

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - MAY 15, 2000**

The regular session of the Ann Arbor City Council was called to order at 7:35 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

Council stood for a moment of silence.

Mayor Sheldon led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Tobi Hanna-Davies, John Hieftje, Joseph Upton, Dee Freiberg, Jean Carlberg, Heidi Cowing Herrell, Marcia Higgins, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 10.

ABSENT : Councilmember Stephen C. Hartwell, 1.

INTRODUCTIONS

PRESENTATION TO WINIFRED NORTHCROSS

Mayor Sheldon and City Councilmembers presented Winifred Northcross with a special proclamation and resolution in recognition of her retirement. Ms. Northcross was recognized for her outstanding service to the City of Ann Arbor for nearly 28 years.

PRESENTATION FROM THE PEOPLE OF IRAQ - DR. WILLIAM THOMSON

Dr. William Thomson, Ann Arbor resident, thanked City Council for passing a resolution on April 5, 1999 condemning the sanctions against the people of Iraq. Mr. Thomson stated that he recently visited Bagdad and the people of Iraq requested that he present the Mayor and City Council with small tokens of appreciation for their support.

PUBLIC COMMENTARY - RESERVED TIME**MARY FORD - FARM ANIMAL ORDINANCE**

Mary Ford, 1101 Clague, Ann Arbor, MI., expressed concern about having farm animals within city limits. She stated that she strongly feels that farm animals should be kept on a farm outside of the city. Ms. Ford emphasized that farm animals should remain in their own environment because they experience a lot of stress and grief when they are transferred to different environments.

KAREN YOUNG - FARM ANIMAL ORDINANCE

Karen Young, 4600 Water Works, Saline MI., spoke in opposition to the proposed animal ordinance. She expressed concern about the possible transmission of disease and injury, and stated that the animals should remain in settings where they can be properly cared for.

DEE STROM - LIFTING BAN ON FARM ANIMALS

Dee Strom, 2581 Seminole, Ann Arbor, MI., indicated that the Center for Disease Control and experts in the field of communicable diseases, at both the state and local levels, are opposed to the proposed animal ordinance. She pointed out that there is no vaccine for salmonella, and the animals are too young for vaccination, therefore, such an ordinance should not be allowed.

KERMIT SCHLANSKER - NATURAL GAS

Kermit Schlansker, 2960 Marshall, Ann Arbor, MI., stated that there is a shortage in natural gas at its present consumption rate, and that substituting gas for oil is not a good long term strategy. He speculated that gas rationing is coming soon, and suggested that cities redesign themselves to eliminate cars and go back to agriculture to remedy this problem.

SALLY DANIELS - EXCEPTION TO THE BAN ON FARM ANIMALS

Sally Daniels, member of the Ann Arbor Animal Ordinance Task Force, stated that she doesn't believe that the proposed ordinance is in the best interest of the animals or the children. Ms. Daniels pointed out that the proposed ordinance would also require inspecting and enforcing which will use many city resources that she feels could be better used on more deserving causes.

JONI STRICKFADEN - ANIMAL ORDINANCE

Joni Strickfaden, 1505 Pearl Street, Ann Arbor, MI., stated that the ordinance presented to City Council two weeks ago was reasonably regulated. She explained that the ordinance proposed a short-term spring educational program intended for state licensed homes, with young animals for a maximum of three weeks. Ms. Strickfaden expressed dissatisfaction with the amendments made to the ordinance, and stated that the ordinance is now filled with the desires of interests groups and not those of the children.

PUBLIC HEARINGS

SAFETY BELTS (ORDINANCE NO. 20-00)

A public hearing was conducted on the proposed amendment to Section 10:121 of Chapter 126, Title X of the Ann Arbor City Code - Safety Belts. Notice of public hearing was published May 7, 2000.

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

ANN ARBOR ANIMAL HOSPITAL ZONING (ORDINANCE NO. 17-00)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 1.07 acres from TWP (Township District) to 2CB (Business Service District), Ann Arbor Animal Hospital property, 2150 West Liberty. Notice of public hearing was published April 23, 2000.

The following person was present to speak:

Tom Gurnevich, Ann Arbor resident, spoke in support of the plan and stated that initially he had many concerns but they were worked out with the owner.

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

ANN ARBOR ANIMAL HOSPITAL SITE PLAN

A public hearing was conducted on the proposed Ann Arbor Animal Hospital site plan, 1.35 acres, 2150 West Liberty Street. Notice of public hearing was published May 14, 2000.

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

ANN ARBOR GOLF AND OUTING CLUB SITE PLAN

A public hearing was conducted on the proposed Ann Arbor Golf and Outing Club site plan, 40 acres, 400 East Stadium Boulevard. Notice of public hearing was published May 14, 2000.

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

ASHLEY MEWS PUD SUPPLEMENTAL REGULATIONS (ORDINANCE NO. 18 -00)

A public hearing was conducted on the proposed amendment to Chapter 55, Ashley Mews PUD Zoning District Supplemental Regulations. Notice of public hearing was published April 23, 2000.

The following persons were present to speak:

Paul Lambert, Ann Arbor resident, spoke in opposition to the proposed PUD amendment, and stated that the project should not be allowed to expand, but should remain at its present size.

Scott Munzel, attorney representing Ashley Mews, explained that the amendment to the PUD supplemental regulations will shift the placement of the project on the site only, and will not allow the project to expand.

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

ANN ARBOR FARMER=S MARKET VENDOR FEES

A public hearing was conducted on the proposed vendor fees for the Ann Arbor Farmer=s Market. Notice of public hearing was published May 14, 2000.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

ORDINANCES - SECOND READING

Revise Amendment to Chapter 107, Section 9:38 - Domestic Animals (Ordinance No. 22-00) **(Postponed 5/1/00)**

MOTIONS AND RESOLUTIONS

Add: Resolution Authorizing Amendments to Non-Union Pay Schedules (City Administrator)

Add: Resolution to Approve Labor Agreement between the City of Ann Arbor and AFSCME Local 369 Ann Arbor/Milan City Employees Union (City Administrator)

Add: Resolution Authorizing Appointment of Yvonne Carl as Interim City Clerk

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF APRIL 24, APRIL 26, AND MAY 2, 2000 APPROVED

Councilmember Hieftje moved that the working session minutes of April 24, 2000, budget session minutes of April 26, 2000 and the regular session minutes of May 1, 2000 be approved with the following correction:

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ADJOURNMENT

There being no further business to come before Council, ~~it was moved by Councilmember~~ ~~that~~ Mayor Sheldon declared the meeting be adjourned.

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

R-219-5-00 APPROVED

**RESOLUTION TO AWARD CONTRACT WITH CLARIFIER PAINTING
AT THE WASTEWATER TREATMENT PLANT - BID NO. 3336**

Whereas, The steel equipment in six clarifiers and the elevated lime storage bin at the City=s Wastewater Treatment Plant (WWTP) needs to be painted;

Whereas, Of the three bids received, E. L. Commercial Interiors submitted the lowest responsible bid in the amount of \$189,998 to paint equipment in six clarifiers and the elevated lime storage bin; and

Whereas, On May 4, 2000, the Human Resources Department approved E. L. Commercial Interiors to perform work for the City;

RESOLVED, That Council accept the bid and award a contract to E. L. Commercial Interiors for \$189,998 to paint equipment in six clarifiers and the elevated lime store bin, and that the Mayor and City Clerk be authorized to sign the contract approved as to form by the City Attorney;

RESOLVED, That Council approve a total project budget in the amount of \$210,000, to be available for the life of the project until expended without regard to fiscal year, including \$189,998 for the contract with E.L. Commercial Interiors and a contingency of \$20,002 to finance change orders to be approved by the City Administrator; and

RESOLVED, That this project be funded by the Sewage Disposal System Operation and Maintenance Budget for FY 99/00.

R-220-5-00 APPROVED

RESOLUTION TO APPROVE TWO REPAIR SERVICE CONTRACTS WITH LYONS COMPANIES, INC. FOR REPLACING PIPING AT THE WASTEWATER TREATMENT PLANT

Whereas, The City=s Wastewater Treatment Plant (WWTP) needs to repair process piping for safety and efficient plant operations;

Whereas, Lyon Companies Inc. provided the lowest responsive quotation for both of these projects; and

Whereas, On, May 4, 2000, the Human Resources Department approved Lyon Companies Inc. to perform work for the City;

RESOLVED, That Council accept both quotations and award two contracts to Lyon Companies Inc. for \$13,542.03 for replacement of natural gas piping and for \$23,876.21 for replacement of process air piping, and that the Mayor and City Clerk be authorized to sign the contracts approved as to form by the City Attorney;

RESOLVED, That Council approve a total project budget in the amount of \$41,000 to be available until expended without regard to fiscal year, including \$37,418.24 for the two contracts with Lyon Companies Inc. and a contingency of \$3,581.76 to finance change orders to be approved by the City Administrator; and

RESOLVED, That these projects be funded by the Sewage Disposal System Operation and Maintenance Budget for FY 99/00.

R-221-5-00 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH AYRES, LEWIS, NORRIS AND MAY, INC. FOR THE DESIGN SERVICES FOR THE WASTEWATER TREATMENT PLANT

Whereas, It is necessary to install access hatches on two lime storage tanks and isolation valves in the plant effluent water (PEW) system at the City=s Wastewater Treatment Plant (WWTP);

Whereas, Ayres, Lewis, Norris & May, Inc. (ALNM) submitted a proposal in the

amount of \$8,000 to provide engineering design services for these improvements; and
Whereas, On March 23, 2000, the Human Resources Department approved ALNM to perform work for the City;

RESOLVED, That Council accept the proposal and approve a professional services agreement with ALNM for \$8,000 to provide engineering design services for installation of access hatches on the lime storage tanks and isolation valves in the PEW system at the WWTP, and that Council authorize the Mayor and City Clerk to sign the contract approved as to form by the City Attorney;

RESOLVED, That Council approve a contingency in the amount of \$1,000 change orders to be approved by the City Administrator; and

RESOLVED, That the funds are available for the life of the project without regard to fiscal year from the Sewage Disposal System Operation and Maintenance.

R-222-5-00 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER TO CURRENT ELECTRIC MOTOR SUPPLY, INC. FOR REPLACEMENT OF AN ELECTRIC MOTOR AT BARTON PUMPING STATION

Whereas, It is necessary to meet the designed firm capacity of the Water Treatment Plant by replacing the 12 MGD Winter motor with a new motor for one of the 12 MGD pumps at Barton Pumping Station;

Whereas, Only Current Electric Motor Supply, Inc. can supply an electrically and mechanically compatible motor;

Whereas, The lead time for delivery of the motor is 22 weeks;

Whereas, A purchase order in the amount of \$34,500 was issued to Current Electric Motor Supply, Inc. to supply a replacement motor for the 12 MGD pump at Barton Pumping Station to have the pump available for service as soon as possible to meet water demands under extreme conditions; and

Whereas, Current Electric Motor Supply, Inc. has received Human Rights approval on May 5, 2000

RESOLVED, That the purchase order in the amount of \$34,500 issued to Current Electric Motor Supply, Inc. is approved; and

RESOLVED, That the funds be available for the life of the project until expended

without regard to the fiscal year.

R-223-5-00 APPROVED

RESOLUTION TO GRANT WATER AND SEWER SERVICES OUTSIDE CITY LIMITS TO 2950 VALLEY DRIVE

Whereas, On May 2, 2000, the owner of the property at 2950 Valley Drive requested that the City extend public water and sewer service to his property in Scio Township prior to the completion of the annexation process;

Whereas, The owner desires to enter into the standard agreements with the City which provides an equitable method of obtaining City services outside of its corporate boundaries; and

Whereas, On May 2, 2000 the owner petitioned the City for annexation under Planning Department file number 8244B2.1 and 8244B2.2.

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

R-224-5-00 APPROVED

RESOLUTION TO APPROVE FIRST AMENDMENT TO THE HOUSING AFFORDABILITY AGREEMENT WITH WASHTENAW AFFORDABLE HOUSING CORPORATION REGARDING 1500 PAULINE BOULEVARD

Whereas, In October 1997 City Council approved the Housing Affordability Agreement with Washtenaw Affordable Housing Corporation (WAHC) in the amount of \$500,00 for the acquisition of property located at 1500 Pauline Boulevard to be used as affordable housing for very low-income families;

Whereas, Because of time delays and additional costs until the project began, contract increases, higher than anticipated rehabilitation costs, and other costs, WAHC has requested additional funds from the city in order to complete the project;

Whereas, The Housing Policy Board at its meeting on May 4, 2000 recommended City Council approval of up to an additional \$200,000 of City HOME funds for the project with the Project Subcommittee directed to review all project expenditures;

Whereas, Human Rights approval was received for the contractor on April 20, 2000;

RESOLVED, That City Council approve the First Amendment to the Housing Affordability Agreement in the amount of \$200,000 of HOME Funds as a grant to be repaid when the project is sold.

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

R-225-5-00 APPROVED

RESOLUTION TO APPROVE HOUSING REHABILITATION AGREEMENT WITH PEARLY M. WILSON

Whereas, An application was received from Pearly M Wilson for rehabilitation assistance for her home located at 2080 Garden Circle;

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

Whereas, Two bids were received on May 4, 2000 and Ms. Wilson will be executing an agreement with the lowest responsible bidder, who has Human Rights Approval, to complete the rehabilitation work;

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Pearly M Wilson in the amount of \$26,235 as a 3% interest, fifteen year loan and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the office of the City Clerk with funds to be available without regard to fiscal year.

R-226-5-00 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH MIDWESTERN CONSULTING, L.L.C. AND TO ESTABLISH A DESIGN BUDGET FOR THE STRATFORD DRIVE WATER MAIN PROJECT

Whereas, The City desires to loop the dead-end water main in Stratford Drive to improve water quality service to existing city utility customers;

Whereas, It is necessary to retain the services of a professional engineering firm to perform the design and construction staking of the Stratford Drive Water Main Project;

Whereas, Midwestern Consulting, LLC has demonstrated the required experience, personnel, and competitive fee to design the Stratford Drive Water Main Project; and

Whereas, The Human Resources Department, on March 31, 2000, approved said company;

RESOLVED, That the City Council authorizes a professional services agreement with Midwestern Consulting, LLC in the amount of \$24,001.12 for the design and construction staking of the Stratford Drive Water Main project;

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

RESOLVED, That the following project budget be adopted and funds appropriated for the life of the project, to be available until expended without regard to fiscal year:

Section I - Revenue

\$ 35,000	Advanced from the Water Supply System Fund (Fund 042) to be reimbursed following the sale of the Water Revenue Bond, Series Y in the spring of 2001.
\$ 35,000	TOTAL

Section II - Expenses

\$ 24,010	Consulting
\$ 9,320	City Engineering
\$ 1,670	User Fee/Over Head Charge
\$ 35,000	TOTAL; and

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

R-227-5-00 APPROVED

RESOLUTION TO APPROVE A CONTRACT WITH
DETROIT EDISON COMPANY TO INSTALL ENERGY SAVING
LIGHTING IMPROVEMENTS AT CITY FACILITIES

Whereas, The City of Ann Arbor is a member of the EPA=s Green Lights Program which requires us to examine our facility lighting and improve the energy efficiency where economically feasible;

Whereas, Detroit Edison, through its sub-contractor Retro-Tech, has performed lighting energy audits on 22 City facilities and is familiar with the City facilities and the work requested;

Whereas, Council accepted the recommendation of the Energy Fund Board and approved a contract with Detroit Edison to perform lighting upgrades at 14 City facilities on May 3, 1999, which have now been completed satisfactorily by Retro Tech;

Whereas, The Energy Fund Board now recommends that the City enter into a contract with Detroit Edison to perform lighting upgrades on 3 more City facilities, Baker Commons, the Housing Commission Offices, and Mack Pool at a cost of \$64,536.38;

Whereas, City staff recommends that the contract be sole-sourced to Detroit Edison because they provided this service satisfactorily in the previous contract, they are familiar with the work required, it will avoid confusion on responsibility for lighting problems, and the price is fair and reasonable;

Whereas, The funds for this project will come from the FY 1999-00 Municipal Energy Fund;

Whereas, The departments and facility managers involved are familiar with the program and have agreed to reimburse the Energy Fund; and

Whereas, Detroit Edison received Human Rights approval on 6/23/99;

RESOLVED, That the Mayor and City Clerk be authorized to sign a City Attorney approved contract with Detroit Edison for \$64,536.38 plus an \$6,400 contingency to be funded from the Municipal Energy Fund.

RESOLVED, That the Housing Commission will reimburse the energy fund by paying 80% of the predicted energy savings at Baker Commons and the Housing Commission Offices and Parks and Recreation will reimburse \$2,075/yr to the Municipal Energy fund for five years starting FY 2000-01.

RESOLVED, That the funds are available for the life of the project without regard to fiscal year to be funded from the Municipal Energy Fund.

R-228-5-00 APPROVED

RESOLUTION TO APPROVE SOFTWARE MAINTENANCE AGREEMENT WITH AMERICAN MANAGEMENT SYSTEMS, INC.

Whereas, The City of Ann Arbor entered into a License Agreement with American Management System, Inc. in 1981 for the use of the Local Government Financial System (LGFS) software;

Whereas, The City=s financial system has been structure around the LGFS software package for the past 19 years;

Whereas, Under the terms of this License Agreement, the City is entitled to purchase annual software maintenance at 10% of the prevailing market price or \$37,563;

Whereas, American Management Systems, Inc. received Human Rights approval April 18, 2000; and

Whereas, Funding for the LGFS software maintenance is budgeted in the FY99-00 Information Technology Services budget.

RESOLVED, That the City Administrator is authorized to issue a purchase order to American Management Systems, Inc. for the sum of \$37,563 for LGFS software maintenance.

R-229-5-00 APPROVED

RESOLUTION TO APPROVE INCREASE IN PURCHASE ORDER FOR XEROX CORPORATION

Whereas, The Administrative Services Department-Central Services Division provides printing services for all departments;

Whereas, Xerox Corporation is sole source for our service and supplies;

Whereas, The Department established Purchase Orders with Xerox Corporation and is approaching the \$25,000 amount therefore requiring Mayor and Council approval; and

Whereas, Xerox Corporation received Human Rights Approval on May 5, 2000, and

RESOLVED, That City Council approves increasing Purchase Orders to Xerox Corporation from \$25,000 to \$62,000 for the purchase of service, supplies and equipment through the balance of the fiscal year 1999/00.

R-230-5-00 APPROVED

RESOLUTION TO APPROVE AN AMENDMENT TO THE MICHIGAN NATURAL RESOURCES TRUST FUND PROJECT AGREEMENT FOR THE LESLIE SCIENCE CENTER ENVIRONMENTAL CENTER GRANT

Whereas, The City of Ann Arbor, Mayor and Council approved an agreement with the State of Michigan, Department of Natural Resources regarding a Natural Resources Trust Fund grant in the amount of \$500,000 toward the construction of an environmental education facility at the Leslie Science Center;

Whereas, The grant project agreement between the City of Ann Arbor and the Michigan Department of Natural Resources Trust Fund grant approved on October 20, 1997 was to construct an Environmental Education facility;

Whereas, Due to the redesign of the facility and the delay to the start of construction caused by these actions, an extension of the agreement to June 30, 2000 was permitted; and

Whereas, All other provisions of the previously approved agreement shall continue in full force and effect;

RESOLVED, That the Mayor and Council approve an amendment to extend the Michigan Department of Natural Resources Trust Fund grant project agreement for the Leslie Science Center facility to June 30, 2000 and authorize the Mayor and City Clerk to sign the amended grant agreement substantially in form on file with the City Clerk.

R-231-5-00 APPROVED

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

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

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

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

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

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

R-232-5-00 APPROVED

RESOLUTION ESTABLISHING AMENDED VENDOR FEES FOR
ANN ARBOR FARMERS MARKET

Whereas, The Department of Parks and Recreation, the Market Commission recommends the proposed fees for 2000-2001;

Whereas, A review and comparison of current fees to other farmers markets in other communities has been provided;

Whereas, The Market fees have not been adjusted in 15 years; and

Whereas, A meeting with vendors to discuss the proposed fee increases was held in March;

RESOLVED, That the attached fee schedules be adopted and be effective commencing July 1, 2000 representing the start of the 2000-2001 season.

R-233-5-00 APPROVED

RESOLUTION TO TRANSFER DELINQUENT HOUSING INSPECTION FEES
TO THE JULY, 2000 CITY TAXROLL

Whereas, There are unpaid charges for housing inspections of private properties within the City which were unpaid on December 31, 1999;

Whereas, This Council did, on December 9, 1974, resolve that notice should be given by first class mail to the owners of such properties of the amount due, and that this Council did intend that such amount would be assessed against such property as a special assessment unless paid on or before April 17, 2000;

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

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

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

RESOLVED, That such charges be levied as special assessments against such owners and premises according to attached "Schedule A" together with an additional

penalty charge of 10% of the total unpaid, as provided in Section 1:292 of the Ann Arbor City Code, and that the City Assessor shall place the same on the next taxroll of the City and that such charges will be collected in the same manner as general City taxes.

R-234-5-00 APPROVED

RESOLUTION TO APPROVE AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR CITY HALL SPACE NEEDS STUDY

Whereas, On December 20, 1999, City Council approved a professional services agreement with Hobbs & Black for the City Hall Space Needs Study;

Whereas, On March 13, 2000, results of the study were presented; and

Whereas, It is now desirable to investigate three additional alternates.

RESOLVED, That an amendment in the amount of \$13,800 be approved to the Hobbs & Black professional services agreement, with funding from the transfer of the currently remaining non-departmental general fund budget for the ABudget Millage Review Study≡ line item to the City Hall ASpace Needs Study≡.

R-235-5-00 APPROVED

RESOLUTION TO APPROVE TRANSFER OF A CLASS C LICENSED BUSINESS LOCATED AT 215 NORTH MAIN STREET - D.B.A. HEIDELBERG RESTAURANT

RESOLVED, That the transfer of ownership of a 1999 Class C licensed business with a Dance-Entertainment Permit, located at 215 N. Main St., from Fritz=s T-K, Inc. to Heidelberg Bar, Inc. (D.B.A. Heidelberg Restaurant), be approved.

R-236-5-00 APPROVED

RESOLUTION TO APPROVE TRANSFER OF A CLASS C LICENSED BUSINESS AT 314 SOUTH MAIN STREET - D.B.A. ZYDECO

RESOLVED, That the request from Tchoupitoulas of Ann Arbor, Inc. (D.B.A. Zydeco) to the transfer of ownership of a 1997 Class C licensed business with a Dance Permit, located in escrow at 413 E. Michigan, Saline, from Leutheuser=s Restaurant, Inc., and to transfer the location to 314 S. Main St., Ann Arbor, be approved; and

RESOLVED, That the request for an outdoor service area, in conjunction with the Class C licensed business, be approved.

R-237-5-00 APPROVED

RESOLUTION TO APPROVE TRANSFER OF A CLASS C LICENSED BUSINESS LOCATED AT 400 S. DIVISION STREET - D.B.A. RAJA RANI INDIAN CUISINE

RESOLVED, That the transfer of ownership of a 1999 Class C licensed business, located in escrow at 400 S. Division St., to the Sona Corporation (D.B.A. Raja Rani Indian Cuisine) from Raja Rani, Inc. be approved.

R-238-5-00 APPROVED

RESOLUTION TO POSTPONE THE FIRST REGULAR COUNCIL SESSION IN JULY UNTIL JULY 10, 2000

RESOLVED, That the first regular session of the Ann Arbor City Council for the month of July 2000 be postponed until 7:30 p.m. on Monday, July 10, 2000.

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

ORDINANCES - SECOND READING

22-00 DEFEATED

DOMESTIC ANIMALS

An Ordinance to Amend Section 9:30 of Chapter 107
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 Herrell moved to substitute the original ordinance with a revised ordinance.

On a voice vote, the Mayor declared the motion defeated.

Councilmember Herrell moved to amend the ordinance as follows:

On roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Hieftje, Upton, Freiberg, Carlberg, Herrell. Hartwell, Higgins, Kolb, Daley, Mayor Sheldon, 11;

Nays, 0.

The Mayor declared the motion carried.

20-00 APPROVED

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 Kolb moved that the ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried.

17-00 APPROVED

ANN ARBOR ANIMAL HOSPITAL 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 1.07 acre, located at 2150 West Liberty Street, from TWP (Township District) to C2B (Business Service District). (The complete text of Ordinance 17-00 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

R-239-5-00 APPROVED

RESOLUTION TO APPROVE ANN ARBOR ANIMAL HOSPITAL SITE PLAN

Whereas, Griebe Land Company has requested site plan approval in order to construct a 14,970-square foot animal hospital with drive-through prescription pick-up and emergency drop-off, grooming facility, and one apartment at 2150 West Liberty Street; and

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

RESOLVED, That City Council approve the Ann Arbor Animal Hospital Site Plan, upon the conditions that (1) the parcels are combined prior to the issuance of permits, (2) a maintenance agreement for an off-site drainage easement is recorded prior to the issuance of permits, and (3) there be no alteration of the proposed retention ponds as shown on the approved site plan.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Ann Arbor Animal Hospital Site Plan, 1.35 acres, 2150 West Liberty Street.

Councilmember moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

18-00 APPROVED

ASHLEY MEWS PUD ZONING DISTRICT SUPPLEMENTAL REGULATIONS

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 amend the Ashley Mews PUD Zoning District Supplemental Regulations. (The complete text of Ordinance 18-00 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

ORDINANCES - FIRST READING

29-00 APPROVED

PHASING AND POSTING SECURITY FOR SITE COMPLIANCE

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

The complete text of Ordinance 29-00 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.

30-00 APPROVED

PLYMOUTH ROAD COMMERCIAL PROPERTY

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 3.77 acres, located at 1635 Plymouth Road, from PUD (Planned Unit Development) Revised PUD District. (The complete text of Ordinance 30-00 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.

MOTIONS AND RESOLUTIONS

R-240-5-00 APPROVED AS AMENDED

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

Whereas, There has been much public concern regarding the lack of affordable housing within Ann Arbor for families with incomes below \$50,200 and for individuals with incomes of \$35,150 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 conveys its thanks to the Affordable Housing Task Force. Further, City Council supports the concepts included in the Goals and Objectives of the Affordable Housing Task Force Report and directs the City Administrator to provide support to enable the implementation of the plan;

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

RESOLVED, That City Council designates 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 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.

A resolution to support the implementation of the goals and objectives of the Affordable Housing Task Force report was considered.

Councilmember Upton moved that the resolution be adopted.

Councilmember Kolb moved that the resolution be amended as follows:

Paragraph 10:

RESOLVED, That City Council designates the Housing Policy Board with help from the designated staff member to provide oversight of the associated policy development, implementation and recommendations contained in the Affordable Housing Task Force Report and encourages the Housing Policy Board to invite the members of the Affordable Housing Task Force to be their partners in this endeavor; and

On a voice vote the Mayor declared the motion carried.

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

The resolution as adopted reads as follows:

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

Whereas, There has been much public concern regarding the lack of affordable housing within Ann Arbor for families with incomes below \$50,200 and for individuals with incomes of \$35,150 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 conveys its thanks to the Affordable Housing Task Force. Further, City Council supports the concepts included in the Goals and Objectives of the Affordable Housing Task Force Report and directs the City Administrator to provide support to enable the implementation of the plan;

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

RESOLVED, That City Council designates the Housing Policy Board with help from the designated staff member to provide oversight of the associated policy development, implementation and recommendations contained in the Affordable Housing Task Force

Report and encourages the Housing Policy Board to invite the members of the Affordable Housing Task Force to be their partners in this endeavor; and

RESOLVED, That 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.

R-241-5-00 APPROVED AS AMENDED

RESOLUTION TO APPROVE ANN ARBOR GOLF AND
OUTING CLUB SITE PLAN

Whereas, The Ann Arbor Golf and Outing Club has requested site plan approval in order to construct additions to the existing clubhouse at 400 East Stadium Boulevard, totaling 873 square feet; and

Whereas, The Ann Arbor City Planning Commission, on May 2, 2000, reviewed said request;

RESOLVED, That City Council approve the Ann Arbor Golf and Outing Club Site Plan, upon the condition that (1) a public water main easement is recorded prior to the issuance of permits.

A resolution to approve Ann Arbor Golf and Outing Club site plan was considered.

A communication was received from the City Planning Commission transmitting its recommendation of denial of the proposed Ann Arbor Animal Golf and Outing Site Plan, 40 acres, 400 East Stadium Boulevard.

Councilmember Freiberg moved that the resolution be adopted.

Councilmember Carlberg moved that the resolution be amended as follows:

Paragraph 3:

RESOLVED, That City Council approve the Ann Arbor Golf and Outing Club Site Plan, upon the condition that (1) a public water main easement is recorded prior to the issuance of permits- , and 2) with the understanding that the Ann Arbor Golf and Outing Club will continue to revise landscaping along Stadium and S. Main Street to prepare for the likelihood of sidewalks on those streets.

On a voice vote the Mayor declared the motion carried.

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

The resolution as adopted reads as follows:

RESOLUTION TO APPROVE ANN ARBOR GOLF AND
OUTING CLUB SITE PLAN

Whereas, The Ann Arbor Golf and Outing Club has requested site plan approval in order to construct additions to the existing clubhouse at 400 East Stadium Boulevard, totaling 873 square feet; and

Whereas, The Ann Arbor City Planning Commission, on May 2, 2000, reviewed said request;

RESOLVED, That City Council approve the Ann Arbor Golf and Outing Club Site Plan, upon the condition that (1) a public water main easement is recorded prior to the issuance of permits, and 2) with the understanding that the Ann Arbor Golf and Outing Club will continue to revise landscaping along Stadium and S. Main Street to prepare for the likelihood of sidewalks on those streets.

R-242-5-00 APPROVED

RESOLUTION TO APPROPRIATE ADDITIONAL FUNDS
FOR THE HURON PARKWAY BRIDGE REHABILITATION PROJECT

Whereas, It is necessary to complete the rehabilitation of the Huron Parkway Bridge Project which began in July of 1999;

Whereas, On June 21, 1999 (R-365-6-99) the Council appropriated \$5,250,000 for the Huron Parkway Bridge Rehabilitation Project; and

Whereas, It is now estimated that an additional \$908,810 is needed to cover the cost of additional construction overruns (including full-depth deck replacement in Phase II), design and construction engineering services (Consulting and City Forces), construction testing services, and contingencies to complete the project; and

RESOLVED, That City Council approves the appropriation of an additional \$908,810, \$658,810 from the Major Street Fund Balance (Fund 0021) and \$250,000 from the Local Street Fund Balance (Fund 0022), for the life of the project, to be available until expended without regard to fiscal year; and

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

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-243-5-00 APPROVED

RESOLUTION TO APPROVE A CHANGE ORDER WITH THE
S. E. JOHNSON COMPANIES, INC. FOR THE HURON PARKWAY BRIDGE
REHABILITATION PROJECT

Whereas, S. E. Johnson Companies, Inc. (SEJ) was awarded a construction contract on June 21, 1999 (R-365-6-99) in the amount of \$3,985,590 for the Huron Parkway Bridge Rehabilitation Project (Bid No. 3241);

Whereas, Additional work in the amount of \$42,510 is required to satisfactorily complete Phase I of the project; and

Whereas, SEJ has received Human Rights approval on May 9, 2000;

RESOLVED, That Council approves Change Order No. 4 to the Contract with SEJ in the amount of \$42,510 for the Huron Parkway Bridge Rehabilitation Project; and

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

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-244-5-00 APPROVED

RESOLUTION TO APPROVE AN AMENDMENT
TO THE PROFESSIONAL SERVICES AGREEMENT WITH MCNAMEE,
PORTER AND SEELEY, INC., FOR ADDITIONAL CONSTRUCTION ENGINEERING
SERVICES FOR THE HURON PARKWAY BRIDGE REHABILITATION PROJECT

Whereas, McNamee, Porter and Seeley, Inc. (MPS) was awarded a contract on May 18, 1998 (R-217-5-98) to provide essential professional engineering services for the Huron Parkway Bridge Rehabilitation Project;

Whereas, Additional design and construction engineering services in the form of construction inspection and management are needed to complete the project;

Whereas, It is necessary to amend MPS=s existing contract to include additional design and construction engineering services, in the amount of \$220,620, to design the full-depth replacement of the bridge deck in Phase II;

Whereas, MPS has been involved in the design of the project and has the required knowledge, experience, personnel and competitive fee schedule to perform the work; and

Whereas, MPS received Human Rights approval on November 19, 1999;

RESOLVED, That Council approves the Amendment to the Professional Services Agreement with MPS in the amount of \$220,620 for the Huron Parkway Bridge Rehabilitation Project;

RESOLVED, That the Mayor and City Clerk be 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 administrative actions to implement this resolution.

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-245-5-00 APPROVED

RESOLUTION TO APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH NTH CONSULTANTS, LTD. FOR ADDITIONAL CONSTRUCTION TESTING SERVICES FOR THE HURON PARKWAY BRIDGE REHABILITATION PROJECT

Whereas, NTH Consultants, Ltd. (NTH) was awarded a contract on June 21, 1999 (R-334-6-99) to provide essential construction testing services for the Huron Parkway Bridge Rehabilitation Project;

Whereas, The contract time of completion for the Huron Parkway Bridge Rehabilitation Project has been extended by approximately six months;

Whereas, It is now necessary to amend the existing professional services agreement, in the amount of \$24,500, to include additional construction testing services

due to the extended construction schedule;

Whereas, NTH has demonstrated that required knowledge, experience, and competitive fee schedule to perform the work; and

Whereas, NTH received Human Rights approval on June 15, 1999;

RESOLVED, That Council approves the Amendment to the Professional Services Agreement with NTH in the amount of \$24,500 for the Huron Parkway Bridge Rehabilitation Project;

RESOLVED, That the Mayor and City Clerk be 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 administrative actions to implement this resolution.

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-246-5-00 APPROVED

RESOLUTION TO AWARD CONTRACT TO S&B ROOFING SERVICES, INC.
FOR RESURFACING OF T-HANGAR BUILDINGS K THROUGH Q AT THE
ANN ARBOR MUNICIPAL AIRPORT AND TO APPROPRIATE FUNDS
BID NO. 3329

Whereas, The roofs of the City=s metal T-hangar buildings are badly rusted and in need of a coating to preserve them for another ten years;

Whereas, Competitive bids were received on March 20, 2000 and the lowest responsible bid was that of S & B Roofing, Inc., in the amount of \$56,610;

Whereas, Five roofs (hangars A - E) were resurfaced with one coat of product in 1998 and the manufacturer will provide free of charge, enough product to put a second coat on the roofs of hangars A - E;

Whereas, The successful bidder has agreed to apply the free coating for the cost of labor (\$15,000);

Whereas, This project was presented to the Airport Advisory Committee at its April 19, 2000 meeting, and approved; and

Whereas, S&B Roofing, Inc., has received Human Rights approval on April 6, 2000;

RESOLVED, That City Council approve a contract, per Bid No. 3329, with S&B Roofing Services, Inc., in the amount of \$71,610, and that the Mayor and the City Clerk be authorized and directed to execute the agreement substantially in the form on file with the City Clerk;

RESOLVED, That City Council approve an appropriation of \$72,000 from the airport fund balance for the project, to be available until expended without regard to fiscal year; and

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

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-247-5-00 APPROVED AS AMENDED

RESOLUTION TO APPROVE CONTRACT WITH

RECYCLE ANN ARBOR FOR DROP-OFF STATION OPERATIONS

Whereas, One proposal for operating the drop-off station was received by the Purchasing Division on January 17, 2000 in response to RFP Number 469;

Whereas, That proposal, provided by Recycle Ann Arbor, was evaluated by the RFP selection committee as meeting the criteria set forth in the RFP;

Whereas, Washtenaw County has agreed to increase its funding for the City's drop-off station from \$23,000 to \$35,000 for the year 2000;

Whereas, Recycle Ann Arbor received Human Rights approval on March 16, 2000; and

Whereas, Funding for 2000/01 will be provided from the proposed 2000/01 Solid Waste Department budget;

RESOLVED, That City Council approve a two-year contract with three one-year renewal options with Recycle Ann Arbor in the amount of \$120,000 per fiscal year (2000/01) plus an annual adjustment after the first year based on the Detroit area Consumer Price Index, not to exceed 3 percent, for an estimated two year total of \$243,600;

RESOLVED, That the City will also pay Recycle Ann Arbor \$40 per ton for recycled tonnages delivered to the City's Material Recovery Facility from the drop-off station in the amounts exceeding 2500 tons per fiscal year;

RESOLVED, That the initial term of the contract shall run from July 1, 2000 to June 30, 2002; and

RESOLVED, That the Mayor and City Clerk are authorized to sign the agreement substantially in the form of that on file in the City Clerk's office.

A resolution to approve contract with Recycle Ann Arbor for Drop-Off Station operations was considered.

Councilmember Herrell moved that the resolution be adopted.

Councilmember Kolb moved that the resolution be amended as follows:

Paragraph 8:

RESOLVED, At the point that the \$40 per ton fee is implemented, that the City may choose to implement a flat user fees on all vehicles using at the drop-off station as a way to increase revenues to cover incurred costs;

On a voice vote the Mayor declared the motion carried.

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

The resolution as adopted reads as follows:

**RESOLUTION TO APPROVE CONTRACT WITH
RECYCLE ANN ARBOR FOR DROP-OFF STATION OPERATIONS**

Whereas, One proposal for operating the drop-off station was received by the Purchasing Division on January 17, 2000 in response to RFP Number 469;

Whereas, That proposal, provided by Recycle Ann Arbor, was evaluated by the RFP selection committee as meeting the criteria set forth in the RFP;

Whereas, Washtenaw County has agreed to increase its funding for the City=s drop-off station from \$23,000 to \$35,000 for the year 2000;

Whereas, Recycle Ann Arbor received Human Rights approval on March 16, 2000;
and

Whereas, Funding for 2000/01 will be provided from the proposed 2000/01 Solid Waste Department budget;

RESOLVED, That City Council approve a two-year contract with three one-year renewal options with Recycle Ann Arbor in the amount of \$120,000 per fiscal year (2000/01) plus an annual adjustment after the first year based on the Detroit area Consumer Price Index, not to exceed 3 percent, for an estimated two year total of \$243,600;

RESOLVED, That the City will also pay Recycle Ann Arbor \$40 per ton for recycled tonnages delivered to the City=s Material Recovery Facility from the drop-off station in the amounts exceeding 2500 tons per fiscal year;

RESOLVED, At the point that the \$40 per ton fee is implemented, that the City may choose to implement user fees at the drop-off station as a way to increase revenues to cover incurred costs;

RESOLVED, That the initial term of the contract shall run from July 1, 2000 to June 30, 2002; and

RESOLVED, That the Mayor and City Clerk are authorized to sign the agreement substantially in the form of that on file in the City Clerk=s office.

POSTPONED

RESOLUTION ADOPTING THE 2000 LONG TERM FINANCIAL PLAN

Whereas, The Strategic Financial Planning Team has reviewed the long term financial plans objectives and budget strategies for the coming year;

Whereas, The City=s Strategic Financial Planning Team recommends adoption of the 2001-2005 long term financial plan for the City;

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

RESOLVED, The Mayor and City Council hereby adopt the long-term financial plan, entitled, ACity of Ann Arbor 2000 Long Term Financial Plan≡, on file in the City Clerk=s Office.

Councilmember Daley moved that the resolution be adopted.

Councilmember Upton moved that the resolution be postponed to May 30, 2000 to allow consideration along with the budget.

On a voice vote the Mayor declared the motion carried.

R-248-5-00 APPROVED

RESOLUTION TO APPROVE LESLIE SCIENCE CENTER
CARETAKER AGREEMENT

Whereas, The Department of Parks and Recreation is responsible for the operation and maintenance of the Leslie Science Center;

Whereas, The Department of Parks and Recreation has determined that it is necessary to employ a resident caretaker for the Leslie Science Center to perform specific duties in accordance with the attached agreement in exchange for residence privileges in the cottage on the grounds;

Whereas, The Superintendent of Parks and Recreation has selected a qualified individual to fill the position of caretaker;

Whereas, That Council approve the Leslie Science Center Caretaker Agreement in the form attached hereto;

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

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

Councilmember Daley moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-249-5-00 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM
DAVID V. HUFFORD, ELGIN A. CLINGMAN AND
ROSALIE R. MEILAND AND RELEASING UTILITY EASEMENT AT
2520 KIMBERLY DRIVE

Whereas, The City acquired a utility easement from Dennis R. Cervino for the construction and maintenance of storm and sanitary sewer, over property located at 2520 Kimberly Drive, as recorded in Liber 1532, Page 773, dated December 3, 1975, Washtenaw County Records; and

Whereas, David V. Hufford and Elgin A. Clingaman, as the current property owners, as recorded in Liber 2822, Page 592, dated July 22, 1993, have requested that the City

abandon the above referenced easement and accept a new public utilities easement and the City has no objections to the abandonment of the existing easement under the terms of the request;

Whereas, Rosalie R. Meiland, who owns vacant land adjacent to and south of 2520 Kimberly Drive, as recorded in Liber 1362, Page 66, dated June 29, 1971, has granted, together with David V. Hufford and Elgin A. Clingaman, a variable width easement for public utilities to the City of Ann Arbor which will replace the above referenced easement and being more particularly described below;

RESOLVED, That the City hereby relinquishes all rights conveyed to it in the easement recorded in Liber 1532, Page 773, dated December 3, 1975, Washtenaw County Records and that an appropriate instrument approved by the City Attorney be recorded at the Washtenaw County Register of Deeds Office as soon as practicable following approval of this resolution, and being more particularly described as follow:

A permanent R.O.W. lying 5 feet on each side of the following described line and a construction R.O.W. lying 25 feet on each side of the following described line for maintenance and construction of sanitary and storm sewers.

Commencing at the SW Corner of Lot 109, Kimberly Hills Subdivision, according to the plat thereof as recorded in Liber 3 of Plats, Page 32, Washtenaw County Records, MI; thence Northerly along the West line of said lot, more or less 11 feet for a PLACE OF BEGINNING; thence deflecting 92E 8' 51" to the right 160.11 feet to the PLACE OF ENDING. Said point is located on the East line of said lot and more or less 5 feet North of Southerly line of said lot.

RESOLVED, That the City accepts an easement for public utilities from David V. Hufford, Elgin A. Clingaman and Rosalie R. Meiland, over property located in the City of Ann Arbor, Washtenaw County, Michigan as described as follows:

Over Lot 109 (Hufford/Clingaman) as described in Attachment AA≡: Commencing at the southwest corner of Lot 109, Kimberly Hills Subdivision, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 3 of Plats, Page 32, Washtenaw County Records; thence North along the West Line of said Lot 23.4 feet; then S 87E 51' 9"E 160.10 Feet; thence South along the East line of said Lot 17.5 feet; thence West along the South line of said Lot 160.0 feet to the place of beginning.

Over Lot 110 (Meiland) as described in Attachment AB≡: Commencing at the northwest corner of Lot 110, Kimberly Hills Subdivision, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 3 of Plats, Page 32, Washtenaw County Records; thence East along the North line of said Lot 160.0 feet; thence South along the East Line of said Lot 17.5 feet; thence N 87E 51' 9"W 160.10 feet; thence North along the West line of said Lot 11.5

feet to the place of beginning.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

DEFERRED

RESOLUTION TO ADOPT ANN ARBOR CITY BUDGET, RELATED
PROPERTY TAX MILLAGE RATES FOR FISCAL YEAR 2000-2001

Whereas, City Council has reviewed the City Administrator's proposed budget for FY 2000-2001 for the City of Ann Arbor; and

Whereas, A public hearing has been held to obtain citizen input on the proposed budget; and

RESOLVED, That the following appropriations constitute the General Fund Budget for 2000-2001;

<u>Revenues:</u>	<u>Proposed</u>
Property Taxes	\$53,307,962
Licenses, Permits & Registrations	2,759,242
Intergovernmental Revenues	14,400,874
Charges for Service	8,722,337
Fines & Forfeits	6,076,180
Investment Income	1,300,000
Miscellaneous	180,160
Prior Year Surplus	1,789,205
Transfers	1,603,216
Contributions	43,915
Intra Governmental Sales	470,000
Total	<u>\$90,653,091</u>

<u>Expenditures</u>	
Mayor & City Council	\$233,757
City Administrator	1,047,004
City Attorney	1,058,644
Fifteenth District Court	2,889,020
Administrative Services	4,555,303
Building	2,164,450
City Clerk	743,556
Community Development	1,737,281

Finance	2,433,573
Fire	10,210,809
Human Resources	1,208,305
Parks & Recreation	6,569,177
Planning	691,050
Police	17,520,098
Public Services	5,080,887
Solid Waste	<u>7,313,810</u>
Total Departmental	\$65,456,724

Transfers to Other Funds

AATA Levy	6,792,711
Insurance	196,549
Retiree Insurance	2,696,255
Transfer to Parks Acquisition Fund	1,584,155
Transfer to Parks Rehabilitation Fund	1,489,423
Transfer to Parks Maintenance & Repair Fund	1,489,423
Transfer to Street Resurfacing Fund	6,304,306
Technology Improvements	1,100,000
Limited Tax G/O Bonds	256,750
City Share Special Assessments	<u>228,108</u>
Total Transfers to Other Funds	\$22,137,680

Non-Departmental

Contingency/Pay Increases	\$2,203,425
Contingency/Tax Appeals	250,000
City Wide Memberships	95,000
Community Events	40,000
Commission on Women=s Safety	95,500
Bad Debts	100,000
Hospitality Committee	5,000
Youth Program	264,762
Discretionary Fund City Administrator	<u>5,000</u>
Total Non-Departmental	<u>\$ 3,058,687</u>

Total General Fund Expenses **\$90,653,091**

RESOLVED, That the following appropriations constitute the 2000-2001 Budget for the other operating funds of the City:

<u>Intergovernmental Service Funds</u>	<u>Proposed Revenues</u>	<u>Proposed Expenditures</u>
Central Stores & Radio Maintenance	\$1,256,578	\$1,254,078
Fleet Services	3,921,026	3,921,026
Insurance	12,350,012	12,350,012

Parks Service Headquarters	142,550	109,768
Total Intergovernmental Service Funds	<u>\$17,670,166</u>	<u>\$17,634,884</u>

<u>Enterprise Funds</u>	<u>Proposed Revenues</u>	<u>Proposed Expenditures</u>
Airport	\$680,957	\$669,880
Golf Enterprise	1,547,808	1,547,808
Hydro Power System	681,908	619,687
Market	112,025	95,477
Parking System	2,407,469	2,407,469
Sewage Disposal System	15,925,130	13,779,999
Stormwater Sewer System	3,001,310	3,001,310
Water System	<u>15,581,754</u>	<u>15,071,638</u>
Total Enterprise Funds	<u>\$39,938,361</u>	<u>\$37,193,268</u>

<u>Special Revenue Funds</u>	<u>Proposed Revenues</u>	<u>Proposed Expenditures</u>
1995 Parks Rehab. & Development	\$2,108,005	\$2,108,005
1998 Parks Maintenance & Repair	1,618,971	1,618,971
Affordable Housing	549,697	549,697
Ann Arbor Assistance	10,000	10,000
Bandemer Property	99,800	99,800
Community Development Block Grants	2,520,210	2,520,210
Community Television Network	1,016,745	1,016,745
Court Facilities	236,000	236,000
Drug Enforcement	57,500	57,500
Energy Projects	100,000	100,000
HOME Funds	1,402,461	1,402,461
Information Technology	1,140,000	1,140,000
Leslie Homestead	217,935	217,935
Local Streets	1,726,510	1,726,510
Major Grant Programs	954,370	949,021
Major Streets	5,607,517	5,607,517
Michigan Justice Training	50,000	50,000
Parks Acquisition Millage	1,656,620	1,656,620
Solid Waste Equipment	370,066	369,000
Street Repair Millage	<u>6,899,000</u>	<u>6,899,000</u>
Total Special Revenue Funds	<u>\$28,341,407</u>	<u>\$28,334,992</u>

<u>Trust & Agency Fund</u>	<u>Proposed Revenues</u>	<u>Proposed Expenditures</u>
Elizabeth R. Dean	\$119,000	\$119,000
Employees Retirement System	5,685,172	5,685,172
VEBA Trust	<u>5,728,406</u>	<u>33,275</u>

Total Trust & Agency Fund	<u>\$11,532,578</u>	<u>\$5,837,447</u>
	Proposed	Proposed
<u>General Debt Service Funds</u>	<u>Revenues</u>	<u>Expenditures</u>
General Debt Service	\$4,931,737	\$4,931,737
Special Assessment General Debt	967,000	697,786
Total General Debt Service Funds	<u>\$5,898,737</u>	<u>\$5,629,523</u>
	Proposed	Proposed
<u>Component Units Funds</u>	<u>Revenues</u>	<u>Expenditures</u>
Downtown Development Authority	\$9,281,070	\$9,281,070
DDA Parking System	9,398,334	9,398,334
DDA Housing	397,521	397,521
Total Component Units Funds	<u>\$19,076,925</u>	<u>\$19,076,925</u>

RESOLVED, That the following be levied for the City of Ann Arbor for Fiscal Year 2000-2001;

	<u>Proposed</u>
General Operating	6.4186
Employee Benefits	2.1395
Refuse Collection	2.5674
AATA	2.1395
Street Repair	1.9898
Parks Maintenance & Repair	.4701
Parks Rehab and Development	.4701
Parks Acquisition	.5000
Debt Service	<u>.7901</u>
Total	<u>17.4851</u>

RESOLVED, That the unexpended grant entitlement for the Community Development Block Grant and the HOME Funds be reappropriated at the end of the fiscal year until such time as all grant funds have been expended;

RESOLVED, That the City Council concurs with the Budget Review Committee's recommendation that the City Administrator should continue to encourage departments to work toward cost containment and operational efficiencies;

RESOLVED, That any contributions for the Youth Program be appropriated upon receipt of the funds; and

RESOLVED, That any contributions to the Special Assistance Fund in excess of the budgeted amount shall be appropriated at the time of receipt and for the purpose of the

Ann Arbor Assistance Fund; and

RESOLVED, That any unexpended budget in the 1998-1999, 1999-2000 and the 2000-2001 budgets be reappropriated upon the settlement of any union contracts with outstanding wage increases for those fiscal years are reached; and

RESOLVED, That the Municipal Service Charge be recalculated on an annual basis and that the Hydro Power System, Major Streets, Local Streets, Water System, Sewage Disposal System, Parking System, Market, Golf Enterprise and Stormwater Sewer System Funds shall be adjusted to the calculated amount in proportion to the remaining number of years during the next three years starting with the 2001-2002 budget year; and

RESOLVED, That the following permanent position totals by department are approved;

Mayor & City Council	2.00
City Administrator	10.70
City Attorney	15.00
Fifteenth District Court	41.00
Administrative Services	27.00
Building	35.00
City Clerk	20.55
Community Development	10.00
Downtown Development Authority	2.20
Finance	40.00
Fire	127.00
Human Resources	17.00
Parks & Recreation	83.55
Planning	11.00
Police	248.00
Public Services	150.00
Solid Waste	38.00
Water Utilities	140.00
Non-Departmental	2.00
Retirement System	4.00
Total Departmental	<u>1,024.00</u>

Councilmember Higgins moved that the resolution be adopted.

Councilmember Kolb moved that the resolution be deferred until the end of the meeting.

On a voice vote the Mayor declared the motion carried.

RESOLUTION AUTHORIZING AMENDMENTS TO
NON-UNION PAY SCHEDULES

Whereas, The City Administrator traditionally recommends to City Council yearly adjustments to the non-union and Executive and Professional Pay Plan (EPPP) schedules to allow for non-union pay increases;

Whereas, The amount of this increase historically follows a pattern set by the results of union labor contract negotiations and is solely dependent upon the economic health of the City;

Whereas, Increases have been granted in the amounts of two (2%) percent effective July 1, 1998 and two and one-quarter (2.25%) percent effective July 1, 1999; and

Whereas, Settlement has been reached with AFSCME. The settlement of the AFSCME contract is at two and one-quarter (2.25%) percent for the fiscal year July 1, 1998, two and one-half (2.50%) percent for the year July 1, 1999 through June 30, 2000, and two and one-half (2.50%) percent for the year July 1, 2000 through June 30, 2001. It is recommended that the City proceed with making the pay adjustment to the non-union and EPPP employees;

RESOLVED, That the Mayor and City Council authorize the City Administrator to take all appropriate administrative action to amend non-union and EPPP pay schedules to incorporate a pay increase equal to an additional one-quarter (0.25%) percent retroactive to July 1, 1998, and an additional one-quarter (0.25%) percent retroactive to July 1, 1999, and two and one-half percent (2.50%) on July 1, 2000 with the exception of the Pension Administrator whose salary is determined by the Pension Board, the DDA Executive Director whose salary is determined by the DDA Board, and the City Administrator whose contract specifies an effective date of December 17.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-251-5-00 APPROVED

RESOLUTION TO APPROVE LABOR AGREEMENT BETWEEN THE CITY OF ANN ARBOR AND AFSCME LOCAL 369 ANN ARBOR/MILAN CITY EMPLOYEES UNION

Whereas, The current bargaining agreement between the City of Ann Arbor and the AFSCME Local 369 bargaining unit expired on June 30, 1998;

Whereas, The parties have negotiated a tentative new contract amending certain existing language in the expired contract including an increase in wages of 2.25% retroactive to July 1, 1998; an increase of 2.50% effective July 1, 1999, and an increase of 2.50% effective July 1, 2000;

Whereas, The tentative agreement also provides for various other changes to the language of the contract including both not limited to those referenced in the attached summary, and for this unit to receive any general increase in wages and health insurance benefits given to any other unit;

Whereas, The tentative Agreement has been ratified by the membership of AFSCME Local 369; and

Whereas, The City Administrator recommends approval of the tentative Agreement as set forth in the attached summary;

RESOLVED, That the City Council approve the 7/1/1998 through 6/30/2001 Agreement, including the negotiated wage increases for AFSCME Local 369, and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City, subject to the approval of the City Attorney.

Councilmember Higgins moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-252-5-00 APPROVED

**RESOLUTION AUTHORIZING APPOINTMENT
OF YVONNE CARL AS INTERIM CITY CLERK**

Whereas, The City desires to appoint an interim City Clerk following the retirement of Winifred Northcross until a new City Clerk is appointed;

Whereas, The City Administrator has recommended the appointment of Yvonne Carl to serve as Interim City Clerk;

RESOLVED, That Yvonne Carl be hereby appointed Interim City Clerk, effective immediately, to fulfill the responsibilities of City Clerk until such time as a new City Clerk is employed.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

ANNOUNCEMENTS

Mayor Sheldon made the following announcements:

- Senior Housing Awareness Week - May 14 - May 20, 2000
- Mayor/Government Exchange Day - May 16, 2000 - Officials from Kalamazoo, MI will be in Ann Arbor
- Congratulations to the middle school students completing the G.R.E.A.T. Program
- New AGO≡ Pass has been issued to city staff.
- League of Women Voters will host a live broadcast of a forum/debate for Library Board and School Board candidates - May 17, 2000 at 7:00 p.m.

APPOINTMENTS APPROVED

Mayor Sheldon recommended the following appointments at the May 1, 2000 regular session of Council:

Ann Arbor YMCA Residence Advisory Committee

Keith Robins
100 North Fifth Avenue
Ann Arbor, MI 48104
Term: indefinite

Doug Smith
11 Ridgemor
Ann Arbor, MI 48103
Term: indefinite

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

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:

Community Development Citizens Participation Executive Committee

Floyd Robinson (to fill unexpired term)
2852 Page
Ann Arbor, MI 48104
Term: 06/05/00 to 06/30/02

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Crisis Intervention Team
2. Fire Department First Responder Revenues
3. 3rd Quarter Budget Review
4. LeForge Villa Opt-Out

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

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER KOLB

Councilmember Kolb gave an update on the Affordable Housing Workshop in Chicago, Illinois sponsored by the National League of Cities. He reported that the workshop was very informative and that he received a lot of feedback. .

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Lake Forest Partners 2, Inc. regarding Sunset Ridge Townhomes - Planning
2. Communication from Dr. Roger Anderberg, M.D., Child Health Associates, 3100 E. Eisenhower Pkwy., Ste. 100, regarding the proposed domestic animals ordinance - File
3. Communication from Dee Strom, Ann Arbor Task Force member, regarding the proposed domestic animals ordinance - File
4. Communication from Shelley Caughey Adams, 581 Burwood Ave., in opposition to the Ann Arbor Animal Hospital site plan - Planning

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

None.

RECESSED

Councilmember Hanna-Davies moved that the meeting be recessed until May 30, 2000 at 7:30 p.m. to consider the following items:

Resolution Adopting the 2000 Long Term Financial Plan (Finance)

Resolution to Adopt Ann Arbor City Budget, Related Property Tax Millage Rates for Fiscal Year 2000-2001 (\$204,360,130.00) (City Administrator)

On a voice vote the Mayor declared the meeting recessed at 9:45 p.m.

Y. Carl
Interim Clerk of the Council

Frances M. McMullan
Recording Secretary