

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - MAY 1, 2000**

The regular session of the Ann Arbor City Council was called to order at 7:34 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. The Mayor asked everyone to remember Recycle Ann Arbor Executive Director Bruce McKay who died suddenly.

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Tobi Hanna-Davies, John Hieftje, Joseph Upton, Dee Freiberg, Jean Carlberg, Heidi Cowing Herrell, Stephen C. Hartwell, Marcia Higgins, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 11.

ABSENT : 0.

INTRODUCTIONS

100TH BIRTHDAY OF ROBERT BRUCE EATON

Mayor Sheldon presented Robert Bruce Eaton with a proclamation in observance of his 100th birthday. The proclamation recognizes his service in World War I, his educational and cultural pursuits, and his business and political endeavors.

MULTIPLE CHEMICAL SENSITIVITY AWARENESS WEEK

Mayor Sheldon presented Susanne Smith, representing Multiple Chemical Sensitivity Friends of Michigan, with a proclamation recognizing Multiple Chemical Sensitivity Awareness Week, May 7-13,2000. The proclamation recognizes individuals with MCS as well as the people and agencies that help them cope with the illness.

CHEMICAL AWARENESS WEEK

Mayor Sheldon presented Lucy Teets, of the Ann Arbor Fire Department Office of Disaster Preparedness, with a proclamation recognizing Chemical Awareness Week, May 7-13, 2000. The proclamation encourages citizens to obtain and share information about the proper use of chemicals to ensure a safer future for the city.

COMMUNITY FAMILY HEALTH CENTER DAY

Mayor Sheldon presented Ada Sue Kinshaw and Elaine McIntosh, of the University of Michigan School of Nursing, with a proclamation recognizing the University of Michigan Community Family Health Center Day, May 6, 2000. The proclamation recognizes the Community Family Health Center's third anniversary of dedicated service.

ELIZABETH DEAN FUND COMMITTEE CERTIFICATES OF APPRECIATION

Parks and Recreation Forestry Technician Paul Bairley and Elizabeth Dean Fund Committee Chairperson Bob Elton presented certificates of appreciation to past Dean Fund Committee Members, Jack Etsweiler and Craig Terrell, for their years of dedicated service and outstanding work for the committee.

GOLDEN PAINTBRUSH AWARDS

Commission on Art in Public Places Chairperson Bob Elton presented the first annual Golden Paintbrush Awards to Melinda and Thomas Monahan for the streetscape scene painted on their home at 3469 Stone School Rd., to Chris Russell and Stef Cochran of Big City Small World Cafe, 500 Miller Ave., for the metal insect sculptures, to Gerome Kamrowski for the mosaic mural on the front of City Hall, and to the Ann Arbor Area Community Foundation for helping the Commission create a sound funding system. The awards recognize those in the community who, on their own initiative, add to the public art in Ann Arbor. Mr. Elton also presented the 2000 Annual Report of the Commission on Art in Public Places (on file in the City Clerk's Office).

PUBLIC COMMENTARY - RESERVED TIME

SEBASTIAN ESCALADA - DECISIONS OF BUILDING DEPARTMENT

Sebastian Escalada, 620 Hidden Valley Club, #106, a hot dog vendor at the corner of State St. and N. University Ave., objected to the Building Department issuing a permit to another hot dog vendor for the same corner. Mr. Escalada stated that he followed all the rules and was told that if he applied first he could have the whole corner he requested.

AUDREY JACKSON - CITY GOVERNMENT

Audrey Jackson, 2557 Sandalwood Cir., spoke in opposition to the suggestions of implementing a city income tax or charging by the bag for trash disposal in order to help reduce the City's millage rate. Ms. Jackson stated that a fee for trash would penalize citizens who are behaving responsibly.

DEBORAH MAHONEY - ANN ARBOR CIVIC THEATER

Deborah Mahoney, 1430 Granger Ave., representing the Young Peoples Theater Board of Directors, requested that Council consider helping the Ann Arbor Civic Theater to retain its facility at 2275 Platt Rd. where the Young Peoples Theater is housed. Ms. Mahoney stated that the theater has provided a safe and excellent performing space for the children who participate in the program.

CHERYL BERTEEL - ANN ARBOR CIVIC THEATER

Cheryl Berteel, 519 Kennedy, Ann Arbor Civic Theater President, stated that the Ann Arbor Civic Theater is in a financial crisis and expressed hope that the City would consider a partnership with the theater. Ms. Berteel stated that a community arts center could be created at the Platt Road facility, which could be used by other theater groups.

STEPHEN RAPUNDALO - ORDINANCE REGARDING PRIVATE SWIM CLUBS

Stephen Rapundalo, 3106 Bluett Dr., Orchard Hills Homeowners Association Chairperson, spoke in support of the proposed ordinance which would provide legal conforming use status for existing swim clubs and a public review process for special exception permit applications for expansion of swim club uses. He expressed concern that the proposed ordinance language does not insure a balance in protecting both existing clubs and their immediate neighbors and new swim club construction.

JIM MOGENSEN - LIVING WAGE

Jim Mogensen, 3780 Greenbrier Blvd., spoke in support of a living wage ordinance in Ann Arbor. He stated that the living wage standard would avoid discrimination, minimize paperwork and intrusiveness, and create positive change.

JOANN CULBERTSON - ORDINANCE REGARDING PRIVATE SWIM CLUBS

Joann Culbertson, 2996 Argonne Dr., representing the Orchard Hills Athletic Club Board of Directors, spoke in support of the proposed ordinance that would allow existing swim clubs as a special exception use. She stated that the Athletic Club is open to suggestions to improve the ordinance language and to address the organization's minor concerns.

WINIFRED NORTHCROSS - CLOSING REMARKS

Ann Arbor City Clerk Winifred Northcross, who will be retiring on May 12 after 28 years with City, expressed concern with the inaccuracies that appeared in the Ann Arbor News article announcing her retirement. Ms. Northcross thanked the Mayor, Councilmembers, coworkers and staff members, and stated that she has done everything she could during her City Hall career to make a very positive difference.

PUBLIC HEARINGS

DOMESTIC ANIMALS (ORDINANCE NO. 22-00)

A public hearing was conducted on the proposed amendment to Section 9:38, Chapter 107, Title IX of the Ann Arbor City Code - Domestic Animals. Notice of public hearing was published April 23, 2000.

The following people spoke in opposition to the proposal. The speakers expressed concern with the health of the children in day care facilities and the welfare of the baby animals. The speakers stated that farm animals do not belong in the city and that children are not being taught the proper respect for animals or presented a realistic picture of animals housed at a day care facility.

Mary Ford, 1101 Clague Ave., member of the Task Force on Animal-Related Programs, Policies, Procedures and Ordinances.

Sally Daniels, 1847 Packard St., volunteer at local animal sanctuaries and member of the Task Force on Animal-Related Programs, Policies, Procedures and Ordinances.

Delores Strom, 2581 Seminole, member of the Task Force on Animal-Related Programs, Policies, Procedures and Ordinances.

The following people spoke in favor of the proposal. The speakers emphasized that keeping baby farm animals for a limited time at home day care facilities enhances children=s lives by teaching respect for animals as well as responsibility. The day care workers and farmers who spoke reported that the animals are well cared for and the children are properly supervised. The parents and children involved with Apples and Pears day care expressed their enthusiasm for the program.

Dwane Johnson, farmer who receives the baby animals after their stay at the Apples and Pears day care facility.

Carrie Smith, parent of child who attends Apples and Pears day care.

Erica Duffy, Apples and Pears day care teacher.

Mackenzie Ruthig, farm resident.

Nancilee Stier, parent of children who attend Apples and Pears day care and doctor of internal medicine.

Seth Berry, Apples and Pears day care student.

Bill Casello, Apples and Pears day care resource person.

Lindsay Schramm, daughter of Apples and Pears day care owner.

John Schramm, husband to Apples and Pears day care owner.

Garrett Schramm, son of Apples and Pears day care owner.

Sarah Berry, Apples and Pears day care student.

Priscilla King, owner of a preschool and day care in Saline.

Brendon Schramm, son of Apples and Pears day care owner.

Leigh Baker, Apples and Pears day care student.

Karen Berry, parent of children who attend Apples and Pears day care.

Myra Ruthig, farmer and animal science teacher.

Joni Strickfaden, 1505 Pear St., owner of Apples and Pears day care.

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

ALARM FEES AND ENFORCEMENT (ORDINANCE NO. 19-00)

A public hearing was conducted on the proposed amendment to Sections 7:403, 7:404 and 7:405, Chapter 93, Title VII of the Ann Arbor City Code - Collection of Alarm Fees and Enforcement of Permit Conditions. Notice of public hearing was published April 23, 2000.

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

APPLICATION FOR 1999-2001 LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM

A public hearing was conducted on the proposed application for the 1999-2001 Local Law Enforcement Block Grant Program. Notice of public hearing was published April 23, 2000.

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

2001 STATE OF MICHIGAN ARTS IN CULTURAL PROJECTS PROGRAM GRANT APPLICATION

A public hearing was conducted on the proposed 2001 State of Michigan Arts in Cultural Projects Program Grant Application. Notice of public hearing was published April 28, 2000.

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

PROPOSED CITY OF ANN ARBOR 2000-2001 BUDGET

A public hearing was conducted on the proposed City of Ann Arbor 2000-2001 Budget. Notice of public hearing was published April 28, 2000.

The following person appeared:

Audrey Jackson, 2557 Sandalwood Cir., questioned the change in the number of FTE=s (Full Time Equivalent employees) in various City Departments.

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

APPROVAL OF AGENDAAGENDA APPROVED WITH CHANGES

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

CONSENT AGENDA

Correct Resolution to Approve [~~Contract with Michigan State University~~] **A**
Title: **PROFESSIONAL SERVICE AGREEMENT WITH DESHON AND ASSOCIATES**
TO PROVIDE A COMPETENCY BASED JOB ANALYSIS FOR THE CITY OF
ANN ARBOR FIRE FIGHTER POSITION (\$42,000.00) (Human Resources)

MOTIONS AND RESOLUTIONS

Add: Resolution to Approve Amendment of \$8,500.00 to Contract with Bodman, Longley & Dahling, LLP, for Legal Services Representing the City Relative to a Michigan Department of Environmental Quality Administrative Hearing Entitled *In Re Gelman Sciences, Inc.; NPDES Permit MI-0048453* (\$138,500.00) (Attorney)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: Ann Arbor Millage Review Study

Add: Mayor and Council Travel Budget Expenditures

CLERK=S REPORT

Add: Communication from Scio Township Supervisor Robert S. Tickle regarding Pall-Gelman Groundwater Contamination - File.

Add: Communication from Orchard Hills Athletic Club, Inc. regarding proposed ordinance on private swimming clubs - Planning.

Add: Communication from William M. Bivens, County Extension Agricultural and Natural Resources Agent, regarding proposed Domestic Animal Ordinance (Ordinance No. 22-00) - File.

Add: Communication from Karen Young, representing Bird Rescue of Huron Valley, Saline, regarding proposed ordinance on domestic animals (Ordinance No. 22-00) - File.

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF APRIL 17 AND 19 APPROVED

Councilmember Carlberg moved that the regular session minutes of April 17, 2000 and the working session minutes of April 19, 2000 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 and considered prior to Ordinances - Second Reading:

Resolution to Approve Street Closings for the 2000 Ann Arbor Jaycees Fourth of July Parade (\$2,110.00) (Building).

CONSENT AGENDA ITEMS APPROVED

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

R-191-5-00 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 2000-2005 CONSOLIDATED STRATEGY AND PLAN INCLUDING THE FISCAL YEAR 2000 ONE YEAR ACTION PLAN FOR SUBMISSION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Whereas, The Community Development Department has prepared the FY 2000-2005 Consolidated Strategy and Plan including the FY 2000 One Year Action Plan for the period July 1, 2000 through June 30, 2001;

Whereas, Public hearings have been held to solicit the views of Ann Arbor residents interested in the city's programs; and

Whereas, The CDBG Executive Committee and the Housing Policy Board have reviewed the document and recommended its approval to City Council;

RESOLVED, That City Council approve the FY 2000 - 2005 Consolidated Strategy and Plan including the FY 2000 One Year Action Plan, substantially in the form on file in the Office of the City Clerk for submission to the Department of Housing and Urban Development (HUD);

RESOLVED, That City Council authorize the Mayor and City Clerk to execute any

required program documents and upon approval by the Department of Housing and Urban Development, that City Council accept the \$2,079,000 allocation to be available until expended without regard to fiscal year; and

RESOLVED, That City Council approve the Community Development Block Grant and HOME funding allocations and authorize the Community Development Department to negotiate contractual agreements with subgrantees to be detailed for subsequent City Council review and approval.

R-192-5-00 APPROVED

RESOLUTION TO APPROVE REHABILITATION AGREEMENT WITH BRUCE C. HESTERLY FOR 5 ROCKLAND COURT

Whereas, An application was received from Bruce C. Hesterly for rehabilitation assistance for his home located at 5 Rockland Court;

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

Whereas, Two bids were received on April 6, 2000 and Mr. Hesterly will be executing an agreement with the lowest responsible bidder, who has Human Rights Approval, to complete the rehabilitation work;

Whereas, On Friday, January 28, 2000 the Waiver and Review Board approved the waiver of the \$28,020.00 maximum for rehabilitation assistance up to the amount of \$45,000.00;

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Bruce C. Hesterly in the amount of \$45,000.00 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 regards to fiscal year.

R-193-5-00 APPROVED

RESOLUTION TO APPROVE PURCHASE OF 50-TON, REMOVABLE GOOSENECK TRAILER FROM MICHIGAN CAT

Whereas, The Fleet Services Division needs to purchase a replacement removable

gooseneck trailer for the City=s fleet;

Whereas, Michigan Cat was the lowest responsible bidder with the City of Detroit, for a total of \$41,000.00; and

Whereas, Michigan Cat received Human Rights approval on April 18, 2000;

RESOLVED, That the City Council approve the issuance of a purchase order to Michigan Cat for the purchase of one 50-ton, removable gooseneck trailer for the amount of \$41,000.00, from 1999-00 budgeted Motor Equipment Funds, with funding for this purchase to be available without regard to fiscal year.

R-194-5-00 APPROVED

RESOLUTION TO APPROVE PURCHASE OF UTILITY SERVICE VAN FROM RED HOLMAN PONTIAC-GMC - OAKLAND COUNTY BID #3341

Whereas, The Fleet Services Division of the Public Services Department needs to purchase a Utility Services Van for the City=s fleet;

Whereas, Red Holman Pontiac-GMC was the lowest responsible bidder, Bid #3341, for a total of \$36,852.00; and

Whereas, Red Holman Pontiac-GMC received Human Rights approval on December 22, 1999;

RESOLVED, The City Council approve the issuance of a purchase order to Red Holman Pontiac-GMC for the purchase of a Utility Service Van for the amount of \$36,852.00 from the 1999-00 budgeted Motor Equipment Funds, with funding for this purchase to be available without regard to fiscal year.

R-195-5-00 APPROVED

RESOLUTION APPROVING A CONTRACT WITH REHMANN ROBSON, P.C. FOR CITY=S INDEPENDENT AUDITING SERVICES

Whereas, The Mayor and City Council are required by the City Charter, Section 8.15., to employ certified public accountants to conduct an independent audit of the City=s accounts;

Whereas, On March 22, 2000 the City received bids for audit services with in responded to RFP #482;

Whereas, The proposals have been evaluated by members of the City=s Finance Advisory Committee and city staff;

Whereas, The Finance Advisory Committee and city staff after appropriate consideration of qualifications, experience and fees, recommends Rehmann Robson, P.C., 105 East Michigan Avenue, be appointed for a five (5) year engagement with an option to renew for one (1) year; and

Whereas, Rehmann Robson received Human Rights approval on December 10, 1999;

RESOLVED, That Mayor and City Council hereby adopt this resolution authorizing a contract for annual auditing services for a five (5) year engagement with an option to renew for one (1) year with Rehmann Robson, P.C.;

RESOLVED, That Mayor and City Council authorize the City Administrator to take the necessary administrative steps to execute a contract with Rehmann Robson, P.C. for a five (5) year engagement with an option to renew for one (1) year for annual fees as shown below:

Year End June 30	General Audit	DDA	GASB 34	Total
2000	51,499	2,800	\$5,755	\$ 60,054
2001	52,120	2,800		\$ 54,920
2002	53,150	2,850		\$ 56,000
2003	54,080	2,850		\$ 56,930
2004	<u>55,760</u>	<u>2,900</u>		<u>\$ 58,660</u>
	\$266,609	\$14,200	\$5,755	\$286,564

R-196-5-00 APPROVED

RESOLUTION TO APPROVE ADDENDUM TO THE PARKING
STRUCTURE USE AGREEMENT BETWEEN DETROIT EDISON
COMPANY AND THE CITY OF ANN ARBOR

Whereas, The City of Ann Arbor and Detroit Edison entered into a Parking Agreement, dated January 11, 1982;

Whereas, The DDA, under the terms of the Master Lease between it and the City, assumed the obligations of the Parking Agreement between Detroit Edison and the City;

Whereas, The DDA resolved to provide support to Syndeco Realty Corporation to enable the Ashley Mews PUD development at Main and Packard to go forward contingent upon an amendment to the Detroit Edison Parking Agreement clarifying Detroit Edison's commitment during the term of the Agreement to share on a pro rata basis all future repairs and capital improvements for the Fourth & William parking structure;

Whereas, Amendment of the Detroit Edison Parking Agreement is necessary as the structure is over forty years old and may soon require extensive concrete repairs, in addition to the deck coating project anticipated by the DDA in the coming year;

Whereas, An Addendum to Parking Structure Use Agreement has been developed by attorneys representing the DDA, City of Ann Arbor, and Detroit Edison;

Whereas, This Addendum includes clarification of the term "maintenance" to include such items as repairs, clarification that Detroit Edison will continue to pay 14.3% of operation, maintenance and repair costs for the structure should it decide to renew its option beyond the initial 25-year contract, and modification of the terms under which Detroit Edison may use its 125 parking permits; and

Whereas, The DDA requests that City Council approve this Addendum to Parking Structure Use Agreement as it will enable the development at Main and Packard to proceed;

RESOLVED, That City Council approve this Addendum to Parking Structure Use Agreement; and

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

R-197-5-00 APPROVED

RESOLUTION TO APPROVE A PARKING PERMIT AGREEMENT BETWEEN THE CITY OF ANN ARBOR AND SYNDECO REALTY CORPORATION

Whereas, The DDA resolved to provide support to Syndeco Realty Corporation to enable its development at Main and Packard to go forward;

Whereas, This support includes the offer of 100 monthly parking permits in the Fourth and William parking structure to be leased at prevailing market rate;

Whereas, These permits will be utilized solely by residents or employees of business tenants in the Ashley Mews Planned Unit Development;

Whereas, A Parking Permit Agreement has been developed by attorneys representing the DDA, City of Ann Arbor, and Syndeco Realty Corporation; and

Whereas, The DDA requests that City Council approve this agreement with Syndeco Realty Corporation under the terms and conditions negotiated by the parties as it will enable the development at Main and Packard Streets to proceed;

RESOLVED, That City Council approve this Parking Permit Agreement with Syndeco Realty Corporation; and

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

R-198-5-00 APPROVED

RESOLUTION TO INCREASE PURCHASE ORDER TO
PITNEY BOWES FOR MAIL SERVICES

Whereas, The Administrative Services Department provides mail services for all city departments;

Whereas, Pitney Bowes is sole source for all our service and supplies;

Whereas, The Department established a purchase order with Pitney Bowes and is approaching the \$25,000.00 amount, therefore requiring Mayor and Council approval; and

Whereas, Pitney Bowes received Human Rights approval on September 17, 1999;

RESOLVED, That City Council approve increasing the existing purchase order to Pitney Bowes from \$25,000.00 to \$ 37,000.00 for service and supplies for the balance of the Fiscal Year 1999-2000.

R-199-5-00 APPROVED

RESOLUTION TO PLACE DELINQUENT UTILITY CHARGES
ON THE 2000 TAX ROLL

Whereas, On April 3, 2000 the City Administrator reported to this Council that there were \$165,194.31 of unpaid charges for water, sanitary sewer and stormwater services furnished to certain premises in the City, which on March 31, 2000 had remained unpaid for a period of six months or more;

Whereas, In accordance with Michigan Public Act 94 of the Public Acts of 1933 and Ann Arbor City Ordinance Code Chapter 13, Section 2:92, Chapter 29, Section 2:72 and Chapter 33, Section 2:206, collection notices have been sent by first class mail to the owners of such premises, giving notice of the total amount due for such services and that such amounts would be assessed with a 10% penalty by this Council on June 7, 2000, unless sooner paid, as a tax against said premises; and

Whereas, On April 4, 2000, such notices were sent by first class mail to the owners of the premises so served notifying them of the said Council meeting and of the assessment with the 10% penalty to be then placed against such property if the amount due is not paid by May 1, 2000;

RESOLVED, That such outstanding (over 6 months) delinquent utilities charges be

levied against such owners and premises and that the City Assessor place the same with a 10% penalty on the next tax roll of the City and that the said charges so assessed be collected in the same manner as general City taxes; and

RESOLVED, That the Utilities Department and City Treasurer be permitted to accept payment for delinquent utilities charges up to 10 working days prior to the printing of the July 2000 tax notices.

R-200-5-00 APPROVED

RESOLUTION TO GRANT SEWER SERVICE OUTSIDE CITY LIMITS TO 1100 ELMWOOD DRIVE

Whereas, Arthur and Nancy Brickman, owners of the property at 1100 Elmwood Drive, on April 10, 2000, 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, Arthur and Nancy Brickman 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 not later than five (5) years from the date of the agreement;

RESOLVED, That the Mayor and Clerk be hereby authorized and requested to sign the agreement to allow City sewer service to the land during the time it is still outside of the corporate limits; that the City Clerk be hereby directed to send a copy of this resolution and the agreement by first class mail to the above property owners; 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-201-5-00 APPROVED

RESOLUTION TO APPROVE THE 2000 ANN ARBOR JAYCEES CARNIVAL

Whereas, The City has received a request from the Ann Arbor Jaycees to hold a parade in the City of Ann Arbor on Independence Day, Tuesday, July 4, 2000;

Whereas, It will be necessary to close certain city streets from 8:00 a.m. to 1:00 p.m. to allow for adequate staging and cleanup time and other streets starting at 10:00 a.m. for the parade itself;

Whereas, The Ann Arbor Jaycees agree to obtain the necessary permits and comply with all procedures, rules, and regulations established to stage such an event; and

Whereas, The Ann Arbor Jaycees has further requested that the City waive the following Transportation Division fees:

Meter Bag Deposit	\$2,110.00
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RESOLVED, That the Fourth of July Parade be hereby approved being routed along South State, Liberty, Main and William Streets beginning at 10:00 a.m.;

RESOLVED, That Maynard from E. Liberty to E. Jefferson be closed for the staging and cleanup for the parade from 8:00 a.m. to 1:00 p.m.;

RESOLVED, That the closing of certain streets along the route as needed from 10:00 a.m. to 1:00 p.m. on Tuesday, July 4, 2000 be approved; and

RESOLVED, That the City agree to waive the parking meter bag deposits.

R-202-5-00 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICE
AGREEMENT WITH DESHON AND ASSOCIATES TO PROVIDE
A COMPETENCY BASED JOB ANALYSIS FOR THE CITY
OF ANN ARBOR FIRE FIGHTER POSITION

Whereas, The City of Ann Arbor desires to complete the recruitment/ selection/hiring process for the entry level Firefighter position;

Whereas, A competency based job analysis approach has been designed to select candidates for the entry-level position Firefighter;

Whereas, The Director of Human Resources negotiated an agreement with Deshon and Associates to create and develop;

- (a) Competency Based Job Analysis
- (b) Written Test Components

- (c) Behavioral Interview Questions and a Weighting Scheme for Interview Responses
- (d) Training Program for all Interviewers
- (e) Scoring of all Written exam and Interview Components; and

Whereas, Deshon and Associates has received Human Rights approval on October 1, 1999;

RESOLVED, That this professional service agreement with Deshon and Associates, for providing a competency based job analysis process associated with the entry level Firefighter recruitment/selection/hiring plan, in the amount not to exceed \$ 42,000.00, be approved;

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

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

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

R-203-5-00 APPROVED

RESOLUTION TO APPROVE STREET CLOSINGS FOR
THE 2000 ANN ARBOR JAYCEES FOURTH OF JULY PARADE

Whereas, The Ann Arbor Jaycees have requested permission to hold a carnival at the Pioneer High School parking lot from June 30 - July 4, 2000; and

Whereas, The City Code of Ordinances prohibits such amusements without the permission of City Council, and subject to conditions established by Council;

RESOLVED, That the following constitute the conditions under which permission is granted to hold the event:

1. Noise emitting from the operation of the carnival shall not exceed 80 decibels measured at any adjacent property line.
2. The carnival shall operate only between the hours indicated on the approved Special Events Permit.

3. The Police Department may require certain machines to cease operation if excessive noise complaints are received.
4. Evidence of proper liability insurance protection shall be submitted and approved by the City Attorney.
5. Vendors of food and/or beverage shall be properly licensed to insure sanitary conditions of products consumed by the public.
6. Proper fire lanes shall be maintained at all times.
7. Electrical connections shall be made by a licensed electrical contractor.
8. The event sponsors shall clear the parking lot and surrounding area of any debris resulting from the operation of the carnival upon completion of the event.
9. All other concerns shall be regulated by the City Administrator, the Chief of Police or their designee.

RESOLVED, That permission can be revoked at any time for good cause by the City Administrator, the Chief of Police or City Council.

Councilmember Hieftje moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Upton, Freiberg, Carlberg, Hartwell, Higgins, Kolb, Daley, Hanna-Davies, Hieftje, Mayor Sheldon, 10;

Nays, Councilmember Herrell, 1.

The Mayor declared the motion carried.

ORDINANCES - SECOND READING

22-00 AMENDED AND POSTPONED

DOMESTIC ANIMALS

An Ordinance to Amend Section 9:38 of Chapter 107 of
Title IX of the Code of the City of Ann Arbor

(The complete text of Ordinance 22-00 is on file in the City Clerk=s Office).

Councilmember Hanna-Davies moved that the ordinance be adopted at second reading.

Councilmember Hanna-Davies moved that ordinance be amended as follows:

9:38. Domestic animals and fowl...

- (3) Subsection (1) shall not apply to newly born farm animals and newly hatched farm fowl, ~~[used in an educational setting]~~ **CARED FOR IN A STATE LICENSED DAY CARE HOME, A GROUP DAY CARE HOME, OR A HOME WHICH IS REGISTERED WITH THE STATE OF MICHIGAN TO PROVIDE HOME SCHOOLING**, provided all of the following conditions are met:...

- (J) The care provider keeps on the premises where the animal or fowl is a copy of the statement required by Subsection (3)(F) **AND DELIVERS A COPY OF THE STATEMENT IN PERSON OR BY FAX TO THE ANN ARBOR POLICE DEPARTMENT**; and
 - (K) **THE CARE PROVIDER SHALL KEEP SUCH ANIMAL AND FOWL UNDER REASONABLE CONTROL BY KEEPING THEM ON THE PREMISES OF THE CARE PROVIDER, CONFINED IN A VEHICLE WHILE IN TRANSIT, OR OTHERWISE UNDER THE PHYSICAL CONTROL OF THE CARE PROVIDER; AND**
 - (L) **BEFORE TAKING CUSTODY OF AN ANIMAL, OR SIBLING GROUP OF ANIMALS, OR GROUP OF FOWL FROM THE SAME FARMER, THE CARE PROVIDER SHALL OBTAIN A PERMIT FROM THE CITY CLERK UPON SUBMISSION TO THE CLERK OF:**
 - (i) **AN APPLICATION FOR SUCH PERMIT ON A FORM PROVIDED BY THE CLERK;**
 - (ii) **PAYMENT OF AN ANNUAL PERMIT FEE TO BE DETERMINED BY THE CITY COUNCIL BASED ON THE RECOMMENDATION FROM THE CITY ADMINISTRATOR.**
- ~~[(K)]~~**(M)** the care provider also complies with all other applicable provision of the City Code, including but not limited to the other provisions of this Chapter 107, Title V (Zoning and Planning) and Title VIII (Building Regulations).
- (4) Any violation by any person of any provision of Subsections (3)(A) through ~~[(J)]~~ **(L)**...

On a voice vote the Mayor declared the motion carried

Councilmember Herrell moved that Section 3 be amended as follows:

- (3) Subsection (1) shall not apply to newly born, **ORPHANED OR REJECTED** farm animals and newly hatched farm fowl...

With unanimous consent, Joni Strickfaden, owner of Apples and Pear day care, and Myra Ruthig, farmer and animal science teacher, answered questions from Council.

After further discussion, Councilmember Herrell withdrew her motion.

Councilmember Hartwell moved that the ordinance be postponed until the May 15, 2000 regular session of Council to allow Councilmembers to submit their suggestions for further amendments.

On a voice vote the Mayor declared the motion carried.

19-00 APPROVED

COLLECTION OF ALARM FEES AND ENFORCEMENT
OF PERMIT CONDITIONS

An Ordinance to Amend Sections 7:403, 7:404 and 7:405 of
Chapter 93 of Title VII of the Code of the City of Ann Arbor

(The complete text of Ordinance 19-00 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

20-00 POSTPONED

SAFETY BELTS

An Ordinance to Amend Section 10:121 of Chapter 126
of Title X of the Code of the City of Ann Arbor

(The complete text of Ordinance 20-00 is on file in the City Clerk=s Office).

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

Councilmember Hartwell moved that the ordinance be postponed until the May 15, 2000 regular session of Council to allow a public hearing to be held on the proposed ordinance.

On a voice vote the Mayor declared the motion carried.

ORDINANCES - FIRST READING

23-00 APPROVED

HILLEBRAND ZONING

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

This ordinance would change the zoning of 0.5 acre, located at 453 Dupont Circle, from TWP (Township District) to R1C (Single-Family Dwelling District). (The complete text of Ordinance 23-00 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.

24-00 APPROVED

ONAGO ZONING

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

This ordinance would change the zoning of 7.9 acres, located at 2857 Packard Road, from TWP (Township District) to R1C (Single-Family Dwelling District). (The complete text of Ordinance 24-00 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.

25-00 APPROVED

YORK ZONING

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

This ordinance would change the zoning of 0.13 acre, located at 2927 Shady Lane, from TWP (Township District) to R1D (Single-Family Dwelling District). (The complete text of Ordinance 25-00 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.

26-00 APPROVED

YOUNGREN ZONING

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

This ordinance would change the zoning of 1.0 acre, located at 3051 Geddes Road, from TWP (Township District) to R1B (Single-Family Dwelling District). (The complete text of Ordinance 26-00 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.

27-00 APPROVED

PRIVATE SWIM CLUBS

An Ordinance to Amend Chapters 55 and 59 of
Title V of the Code of the City of Ann Arbor

(The complete text of Ordinance 27-00 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

28-00 APPROVED

WIRELESS COMMUNICATION FACILITIES

An Ordinance to Amend Chapters 55 and 57 of
Title V of the Code of the City of Ann Arbor

(The complete text of Ordinance 28-00 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

MOTIONS AND RESOLUTIONS

POSTPONED

RESOLUTION TO SUPPORT THE IMPLEMENTATION OF
THE GOALS AND OBJECTIVES OF THE AFFORDABLE
HOUSING TASK FOR REPORT

Whereas, There has been much public concern regarding the lack of affordable housing within Ann Arbor for families with incomes below \$50,200.00 and for individuals with incomes of \$35,150.00 or less;

Whereas, Local businesses have reported labor shortages and the available work

force lives further away, thereby increasing commuter traffic and pollution;

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;

Whereas, On May 17, 1999 City Council approved Resolution R-281-599 to approve the AProcess for Development of Affordable Housing Plan≡ which included the appointment of the Affordable Housing Task Force;

Whereas, The mission of the Affordable Housing Task Force was to determine ways to preserve and increase the supply of affordable housing in the community and after months of work the Task Force developed the attached Affordable Housing Task Force Report including Goals and Objectives;

Whereas, Implementation of the Goals and Objectives will require significant commitments and participation of community members and other entities; and

Whereas, At its meeting on March 9, and April 6, 2000, the Housing Policy Board approved a resolution to endorse the resolution of the Task Force, including the goal statements and to accept responsibility for oversight of the policy development, recommendations and implementation strategies;

RESOLVED, That City Council convey its thanks to the Affordable Housing Task Force;

RESOLVED, That City Council support the concepts included in the Goals and Objectives of the Affordable Housing Task Force Report and direct the City Administrator to provide support to enable the implementation of the plan;

RESOLVED, That City Council reaffirm its commitment to Affordable Housing as one of City Council=s critical priorities;

RESOLVED, That City Council designate the Housing Policy Board to provide oversight of the associated policy development, implementation and recommendations contained in the Affordable Housing Task Force Report; and

RESOLVED, That the City Administrator direct the Community Development Department, with support from other involved departments, to coordinate the implementation activities and ensure that involvement by interested members of the public is maximized.

Councilmember Kolb moved that the resolution be adopted.

Councilmember Kolb moved that the resolution be postponed until the May 15, 2000 regular session of Council for further review.

On a voice vote the Mayor declared the motion carried.

R-204-5-00 APPROVED AS AMENDED

RESOLUTION TO APPROVE MIOP, INC. TELECOMMUNICATIONS
TOWER/KROGER REVISED SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed MIOP, Inc. Telecommunications Tower/Kroger Revised Site Plan, 13.31 acres, 400 South Maple Road.

A resolution to approve the MIOP, Inc. Telecommunications Tower/Kroger Revised Site Plan was considered.

Councilmember Hartwell moved that the resolution be adopted.

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

Whereas, MIOP, Inc. has requested site plan approval in order to construct a 150-foot tall wireless communications monopole **WITH SPACE FOR A MINIMUM OF FOUR BROADBAND CARRIERS;**

With unanimous consent, David Snyder, representing the petitioner, answered questions of Council.

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

The resolution as adopted reads as follows:

R-204-5-00

RESOLUTION TO APPROVE MIOP, INC. TELECOMMUNICATIONS
TOWER/KROGER REVISED SITE PLAN

Whereas, MIOP, Inc. has requested site plan approval in order to construct a 150-foot tall wireless communications monopole with space for a minimum of four broadband carriers; and

Whereas, The Ann Arbor City Planning Commission, on March 21, 2000, recommended approval of said request;

RESOLVED, That City Council approve the MIOP, Inc. Telecommunications Tower/Kroger Revised Site Plan, subject to the establishment of a bond escrow for the removal of the tower or other arrangement subject to staff approval.

R-205-5-00 APPROVED

RESOLUTION TO APPROVE WINTERMEYER OFFICE
BUILDING REVISED SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Wintermeyer Office Building Revised Site Plan, 1.6 acres, 2154 South State Street.

Whereas, Tracy Wintermeyer has requested site plan approval in order to construct a one-story, 17,288-square foot office building at 2154 South State Street; and

Whereas, The Ann Arbor City Planning Commission, on April 4, 2000, recommended approval of said request;

RESOLVED, That City Council approve the Wintermeyer Office Building Revised Site Plan, subject to the receipt of revised plans showing 14 deferred parking spaces and changes to save or reduce the impact on six trees, including two landmark trees.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-206-5-00 APPROVED

RESOLUTION TO APPROVE LURKINS ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Lurkins Annexation, 0.22 acre, 476 Barber Avenue.

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

Whereas, Timothy M. Lurkins is the owner of said property; and

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

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

Lot 133, The Evergreens, a subdivision of part of the South half, Section 24, Scio Township, Washtenaw County, Michigan. As recorded in Liber 7 of Plats, Page 42, Washtenaw County Records.

Councilmember Hieftje moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-207-5-00 APPROVED

RESOLUTION TO APPROVE MC PARLAN ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed McParlan Annexation, 0.5 acre, south side of Geddes Road, east of Vinewood Road.

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, Thomas J. McParlan and Barbara McParlan are the owners of said property; and

Whereas, It is the desire of Thomas J. McParlan and Barbara McParlan 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:

A parcel of land in the Southwest 1/4 of Section 27 and the Northwest 1/4 of Section 34, T2S, R6E, Ann Arbor Township, Michigan, described as: Commencing at the Northeast corner of Vinewood Subdivision as recorded in Liber 6 of Plats, Page 30, Washtenaw County Records; thence S 61°48'50" E 197.98 feet along the centerline of Geddes Road to the Point of Beginning; thence S 61°48'50" E 97.52 feet along said centerline; thence S 01°29'30" W 231.85 feet to the Northeast corner of Lot 3 of Heatheridge Subdivision as recorded in Liber 10 of Plats, Page 59, Washtenaw County Records; thence N 88°30'30" W 87.12 feet along the north line of said Heatheridge Subdivision; thence N 01°29'30" E 275.66 feet to the Point of Beginning.

Councilmember Hieftje moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-208-5-00 APPROVED

RESOLUTION TO APPROVE NORTHEAST AREA PARK ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Northeast Area Park Annexation, 51.0 acres, northeast corner of Pontiac Trail and Dhu Varren Road.

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, The City of Ann Arbor and Washtenaw County Drain Commissioner (Traver Creek Drainage District) are the owners of said property; and

Whereas, It is the desire of the City of Ann Arbor and the Washtenaw County Drain Commissioner (Traver Creek Drainage District) 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:

25-Acre Parcel

BEGINNING at the South 1/4 corner of Section 9, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 86°28'55" W 584.90 feet along the South line of said Section and the centerline of Dhu Varren Road to a point on the centerline of Pontiac Trail; thence along said centerline N 13°33'16" W 423.29 feet; thence N 76°26'44" 50.00 feet to a point on the Easterly right-of-way line of Pontiac Trail; thence along said right-of-way line in the following three courses: N 13°33'16" W 200.00 feet, N 76°26'44" E 25.00 feet and N 13°33'16" W 46.03 feet; thence N 86°13'00" E 760.89 feet; thence N 86°00'00" E 884.90 feet; thence S 04°15'00" E 670.80 feet to a point on the South line of said Section 9 and the centerline of Dhu Varren Road; thence along said South line and said centerline S 85°45'30" W 1026.70 feet to the Point of Beginning. Being a part of the South 1/2 of Section 9, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan, and containing 25.43 acres of land, more or less. Being subject to the rights of the public over the Northerly 33 feet of Dhu Varren and the Easterly 33 feet of Pontiac Trail as occupied. Also being subject to easements and restrictions of record, if any.

28-Acre Parcel

That part of Section 9 lying west of Railroad right-of-way, east of Pontiac Trail, south of US-23 right-of-way and north of a line described as commencing at the southeast corner of Section 9, thence S 85°56' W 686.8 feet, thence 43°1' W 864.74 feet to the Place of Beginning, thence S 86° W 1285 feet, thence S 86°11' W 837.37 feet to a Place of Ending, part of the South 1/2 of Section 9, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan.

Councilmember Hieftje moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-209-5-00 APPROVED

RESOLUTION TO APPROVE A CONSTRUCTION GRANT CONTRACT
WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR
AIRPORT RUNWAY, TAXIWAY, APRON AND LIGHTING IMPROVEMENTS,
INCLUDING CONSULTANT DESIGN AND CONSTRUCTION SUPERVISION
AND ADMINISTRATION AT THE ANN ARBOR MUNICIPAL AIRPORT

Whereas, Certain improvements, including repaving of the main runway and parallel taxiways, seal-coating of the terminal apron, taxiway and runway lighting improvements, are needed at the Ann Arbor Municipal Airport;

Whereas, Consultant design, construction supervision and administration of said improvements is also necessary;

Whereas, The Bureau of Aeronautics of the Michigan Department of Transportation (MDOT), determined that the design and construction of these improvements are grant eligible for partial funding at a cost split of 90% Federal, 5% State, and 5% City;

Whereas, Pursuant to Federal regulations, MDOT approved on December 8, 1998 a proposal submitted by URS Greiner Woodward Clyde, Inc., Great Lakes, in the sum of \$86,000.00, for the design project;

Whereas, City Council approved a professional services agreement with URS Greiner Woodward Clyde, Inc., Great Lakes, in the sum of \$86,000.00 (City share \$4,300) for design of the runway and taxiway improvements;

Whereas, Pursuant to acceptance of a Federally funded Design Grant, the City is required to sign a Grant Contract with MDOT;

Whereas, On April 19, 2000, the Airport Advisory Committee endorse approval by Council, a Grant Contract with MDOT, for airport runway, taxiway, apron, and lighting improvements at the Ann Arbor Municipal Airport;

Whereas, The City Attorney=s Office and Public Services Department staff have reviewed, and approved as to form, the language of both the Professional Services Agreement and the Construction Grant Contract; and

Whereas, Sufficient funds are available in the current Airport Fund Balance for this work;

RESOLVED, That Construction Grant Contract No. 2000-0260, with the Michigan Department of Transportation, be approved;

RESOLVED, That \$73,600.00 be appropriated from the Public Services Department Airport Fund Balance for the life of the project, to be available until expended without regard for fiscal year;

RESOLVED, That the Mayor and City Clerk be hereby authorized and directed to execute said Construction Grant Contract No. 2000-0260 after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

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

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-210-5-00 APPROVED

RESOLUTION TO APPROVE A CONSTRUCTION CONTRACT WITH SIX S, INC. FOR OVERLAY OF RUNWAY 6/24 AND PARALLEL TAXIWAY, SEALCOAT APRON, AND DRAINAGE IMPROVEMENTS AT THE ANN ARBOR MUNICIPAL AIRPORT

Whereas, On March 1, 1999, City Council approved certain improvements at the Ann Arbor Municipal Airport, including repaving of the main runway and parallel taxiway, sealcoating apron, and drainage improvements;

Whereas, On January 12, 2000, bids for the referenced work were taken by the Michigan Department of Transportation in accordance with the terms of the Design Grant

Contract between the City and MDOT; and

Whereas, The bid of Six S, Inc. of Waterford, Michigan, in the amount of \$960,200.00 was the lowest responsible bid as determined by MDOT;

RESOLVED, That the construction contract with Six S, Inc. in the amount of \$960,200.00 (\$48,010.00 City share) for the repaving of the main runway and parallel taxiway, sealcoating apron, and drainage improvements at the Ann Arbor Municipal Airport be approved;

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

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

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-211-5-00 APPROVED

RESOLUTION TO APPROVE A CONSTRUCTION CONTRACT WITH ALLSTATE ELECTRIC, INC. FOR REHABILITATION OF RUNWAY AND TAXIWAY ELECTRICAL LIGHTING SYSTEMS AT THE ANN ARBOR MUNICIPAL AIRPORT

Whereas, On March 1, 1999, City Council approved certain improvements at the Ann Arbor Municipal Airport, to rehabilitate the runway and taxiway electrical lighting systems;

Whereas, On March 3, 2000, bids for the referenced work were taken by the Michigan Department of Transportation in accordance with the terms of the Design Grant Contract between the City and MDOT; and

Whereas, The bid of Allstate Electric, Inc. of Michigan, in the amount of \$307,800.00 was the lowest responsible bid as determined by MDOT;

RESOLVED, That the construction contract with Allstate Electric, Inc. in the amount of \$307,800.00 (\$15,390.00 City share) to rehabilitate the runway and taxiway electrical

lighting systems at the Ann Arbor Municipal Airport be approved;

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

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

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-212-5-00 APPROVED

RESOLUTION TO AUTHORIZE AN AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH URS GREINER WOODWARD CLYDE, GREAT LAKES FOR DESIGN, CONSTRUCTION ENGINEERING, INSPECTION AND TESTING SERVICES AT THE ANN ARBOR MUNICIPAL AIRPORT

Whereas, On March 1, 1999, City Council approved a Grant Contract with the Michigan Department of Transportation regarding improvements at the Ann Arbor Municipal Airport;

Whereas, In accordance with the terms of said Contract, the Council on March 1, 1999, approved a Professional Services Agreement with URS Greiner Woodward Clyde, Great Lakes in the amount of \$86,000.00 (\$4,300.00 City share) for the design of said improvements;

Whereas, Additional engineering design services in the amount of \$12,000.00 (\$600.00 City share) were required to include lighting improvements for runway and taxiway systems;

Whereas, Said lighting improvements were necessary for the runway and taxiway overlay plan preparation;

Whereas, It is now necessary to have a consulting firm perform the construction engineering, inspection, and testing services for said improvements;

Whereas, URS Greiner Woodward Clyde, Great Lakes has submitted to the City two amendments as required by MDOT procedures, which set forth the design and construction services to be performed by the firm, and the payments to be made by the City and MDOT therefor, all of which are agreeable to the City and MDOT; and

Whereas, MDOT has approved said amendments;

RESOLVED, That an amendment to the existing Professional Services Agreement for design of lighting improvements for runway and taxiway systems, in the amount of \$12,000.00 (\$600.00 City share) be approved with URS Greiner Woodward Clyde, Great Lakes;

RESOLVED, That an amendment to the existing Professional Services Agreement for construction engineering, inspection, and testing services in the amount of \$127,000.00 (\$6,350.00 City share) be approved with URS Greiner Woodward Clyde, Great Lakes;

RESOLVED, That the Mayor and City Clerk be hereby authorized and directed to execute said amendments 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 the necessary administrative actions to implement this resolution.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-213-5-00 APPROVED

RESOLUTION APPROVING THE 2001 STATE OF MICHIGAN ARTS
AND CULTURAL PROJECTS PROGRAM GRANT APPLICATION

Whereas, The Michigan Department of Commerce has set aside funding to provide one-time catalytic competitive funding assistance for regional arts and cultural projects based upon Public Act No. 122, Public Acts of 1999, Section 306;

Whereas, The Arts and Cultural Projects Program is designed to provide one-time funding assistance for regional cultural projects in these seven categories: arts and cultural projects, capital improvement projects, economic development projects, historical projects, institutional cultural projects and publicly owned facilities, excluding stadiums used primarily for professional sporting events;

Whereas, The City of Ann Arbor wishes to promote the development of regional cultural programs and activities through mechanisms reflecting cooperative service delivery that promotes economic development;

Whereas, The proposed projects will provide regional public access and are consistent with the requirements of the Arts and Cultural Projects Program, Public Act. No. 122, Public Acts of 1999, Section 306;

Whereas, Three organizations in Ann Arbor have submitted grant proposals for consideration under the Arts and Cultural Projects Program and grantees must obtain Human Rights approval prior to executing agreements; and

Whereas, These proposals were reviewed by a public hearing held on the grant prior to approval;

RESOLVED, That the Mayor and Council approve the 2001 State of Michigan Arts and Cultural Projects Program grant application, three projects (see Table I, below), which was sent to the Michigan Department of Commerce April 26, 2000, and that should the grants be approved, the Mayor and Council also appropriate the grant funds received from the State to be paid to each of the grantees for the life of the projects;

RESOLVED, That Neal G. Berlin, City Administrator, be authorized to sign the application form and execute any grant requirements, and designate Ronald A. Olson, Associate City Administrator/Superintendent of Parks and Recreation, to be the Grant Program Administrator; and

RESOLVED, That the Mayor and City Clerk be authorized to sign the Grant Agreement with the State of Michigan and an agreement between the City and each State-approved grant recipient, substantially in the form on file with the City Clerk.

2001 ARTS AND CULTURAL PROJECTS PROGRAM - TABLE I

APPLICANT NAME	PROJECT DESCRIPTION	Grant Amount Requested	Recommended Grant Amount
Michigan Theater Foundation, Inc.	Support funding a \$750,000 capital improvement project, of which there are two parts: 1) repairing the plaster and restoring the lighting fixtures and historic paint treatments in the theater's balcony and 2) making improvements to the backstage facilities, including making the stage-level dressing rooms barrier-free.	\$ 100,000.00	\$ 100,000.00
Performance Network	Construction of administrative offices and rehearsal space into the 2,000 sq. ft. space adjacent to their new theater at 120 E. Huron. The project will include construction of interior office walls, rehearsal hall floor and office restroom; purchase new computer hardware and software and new office furniture, install multi-line phone system with voicemail; replace a 20-yr. old copier; install security system and purchase a system for the hearing impaired.	\$ 75,000.00	\$ 75,000.00
Ann Arbor Hands-On Museum	Repair of a badly leaking roof on the Museum's historic firehouse building. Timely maintenance of the building is essential to the preservation and longevity of the building and the organization it now shelters.	\$ 12,000.00	\$ 12,000.00
		TOTAL	\$ 187,000.00

Councilmember Freiberg moved that the resolution be adopted.

Council unanimously agreed with Councilmember Freiberg's request to abstain from the vote on the Ann Arbor Hands-On Museum and with Councilmember Daley's and Mayor Sheldon's request to abstain from the vote on the Michigan Theater Foundation, Inc.

The question being the resolution as presented, on a voice vote the Mayor declared the motion carried, with Councilmember Freiberg abstaining on the Ann Arbor Hands-On Museum application and Councilmember Daley and Mayor Sheldon abstaining on the Michigan Theater Foundation, Inc. application.

R-214-5-00 APPROVED

RESOLUTION TO ACCEPT EASEMENT FOR PEDESTRIAN
ACCESS FOR ASHLEY MEWS LLC AND SYNDECO PLAZA LLC -
ASHLEY MEWS PUD DEVELOPMENT

Whereas, Ashley Mews LLC, a Michigan limited liability company, and Syndeco Plaza LLC, a Michigan limited liability company, are the fee simple owners of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in Washtenaw County Records at Liber 3917, Page 939, recorded December 6, 1999; and

Whereas, A Unanimous Written Consent of the Board of Directors of Syndeco Realty Corporation, the sole member of Ashley Mews LLC and Syndeco Plaza LLC, on September 28, 1999 authorized the delivery of a perpetual easement to the City for pedestrian access;

Whereas, Syndeco Realty Corporation, as the sole member of Ashley Mews LLC and Syndeco Plaza LLC, has delivered an easement to the City for pedestrian access to run with the land and burden the respective property perpetually, being more particularly described as follows:

Variable Width Pedestrian Ingress & Egress Easement

Commencing at the NE Corner of Block 4 South, Range 3 East, A ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF ANN ARBOR, Washtenaw County, Michigan as recorded in Transcripts, Pages 152 and 153, Washtenaw County Records; thence S00E10'30" E 257.92 feet along the East line of said Block 4 and the West line of South Main Street to the POINT OF BEGINNING; thence continuing S00E10'30" E 30.00 feet along said East line and said West line; thence S89E 49'30" W 16.58 feet; thence N00E 13'38" W 1.58 feet; thence S89E46'22" W 15.04 feet; thence N00E 13'38" W 4.94 feet; thence West 17.17 feet; thence S00E 13'38" E 5.01 feet; thence S89E 46'22" W 13.21 feet; thence N00E 13'38" W 5.06 feet; thence West 17.17 feet; thence S00E 13'38" E 5.13 feet; thence S89E46'22" W 28.23 feet; thence S00E 10'21" E 4.00 feet; thence S89E 46'22" W 12.27 feet; thence S19E 10'39" W 17.43 feet; thence N89E 46' 22" E 10.69 feet; thence S00E 13'38" E 15.86 feet; thence S89E 46'22" W 13.19 feet; thence S00E 13'38" E 8.41 feet; thence S02E 45' 53" W 19.76 feet; thence S00E 13'38" E 20.47 feet; thence S89E46'22" W 134.17 feet to a point on the West line of said Block 4 and the East line of South Ashley Street; thence

N00E16'10" W 13.12 feet along said West line and said East line; thence N89E40'42"E 8.85 feet; thence N00E 19'18" W 30.50 feet; thence N89E 40'42" E 9.67 feet; thence S00E 19'18" E 30.50 feet; thence N89E 40'42" E 17.29 feet; thence S00E 19'18" E 4.71 feet; thence N89E 40' 42" E 17.92 feet; thence N00E 19'18" W 4.71 feet; thence N89E 40'42" E 12.46 feet; thence S00E 19'18" E 4.71 feet; thence N89E 40'42" E 15.92 feet; thence N00E 19'18" W 4.71 feet; thence N89E 40' 42" E 37.00 feet; thence N19E 04'59" E 20.69 feet; thence S89E 40'42" W 9.17 feet; thence N00E 19'18" W 17.06 feet; thence N89E 40'42" E 10.00 feet; thence N00E 19'18" W 63.54 feet; thence N89E 49' 30" E 136.65 feet to the Point of Beginning. Being a part of Lots 5, 6, 11 and 13 and part of a vacated alley all in Block 4 South, Range 3 East of said AORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF ANN ARBOR≡, and containing 6,489 square feet of land, more or less. Being subject to easements and restrictions of record, if any.

RESOLVED That the City hereby accept said easement.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-215-5-00 APPROVED

RESOLUTION TO APPROVE AGREEMENT TO TEMPORARY
EXTENSION NO. 1 TO TELECOMMUNICATIONS RIGHT-OF-WAY PERMIT
AGREEMENT #1997-2 FOR KMC TELECOM II, INC. TO USE PUBLIC
RIGHTS-OF-WAY TO PROVIDE TELECOMMUNICATION SERVICES

Whereas, KMC Telecom II, Inc. (AKMC≡), has applied for a second amendment to its existing Permit #1997-2 so that it may install and operate additional telecommunications facilities in four locations in public rights-of-way in the City of Ann Arbor;

Whereas, Although City staff is willing to recommend approval of the pending Amendment No. 2, City staff did not have time to complete its review and all the other steps required in time to place the proposed Amendment No. 2 on the May 1, 2000, agenda of City Council for action;

Whereas, KMC has requested the City to grant a temporary extension to Permit #1997-2 to enable it to install the facilities and provide service to its customers pending final

approval of the proposed Amendment No. 2 at the May 15, 2000, session or a June, 2000, session of Council;

Whereas, The term of Temporary Extension No. 1 ends at the time the City Council either grants or denies Amendment No. 2, in whole or part, or with modifications, and further provides for KMC to remove or modify its installations under Temporary Extension No. 1 in the event City Council does not grant the application for Amendment No. 2, grants it only in part, or grants it with modifications;

Whereas, Temporary Extension No. 1 provides for KMC to indemnify and hold the City harmless in the event of claims which may arise as a result of the City=s decision to grant the Temporary Extension No. 1, or in the event of claims may arise as a result of the City=s decision to grant or deny the pending application for Amendment No. 2; and

Whereas, KMC is responsible for obtaining all other City permits which are required for KMC to proceed with the installation of the covered facilities after approval of this Temporary Extension No. 1;

RESOLVED, That City Council approve and authorize the Mayor and City Clerk to execute the Agreement to Temporary Extension No. 1 to Telecommunications Right-of-Way Permit Agreement #1997-2 for KMC Telecom II, Inc., to use certain public rights-of-way in the City to provide telecommunication services substantially in the form on file in the City Clerk=s Office.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-216-5-00 APPROVED

RESOLUTION TO ACCEPT AND APPROPRIATE FUNDS
FROM THE 1998-2000 LOCAL LAW ENFORCEMENT BLOCK GRANT
PROGRAM TO THE ANN ARBOR POLICE DEPARTMENT

Whereas, The Ann Arbor Police Department has been awarded \$132,734.00 from the Local Law Enforcement Block Grant Program; and

Whereas, It is anticipated that these funds will be used to offset the cost of an Information Management System; and

Whereas, The required match of \$14,750.00 will be expended from the Police

Department's general fund budget;

RESOLVED, That the City Council hereby accept the grant award in a form acceptable to the City Attorney; and

RESOLVED, That the City Administrator or his designee be authorized to take all necessary administrative action to implement these provisions to appropriate the funds for the life of the grant.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-217-5-00 APPROVED

RESOLUTION TO ACCEPT AND APPROPRIATE FUNDS
FROM THE 1999-2001 LOCAL LAW ENFORCEMENT BLOCK GRANT
PROGRAM TO THE ANN ARBOR POLICE DEPARTMENT

Whereas, The Ann Arbor Police Department has been awarded \$126,992.00 from the Local Law Enforcement Block Grant Program;

Whereas, It is anticipated that these funds will be used to offset the cost of an Information Management System; and

Whereas, The required match of \$14,110.00 will be expended from the Police Department's general fund budget;

RESOLVED, That the City Council hereby accept the grant award in a form acceptable to the City Attorney; and

RESOLVED, That the City Administrator or his designee be authorized to take all necessary administrative action to implement these provisions and appropriate the funds for the life of the grant.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-218-5-00 APPROVED

RESOLUTION TO APPROVE AMENDMENT OF \$8,500.00 TO CONTRACT WITH BODMAN, LONGLEY & DAHLING, LLP, FOR LEGAL SERVICES REPRESENTING THE CITY RELATIVE TO A MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY ADMINISTRATIVE HEARING ENTITLED AIN RE GELMAN SCIENCES, INC.; NPDES PERMIT MI-0048453"

Whereas, The City previously entered into a contract with Bodman, Longley & Dahling, LLP, for legal services representing the City relative to a Michigan Department of Environmental Quality administrative hearing entitled *In re Gelman Sciences, Inc.; NPDES Permit MI-0048453*;

Whereas, Additional legal services, not included in the original contract, are now required to complete the hearing process, including the preparation and submission of comments on the administrative law judge=s proposed decision and argument at a hearing before the Director of the Michigan Department of Environmental Quality;

Whereas, The additional legal services, including expenses, can be performed for the City at a cost not to exceed \$8,500.00; and

Whereas, Bodman, Longley & Dahling, LLP, received Human Rights clearance on July 12, 1999;

RESOLVED, That the Mayor and City Council be authorized to sign a standard amendment to the legal services agreement with Bodman, Longley & Dahling, LLP,

approved as to form by the City Attorney, for additional legal services in this matter in an amount not to exceed \$8,500.00, for a total contract amount not to exceed \$130,000.00.

Councilmember Upton moved that the resolution be adopted.

Council unanimously agreed with Councilmember Hartwell=s request to abstain from the vote.

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

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

ANNOUNCEMENTS

- X The dinner with University of Michigan officials is postponed until June 21 and will be held at the Crown Plaza.
- X The trip to Kalamazoo for government exchange day is scheduled for May 23.
- X The City staff=s annual Clean Out Your Files Day recycled 4.97 tons of paper, thanks to the efforts of the Solid Waste Department.
- X Thank you to the City staff members who organized the Take Your Daughter To Work Day event at City Hall.

- X Recently signed proclamations include Days of Remembrance of the Victims of the Holocaust, April 30-May 7, and National Home Remodeling Month, May 2000.
- X An open house at the Ann Arbor Water Treatment Plant is scheduled for May 6, 10:00 a.m.-4:00 p.m., celebrating National Drinking Water Week.
- X Thank you to Community Development Department staff members Glen Ziegler and Rick Brewster for coordinating homes for participation in the annual Christmas in April project. The Mayor thanked everyone who participated.

APPOINTMENTS APPROVED

Mayor Sheldon recommended the following appointments at the April 17, 2000 regular session of Council:

Washtenaw/Hill Historic District Study Committee

Stephen Schweer (new appointment)
1025 Berkshire Rd. 48104
Term: for the duration of the project

Domestic Violence Coordinating Board

Pam Maturo (to fill Citizen representative vacancy)
716 W. Liberty St. 48103
Term: 5/1/00 to 4/30/03

David Garvin (ADA representative)
4924 Packard Rd. 48108
Term: 5/1/00 to 4/30/02

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:
Ann Arbor YMCA Residence Advisory Committee

Keith Robins
100 N. Fifth Ave. 48104

Term: indefinite

Doug Smith
11 Ridgemor Dr. 48103
Term: indefinite

Margaret Plews
422 N. Huron, #6
Ypsilanti, MI 48197
Term: indefinite

Park Advisory Commission

Phil Danieri
1 Marshall Ct. 48104

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. DDA Development Agreement with Syndeco Realty Corporation
2. 3rd Quarter - Quarterly Report
3. Ann Arbor Millage Review Study

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

COMMUNICATIONS FROM THE CITY ATTORNEY

REPORT ON COMPLETED ANNEXATIONS

City Attorney Abigail Elias submitted reports on the following completed annexations:

- X City-owned property, 48.38 acres, south of Ellsworth Rd., east of Stone School Rd., west of Platt Rd., from Pittsfield Township
- X Hillebrand property, 0.5 acre, 453 Dupont Circle, from Scio Township
- X Onago property, 7.9 acres, 2857 Packard Rd., from Pittsfield Township
- X Youngren property, 1.0 acre, 3051 Geddes Rd., from Ann Arbor Township
- X York property, 0.13 acre, 2927 Shady Lane, from Pittsfield Township

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

COMMUNICATIONS FROM COUNCIL

MAYOR SHELDON

Mayor Sheldon announced that the 12th Annual Downtown Cleanup, coordinated by the Parks and Recreation Department, will be held May 13, 8:00 a.m.-noon. All volunteers will receive free t-shirts and lunch at Liberty Plaza Park.

COUNCILMEMBER KOLB

Councilmember Kolb asked Council to consider a date for continuation of the next regular session in order to adopt the budget.

Council agreed that the May 15 meeting would continue on either May 23 or May 30.

COUNCILMEMBER HANNA-DAVIES

Councilmember Hanna-Davies asked whether the July 3 regular session of Council could be postponed, due to the July 4 holiday.

Council agreed that the first regular session in July will be held on July 10, and that a resolution to postpone the meeting will be presented at the next regular session.

COUNCILMEMBER HIGGINS

Councilmembers Higgins thanked outgoing City Clerk Winifred Northcross for extending the same high level of professionalism and courtesy to everyone, and recognized her staff for practicing the same level of professionalism.

COUNCILMEMBER HANNA-DAVIES

Councilmember Hanna-Davies thanked City Clerk Northcross for her years of dedicated service to the City.

Ms. Hanna-Davies recalled that the Golden Paintbrush awards was the creative idea of former First Ward Councilmember Pat Vereen-Dixon.

Ms. Hanna-Davies invited all Councilmembers to a welfare simulation on May 8, sponsored by the County Extension.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Bob Beaugrand, of MIOP, Inc., regarding proposed telecommunications tower behind Maple Road Kroger - Planning.
2. Communication from Scio Township Supervisor Robert S. Tickle regarding Pall-Gelman Groundwater Contamination - File.
3. Communication from Orchard Hills Athletic Club, Inc. regarding proposed ordinance on private swimming clubs (Ordinance No. 27-00). - Planning.
4. Communication from William M. Bivens, County Extension Agricultural and Natural Resources Agent, regarding proposed Domestic Animal Ordinance (Ordinance No. 22-00) - File.
5. Communication from Karen Young, representing Bird Rescue of Huron Valley, Saline, regarding proposed ordinance on domestic animals (Ordinance No. 22-00) - File.

The following minutes were received for file:

1. Downtown Development Authority - March 21, 2000

2. Housing Policy Board - April 6, 2000
3. Building Board of Appeals Show Cause Hearing - January 12, 2000
4. Building Board of Appeals - March 8, 2000
5. Board of Review - March 20, 2000
6. Ann Arbor Transportation Authority - March 15, 2000
7. Planning Commission - March 7 and March 21, 2000
8. Housing Board of Appeals - March 7, 2000

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

AUDREY JACKSON - PROPOSED BUDGET

Audrey Jackson, 2557 Sandalwood Cir., questioned the decrease in fund balance in the proposed City budget from the current \$14.2 million to the proposed \$8.2 million. Ms. Jackson stated that City Clerk Winifred Northcross has been an exceptional employee and department head for the city, and complimented the Community Television Network staff for their hard work. She commented that the salary levels for CTN employees are too low and should be increased in the next fiscal year.

ADJOURNMENT

There being no further business to come before Council, the Mayor declared the meeting adjourned at 11:33 p.m.

Janet L. Chapin
Recording Secretary

W. Northcross
Clerk of the Council