 was released on April 18, 1997, and one bid response was received:

<u>Time</u>	<u>90 Days</u>	<u>Extended</u>	<u>Installation</u>
Dunn Electric Company	\$64,519.00	\$59,126.00	

Whereas, The earliest possible installation date for this project is August due to a 60 day delivery time for the new generator;

Whereas, Staff recommends that the City accept the alternate for the extended installation time which will delay installation until October and reduce the cost to the City by \$5,393.00;

Whereas, Dunn Electric has received Human Rights approval from the Human Resources Department on May 22, 1997; and

Whereas, Funding for the project was budgeted for in Fiscal Year 1996-97 from the Administrative Services Department Facilities Management Budget;

RESOLVED, That City Council approve a contract, per Bid No. 3041, with

Dunn Electric in the amount of \$59,126.00 for replacing the emergency generator at the Guy C. Larcom, Jr. Municipal Building., and that the Mayor and City Clerk be authorized to sign the agreement substantially in the form on file with the City Clerk;

RESOLVED, That City Council approve a construction contingency in the amount of \$5,910.00 (10%) to cover potential contract change orders, to be approved by the City Administrator, and approve a total project budget of \$65,036.00 for the life of the project; and

RESOLVED, That the funds for this project be re-appropriated into Fiscal Year 1997-98.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-232-6-97 APPROVED

**RESOLUTION TO CARRY OVER PLANNING STUDY
FUNDING FROM FISCAL YEAR 1996-1997 BUDGET TO
FISCAL YEAR 1997-1998 FIRE DEPARTMENT BUDGET**

Whereas, The Fire Department budgeted \$25,000.00 in line item 010-032-0110-2110 in Fiscal Year 1996-1997;

Whereas, This funding was allocated with the intent to determine the need to relocate Fire Station No. 5 to address current customer service demands; and

Whereas, This study was unable to be accomplished this fiscal year due to personnel shortages in the Planning Department;

RESOLVED, That City Council approve the carry over of the funding budgeted in Fiscal Year 1996-1997 to Fiscal Year 1997-1998 to allow this study to be accomplished.

Councilmember Vereen-Dixon moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-233-6-97 APPROVED

**RESOLUTION TO APPROPRIATE REVENUES FOR
FISCAL YEAR 1996-97 LESLIE SCIENCE CENTER BUDGET**

Whereas, The Leslie Science Center is operated with revenues from fees and charges and interest income from the Leslie Science Center Trust;

Whereas, The revenues and expenditures for the 1996-97 fiscal year will be \$20,000.00 over the budgeted amounts; and

Whereas; The Department of Parks and Recreation estimates these additional revenues will be necessary to cover the expenses for the 1996-97 fiscal year;

RESOLVED, That the Mayor and City Council approve the resolution to appropriate the \$22,000 in additional revenues to be used as expenditures for the remainder of the fiscal year.

Councilmember Vereen-Dixon moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-234-6-97 APPROVED

RESOLUTION TO EMPOWER THE ANN ARBOR HOUSING COMMISSION TO ACT AS A BORROWER UNDER THE PROVISIONS OF PUBLIC ACT 18

Whereas, Public Act (PA) 18 now defines a Borrower to mean either the city or the commission created under this act;

Whereas, Under Public Act 18 (125.666, Sec. 16 (1)) any borrower is authorized to adopt or enact an ordinance or ordinances (if a city), or a resolution or resolutions (if a commission), providing for the issuance and sale of revenue bonds as stated in PA18, in a manner as provided by law and/or expressly provided for by the act;

Whereas, Obligations may be issued under this act may include a housing project to be purchased or developed by a nonprofit entity and proceeds of said obligations may be used to defray the cost of purchasing, acquiring, constructing, improving, enlarging, extending, or repairing a housing project; and

Whereas, Under the stated purposes detailed above from Public Act 18 (125.667 Sec. 17. (1-8)), any borrower may borrow money and issue revenue bonds; all bonds and notes issued under this act, the interest on the bonds and notes, and their transfer are exempt from all taxation by the state or any of its political subdivision; payment of principal and interest shall be from revenue derived from the operation of the housing project; bonds issued pursuant to this act shall not constitute an indebtedness of a borrower within the meaning of state constitutional provisions or statutory limitations; and any borrower may also issue refunding bonds to refund any bonds previously issued by it or its incorporating unit or by a public housing agency;

RESOLVED, That the City Council authorize the drafting of an ordinance for consideration that would empower the Ann Arbor Housing Commission to act as a Borrower as defined within Public Act 18.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-235-6-97 APPROVED

**RESOLUTION TO AUTHORIZE INSTALLATION OF
UNDERGROUND PRIVATE COMMUNICATIONS CABLE IN
THE HURON PARKWAY RIGHT-OF-WAY BETWEEN
2800 PLYMOUTH ROAD AND 1600 HURON PARKWAY -
PARKE-DAVIES AND COMPANY**

Whereas, Parke-Davis and Company (AParke-Davis) owns and occupies the property located at 2800 Plymouth Road;

Whereas, Parke-Davis has recently entered into a lease with Environmental Research Institute of Michigan (AERIM) to occupy the property located at 1600 Huron Parkway;

Whereas, Parke-Davis has requested a permit to allow it to install a private communications cable between the property located at 2800 Plymouth Road and the property located at 1600 Huron Parkway, to be used for communication within and between the Parke-Davis facilities at the two locations; and

Whereas, The facilities which will be installed will not be used to provide telecommunications services, as defined in Chapter 38 of the City Code;

RESOLVED, That Parke-Davis be authorized to install a private communications cable below the surface of Huron Parkway, between the 2800 Plymouth Road site and the 1600 Huron Parkway site, crossing Huron Parkway approximately 10 feet south of the northern Huron Parkway entrance to the Parke-Davis property located at 2800 Plymouth Road upon the terms contained in the permit on file in the Clerk's office.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

AMENDED AND POSTPONED

RESOLUTION REGARDING EMPLOYEE BENEFITS

A resolution regarding employee benefits was considered.

Councilmember Lumm moved that the resolution be adopted.

Council unanimously agreed to amend the last paragraph of the resolution as follows:

RESOLVED, That the Administrator periodically review progress with City Council (at his discretion -- perhaps quarterly), AND THAT, WHEN KNOWN, THE ADMINISTRATOR PRESENT TO COUNCIL AN ESTIMATE OF ANY CONSULTANT OR OTHER OUTSIDE COSTS REQUIRED, ALONG WITH A LIST OF ALTERNATIVE BUDGET OFFSETS AND/OR FUNDING SOURCES FOR THESE COSTS, FROM WHICH COUNCIL CAN THEN CHOOSE/PRIORITIZE.

Councilmember Kolb moved that the resolution be postponed until a working session has been held on the issue or until the City Administrator can provide a status report on the work being done in this area.

On roll call the vote was as follows:

Yeas, Councilmembers Vereen-Dixon, Carlberg, Herrell, Kolb, Daley, Hanna-Davies, 6;

Nays, Councilmembers Lumm, Kwan, Mayor Sheldon, 3.

The Mayor declared the motion carried.

The resolution as amended and postponed reads as follows:

RESOLUTION REGARDING EMPLOYEE BENEFITS

Whereas, As evidenced by the Family Care Committee report recently presented to Council, city employees= needs for benefits vary significantly from individual to individual;

Whereas, Many private-sector companies and organizations have adopted flexible benefit, Acafeteria-style≅ programs to better meet the needs of individual employees;

Whereas, The Gabriel, Roeder, Smith and Company, actuaries, presented to Council a study on alternative methods of funding retiree health care, and that study recommended an advance funding plan to smooth the costs over time and Aenhance the security of future health insurance benefits;≅

Whereas, Benefits for employees should be evaluated in the contexts of affordability and comparative levels for similar positions in other public organizations and in the private-sector;

Whereas, The Alexander and Alexander study of Ann Arbor=s employee benefits indicated our levels were very generous, and the study included specific alternatives and recommendations;

Whereas, While some of the studies= recommendations have been adopted, many have not, and in May 1994 City Council unanimously adopted a resolution endorsing the recommendations and reconfirming Council=s objective Ato provide a competitive level of overall employee benefits and consistent benefits for union and non-union employees;≅ and

Whereas, For many city employees, wage and benefit levels are established by collective bargaining agreement and several of these agreements will be renegotiated during the next fiscal year;

RESOLVED, That during the next 12 months, the City Administrator develop a comprehensive employee benefit strategy for Ann Arbor, including (but not limited to) recommendations on:

- X a flexible benefit, Acafeteria style≅ plan for employees
- X the appropriate funding mechanism for retiree health care
- X adoption of the Alexander and Alexander study recommendations
- X ongoing funding sources (including longer-term cost projections)

X implications for upcoming collective bargaining;

and

RESOLVED, That the Administrator periodically review progress with City Council (at his discretion -- perhaps quarterly), and that, when known, the Administrator present to Council an estimate of any consultant or other outside costs required, along with a list of alternative budget offsets and/or funding sources for these costs, from which Council can then choose/prioritize.

DEFEATED

RESOLUTION REGARDING THE ANN ARBOR TRANSPORTATION AUTHORITY - AATA

Whereas, The City of Ann Arbor presently faces a structural revenue/expenditure deficit, and resolving that deficit requires periodic re-evaluation and justification of all cost elements;

Whereas, The expenditures supported by all other millages except the AATA millage re reviewed during the course of the City=s annual budget process, and other dedicated millages are periodically presented to Ann Arbor voters for renewal;

Whereas, The AATA millage approved by voters in 1973 did not contain a renewal provision or A Sunset clause,≅ and as a result the voters have not had (or will not have) the opportunity with the AATA millage that they have with other dedicated millages to reconfirm their support;

Whereas, While the AATA Board is charged with financial oversight responsibility for AATA, it is the Ann Arbor City Council that is ultimately responsible and accountable for overall expenditure and tax levels for the City, and the City Council is not provided the opportunity to impact, or even review, AATA=s expenditure budgets or millage requests; and

Whereas, For fiscal year 1997/1998, the proposed taxpayer subsidy for the AATA is \$6 million, or 14% of a resident=s City taxes;

RESOLVED, That within 60 days, the City Administrator submit to City council a report (and recommendation) evaluating a possible millage renewal referendum (not a simple yes/no renewal; rather a renewal authorizing Council to set the millage up to the 2.1505 maximum) including legal/charter implications, advantages and disadvantages, and possible ballot language. Further, the report should outline any other alternatives that would provide for greater City oversight of the AATA millage; and

RESOLVED, That should a millage renewal referendum not be supported by the City Council, then the AATA millage proposal and budget be reviewed by Council during the City=s annual budget process.

Councilmember Lumm moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Lumm, Kwan, 2;

Nays, Councilmembers Vereen-Dixon, Carlberg, Herrell, Kolb, Daley, Hanna-Davies, Mayor Sheldon, 7.

The Mayor declared the motion defeated.

POSTPONED

**RESOLUTION ESTABLISHING COMPETITIVENESS
STEERING COMMITTEE FOR ANN ARBOR**

Whereas, It is the obligation and responsibility of any city government to deliver to its residents high quality services as cost-effectively as possible;

Whereas, Increased competition between the public and private sector in determining the service deliverer provides the means and the incentives to improve quality and reduce costs;

Whereas, Many cities have successfully utilized competition to improve cost-effectiveness of service delivery and the savings accrue as often from enhanced productivity of the public entity (in response to competition) as from privatization itself;

Whereas, Other cities= successes in utilizing competition span a broad range of services -- from direct service delivery (e.g., solid waste, parking and recreation facility management) to facilities maintenance (e.g., buildings, parks, fleets), to support services (e.g., bill collection, record and database management, telecommunications); and

Whereas, Cities that have been at the forefront in increasing competition (Charlotte, Houston, Indianapolis) initially established Competitiveness Councils or Steering Committees consisting of city staff and business and community leaders. The objective of these groups was to identify areas of opportunity for increased competition;

RESOLVED, That City Council endorse the concept of public and private sector competition as a means to ensure cost-effective delivery of quality services to Ann Arbor residents;

RESOLVED, That the Administrator investigate how other cities have implemented a competitiveness model for service delivery and develop a recommendation for a Competitiveness Steering Committee for Ann Arbor. The proposal would be presented to City Council for approval within 60 days, and would include the Steering Committee=s specific objectives, its general operating framework, and specific membership; and

RESOLVED, That the Steering Committee=s mission is to identify opportunities for public/private competition in direct service delivery and for support services, and that the Committee=s membership be broad based -- including both City staff and business and entrepreneurial leaders.

Councilmember Lumm moved that the resolution be adopted.

Councilmember Lumm moved that the resolution be postponed to the July 7, 1997 regular session of Council.

On a voice vote the Mayor declared the motion carried.

R-236-6-97 APPROVED AS AMENDED

**RESOLUTION OF INTENT NOT TO PURSUE
A CITY INCOME TAX**

A resolution of intent not to pursue a city income tax was considered.

Councilmember Kwan moved that the resolution be adopted.

The Mayor declared a recess at 10:32 p.m.

The Mayor again called the meeting to order at 10:44 p.m.

Council unanimously agreed that the resolution be amended as follows:

<Whereas, ~~At the recommendation of a citizens= review panel, the Ann Arbor City Council contract for a thorough income tax study;~~>

<Whereas, ~~The City Council received a report from Professor Ned Gramlich and his class from the University of Michigan School of~~

Public Policy;>

~~<Whereas, Statistically significant information was presented;>~~

~~<Whereas, The Ann Arbor City Council also held a public forum to receive public comment in addition to that generated by other media;>~~

~~<Whereas, There is a perception that this tax shift would measurably hurt our business activity and thus the support which would sustain our quality of life;>~~

~~<Whereas, The income tax proposal has been defeated by Ann Arbor voters on two previous occasions by significant margins;>~~

~~<Whereas, The City Administrator and his financial planning team have strategically planned a course for local government which will include greater partnering with other agencies and governmental units as well as specific millage and bond proposals to maximize available resources;>~~

~~<Whereas, The lack of decision by the Council may cause anxiety within the Ann Arbor community;>~~

~~<RESOLVED, That the Ann Arbor City Council will not place an income tax proposal before the Ann Arbor voters but will work with the Administrator, staff and the community to develop a sustainable service level using existing funding mechanisms and creative problem solving approaches.>~~

WHEREAS, THE CITY COUNCIL ESTABLISHED A BUDGET REVIEW COMMITTEE THAT INCLUDED CITIZENS AND CITY STAFF TO PROVIDE RECOMMENDATIONS TO IMPROVE THE FISCAL HEALTH OF THE CITY;

WHEREAS, THE BUDGET REVIEW COMMITTEE RECOMMENDED THAT THE ANN ARBOR CITY COUNCIL CONTRACT FOR A THOROUGH CITY INCOME TAX STUDY;

WHEREAS, THE CITY COUNCIL RECEIVED THIS CITY INCOME TAX STUDY FROM DR. NED GRAMLICH AND HIS GRADUATE STUDENT RESEARCH TEAM FROM THE UNIVERSITY OF MICHIGAN SCHOOL OF PUBLIC POLICY;

WHEREAS, STATISTICALLY SIGNIFICANT INFORMATION WAS PRESENTED;

WHEREAS, THE CITY COUNCIL HELD ONE PUBLIC HEARING AND HEARD FROM BOTH PROPONENTS AND OPPONENTS OF A CITY INCOME TAX;

WHEREAS, THE CITY COUNCIL RECEIVED COMMENTS AND HEARD AT THE PUBLIC HEARING THAT THERE IS A PERCEPTION THAT THIS TAX SHIFT WOULD MEASURABLY HURT OUR BUSINESS ACTIVITY AND THUS THE SUPPORT WHICH CONTRIBUTES TO OUR QUALITY OF LIFE;

WHEREAS, TWO PARTICULAR INCOME TAX PROPOSALS HAVE BEEN DEFEATED BY ANN ARBOR VOTERS ON PREVIOUS OCCASIONS BY SIGNIFICANT MARGINS;

WHEREAS, THERE ARE NUMEROUS COMBINATIONS OF AN INCOME TAX WITH LESS THAN THE STATUTORY LIMIT OF 1% AND 1/2% AND EXEMPTIONS THAT COULD MAKE THE INCOME TAX A REVENUE NEUTRAL TAX;

WHEREAS, THE CITY COUNCIL HAS NOT RECEIVED THE POTENTIAL DIFFERENT COMBINATIONS OF TAX RATES AND EXEMPTIONS IN AN INCOME TAX PLAN WHICH THE CITY COUNCIL COULD THEN HEAR FURTHER CITIZEN INPUT ON;

WHEREAS, THE TAXABLE VALUE OF PROPERTY WITHIN THE JURISDICTION OF THE CITY OF ANN ARBOR HAS BEEN INCREASING AT LEAST AT THE RATE OF INFLATION;

WHEREAS, THE CITY OF ANN ARBOR CONTINUES TO MAINTAIN A HEALTHY FUND BALANCE IN EXCESS OF 10% OF THE GENERAL FUND;

WHEREAS, THE CITY COUNCIL ADOPTED ON APRIL 7, 1997 THE ALONG TERM FINANCIAL PLAN;≈

WHEREAS, AS LONG AS THE CURRENT ECONOMIC TRENDS CONTINUE, THE FISCAL HEALTH OF THE CITY APPEARS TO BE BOTH GOOD AND STABLE;

WHEREAS, THE CITY COUNCIL HAS SET PUBLIC POLICY AND THE CITY ADMINISTRATOR AND CITY STAFF HAVE STRATEGICALLY PLANNED A COURSE FOR LOCAL GOVERNMENT WHICH WILL INCREASE COOPERATION AND PARTICIPATION WITH OTHER GOVERNMENTAL UNITS, AGENCIES, LOCAL UNIVERSITIES AND COLLEGES, THE PRIVATE FOR-PROFIT AND NONPROFIT SECTOR, AND THE CITIZENS OF ANN ARBOR, AS WELL AS SPECIFIC MILLAGE AND BOND PROPOSALS TO MAXIMIZE AVAILABLE RESOURCES; AND

WHEREAS, THE CITY COUNCIL HAS SET FORTH PUBLIC POLICY AND THE CITY ADMINISTRATOR AND CITY STAFF HAVE EMBRACED A COURSE OF ACTION TO INCREASE EFFICIENCY AND EFFECTIVENESS OF CITY STAFF, RESOURCES AND SERVICES, AND TO PURSUE COST-SAVINGS AND EMPLOYEE PARTICIPATION IN THESE INITIATIVES;

RESOLVED, THAT THE ANN ARBOR CITY COUNCIL NOT PLACE AN INCOME TAX PROPOSAL BEFORE THE ANN ARBOR VOTERS AT THIS TIME BUT CONTINUE TO WORK WITH THE ADMINISTRATOR, STAFF, LABOR ORGANIZATIONS, AND THE

**COMMUNITY TO DEVELOP A SUSTAINABLE SERVICE LEVEL USING
APPROPRIATE FUNDING MECHANISMS AND CREATIVE PROBLEM
SOLVING APPROACHES.**

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-236-6-97

**RESOLUTION OF INTENT NOT TO PURSUE
A CITY INCOME TAX**

Whereas, the City Council established a Budget Review Committee that included citizens and City staff to provide recommendations to improve the fiscal health of the city;

Whereas, The Budget Review Committee recommended that the Ann Arbor City Council contract for a thorough city income tax study;

Whereas, The City Council received this city income tax study from Dr. Ned Gramlich and his graduate student research team from the University of Michigan School of Public Policy;

Whereas, Statistically significant information was presented;

Whereas, The City Council held one public hearing and heard from both proponents and opponents of a city income tax;

Whereas, The City Council received comments and heard at the public hearing that there is a perception that this tax shift would measurably hurt our business activity and thus the support which contributes to our quality of life;

Whereas, Two particular income tax proposals have been defeated by Ann Arbor voters on previous occasions by significant margins;

Whereas, There are numerous combinations of an income tax with less than the statutory limit of 1% and 1/2% and exemptions that could make the income tax a revenue neutral tax;

Whereas, The City Council has not received the potential different combinations of tax rates and exemptions in an income tax plan which the City Council could then hear further citizen input on;

Whereas, The taxable value of property within the jurisdiction of the City of

Ann Arbor has been increasing at least at the rate of inflation;

Whereas, The City of Ann Arbor continues to maintain a healthy fund balance in excess of 10% of the General Fund;

Whereas, The City Council adopted on April 7, 1997 the A Long Term Financial Plan;≡

Whereas, As long as the current economic trends continue, the fiscal health of the City appears to be both good and stable;

Whereas, The City Council has set public policy and the City Administrator and City staff have strategically planned a course for local government which will increase cooperation and participation with other governmental units, agencies, local universities and colleges, the private for-profit and nonprofit sector, and the citizens of Ann Arbor, as well as specific millage and bond proposals to maximize available resources; and

Whereas, The City Council has set forth public policy and the City Administrator and City staff have embraced a course of action to increase efficiency and effectiveness of City staff, resources and services, and to pursue cost-savings and employee participation in these initiatives;

RESOLVED, That the Ann Arbor City Council not place an income tax proposal before the Ann Arbor voters at this time but continue to work with the Administrator, staff, labor organizations, and the community to develop a sustainable service level using appropriate funding mechanisms and creative problem solving approaches.

POSTPONED

**RESOLUTION PROCLAIMING GAY PRIDE WEEK AND
COMMEMORATING THE 25TH ANNIVERSARY OF
THE FIRST GAY PRIDE WEEK IN ANN ARBOR**

Whereas, In June of 1969 there occurred on Christopher Street in New York City a significant and far-reaching attempt of gay and lesbian people to achieve their liberation, known as the Stonewall Uprising;

Whereas, Three years later, in 1972, the Ann Arbor City Council both added A homosexuality≡ to the protected classes in the Ann Arbor Human Rights Ordinance, and passed a resolution proclaiming Gay Pride Week 1972, the first such recognition by any municipality in the U.S.;

Whereas, 1997 marks the 28th anniversary of the Stonewall Uprising, and the 25th anniversary of Ann Arbor=s exemplary support for the liberation of gay and lesbian people as demonstrated by its Human Rights Ordinance and the proclamation of the first Gay Pride Week;

Whereas, The freedom of no person can be assured when the freedom of any person is proscribed;

Whereas, Despite many positive cultural changes, the oppression of gay and lesbian persons continues to pervade every area of our corporate life;

RESOLVED, That the Ann Arbor City Council, representing the City of Ann Arbor and its residents, recognizes the ongoing struggles of the gay and lesbian community, and congratulates them on their progress toward freedom and equality;

RESOLVED, That the Ann Arbor City Council recognize the many positive and important contributions of gay and lesbian individuals, businesses, and community organizations to our civic and community life; and

RESOLVED, That the week of June 21 through June 27, 1997 be proclaimed Gay Pride Week 1997, commemorating the 25th anniversary of Ann Arbor=s first Gay Pride Week, and offering recognition and support to our gay and lesbian family members, coworkers, neighbors, friends, community members, and selves.

Councilmember Daley moved that the resolution be adopted.

Councilmember Daley moved that the resolution be postponed until the June 16, 1997 regular session of Council for further review.

On a voice vote the Mayor declared the motion carried.

R-237-6-97 APPROVED AS AMENDED

**RESOLUTION CONCERNING LETTER OF INTENT WITH
WASHTENAW COUNTY FOR SHELTERING FOR THE
HOMELESS**

A resolution concerning a letter of intent with Washtenaw County for sheltering for the homeless was considered.

Councilmember Kwan moved that the resolution be adopted.

Councilmember Herrell moved that the following language be added to the 7th item

under the last paragraph of the Letter of Intent:

7. ... ALL DECISIONS OF THE STEERING COMMITTEE WILL REQUIRE AN AFFIRMATIVE VOTE OF SEVEN MEMBERS.

With unanimous consent of Council, County Commissioner Carlos Acevedo answered questions concerning the recommendations of the Washtenaw County Board of Commissioners.

The question being Councilmember Herrell's amendment, on roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hanna-Davies, 3;

Nays, Councilmembers Vereen-Dixon, Lumm, Kwan, Kolb, Daley, Mayor Sheldon, 6.

The Mayor declared the motion defeated

Councilmember Herrell moved that the following language be added to the 7th item under the last paragraph of the Letter of Intent:

7. ... THE CITY WILL APPOINT A SOUTHEAST AREA NEIGHBORHOOD REPRESENTATIVE(S) TO THE STEERING COMMITTEE.

On a voice vote the Mayor declared the motion carried.

Councilmember Kolb moved that the following 12th item be added to the last paragraph of the Letter of Intent:

12. THE PROVISIONS HEREIN SHALL NOT OVERRIDE ANY CONSTITUTIONAL, STATUTORY, CHARTER OR LOCAL CODE REQUIREMENT.

On a voice vote the Mayor declared the motion carried.

Councilmember Herrell moved that the fourth paragraph of the Letter of Intent be amended as follows:

Whereas, It appears that sheltering needs may be met in the short-term by continuation of 420 W. Huron (Huron House) and 543 N. Main (Felch House) and the long-term needs can be met with the additional construction of a comprehensive and primary emergency housing facility on the County property on Ellsworth Road near Stone School Road, ~~<with a continued use of Huron House and the possible use of Felch House>~~ unless other sites are mutually agreed to by the City and the County, WITH A CONTINUED USE OF HURON HOUSE

AND THE POSSIBLE USE OF FELCH HOUSE;

On a voice vote the Mayor declared the motion carried.

Councilmember Herrell moved that the 5th item of the second paragraph of the Statement of Assurance be amended as follows:

5. The County and City will not begin construction of the facility until such time as programs are designed and other issues are decided in a way that ~~<takes into consideration the need for a safe environment>~~ **STRIVES TO CREATE A SAFE ENVIRONMENT FOR ALL.**

On a voice vote the Mayor declared the motion carried.

The question being the resolution with the amended Statement of Assurance and Letter of Intent, on roll call the vote was as follows:

Yeas, Councilmembers Vereen-Dixon, Lumm, Kwan, Kolb, Daley, Mayor Sheldon, 6;

Nays, Councilmembers Carlberg, Herrell, Hanna-Davies, 3.

The Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-237-6-97

**RESOLUTION TO APPROVE LETTER OF INTENT AND
STATEMENT OF ASSURANCE CONCERNING HOMELESSNESS
AND SHELTERING IN WASHTENAW COUNTY**

Whereas, The Task Force on Homelessness has made several recommendations concerning the short-term and long-term sheltering needs in Washtenaw County;

Whereas, Washtenaw County and the City of Ann Arbor want to take a leadership role in providing short and long-term solutions to the problem of homelessness in Washtenaw County;

Whereas, The City and the County believe strongly that these services should be part of a public/private partnership and that sheltering services should be operated by private non-profit corporations; and

Whereas, The City and the County realize that there are many details and technicalities to work out but want to make a strong good faith commitment to a

solution to an important problem;

RESOLVED, That City Council indicates the interest of the City in providing additional facilities and an improved service program by adopting the attached Letter of Intent and Statement of Assurance.

Statement of Assurance

Washtenaw County, in partnership with the City of Ann Arbor is considering the location of a homeless shelter on the County=s property at Ellsworth Road in Pittsfield Township.

Representatives of the County and the City have met with neighborhood representatives who raised concerns about the location and the effect it will have on their neighborhood. The County and City have tried to respond to these concerns and this document represents written assurances to that effect.

1. If this site is designated by the County there is a significant amount of planning that must be done before any construction can take place. This planning includes financial planning, program development, supportive services, coordination of other facilities and programs, construction design and transportation.
2. The County and the City realize that many of these items will have the potential to affect the neighborhood.
3. Therefore, the County and the City commit to involvement of neighborhood representatives in this planning process.
4. This involvement will include a Neighborhood Advisory Committee which will work closely with the County and the City and any non-profit agencies involved. The Neighborhood Advisory Committee will work directly with the Joint County/City Steering Committee which will have authority over many of the decisions mentioned above. In addition, the Neighborhood Advisory Committee will continue to advise on construction issues and operations of the facility.
5. The County and the City will not begin construction of the facility until such time as programs are designed and other issues are decided in a way that strives to create a safe environment for all.

**Letter of Intent Regarding Homelessness and
Sheltering in Washtenaw County**

Whereas, The Task Force on Homelessness has made several recommendations

concerning the short-term and long-term sheltering needs in Washtenaw County;

Whereas, Washtenaw County and the City of Ann Arbor want to take a leadership role in providing short and long-term solutions to the problem of homelessness in Washtenaw County;

Whereas, The City and the County believe strongly that these services should be part of a public/private partnership and that sheltering services should be operated by private non-profit corporations;

Whereas, It appears that sheltering needs may be met in the short-term by continuation of 420 W. Huron (Huron House) and 543 N. Main (Felch House) and the long-term needs can be met with the additional construction of a comprehensive and primary emergency housing facility on the County property on Ellsworth Road near Stone School Road, unless other sites are mutually agreed to by the City and the County, with a continued use of Huron House and the possible use of Felch House;

Whereas, The City staff in an oral and written communication to the Task Force Facility Siting Committee stated its support for the use of these three sites; and

Whereas, The City and the County realize that there are many details and technicalities to work out but want to make a strong good faith commitment to a solution to an important problem;

RESOLVED, That the City and the County agree as follows:

1. The City and the County will, as partners, work together and with other units of government and the private sector within Washtenaw County.
2. Washtenaw County has already purchased Felch House and will make its property on Ellsworth available for a new facility and will construct such a facility there.
3. The City and the County will develop a capital budget which includes the cost of Felch House, the cost of the construction of a new facility at Ellsworth and rehabilitation of Huron House. The County will assume 2/3 of these costs and the City 1/3.
4. The County will not charge or include in the costs set forth in No. 3, the cost of the land at Ellsworth.
5. The County and the City, through the leadership of the County Administrator and City Administrator will work with the non-profit community to assure that there are viable non-profits that can provide sheltering services.

6. Neither the City or the County will operate these services.
7. There will be a steering committee established comprised of six members appointed by the County and five members appointed by the City, that will develop a plan and budget for these three facilities. If necessary, a consultant will be used to assure that the facility design reflects actual funding available. The City will appoint a southeast area neighborhood representative(s) to the steering committee.
8. The design of the facility will be coordinated with the Mission Clarity Group of Task Force I and Task Force II.
9. In the development of the project, and throughout construction and operation, the County and the City will work closely with the Neighborhood Advisory Committee.
10. The City and the County will develop an operating budget and a program of support services. The parties will identify and agree to the funding levels and respective financial responsibilities for operations and programs before construction commences.
11. If any of the facilities are no longer used for providing services for the homeless, the City and the County will receive reimbursement based upon the level of contribution by the respective parties to the original construction or remodeling costs, unless otherwise agreed to by both parties.
12. The provisions herein shall not override any constitutional, statutory, charter or local code requirement.

REPORTS FROM COUNCIL COMMITTEES

COUNCILMEMBER VEREEN-DIXON

Councilmember Vereen-Dixon made the following announcements of upcoming events:

- X Grand reopening of the Fuller Park pool will be held on June 13, 1997, 5-8 p.m. Gifts will be handed out to the first 400 visitors; and
- X Another meeting concerning the M-14/Barton Dr. Interchange issue will be scheduled within the next month.

COUNCILMEMBER HANNA-DAVIES

Councilmember Hanna-Davies made the following announcements of upcoming

events:

- X African American Downtown Festival, sponsored by the Community Learning Post, will be held June 7, 1997, 7:00 a.m. - 9:00 p.m., at Fourth Ave. and Ann St.; and
- X A Juneteenth[≡], a celebration of the emancipation of the slaves in Texas, will be held June 14, 1997, 12 noon - 5 p.m., at Wheeler Park.

COUNCILMEMBER CARLBERG

Councilmember Carlberg reported that there has been a citizen community initiative to reestablish a wetland in Buhr Park.

COUNCILMEMBER HERRELL

Councilmember Herrell reported that the Natural Features Ordinance Committee will be submitting its proposed amendments to Chapter 57 (Subdivision and Land Use Control) at the next regular session of Council.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR**APPOINTMENTS APPROVED / POSTPONED**

Mayor Sheldon recommended the following appointments at the January 6 and 21, February 3 and 18, March 3 and 17, April 7 and 21, and May 5 and 19, 1997 regular sessions of Council:

EMPLOYEES RETIREMENT SYSTEM BOARD (POSTPONED)

Larry Hahn (reappointment)
1524 Brookfield Dr. 48103
Term: 1/20/9 to 12/31/2000

SOLID WASTE COMMISSION (POSTPONED)

Robert Tidmore (at-large citizen representative)
432 Sumark Way 48104
Term: 5/1/97 to 4/30/99

Larry Zahn (reappointment - Chamber of Commerce representative)
ReMax Community Associates
2699 Oak Valley Dr. 48103
Term: 5/1/97 to 4/30/99

Carol J. Miller (replacing Donald Gray as Civil Engineering representative)
2412 Georgetown Blvd. 48105
Term: 5/5/97 to 4/30/99

DISASTER PREPAREDNESS

At the request of the Chief of Police, and in accordance with City Code Chapter 15, Section 1:327, the following nomination is made to the Office of Disaster Preparedness:

Assistant Disaster Preparedness Coordinator:
Capt. Robert Lechtanski, Fire Dept.
(replacing David Schneider)

SIGN BOARD OF APPEALS

Sharon L. Knight (reappointment)
208 W. Ann St. 48104
Term: 6/6/97 to 6/5/2000

Jeffrey McGrew (reappointment)
1800 Independence Blvd.
Term: 6/6/97 to 6/5/2000

MAYOR-S TASK FORCE ON INCREASING SAFETY FOR WOMEN

David Garvin
4925 Packard Rd. 48108

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

Councilmember Kolb moved that the question be divided to consider the appointments to the Employees Retirement System Board and Solid Waste Commission separately, that the nomination to the Employees Retirement System Board be postponed for consideration with the other opening on the board, and that the three nominations to the Solid Waste Commission be postponed to review the designation of the nominees.

On a voice vote the Mayor declared the motion carried.

The question being the recommendation for appointment for Assistant Disaster Preparedness Coordinator and the recommendations for appointment to the Sign Board of Appeals and Mayor's Task Force on Increasing Safety for Women, 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:

ANN ARBOR ENERGY COMMISSION

Kenneth Saulter (reappointment)
1925 Ivywood Dr. 48103
Term: 6/16/97 to 6/15/2000

SOLID WASTE COMMISSION

Arthur W. Stauch (to complete unexpired term - resident near landfill)
3012 Williamsburg Dr. 48108
Term: 6/16/97 to 4/30/98

WORKING SESSION CANCELLED

Mayor Sheldon announced that the June 9, 1997 working session of Council has been cancelled.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Final Cost for Franklin Boulevard Sidewalk Project
2. Third Quarter 1996-97 Fiscal Year Report

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

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER VEREEN-DIXON

Councilmember Vereen-Dixon made the following announcements of upcoming events:

- X Ann Arbor's sister city delegation will be leaving on June 27, 1997 for Dakar, Senegal, West Africa; and
- X The Minority Health Alliance is presenting Dr. Ben Carson on June 21, 1997.

COUNCILMEMBER DALEY

Councilmember Daley made the following announcements of upcoming events:

- X Ann Arbor Aid for AIDS Walk-A-Thon, to be held on June 14, 1997;
- X A Grillin '97, the annual Food Gatherers fundraising event, to be held on June 8, 1997;
- X Ecology Center Bike-A-Thon, to be held on June 8, 1997; and
- X Alliance for the Mentally Ill awards presentation, to be held on June 8, 1997, at Temple Beth Emeth/St. Clare's Episcopal Church on Packard St.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. **Communication from Airport Advisory Committee Chair Burton Lamkin transmitting the Annual Report of the Airport Advisory Committee - File**
2. **Communication from Human Rights Commission Chair Cecy Ewing transmitting the Commission's resolution concerning changes to the Human Rights Ordinance - File.**
3. **Petition regarding funding for public parking in the South University area - File**
4. **Communication from Ron Smolarski, 114 Felch St., regarding women's shelter at Main and Felch Streets - File**
5. **Communication from Robert Frank, 910 Spring St., regarding women's shelter at Main and Felch Streets - File**
6. **Communication from property owners and business tenants of the Fourth Ave./Ann St. neighborhood regarding the Hands-On Museum's schoolbus staging - File**

The following minutes were received for file:

1. **Human Services Task Force - April 30 and May 13, 1997**
2. **Ann Arbor Transportation Authority - April 23, 1997**
3. **Community Development Block Grant Executive Committee - April 21, 1997**
4. **Human Rights Commission - April 16, 1997**
5. **Planning Commission - April 1 and 15, 1997**
6. **Housing Policy Board - May 21, 1997**
7. **Cable Communications Commission - March 25, 1997**

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

CARLOS ACEVEDO - HOMELESS SHELTER

Carlos Acevedo, Washtenaw County Commissioner, thanked City Council for its decision concerning the Letter of Intent with Washtenaw County on homelessness and sheltering. Mr. Acevedo stated that this action is the first step in dealing with the issue of the homeless in the county and that he realized it was a difficult decision for many Councilmembers.

ADJOURNMENT

There being no further business to come before Council, the Mayor declared the meeting adjourned at 12:33 a.m.

**W. Northcross
Clerk of the Council**

**Janet L. Chapin
Recording Secretary**