

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - MONDAY, OCTOBER 18, 1999**

The regular session of the Ann Arbor City Council was called to order at 7:30 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, Jean Carlberg, Heidi Cowing Herrell, Stephen C. Hartwell (entered at 10:12 p.m.), Patrick A. Putman, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 10.

ABSENT : Councilmember David Kwan, 1.

INTRODUCTIONS

PRESENTATION OF 1999 GOLDEN TROWEL AWARDS

Annually, the Ann Arbor Park Advisory Commission honors residents and commercial businesses who have made an effort to make their neighborhood and the city beautiful by planting gardens on their lawn and in the right-of-way. Nelson Meade, member of the Park Advisory Commission commentated a slide presentation of the gardens selected for this years awards. Mayor Sheldon and Parks and Recreation Superintendent Ron Olson assisted in presenting the awards.

MICHIGAN MUNICIPAL LEAGUE CONFERENCE - CAROLINE WEINERT

Mayor Sheldon presented Caroline Weinert with a proclamation of appreciation for attending the Michigan Municipal League Convention as a youth representative for Ann Arbor. The Michigan Municipal League has begun a new program to involve young people in governmental affairs. Mayor Sheldon thanked Ms. Wienert for her participation and her recommendations.

PUBLIC COMMENTARY - RESERVED TIME

KERMIT SCHLANSKER - ECOMINDIUM

Kermit Schlansker, 2960 Marshall, stated that the City should consider building an ecomindium to preserve heating and transportation energy in the city. He explained that an ecomindium would allow citizens to conserve energy, grow food and create jobs. Mr. Schlansker stated that an ecomindium would formulate a lifestyle where the poor and the elderly could exist without cars.

THOMAS BAYER - VISITABILITY

Thomas Bayer, 3078 Chelsea Circle, spoke in support of the proposed visibility ordinance. He stated that studies indicate that there is a shortage of affordable housing for people with disabilities. Mr. Bayer stated that there are many ways to achieve a no-step entrance, therefore, it would not be as expensive as contractors have stated.

SUSANNE CARTMAN - VISITABILITY

Susanne Cartman, 3065 Lakewood, spoke in opposition to the visitability legislation and stated that it would contribute to the current shortage of affordable housing in Ann Arbor. She explained her experience with her disabled son and stated that accessibility needs to her home were speedily taken care of through the insurance company. She emphasized that it is impossible to anticipate the needs of any disabled person before the disability is a reality.

KEITH MIXER - VISITABILITY

Keith Mixer, 1929 Plymouth Rd., #3022, expressed support for the proposed visitability ordinance. Mr. Mixer gave a personal account of how he became disabled and suggested that City Council do everything possible to accommodate those with disabilities in Ann Arbor.

JOHN BENDZICK - PERRY BULLARD (U.S. NAVY)

John Bendzick, 2211 Academy, Dearborn, MI., spoke in commemoration of the life of Perry Bullard, U.S. Navy Veteran. He noted that Mr. Bullard arrived in Ann Arbor in 1968, attended the University of Michigan Law School and graduated in 1970. Mr. Bendzick stated that Mr. Bullard served the City of Ann Arbor for 20 years in the Michigan House of Representatives, District No. 53, and is worthy of remembrance for his service to the United States, for his service to the community, and for his dedication to civil rights.

PAUL CARTMAN - VISITABILITY

Paul Cartman, 5 Foust Court, opposed the adoption of a visitability ordinance in Ann Arbor. He stated that the visitability legislation infringes on individual rights, specifically property rights. The legislation would take away a person's right to do whatever they want with their property. Mr. Cartman pointed out that this legislation would ultimately harm the disabled because affordable housing rates will increase as a result of the construction costs.

PUBLIC HEARINGS

ASHLEY MEWS ZONING (ORDINANCE NO.39-99)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 1.86 acres from R4C/D (Multiple-Family Dwelling District) and C2B/R (Business Service/Residential District) to PUD (Planned Unit Development District), Ashley Mews property, west side of South Main Street, south of William Street. Notice of public hearing was published September 26, 1999.

The following persons were present to speak:

Constance Crump, 526 S. Ashley, spoke in support of the project but expressed concerns regarding traffic, parking, and the size of the front of the building.

Scott Munzel, Attorney for Syndeco Realty Corporation, developer of the proposed Ashley Mews, stated that over the last four years this project has overcome many challenges that have been worked out through a collaborative effort of the elected officials, City Administration, the Downtown Development Authority (DDA), and the Ann Arbor citizens. He urged City Council to act on the proposal tonight to allow the development to begin before inclement weather.

Carl Luckenbach, Architect for the project, stated that he is present to answer any questions from City Council regarding the proposal. He explained that the project contains one unit at the southwest corner that encroaches into the flood plain. Mr. Luckenbach stated that mitigation measures have been proposed for the encroachment, but the developer is willing to omit the unit if City Council desires.

David DeVarti, representing the Downtown Development Authority (DDA), spoke in support of the proposed project. He stated that the DDA strongly supports the project and feels that it will put vital life into the downtown and add to the current momentum of creating a viable downtown.

Michael Maylen, Ann Arbor resident, stated that the proposed project is great because it provides affordable housing, underground parking, luxury condominiums and quality office space. He urged City Council to approve the project as proposed without eliminating any units or stories.

Ray Detter, Chairman of the Citizens Advisory Council to the Downtown Development Authority (DDA), expressed support for the project. He urged City Council to maintain the proposed nine stories, including the unit in the floodplain. Mr. Detter stated that the Citizens Advisory Council feels that this is the best project that has been proposed for the downtown area in over a decade, therefore, City Council should not miss the opportunity to approve it.

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

ASHLEY MEWS PLANNED UNIT DEVELOP (PUD) SITE PLAN

A public hearing was conducted on the proposed Ashley Mews PUD Site Plan, 1.86 acres, west side of South Main Street, south of William Street. Notice of public hearing was published October 10, 1999.

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

NIELSEN SQUARE ZONING (ORDINANCE NO.40-99)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 3.19 acres from AG (Agricultural-Open Space District) to R4C (Multiple-Family Dwelling District), Nielsen Square property, 1021 Maiden Lane. Notice of public hearing was published September 26, 1999.

The following person was present to speak:

Mary Borkowski, representing Atwell-Hicks, stated that she is present to answer questions regarding the project.

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

NIELSEN SQUARE PLANNED PROJECT SITE PLAN

A public hearing was conducted on the proposed Nielsen Square Site Plan, 3.19 acres, 1021 Maiden Lane. Notice of public hearing was published October 10, 1999.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

CONSENT AGENDA

Add: Resolution to Approve Professional Services Agreement with Market Strategies, Inc. to Administer a Community Survey - RFP 468 (\$37,627.00) (Administrator)

ORDINANCES - SECOND READING

Revise: Amendment to Chapter 55, Rezoning of 1.86 acres from R4C/D (Multiple-Family Dwelling District) to PUD (Planned Unit Development District), Ashley Mews, west side of South Main Street, south of William Street (Ordinance No. 39-99) (***Revised Supplemental Regulations***)

MOTIONS AND RESOLUTIONS

Revise: Resolution Authorizing Summary Publication of Ordinance 37-99 which Revises Chapter 98 of Title VIII of the Code of the City of Ann Arbor, Michigan.

Revise & Move: Resolution to Approve Ashley Mews PUD Site Plan and Development Agreement, 1.86 acres, west side of South Main Street, south of William Street (Planning Commission recommendation: Approval - 7 yeas, 0 nays) (***Revised Development Agreement***) (Consider along with Ordinance No. 39-99)

Move: Resolution to Approve Nielsen Square Planned Project Site Plan and Development Agreement, 3.19 acres, 1021 Maiden Lane (Planning) (Consider with Ordinance No. 40-99)

Delete: Resolution Approving Building Authority Contract and Notice for Forest Parking Structure Financing (Finance) (**Rescheduled for 11/4/99**)

Add: Resolution Providing for Incentive Pay and Adopting 1999/2000 Performance Goals for City Administrator (Administrator)

Add: Resolution Regarding Parking Rates at Downtown Development Authority Managed Facilities (Mayor Sheldon)

CLERKS REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

Add: Communication from Sherry Doughty, 416 South Ashley Street, in opposition to the Ashley Mews Project - Planning

Add: Communication from Attorney Peter Bilakos regarding the City=s letter to Sandra K. Dunkel regarding the parking system=s conduct in regards to Glen-Ann Towing - Police

Add: Communication from Attorney Scott E. Munzel, P.C., regarding Ashley Mews Planned Unit Development - Planning

Add: Communication from MAV Development in opposition to Ashley Mews Project - Planning

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF SEPTEMBER 27 AND OCTOBER 4, 1999 APPROVED

Councilmember Putman moved that the working session minutes of September 27, 1999 and the regular session minutes of October 4, 1999 be approved with three spelling corrections to names of persons who appeared to speak before Council.

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

R-561-10-99 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH BLACK & VEATCH TO SOLVE RUSTY WATER PROBLEM

Whereas, Residents have reported incidents of rusty water at their homes for the past five years, in the area bounded by Stadium Avenue, Marion Avenue, Glen Leven Road and Woodland Drive;

Whereas, Repeated flushing of the distribution system has not solved the rusty water problem in the said area;

Whereas, A study is needed to find a solution to eliminate the rusty water problem in the said area;

Whereas, At present the City does not have the required software and training to perform the study and Black & Veatch, Inc, is finalizing the City's Water Distribution System Master Plan using hydraulic modeling software necessary for analyzing the rusty water incidents;

Whereas, Black & Veatch, Inc. submitted a proposal in the amount of \$15,149 to perform the study and provide alternatives to eliminate the rusty water problem for the said area;

Whereas, On April 9, 1999, the Human Rights Department approved Black & Veatch, Inc.; and

Whereas, Funds for the study are available in the FY 1999/2000 Water Supply System Budget.

RESOLVED, That Council approve a Professional Services Agreement with Black & Veatch, Inc. in the amount of \$15,149 to provide alternatives to eliminate rusty water problem in the said area and that the Mayor and City Clerk be authorized to sign the agreement substantially in the form on file with the City Clerk; and

RESOLVED, That Council approve a contingency of \$4,851 for potential change orders, to be approved by the City Administrator, and funds are available for the life of the project without regard to the fiscal year.

R-562-10-99 APPROVED

RESOLUTION TO GRANT SEWER SERVICES OUTSIDE CITY LIMITS
TO 1335 BIRD ROAD

Whereas, Daniel Axelrod and Geneva M. Omann, owners of this property at 1335 Bird Road on October 8, 1999 have requested that the City extend public sewer service to their property in Ann Arbor Township in accordance with the Policy Statement of February 1, 1994 between the City of Ann Arbor and Ann Arbor Township.

Whereas, Daniel Axelrod and Geneva M. Omann desire to enter into an agreement with the City to provide an equitable method of obtaining City service outside of its corporate boundaries; and

Whereas, as part of this agreement, the owners shall have this property annexed no later than five (5) years from the date of the agreement.

RESOLVED, That the Mayor and Clerk are hereby authorized and requested to sign the agreement to allow City sewer 1335 Bird Road during the time it is still outside of the Corporate Limits; that the City Clerk is hereby directed to send a copy of this resolution and the agreement by first class mail to the above property owner; and that the Water Utilities Department shall promptly have this resolution and the agreement recorded in the office of the Register of Deeds of Washtenaw County, Michigan.

R-563-10-99 APPROVED

RESOLUTION TO APPROVE AN AMENDMENT TO THE PROFESSIONAL
SERVICES AGREEMENT WITH MCNAMEE, PORTER AND SEELEY, INC.
FOR THE SHADY LANE WATER MAIN AND SANITARY SEWER PROJECT

Whereas, On January 20, 1998, the City entered into an agreement with McNamee, Porter, and Seeley, Inc. (MPS) in the amount of \$24,776.05 for the design of the Shady Lane Water Main and Sanitary Sewer Project;

Whereas, MPS is entitled to additional compensation from the City to pay for additional effort to complete the design of the project based on a revised scope of work; and

Whereas, MPS has received Human Rights approval on November 24, 1998;

RESOLVED, That City Council authorizes the amendment to the professional services agreement with MCI, which will increase the professional services agreement amount to \$31,359.42, and increase of \$6,583.37, for the Shady Lane Water Main and Sanitary Sewer Project;

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

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

R-564-10-99 APPROVED

RESOLUTION TO CLOSE WASHINGTON STREET FOR
PARKING STRUCTURE OPENING PARTY

Whereas, The City has received a request from the Main Street Area Association and the Downtown Development Authority to close E. Washington between S. Main and Fourth Avenue on Friday, October 29, 1999 from 4:00 p.m. - 12:00 a.m. (midnight) to celebrate the opening of the new Washington Street parking structure;

Whereas, The street closure will be properly signed, barricaded and supervised by the sponsors;

Whereas, The sponsors require the approval of the Michigan Liquor Control Commission for a special outdoor liquor license;

Whereas, The sponsors agree to defend and indemnify and hold the City harmless against all claims arising from their sponsorship of this event;

RESOLVED, That City Council approve the closing of E. Washington as requested.

R-565-10-99 APPROVED AS AMENDED

RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH
MARKET STRATEGIES, INC. TO ADMINISTER A COMMUNITY SURVEY -
RFP 468

A resolution to approve professional services agreement with Market Strategies, Inc. to administer a community survey - RFP 468 was considered.

Councilmember Putman moved that the resolution be amended as follows:

Paragraph 5:

Whereas, Market Strategies, Inc. was selected as the firm to administer a telephone survey in the amount of \$~~[37,627]~~ **30,000**; and

Paragraph 7:

RESOLVED, That the Mayor and Council approve a professional services contract with Market Strategies, Inc. in the amount of up to \$~~[37,627]~~ **30,000** to conduct a telephone random sample survey per RFP #468 based on the approval of the content [~~with the added \$7,627 to be funded from the FY 99/00 budget contingency~~] and authorize the Mayor and City Clerk to sign the agreement substantially in the form on file with the City Clerk.

On a voice vote the Mayor declared the motion carried.

The resolution as adopted reads as follows:

Whereas, The FY 199/00 budget includes \$30,000 to conduct a random sample survey of Ann Arbor residents regarding various issues;

Whereas, RFP 468 was solicited to qualified firms to submit proposals by October 8, 1999;

Whereas, The RFP requires a random sample of 800 residents conducted by telephone;

Whereas, Market Strategies, Inc. was selected as the firm to administer a telephone survey in the amount of \$30,000; and

Whereas, Human Rights approval was achieved on March 15, 1999;

RESOLVED, That the Mayor and Council approval a professional services contract with Market Strategies, Inc. in the amount of \$30,000 to conduct a telephone random survey per RFP #468 based on the approval of the content and authorizes the Mayor and City Clerk to sign the agreement substantially in the form on file with the City Clerk.

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

ORDINANCES - SECOND READING

37-99 TABLED

ADOPTION OF 1996 BOCA NATIONAL BUILDING CODE,
1996 NFPA NATIONAL ELECTRICAL CODE AND
1997 INTERNATIONAL PLUMBING CODE

An Ordinance to Amend Chapter 98 of Title V of
the Code of the City of Ann Arbor

(The complete text of Ordinance 37-99 is on file in the City Clerk=s Office).

Councilmember Hanna-Davies moved that the ordinance be tabled to allow City Council to receive additional information and to allow the correct information to be dispersed to the public.

On a voice vote the Mayor declared the motion carried.

Council unanimously agreed to defer action on Ordinance 39-99 and Resolution to Approve

the Ashley Mews Site Plan and Development Agreement until later in the agenda. **(See action following Motion and Resolutions)**

40-99 APPROVED

NIELSEN SQUARE

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

This ordinance would change the zoning of 3.19 acres, located at 1021 Maiden Lane, from AG (Agricultural-Open Space District) to R4C (Multiple Family Dwelling District). (The complete text of Ordinance 40-99 is on file in the City Clerk=s Office.)

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

On a voice vote the Mayor declared the motion carried.

R-566-10-99 APPROVED

RESOLUTION TO APPROVE NIELSEN SQUARE
PLANNED PROJECT SITE PLAN AND DEVELOPMENT AGREEMENT

Whereas, Creative Land Design, Inc., has requested planned project site plan approval in order to construct five multiple-family buildings at 1021 Maiden Lane;

Whereas, A development agreement has been prepared to addressed a park contribution for improvements to Island, Riverside, Argo and Fuller Parks; and

Whereas, The Ann Arbor City Planning Commission, on August 17, 1999, recommended approval of said request;

RESOLVED, That City Council approve the Development Agreement, substantially in the form on file in the City Clerk=s Office, dated October 4, 1999; and

RESOLVED, That City Council approve the Nielsen Square Planned Project Site Plan and planned project modification from building height and front setback requirements, upon the conditions that (1) the Development Agreement is signed by all necessary parties; (2) all terms of the Development Agreement are satisfied, (3) a minimum usable open

space of 48 percent is provided, (4) an archaeological study is provided prior to the issuance of permits, (5) the lots are combined prior to the issuance of permits.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

43-99 APPROVED

COLLECTION FOR WATER AND SEWER SERVICE

An Ordinance to Amend Section 2:72 of Chapter 29 of Title II of the Code of the City of Ann Arbor

(The complete text of Ordinance 43-99 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

44-99 APPROVED

EMPLOYEES RETIREMENT SYSTEM ORDINANCE

An Ordinance to Amend Sections 1:552, 1:553, 1:559, 1:560, 1:561, 1:578, 1:582, 1:585, 1:587 and 1:589 of Chapter 18 and Add a New Section 1:591 to Chapter 18 of Title I of the Code of the City of Ann Arbor

(The complete text of Ordinance 44-99 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

ORDINANCES - FIRST READING

45-99 APPROVED**PENNSYLVANIA AVENUE REZONING**

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

This ordinance would change the zoning of Pennsylvania Avenue from R4B (Multiple-Family Dwelling District), R2A (Two-Family Dwelling District) and P (Parking District) to C2B (Business Service District), the Pennsylvania Avenue right-of-way from the north right-of-way line of Commerce Drive, extended, to the north right-of-way line of Federal Boulevard, extended, and the western 40 feet of Lots 6 and 19 in the Bedford-Buttner Commercial Subdivision. (The complete text of Ordinance 45-99 is on file in the City Clerk=s Office.)

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

On a voice vote the Mayor declared the motion carried.

MOTIONS AND RESOLUTIONS**TABLED****RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF
ORDINANCE 37-99 - ADOPTION OF 1996 BOCA NATIONAL BUILDING CODE,
1996 NFPA NATIONAL ELECTRICAL CODE, AND
1997 INTERNATIONAL PLUMBING CODE**

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

RESOLVED, That Ordinance No. 37-99 amends the City Code by amending the 1996 BOCA National Building Code. The amendments to this nationally written code include criteria relating to visit-ability provisions. The amendments include the requirement for new dwellings/dwelling units to be provided with a no-step entrance and 32" doors on the first floor or ground level, with specific exceptions, as set forth in the scoping provisions of BOCA 102.5 along with Sections 10005.6 and 1017.3(8).

The complete text of this ordinance is available for inspection at the City Clerk=s office on the 2nd floor of the Guy C. Larcom Municipal Building, 100 N. Fifth Avenue, Ann Arbor.

Councilmember Hanna-Davies moved that the resolution be tabled for consideration with Ordinance 37-99.

On a voice vote the Mayor declared the motion carried.

R-567-10-99 APPROVED

RESOLUTION OF INTENT TO VACATE PENNSYLVANIA AVENUE NORTH OF COMMERCE DRIVE

Whereas, There has been presented to the Council of the City of Ann Arbor a written request seeking the vacation of the following portions of Pennsylvania Avenue:

The vacation of all of the street right of way of Pennsylvania Avenue north of the right of way of Commerce Drive, extended, located in the Bedford-Buttner Commercial Subdivision, according to the plat thereof, as recorded in Liber 16 of Plats, Pages 8 and 9, Washtenaw County Records, Michigan, reserving the easement rights for public utilities.

Whereas, The Council deems it advisable and intends to vacate the portions of the street above described, and the City may reserve all easements and rights-of-way within the portions to be vacated for the installation and maintenance of public utilities;

RESOLVED, That the Council hereby appoints November 15, 1999 at 7:30 p.m. in the Council Chamber, City Hall, Ann Arbor, Michigan, as the time and place when and where the said Council will meet to hear objections, if any, to the vacation of the portion of the street above described;

RESOLVED, That notice of such meeting shall be published not less than four weeks before the time appointed for such meeting in The Ann Arbor News; and

RESOLVED; That objections to such proposed action of the Council may be filed with the City Clerk in writing and that all persons for or against such proposed action will be heard by the Council at the time and place of the public hearing hereinbefore provided.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Intent to Vacate Pennsylvania Avenue north of Commerce Drive.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-568-10-99 APPROVED

RESOLUTION NO. 1 TO PREPARE PLANS AND SPECIFICATIONS FOR
NIXON ROAD IMPROVEMENTS - DHU VARREN ROAD TO M-14

RESOLUTION NO. 1
(Special Assessment Project)

Whereas, Council deems it necessary to acquire and construct the following improvement: Nixon Road Improvements (Dhu Varren Road to M-14), DISTRICT NO. 24; FILE NO. 98038; described as:

Construction of a paved road section, curb and gutter and bike path on the easterly side of the road, storm sewers and extension of the existing 16" water main in Nixon Road.

NOW, THEREFORE, BE IT RESOLVED, THAT

1. The City Administrator is directed to have prepared plans and specifications for said improvement project, and an estimate of the cost thereof;

2. The City Administrator is directed to file a report of same with the City Clerk, including a recommendation as to what proportion of the cost should be paid by special assessment and what part, if any, should be a general obligation of the City, the number of installments in which the assessments may be paid, and the land which should be included in the special assessment district;
3. The City Clerk shall present said report to the Council and make it available for public examination;
4. The sum of \$10,000 is appropriated for the planning and design of said project, such sum being advanced from the unobligated general fund balance pending the sale of appropriate bonds;
5. Any unspent portion of said sum is re-appropriated and re-advanced as above for said project for succeeding fiscal years until bonds are sold and the general fund reimbursed, or until said project is officially closed; and
6. Council declares its intent to issue bonds to pay all or part of the cost of such improvement project, funding reserves, paying for credit enhancement, and the cost of issuance of such bonds (either initially or ultimately), provided that such bonds are issued in conformity with applicable State statutes and all documents, provisions, and details pertaining to such bonds are acceptable to and approved by this Council and provided, further, that such bonds can be sold.

Councilmember Vereen-Dixon moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-569-10-99 APPROVED

RESOLUTION NO. 1 TO PREPARE PLANS AND SPECIFICATIONS FOR
MAIDEN LANE SIDEWALK CONSTRUCTION

RESOLUTION NO. 1
(Special Assessment Project)

Whereas, Council deems it necessary to acquire and construct the following improvement: Maiden Lane Sidewalk, DISTRICT NO. 33; FILE NO. 99061; described as:

Sidewalk along the southerly side of Maiden Lane between
Plymouth Road and Island Drive.

NOW, THEREFORE, BE IT RESOLVED, THAT

1. The City Administrator is directed to have prepared plans and specifications for said improvement project, and an estimate of the cost thereof;
2. The City Administrator is directed to file a report of same with the City Clerk, including a recommendation as to what proportion of the cost should be paid by special assessment and what part, if any, should be a general obligation of the City, the number of installments in which the assessments may be paid, and the land which should be included in the special assessment district;
3. The City Clerk shall present said report to the Council and make it available for public examination;
4. The sum of \$15,000 is appropriated for the planning and design of said project, such sum being advanced from the general fund pending the sale of appropriate bonds;
5. Any unspent portion of said sum is re-appropriated and re-advanced as above for said project for succeeding fiscal years until bonds are sold and the general fund reimbursed, or until said project is officially closed; and
6. Council declares its intent to issue bonds to pay all or part of the cost of such improvement project, funding reserves, paying for credit enhancement, and the cost of issuance of such bonds (either initially or ultimately), provided that such bonds are issued in

conformity with applicable State statutes and all documents, provisions, and details pertaining to such bonds are acceptable to and approved by this Council and provided, further, that such bonds can be sold.

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

POSTPONED

RESOLUTION TO APPROVE FUNDING FOR THE PROVISION OF ENHANCED MENTAL HEALTH AND EMPLOYMENT SERVICES TO THE HOMELESS

Whereas, The City recognizes the need for enhanced services targeted toward the homeless; and

Whereas, Washtenaw County has submitted a proposal to provide mental health and specialized employment services to homeless and formerly homeless individuals who do not meet the eligibility criteria for existing services; and

Whereas, Staff has reviewed the proposal and recommended funding with certain special conditions; and

Whereas, There is \$87,750 remaining in the City=s FY 1999/2000 Housing and Human Services Contingency Fund.

RESOLVED, That City Council approves the allocation of \$50,000 from the FY 99/00 Housing and Human Services Contingency Fund to Washtenaw County to provide enhanced mental health and employment services to the homeless for one year and authorizes the Mayor and City Clerk to execute a contract substantially in the form on file in the Office of the City Clerk.

Councilmember Upton moved that the resolution be adopted.

Councilmember Carlberg moved that the resolution be postponed until November 4, 1999 to allow the receipt of additional information.

On a voice vote the Mayor declared the motion carried.

R-570-10-99 APPROVED

RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF
ORDINANCE 44-99 REVISING VARIOUS PROVISIONS OF THE CITY OF ANN
ARBOR EMPLOYEES RETIREMENT SYSTEM ORDINANCE TO ENHANCE BENEFITS
AND ELIMINATE PLAN ANACHRONISMS

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

RESOLVED, That Ordinance No. 44-99 be published by the following summary:

Ordinance No. 44-99 amends the City Code by revising the various
provisions of the Retirement System Ordinance to implement a single
rate benefit calculation of 2.5% of all earnings (FAC) for general
employees and 2.75% of all earnings (FAC) for police/fire employees
times years of service; reduce the number of years from 5 to 3 on
which final average compensation is calculated; reduce the vesting
requirement from 10 years to 5 years; provide a post retirement
benefit increase adjustment in the case of duty disability and duty
death; make post retirement benefit increase adjustments available,
if declared by the Retirement Board, to retirants/beneficiaries who
have been receiving a benefit for at least twelve months; create a
right to a large Apartial benefit accrual≅ within five years of
voluntary retirement age; make the language gender neutral; and
eliminate plan anachronisms.

The complete text of this ordinance is available for inspection at
the City Clerk=s office on the 2nd floor of the Guy C. Larcom
Municipal Building, 100 N. Fifth Ave., Ann Arbor.

Councilmember Putman moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-571-10-99 APPROVED

RESOLUTION ACCEPTING GRANT OF EASEMENT FROM
EQUILON ENTERPRISES, L.L.C. - HURON PARKWAY-WASHTENAW AVENUE
INTERSECTION IMPROVEMENT PROJECT (3240 WASHTENAW AVENUE)

Whereas, Equilon Enterprises, L.L.C. a Delaware limited liability corporation, 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 3704, Page 408, dated June 10, 1998; and

Whereas, Equilon Enterprises, L.L.C., has delivered an easement to the City for public road right-of-way to run with the land and burden the respective property perpetually, being more particularly described as follows:

Permanent Roadway Easement

Beginning at the intersection of the Southerly right-of-way line of Washtenaw Avenue and the Westerly right-of-way line of Huron Parkway; thence S 15E38'30" W 18.00 feet along said Westerly roght-of-way line; thence N 28E47'30" W 25.71 feet to a point on the Southerly right-of-way line of Washtenaw Avenue; thence S 73E13'30" E 18.00 feet along said right-of-way line to the Point of Beginning. Being a part of the Northwest 1/4 of Section 2, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan and containing 162 square feet of land, more or less.

RESOLVED, That the City hereby accepts said easement.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-572-10-99 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM
WILLIAM C. MARTIN AND SALLY MARTIN - TRAVERWOOD II

Whereas, William C. Martin 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 2361, Page 052; and

Whereas, William C. Martin and Sally Martin, his wife, have 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:

40.0 FT. WIDE SANITARY SEWER EASEMENT

Commencing at the S 1/4 Corner of Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N88E11=42=E 650.00 feet along the S line of said Section 15; thence N01E10=27=W 1016.84 feet for a **PLACE OF BEGINNING**; thence S88E31=31=W 410.17 feet; thence N01E28=29=W 40.00 feet; thence N88E31=31=E 410.38 feet; thence S01E10=27=E 40.00 feet to the **PLACE OF BEGINNING**, being a part of the SE 1/4 of said Section 15.

40.0 FT. WIDE WATERMAIN EASEMENT

Commencing at the S 1/4 Corner of Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N01E10=27=E 1040.55 feet along the North-South 1/4 line of said Section 15 for a **PLACE OF BEGINNING**; thence continuing N01E10=27=W 40.00 feet along said N-S 1/4 line; thence N88E49=33=E 25.00 feet; thence N01E10=27=W 221.00 feet; thence N88E49=33=E 55.00 feet; thence S01E10=27=E 40.00 feet; thence S88E49=33=W 15.00 feet; thence S01E10=27=E 181.00 feet; thence N88E49=33=E 24.97 feet; thence S82E37=40=E 48.24 feet; thence N38E23=13=E 350.46 feet; thence N51E36=47=W 15.00 feet; thence N38E23=13=E 40.00 feet; thence S51E36=47=E 15.00 feet; thence N38E23=13=E 26.00 feet; thence S51E36=47=E 63.25 feet; thence N38E24=12=E 63.55 feet; thence S51E30=20=E 40.00 feet; thence S38E24=12=W 103.47 feet; thence N51E36=47=W 63.24 feet; thence S38E23=13=W 305.97 feet; thence S04E48=58=W 79.88 feet; thence

N82E37=40=W 119.42 feet; thence S88E49=33=W 86.98 feet to the Place of Beginning, being part of the SE 3 of said Section 15.

RESOLVED, That the City hereby accepts said easement.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-573-10-99 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM WILLIAM C. MARTIN AND SALLY MARTIN - TRAVERWOOD III

Whereas, William C. Martin 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 03220, Page 0804; and

Whereas, William C. Martin and Sally Martin, his wife, have 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:

30.0 FT. WIDE SANITARY SEWER EASEMENT

Commencing at the Southwest Corner of Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N88E23=50=E 2016.26 feet along the South line of said Section 15 for a **PLACE OF BEGINNING**; thence N18E16=31=E 234.31 feet; thence S71E43=29=E 30.00 feet; thence S18E16=31=W 223.46 feet; thence S88E23=50=W 31.90 feet along the South line of said Section 15 to the Place of Beginning, being part of the East 2 of the Southwest 3 of said Section 15.

40.0 FT. WIDE WATERMAIN EASEMENT

Commencing at the Southwest Corner of Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N88E23=50=E 2072.15 feet along the South line

of said Section 15; thence N00E45=01=W 66.22 feet; thence N84E07=06=E 102.55 feet for a **PLACE OF BEGINNING**; thence N06E51=02=W 78.72 feet; thence N52E19=07=W 374.05 feet; thence N37E37=56=E 230.92 feet; thence S52E10=15=E 40.00 feet along the West right-of-way line of Traverwood Drive (70 feet wide); thence S37E37=56=W 190.81 feet; thence S52E19=07=E 350.85 feet; thence S06E51=02=E 96.15 feet; thence S84E07=06=W 40.01 feet to the Place of Beginning, being part of the East 2 of the Southwest 3 of said Section 15.

RESOLVED, That the City hereby accepts said easement.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-574-10-99 APPROVED

RESOLUTION AUTHORIZING CONVEYANCE OF 75 PERCENT OF THE MINERAL RIGHTS IN THE SOUTHEAST AREA PARK ADDITION PROPERTY

Whereas, The City has acquired 1.51 acres with a house from William E. Marker and Kimberley Joy Capobianco for use as parkland; and

Whereas, The Michigan Natural Resources Trust Fund provided a grant of \$206,250 toward the purchase price of \$275,000; and

Whereas, A condition of that grant was that the City convey 75 Percent of the mineral rights in the property to the State of Michigan;

RESOLVED, That Council approves the transfer of 75 percent of the mineral rights to the State of Michigan and authorizes the Mayor and City Clerk to execute all documents necessary to transfer those rights in the Southeast Area Park Addition property which was purchased pursuant to Resolution R-276-5-99, approved by Council May 17, 1999.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-575 -10-99 APPROVED

RESOLUTION PROVIDING FOR INCENTIVE PAY AND ADOPTING
1999/2000 PERFORMANCE GOALS FOR CITY ADMINISTRATOR

Whereas, On October 25, 1995 the Ann Arbor City Council approved an employment agreement with Neal G. Berlin as its City Administrator;

Whereas, According to the terms of that Agreement , the City Administrator is eligible for pay for performance based upon successful completion of performance goals as established by the City Council and the City Administrator; and

Whereas, Mr. Berlin has accomplished 95% of the 1998/99 performance goals as suggested by the City Administrator Committee;

RESOLVED, That the Ann Arbor City council hereby awards Neal G. Berlin incentive pay of \$3,000 in accordance with the terms of his employment agreement, of which \$1,000 will be remitted to the appropriate 401a account with ICMA-RC;

RESOLVED, That the City Council authorize, at the request of the City Administrator, the \$2,000 which would have been paid as the City Administrator=s bonus, to be awarded instead to employees;

RESOLVED, That the City Administrator work with employee groups to establish a performance award program and take other appropriate action to implement the awards; and

RESOLVED, That the City Council hereby approves the attached 1999/2000 Performance Goals for the City Administrator.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-576-10-99 SUBSTITUTE RESOLUTION
APPROVED AS AMENDED

Original Resolution:

RESOLUTION REGARDING PARKING RATES AT
DOWNTOWN DEVELOPMENT AUTHORITY MANAGED FACILITIES

Whereas, The Downtown Development Authority (DDA) sets parking rates in the facilities it manages unless changed by action of the City Council; and

Whereas, The Ann Arbor City Council wishes to be fiscally responsible and respectful of the needs of our businesses and users of the parking system

RESOLVED, That the Ann Arbor City Council affirm the suggested rate schedule with the exception that users pay in half-hour increments after the first hour and through the third hour; and

RESOLVED, That a transfer of \$2000,000 from the parking Fund to the DDA fund occur in order to offset any lost revenue due to this policy change; and

RESOLVED, That the Ann Arbor City Council appreciates the interest of the Parking Division of the Public Services Department in enhancing the related technology and urges the consideration of using the Parking Fund fund balance to finance such capital improvements.

A resolution regarding parking rates at Downtown Development Authority Managed Facilities was considered.

Councilmember Upton moved that the resolution be adopted.

Council unanimously agreed that following substitute resolution be placed on the table for adoption.

Substitute Resolution:

RESOLUTION REGARDING PARKING RATES AT
DOWNTOWN DEVELOPMENT AUTHORITY MANAGED FACILITIES

Whereas, The Downtown Development Authority (DDA) sets parking rates in facilities it manages unless changed by action of the City Council; and

Whereas, The Ann Arbor City Council wishes to be fiscally responsible and respectful of the needs of our businesses and users of the parking system

RESOLVED, That a transfer of \$150,000 from the Parking Fund to the DDA fund occur in order to offset any lost revenue due to this policy change during this fiscal year;

RESOLVED, That the City Administrator be strongly encouraged to include an allocation in the 2000-01 budget to the DDA fund from the Parking Fund sufficient to sustain this policy change for that fiscal year; and

RESOLVED, That the Ann Arbor City Council appreciates the interest of the parking Division of the Public Services Department in enhancing the related technology and urges the consideration of using the Parking Fund fund balance to assist in funding such capital improvements.

Council unanimously agreed that the resolution be amended as follows:

4th paragraph

RESOLVED, That a transfer [øf] **UP TO \$150,000 UPON VERIFICATION OF LOST REVENUE** from the Parking Fund to the DDA fund occur in order to offset any lost revenue due to this policy change during this fiscal year;

On a voice vote the Mayor declared the motion carried.

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

The substitute resolution as adopted reads as follows:

RESOLUTION REGARDING PARKING RATES AT
DOWNTOWN DEVELOPMENT AUTHORITY MANAGED FACILITIES

Whereas, The Downtown Development Authority (DDA) sets parking rates in facilities it manages unless changed by action of the City Council; and

Whereas, The Ann Arbor City Council wishes to be fiscally responsible and respectful of the needs of our businesses and users of the parking system.

RESOLVED, That the Ann Arbor City Council affirm the suggested rate schedule with the exception that users pay in half-hour increments after the first hour;

RESOLVED, That a transfer up to \$150,000 upon verification of lost revenue from the Parking Fund to the DDA fund occur in order to offset any lost revenue due to this policy change during this fiscal year;

RESOLVED, That the City Administrator be strongly encouraged to include an allocation in the 2000-01 budget to the DDA fund from the Parking Fund sufficient to sustain this policy change for that fiscal year; and

RESOLVED, That the Ann Arbor City Council appreciates the interest of the parking Division of the Public Services Department in enhancing the related technology and urges the consideration of using the Parking Fund fund balance to assist in funding such capital improvements.

39-99 APPROVED

ASHLEY MEWS REZONING

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

This ordinance would change the zoning of 1.86 acres, located on the west side of South Main Street, south of William Street, from R4C/D (Multiple-Family Dwelling District) and C2B/R (Business Service/Residential District) to PUD (Planned Unit Development District). (The complete text of Ordinance 39-99 is on file in the City Clerk=s Office.)

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

On a voice vote the Mayor declared the motion carried.

R-577-10-99 APPROVED AS AMENDED

RESOLUTION TO APPROVE ASHLEY MEWS PUD SITE PLAN

AND DEVELOPMENT AGREEMENT

A resolution to approve the Ashley Mews PUD Site Plan and Development Agreement was considered.

Councilmember Putman moved that the resolution be adopted.

Councilmember Herrell moved that the resolution be amended as follows:

Paragraph 5

RESOLVED, That City Council approve the Ashley Mews PUD Site Plan, upon the conditions that (1) the Development Agreement is signed by all necessary parties; (2) all terms of the Development Agreement are satisfied; ~~and~~ (3) the lots are combined prior to the issuance of permits; **AND (4) THE UNIT CURRENTLY LOCATED IN THE FLOODPLAIN BE MOVED TO ANOTHER LOCATION ON THE SITE OR BE ELIMINATED SO THAT THERE IS NO ENCROACHMENT INTO THE FLOODPLAIN.**

On a voice vote the Mayor declared the motion carried.

Councilmember Putman moved that the Supplemental Regulations dated October 13, 1999 be amended as follows:

Page 5

H. Site Access

Pedestrian: A cross-site continuous access between South Main and South Ashley Streets in approximate location as shown in the cross-hatched area on Exhibit A, attached, and totaling not less than ~~[40,000]~~ **6,800** square feet in area, ...

On a voice vote the Mayor declared the motion carried.

Councilmember Kolb moved that the resolution be amended to reduce the number of floors of the building from nine to seven.

On a voice vote the Mayor declared the motion defeated.

The question being the resolution and the supplemental regulations as amended on a voice vote the Mayor declared the motion carried with 10 votes.

The resolution as adopted reads as follows:

**RESOLUTION TO APPROVE ASHLEY MEWS PUD SITE PLAN
AND DEVELOPMENT AGREEMENT**

Whereas, Ashley Mews Limited Liability Corporation has requested PUD site plan approval in order to construct a low-rise multiple-family condominium complex and a nine-story mixed-use building for office, retail and residential apartments on the west side of South Main Street, south of William Street;

Whereas, A development agreement has been prepared to address public and private improvements, a pedestrian passage easement between South Main and South Ashley Streets, the sale of eight dwelling units to the City for affordable housing, a park contribution for improvements to Wurster Park, creation of an association of all owners of Ashley Mews, maintenance of the on-site storm water management system, and a Conditional Letter of Map Revision from FEMA; and

Whereas, The Ann Arbor City Planning Commission, on August 17, 1999, recommended approval of said request;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that on file in the City Clerk=s Office, dated October 18, 1999;

RESOLVED, That City Council approve the Ashley Mews PUD Site Plan, upon the conditions that (1) the Development Agreement is signed by all necessary parties; (2) all terms of the Development Agreement are satisfied; (3) the lots are combined prior to the issuance of permits; and (4) the unit currently located in the floodplain be moved to another location on the site or be eliminated so that there is no encroachment into the floodplain.

REPORTS FROM COUNCIL COMMITTEES

COUNCILMEMBER KOLB

Councilmember Kolb announced that there will be an Affordable Housing Steering Committee meeting on Thursday, October 21 at 7:00 p.m. on the 3rd floor of the City Center Building. Sub-committees will be formed at this meeting.

COUNCILMEMBER DALEY

Councilmember Daley reported that she recently attended the International Council for Local Environmental Initiatives. She congratulated Energy Coordinator David Konkle for his video presentation of Ann Arbor=s City Council proceedings regarding the granting of energy franchises.

COUNCIL PROPOSED BUSINESS

NOVEMBER 4, 1999

Resolution to Oppose House Bill No. 4777 (Councilmember Kolb)

COMMUNICATIONS FROM THE MAYOR

RECENTLY SIGNED PROCLAMATIONS

Mayor Sheldon reported that she recently signed proclamations in recognition of:

- AmeriCorp=s 5th Anniversary, October 20
- United Nations Day, October 24

ANNOUNCEMENTS

- Congratulations to University of Michigan Professor Martinus J. G. Veltman, recipient of Nobel Prize in Physics.
- Recognition given to the Ann Arbor Transportation Authority (AATA) for the installation of bike racks in front of bus routes. All are encouraged to utilize the bike racks.
- Mayor Sheldon announced that City Council will be meeting with the Ann Arbor Board of Education on Wednesday, October 20.

APPOINTMENTS APPROVED

Mayor Sheldon recommended the following appointments at the October 4, 1999 regular session of Council:

Washtenaw/Hill Historic District Study Committee

Julia Truettner (to fill vacancy)
1521 Pine Valley Blvd. #28
Ann Arbor, MI 48104
Term: for duration of project

Historic District Commission

Gregory A. Jones (reappointment)
2520 Devonshire Road
Ann Arbor, MI 48104
Term: 10/18/99 to 10/17/2002

Human Rights Commission

Ryung-wha Lee Kim (reappointment to allow even distribution of expirations)
925 Greenhills
Ann Arbor, MI 48105
Term: 10/18/99 to 10/31/2002

Recreation Advisory Council

David Weinberg (to fill vacancy)
3415 Vintage Valley
Ann Arbor, MI 48105
Term: 10/18/99 to 08/31/2002

Sewer Task Force

Stephen Rapundalo (Orchard Hills- Maplewood)
3106 Bluett
Ann Arbor, MI 48105
Term: 10/18/99 to duration of project

Jane Book (Bromley)
2946 Burlington
Ann Arbor, MI 48105
Term: 10/18/99 to duration of project

Barbara Bruemmer (Glen Leven/Woodland)
1435 Woodland Drive
Ann Arbor, MI 48103
Term: 10/18/99 to duration of project

James Nieters (Morehead/Delaware)
1496 Morehead
Ann Arbor, MI 48103
Term: 10/18/99 to duration of project

Benjamin Bouchard (Dartmoor/Liberty)
800 Dartmoor, AA, 48103
Term: 10/18/99 to duration of project

Steven Wright, Professor (Independent Professional)
Civil and Environmental Engineering, U of M
113 EWRE Building
Ann Arbor, MI 48109-2125
Term: 10/18/99 to duration of project

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

On a voice vote the Mayor declared the motion carried.

NOMINATIONS PLACED ON TABLE

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

Human Rights Commission

Harry Mial, Sr. (reappointment)
1200 Minglewood
Ann Arbor, MI 48103
Term: 11/4/99 to 10/31/2002

Sign Board of Appeals

Christine Brummer (to fill expired term)
326 Mulholland
Ann Arbor, MI 48103
Term: 11/4/99 to 11/3/2002

Human Rights Commission

Lynn B. D=Orio (to fill expired term)
2104 Pauline Blvd. #107
Ann Arbor, MI 48103
Term: 11/04/99 to 10/31/2002

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Ashley Mews Parking Spaces (Planning)

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

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HERRELL

Councilmember Herrell thanked City Administrator Berlin for foregoing \$2,000 of his \$3,000 performance bonus to be used as a performance bonus for City employees.

COUNCILMEMBER UPTON

Councilmember Upton commended City Administrator for his personal contribution to award bonus= to City employees for their service.

Mr. Upton congratulated the Hands On Museum on their new facility and encouraged the community to go by and see it.

Councilmember Upton congratulated Mayor Sheldon on her new appointments as Vice-Chair of the Community Economic Development Advisory Commission, and President of the Michigan Municipal League.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Sherry Doughty, 416 South Ashley Street, in opposition to the Ashley Mews Project - Planning
2. Communication from Attorney Peter Bilakos regarding the City's letter to Sandra K. Dunkel regarding the parking system's conduct in regards to Glen-Ann Towing - Police
3. Communication from Attorney Scott E. Munzel, P.C., regarding Ashley Mews Planned Unit Development - Planning
4. Communication from MAV Development in opposition to the Ashley Mews Project - Planning

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

None.

MEETING RECESSED TO EXECUTIVE SESSION

Councilmember Vereen-Dixon moved that the meeting be recessed for an executive session to discuss Collective Bargaining.

On roll call the vote was as follows:

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

Nays, 0.

The Mayor declared the motion carried and the meeting recessed at 10:30 p.m.

MEETING RECONVENED

Councilmember Hanna-Davies moved that the regular session of City council be reconvened.

On a voice vote the Mayor declared the motion carried and the regular session reconvened

at 11:15 p.m.

ADJOURNMENT

There being no further business to come before Council, the Mayor declared the meeting adjourned at 11:15 p.m.

W. Northcross
Clerk of the Council

Frances M. McMullan
Recording Secretary