

**ANN ARBOR CITY COUNCIL MINUTES  
REGULAR SESSION - JULY 7, 1997**

The regular session of the Ann Arbor City Council was called to order at 7:35 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 (entered at 9:02 p.m.), 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**

**1996 HIKONE STUDENT EXCHANGE TRIP**

The students and chaperones of the 1996 Hikone, Japan student exchange trip presented a report and videotape of the trip highlights, and gave each Councilmember an origami peace crane. The delegation invited everyone to the ACome Together for Peace Day activities on August 6 at Gallup park, in observance of the Hiroshima bombing. The event will include student presentations of their experiences at the Hiroshima Peace Museum.

**BEST PRACTICES AWARDS FROM HUD**

Richard Paul, representing the Housing and Urban Development Michigan State Office, presented five ABest Practices Awards to City Council and the Community Development Department staff for the Consolidated Plan submission, financial and grants management, preservation of decent housing, creating a suitable living environment, and overall best practice. Mayor Sheldon presented the awards to Community Development Director Eileen Ryan, Human Services and Economic Development Manager Merrill Crockett, Rehabilitation Specialists Glenn Ziegler and Rick Brewster, Housing Services Assistant Charlene Moorman, Fiscal and Administrative Manager Kathleen Muscato, and Housing Services Manager Larry

Friedman.

## **PUBLIC COMMENTARY - RESERVED TIME**

### **MICHAEL BEASLEY - SHELTER ASSOCIATION FUNDING**

Michael Beasley, 3209 Dexter Ave., President of the Shelter Association of Washtenaw County Board of Directors, submitted a data sheet on the Shelter Association, in response to public conjecture about the organization, and reviewed the document's highlights. Mr. Beasley expressed appreciation for Council's consideration of additional funding to extend emergency shelter operations. (A Data Sheet is on file in the City Clerk's Office)

### **DANA CLARK - SHELTER ASSOCIATION FUNDING**

Dana Clark, shelter resident, expressed his appreciation to the shelter organization for helping him obtain housing and medical assistance. Mr. Clark stated that many other people need the shelter's services, and urged approval of the proposed additional funding to continue emergency shelter operations.

### **ARTHUR BURKE - SHELTER ASSOCIATION FUNDING**

Arthur Burke, shelter resident, thanked the shelter organization for helping him get back on his feet. He expressed concern for the people in need if the shelter were to close, and asked Council to approve the additional funds in order to continue emergency operations. Mr. Burke spoke in opposition to the location of the proposed shelter on Ellsworth Road, which he believes is too far from the shelter clients' jobs.

### **ERIC KOS - GELMAN SCIENCES CLEANUP PLAN**

Eric Kos, 3437 Porter Ave., representing the Westover Hills neighborhood, stated that permits for public right-of-way use by Gelman Sciences for the discharge of treated water should be denied because the cleanup plan is technically not sound and publicly unacceptable. Mr. Kos further stated that, at a minimum, the proposed resolution should be tabled pending answers to critical questions involving the technical aspects of the cleanup plan and issues of public health.

### **ANNETTE BOWMAN - HOMELESS SHELTER**

Annette Bowman, 3429 Braeburn Cir., representing the Southeast Area Ann Arbor Voters Group, spoke in opposition to the homeless shelter to be built at Ellsworth and Stone Schools Roads. She expressed concern that implementation, program

design and budget questions have not been addressed and requested that City Council allow the residents to have input into the shelter, its programs and operation. She further asked that Council use its influence to have a southeast area resident and/or a homeless person appointed to the Homeless Shelter Steering Committee.

**JOYCE ZUCK - GELMAN SCIENCES RESOLUTION**

Joyce Zuck, 584 Allison Dr., spoke in opposition to the proposed resolution to approve Gelman Sciences' use of the public right-of-way to discharged treated water. Ms. Zuck stated that the City should collect its own independent data, require a third party with technical competence to oversee the cleanup, and require Gelman to assume liability for residents forced into the city as a result of its actions or lack of action. (Statement on file in the City Clerk's Office)

**JAMES MOGENSEN - SHELTER ASSOCIATION FUNDING**

James Mogensen, 3780 Green Brier Blvd., spoke in favor of the proposed additional funding to continue emergency shelter operations. Mr. Mogensen thanked the Shelter Association board members and staff for operating under a difficult situation, and expressed hope that more of the available funding for services in the community would be directed to the shelter association.

**RON EMAUS - MALLETT'S CREEK RESTORATION**

Ron Emaus, 2503 Hampshire Rd., representing the Mallett's Creek Association, spoke in support of the proposed resolution appropriating funds for the Mallett's Creek restoration project study. Mr. Emaus stated that maintenance has not been done to keep up this urban river and that a study is necessary to determine how funds can be targeted to make the best impact on restoring the vitality of the watershed.

**PUBLIC HEARINGS**

**SUBDIVISION AND LAND USE CONTROL (ORDINANCE NO. 31-97)**

A public hearing was conducted on the proposed amendment to Chapter 57 of the Ann Arbor City Code (Subdivision and Land Use Control) regarding natural features. Notice of public hearing was published June 29, 1997.

The following people appeared:

Chris Graham, 723 Peninsula Ct., Natural Features Ordinance

Committee member, spoke in favor of the proposal. He stated that the amendments were four years in the writing, and thanked City staff, the Planning Commission, and the Natural Features Ordinance Committee for their efforts. Mr. Graham explained that these amendments would change the preservation of natural features from guidelines into requirements, and would add a new standard to the area and site planning approval process to limit disturbance of natural features.

Michael Sklar, 2545 Meade Ct., representing the Huron Valley Chapter of the Sierra Club, spoke in support of the amendments. He stated that the proposal is good government because it would provide better information on proposed developments, and is good policy because it would protect the City's natural features and character.

Maurine Sloan, representing the Homebuilders Association, spoke in opposition to the proposed ordinance and requested that Council table the issue because the Association was not given adequate time to review the ordinance and provide input. She expressed the following concerns with the proposal: 1) the required cash deposit which can cause hardship and tie up money for an indefinite period of time; 2) the lack of a provision permitting replacement of trees in the building envelop; and 3) more regulations would make housing less affordable in the city.

Ethel Potts, 1014 Elder Blvd., spoke in support of the proposed ordinance and land development regulations, and stated that Ann Arbor citizens have long been interested in protecting the city's remaining natural features. Ms. Potts explained that the amendments will deal with natural features as a routine consideration during the development review process, which will help address environmental concerns of the residents and make the review process smoother and faster for developers.

Karen Glennemeier, 326 Catherine St., expressed support for the proposed amendments which would move natural features protection from guidelines into the ordinance. She stated that these changes would mean information regarding natural features will be required before development of natural areas can occur, and would provide specific provisions for consideration of natural features in the area and site planning process. Ms. Glennemeier commended City Council and the Natural Features Ordinance Committee for their hard work on this issue, and stated that the proposal shows that the city values natural features.

Nancy Shiffler, 2877 Sorrento Ave., spoke in support of the proposed amendments which would move regulatory language from guidelines to the ordinance and would clarify what is expected to protect natural features. Ms. Shiffler stated the ordinance will continue to allow a broad scope of development while protecting the highest quality natural features. She further stated that natural features protection recognizes the contributions of woodlands, wetlands and landmark trees to the quality and character of life in the community.

Hal Smith, 1606 Shadford Rd., spoke in support of the proposed ordinance and commended the Natural Features Ordinance Committee and Planning staff for their efforts. Mr. Smith stated that these amendments represent a significant advance, but that this is not the end to the improvements.

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

#### **LAND DEVELOPMENT REGULATIONS**

A public hearing was conducted on the proposed Land Development Regulations and Attachments. Notice of public hearing was published June 29, 1997.

The following person appeared:

Chris Graham, 723 Peninsula Ct., Natural Features Ordinance Committee member, spoke in favor of the proposed land development regulations. Mr. Graham stated that the new guidelines attempt to clarify procedures and give background information about the natural features in Ann Arbor, in order to distinguish the natural features of highest concern.

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

#### **THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS SITE PLAN**

A public hearing was conducted on the proposed Church of Jesus Christ of Latter-Day Saints Site Plan, 6.0 acres, 1385 Green Road. Notice of public hearing was published June 29, 1997.

The following person appeared:

John Coakley, of Bernath-Coakley Associates Architects, Inc., representing the petitioner, requested approval of the proposal. He stated that the petitioner has been working with the Planning staff and

neighborhood association to resolve issues and bring the plan into compliance with city ordinances.

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

#### **HANDS-ON MUSEUM EXPANSION SITE PLAN**

A public hearing was conducted on the proposed Hands-On Museum Expansion Site Plan, 0.5 acre, 211-217 East Huron Street. Notice of public hearing was published June 29, 1997.

The following persons appeared:

David Esau, of Cornerstone Design, Inc., project architect, stated that he would be available to answer questions from Council.

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

#### **MAIN STREET PARTNERS LAND DIVISION**

A public hearing was conducted on the proposed Main Street Partners Land Division, 2.78 acres, 2074 South Main Street. Notice of public hearing was published June 29, 1997.

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

**APPROVAL OF AGENDA**

**AGENDA APPROVED WITH CHANGES**

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

**MOTIONS AND RESOLUTIONS**

**Revise:** Resolution to Appropriate Funds and Establish a Project Budget for Phase I of the Mallett=s Creek Restoration Project (\$100,000.00) (Utilities) (8 Votes Required)

**8 Votes** Resolution to Approve Transfer of General Funds from 15th District Court=s

**Required:** Fiscal Year 1996-97 Budget to Fiscal Year 1997-98 Budget for the Court=s Share of Video Recording Equipment for Courtrooms 6, 7 and 8 (\$60,210.00) (District Court) (**8 VOTES REQUIRED**)

**Add & Correct** Resolution Concerning Contingency Funding for the Shelter Association (<Community Development> **COUNCILMEMBERS HANNA-DAVIES, KOLB**  
**Sponsor: AND DALEY**)

On a voice vote the Mayor declared the motion carried.

**APPROVAL OF COUNCIL MINUTES**

**MINUTES OF JUNE 16 APPROVED**

Councilmember Lumm moved that the regular session minutes of June 16, 1997 be approved as presented.

On a voice vote the Mayor declared the motion carried.

**CONSENT AGENDA**

**CONSENT AGENDA ITEMS APPROVED**

Councilmember Vereen-Dixon entered at 9:02 p.m.

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

**R-283-7-97 APPROVED**

**RESOLUTION TO APPROVE FISCAL YEAR 1997-98  
COMMUNITY DEVELOPMENT BLOCK  
GRANT, HOME PROGRAM, GENERAL FUND HOUSING, HUMAN SERVICES  
AND ECONOMIC DEVELOPMENT CONTRACTS**

Whereas, At its meeting on May 5, 1997, City Council approved the Fiscal Year 1997/98 One-Year Action Plan for submission to the Department of Housing and Urban Development;

Whereas, The Fiscal Year 1997/98 One-Year Action Plan included the allocation of Community Development Block Grant and HOME Program funds to specified nonprofit organizations;

Whereas, At its meeting on June 16, 1997 City Council approved the allocation of City General Funds to specified nonprofit organizations; and

Whereas, The Human Resources Department has reviewed and approved these contractors;

**RESOLVED**, That City Council approve the contracts with the agencies listed below, for the amounts and the special contract conditions indicated, beginning July 1, 1997 and terminating June 30, 1998, and authorize the Mayor and City Clerk to execute these contracts 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:

<b><u>AGENCY</u></b>	<b><u>AMOUNT</u></b>
Ann Arbor Center for Independent Living	42,500
Ann Arbor Community Center	28,000
Arrowwood Hills Cooperative	49,000
Avalon Housing, Inc.	106,000
Child and Family Service/Huron Services for Youth	46,800
Child Care Network	151,000
Community Action Network for CAN; Neighborhood Coalition of SE Ann Arbor	81,500
Community Dental Center	47,000
Food Gatherers for FG; Second Baptist Human Services	35,000
Legal Services of SE Michigan	53,500
Neighborhood Senior Services	54,000
Packard Community Clinic	30,000

Shelter Association of Washtenaw County	126,000
Trailblazers for Trailblazers & Project Transition	26,100
Washtenaw Affordable Housing Corporation	63,400
Washtenaw Development Council	<u>38,000</u>
	<u>\$977,800</u>

RESOLVED, That all programs give priority to very low income Ann Arbor residents and that performance be monitored by the Community Development Department.

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**R-284-7-97 APPROVED**

**RESOLUTION TO AUTHORIZE EXECUTION OF  
AMENDMENTS TO SECTION 8 CONSOLIDATED ANNUAL  
CONTRIBUTIONS CONTRACT (ACC) AS PART OF  
A PROJECT TO TENANT-BASED SUBSIDY CONVERSION**

Whereas, The City of Ann Arbor, acting by and through the Housing Commission, has a Consolidated Annual Contributions Contract (ACC) in support of 675 subsidized units within its Section 8 Certificate and Voucher programs;

Whereas, HUD is asking the Ann Arbor Housing Commission to assist in a Section 8 project to tenant-based Section 8 subsidy conversion covering 151 units at the LeForge Villa Apartment, by approving an amendment to our consolidated ACC for funding in an annual amount of \$781,027.00; and

Whereas, The Board of the Ann Arbor Housing Commission, at its special meeting on June 25, 1997, approved, in principle, an amendment to its Consolidated ACC to incorporate funding for an additional 151 units;

RESOLVED, That City Council approve, in principle (until constructive receipt of HUD forms), the execution of an amendment to the Consolidated Annual Contributions Contract for Section 8 Programs, to incorporate subsidy and administrative fee funding with an annual contract authority of \$781,027.00 for the provision of 151 tenant-based certificates or vouchers.

Councilmember Kwan moved that the resolution be postponed to the July 21, 1997 regular session of Council to allow notification of Ypsilanti City officials.

On a voice vote the Mayor declared the motion to postpone defeated.

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**R-285-7-97 APPROVED****RESOLUTION TO GRANT SEWER SERVICE OUTSIDE  
CITY LIMITS TO 3595 EAST HURON RIVER DRIVE**

Whereas, Shirley White-Black-Bonder, owner of the property at 3595 East Huron River Drive, on June 18, 1997, requested that the City extend public sewer service to her property in Ann Arbor Township in accordance with the Policy Statement of February 1, 1994 between the City of Ann Arbor and Ann Arbor Township;

Whereas, Shirley White-Black-Bonder desires to enter into an agreement with the City to provide an equitable method of obtaining City service outside of its corporate boundaries; and

Whereas, As part of this agreement, the owner shall have this property annexed not later than five (5) years from the date of the agreement;

**RESOLVED**, That the Mayor and Clerk be hereby authorized and requested to sign the agreement to allow City sewer service to the land during the time it is still outside of the corporate limits; that the City Clerk be hereby directed to send a copy of this resolution and the agreement by first class mail to the above property owner; and that the Water Utilities Department promptly have this resolution and the agreement recorded in the office of the Register of Deeds of Washtenaw County, Michigan.

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**R-286-7-97 APPROVED**

**RESOLUTION TO AWARD BID NO. 3031 FOR PURCHASE OF  
TWO ROTARY TURF MOWERS FROM SPARTAN  
DISTRIBUTORS**

Whereas, The Purchasing Division solicited bids for two 72" rotary mowers for the Department of Parks and Recreation, Bid No. 3031;

Whereas, Spartan Distributors was the lowest responsible bidder in the amount of \$13,518.00 per unit, and has Human Rights approval as of March 3, 1997; and

Whereas, Funds are available in the 1997-98 General Fund budget;

**RESOLVED**, That the Mayor and Council approve awarding Bid No. 3031 to Spartan Distributors in the amount of \$27,036.00 for two mowing units.

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**R-287-7-97 APPROVED**

**RESOLUTION TO PROCLAIM ANN ARBOR  
MUNICIPAL AIRPORT AIR TRAFFIC  
CONTROL  
TOWER COMMISSIONING ANNIVERSARY**

Whereas, The air traffic control tower located at the Ann Arbor Municipal Airport was commissioned on June 29, 1997;

Whereas, The operation of the tower enhances the efficient and safe operation of the airport; and

Whereas, The Airport Advisory Committee has reviewed and supported the proposal by the airport division to honor the tower=s commissioning anniversary with a picnic;

**RESOLVED**, That the Mayor and City Council do hereby express the City=s support for and appreciation of the tower, and recognize this year as the 24th anniversary of the commissioning of the Air Traffic control Tower; and

**RESOLVED**, That this resolution be presented to the air traffic control tower chief, on behalf of the Mayor and City Council, at the picnic to be held at the airport on July 9, 1997 to celebrate the commissioning anniversary.

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**R-288-7-97 APPROVED**

**RESOLUTION TO COMMENCE FORMAL CABLE  
FRANCHISE RENEWAL PROCESS**

Whereas, The existing cable television franchise agreement between the City of Ann Arbor and Continental Cablevision (d.b.a. MediaOne) is set to expire on February 7, 2000;

Whereas, The Cable Communications Policy Act of 1984, as amended by the Cable Communications Consumer Protection and Competition Act of 1992 (Cable Act), establishes a framework for the renewal of cable television franchises;

Whereas, Section 626(a) of the Cable Act provides for a formal process which can be initiated by either a locally franchised cable operator or the local franchising authority (LFA) within thirty-six (36) months of franchise expiration; and

Whereas, The City of Ann Arbor is in receipt of written communication from Continental Cablevision/MediaOne dated March 25, 1997 which states the company's desire to invoke the formal renewal process specified in Section 626(a) of the Cable Act;

RESOLVED, That the City of Ann Arbor officially acknowledges the request from Continental Cablevision/MediaOne to invoke the formal cable franchise renewal process as specified in Section 626(a) of the Cable Act; and

RESOLVED, That the City will immediately commence the formal cable franchise renewal process, to be coordinated by the Office of Cable Communications and the Cable Communications Commission, upon passage of this resolution.

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**R-289-7-97 APPROVED**

**RESOLUTION AUTHORIZING DATE FOR  
LIBERTARIAN PARTY CAUCUS**

RESOLVED, That the date of July 24, 1997 be hereby approved by the City Council for the Libertarian Party of Michigan to hold its official caucus for the purpose of determining its candidates for the November 4, 1997 General City Election.

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**R-290-7-97 APPROVED**

**RESOLUTION TO APPROVE TEMPORARY OUTDOOR  
SALES, SERVICE AND CONSUMPTION OF ALCOHOLIC  
BEVERAGES DURING THE ANN ARBOR ART FAIR**

RESOLVED, That the request of the following liquor licensed establishments

for temporary authorization for outdoor sales, service and consumption of alcoholic beverages during the 1997 Ann Arbor Art Fair, July 16-19, 1997, be approved within the defined area filed with the Ann Arbor Police Department:

<b><u>BUSINESS NAME</u></b>	<b><u>ADDRESS</u></b>
Afternoon Delight	251 E. Liberty
Ashley=s	338 S. State
Mongolian BBQ	200 S. Main
One Eyed Moose	209 S. Main
Red Hawk	316 S. State
Rick=s Cafe	611 Church
Scorekeepers	310 Maynard
Zanzibar	214 S. State

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

**ORDINANCES - SECOND READING**

**31-97 APPROVED AS AMENDED**

**SUBDIVISION AND LAND USE CONTROL -  
NATURAL FEATURES**

**An Ordinance to Amend Chapter 57 of Title V  
of the Code of the City of Ann Arbor**

This ordinance would establish a formal process for reviewing development petitions containing natural features and improve enforcement provisions.

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

Councilmember Herrell moved that the following language be added to paragraph (4) of Section 5:122:

- (4) **Site Plans for Planning Commission Approval.** The Planning Commission shall review and approve or request a site plan that proposes one or more of the following minor modification only. IF A SITE PLAN PROPOSES ANY MODIFICATION THAT WOULD REQUIRE CITY COUNCIL APPROVAL IN ADDITION TO ANY OF THE FOLLOWING MINOR MODIFICATIONS, THEN THE SITE PLAN, INCLUDING THE MINOR MODIFICATIONS, SHALL BE CONSIDERED IN THE MANNER PROVIDED FOR SITE PLANS

**FOR CITY COUNCIL APPROVAL.**

On a voice vote the Mayor declared the motion carried.

Councilmember Daley moved that the following Section 2 be added to the proposed ordinance:

**Section 2.** That this ordinance shall take effect and be in force on and after ten days from legal publication.

On a voice vote the Mayor declared the motion carried.

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

**ORDINANCES - FIRST READING****33-97 APPROVED****ERIM PUD PRELIMINARY PHASE 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 35.26 acres, located at 1968 Green Road, from ORL (Office/Research/Limited Industrial District) and O (Office District) to Preliminary Phase PUD (Planned Unit Development District).

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

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

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

**MOTIONS AND RESOLUTIONS****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 tabled to the September 2, 1997 regular session of Council to allow time to gather more data.

On a voice vote the Mayor declared the motion carried.

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**R-291-7-97 APPROVED**

**RESOLUTION TO APPROVE 1997-2003  
CAPITAL IMPROVEMENTS PROGRAM**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed 1997-2003 Capital Improvements Program.

Whereas, Section 1:185 of the Ann Arbor City Code requires that the City Planning Commission annually prepare a Capital Improvements Program (CIP) for the ensuing six years;

Whereas, The Capital Improvements Program consists of a Capital Improvements Plan and Budget;

Whereas, The 1997-2003 Capital Improvements Program, which was prepared through a CIP Review Committee and by joint effort of the Planning Department and City administration, has been submitted to the Ann Arbor City Planning Commission for consideration;

Whereas, A duly-noticed public hearing was held by the City Planning Commission on February 20, 1997; and

Whereas, The City Planning Commission adopted the CIP at its meeting of February 20, 1997, and also recommended that Council approve the document and use it as a guide in funding priority capital projects consistent with the plan;

**RESOLVED**, That City Council hereby approve the 1997-2003 Capital Improvements Program.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-292-7-97 APPROVED**

**RESOLUTION TO DENY RECONSIDERATION OF DENIAL OF  
REQUEST TO TRANSFER OWNERSHIP OF A 1996 CLASS C  
LICENSED BUSINESS FROM DINO=S LAMPLIGHTER, INC.  
(D.B.A. THE LAMPLIGHTER), 421 EAST LIBERTY STREET**

Whereas, On June 2, 1997, by Resolution No. R-218-6-97, the City Council denied a request from Dino=s Lamplighter, Inc. (d.b.a. The Lamplighter), to transfer

ownership of a 1996 Class C licensed business, located at 421 East Liberty Street, to The Lamplighter, Inc.;

Whereas, Michael Masters, the proposed licensee, filed an Appeal requesting reversal of the City Council's June 2, 1997 decision;

Whereas, The City Council's Special Liquor Committee considered Mr. Master's Appeal as a request for City Council to consider and reverse its June 2, 1997 decision;

Whereas, On June 29, 1997, the City Council's Special Liquor Committee met and heard Michael Master's request that City Council reverse its June 2, 1997, decision regarding the transfer of the 1996 Class C licensed business; and

Whereas, The Special Liquor Committee recommends that City Council not change its decision to recommend denial of the transfer to the Michigan Liquor Control Commission;

RESOLVED, That the request for reconsideration of the City Council's approval on June 2, 1997, of Resolution No. R-218-6-97, which denied the request of Dino's Lamplighter, Inc. (d.b.a. The Lamplighter), to transfer ownership of a 1996 Class C licensed business, located at 421 East Liberty Street, to The Lamplighter, Inc., be denied.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-293-7-97 APPROVED AS AMENDED**

**RESOLUTION TO APPROVE LAND DEVELOPMENT REGULATIONS AND ATTACHMENTS**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Land Development Regulations and Attachments.

Whereas, In March 1994, Council directed the Natural Features Ordinance Committee (NFOC) to review the City's ordinances, regulations and guidelines regarding natural features;

Whereas, In August 1994, the NFOC submitted a report to Council containing recommended amendments to Chapter 57 and the Land Development Regulations;

Whereas, Council subsequently referred said draft amendments to Chapter 57

and the Land Development Regulations to the City Planning Commission for review and recommendation;

Whereas, Planning Commission and Planning staff met on numerous occasions with the NFOC and the City Attorney=s Office to refine the draft amendments;

Whereas, The Planning Commission recommended approval of the amendments to Chapter 57 and adopted the revised Land Development Regulations and associated attachments at its meeting of June 3, 1997, following public hearings held on December 3, 1996, April 15, 1997 and June 3, 1997; and

Whereas, Chapter 57 of the Ann Arbor Code of Ordinances authorizes the Planning Commission to adopt Land Development Regulations which, prior to taking effect, must be approved by Council;

RESOLVED, That the Land Development Regulations and associated attachments, adopted by the Planning Commission on June 3, 1997 and amended by City Council on July 7, 1997, be hereby approved; and

RESOLVED, That said Land Development Regulations supersede all previous Land Development Regulations and attachments.

Councilmember Herrell moved that the resolution be adopted.

Councilmember Herrell moved that Sections 1:3 and 1:4 of the Land Development Regulations be further amended as follows:

1:3 Area Plan and Preliminary Phase PUD Requirements. ...

- (3) Site Analysis. A site analysis...shall include:
  - (a) Existing land use and activity on the site.
  - (b) An inventory of site conditions including; ~~<the location and extent of all natural features;>~~ soil types<;>; site vegetation<;>; and existing topography at <ten> FIVE-foot or best available contour intervals.
  - (c) A GENERAL DESCRIPTION OF ALL NATURAL FEATURES ON THE SITE AND WITHIN THE AREA 50 FEET BEYOND THE PROPERTY LINE, INCLUDING;
    - (i) THE NATURE AND EXTENT OF

**ENDANGERED SPECIES HABITAT.**

- (ii) THE LOCATION OF ANY 100-YEAR FLOOD PLAIN.
- (iii) THE LOCATION, SIZE AND SPECIES OF ALL LANDMARK TREES.
- (iv) THE LOCATION OF ALL STEEP SLOPES.
- (v) THE LOCATION OF EXISTING WATERCOURSES.
- (vi) THE BOUNDARY AND CHARACTER OF ALL WETLANDS.
- (vii) THE BOUNDARY AND BASAL AREA ESTIMATE, BASED ON FIELD SAMPLES, OF ANY WOODLANDS.

- <(c)>(d) ...
- <(d)>(e) ...
- <(f)> (f) ...
- <(g)>(h) ...

**1:4 Site Plan and Final Phase PUD Requirements....**

- (18) IN ADDITION TO THE GENERAL DESCRIPTION OF NATURAL FEATURES ON THE SITE AND WITHIN THE AREA 50 FEET BEYOND THE PROPERTY LINE SHOWN AS PART OF THE REQUIRED SITE ANALYSIS, THE ACCURATE LOCATION AND DESCRIPTION OF ALL NATURAL FEATURES WITHIN THE LIMITS OF SOIL DISTURBANCE AND IN AN AREA EXTENDING 50 FEET BEYOND THE LIMITS OF SOIL DISTURBANCE, INCLUDING;
  - (a) THE LIMITS OF SOIL DISTURBANCE.
  - (b) THE BOUNDARY AND DESCRIPTION OF ANY ENDANGERED SPECIES HABITAT.
  - (c) THE BOUNDARY AND ELEVATION OF ANY 100-YEAR FLOOD PLAIN.
  - (d) THE LOCATION, SPECIES, CRITICAL ROOT ZONE AND CONDITION OF LANDMARK TREES.

- (e) THE LOCATION OF ALL STEEP SLOPES AND A CROSS SECTION THROUGH THE SITE SHOWING THE PROPOSED ACTIVITY IN RELATIONSHIP TO THE TOPOGRAPHY.
- (f) EXISTING AND PROPOSED WATERCOURSES SHOWING DEPTHS, NORMAL WATER LEVELS, SHORE GRADIENTS, TYPE OF BANK RETENTION AND SHORE VEGETATION.
- (g) THE BOUNDARY AND CHARACTER OF ALL WETLANDS, AS REQUIRED BY CHAPTER 60, WETLANDS PRESERVATION, OF THE ANN ARBOR CODE OF ORDINANCES.
- (h) THE BOUNDARY AND BASAL AREA OF ANY WOODLAND, WITH LOCATION, SPECIES, AND DBH OF ALL TREES 6 INCHES DBH OR GREATER WITHIN THE WOODLAND AREA.

On a voice vote the Mayor declared the motion carried.

The question being the resolution with the amended Land Development Regulations, on a voice vote the Mayor declared the motion carried.

The Land Development Regulations as adopted reads as follows:

#### LAND DEVELOPMENT REGULATIONS

1:1 Purpose. The purpose of these Regulations is to specify procedures by which petitioners obtain approval of proposed developments and to specify certain materials which must be prepared and submitted to assist the City in determining if the proposed development is in compliance with local ordinance, state and federal statutes, and these regulations. The Planning Director, with the approval of the City Planning Commission, may modify the petition requirements when all necessary information is provided.

1:2 Landmark Tree List:

<u>Common Name</u>	<u>Scientific Name</u>	<u>DBH</u>
Ash	Fraxinus spp. (not cultivars)	18"
Basswood	Tilia spp.	18"
Beech	Fagus spp.	18"
Buckeye (Horsechestnut)	Aesculus spp.	18"
Cherry, Black	Prunus serotina	18"
Elm	Ulmus spp. (except pumila)	18"
Fir	Abies spp.	18"
Fir, Douglas	Pseudotsuga menziesii	18"
Kentucky Coffee Tree	Gymnocladus dioicus	18"
Maple, Silver	Acer saccharinum	18"
Pine	Pinus spp.	18"
Spruce	Picea spp.	18"

Sycamore; London Plane	Platanus spp.	18"
Tuliptree	Liriodendron tuliperifera	18"
Walnut, Black	Juglans nigra	18"
Hickory	Carya spp.	16"
Honey Locust	Gleditsia triacanthos	16"
Maple	Acer spp. (unless otherwise noted)	16"
Oak	Quercus spp.	16"
Arbor vitae	Thuja occidentalis	12"
Bald Cypress	Taxodium distichum	12"
Birch	Betula spp.	12"
Black Tupelo	Nyssa sylvatica	12"
Cherry, Flowering	Prunus spp.	12"
Crabapple (cultivar)	Malus spp.	12"
Dawn Redwood	Metasequoia glyptostroboides	12"
Eastern Hemlock	Tsuga canadensis	12"
Ginkgo	Ginkgo biloba	12"
Hackberry	Celtis occidentalis	12"
Hawthorn	Crataegus spp.	12"
Larch/Tamarack	Larix spp.	12"
Pear	Pyrus spp.	12"
Persimmon	Diospyros virginiana	12"
Populus	Populus (except deltoides, alba)	12"
Sassafras	Sassafras albidum	12"
Sweetgum	Liquidambar styraciflua	12"
Yellow Wood	Cladrastis lutea	12"
American Chestnut	Castanea dentata	8"
Butternut	Juglans cinerea	8"
Cedar	Juniperus spp. & upright cultivars	8"
Cedar of Lebanon	Cedrus spp.	8"
Eastern Redbud	Cercis canadensis	8"
Dogwood, Flowering	Cornus florida	8"
Hornbeam, Blue Beech	Carpinus spp.	8"
Ironwood	Ostrya virginiana	8"
Maple, Mountain/Striped	Acer spicatum/pensylvanicum	8"
Pawpaw	Asimina triloba	8"

1:3 Area Plan and Preliminary Phase PUD Requirements. Applications for area plan and preliminary phase PUD approval shall include a brief description of the development program, a community analysis, a site analysis, general information, and a schematic design for the entire development site, 13 copies of which shall be filed with the Planning Director. The site analysis and schematic design shall be drawn to the same scale of 1" equals 50 feet or larger.

- (1) Development Program: The development program shall be a brief statement describing:
  - (a) The proposed land use and related improvements to the site, including amount of new floor area, parking and proposed density.
  - (b) Preliminary phasing proposal and probable project construction cost.
- (2) Community Analysis. The community analysis shall be a brief statement of the following:

- (a) Impact of proposed development on public schools.
  - (b) Relationship of intended use to neighboring uses.
  - (c) Impact of adjacent uses on the proposed development.
  - (d) Impact of proposed development on the air and water quality, and on existing natural features of the site and neighboring sites.
  - (e) Impact of the proposed use on historic sites or structures which are located within an historic district or listed on the National Register of Historic Places.
- (3) Site Analysis. A site analysis is a graphic description and brief statement of the existing site conditions and shall include:
- (a) Existing land use and activity on the site.
  - (b) An inventory of site conditions including: soil types; site vegetation; and existing topography at five-foot or best available contour intervals.
  - (c) A general description of all natural features on the site and within the area 50 feet beyond the property line, including:
    - (i) The nature and extent of endangered species habitat.
    - (ii) The location of any 100-year flood plain.
    - (iii) The location, size and species of all landmark trees.
    - (iv) The location of all steep slopes.
    - (v) The location of existing watercourses.
    - (vi) The boundary and character of all wetlands.
    - (vii) The boundary and basal area estimate, based on field samples, of any woodlands.
  - (d) Location and use of all existing structures on the site.
  - (e) Existing and proposed vehicular, pedestrian and bicycle ways and access points.
  - (f) Utility availability and proposed connections together with all existing public rights-of-way and public and private easements.
  - (g) Existing and proposed general drainage pattern of the site and adjoining area.
  - (h) A summary in the form of an overlay showing how the proposed land use or activity relates to the graphic description of the existing site conditions including natural features.
- (4) Schematic Design. The schematic design is a brief statement and graphic description of

the proposed development drawn to a scale of approximately one inch = 50 feet or larger, including:

- (a) Comparison chart showing proposed development and City regulations.
  - (b) Existing and proposed topography at five-foot or best available contour intervals and limits of soil disturbance.
  - (c) Orientation and general location of all proposed improvements.
  - (d) Vertical sections through the site showing existing and proposed elevations when the proposed improvements will result in a significant change in a steep slope.
  - (e) Proposed circulation patterns on site (pedestrian, vehicular, service, etc.)
  - (f) Proposed lot lines and setback lines.
  - (g) Areas of natural features which are proposed to be removed or disturbed and a general description of mitigation plans.
- (5) General Information. In addition to the above, the following shall be made a part of the total submission.
- (a) Project name.
  - (b) Name, address and telephone number of the petitioner. If the petitioner is not the owner of the property, a letter of authorization to proceed with the application must be provided by the property owner.
  - (c) North indicator and drawing scale in bar graph form.
  - (d) Existing and proposed zoning.
  - (e) Total approximate floor area of the proposed buildings and, if applicable, number of dwelling units.
  - (f) Approximate proposed height of the structures.
  - (g) Statement of interest in the land including conditions for sale or purchase of parcel such as deed restrictions, reservation of land for other uses or other conditions which may have bearing on the total land development.
  - (h) Maps of applicant's entire holding and interest in land contiguous to the proposed development.
  - (i) Vicinity map of all property within 250 feet of the development.
  - (j) Time schedule indicating anticipated starting and completion dates of development.
  - (k) Location and identification of all public areas and municipal corporation lines within or adjacent to the site.
  - (l) Legal description of the parcel, including total acreage of the parcel and total

acreage of public roads contained in the legal description.

- (m) One high quality copy of the proposed plan reduced to an 8 1/2-inch by 11-inch format.

1:4 Site Plan and Final Phase PUD Requirements. Applications for site plan and final phase PUD approval shall include 15 copies of a development program, a community analysis, a site analysis, and general information as required for an area plan and preliminary phase PUD above in Section 1:3, together with a detailed site plan drawn to a scale of one inch = 50 feet or larger, which includes the following:

- (1) Comparison chart showing proposed development and City regulations.
- (2) Number and type of dwelling units proposed including the number of bedrooms.
- (3) Height, number of stories, and placement of proposed structures and accessory structures, together with a scaled massing elevation drawing showing the existing and proposed exterior dimensions as viewed from all public streets, and including the elevations of the adjacent buildings within 100 feet.
- (4) Number and dimensions of parking spaces, a photometric plan, and other requirements in compliance with Chapter 59, Off-Street Parking, of the Ann Arbor Code of Ordinances.
- (5) Required and proposed front, rear and side open space and setback lines, and any proposed lot lines.
- (6) Placement, height and type of construction of all fences and walls, in compliance with Chapter 104, Fences, of the Ann Arbor Code of Ordinances.
- (7) Refuse collection and storage stations, number of receptacles, and screening in compliance with Chapter 26, Refuse, of the Ann Arbor Code of Ordinances, and a statement as to whether public or private pick-up will be provided.
- (8) Location of existing structures and driveway curb cuts adjacent to the property.
- (9) Existing and proposed topographic contours at two-foot intervals including the area for a minimum of 50 feet beyond the property line. With the permission of the Building Director, spot elevations may be substituted for contours on developed sites where limited changes are proposed to the existing drainage pattern.
- (10) Proposed landscaping in compliance with the Chapter 62, Landscape and Screening, of the Ann Arbor Code of Ordinances.
- (11) A soil erosion and sedimentation control plan in compliance with Chapter 63, Soil Erosion and Sedimentation Control, of the Ann Arbor Code of Ordinances.
- (12) The drainage area and direction of flow of land tributary to the site and proposed storm water management plan in compliance with Chapter 63, Soil Erosion and Sedimentation Control, of the Ann Arbor Code of Ordinances.
- (13) All existing and proposed streets, driveways, and curb cuts with dimensions, in compliance with Chapter 47, Streets, of the Ann Arbor Code of Ordinances, and the Public Services Department standards.

- (14) All existing and proposed water lines, sanitary sewer lines, and storm sewer lines, together with proposed size, elevations, easements and other information as required by the Public Services Director, in compliance with the Public Services Department standards.
- (15) The provision of street trees as required in the Street Tree Escrow Regulations, Attachment C of the Land Development Regulations.
- (16) The information required in the Traffic Impact Analysis Regulations, Attachment D of the Land Development Regulations.
- (17) A field survey of archaeological resources, if determined necessary by City staff following the Archaeological Review Process, Attachment B of the Land Development Regulations.
- (18) In addition to the general description of all natural features on the site and within the area 50 feet beyond the property line shown as part of the required site analysis, the accurate location and description of all natural features within the limits of soil disturbance and in an area extending 50 feet beyond the limits of soil disturbance, including:
  - (a) The limits of soil disturbance.
  - (b) The boundary and description of any endangered species habitat.
  - (c) The boundary and elevation of any 100-year floodplain.
  - (d) The location, species, critical root zone and condition of landmark trees.
  - (e) The location of all steep slopes and a cross section through the site showing the proposed activity in relationship to the topography.
  - (f) Existing and proposed watercourses showing depths, normal water levels, shore gradients, type of bank retention and shore vegetation.
  - (g) The boundary and character of all wetlands, as required by Chapter 60, Wetlands Preservation, of the Ann Arbor Code of Ordinances.
  - (h) The boundary and basal area of any woodland, with location, species, and DBH of all trees 6 inches DBH or greater within the woodland area.
- (19) The location and extent of required natural features open space, in compliance with Chapter 55, Zoning, of the Ann Arbor Code of Ordinances.
- (20) A Natural Features Statement of Impact, including a Natural Features Protection Plan, an Alternative Analysis, and a Natural Features Mitigation Plan, as required by Chapter 57. Attachment A of the Land Development Regulations, Guidelines for the Protection and Mitigation of Natural Features, shall be used by City staff when reviewing proposed site plans and plats for sites containing natural features.
- (21) A property survey by a professional land surveyor.

1:5 Reserved.

1:6 Platting Requirements. Applications for plat approvals shall include the information required by Act

288 of 1967, as amended, together with the following:

- (1) Preliminary plats for tentative approval shall include a brief description of the development program, a community analysis, a site analysis, general information, and a schematic design, as required for an area plan above in Section 1:3.
- (2) Preliminary plats for final approval shall have received tentative approval or may combine tentative and final approval requests into one petition which must include all information required for a site plan above in Section 1:4.
- (3) Final plats must include copies of all agreements, covenants, or other documents showing the manner in which areas to be reserved for the common use of the public or the residents of the subdivision are to be improved and maintained.

1:7 Land Division Requirements. Applications for land division approval shall include 6 copies of the following information:

- (1) A written request, signed by the property owner(s) of the property affected, describing the proposed change(s) to the lot and the reasons for the change(s).
- (2) Legal descriptions of the existing lot and the proposed lots, and lot sizes of the proposed lots.
- (3) Survey drawings of the proposed lot, prepared by a registered surveyor or engineer. The location of any existing or proposed easements must be indicated on the survey drawing. Any existing buildings on the lot(s) must be shown to scale on the survey drawing, and setback dimensions from a building to a proposed lot line must be indicated unless determined by the Planning Director to be unnecessary for determining compliance with City requirements.
- (4) A drawing indicating the general location and description of any natural features located on the site and the general location and size of existing public utilities serving the site.

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**R-294-7-97 APPROVED**

**RESOLUTION TO APPROVE THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS SITE PLAN**

**A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Church of Jesus Christ of Latter-Day Saints Site Plan, 6.0 acres, 1385 Green Road.**

**Whereas, The Church of Jesus Christ of Latter-Day Saints has requested site plan approval in order to construct a 14,330-square foot addition to the existing church at 1385 Green Road; and**

**Whereas, The Ann Arbor City Planning Commission, on June 17, 1997, recommended approval of said request;**

**RESOLVED, That City Council approve the Church of Jesus Christ of Latter-Day Saints Site Plan.**

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

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

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**R-295-7-97 APPROVED**

**RESOLUTION TO APPROVE HANDS-ON MUSEUM  
EXPANSION SITE PLAN**

**A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Hands-On Museum Expansion Site Plan, 0.5 acre, 211-217 East Huron Street.**

**Whereas, The Hands-On Museum has requested site plan approval in order to expand the museum at 211-217 East Huron Street in two phases; and**

**Whereas, The Ann Arbor City Planning Commission, on June 3, 1997, recommended approval of said request;**

**RESOLVED, That City Council approve the Hands-On Museum Expansion Site Plan, subject to the parcels being combined prior to building permit issuance; and**

**RESOLVED, That the Building Department not issue building permits until the parcels have been combined.**

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

**With unanimous consent of Council, David Esau, of Cornerstone Design, project architect, answered questions concerning the fund drive and construction dates.**

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

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**R-296-7-97 APPROVED**

**RESOLUTION TO APPROVE MAIN STREET  
PARTNERS LAND DIVISION**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Main Street Partners Land Division, 2.78 acres, 2074 South Main Street.

Whereas, Main Street Partners have requested land division approval in order to divide the property at 2074 South Main Street (Assessor's Code Nos. 12-05-203-092 and 12-05-203-118) into two separate parcels; and

Whereas, The Ann Arbor City Planning Commission, on June 17, 1997, recommended approval of said request;

Resolved, That City Council approve the Main Street Partners Land Division, subject to the recording of access and storm drainage easements, as described below:

**Parcel A**

Commencing at the N 1/4 corner of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 88°06'20" W 141.66 feet to the S 1/4 corner of Section 32, T2S, R6E; thence S 06°19'24" W 230.40 feet along the centerline of Ann Arbor-Saline Road and said centerline extended; thence N 87°42'00" W 70.27 feet for a PLACE OF BEGINNING; thence along the westerly right-of-way line of Ann Arbor-Saline Road as relocated (120 feet wide) southwesterly 60.59 feet along the arc of a circular curve to the right, radius 663.20 feet, central angle 05°14'03", long chord S 19°01'23" W 60.56 feet; thence N 87°42'11" W 55.72 feet; thence N 02°17'49" E 16.00 feet; thence N 87°42'11" W 79.00 feet; thence S 02°17'49" W 16.00 feet; thence N 87°42'11" W 39.63 feet; thence S 02°17'49" W 25.85 feet; thence S 14°43'35" W 37.60 feet; thence S 75°16'25" E 90.84 feet; thence S 81°34'42" E 53.20 feet; thence along the westerly right-of-way line of Ann Arbor-Saline Road as relocated (120 feet wide) southwesterly 68.88 feet along the arc of a circular curve to the right, radius 663.20 feet, central angle 05°57'03", long chord S 32°53'30" W 68.85 feet; thence S 38°12'30" E 1.47 feet; thence along the westerly right-of-way line of Ann Arbor-Saline Road as relocated (120 feet wide) southwesterly 126.87 feet along the arc of a circular curve to the right, radius 663.20 feet, central angle 10°57'38", long chord S 41°09'06" W 126.68 feet; thence N 75°16'25" W 348.66 feet; thence N 04°28'47" E 229.95 feet; thence S 87°42'11" E 500.86 feet to the POINT OF BEGINNING, being a part of the N.W. 1/4 of said Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, containing 2.46 acres of land more or less. Subject to a variable width easement for water main, storm sewer, and sanitary sewer as recorded in Liber 3237, Page 333, Washtenaw County Records, also being subject to a 24.00-foot wide easement for ingress and egress.

**Parcel B**

Commencing at the N 1/4 corner of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 88°06'20" W 141.66 feet to the S 1/4 corner of Section 32, T2S, R6E; thence S 06°19'24" W 230.40 feet along the centerline of Ann Arbor-Saline Road and said centerline extended; thence N 87°42'11" W 70.27 feet, thence along the westerly right-of-way line of Ann Arbor-Saline Road as relocated (120 feet wide) southwesterly 60.59 feet along the arc of a circular curve to the right, radius 663.20 feet, central angle 05°14'03", long chord S 19°01'23" W 60.56 feet to the POINT OF BEGINNING; thence along the westerly right-of-way line of South Main Street as relocated (120 feet wide) southwesterly 95.81 feet along the arc of a circular curve to the right, radius 663.20 feet, central angle 08°16'37", long chord S 25°46'43" W 95.72 feet; thence N 81°34'42" W 53.20 feet; thence N 75°16'25" W 90.84 feet; thence N 14°43'35" E 37.60 feet; thence N 02°17'49" E 25.85 feet; thence S 87°42'11" E 36.93 feet; thence N 02°17'49" E 16.00 feet; thence N 02°17'49" E 79.00 feet; thence S 02°17'49" W 16.00 feet; thence S 87°42'11" E 55.72 feet to the POINT OF BEGINNING, being a part of the N.W. 1/4 of said Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, containing 0.31 acres of land more or less, being subject to easements and restrictions of record, if any.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-297-7-97 APPROVED**

**RESOLUTION TO APPROVE CHEEVER ANNEXATION**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Cheever Annexation, 0.83 acre, 3272 Dexter Avenue.

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

Whereas, Marie Cheever is the owner of said property; and

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

**RESOLVED**, That the following described lands and premises situated and being in the Township of Scio, Washtenaw County, Michigan, be detached from said

Township of Scio and annexed to the City of Ann Arbor, to-wit:

Lot 6 and the westerly 49 feet of Lot 7 of Dexter Avenue Hills Subdivision, and Lot 8 and the easterly 11 feet of Lot 7 of Dexter Avenue Hills Subdivision, Township of Scio, County of Washtenaw, State of Michigan.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-298-7-97 APPROVED**

**RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF  
ORDINANCE 31-97 - AMENDMENTS TO CHAPTER 57**

Whereas, Section 7.4 of the City Charter authorizes the publication by summary of ordinances over 500 words in length;

**RESOLVED**, That the publication of Ordinance 31-97 shall be by the following summary:

**Ordinance 31-97 revises Chapter 57 (Subdivision and Land Use Control) with regard to natural features. The revisions will establish a formal process for reviewing development petitions containing natural features and improve enforcement provisions.**

**The complete text of this ordinance is available at the Ann Arbor City Clerk's Office.**

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

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

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**R-299-7-97 APPROVED**

**RESOLUTION TO APPROVE A PROFESSIONAL SERVICES  
AGREEMENT WITH INSIGHT ENVIRONMENTAL SERVICES, INC.  
FOR THE LANDFILL GROUNDWATER MONITORING PROGRAM  
AND APPROPRIATE A BUDGET FOR THE PROJECT**

Whereas, The Michigan Department of Environmental Quality requires quarterly gas and groundwater monitoring at the landfill;

Whereas, A new contract is needed to update the existing programs and continue the groundwater monitoring from July 1997 to July 1999;

Whereas, Insight Environmental Services, Inc. has demonstrated the required experience, personnel, and competitive fee to perform the groundwater monitoring work; and

Whereas, On June 16, 1997 the Human Resources Department gave approval for said company for said work;

**RESOLVED**, That the City Council authorize a professional services agreement

with Insight Environmental Services, Inc. of Brighton, Michigan, in the amount of \$117,648.00 for the groundwater monitoring program;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said professional services agreement on forms approved as to form by the City Attorney, and approved as to substance by the City Administrator;

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

RESOLVED, That the following budget be adopted and funds appropriated for the life of the Landfill Gas and Groundwater Monitoring projects, to be available until expended without regard to fiscal year:

Section I - Revenue

\$ 94,825	Environmental Bond (Fund 097)
<u>94,825</u>	1998/99 Solid Waste Operating Budget
\$189,650	TOTAL;

Section II - Expense

\$117,650	Consulting
22,000	Engineering
22,000	Miscellaneous
22,000	Contingencies
<u>6,000</u>	Bond Expenditures
\$189,650	TOTAL

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

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

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**R-300-7-97 APPROVED**

**RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH RMT, INC. FRO THE LANDFILL GAS MONITORING PROGRAM**

Whereas, The Michigan Department of Environmental Quality requires quarterly gas monitoring at the landfill;

Whereas, A contract is needed to conduct the gas monitoring from July 1997 to July 1999;

Whereas, RMT, Inc. has demonstrated the required experience, personnel, and competitive fee to perform the work; and

Whereas, On July 7, 1997 the Human Resources Department gave approval for said company for said work;

RESOLVED, That the City Council authorize a professional services agreement with RMT, Inc. of Ann Arbor, Michigan, in the amount of \$34,399.00 for the landfill gas monitoring program;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said professional services agreement on forms approved as to form by the City Attorney, and approved as to substance by the City Administrator;

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

RESOLVED, That the following funds be appropriated:

\$17,200	Environmental Bond (Fund 097)
<u>\$17,199</u>	1998-99 Solid Waste Operating Budget
\$34,399	TOTAL

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-301-7-97 APPROVED**

**RESOLUTION TO APPROPRIATE FUNDS AND ESTABLISH A PROJECT BUDGET FOR PHASE I OF THE MALLETT=S CREEK RESTORATION PROJECT**

Whereas, Mallett=s Creek is in a state of major disrepair and environmental degradation, including severe stream bank erosion and substantial sedimentation;

Whereas, The Washtenaw County Drain Commissioner has requested and proposed that the City participate in a phased approach to restore and repair Mallett=s Creek and that the first phase of this project be to perform a comprehensive assessment of the Creek and to develop an overall long term plan, including general strategies and solutions for specific project and a prioritization process, for an estimated cost of \$300,000;

Whereas, Mallett=s Creek was established under Chapter 20 of the Michigan Drain Code, and the City=s percentage share of the costs has been established at 74.54%, which equates to approximately \$225,000 for the initial phase of this project; and

Whereas, There is \$200,000 of available funds in a Traver Creek account held by the Drain Commissioner on behalf of the City which will be used to finance a portion of the future contract with the Drain Commissioner for this project;

**RESOLVED**, That Council approve the appropriation of \$100,000 from the Stormwater System Fund and establish a project budget for Phase I of the Mallett=s Creek restoration Project of \$300,000, and that the funds in this project be available until expended without regard to fiscal year.

Councilmember Lumm moved that the resolution be adopted.

With unanimous consent of Council, Washtenaw County Drain Commissioner Janis Bobrin answered questions concerning funding for Traver Creek maintenance.

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

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**TABLED**

**RESOLUTION TO APPROVE USE OF PUBLIC RIGHT-OF-WAY  
AND EXTENSION TO DISCHARGE TREATED WATER INTO  
THE SANITARY SEWER BY GELMAN SCIENCES, INC.**

Whereas, GSI requests City approval:

- X to discharge to the City=s sanitary sewer system until a new replacement re-injection well at the Evergreen Subdivision can be installed and made operational,
- X to use the public right-of-way for installation of pipelines between the Evergreen Treatment Facility and a new extraction well in the Allison (Scioto Hills) Subdivision and a new re-injection well in the Evergreen Subdivision, and
- X to for use the City=s public right-of-way for installation of the pipeline between the Evergreen System and the Core System.

Whereas, Resolution No. R-583-12-96 approved GSI's request dated November 13, 1997, to discharge treated water into the sanitary sewer until May 10, 1997;

Whereas, On December 16, 1997, Council approved the Resolution Regarding the Immediate Clean Up of GSI=s Groundwater Contamination, No. R-583-12-96, and imposed effluent concentration limits for 1,4-dioxane of 3 parts per billion ( ppb) as an average monthly limit and 10 ppb as the single day maximum, and resolved that prior to any Council consideration to approve future GSI discharge, the following four conditions are required:

1. a state-approved remedial investigation plan and/or work plan directly related to each request;
2. all necessary associated state permits or exemptions;
3. GSI=s agreement to comply with all applicable monitoring and reporting requirements of the City; and
4. adherence to the terms and conditions of the 1992 agreement and Industrial User Permit (IUP) No. 041093 including reapplication for the agreement and the IUP;

Whereas, GSI has satisfied the above conditions and has re-applied for an extension of the 1992 agreement and the IUP to discharge treated water from the Evergreen Treatment Facility into the sanitary sewer until November 10, 1997, as a secondary means of disposal so that operation of the facility is not interrupted;

Whereas, MDEQ has approved the locations and pipelines for a new purge (extraction) well and a new re-injection well to be connected to the Evergreen Treatment Facility and a new pipeline for the Evergreen area to the Wagner Road Treatment Facility;

Whereas, GSI=s request to use the City=s Right-of-Way to install these pipelines conforms to City Standards and conditions; and

Whereas, Continuous purging and operation of the Evergreen Treatment Facility will prevent further spread of the plume of groundwater contamination;

RESOLVED, That Council approve an extension to GSI to discharge treated water from the Evergreen Treatment Facility into the sanitary sewer until a new replacement re-injection well is installed and operational and in accordance with the Industrial User Permit, and that the Mayor and City Clerk be authorized to sign an updated discharge agreement in a form approved by the City Attorney; and

RESOLVED, That Council permit the use of the City=s Public Right-of-Way for the installation of pipelines between the new wells and the Evergreen Treatment Facility and the pipeline to the Core (Wagner Road) Treatment Facility.

Councilmember Lumm moved that the resolution be adopted.

Councilmember Kolb moved that the resolution be tabled to allow the City Administrator to follow the course of action recommended in the July 7, 1997 memorandum from Utilities Director Frank Porta. (Memorandum on file in the City Clerk=s Office)

On a voice vote the Mayor declared the motion carried.

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R-302-7-97 APPROVED

RESOLUTION TO APPROVE TRANSFER OF GENERAL FUNDS FROM 15TH DISTRICT COURT=S FISCAL YEAR 1996-97 BUDGET TO FISCAL YEAR 1997-98 BUDGET FOR THE COURT=S SHARE OF VIDEO RECORDING EQUIPMENT FOR COURTROOMS 6, 7 AND 8

Whereas, The City of Ann Arbor, by law, must provide funding and equipment for 15th District court operations;

Whereas, The 15th District Court and the 22nd Circuit Court share courtrooms in the Washtenaw County Courthouse;

Whereas, Funding for courtroom equipment is paid by Washtenaw County and the City of Ann Arbor based on the projected use of the courtrooms by circuit and district court judges;

Whereas, The Courts have already jointly funded the installation of video recording systems in many of the courtrooms to replace audio recording devices used to create the official record of proceedings as required by state law;

Whereas, Courtrooms 6, 7 and 8 are the only remaining non-video courtrooms;

Whereas, Funds for the 15 District Court=s portion of expenses to install video recording systems in courtrooms used by 15th District Court=s judges were approved in the Fiscal Year 1996-97 Budget; and

Whereas, The budget cycles for Washtenaw County and the City of Ann Arbor do not coincide;

RESOLVED, That the Ann Arbor City Council approve the transfer of \$60,210.00 from the District Court=s Fiscal Year 1996-97 General Fund budget to the District Court=s Fiscal Year 1997-98 budget for the purpose of purchasing a portion of video recording equipment for Courtrooms 6, 7 and 8 in the Washtenaw County Courthouse.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-303-7-97 APPROVED

**RESOLUTION TO ACCEPT AND APPROPRIATE  
A GRANT TO INSTALL EQUIPMENT AND GATHER  
DATA ON ENERGY SAVING TECHNOLOGIES AT  
THE GUY C. LARCOM, JR. MUNICIPAL BUILDING**

Whereas, Ann Arbor has adopted an Energy Plan which calls for the City to demonstrate energy saving technologies which reduce facility operating cost and provide local businesses with information to help them become more energy efficient;

Whereas, The State of Michigan Department of Consumer and Industry Services, Energy Resources Division has allocated funds for the demonstration of Advanced Control Technologies for Energy Efficiency in Commercial Buildings;

Whereas, Ann Arbor has recently installed numerous advanced control technologies in the Guy C Larcom, Jr. Municipal Building through its energy program;

Whereas, State grant funds would be used to install additional improvements to the existing energy systems in the Guy C. Larcom Jr. Municipal Building and to collect and publicize data on the energy saving technologies;

Whereas, Matching funds for this grant project will be provided utilizing \$13,310.00 of in-kind services from the Administration Services Department and \$20,000.00 of donated engineering services from Viron Energy Services of Kansas City;

Whereas, The State has awarded a \$33,300.00 grant to the City of Ann Arbor pending Council approval; and

Whereas, The implementation of this grant would publicize the Guy C. Larcom, Jr. Municipal Building as one of the most advanced energy efficient buildings in Michigan;

**RESOLVED**, That the City be authorized to accept and appropriate a grant from the State Department of Consumer and Industry Services for \$33,300.00 for the installation and data collection of advanced energy saving technologies;

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

**RESOLVED**, That the Mayor and City Clerk be authorized to sign the City Attorney approved grant document and the agreement with Viron Energy Services for the donation of \$20,000.00 worth of engineering services related to the grant.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-304-7-97 APPROVED**

**RESOLUTION TO AUTHORIZE ENTERING A LEASE AGREEMENT FOR 27 ACRES FOR PARK USE FROM THE TRAVER CREEK DRAINAGE DISTRICT**

Whereas, Traver Creek Drainage District owns 27 acres of land adjacent to Northeast Area Park property that it is agreeing to lease to the City for Park use there is no cost to the City for the lease;

Whereas, The lease allows the City to make improvements on the Drainage District property for public park use provided that the drainage facilities on the property are not disturbed and the City maintains the portion of the property not part of the drain function;

Whereas, The Park Advisory Commission recommends approval of the lease agreement; and

Whereas, The City Attorney has reviewed the lease agreement;

**RESOLVED**, The City Council authorize the Mayor, City Clerk and City Administrator to sign the agreement documents substantially in the form on file with the City Clerk necessary to enter an agreement to lease 27 acres from the Traver Creek Drainage District to be used as an addition to Northeast Area Park; and

**RESOLVED**, That the Northeast Area Park Lease be amended to include language for a Phase I environmental assessment of the site.

Councilmember Vereen-Dixon moved that the resolution be adopted.

Councilmember Kwan moved that the Northeast Area Park Lease be amended to include language for a Phase I environmental assessment of the site.

On a voice vote the Mayor declared the motion carried.

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

On a voice vote the Mayor declared the motion carried.

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**R-305-7-97 APPROVED****RESOLUTION APPROVING A GRANT OF EASEMENT TO  
DETROIT EDISON FOR UNDERGROUND UTILITY LINE FACILITIES  
(LOT 42, GARDEN HOMES PARK SUBDIVISION -PARKLAND)**

Whereas, The City of Ann Arbor is the owner of the following described property:

(Park land) Lot 42, Garden Homes Park Subdivision of part of the West 1/2 of Section 19, T2S, R6E, Ann Arbor Township and part of the NE 1/4 of Section 24, T2S, R5E, Scio Township, City of Ann Arbor, as recorded in Liber 20, page 92 of Plats, Washtenaw County Records.

Whereas, The adjacent property owner at 1827 Franklin Court has requested electrical service from Detroit Edison for his property;

Whereas, Detroit Edison, in order to provide service to 1827 Franklin Court, has requested a grant of easement from the City of Ann Arbor for the construction, operation and maintenance of underground utility line facilities, described as:

(Garden Homes Park No. 3) the Southerly ten (10) feet of Lot 42; and

Whereas, The City Administration does not object to the granting of the easement;

**RESOLVED**, That grant of easement be approved by City Council subject to conditions, including indemnification of the City; and

**RESOLVED**, That the Mayor and Clerk be authorized to execute the grant of easement in substantially the form now on file in the City Clerk's office.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-306-7-97 APPROVED AS AMENDED**

**RESOLUTION CONCERNING CONTINGENCY FUNDING  
FOR THE SHELTER ASSOCIATION**

A resolution concerning contingency funding for the Shelter Association was considered.

Councilmember Hanna-Davies moved that the resolution be adopted.

Councilmember Hanna-Davies moved that the resolution be amended as follows:

4th paragraph:

~~<Whereas, That the City encourages other governmental entities, the private sector and the religious community to provide additional financial support in order to continue emergency housing operations without interruption;>~~

RESOLVED, That City Council allocate \$35,000.00 from nondepartmental Contingency for Housing and Human Services to the Shelter Association of Washtenaw County in order to extend emergency shelter operations for one additional month of services;

RESOLVED, THAT THE CITY ENCOURAGE OTHER GOVERNMENTAL ENTITIES, THE PRIVATE SECTOR, THE RELIGIOUS COMMUNITY, INDIVIDUAL COMMUNITY MEMBERS, AS WELL AS THE SHELTER ASSOCIATION ITSELF, THROUGH ITS OWN FUNDRAISING, TO PROVIDE ADDITIONAL FINANCIAL SUPPORT IN ORDER TO CONTINUE EMERGENCY HOUSING OPERATIONS WITHOUT INTERRUPTION; ...

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-306-7-97

**RESOLUTION CONCERNING CONTINGENCY FUNDING  
FOR THE SHELTER ASSOCIATION**

Whereas, The City was notified by the Shelter Association of Washtenaw County of funding shortfalls that would result in closing emergency night shelters;

Whereas, The Shelter Association of Washtenaw County in coordination with the Task Force on Homelessness appointed Management Oversight Committee has made considerable strides in improving overall agency operations; and

Whereas, The City's nondepartmental budget has a contingency fund for housing and human services needs;

**RESOLVED**, That City Council allocate \$35,000.00 from nondepartmental Contingency for Housing and Human Services to the Shelter Association of Washtenaw County in order to extend emergency shelter operations for one additional month of services;

**RESOLVED**, That the City encourage other governmental entities, the private sector, the religious community, individual community members, as well as the Shelter Association itself, through its own fundraising, to provide additional financial support in order to continue emergency housing operations without interruption; and

**RESOLVED**, That City Council authorize the Mayor and City Clerk to execute the first amendment to the City of Ann Arbor Fiscal Year 1997/98 agreement with the Shelter Association of Washtenaw County substantially in the form on file in the office of the City Clerk.

Councilmember Daley exited at approximately 11:00 p.m.

**REPORTS FROM COUNCIL COMMITTEES**

None.

**COUNCIL PROPOSED BUSINESS**

**TASK FORCE TO BE PROPOSED**

Mayor Sheldon stated that she will be bringing forth a resolution to create a task force to address issues of economies in the City's housing inspection program.

**COMMUNICATIONS FROM THE MAYOR**

**ACTING MAYOR ELECTED**

Mayor Sheldon announced that she and Mayor Pro Tem Kolb will be out of town July 12-17, 1997, and declared nominations open for the election of an Acting Mayor.

Councilmember Kolb moved that Councilmember Hanna-Davies be elected Acting Mayor for the days of July 12-17, 1997.

On a voice vote the Mayor declared the motion carried.

**WORKING SESSION SCHEDULED**

Mayor Sheldon announced that a Council working session regarding the DDA parking structures repair plan is scheduled for 7:00 p.m., Monday, July 14, 1997.

**ART FAIR**

The Mayor announced that this year's art fair will be held July 16-19, 1997.

**APPOINTMENTS APPROVED**

Mayor Sheldon recommended the following appointments at the January 6 and 21, February 3 and 18, March 3 and 17, April 7 and 21, May 5 and 19, and June 2 and 16, 1997 regular sessions of Council:

**EMPLOYEES RETIREMENT SYSTEM BOARD**

Larry Hahn (reappointment)  
1524 Brookfield Dr. 48103  
Term: 1/20/97 to 12/31/2000

**HOUSING BOARD OF APPEALS**

Dick Fleece (replacing Barry Johnson as  
County Health Dept. representative)  
18451 Pleasant Lake Rd.

Manchester, MI 48158  
Term: 7/7/97 to 6/30/2000

**BICYCLE COORDINATING COMMITTEE**

Manfred Schmidt (reappointment)  
3214 Williamsburg Dr. 48108  
Term: 7/7/97 to 7/6/2000

**FINANCE ADVISORY COMMITTEE**

Del Dunbar (reappointment)  
3295 Bluett Dr. 48105  
Term: 7/7/97 to 5/31/2000

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

Councilmember Carlberg moved that the appointment to the Employees Retirement System Board of Trustees be postponed until a second nomination is presented for consideration.

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Kolb, Hanna-Davies, Vereen-Dixon, 5;

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

The Mayor declared the motion defeated.

Council unanimously agreed that the question be divided and that the appointment to the Employees Retirement System Board be considered separately.

The question being Larry Hahn=s appointment to the Employees Retirement System Board, on roll call the vote was as follows:

Yeas, Councilmembers Kwan, Carlberg, Herrell, Kolb, Lumm, Mayor Sheldon, 6;

Nays, Councilmembers Hanna-Davies, Vereen-Dixon, 2.

The Mayor declared the motion carried.

The question being the Mayor=s recommendations for appointments to the Housing Board of Appeals, Bicycle Coordinating Committee and Finance Advisory Committee, 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:

**ZONING BOARD OF APPEALS**

Charles A. Carver (reappointment)  
1225 Wynnstone Dr. 48105  
Term: 7/21/97 to 7/20/2000

**COMMUNITY DEVELOPMENT CITIZEN PARTICIPATION  
EXECUTIVE COMMITTEE**

Catherine Collins (reappointment)  
1823 Arlington Blvd. 48104  
Term: 7/21/1997 to 6/30/2000

**HOUSING BOARD OF APPEALS**

Brian Nagorsky (reappointment)  
307 N. State St. 48104  
Term: 7/21/1997 to 6/30/2000

**MAYOR=S TASK FORCE ON INCREASING SAFETY FOR WOMEN**

Susan Cameron  
City Attorney=s Office  
100 N. Fifth Ave. 48104

**DOWNTOWN DEVELOPMENT AUTHORITY**

Karl Pohrt (reappointment)  
313 S. State St. 48104  
Term: 8/4/97 to 7/31/2001

**HOMELESS SHELTER STEERING COMMITTEE**

Councilmember Elisabeth Daley  
Councilmember Jean Carlberg  
Mayor Ingrid B. Sheldon  
City Administrator Neal Berlin  
(citizen to be named)

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR****REPORTS SUBMITTED**

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

1. South Industrial Sidewalk Project
2. Finance Advisory Committee
3. Status of Hydropower Options RFP

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

**COMMUNICATIONS FROM THE CITY ATTORNEY****TELECOMMUNICATION APPLICATIONS RECEIVED**

City Attorney Abigail Elias reported that two telecommunication applications have been received, one from MCI, to replace the interim permit issued during the moratorium, and one from KMC, which is in the process of being reviewed.

**REPORT ON COMPLETED ANNEXATION**

City Attorney Elias submitted a report on the following completed annexation:

Mehring property, 2.0 acres, 1277 Bird Road, from Ann Arbor Township.

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

**COMMUNICATIONS FROM COUNCIL**

**COUNCILMEMBER HANNA-DAVIES**

Councilmember Hanna-Davies invited Council to the ACome Together for Peace Day activities which will be held on August 6, at Gallup park, and will include reflections by Ann Arbor high school students on their visit to the Hiroshima Peace Museum. The event is in observance of the anniversary of the bombing of Hiroshima.

**MAYOR SHELDON**

Mayor Sheldon announced that Councilmember Kolb will be traveling to Ann Arbor's sister city, Tuebingen, Germany, to attend the city festival for its Lord Mayor.

**COUNCILMEMBER KOLB**

Councilmember Kolb stated that he is looking forward to visiting Tuebingen, Germany, and representing Ann Arbor at the festival.

Mr. Kolb thanked the Ann Arbor Jaycees for sponsoring the Fourth of July Parade and annual carnival.

Mr. Kolb wished the City Council team good luck at the annual canoe race for the Mayor's Cup.

**COUNCILMEMBER LUMM**

Councilmember Lumm reported that she had received an editorial on Ann Arbor from a Tuebingen newspaper editor who had recently visited Ann Arbor, and that she will distribute copies of the article after having it interpreted.

**COUNCILMEMBER HERRELL**

Councilmember Herrell reported that the Recreation Advisory Committee will be asking for an updating of its charge.

**MAYOR SHELDON**

Mayor Sheldon congratulated the Ann Arbor Jaycees for sponsoring the Fourth of July parade and the annual carnival, and thanked City Council for its continued support of the Jaycees projects.

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

The following communication was referred as indicated:

1. Communication from Les Beecher, 293 Hiscock St., regarding city garage operations - Public Services
2. Communication from Michael L. Kvicala, 616 Allison Dr., regarding Gelman Sciences pipeline installation - File.

The following minutes were received for file:

1. Planning Commission - May 6 and May 20, 1997
2. Cable Communications Commission - April 22, 1997
3. Finance Advisory Committee - October 28, 1996
4. Historic District Commission - April 17 and May 8, 1997
5. Employees= Retirement System - April 17 and May 15, 1997
6. Market Commission - May 15, 1997
7. Human Rights Commission - May 21, 1997
8. Ann Arbor Energy Commission - June 12, 1997
9. Downtown Development Authority - May 8 and May 12, 1997

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

On a voice vote the Mayor declared the motion carried.

**PUBLIC COMMENTARY - GENERAL**

**None.**

**ADJOURNMENT**

**There being no further business to come before Council, the Mayor declared the meeting adjourned at 11:21 p.m.**

**W. Northcross  
Clerk of the Council**

**Janet L. Chapin  
Recording Secretary**