

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - JUNE 7, 1999**

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, Joseph Upton, David Kwan (entered at 8:29 p.m.), Jean Carlberg, Heidi Cowing Herrell, Stephen C. Hartwell, Patrick A. Putman, Christopher Kolb, Mayor Ingrid B. Sheldon, 10.

ABSENT : Councilmember Elisabeth L. Daley, 1.

INTRODUCTIONS

RESPECT FOR LAW WEEK PROCLAMATION

Mayor Sheldon presented a proclamation to Harry Hawkins, of the Ann Arbor Optimist Club, and Police Chief Carl Ent in recognition of "Respect for Law Week, June 7-13, 1999". Mr. Hawkins announced that the Ann Arbor Optimists will be recognizing Staff Sergeant Dennis Betz as "Officer of the Year" at a breakfast on June 9.

RECOGNITION AWARDS PRESENTED TO EARTH DAY CELEBRATION SPONSORS

Mayor Sheldon presented recognition awards to Donn Wolf, representing the Detroit Edison Foundation, and Paul Ganz, representing the MichCon Foundation, for their sponsorship of the 1999 Earth Day Celebration event held on April 25.

PUBLIC COMMENTARY - RESERVED TIME

JEFF KASS - YOUTH VIOLENCE AND NEUTRAL ZONE TEEN CENTER

Jeff Kass, Pioneer High School teacher, and his student, Jeremy Jackson, spoke in support of the Neutral Zone Teen Center. Mr. Kass stated that the center helps young people find ways to express themselves in a positive manner and allows opportunities for their opinions to be heard in the community. Mr. Kass and Mr. Jackson presented a poem written by the teen center=s creative writing team, which won the National Youth Poetry Slam Championship in Albuquerque, New Mexico.

LISA DENGIZ - TEENS AND NEED FOR FUNDING SERVICES

Lisa Dengiz, 1136 Lincoln Ave., representing the Neutral Zone Ann Arbor Teen Center, urged approval of the request for increased funding this year for the teen center to help support the free activities sponsored by the center.

KERMIT SCHLANSKER - END OF OIL

Kermit Schlansker, 2960 Marshall Ct., expressed concern with the depletion of oil and gas resources, and stated that people must redesign their living patterns to conserve energy. He requested that City Council create a scientific and engineering oriented committee to study these problems and determine how the City can take action to reduce the current consumption of energy.

DAVID REED - LAW

David Reed, 419 State St., Apt. 3A, Howell, MI, stated that City Council must promptly process his report of crimes, which requests that the Mayor and City Attorney be investigated for wilful neglect of duty and treason. He expressed concern that his case has been ignored by the media and that the courts have refused to hear the matter.

PUBLIC HEARINGS

BIG MARKET REVISED SITE PLAN

A public hearing was conducted on the proposed Big Market Revised Site Plan, 0.29 acre, 341 East Huron Street. Notice of public hearing was published May 30, 1999.

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

OSLUND CONDOMINIUMS PHASE II REVISED PLANNED PROJECT SITE PLAN

A public hearing was conducted on the proposed Oslund Condominiums Phase II Revised Planned Project Site Plan, 9.55 acres, northeast corner of Huron Parkway and Glazier Way. Notice of public hearing was published May 30, 1999.

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

ST. PAUL EVANGELICAL LUTHERAN SCHOOL AREA PLAN

A public hearing was conducted on the proposed St. Paul Evangelical Lutheran School Area Plan, 31.03 acres, 495 Earhart Road. Notice of public hearing was published May 30, 1999.

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

UNIVERSITY COMMONS REVISED PUD SITE PLAN

A public hearing was conducted on the proposed University Commons Revised PUD Site Plan, 18.57 acres, west side of Huron Parkway North of Huron High School. Notice of public hearing was published May 30, 1999.

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

AMENDMENT NO. 2 TO TELECOMMUNICATIONS RIGHT-OF-WAY PERMIT #1997-3

A public hearing was conducted on the proposed Amendment No. 2 to Telecommunications Right-of-Way Permit #1997-3 for Michigan Bell Telephone Company, a/k/a Ameritech or Ameritech Michigan. Notice of public hearing was published May 23, 1999.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

Councilmember Putman moved that the agenda be approved with the following changes:
MOTIONS AND RESOLUTIONS

Correct Resolution <~~Opposing House Bills 4530-4545 and Senate Bill 4600,~~
Title Commonly Known as the Concealed Weapons Package> **REQUESTING**
& Add **THAT GOVERNOR ENGLER VETO THE A CONCEALED WEAPONS**
Sponsor: **PACKAGE, IN PARTICULAR HOUSE BILLS 4530-4545 AND SENATE BILL**

460 (CouncilmemberS Herrell AND VEREEN-DIXON)

Correct Resolution to Amend the FY 1998/99 Community Development Budget -
Title: Ann Arbor Assistance Fund (<\$25,00.00> \$2,500.00+)

Add & Resolution in Support of the University of Michigan>s <Affirmative Action
Correct Policy> **ADMISSIONS POLICIES** (Councilmembers Hanna-Davies, Kolb and
Title: Vereen-Dixon)

Add: Resolution Recognizing the Ann Arbor Youth Chorale as a Non-Profit
 Organization in the City of Ann Arbor (Mayor Sheldon)

Add: Resolution Proclaiming Lesbian, Gay, Bisexual and Transgender Pride Month
 and Commemorating the 30th Anniversary of the Stonewall Uprising, the
 Beginning of the Present Lesbian, Gay, Bisexual and Transgender Rights
 Movement (Councilmember Kolb)

Add: Resolution to Oppose Permit Modification Granted to Pall/Gelman by the State
 of Michigan (Councilmember Kolb)

Add: Resolution Recognizing Friends of the Arborough Games as a Non-Profit
 Organization in the City of Ann Arbor (Councilmember Hanna-Davies)

CLERK=S REPORT

Add: Communication from State Representative Liz Brater transmitting report and
 notice of formal action on proposal to revise Michigan=s personal property tax
 tables - File.

Add: RECESS TO CLOSED SESSION TO DISCUSS CITY ADMINISTRATOR=S
 EVALUATION (**Add prior to Adjournment**)

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTESMINUTES OF JUNE 10 APPROVED

Councilmember Putman moved that the budget working session minutes of June 10, 1999
 be approved as presented.

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following item was removed from the Consent Agenda for consideration immediately following approval of the Consent Agenda:

Resolution Authorizing the Execution of a Three-Year Service Agreement for Maintenance of the Shared 800 MHz Simulcast System with Motorola Communications and Electronics, Inc. (\$405,982.00) (Public Services).

Councilmember Kwan entered at 8:29 p.m.

Councilmember Upton moved that the following item be removed from the Consent Agenda and placed at the end of the agenda:

Resolution to Approve Purchase from the State Bid with Electronic Data Systems Corporation for Hardware, Software and Services for Fiscal Year 1999-2000 (\$400,000.00) (Administrative Services).

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA ITEMS APPROVED

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

R-286-6-99 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION
CONTRACT TO CHIPPEWA CONTRACTING, INC. AND
ESTABLISH A PROJECT BUDGET FOR THE GLAZIER WAY
ROAD RECONSTRUCTION PROJECT - BID NO. 3260

Whereas, It has been found necessary to reconstruct and pave the gravel portion of Glazier Way Road from Green Road to Huron Parkway;

Whereas, Competitive bids were received by the Purchasing Division on May 20, 1999, and Chippewa Contracting, Inc. was the lowest responsible bidder at \$1,759,091.84; and

Whereas, Chippewa Contracting, Inc. has received approval from the Human Resources Department on June 7, 1999;

RESOLVED, That a contract in the amount of \$1,759,091.84 be awarded to Chippewa Contracting, Inc. for the Glazier Way Road Reconstruction Project (Bid No. 3260);

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said contract after approval as to form by the City Attorney and approval as to substance by the City Administrator;

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

\$ 810,698	Glazier Way Road Reconstruction Project Special Assessment
	Bonds
\$ 770,000	Special Assessment General Obligation Bonds
\$ 516,155	Advanced from the General Fund surplus, to be recovered in the future as
	Improvement Charges
\$ 212,247	1996 Street Resurfacing Millage (Fund 062)
\$ 355,600	1999 Water Revenue Bond, Series X
\$ 96,000	Sewage Disposal System Fund Balance
\$ 66,000	Storm Water System Fund Balance
\$2,826,700	TOTAL

Section II - Expenses

\$1,759,100	Construction
\$ 347,600	Design Engineering and Public Involvement Process
\$ 220,130	Construction Engineering (Consulted Services)
\$ 30,000	Construction Engineering (City Forces)
\$ 88,000	Testing
\$ 140,730	Contingencies approved by the City Administrator
\$ 88,000	Miscellaneous Costs
\$ 30,000	Right-of-way Acquisition
\$ 123,140	Overhead Charges
\$2,826,700	TOTAL; and

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

R-287-6-99 APPROVED

RESOLUTION TO AWARD A CONTRACT
WITH SALADINO CONSTRUCTION COMPANY, INC.
FOR CONCRETE REPAIRS - BID NO. 3258

Whereas, Seven concrete contractors were solicited for bids pertaining to concrete repairs in April, 1999, and Saladino Construction Company, Inc. was the lowest responsible bidder;

Whereas, Sufficient funds have been allocated in the FY 1999-00 Public Services Department, Major and Local Street Budgets and are anticipated to be allocated in the FY 2000-01 and 2001-02 Major and Local Street Budgets; and

Whereas, Saladino Construction Company, Inc. has received Human Rights approval on May 13, 1999;

RESOLVED, That City Council approve a contract, per Bid No. 3258, with Saladino Construction Company, Inc. in an amount not to exceed \$375,000.00 over three years for concrete repairs;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said contract after approval as to form by the City Attorney, and approval as to substance by the City Administrator; and

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

R-288-6-99 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TOLTEST, INC. FOR CONSTRUCTION TESTING SERVICES FOR THE HURON PARKWAY RECONSTRUCTION PROJECT - PHASE III

Whereas, It is necessary to employ a qualified testing firm to perform essential testing for the Huron Parkway Resurfacing Project - Phase III;

Whereas, Proposals for this testing were received and evaluated by the Engineering Division on the basis of qualifications and fees;

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

Whereas, On March 31, 1999 the Human Resources Department gave approval of said company for said work; and

Whereas, Sufficient funds have been budgeted for this contract;

RESOLVED, That Council authorize a professional services agreement in the standard City form in the amount of \$37,250.00 with Toltest, Inc. for construction testing and inspection services for the Huron Parkway Reconstruction Project - Phase III;

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

RESOLVED, That the Mayor and Clerk be authorized and directed to execute said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator.

R-289-6-99 APPROVED

RESOLUTION TO APPROVE THE PURCHASE OF
A SURVEYING ELECTRONIC TOTAL STATION SYSTEM -
BID NO. 3265

Whereas, A surveying electronic total station system is needed to replace an existing 10-year old surveying electronic total station system;

Whereas, Competitive bids were received by the Purchasing Division on May 19, 1999, and Michigan Surveyors Supply was the lowest responsible bidder at \$30,196.00;

Whereas, Michigan Surveyors Supply received Human Rights approval from the Human Resources Department on May 20, 1999; and

Whereas, Funding for this surveying electronic total station system is available within the approved FY 1998/99 Budget of the Engineering Division;

RESOLVED, That City Council approve the issuance of a purchase order to Michigan Surveyors Supply for a surveying electronic total station system in the amount of \$30,196.00, per Bid No. 3265.

R-290-6-99 APPROVED

RESOLUTION TO APPROVE CHANGE TO PURCHASE
ORDER TO AM-DYN-IC FLUID POWER, INC. FOR REPAIRS
AND PURCHASE OF HYDRAULIC FITTINGS, MOTORS,
PUMPS AND CYLINDERS - BID NOS. 2789 AND 2798

Whereas, The City of Ann Arbor=s Fleet Services Division of the Public Services Department requires repair parts for the City=s fleet;

Whereas, Am-Dyn-Ic Fluid Power, Inc. was the lowest responsible bidder, bids #2789 and #2798, for the purchase of hydraulic repairs and parts;

Whereas, \$35,000.00 annually was approved under resolution R-506-11-95 by Council to Am-Dyn-Ic Fluid Power, Inc;

Whereas, The Public Services Department needs approval of an additional \$10,000.00 for fiscal year 1998-99 due to higher costs incurred as a result of the January snow storm; and

Whereas, Am-Dyn-Ic Fluid Power, Inc. received Human Resources approval on July

8, 1998;

RESOLVED, That City Council approve a \$10,000.00 increase to the purchase order to Am-Dyn-Ic Fluid Power, Inc., with the fiscal year total amount to be \$45,000.00.

R-291-6-99 APPROVED

RESOLUTION TO APPROVE PURCHASE OF TWO RESIDENTIAL REFUSE TRUCKS AND ONE RECYCLING TRUCK FROM REFUSE & RECYCLING EQUIPMENT, INC.

Whereas, Replacement residential refuse and recycling trucks are needed by the Solid Waste Department;

Whereas, Refuse & Recycling Equipment, Inc. is the regional Lodal distributor, and their quote contains the same base price as the last T-25 Lodal refuse truck in November 1998 and ECO SA33 Lodal recycling truck in October 1988;

Whereas, It is in the City=s best interest to continue to standardize refuse and recycling collection vehicles;

Whereas, Refuse & Recycling Equipment, Inc. received Human Resources approval on April 6, 1999; and

Whereas, Funds for this purchase are available within 1999-00 budgeted Solid Waste General Fund accounts;

RESOLVED, That City Council approve the issuance of a purchase order to Refuse & Recycling Equipment, Inc. for the purchase of two new Lodal refuse trucks and one new Lodal recycling truck in the amount of \$404,329.00, with funds to be available without regard to fiscal year.

R-292-6-99 APPROVED

RESOLUTION TO APPROVE CONTRACT AMENDMENTS WITH RESOURCE RECOVERY SYSTEMS, INC. RELATING TO THE CITY=S MATERIALS RECOVERY FACILITY

Whereas, Resource Recovery Systems, Inc. (RRS) and the City of Ann Arbor

mutually agree that two minor changes are desired in the existing Operating and Management Contract relating to the operation of the City's materials recovery facility (MRF);

Whereas, The City generally accepts either a performance bond or letter of credit as acceptable mechanisms to guarantee performance under an operating agreement;

Whereas, The need to maintain written records of MRF scalehouse transactions for four years following the year in which they were generated is no longer necessary given the availability of electronic information storage;

Whereas, There is no financial impact to the City of Ann Arbor relating to these proposed contract amendments; and

Whereas, RRS received updated Human Rights approval on June 3, 1999;

RESOLVED, That City Council approve the operating contract changes, to be approved as to form by the City Attorney to allow for a performance bond and modified record retention requirements; and

RESOLVED, That the Mayor and City Clerk be authorized to sign this contract amendment as approved by the City Attorney.

R-293-6-99 APPROVED

RESOLUTION TO APPROVE HOUSING REHABILITATION AGREEMENT WITH LINDA BOWMAN FOR 321 DOTY AVENUE

Whereas, an application was received from Linda Bowman for rehabilitation assistance for her home located at 321 Doty Avenue;

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

Whereas, Two bids were received on May 27, 1999 and Ms. Bowman will be executing an agreement with the lowest responsible bidder, who has Human Rights approval, to complete the rehabilitation work;

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Linda Bowman in the amount of \$26,334.00 as a 0% interest, deferred payment loan and authorize the Mayor and City Clerk to execute the necessary documents substantially in the

form on file in the office of the City Clerk, with funds to be available without regard to fiscal year.

R-294-6-99 APPROVED

RESOLUTION TO TRANSFER DELINQUENT ALARM FEES
TO THE 1999 CITY TAX ROLL

Whereas, There are unpaid charges for alarm related fees to properties within the City as of December 31, 1998;

Whereas, On December 9, 1974, City Council resolved that notice be given by first class mail to the owner of such properties of the amount due, and that such amount would be assessed against such properties as a special assessment unless paid on or before April 1, 1999;

Whereas, The City Clerk has on file a list of such presently unpaid charges; 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", on file in the City Clerk's Office, 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 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-295-6-99 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER WITH
WEST GROUP, INC. FOR LIBRARY SUBSCRIPTIONS AND
FOR ON-LINE LEGAL DATABASE SERVICES

Whereas, The City previously entered into purchase orders with West Group, Inc. for subscriptions to books, updates to books, CD-ROMs and other library materials;

Whereas, The City previously entered into a contract with West Group, Inc. to provide on-line legal database services;

Whereas, The contract for on-line legal database services is paid for under the same purchase orders which have been used for the subscription services;

Whereas, The total annual cost of the subscriptions from West Group, Inc. is estimated to be approximately \$12,000.00, and the total annual cost of the on-line legal database charges is estimated to be approximately \$20,500.00, the \$15,000.00 and \$10,000.00 purchase orders which have been used this fiscal year for on-line database services and for subscription services are not sufficient to cover those services billed through June 30, 1999;

Whereas, The annual cost of all the subscriptions and on-line services provided by West Group, Inc. now exceeds \$25,000.00, requiring approval by the City Council of the subscription purchases as well as the purchase of on-line services; and

Whereas, West Group, Inc. received Human Rights clearance on May 27, 1999;

RESOLVED, That the City Administrator or his authorized designee be authorized to sign a purchase order, approved by the City Attorney, with West Group, Inc. for the provision of subscription services and for the provision of and on-line database services billed through June 30, 1999, in an amount not to exceed \$12,500.00.

R-296-6-99 APPROVED

RESOLUTION TO APPROVE MULTI-YEAR FUNDING FOR
THE PURCHASE OF TWO ELECTRIC INDUSTRIAL VEHICLES
FROM THE E-Z-GO DIVISION OF TEXTRON, INC.

Whereas, Purchase Order No. 9-2427-76, in the amount of \$10,928.00, was issued to the E-Z-GO Division of Textron on March 4, 1999 for furnishing two electric industrial vehicles;

Whereas, The E-Z-GO Division of Textron of Augusta, Georgia, received Human Rights approval on February 24, 1999; and

Whereas, The manufacturer has missed several targeted build dates and the vehicles will not be delivered by June 30, 1999;

RESOLVED, That the funds for Purchase Order No. 9-2427-76 issued to the E-Z-

GO Division of Textron of August, Georgia, in the amount of \$10,928.00, be available without regard to fiscal year.

R-297-6-99 APPROVED

RESOLUTION AUTHORIZING A SPECIAL TAX ASSESSMENT FOR DELINQUENT WEED AND BRUSH CLEARANCE FEES

Whereas, The properties on Attachment A were in violation of the City Vegetation and Weed Control, Chapter 40;

Whereas, These properties were brought into compliance by the City following notification as required by the Code; and

Whereas, An invoice for services were issued to the applicable property owners and to date have not been paid;

RESOLVED, That the unpaid fees be levied as a special assessment against owners and premises according to the attached Schedule A together with an additional penalty charge of 10%, as provided for in Section 1.292 of the City Code; and

RESOLVED, That the Finance Department place the same on the next city tax roll and that the charges be collected in the same manner as general City taxes.

ATTACHMENT A

<u>Assessor Code</u>	<u>Property Address</u>	<u>Invoice Amount</u>	<u>Invoice Number</u>	<u>Date</u>	<u>Bal. Due w/Penalty</u>	<u>Property Owner</u>
81-12-02-405-003	2401 Pinecrest Ave.	\$230.00	ARINVS04062	07-25-97	\$253.00	Benjamin & S. Lux
		\$230.00	ARINVS05371	10-10-97	\$253.00	
		\$ 23.00	ARINVS40028	09-25-98	\$ 25.30	
81-09-29-325-001	701 S. Seventh St.	\$226.54	ARINVS40025	07-24-98	\$249.19	Great Lakes Nat=l Bank formerly Thomas M. Piedmonte

R-298-6-99 APPROVED

RESOLUTION RECOGNIZING PERRY NURSERY SCHOOL
AS A NON-PROFIT ORGANIZATION IN THE CITY

Whereas, Perry Nursery School is a non-profit organization;

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

Whereas, Perry Nursery School needs the City to recognize it as a non-profit organization in the community in order to conduct fundraising activities with State approval;

RESOLVED, That the Mayor and City Council recognize Perry Nursery School as a non-profit organization in the City of Ann Arbor.

R-299-6-99 APPROVED

RESOLUTION TO APPROVE TRANSFER OF CLASS C
LICENSED BUSINESS TO ANN ARBOR 1999, L.L.C.
(D.B.A. D=AMATO=S RESTAURANT) LOCATED AT
102 SOUTH FIRST STREET

RESOLVED, That the request from Ann Arbor 1999, L.L.C. (d.b.a. D=Amato=s Neighborhood Restaurant) to transfer the ownership of a 1998 Class C licensed business with a Dance-Entertainment Permit, located at 102 S. First St., from Screaming Dog, L.L.C.- Step II (d.b.a. Amer=s First Street Grill), be approved.

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

R-300-6-99 APPROVED

RESOLUTION AUTHORIZING THE EXECUTION OF
A THREE-YEAR SERVICE AGREEMENT FOR MAINTENANCE
OF THE SHARED 800 MHZ SIMULCAST SYSTEM WITH
MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC.

Whereas, The City of Ann Arbor uses a 800 MHz simulcast radio system from Motorola Communications and Electronics, Inc.;

Whereas, The existing service agreement expired March 31, 1999, and the new service agreement is a three year contract beginning April 1, 1999;

Whereas, The City Administrator has made a finding that the service agreement is necessary for the continued efficient operation of the City=s public safety radio communications system, and has authorized a waiver of the Business with Burma Resolution; and

Whereas, Motorola Communications Electronics, Inc. received Human Resources Department approval on March 27, 1999;

RESOLVED, That the City Administrator be authorized to execute a new service agreement for the three year period April 1, 1999, through March 31, 2002; and

RESOLVED, that the City Council approve the issuance of the necessary sole

source purchase orders to Motorola Communications and Electronics, Inc.

Councilmember Kolb moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Putman, Kolb, Vereen-Dixon, Upton, Kolb, Mayor Sheldon, 7;

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

The Mayor declared the motion carried.

ORDINANCES - SECOND READING

20-99 APPROVED

TAXICAB ORDINANCE

An Ordinance to Amend Sections 7:158, 7:160, 7:162 and 7:177
of Chapter 85 of Title VII of the Code of the City of Ann Arbor

(The complete text of Ordinance 20-99 is on file in the City Clerk=s Office).

Councilmember Vereen-Dixon moved that the ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried.

ORDINANCES - FIRST READING

21-99 APPROVED

WATER RATE INCREASE

An Ordinance to Amend Sections 2:62 and 2:63 of Chapter 29
of Title II of the Code of the City of Ann Arbor

(The complete text of Ordinance 21-99 is on file in the City Clerk=s Office).

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

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Kolb, Hanna-Davies, Upton, Kwan, Mayor Sheldon, 7;

Nays, Councilmembers Hartwell, Putman, Vereen Dixon, 3;

The Mayor declared the motion carried.

MOTIONS AND RESOLUTIONS

R-301-6-99 APPROVED AS AMENDED

RESOLUTION TO ADOPT CITY OF ANN ARBOR 1999 LONG TERM FINANCIAL PLAN

Whereas, The Strategic Financial Planning Team has developed an initial long term financial plan with objectives and budget strategies for the coming year;

Whereas, The City=s Strategic Financial Planning Team recommends adoption of a long-term financial plan for the City; and

Whereas, The Mayor and City Council desire to insure the City=s financial strength while retaining the ability to maintain desired service levels and meet infrastructure needs;

RESOLVED, That the Mayor and City Council hereby adopt the long-term financial plan document, on file in the City Clerk=s Office, entitled, ACity of Ann Arbor 1999 Long Term Financial Plan.=

Councilmember Kolb moved that the resolution be adopted.

Councilmember Upton moved that the Long Term Financial Plan document be amended as follows:

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Municipal Productivity (*amend the first two statements*):

<+> - The number of employees per capita ~~<has been stable>~~ **IS INCREASING.**

<+> - Expenditures per capita adjusted for inflation are ~~<stable>~~ **INCREASING.**

Councilmember Herrell moved that Councilmember Upton's amendment be amended as follows:

Page 3

Municipal Productivity

<-> + The number of employees per capita ~~<is increasing>~~ **HAS INCREASED MODERATELY WHILE SERVICE LEVELS HAVE INCREASED.**

<-> + Expenditures per capita adjusted for inflation ~~<are increasing>~~ **AND LEVEL OF SERVICE ARE STABLE.**

On roll call the vote was as follows:

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

Nays, Councilmembers Hartwell, Putman, Upton, Kwan, Mayor Sheldon, 5.

The Mayor declared the motion defeated.

Councilmember Upton withdrew his amendment and moved that the first two statements under AMunicipal Productivity on page 3 of the Long Term Financial Plan document be deleted.

On roll call the vote was as follows:

Yeas, Councilmembers Hartwell, Putman, Upton, Kwan, Mayor Sheldon, 5;

Nays, Councilmembers Carlberg, Herrell, Kolb, Hanna-Davies, Vereen-Dixon, 5.

The Mayor declared the motion defeated.

Councilmember Upton moved that the Long Term Financial Plan document be amended as follows:

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Conclusions *(replace the first two sentences):*

~~<There has been moderate revenue growth, revenues have kept pace with inflation and the local economy is healthy. Growth of expenditures adjusted for inflation has been stable and slightly declining in the past two (2) years.>~~
REVENUES AND EXPENDITURES HAVE GROWN FASTER THAN THE RATE OF INFLATION OVER THE LAST FIVE YEARS. HOWEVER, THE LOCAL ECONOMY IS HEALTHY.

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Putman, Upton, Kwan, Mayor Sheldon, 7;

Nays, Councilmembers Kolb, Hanna-Davies, Vereen-Dixon, 3.

Councilmember Upton moved that the Long Term Financial Plan document be amended as follows:

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Short-term Goals (FY 2000-2001 and 2001-2002) *(add item 5):*

5. **DEVELOP A FISCAL PLAN TO CONTAIN THE RATE OF EXPENDITURE GROWTH AND INVEST EXCESS GENERAL FUND SURPLUSES IN CAPITAL IMPROVEMENTS.**

Councilmember Hartwell requested that the question be divided.

Council unanimously agreed to amend Councilmember Upton=s amendment as follows:

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Short-term Goals (FY 2000-2001 and 2001-2002)

5. Develop a fiscal plan to contain the rate of expenditure growth ~~<and invest excess General Fund Surpluses in capital improvements>~~.
6. **DEDICATE THE MAJORITY OF GENERAL FUND SURPLUSES TO CAPITAL IMPROVEMENT PROJECTS.**

The question being the addition of item #5 to the Short-term Goals section, on roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Hartwell, Putman, Kolb, Upton, Kwan, Mayor Sheldon, 7;

Nays, Councilmembers Herrell, Hanna-Davies, Vereen-Dixon, 3.

The Mayor declared the motion carried.

The question being the addition of item #6 to the Short-term Goals section, on roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Hartwell, Putman, Kolb, Vereen-Dixon, Upton, Kwan, Mayor Sheldon, 8;

Nays, Councilmembers Herrell, Hanna-Davies, 2.

The Mayor declared the motion carried.

Councilmember Upton moved that the Long Term Financial Plan document be amended as follows:

Page 7

Long-term Goals (FY 2003 and beyond) *(add item 5)*:

- 5. DEVELOP A FISCAL PLAN TO CONTAIN THE RATE OF EXPENDITURE GROWTH AND RETURN EXCESS GENERAL FUND SURPLUSES TO TAXPAYERS.**

Councilmember Hartwell requested that the question be divided.

Council unanimously agreed to amend Councilmember Upton=s amendment as follows:

Page 7

Long-term Goals (FY 2003 and beyond)

5. Develop a fiscal plan to contain the rate of expenditure growth ~~and~~.
6. ~~<f>~~Return excess General Fund Surpluses to taxpayers.

The question being the addition of item #5 to the Long-term Goals section, on roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Hartwell, Putman, Kolb, Upton, Kwan, Mayor Sheldon, 7.

Nays, Councilmembers Herrell, Hanna-Davies, Vereen-Dixon, 3.

The Mayor declared the motion carried.

The question being the addition of item #6 to the Long-term Goals section, on roll call the vote was as follows:

Yeas, Councilmembers Hartwell, Putman, Kolb, Upton, Kwan, Mayor Sheldon, 6;

Nays, Councilmembers Carlberg, Herrell, Hanna-Davies, Vereen-Dixon, 4.

The Mayor declared the motion carried.

Councilmember Upton moved that the Long Term Financial Plan document be amended as follows:

Appendix A - Page 23

EMPLOYEES PER CAPITA

Current Observations (*amend the first sentence*):

The City=s workforce ~~<has changed very little since 1993 increasing from 8.4 to 8.6 employees per thousand residents for 1998-99>~~ **CONTINUES TO INCREASE FROM 8.4 EMPLOYEES PER THOUSAND RESIDENTS IN 1993 TO 8.6 IN 1998-99.**

Council unanimously agreed to amend Councilmembers Upton=s amendment as follows:

Appendix A - Page 23

EMPLOYEES PER CAPITA

Current Observations

The City=s workforce ~~<continues to increase>~~ **HAS INCREASED** from 8.4 employees per thousand residents in 1993 to 8.6 in 1998-99.

The question being Councilmember Upton=s amendment as amended, on roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Putman, Kolb, Hanna-Davies, Vereen-Dixon, Upton, Kwan, Mayor Sheldon, 10;

Nays, 0.

The Mayor declared the motion carried.

Councilmember Upton moved that the Long Term Financial Plan document be amended as follows:

Appendix A - Revised Page 24
EXPENDITURES PER CAPITA
Current Observations *(delete the second sentence):*

Expenditures per capita for municipal services have increased moderately since 1992 to the current level of \$774. ~~<When adjusted for inflation, costs today are \$574 per capita, only 7.7% higher than the 1988 amount of \$533 per capita.>~~

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Hartwell, Putman, Upton, Kwan, Mayor Sheldon, 6;

Nays, Councilmembers Herrell, Kolb, Hanna-Davies, Vereen-Dixon, 4.

The Mayor declared the motion carried.

The question being the resolution and the Long Term Financial Plan document as amended, on roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Hartwell, Putman, Kolb, Vereen-Dixon, Upton, Kwan, Mayor Sheldon, 8;

Nays, Councilmembers Herrell, Hanna-Davies, 2.

The Mayor declared the motion carried.

(Amended Long Term Financial Plan on file in the City Clerk=s Office).

R-302-6-99 APPROVED

RESOLUTION REQUESTING THAT GOVERNOR ENGLER VETO THE A CONCEALED WEAPONS≡ PACKAGE, IN PARTICULAR HOUSE BILLS 4530-4545 AND SENATE BILL 460

Whereas, A package of bills have been passed by the Michigan House of Representatives and the Michigan Senate that would, among other things, alter the current method by which permits to carry concealed weapons are now issued in order to make Michigan a A Shall Issue≡ instead of a A May Issue≡ state;

Whereas, This package of bills includes a very few desirable improvements, such as raising the permit eligibility age from 18 to 21, and the ability to reject applicants convicted of spouse abuse, stalking and other violent misdemeanors or who have a history of mental illness;

Whereas, Currently, the Washtenaw County Gun Board grants a license to carry a concealed weapon upon demonstration of need by the applicant which would justify the necessity for carrying a concealed weapon;

Whereas, The new legislation fundamentally weakens the discretion and authority of the Washtenaw County Gun Board to decide who should be permitted to carry a concealed weapon within its jurisdiction by shifting the burden of proof from the license applicant to the licensing officials who must prove that they have a reason not to issue a concealed weapon license;

Whereas, Licensing boards would be required to investigate and document their rejection of an applicant and this rejection can be appealed in court;

Whereas, Washtenaw County Prosecutor Brian Mackie has stated that licensing boards are without the resources to investigate applicants under a Ashall issue≡ system;

Whereas, There is no way to access private medical records that would let authorities identify a history of mental illness;

Whereas, The Police Chief of Ann Arbor, Carl Ent, strongly opposes any legislation that would decrease restrictions on the issuance of concealed weapon permits or that removes the discretion and the authority now exercised by the Washtenaw County Gun Board in granting licenses to carry a concealed weapon;

Whereas, This legislation has the potential to dramatically increase the number of concealed handgun weapons on our streets, thus increasing the risk to police officers and cause substantial harm to the general public without providing sufficient safeguards for protection;

Whereas, The Ann Arbor City Council recognizes the importance of safety for both citizens and the police officers who put their lives on the line everyday to protect the citizens of Ann Arbor, and all citizens throughout the state of Michigan;

Whereas, The Ann Arbor City Council acknowledges the potential danger that law enforcement personnel will face when they encounter individuals who are carrying a concealed weapon in the community, particularly in domestic situations, motor vehicle stops, and any other situation where an officer may have to make an immediate decision as to the dangerousness of a situation;

Whereas, Nation wide statistics from the years 1992 to 1997 show that the rate of violent crimes has decreased by 19.4%;

Whereas, These same statistics show that in states that prohibit the carrying of concealed weapons, or have strict ACarry Concealed Weapons≡ laws violent crimes declined by 24.8% versus a much lower rate of only 11.4% in states with liberal ACarry Concealed Weapons≡ laws;

Whereas, Currently, too many individuals use handguns as a means of resolving disputes causing the unnecessary loss of life of both youth and adults;

Whereas, A proliferation of concealed weapons would present a threat to the public safety, health and welfare of our community;

Whereas, Public opinion polls show that 68% of the citizens in Michigan would feel less safe if more citizens could carry concealed weapons into public places and 72%

believe that someone who wants to carry a concealed weapon should have to prove that they have a legitimate need to carry one;

Whereas, Violence in the workplace is a growing problem involving firearms and this legislation will result in more individuals carrying firearms to and from their place of employment and could increase the opportunity of firearm incidents in the workplace;

Whereas, In matters of public safety, the City of Ann Arbor maintains that it is essential to retain local control and thus be able to restrict weapons on public property in the City of Ann Arbor; and

Whereas, The Michigan Supreme Court has consistently found that the second amendment to Michigan=s Constitution that guarantees citizens the right to Akeep and bear arms= does not address an individual=s right to carry a concealed weapon;

RESOLVED, That the Ann Arbor City Council oppose any legislation that would decrease restrictions on the issuance of concealed weapon permits or reduce the ability of local governments to restrict weapons on public property or that removes the discretion and the authority now exercised by the Washtenaw County Gun Board in granting licenses to carry a concealed weapon;

RESOLVED, That the City Council of Ann Arbor requests Governor Engler to veto the bills in the so called AConcealed Weapons= package that would decrease restrictions on the issuance of concealed weapon permits or reduce the ability of local governments to restrict weapons on public property or that removes the discretion and the authority now exercised by the Washtenaw County Gun Board in granting licenses to carry a concealed weapon, in particular House Bills 4530-4545 and Senate Bill 460; and

RESOLVED, That copies of this resolution be transmitted to Governor Engler, State Representative Liz Brater, State Representative John Hansen, and State Senator Alma Wheeler Smith.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-303-6-99 APPROVED

RESOLUTION IN SUPPORT OF A STRONGER
COMMUNITY REINVESTMENT ACT

Whereas, The Community Reinvestment Act (CRA) was first passed in 1977 to remedy geographic disinvestment in residential lending and also covers banks consumer credit, business lending, community investments and services at low charges;

Whereas, The CRA requires FDIC to evaluate the extent to which the regulated institutions affirmatively meet the credit needs of its entire community, by assessing the lending number, amount, and distribution across income and geographic classifications of mortgage, small business, small farm, and consumer loans, by assessing the investment in qualified community development projects, and by assessing the service delivery such as location of branches and low-cost checking;

Whereas, The bank=s CRA rating is used to evaluate applications for a new charter, opening branches, relocating offices, or merging and acquiring another institution;

Whereas, The CRA has been credited with generating more than \$1.4 trillion in lending by FDIC insured banks to underserved minority and working class communities since its passage;

Whereas, The City of Ann Arbor benefits greatly when public funds are joined with private resources to meet the credit needs of lower income households, of starter businesses and businesses hoping to expand, and of affordable housing projects which are vital to the economic well-being of our community;

Whereas, The U.S. Senate passed provisions in S.900 (Financial Services Modernization Bill) which would severely limit the scope of oversight and evaluation by federal regulators of traditional banking activities established by the CRA;

Whereas, The Gutierrez amendment to HR 10 (Financial Services Modernization Bill) would ensure that the CRA is modernized and would continue to cover traditional banking activities whether performed by insurance and securities affiliates of a holding company or an FDIC-insured bank affiliated with the same holding company; and

Whereas, The National League of Cities has sought modernization of the CRA which is similar to the Gutierrez amendment;

RESOLVED, That the Mayor and City Council of Ann Arbor support strengthening the CRA to allow the CRA to regulate new securities, insurance and mortgage affiliates of banks which perform traditional banking services;

RESOLVED, That the Mayor and City Council of Ann Arbor urge Congress and the President to reject any weakening of the Community Reinvestment Act; and

RESOLVED, That the City Clerk be hereby authorized to send official copies of this resolution to our elected officials in Washington, including Representative Lynn Rivers, Senator Spencer Abraham, Senator Carl Levin, and President Bill Clinton.

Councilmember Carlberg moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Kolb, Hanna-Davies, Vereen-Dixon, Kwan, Mayor Sheldon, 8;

Nays, Councilmembers Putman, Upton, 2.

The Mayor declared the motion carried.

R-304-6-99 APPROVED

RESOLUTION TO APPROVE BIG MARKET REVISED SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Big Market Revised Site Plan, 0.29 acre, 341 East Huron Street.

Whereas, Mohamad Issa has requested revised site plan approval in order to construct a 1,054-square foot addition to the second floor of the existing building at 341 East Huron Street; and

Whereas, The Ann Arbor City Planning Commission, on May 18, 1999, recommended approval of said request;

RESOLVED, That City Council approve the Big Market Revised Site Plan.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-305-6-99 APPROVED

RESOLUTION TO APPROVE DAVIS ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Davis Annexation, 1.2 acres, 1559 and 1561 Newport Creek Drive.

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

Whereas, William J. Davis III and Carol S. Davis are the owners of said property; and

Whereas, It is the desire of William J. Davis III and Carol S. Davis 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 Ann Arbor, Washtenaw County, Michigan, be detached from said Township of Ann Arbor and annexed to the City of Ann Arbor, to-wit:

Commencing at the East 1/4 corner of Section 18, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence along the East and West 1/4 line of said Section, N 89°55' W 1330.84 feet; thence along the East line of the NW 1/4 of the SE 1/4 of said Section and along the centerline of Newport Road, S 00°27' W 1335.34 feet; thence along the South line of the NW 1/4 of the SE 1/4 of said Section, N 89°26' W 992.82 feet; thence N 00°27' E 375.00 feet for a Point of Beginning; thence N 89°26' W 290.43 feet; thence N 00°27' E 178.71 feet; thence S 89°55' E 290.43 feet; thence S 00°27' W 181.16 feet to the Point of Beginning, being part of the NW 1/4 of the SE 1/4 of said Section 18 and containing 1.20 acres of land more or less, subject to easements and restrictions of record, if any.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-306-6-99 APPROVED

RESOLUTION TO APPROVE OSLUND CONDOMINIUMS
PHASE II REVISED PLANNED PROJECT SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Oslund Condominiums Phase II Revised Planned Project Site Plan, 9.55 acres, northeast corner of Huron Parkway and Glazier Way.

Whereas, David and Constance Osler have requested revised site plan approval in order to develop seven single-family attached dwelling units as part of Phase II of the Oslund Condominium development at Glazier Way and Huron Parkway; and

Whereas, The Ann Arbor City Planning Commission, on May 18, 1999, recommended approval of said request;

RESOLVED, That City Council approve the Oslund Condominiums Revised Planned Project Site Plan, subject to the Phase I and Phase II parcels being combined prior to issuance of permits; and

RESOLVED, That City Council approve the Wetland Use Permit for alteration to an existing wetland for additional capacity for storm water detention.

Councilmember Upton moved that the resolution be adopted.

Councilmember Herrell moved that the following paragraph be added to the resolution:

RESOLVED, That the future two phases combined with the current two phases strive for an amount of 70% of open space.

On roll call the vote was as follows:

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

Nays, Councilmembers Carlberg, Hartwell, Putman, Vereen-Dixon, Upton, Kwan, Mayor Sheldon 7.

The Mayor declared the motion defeated.

The question being the resolution as originally presented, on a voice vote the Mayor

declared the motion carried.

R-307-6-99 APPROVED

RESOLUTION TO APPROVE ST. PAUL EVANGELICAL
LUTHERAN SCHOOL AREA PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed St. Paul Evangelical Lutheran School Area Plan, 31.03 acres, 495 Earhart Road.

Whereas, Concordia College has requested area plan approval for an expansion to the existing St. Paul Evangelical Lutheran School at 495 Earhart Road; and

Whereas, The Ann Arbor City Planning Commission, on May 18, 1999, recommended approval of said request;

RESOLVED, That City Council approve the St. Paul Evangelical Lutheran School Area Plan.

Councilmember Putman moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-308-6-99 APPROVED

RESOLUTION TO APPROVE UNIVERSITY COMMONS
REVISED PUD SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed University Commons Revised PUD Site Plan, 18.57 acres, west side of Huron Parkway north of Huron High School.

Whereas, The University Condominium Association has requested revised PUD site plan approval to increase the main building and villas, as well as the footprint of both the townhomes and villas, of the University Commons development on the west side of Huron Parkway, north of Huron High School; and

Whereas, The Ann Arbor City Planning Commission, on May 18, 1999, recommended approval of said request;

RESOLVED, That City Council approve the University Commons Revised PUD Site Plan.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-309-6-99 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 1999-2000
GENERAL FUND ALLOCATIONS TO NONPROFIT ENTITIES
FOR HOUSING AND HUMAN SERVICES

Whereas, The Human Services Task Force has recommended the allocation of \$966,000.00 in general funds including \$27,000.00 from FY 1998/99 Housing and Human Services Contingency Funds which was carried forward into the FY 1999/2000 Community Development Department budget, \$70,000.00 in Youth Challenge Funds, and \$7,500.00 in Drug Forfeiture Funds to the following organizations for FY1999/2000;

Whereas, On May 24, 1999 City Council approved carrying forward \$32,000.00 from the FY1998/99 Housing and Human Services Contingency into the FY1999/2000 Community Development Department Budget for allocation to nonprofit housing and human service organizations, bringing the total funds available to \$971,000.00; and

Whereas, The Human Resources Department has reviewed and approved these contractors as of April, 1999;

RESOLVED, That the Mayor and City Council approve allocations to the nonprofit entities as listed including Youth Challenge Funds from the Nondepartmental budget, and authorize the Community Development Department to negotiate contractual agreements either directly with the organizations or with outside organizations, acting as fiduciaries in accordance with the City=s purchasing procedures:

Ann Arbor Art Center (Youth Challenge)	\$ 18,000
Ann Arbor Community Center including \$7,500 in Drug Forfeiture Funds	40,500
Ann Arbor Hunger Coalition	5,500
Ann Arbor Public Schools-Achievement Initiative (Youth Challenge)	5,000
Ann Arbor Public Schools- Teen Enrichment Program (Youth Challenge)	11,000
Ann Arbor Teen Center (Youth Challenge)	15,000
Ann Arbor Tenants Union	3,000
Ann Arbor YMCA for Youth Volunteer Corps (Youth Challenge)	5,500
Aquademics (Youth Challenge)	4,000
Arbor Renaissance (Youth Challenge)	2,500
Arrowwood Hills Cooperative	27,000
Assault Crisis Center	2,000
Avalon Housing	28,000
Bryant Community Center	9,000
Catholic Social Services including \$16,000 for senior services and \$11,000 for food distribution	27,000
Center for Empowerment and Economic Development	5,000
Center for Occupational and Personalized Education	20,000
Community Action Network including \$40,000 for Youth Services and \$32,000 for Neighborhood Coalition of Southeast Ann Arbor (Youth Challenge Funds-\$4,500)	72,000
Community Family Health Center	5,000
Community Leaning Post	7,750
Corner Health Center (Youth Challenge)	2,000
Dawn Farm	15,000
Domestic Violence Project	40,000
Fair Housing Center of Washtenaw	6,000
Father Pat Jackson House	9,500
Food Gatherers, Inc.	36,000
HelpSource including \$16,000 for Soundings,	

\$20,500 for Student-Parent Center, and \$4,500 for Big Brothers/Big Sisters	41,000
HERO of Washtenaw County	4,500
Home of New Vision	13,500
Housing Bureau for Seniors including \$14,000 for Foreclosure/Eviction Prevention Assistance	24,000
Interfaith Hospitality Network	8,000
Legal Services of SE Michigan	5,000
Michigan Ability Partners	15,500
Motor Meals, Inc.	5,500
Options Center, Inc. including \$14,000 for WISH	42,000
Ozone House, Inc.	32,000
Packard Community Clinic	27,000
Peace Neighborhood Center	27,000
Pinelake Village Cooperative	25,000
SOS Community Crisis Center	52,000
Salvation Army	17,750
Shelter Association of Washtenaw	145,000
St. Andrew=s Breakfast Program	8,000
Student Advocacy Center of Michigan	17,000
Trailblazers of Washtenaw, Inc. including \$5,000 for building improvements	25,000
Washtenaw Homebuyer Program	10,000
Washtenaw Literacy	2,500
Youth Empowerment Program (Youth Challenge)	<u>2,500</u>
TOTAL	<u>\$971,000</u>

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

Councilmember Putman moved that the resolution be adopted.

Council unanimously agreed with the following requests of Councilmembers to abstain from the vote on certain agencies:

<u>Councilmember</u>	<u>Agency</u>
Vereen-Dixon	Arrowwood Hills Cooperative
Kwan	Ann Arbor YMCA for Youth Volunteer Corps
Carlberg	Washtenaw Homebuyer Program

The question being the resolution as presented, on a voice vote the Mayor declared the motion carried, with Councilmember Vereen-Dixon abstaining on Arrowwood Hills

Cooperative, Councilmember Kwan abstaining on the Ann Arbor YMCA for Youth Volunteer Corps, and Councilmember Carlberg abstaining on the Washtenaw Homebuyer Program.

R-310-6-99 APPROVED AS AMENDED

RESOLUTION TO APPOINT AFFORDABLE HOUSING STEERING COMMITTEE

A resolution to appoint an Affordable Housing Steering Committee was considered.

Councilmember Kwan moved that the resolution be adopted.

Council unanimously agreed to add the following appointments to the committee:

Councilmember

Appointee

Mayor Sheldon
David Kwan

Albert Berriz, President, McKinley Properties
J. Bradley Moore, architect

JOSEPH UPTON

REN SNYDER, REALTOR

PAT PUTMAN

DAVID KWAN, REALTOR, DEVELOPER

CHRISTOPHER KOLB

**ANDREA MAYES KRUEGER, INTERN ALLEN & KWAN,
AFFORDABLE HOUSING**

TOBI HANNA-DAVIES

NILE HARPER, RELIGIOUS COMMUNITY

PATRICIA VEREEN-DIXON

ROBERT GILLETT, DDA, HOUSING POLICY BD.

JEAN CARLBERG

**DINA SANDERS, WASHTENAW HOMEBUYERS
PROGRAM**

HEIDI HERRELL

**DEBRA MOORE, CUSTOM CONSTRUCTION CO.,
HOMEBUILDERS ASSN.**

STEPHEN HARTWELL

MICHAEL APPEL, AVALON HOUSING

ELISABETH DALEY

**KATE WARNER, UM URBAN PLANNING, HOUSING
POLICY BD.**

OPEN POSITIONS:

CHRISTOPHER KOLB, COUNCILMEMBER

BUILDER

JOE GRAMMATICO, MASTER KEY/NORTHERN,

KEVIN MCDONALD, PLANNING COMM.

**LARRY FRENCH, HOUSING POLICY BD., HOUSING
COMM.**

**AL DAILEY, WASHTENAW AFFORDABLE HOUSING
CORP.**

**KURT BRANDLE, ARCHITECT, URBAN PLANNER
PATRICIA VEREEN-DIXON, COOPERATIVES
JAMES MILLER, BANKER, HOUSING POLICY BD.
WILLIAM ZELLER, UM HOUSING**

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

The resolution as adopted reads as follows:

**RESOLUTION TO APPOINT AFFORDABLE HOUSING
STEERING COMMITTEE**

Whereas, On March 1, 1999, City Council approved Resolution R-105-3-99 directing the City Administrator to prepare a plan for the process and strategy to be used to create and preserve affordable housing in the community; and

Whereas, On May 17, 1999, City Council approved Resolution R-281-5-99 approving an Affordable Housing Process including provisions for the appointment of the Affordable Housing Steering Committee;

RESOLVED, That the Mayor and City Council nominate and appoint the Affordable Housing Steering Committee consistent with the provisions included in Resolution R-281-5-99.

CITY COUNCIL APPOINTMENTS TO
AFFORDABLE HOUSING STEERING COMMITTEE

<u>Councilmember</u>	<u>Appointee</u>
Mayor Sheldon	Albert Berriz, President, McKinley Properties
David Kwan	J. Bradley Moore, architect
Joseph Upton	Ren Snyder, realtor
Pat Putman	David Kwan, realtor, developer
Christopher Kolb	Andrea Mayes Krueger, intern Allen & Kwan, affordable housing (Master student in planning)
Tobi Hanna-Davies	Nile Harper, religious community
Patricia Vereen-Dixon	Robert Gillett, DDA, Housing Policy Bd.
Jean Carlberg	Dina Sanders, Washtenaw Homebuyers Program
Heidi Herrell	Debra Moore, Custom Construction Co., Homebuilders Assn.
Stephen Hartwell	Michael Appel, Avalon Housing
Elisabeth Daley	Kate Warner, UM Urban Planning, Housing Policy Bd.
Open Positions:	Christopher Kolb, Councilmember
	Joe Grammatico, Master Key/Northern, builder
	Kevin McDonald, Planning Comm.
	Larry French, Housing Policy Bd., Housing Comm.
	Al Dailey, Washtenaw Affordable Housing Corp.
	Kurt Brandle, architect, urban planner
	Patricia Vereen-Dixon, cooperatives
	James Miller, banker, Housing Policy Bd.
	William Zeller, UM Housing

R-311-6-99 APPROVED

RESOLUTION TO AMEND THE FY 1998-99
COMMUNITY DEVELOPMENT DEPARTMENT BUDGET -
ANN ARBOR ASSISTANCE FUND

Whereas, On May 27, 1998, City Council approved Resolution R-240-5-98 approving the FY 1998/99 City of Ann Arbor budget;

Whereas, The projected revenues to the Ann Arbor Assistance Fund were \$4,000.00; and

Whereas, The generosity of City of Ann Arbor residents has exceeded the projected revenues for FY 1998/99;

RESOLVED, That City Council approve the appropriation of any and all amounts received in excess of the current budget of \$4,000.00 for the Ann Arbor Assistance Fund, available for distribution according to the Memorandum of Understanding with the American Red Cross.

Councilmember Putman moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-312-6-99 APPROVED

RESOLUTION TO ACCEPT AND APPROPRIATE FUNDS FROM THE MICHIGAN STATE POLICE OFFICE OF HIGHWAY SAFETY

Whereas, The Ann Arbor Police Department has been awarded \$5,437.00 from the Office of Highway Safety Planning;

Whereas, The purpose of this grant is to positively impact underage drinking in our community;

Whereas, There have been well over 1000 known instances of minors in possession over the last three years; and

Whereas, These funds can be used to teach the harmful effects of underage drinking and to point our children in more positive directions;

RESOLVED, That the Mayor and City Council do hereby accept the grant award and appropriate the funds for the life of the grant to the Ann Arbor Police Department=s budget, to be expended in accordance with the provisions of the grant; and

RESOLVED, That the City Administrator be authorized to take all administrative actions necessary to implement these provisions.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-313-6-99 APPROVED

RESOLUTION REGARDING CONDEMNATION OF THE PROPERTY LOCATED AT 2986 SHADY LANE FOR CONSTRUCTION OF A WATER MAIN AND SANITARY SEWER

Whereas, The City of Ann Arbor and Pittsfield Township have agreed the at properties within the Waldenwood Subdivision on Shady Lane, a township island within the City of Ann Arbor, are to be served with municipal services by the City of Ann Arbor;

Whereas, In order to provide comprehensive sanitary sewer system services to the residents of that area, a sanitary sewer system needs to be constructed;

Whereas, It is necessary to connect the water main and sanitary sewer system stubs east of Waldenwoods Subdivision for the area through a portion of land located at 2986 Shady Lane, Ann Arbor, Washtenaw County, Michigan;

Whereas, 2986 Shady Lane is owned in fee simple by Min Wai Maung and Meritje Lie Maung, husband and wife, who reside at 2986 Shady Lane, Ann Arbor, Washtenaw County, Michigan;

Whereas, City Engineering and Attorney=s office staff have attempted unsuccessfully to obtain an easement over that portion of the Maung=s property or alternatively to purchase the entire parcel in order to make the necessary connection;

Whereas, The City hired Frisbie Appraisal Service, professional appraisers, to conduct a Before and after= appraisal to determine the value of the easement area and the entire parcel in order to proceed with condemnation of the sought after property;

Whereas, The City presented the property owners with a written, good faith offer of \$7,000.00 to purchase the easement area (the appraised value) or alternatively with a written, good faith offer to purchase the property for \$34,000.00 (the appraised value) in conformity with requirements of the Uniform Condemnation Act (M.C.L. 213.51 et seq.);

Whereas, The property owners have not indicated acceptance of the offer as presented to them;

Whereas, The property owners have made a counter-offer for the purchase of easement area or alternatively the entire property which has been declined; and

Whereas, Neal Berlin, City Administrator, is an authorized official of the City of Ann

Arbor who may sign a Declaration of Taking;

RESOLVED, That the acquisition by the City of Ann Arbor of a portion of property located at 2986 Shady Lane, Ann Arbor, Washtenaw County, Michigan, described in Schedule A, is a public necessity to construct a sanitary sewer for use by the general public;

RESOLVED, That the City Engineering Division has determined that time is of the essence in the acquisition of said portion of property located at 2986 Shady Lane in order to continue the current level of sanitary sewer service to the general public due to the age and condition of the present system;

RESOLVED, That City Council determine it is necessary to acquire for this public improvement the land described in the attached Schedule A;

RESOLVED, That City Council determine that the public improvement of the sanitary sewer system is for the use and benefit of the public and for a public purpose as required by the Uniform Condemnation Act (M.C.L. 213.51 et seq.); and

RESOLVED, That the City of Ann Arbor proceed to acquire the property described in the attached Schedule A as follows:

- (1) The City Attorney is authorized and directed to institute on behalf of the City the necessary condemnation proceedings in Washtenaw County Circuit Court to take the private property for public purposes;
- (2) The proceedings shall be instituted under the provisions of M.C.L. 213.51 et seq; and
- (3) The City Administrator of the City of Ann Arbor is hereby authorized and directed to execute, on behalf of the City, the Declaration of Taking authorized under Section 5 of M.C.L. 213.51 et seq.

DECLARATION OF TAKING

On June 7, 1999, the Ann Arbor City Council adopted a Resolution of Necessity stating: That the construction of a water main and sanitary sewer across a portion of the property at 2986 Shady Lane, Ann Arbor, Washtenaw County, Michigan, owned by Min Wai Maung and Meritje Lie Maung, husband and wife, is necessary; that as a result it is necessary to acquire that certain private property; that the City has made a good faith written offer to purchase the property; and that the parties have been unable to agree on the purchase of the property.

NOW, THEREFORE, pursuant to M.C.L. § 213.51 et seq., it is now declared that, by the filing of this declaration and the complaint in Washtenaw County Circuit Court, the title to the property described in the attached Schedule A is taken by the City of Ann Arbor for public purposes.

The attached Schedule A contains a description of the property being taken, a statement of the estate or interest being taken, the names of the known persons having an interest in the property, a statement of the sum of money estimated by the City of Ann Arbor to be just compensation for the property being taken, and a statement by the City of Ann Arbor reserving its rights to bring federal or state cost recovery actions against the present owner of the property.

In witness whereof, I have set my hand on this 8th Day of June, 1999, at Ann Arbor, Michigan.

City of Ann Arbor
By
Neal Berlin, City Administrator

Subscribed and sworn before me this ____ day of June, 1999.

Notary Public
Washtenaw County, MI
My Commission Expires:

Prepared by and When Recorded Return To:
Mary Joan Fales (P37142)
City of Ann Arbor
P.O. Box 8647
Ann Arbor, MI 48107

Tax Parcel I.D. No. 12-03-392-004

SCHEDULE A

Property Description:

A portion of the following-described parcel:

Lot 6, Waldenwoods Subdivision, Pittsfield Township, Washtenaw County, Michigan

The portion being taken is described as follows:

The southerly 26 feet as measured perpendicular to and parallel with the southerly line of Lot 6 AWalden Woods≅ as recorded in Liber 10 of Plats, Page 50, Washtenaw County Records being a part of the southwest quarter of the southwest quarter of Section No. 3, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan and containing 2444 square feet of land.

Interest Taken:

Fee simple (including fluid mineral and gas rights)

Known Parties of Interest:

Min Wai Maung and Meritje Lie Maung, husband and wife, owners

Estimated Just Compensation:

\$7,000.00

Reservation of Rights:

The City of Ann Arbor, pursuant to M.C.L. § 213.55 reserves its rights to bring federal or state cost recovery actions against the present owners of the property arising out of the release of hazardous substances at the property.

Councilmember Kwan moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Putman, Kolb, Hanna-Davies, Vereen-Dixon, Upton, Kwan, Mayor Sheldon, 8;

Nays, Councilmembers Herrell, Hartwell, 2.

The Mayor declared the motion carried.

R-314-6-99 APPROVED

RESOLUTION REGARDING CONDEMNATION OF A PORTION OF THE PROPERTY LOCATED AT 3420 GLAZIER WAY FOR THE GLAZIER WAY ROAD RECONSTRUCTION PROJECT

Whereas, Due to the volume of traffic on Glazier Way and its present condition City Council approved the Glazier Way Roadway Project on September 14, 1998 for the reconstruction of the existing roadway;

Whereas, It is necessary to acquire a portion of land for road right-of-way purposes along 3420 Glazier Way, Ann Arbor, Washtenaw County, Michigan;

Whereas, 3420 Glazier Way is owned in fee simple by Marilyn Mason Brown, a single woman who reside at 2108 Scottwood, Ann Arbor, Washtenaw County, Michigan;

Whereas, City Engineering and Attorney=s office staff have attempted unsuccessfully to obtain the necessary road right-of-way over that portion of Ms. Mason Brown=s property to make the necessary connection;

Whereas, The City hired The Harbin Group Inc., professional appraisers, to conduct a Before and after= appraisal to determine the value of the road right-of-way in order to proceed with condemnation of the sought after property;

Whereas, The City presented the property owner with a written, good faith offer of \$1,400.00 to purchase the road right-of-way (negotiated value based on a multiple of the square footage appraised value) in conformity with requirements of the Uniform Condemnation Act (M.C.L. 213.51 et seq.);

Whereas, The property owner has not indicated acceptance of the offer as presented to them; and

Whereas, Neal Berlin, City Administrator, is an authorized official of the City of Ann Arbor who may sign a Declaration of Taking;

RESOLVED, That the acquisition by the City of Ann Arbor of a portion of property located at 3420 Glazier Way, Ann Arbor, Washtenaw County, Michigan, described in Schedule A, is a public necessity for the reconstruction of Glazier Way for use as a public road;

RESOLVED, That the City Engineering Division has determined that time is of the essence in the acquisition of said portion of property located at 3420 Glazier Way in order to complete the road reconstruction project in a timely and safe manner due to the condition of the existing road;

RESOLVED, That City Council determines it is necessary to acquire for this public improvement the land described in the attached Schedule A;

RESOLVED, That City Council determines that the road reconstruction is for the use and benefit of the public and for a public purpose as required by the Uniform Condemnation Act (M.C.L. 213.51 et seq.); and

RESOLVED, That the City of Ann Arbor shall proceed to acquire the property described in the attached Schedule A as follows:

- (1) The City Attorney is authorized and directed to institute on behalf of the City the necessary condemnation proceedings in Washtenaw County Circuit Court to take the private property for public purposes;
- (2) The proceedings shall be instituted under the provisions of M.C.L. 213.51 et seq; and
- (3) The City Administrator of the City of Ann Arbor is hereby authorized and directed to execute, on behalf of the City, the Declaration of Taking authorized under Section 5 of M.C.L. 213.51 et seq.

DECLARATION OF TAKING

On June 7, 1999, the Ann Arbor City Council adopted a Resolution of Necessity stating: That the reconstruction of the Glazier Way across a portion of the property at 3420 Glazier Way, Ann Arbor, Washtenaw County, Michigan, owned by Marilyn Mason Brown, a single woman, is necessary; that as a result it is necessary to acquire that certain private property; that the City has made a good faith written offer to purchase the property; and that the parties have been unable to agree on the purchase of the property.

NOW, THEREFORE, pursuant to M.C.L. § 213.51 et seq., it is now declared that, by the filing of this declaration and the complaint in Washtenaw County Circuit Court, the title to the property described in the attached Schedule A is taken by the City of Ann Arbor for public purposes.

The attached Schedule A contains a description of the property being taken, a statement of the estate or interest being taken, the names of the known persons having an interest in the property, a statement of the sum of money estimated by the City of Ann Arbor to be just compensation for the property being taken, and a statement by the City of Ann Arbor reserving its rights to bring federal or state cost recovery actions against the present owner of the property.

In witness whereof, I have set my hand on this ___ Day of _____, 1999, at Ann Arbor, Michigan.

City of Ann Arbor
By
Neal Berlin, City Administrator

Subscribed and sworn before me this _____ day of June, 1999.

Notary Public

Washtenaw County, MI
My Commission Expires:

Prepared by and When Recorded Return To:
Mary Joan Fales (P37142)
City of Ann Arbor
P.O. Box 8647
Ann Arbor, MI 48107

Tax Parcel I.D. No. 09-26-225-001 (Ann Arbor Township)

SCHEDULE A

Property Description:

A portion of the following-described parcel:

Commencing at the North 1/4 post of Section 26, Town 2 South, Range 6 East, Ann Arbor Township, Washtenaw County, Michigan; thence North 88 degrees 49 minutes 00 seconds West along the north line of said Section 26, 258.72 feet to an iron pipe for a Place of Beginning; thence South 00 degrees 45 minutes 50 seconds West 580.80 feet; thence North 88 degrees 49 minutes 00 seconds West 510.63 feet; thence North 11 degrees 18 minutes 00 seconds East 63.89 feet; thence South 64 degrees 42 minutes West 109.23 feet; thence South 73 degrees 47 minutes 00 seconds West 67.27 feet; thence North 05 degrees 04 minutes 00 seconds West 478.37 feet along the west line of a 66 foot right of way and its extension northerly 111.92 feet to the north line of said Section 26; thence South 88 degrees 49 minutes 00 seconds East 721.47 feet along the north line of said Section 26 to the Place of Beginning, and subject to a 66 foot easement for right of way purposes along the west side thereof, and subject to the County Highway named Glazier Way. Being part of the Northwest 1/4 of said Section 26, and containing 10 acres, more or less.

The portion being taken is described as follows:

Commencing at the N 1/4 corner of Section 26, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence South 89 degrees 05 minutes 30 seconds West 980.19 feet along the north line of said Section to the west line of the Mason Parcel as recorded in Liber 835, Page 211, Washtenaw County Records; thence South 07 degrees 09 minutes 30

seconds East 117.50 feet along said west line to the Point of Beginning; thence Northeast 409.31 feet along the arc of a curve concave to the north, bearing North 84 degrees 49 minutes 12 seconds East and chord length of 405.14 feet and radius of 826.52 feet; thence Southwest 411.27 feet along the arc of a curve concave to the north, bearing South 84 degrees 09 minutes 13 seconds West a chord length of 405.00 feet and radius of 678.20 feet to the west line of said Mason Parcel; thence N 07 degrees 09 minutes 30 seconds West, 4.71 feet along said west line to the Point of Beginning. Containing 2,516 square feet or 0.06 acres of land more or less and being subject to easements of records.

Together with a temporary grading area of 12,038.43 square feet. (See attached sketch)

Interest Taken:

Fee simple (including fluid mineral and gas rights) as to right-of-way area
Temporary occupation as to the grading area.

Known Parties of Interest:

Marilyn Mason Brown, a single woman, owner

Estimated Just Compensation:

\$1,400.00 (right-of-way)
\$2,648.46 (grading area permit)

Reservation of Rights:

The City of Ann Arbor, pursuant to M.C.L. § 213.55 reserves its rights to bring federal or state cost recovery actions against the present owners of the property arising out of the release of hazardous substances at the property.

Councilmember Putman moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Putman, Kolb, Hanna-Davies, Vereen-Dixon, Upton, Kwan, Mayor Sheldon, 8;

Nays, Councilmembers Herrell, Hartwell, 2.

The Mayor declared the motion carried.

RESOLUTION TO APPROVE AMENDMENT NO. 2 TO TELECOMMUNICATIONS RIGHT-OF-WAY PERMIT AGREEMENT #1997-3 FOR MICHIGAN BELL TELEPHONE COMPANY, A/K/A AMERITECH OR AMERITECH MICHIGAN, TO USE CERTAIN PUBLIC RIGHTS-OF-WAY TO PROVIDE TELECOMMUNICATION SERVICES

Whereas, Ameritech has applied for an amendment to Telecommunications Permit Agreement #1997-3 which would allow for additional facilities to be installed in two locations not covered by Permit #1997-3; and

Whereas, The application of Ameritech for this amendment to Permit #1997-3 was reviewed and recommended for approval by staff in the Public Services Department, Building Department and City Attorney=s Office;

RESOLVED, That City Council approve and authorize the Mayor and City Clerk to execute Amendment No. 2 to Telecommunications Permit Agreement #1997-3 substantially in the form on file in the City Clerk=s Office.

Councilmember Hartwell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-316-6-99 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR PUBLIC RIGHT-OF-WAY FROM RUSSELL L. HIBBARD, JR., LYN COFFIN AND R.B.K. ASSOCIATES, L.L.C. - FOREST CREEK CONDOMINIUMS

Whereas, Russell L. Hibbard, Jr. and Lyn Coffin, are joint tenancy owners of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 2157, Page 651, dated July 20, 1987;

Whereas, R.B.K. Associates, L.L.C., a Michigan limited liability company, has a land contract interest in the property, as described in a Memorandum of Land Contract, at Liber 03467, Pages 0408-0409, dated July 29, 1997;

Whereas, A Unanimous Consent Resolution of the Members of R.B.K. Associates, L.L.C., dated September 25, 1997, authorized the delivery of a perpetual easement to the City for public right-of-way; and

Whereas, Russell L. Hibbard, Jr., Lyn Coffin, land contract vendees and R.B.K. Associates, L.L.C., land contract vendor, have delivered an easement to the City for public right-of-way over the southerly six (6) feet of the following described property, to run with the land and burden the respective property perpetually, being more particularly described as follows:

Part of the NW 1/4 of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, described as:

Commencing at the W 1/4 corner of said Section 10, thence $N01^{\circ} 46' 00'' \cong E$ 730.00 feet along the W line of said Section 10 to the SW corner of the above mentioned property; thence $S89^{\circ} 57' 00'' \cong E$ 375.00 feet along the S property line to POINT OF BEGINNING; thence $S89^{\circ} 57' 00'' \cong E$ 230.00 feet; thence $N00^{\circ} 03' 00'' \cong E$ 6.00 feet; thence $N89^{\circ} 57' 00'' \cong W$ 230.00 feet; thence $S00^{\circ} 03' 00'' \cong W$ 6.00 feet to POINT OF BEGINNING;

RESOLVED, That said easement be hereby accepted.

Councilmember Putman moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-317-6-99 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM
GERALD J. STEEB, 2751 VALLEY DRIVE

Whereas, Gerald J. Steeb, a single man, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan as described in the Washtenaw County Records at Liber 03178, Page 0762; and

Whereas, Gerald J. Steeb has delivered an easement to the City for the construction and maintenance of municipally operated public services comprising the public utilities system to run with the land and burden the respective property perpetually, being more particularly described as follows:

A 20 FT. wide easement described as follows:

Commencing at the SW corner of Lot 61 of AScioto Hills \cong Subdivision as recorded in Liber 7 of Plats, Page 8, Washtenaw County Records; thence

S88E-53'W 4.00 feet along the south line of section 24, T2S, R5E, Scio Township, Washtenaw County, Michigan, and the south line of said AScioto Hills≅ Subdivision to the PLACE OF BEGINNING; thence continuing along said south line of section 24 and south line of said AScioto Hills≅ Subdivision S88E-53'W 20.00 feet, thence N 01E-40'-30"E 150' to the south line of Valley Drive; thence N 88E-53'E 20.00 feet along said south line of said Valley Drive; thence S 01E-40'-30"W 150' to the PLACE OF BEGINNING, being a part of the SE 1/4 of Section 24, T2S, R5E, Scio Township, Washtenaw County, Michigan and containing 3000 sq. ft. of land, more of less.
 RESOLVED, That the City hereby accept said easement.

Councilmember Putman moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-318-6-99 APPROVED

RESOLUTION IN SUPPORT OF THE UNIVERSITY OF MICHIGAN=S ADMISSIONS POLICIES

Whereas, The University of Michigan is defending itself in two lawsuits against the racial diversity component of its admissions policies;

Whereas, The University=s policy is to value a racially integrated student body because of the benefits which result in the educational process;

Whereas, In 1978, in the Bakke holding, a majority of the Supreme Court said that it is perfectly consistent with the Constitution for a university to do what the University of Michigan does;

Whereas, 300 years of chattel slavery and 100 years of *de jure* segregation left our country enfeebled, and the changes in our legal order that were brought about in 1954 and 1964 were not enough to make history irrelevant;

Whereas, At the end of the millennium, racial integration in America still does not happen by accident; housing in America is hypersegregated by race; wealth opportunity, and preparation for a university education are not distributed colorblind in America in 1999;

Whereas, Diversity within the University=s student body contributes to a robust exchange of ideas within the community as a whole, as well as within City government;

Whereas, Diversity within the University=s student body diversifies the community within Ann Arbor and brings distinct voices to debates on the many issues which come before the Ann Arbor City Council; and

Whereas, By their presence in the community and their contact with children in the community, both direct and indirect, University students who are racially, ethnically and otherwise diverse, serve as role models and help in the education of those children so that they may better succeed in the pursuit of their own education and dreams;

RESOLVED, That the Ann Arbor City Council applaud the University of Michigan in its commitment to maintaining an integrated student body that reflects the differences that race continues to make in American society and whose graduates might help us transcend those differences in the century to come; and

RESOLVED, That the Ann Arbor City Clerk transmit this resolution to the Regents of the University of Michigan.

Councilmember Hanna-Davies moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Herrell, Hartwell, Kolb, Hanna-Davies, Vereen-Dixon, Kwan, Mayor Sheldon, 8;

Nays, Councilmembers Putman, Upton, 2.

The Mayor declared the motion carried.

R-319-6-99 APPROVED

RESOLUTION RECOGNIZING THE ANN ARBOR YOUTH CHORALE AS A NON-PROFIT ORGANIZATION IN THE CITY OF ANN ARBOR

Whereas, The Ann Arbor Youth Chorale is a non-profit organization; and

Whereas, The Ann Arbor Youth Chorale needs the City to recognize it as a non-profit organization in the community in order to conduct fundraising activities with state approval;

RESOLVED, That the Mayor and City Council recognize the Ann Arbor Youth Chorale as a non-profit organization in the City of Ann Arbor.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-320-6-99 APPROVED

RESOLUTION RECOGNIZING FRIENDS OF THE ARBOROUGH GAMES AS A NON-PROFIT ORGANIZATION IN THE CITY OF ANN ARBOR

Whereas, Friends of the Arborough Games is a non-profit organization;

Whereas, The United States Department of Treasury-Internal Revenue Service recognizes Friends of the Arborough Games as a tax exempt, non-profit organization; and

Whereas, Friends of the Arborough Games needs the City to recognize it as a non-profit organization in the community in order to conduct fundraising activities with State approval;

RESOLVED, That the Mayor and City Council recognize Friends of the Arborough Games as a non-profit organization in the City of Ann Arbor.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-321-6-99 APPROVED AS AMENDED

RESOLUTION PROCLAIMING LESBIAN, GAY, BISEXUAL AND TRANSGENDER PRIDE MONTH AND COMMEMORATING THE 30TH ANNIVERSARY OF THE STONEWALL UPRISING, BEGINNING OF THE PRESENT LESBIAN, GAY, BISEXUAL AND TRANSGENDER RIGHTS MOVEMENT

A resolution proclaiming Lesbian, Gay, Bisexual and Transgender Pride Month and commemorating the 30th anniversary of the Stonewall Uprising was considered.

Councilmember Kolb moved that the resolution be adopted.

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

RESOLVED, That the Ann Arbor City Council recognize the many

positive and important contributions of lesbian, gay, bisexual and transgendered individuals, businesses, and community organizations to our community and their help in making our city a truly special place ~~<to live, work and play>~~; and

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

The resolution as adopted reads as follows:

RESOLUTION PROCLAIMING LESBIAN, GAY, BISEXUAL AND
TRANSGENDER PRIDE MONTH AND COMMEMORATING
THE 30TH ANNIVERSARY OF THE STONEWALL UPRISING,
BEGINNING OF THE PRESENT LESBIAN, GAY, BISEXUAL AND
TRANSGENDER RIGHTS MOVEMENT

Whereas, On the night of June 29, 1969 at a bar named Stonewall Inn on Christopher Street in New York City, a disturbance occurred when lesbians, gay men, and transgendered people refused to continue to endure the routine and unprovoked harassment perpetrated by the New York Police Department, and this disturbance would continue for three nights, and would become known as the AStonewall Uprising≡, sparking the present lesbian, gay, bisexual, transgender rights movement;

Whereas, In 1972 the Ann Arbor City Council added ASexual Orientation≡ to list of protected classes in the Ann Arbor Human Rights Ordinance, making Ann Arbor the first city in the country to prohibit discrimination in housing, employment and public accommodations based upon sexual orientation;

Whereas, In 1972 the Ann Arbor City Council passed a resolution proclaiming AGay Pride Week 1972", the first such recognition of this liberation movement by any municipality in the United States;

Whereas, In 1999 the Ann Arbor City Council amended the City=s Non-Discrimination Ordinance (formerly known as the Human Rights Ordinance) to include AGender Identity≡ as a protected class;

Whereas, This year, 1999, marks the 30th anniversary of the Stonewall Uprising, with local, state and national observance of this special anniversary in support of the liberation of lesbian, gay, bisexual and transgendered people;

Whereas, When the freedom of one is denied, the freedom of all is threatened, as Martin Luther King, Jr. said, AInjustice anywhere is a threat to justice everywhere≡; and

Whereas, Despite many positive outcomes in their struggle for freedom and equality, the oppression of lesbian, gay, bisexual and transgendered people continues in every aspect of our lives, and deadly violence is directed against us based solely upon our actual or perceived sexual orientation or gender identity;

RESOLVED, That the Ann Arbor City Council, representing the City of Ann Arbor and its residents, recognize the continuing struggle of the lesbian, gay, bisexual and transgendered community to obtain true equality within our society, and congratulate them on their progress made in the last thirty years toward achieving the freedom and equality that should be afforded everyone regardless of their actual or perceived race, color, religion, national origin, sex, age, height, weight, condition of pregnancy, marital status, physical or mental limitation, source of income, family responsibilities, educational association, sexual orientation, gender identity or HIV status;

RESOLVED, That the Ann Arbor City Council recognize the many positive and important contributions of lesbian, gay, bisexual and transgendered individuals, businesses, and community organizations to our community and their help in making our city a truly special place; and

RESOLVED, That the month of June be proclaimed Lesbian, Gay, Bisexual and Transgender Pride Month 1999, recognizing all of the activities commemorating the 30th anniversary of the Stonewall Uprising and Ann Arbor=s own historic and important role in the lesbian, gay, bisexual, and transgender rights movement, and offering recognition and support to our lesbian, gay, bisexual and transgendered family members, partners, coworkers, neighbors, friends, and selves.

R-322-6-99 APPROVED

RESOLUTION TO OPPOSE PERMIT MODIFICATION GRANTED
TO PALL/GELMAN BY THE STATE OF MICHIGAN

RESOLVED, That City Council agree to direct the City Attorney, or outside counsel, to file an opposition regarding the Pall Gelman release of 1,4 Dioxane with the State of Michigan, before the deadline, regarding the increase in the volume of water or the level of contamination into the Honey Creek, its tributary or the Huron River.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS APPROVED

Mayor Sheldon recommended the following appointments at the May 17, 1999 regular session of Council:

Ann Arbor Hospitality Committee

Reverend Emmett Green (reappointment)
Second Baptist Church
850 Red Oak Rd. 48103
Term: 1/1/99 to 1/1/2000

Kay O=Neil (reappointment)
2230 Scio Church Rd. 48103
Term: 1/1/98 to 1/1/2000

Dr. Richard Ross, Sr. (reappointment)
1835 Franklin Ct. 48103
Term: 1/1/98 to 1/1/2000

Irene Stock (reappointment)
2848 Briarcliff St. 48105
Term: 1/1/98 to 1/1/2000

Councilmember Vereen-Dixon moved that Council concur with the recommendations of the Mayor.

On a voice vote the Mayor declared the motion carried.

NOMINATIONS PLACED ON TABLE

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

Planning Commission

Margaret Leary (reappointment)
1056 Newport Rd. 48103
Term: 7/1/99 to 6/30/2002

Jean Carlberg, Councilmember (reappointment)
1902 Independence Blvd. 48104
Term: 7/1/99 to 6/30/2000

Donna Tope
1606 Cambridge Rd. 48104
Term: 7/1/99 to 6/30/2002

Community Development Citizen Participation Executive Committee

Thomas Miree (reappointment)
2719 Tuebingen Pkwy. 48105
Term: 7/1/99 to 6/30/2002
Jane Wilson (reappointment)
1521 Martha Ave. 48103
Term: 7/1/99 to 6/30/2002

Human Rights Commission

Ryung-wha Lee Kim
925 Greenhills Dr. 48105
Term: 6/21/99 to 10/31/2002

ANNOUNCEMENTS

- X Prior to adjournment, this meeting will be recessed until 7:00 p.m., Monday, June 14, to consider the resolution moved to the end of the agenda and to hold a closed session to discuss the City Administrator=s evaluation.
- X The downtown historic street exhibit dedication will be held June 18.
- X The annual ARelay for Life,≡ sponsored by the American Cancer Society, will be held June 19, at Eastern Michigan University.
- X The annual Mayor=s Community Cup Canoe Race will be held July 11. The event supports recreation programs for young people.
- X The presentation of the Polio Vaccine Commemorative Postage Stamp was held in Rackham Auditorium on May 26.
- X DARE graduations are continuing throughout the Ann Arbor School system.
- X Compliments to the University of Michigan for inviting the community to participate in a review of its master plan.
- X The annual African-American Festival held on June 5, and the Main Street ATaste of Ann Arbor and the Rest of the World≡ held on June 6 were a success.
- X The annual peonie party at the University of Michigan Arboretum, and AGrillin 1999≡, an annual event benefiting Foodgatherers, will be held on June 13.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR**REPORTS SUBMITTED**

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

1. Response to Council Question from May 17, 1999 Council Meeting Regarding the City's Credit Rating
2. Ann Arbor Building Authority Bond Rating Upgrades
3. Brownfield Redevelopment Authority - Sample Resolution and Upcoming Workshops
4. Update of the Evergreen Storm Water Control Project
5. Meter Installation for Handicap Parking
6. Drop-off Station Regional Program Fund Award
7. Update on Solid Waste Department's 1999 ACan-Pain Strategy to Enforce the City Code on 35-Gallon Solid Waste Containers
8. April 1999 Investment Portfolio Report
9. Housing Rehabilitation Program Update

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

COMMUNICATIONS FROM THE CITY ATTORNEY**REPORT ON COMPLETED ANNEXATION**

City Attorney Abigail Elias submitted a report on the completion of the 1730-1744 South Maple Road annexation from Scio Township. (Report on file in the City Clerk's Office).

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER UPTON

Councilmember Upton stated that he supports the police in their efforts concerning the arrests for underage drinking at a fraternity last year. Mr. Upton expressed concern with the lack of accountability in society and encouraged the police to continue to enforce the underage drinking law.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Carmen J. Tippet, Michigan Municipal League Chief Information Officer, transmitting Year 2000 Readiness Disclosure - File.
2. Communication from MediaOne Corporate Affairs Manager Maria W. Holmes regarding MediaOne=s installation and repair price changes - File
3. Communication from State Representative Liz Brater transmitting report and notice of formal action on proposal to revise Michigan=s personal property tax tables - File.

The following minutes were received for file:

1. Housing Commission - March 29 and April 21, 1999
2. Farmers Market Commission - April 15, 1999
3. Ann Arbor Transportation Authority - April 21, 1999
4. Human Services Task Force - May 3, 1999
5. Downtown Development Authority - April 8, 1999
6. Housing Board of Appeals - February 2 and April 6, 1999
7. Historic District Commission - March 11 and April 15, 1999
8. Planning Commission - April 6 and April 20, 1999

9. Airport Advisory Committee - March 17, 1999
10. Taxicab Board - May 6, 1999
11. Zoning Board of Appeals - March 24, 1999

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

LARRY KESTENBAUM - FOURTH WARD CANDIDATE

Larry Kestenbaum, 1726 W. Stadium Blvd., announced that he will be running for the Fourth Ward City Council seat being vacated by Councilmember Putman.

MEETING RECESSED

Councilmember Hartwell moved that the meeting be recessed until 7:00 p.m., Monday, June 14, 1999, to consider the following items:

Resolution to Approve Purchase from the State Bid with Electronic Data Systems Corporation for Hardware, Software and Services for Fiscal Year 1999-2000 (\$400,000.00) (Administrative Services); and

Closed Session to Discuss City Administrator's Evaluation.

On a voice vote the Mayor declared the motion carried and the meeting recessed at 11:35 p.m.

W. Northcross
Clerk of the Council

Janet L. Chapin
Recording Secretary