

**ANN ARBOR CITY COUNCIL MINUTES  
REGULAR SESSION - AUGUST 21, 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.

**ROLL CALL OF COUNCIL**

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

ABSENT : 0.

**INTRODUCTIONS**

None.

**PUBLIC COMMENTARY - RESERVED TIME**

CHARLES GOODMAN - MEDICAL MARIJUANA

Charles Goodman, treasurer and spokesman for Libertarians for Medical Marijuana Reform, stated that 5,970 signatures were collected in support of the use of marijuana for medical purposes, but due to legal technicalities the City Clerk's Office has determined that the petitions cannot be accepted. Mr. Goodman urged City Council to represent its constituents by putting the marijuana ballot initiative on the November ballot.

KATE WARNER - HOUSING

Kate Warner, 1804 Linwood Ave., urged City Council to take the appropriate action to preserve and enhance the YMCA tower because it is the largest block of single-room occupancy housing available in the city and county. She stated that the YMCA tower is necessary to maintain humanity and balance in Ann Arbor's housing system.

CHRISTINA MACHAK - FOUR-WAY STOP SIGN

Christina Machak, 3565 Fox Hunt, requested that Council consider placing a four-way stop

sign at the intersection of Green and Glazier Way. A four-way stop sign would make it easier for school buses to cross at the intersection, provide safety for pedestrians and bicyclists and reduce the risk of automobile accidents.

#### DAVE DEVARTI - HOUSING AND YMCA

Dave DeVarti, Downtown Development Authority (DDA) Member, urged City Council to exercise its options on the YMCA property and utilize the three-month window to explore the possibility of partnering with other interested parties. The redevelopment of the YMCA site is vital to the downtown area.

#### EMILY SALVETTE - MEDICAL MARIJUANA

Emily Salvette, 2016 Devonshire, stated that the Libertarian Caucus was given incorrect information and deadlines concerning the medical marijuana petition. She stated that medical marijuana is a proper issue to be in front of the voters and requested that City Council vote to place it on the November ballot and allow the voters of Ann Arbor to decide.

#### EVIE LICHTER - JOAN LOWENSTEIN

Evie Lichter, 2225 Belmont, spoke in support of the resolution to appoint Joan Lowenstein to the Ann Arbor City Council. She stated that Ms. Lowenstein would be a great personality to this governing body because she is hardworking, creative, thoughtful and decisive.

#### JAMES HUDLER - MEDICAL MARIJUANA

James Hudler, Washtenaw County Libertarian Party Chairman, encouraged City Council to place the medical marijuana city charter amendment on the November ballot. Mr. Hudler stated that the intention of this ballot proposal is to promote liberty, free choice, and to help Ann Arbor residents with multiple sclerosis, AIDS, glaucoma and cancer.

#### CHARLES GRIFFITH - ACLEAN CAR≡ RESOLUTION

Charles Griffith, representing the Ecology Center, spoke in support of a green fleet policy in the City of Ann Arbor. Mr. Griffith stated that the goal of the campaign is to promote cleaner, more efficient vehicles in order to convince automakers and policy makers to produce cleaner vehicles.

### **PUBLIC HEARINGS**

#### MCPARLAN ZONING (ORDINANCE NO. 37-00)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.5 acre from TWP (Township District) to R1B (Single-Family Dwelling District), McParlan property, south side of Geddes Avenue, east of Vinewood Road. Notice of public hearing

was published August 6, 2000.

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

#### CITY HALL SPACE NEEDS PLAN

A public hearing was conducted on the proposed City Hall Space Needs Plan. Notice of public hearing was published August 20, 2000.

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

#### PARKS AND RECREATION GRANT APPLICATIONS

A public hearing was conducted on the proposed Parks and Recreation Grant Applications. Notice of public hearing was published August 20, 2000.

The following persons were present to speak in support of the grant applications:

Bob Johnson, representing Friends of The Bluffs, spoke in support of a grant application to purchase Bluff=s North, and stated that a petition of 2,000 signatures in support of the conversion of this land to a park was received a year ago.

David Raaflaub, 400 W. Washington, stated that the acquisition of this land was derived from a petition initiative passed last year, and pointed out that the petition did not conform with the requirements being imposed on the medical marijuana petition. Mr. Raaflaub urged City Council to follow the same procedures and place the medical marijuana issue on the November ballot.

Mary Beth Doyle, Ecology Center representative, favored the grant application to purchase land north of Bluff=s park and pointed out its many features.

Jeff Hainer, supported the request for funding to purchase Bluff=s north. He stated that the land will have a profound impact on the future of the North Main corridor, the city=s last scenic gateway.

Catherine Rising, Ecologist, indicated that purchasing the land north of Bluff=s park would provide a contiguous corridor of natural areas along the Huron River, and would connect a lot of existing parks to allow for hiking, biking and jogging.

Norm Roller, representing the Michigan Bikers and Ski Club, stated that this land provides a natural trail for bikers and skiers not found in any other city parks.

Jim Mogensen, 3780 Greenbrier, spoke in support of the grant application to purchase park land.

Doug Cowherd, Sierra Club Huron Valley Group Chair, supported the preservation of green space in Ann Arbor, and making the land north of Bluff=s park a city park. This parcel is at the heart of six existing city parks and has a total area of 360 acres.

Jeanine Palms, 2656 Easy Street, supported the grant application to allow an addition to Buhr Park. She explained that the addition will keep gallons of water out of the creek. Ms. Palms stated that Buhr Park Children=s Wet Meadow serves as a teaching tool for children and adults about the way natural systems work to handle water, and about water shed issues.

Jane Tessner, representing Tilton and Associates, presented a diagram of the proposed stormwater management plan for Buhr Park, and explained that the goal of the plan is to reduce the amount of stormwater coming from the site.

Andy Brush, 4 Medford Circle, supported the grant application to allow the storm water improvements to Buhr Park. He stated that the improvements really focus on improving Mallet=s Creek but will set an example of what can be done to improve water quality in creek sheds.

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

### **APPROVAL OF AGENDA**

#### **AGENDA APPROVED WITH CHANGES**

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

ORDINANCES - SECOND READING

Delete: Amendments to Chapter 55 and 57 regarding Wireless Communications Facilities (Ordinance No. 28-00) (Postponed June 5, 2000 and June 10, 2000)

ORDINANCES - FIRST READING

Add: Amendments to Chapter 55 and 57 regarding Wireless Communications Facilities (Postponed June 5, 2000 and June 10, 2000)

MOTIONS AND RESOLUTIONS

Delete: Resolution Authorizing Summary Publication of Ordinance 28-00 - Amendments to Chapter 55 and 57 regarding Wireless Communications Facilities (Planning) (*Postponed June 5, and July 7, 2000*)

Add: Resolution Accepting Utility Easement from Douglas O. Spaly and Rebecca J. Spaly for 1012 S. Forest Avenue (Cambridge Court Sanitary Sewer Replacement Project) (Attorney) **(8 Votes Required)**

Add: Resolution Authorizing Purchase of the YMCA Property and Directing the City Administrator to Develop a Cooperative Financing and Development Plan with the Ann Arbor Transit Authority and the Downtown Development Authority (City Administrator) **(8 Votes Required)**

Add: Resolution for 2000-2001 Community Events Fund Disbursement (Mayor Sheldon)

Add: Resolution to Make the Intersection of Green Road and Glazier Way a Four-Way Stop (Councilmember Upton)

Add: Resolution to Approve Language for Ballot Question for Amendment to Charter Section 16.2 Proposed by Initiatory Petition (Attorney)

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

Add: Communication from Carole A. McCabe, Executive Director of Avalon Housing, Inc. regarding the Feasibility Study on the Ann Arbor YMCA - File

Add: Communication from Councilmember Elisabeth Daley regarding Reconsideration of Associate City Administrator Appointment - File

On a voice vote the Mayor declared the motion carried.

## **APPROVAL OF COUNCIL MINUTES**

### MINUTES OF AUGUST 7, 2000 APPROVED

Councilmember Hartwell moved that the regular session minutes of August 7, 2000 be approved as presented.

On a voice vote the Mayor declared the motion carried.

## **RECESS TO EXECUTIVE SESSION**

Councilmember Upton moved to recess to an executive session to discuss pending litigation and collective bargaining.

On roll call, the vote was as follows:

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

Nays, 0.

The Mayor declared the meeting recessed at 8:35 p.m.

## **RECONVENE REGULAR SESSION**

Councilmember Daley moved that the regular session of Council be reconvened.

On a voice vote the Mayor declared the regular session of Council reconvened at 9:05 p.m.

## **CONSENT AGENDA**

### CONSENT AGENDA ITEMS APPROVED

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

R-404-8-00 APPROVED

RESOLUTION APPROVING THE WASHTENAW COUNTY/CITY  
OF ANN ARBOR COMMUNITY CORRECTIONS COMPREHENSIVE  
APPLICATION FOR FUNDING FOR FY 2001

Whereas, On August 6, 1989, by resolution number 98-0219, the Washtenaw County Board of Commissioners established, in conjunction with the Ann Arbor City Council, a City/County Community Corrections Advisory Board, pursuant to Public Act 511 (PA511) of 1988;

Whereas, Washtenaw County/City of Ann Arbor Community Corrections Advisory Board meets monthly on the second Tuesday of every month, pursuant to the By-Laws established for that Board;

Whereas, This application represents and demonstrates five successful years of implementation based on the original Comprehensive Corrections Plan and that said application was recommended for forwarding to the Washtenaw County Board of Commissioners and City Council for review and approval at the next regularly scheduled meeting; and

Whereas, State of Michigan, Michigan Department of Corrections/Office of Community Corrections set a mandatory deadline for submission by not later than June 15, 2000;

RESOLVED, That City Council approve the Washtenaw County/City of Ann Arbor Community Corrections Comprehensive Application for funding for FY 2001.

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R-405-8-00 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT TO  
DOUGLAS N. HIGGINS, INC. AND TO ESTABLISH A PROJECT BUDGET  
FOR THE BENS STREET IMPROVEMENTS AND WATER MAIN PROJECT  
BID NO. 3348

Whereas, It has been found necessary to construct infrastructure within the Bens Street right-of-way to serve five future Habitat for Humanity Homes;

Whereas, Competitive bids were received by the Purchasing Division on August 10, 2000 and Douglas N. Higgins, Inc. of Ann Arbor, Michigan, was the lowest responsible bidder at \$243,300.75;

Whereas, The contractual proposal sets forth the services to be performed by said company, and the payments to be made by the City therefor, all of which are agreeable to the City;

Whereas, It is now necessary to enter into a Contract with said company for said construction project; and

Whereas, Douglas N. Higgins, Inc. has received Human Rights approval for said construction project on August 11, 2000;

RESOLVED, That a contract in the amount of \$243,300 be awarded to Douglas N. Higgins, Inc. for the construction of the Bens Street Improvements and Water Main Project (Bid No. 3348);

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

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

Section I - Revenue

\$ 94,500	Community Development Block Grant Program Funds allocated to Habitat for Humanity
\$ 198,000	Advanced from General Fund fund balance pending sale of LTGO Bonds
\$ 82,500	Advanced from the Water Supply System pending the sale of Water Revenue Bond AX≡
\$ 375,000	TOTAL

Section II - Expenses

\$ 243,300	Construction
\$ 31,500	Design Engineering
\$ 39,000	Construction Engineering
\$ 12,100	Consulting and Testing
\$ 20,000	Contingencies approved by the City Administrator
\$ 17,000	Bond Expenses
\$ 12,100	Miscellaneous Costs
\$ 375,000	TOTAL; and

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

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R-406-8-00 APPROVED

RESOLUTION TO APPROVE A PURCHASE ORDER TO

INTERNATIONAL BUSINESS (IBM) FOR THE OPERATING SYSTEM  
SOFTWARE LEASE AND HARDWARE MAINTENANCE OF  
THE MAINFRAME COMPUTING SYSTEM (MCS)

Whereas, The Information Technology Services Division of the Administrative Services Department seeks authorization to continue the operating system software lease and hardware maintenance for the Mainframe Computing System for the period of September 1, 2000 through June 30, 2001;

Whereas, Continued and uninterrupted performance is required of the Mainframe Computing System due to the two critical business applications it hosts (Financial and Human Resources);

Whereas, IBM is the sole source provider of upgrades to the operating system software and to the Microcode within the hardware;

Whereas, IBM received Human Rights Approval on June 8, 2000; and

Whereas, The source of funds is located in the FY00-01 operating budget of the Information Technology Services Division of the Administrative Services Department, and IBM guarantees to hold this price firm for fiscal year 00-01;

RESOLVED, That a purchase order be issued to International Business Machines in the amount of \$83,126.

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## R-407-8-00 APPROVED

RESOLUTION APPROVING STREET CLOSINGS FOR  
THE ADANCING IN THE STREET≅ SPECIAL EVENT

Whereas, The City has received a request from the Ann Arbor Council for Traditional Music and Dance to sponsor a special event on Sunday, September 3, 2000 from 11:30 a.m. - 5:30 p.m.;

Whereas, The staging of this event will require the closing of Main Street between Huron and William, Liberty between Ashley and Fourth Avenue and Washington between Ashley and Fourth Avenue;

Whereas, The sponsors have requested Council waive meter bag deposit fees (est. \$800.00);

Whereas, The sponsor will provide written notification to all affected religious institutions not less than 14 days prior to the event; and

Whereas, The sponsors will obtain the necessary permits, provide evidence of proper liability insurance, comply with all procedures, rules and regulations for holding this event and pay the following estimated service charges associated with their sponsorship of the event;

Transportation \$240.00 (Barricades)

RESOLVED, That the closing of streets as requested is approved; and

RESOLVED, Council waive parking meter bag deposit fees (approximately \$800.00)

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## R-408-8-00 APPROVED

RESOLUTION TO APPROVE BOARD OF INSURANCE MINUTES  
OF AUGUST 11, 2000 AND TO AUTHORIZE PAYMENTSRESOLUTION TO ACCEPT BOARD OF INSURANCE ADMINISTRATION MINUTES  
AND TO AUTHORIZE PAYMENTS

RESOLVED, That the attached Board of Insurance Administration Minutes of August 11, 2000, be accepted and that the payments therein be authorized.

MINUTES  
AUGUST 11, 2000  
CITY OF ANN ARBOR BOARD OF INSURANCE ADMINISTRATION

Present: Joe Upton, Councilperson  
Brenda Smith, City Treasurer 2.

Absent: Christopher Kolb, Councilperson 1.

Also Present: James Armstrong, Safety Manager  
Abigail Elias, City Attorney  
Dave Ferber, Human Resources Director  
Bob West, Assistant City Attorney  
Susan Campbell, Risk Management Office 5.

CLAIMS DENIED:

Case No.

CC 88-00 Claim of Margaret Condon Taylor (717 Dartmoor)  
Discussed by Jim Armstrong, Safety Manager and the Board denied the claim.

CC 54-00 Property damage claim of Main Street Ventures, Inc.  
Discussed by Jim Armstrong, Safety Manager and the Board denied the claim.

CC 112-00 Vehicle damage claim of Michael Keinath (175 Briarcrest)  
Discussed by Jim Armstrong, Safety Manager and the Board denied the claim.

CC 65-00 Sewer back up claim of Geoffrey Duff (725 S. Division)  
Discussed by Jim Armstrong, Safety Manager and the Board denied the claim.

OTHER BUSINESS:

CC 113-00 Sewer back up claim of Claire Neff (1998 Pauline #TA)  
Discussed by Jim Armstrong, Safety Manager and the Board tabled the claim pending further investigation.

OTHER BUSINESS: (Continued)

CC 109-00 Sewer back up claim of Dan Kent (2405 Miller)  
Discussed by Jim Armstrong, Safety Manager and the Board

authorized settlement.

- CC 110-00 Sewer back up claim of Lawrence Hirschfeld (520 6th Street)  
Discussed by Jim Armstrong, Safety Manager and the Board  
authorized settlement.
- CC 111-00 Sewer back up claim of Jim George (1421 Avondale)  
Discussed by Jim Armstrong, Safety Manager and the Board  
authorized settlement.
- CC 114-00 Sewer back up claim of Eva Kelly (1830 Saxon)  
Discussed by Jim Armstrong, Safety Manager and the Board  
authorized settlement.
- CC 116-00 Sewer back up claim of Richard & Marian Williams (1836 Saxon)  
Discussed by Jim Armstrong, Safety Manager and the Board  
authorized settlement.
- CC 115-00 Sewer back up claim of Walden Management Co. (1945 Pauline)  
Discussed by Jim Armstrong, Safety Manager and the Board  
authorized settlement.
- CC 120-00 Sewer back up claim of Kevin & Jennifer Eyer (1561 Greenview  
Drive)  
Discussed by Jim Armstrong, Safety Manager and the Board  
authorized settlement.
- CC 121-00 Sewer back up claim of Walden Management Co. (917 S. Main)  
Discussed by Jim Armstrong, Safety Manager and the Board  
authorized settlement.

Prepared by,

Susan Campbell,  
Senior Secretary/Claims Processing Clerk

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R-409-8-00 APPROVED

RESOLUTION TO APPROVE AMENDMENT TO HOUSING REHABILITATION AGREEMENT WITH ANNIE M. HAMPTON

Whereas, An application was received from Annie M Hampton for rehabilitation assistance for her home located at 2077 Garden Circle Drive;

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

Whereas, On February 7, 2000, City Council approved Resolution R-46-2-00, the Housing Rehabilitation Agreement with Annie M Hampton in the amount of \$26,736 for rehabilitation assistance to her home;

Whereas, The original contractor scheduled to do the work is no longer participating in the Housing Rehabilitation Program and Ms. Hampton will now be executing an agreement with the next lowest responsible bidder, A.H. Construction, who received Human Rights Approval, on July 18, 2000 to complete the rehabilitation work;

RESOLVED, That City Council approve the amendment to the Housing Rehabilitation Agreement with Annie M Hampton to increase the total amount to \$27,121.00 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.

RESOLVED, That City Council authorize that payments can be made to the contractor, A.H. Construction, on behalf of the homeowner for the work completed on the project.

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

**ORDINANCES - SECOND READING**

37-00 APPROVED

MCPARLAN 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 on the south side of Geddes Avenue, east of Vinewood Road, from TWP (Township District) to R1B (Single-Family Dwelling District). (The complete text of Ordinance 37-00 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.

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**ORDINANCES - FIRST READING**

39-00 APPROVED

MICHIGAN ABILITY PARTNERS 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 0.9 acre, located at 2845 Burton Road, from R1C (Single-Family Dwelling District) to R2A (Two-Family Dwelling District). (The complete text of Ordinance 39-00 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.

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40-00 APPROVED

WIRELESS COMMUNICATIONS FACILITIES

An Ordinance to Amend Chapter 55 AND 57 of Title V  
of the Code of the City of Ann Arbor

(The complete text of Ordinance 40-00 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**

DEFEATED

RESOLUTION TO APPOINT JANE LUMM TO THE ANN ARBOR  
CITY COUNCIL, COMPLETING THE TERM OF FORMER COUNCILPERSON  
DEE FREIBERG

Whereas, On August 7, 2000, Dee Freiberg resigned her position as representative to City Council for the Second Ward.

Whereas, The City Charter stipulates that the City Council shall fill the vacancy for the remaining 15 months of former Councilperson Freiberg=s term;

Whereas, Former Councilperson Jane Lumm is willing to fill the vacancy;

Whereas, Dee Freiberg asked Council on August 7 to appoint Jane Lumm as her replacement on Council;

Whereas, Second Ward voters elected Jane Lumm to represent them on Council three times in the last eight years;

Whereas, Jane Lumm=s previous service on Council earned her high, bipartisan praise from her Council colleagues;

Whereas, After Jane Lumm left Council in November 1998 she continued serving the community in a number of areas:

Citizens Advisory Council to the Northeast Area Plan  
Affordable Housing Task Force, Volunteer

Local Initiative Support Corporation  
 Big Brothers/Big Sisters of Washtenaw County  
 Arbor Hospice  
 Christmas in April Volunteer, Downtown Clean-up Volunteer  
 Sustainable Washtenaw Committee, Volunteer  
 Ann Arbor Art Center Board Member  
 Street Art Fair Board Member  
 Chamber City Budget Committee Member

Whereas, Having served on Council for over five years, Jane Lumm is uniquely qualified to represent the Second Ward on Council for the next fifteen months;

RESOLVED, That the City appoints Jane Lumm to represent the Second Ward on City Council, completing the term of former Councilperson Dee Freiberg that expires in November 2001.

Councilmember Upton moved that the resolution be adopted.

Councilmember Daley moved that paragraphs 3 through 6 be deleted, and that the name Jane Lumm be replaced with the name James D=Amour.

On roll call, the vote was as follows:

Yeas, Councilmembers Daley, Hieftje, Herrell, 3;

Nays, Councilmembers Hanna-Davies, Upton, Carlberg, Hartwell, Higgins, Kolb, Mayor Sheldon, 7.

The Mayor declared the motion defeated.

The question being the original resolution, on roll call the vote was as follows:

Yeas, Councilmembers Hieftje, Upton, Higgins, Mayor Sheldon, 4;

Nays, Councilmembers Daley, Hanna-Davies, Carlberg, Herrell, Hartwell, Kolb, 6;

The Mayor declared the motion defeated.

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R-410-8-00 APPROVED AS AMENDED

RESOLUTION TO APPOINT SECOND WARD REPRESENTATIVE  
TO THE ANN ARBOR CITY COUNCIL, COMPLETING THE TERM  
OF FORMER COUNCILPERSON DEE FREIBERG

A resolution to appoint a second ward representative to the Ann Arbor City Council, completing the term of former Councilperson Dee Freiberg was considered.

Councilmember Kolb moved that the resolution be adopted.

Councilmember Daley moved that paragraphs 6 through 10 be deleted, and that the name Joan Lowenstein be replaced with the name James D=Amour.

On roll call the vote was as follows:

Yeas, Councilmembers Daley, Hieftje, Upton, Higgins, Mayor Sheldon, 5;

Nays, Councilmembers Hanna-Davies, Carlberg, Herrell, Hartwell, Kolb, 5.

The Mayor declared the motion defeated.

Council unanimously agreed to delete paragraphs 3 and 4.

Council unanimously agreed to amend the resolution as follows:

1st paragraph

Whereas, Former Councilmember Dee Freiberg ~~delivered a letter of resignation to the City Clerk~~, **HAVING CEASED TO BE A RESIDENT OF THE CITY OF ANN ARBOR**, terminating her position on the Ann Arbor City Council;

The question being the resolution as amended, on roll call the vote was as follows:

Yeas, Councilmembers Daley, Hanna-Davies, Hieftje, Carlberg, Herrell, Hartwell, Higgins, Kolb, Mayor Sheldon, 9;

Nays, Councilmember Upton, 1.

The Mayor declared the motion carried.

The resolution as adopted reads as follows:

RESOLUTION TO APPOINT SECOND WARD REPRESENTATIVE  
TO THE ANN ARBOR CITY COUNCIL, COMPLETING THE TERM

OF FORMER COUNCILPERSON DEE FREIBERG

Whereas, Former Councilmember Dee Freiberg, having ceased to be a resident of the City of Ann Arbor, terminating her position on the Ann Arbor City Council;

Whereas, The City Charter directs the City Council to fill the vacancy, within thirty days, for the balance of the unexpired term;

Whereas, Only one of the interested citizens can be appointed, the other interested citizens should be thanked for their willingness to serve;

Whereas, Joan Lowenstein has expressed a willingness to serve the balance of the unexpired term;

Whereas, Joan Lowenstein has lived in the second ward for ten years and in Ann Arbor for fourteen years;

Whereas, Joan Lowenstein has followed city and second ward issues for many years;

Whereas, Joan Lowenstein has represented her neighborhood and school interests by participating and advocating their concerns to the City/School Committee and City Planning Commission; and

Whereas, Joan Lowenstein has demonstrated a commitment to her community, both professionally and personally:

- X Employed as an Attorney with Seeligson, Jordan, DeLoof & Hopper, with litigation experience in state and federal courts; specializing in intellectual property and media law; and expertise in law relating to computers and the internet (1996-present);
- X Lecturer in Communication at the University of Michigan (1988-1996), recipient of AExcellence in Undergraduate Teaching award (1992);
- X Judicial Attorney for the Honorable Melinda Morris, filling in for judicial attorney on medical leave (1995);
- X Columnist for the Ann Arbor News (1988-1991);

- X First law clerk to federal judge, the Honorable Lenore C. Nesbitt, after her appointment by President Reagan (1983-1984);
- X Appointed to the Ann Arbor City Attorney Search Screening Committee (1995);
- X President, Angell Elementary School PTO (1996-1997);
- X Board of Directors, Jewish Federation of Washtenaw County (1998-present);
- X Case screening committee, Hear My Voice, a child advocacy organization (1992-present);
- X Co-chair, University of Michigan Board of Student Publications (1992-1998);
- X Married with four children, ranging from 29 to 9 years old.

RESOLVED, That the Ann Arbor City Council appoint Joan Lowenstein to fill the vacancy on City Council created by the resignation of the second ward representative.

RESOLVED, That Joan Lowenstein be sworn in at the earliest possible moment.

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R-411-8-00 APPROVED

RESOLUTION TO ACCEPT AND APPROPRIATE STATE FUNDS FOR THE MAYOR=S TASK FORCE ON INCREASING SAFETY FOR WOMEN

Whereas, The Ann Arbor Mayor=s Task Force on Increasing Safety for Women has been awarded \$60,000 from the Michigan Department of Community Health;

Whereas, The purpose of this grant is to positively impact and foster creation of a coordinated community response which addresses and works to prevent violent against women in our community;

Whereas, The Mayor=s Task Force on Increasing Safety for Women is a coalition of representatives from local non-profit agencies specializing in services to survivors of domestic and sexual violence, businesses, clergy, secondary and higher education health systems, law enforcement and local government to create a model community effort to combat violence against women;

Whereas, The ability of the Task Force to continue to achieve its goals effectively has been heightened by the .75 FTE Partnership Coordinator;

Whereas, The Task Force has been successful at coalition building, has already accomplished a wide variety of projects and plans to use these funds to foster a coordinated community response which works to address and prevent violence against women in Ann Arbor through continuation, expansion or implementation of Task Force projects in the following areas;

#### PUBLIC AWARENESS CAMPAIGN PROJECTS:

- \*Continuation of the Painted ARed≡ Bus Project
- \*Continuation of our Materials Distribution Project
- \*Creation/running of Newspaper inserts and advertisements
- \*Continuation of advertisements in local movie theaters
- \*Continuation of distribution of our video, AThere=s No Excuse...≡ to community organizations as an education and training tool, as well as regular CTN airing of the video on Channel 10 to educate and inform citizens about services available survivors of domestic violence, sexual assault or stalking.

#### EDUCATION/TRAINING PROJECTS

- \* Implement the Ann Arbor Teen Theatre Troupe Project
- \* Create a Task Force Information Web page on the City=s Web-site

#### LIGHTING/PHYSICAL SAFETY, POLICY/ENFORCEMENT PROJECTS:

- \* Expand and publicize the Safety Pones Network through collaboration with the Ann Arbor Police Department, the DDA, other relevant City departments and local businesses,
- \* Conducts a feasibility study re: development and implementation of a Sexual Assault Nurse Examiner Program,
- \* Monitor the cooperative referral arrangement between the Assault Crisis Center, DVP SAFE House and U-M=s Sexual Assault Prevention and Awareness Center and address implementation concerns.

Whereas, City Council approved and appropriated a FY 00/01 budget total of \$95,500 to The Ann Arbor Mayor=s Task Force on Increasing Safety for Women that included \$35,500 in City of Ann Arbor funds (as required local match) and \$60,000 in Michigan Department of Community Health grant funds;

Whereas, The Task Force has applied for and received a Community Violence Prevention Partnership Grant from the State of Michigan Department of Community Health=s Violence Prevention and Reduction Program in the sum of \$60,000;

RESOLVED, That the City of Ann Arbor accept the Community Violence Prevention Partnership Grant for the Mayor=s Task Force on Increasing Safety for Women for the life of the program, without regard to fiscal year; and

RESOLVED, That the City Administrator be authorized to sign the necessary grant agreements, in a form acceptable to the City Attorney, to implement this resolution.

Councilmember Hieftje moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-412-8-00 APPROVED AS AMENDED

RESOLUTION IN SUPPORT OF CLEAN CAR CAMPAIGN  
AND ESTABLISHMENT OF A CITY GREEN FLEET POLICY

A resolution in support of Clean Car Campaign and establishment of a city green fleet policy was considered.

Councilmember Herrell moved that the resolution be adopted.

Council unanimously agreed to add the following language to the resolution:

**RESOLVED, THAT A COPY OF THIS RESOLUTION BE SENT TO THE PRESIDENTS AND BOARD OF DIRECTORS OF THE ABIG THREE≅ AUTOMOBILE MANUFACTURERS, FORD, GENERAL MOTORS, AND DAIMLER-CHRYSLER.**

On a voice vote the Mayor declared the motion carried.

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

The resolution as adopted reads as follows:

R-412-8-00

RESOLUTION IN SUPPORT OF CLEAN CAR CAMPAIGN  
AND ESTABLISHMENT OF A CITY GREEN FLEET POLICY

Whereas, The production, use, and disposal of motor vehicles are responsible for enormous impacts on the environment, human health and quality of life, including impacts on local air quality and the generation of greenhouse gases that contribute to global climate change;

Whereas, The City of Ann Arbor has shown a commitment to reducing the impacts of its vehicle fleets through participation in the Department of Energy's Clean Cities program and the International Council for Local Environmental Initiatives Cities for Climate Protection Campaign;

Whereas, The Cities for Climate Protection Program encourages its members to join their Green Fleets initiative;

Whereas, The purchase of more energy efficient, low-emission and cleanly manufactured vehicles can help lead to measurable improvements in public and environmental health, as well as to significant monetary savings;

Whereas, The City of Ann Arbor can exercise its power in the marketplace to not only reduce its own impacts on public health and the environment, but to help promote the transformation of the motor vehicle industry to create cleaner transportation options for the future; and

Whereas, The Ann Arbor Energy Commission has reviewed this resolution and unanimously voted to support this resolution at their July 13, 2000 meeting;

RESOLVED, That the City of Ann Arbor supports the goals of the Clean Car Campaign, which challenges vehicle manufacturers to produce vehicles in the near-term that are significantly cleaner than those generally available today, meeting the criteria of the Clean Car Standard:

Fuel Efficiency, 1.5 times the fleet average for the vehicle's class

Tailpipe Emissions, meeting California's stringent tailpipe emissions standards (SULEV)

Clean Manufacturing, that includes best-in-class painting/coating, elimination of substances of concern, and design for recyclability/recycled content;

RESOLVED, That the City Administrator be directed to develop within nine months a comprehensive Green Fleets policy for Council approval that promotes the purchase and operation of vehicles that lead to measurable reductions in the environmental and public health impacts, and that includes the following key elements:

- X Inventory of fleet vehicles, by type, fuel use, emissions, and other suitable criteria (include A small engine≡ vehicles like pumps, lawn mowers, generators)
- X Establishment of clear goals for reduction in energy use and emissions
- X Action steps that will be taken to achieve the goals
- X Monitoring, to ensure progress toward the policy is being achieved.

RESOLVED, That a copy of this resolution be sent to the Presidents and Board of Directors of the A Big Three≡ automobile manufactures Ford, General Motors and Daimler-Chrysler.

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R-413-8-00 APPROVED

RESOLUTION TO APPROVE LEGACY PARK ANNEXATION

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, Creative Land Design, Inc. is the purchaser of said property; and

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

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

Commencing at the center of Section 30, Township 2 South, Range 6 East, Ann Arbor Township, Washtenaw County, Michigan; thence West 811.14 feet along the East and West 1/4 line of said Section; thence S 00°25'00 E 1347.37 feet (previously recorded as 1393.22 feet) for a Place of Beginning; thence N 00°25'00" W 389.24 feet (previously recorded as 435.09 feet); thence the following five courses along the South line of Thaler Avenue (50 feet wide) and the South line of A Boulevard Manor≡ Subdivision, as recorded in Liber 8 of Plats, page 22, Washtenaw County Records, S 76°42'00" W 32.50 feet to a point of curvature, thence 166.75 feet along the arc of a 510.00-foot radius circular curve to the right, having a central angle of 18°44'00", and a chord which bears S 86°04'00" W 166.01 feet, thence N 84°34'00" W 162.00 feet to a point of curvature, thence 133.45 feet along the arc of a 232.40-foot radius circular curve to the left, having a central angle of 32°54'00", an a chord which bears S 78°59'00" W 131.62 feet, thence 62.25

feet along the arc of a 52.96-foot radius circular curve to the left, having a central angle of 67°21'00", and a chord which bears S 28°51'30" W 58.73 feet; thence S 04°49'00" E 432.75 feet along the East line of Carolina Avenue (50 feet wide and vacated in Ann Arbor Township resolution recorded in Liber 2978, page 471, Washtenaw County Records) and the East line of said A Boulevard Manor ≅ Subdivision; thence N 75°48'00" E 497.76 feet along the centerline of Liberty Street (66 feet wide) to the Place of Beginning. Being a part of the Southwest 1/4 of said Section 30 and containing 5.055 acres of land, more or less. Subject to the rights of the public over the Southerly 33.0 feet thereof as occupied by Liberty Road. Also subject to easements or restrictions of record, if any.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Legacy Park Annexation, 5.06 acres, 2060 Liberty Street.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-414-8-00 APPROVED

RESOLUTION TO APPROVE LOUNSBERY ANNEXATION

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, James J. Lounsbery is the owner of said property; and

Whereas, It is the desire of James J. Lounsbery 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:

North 5 feet of Lot 77, Scioto Hills Subdivision, Scio Township, Washtenaw County, Michigan.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Lounsbery Annexation, 0.02 acre, 456 Clarendon Drive.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-415-8-00 APPROVED  
(SERVICE CONTRACT AMENDED)

RESOLUTION TO APPROVE THE AGREEMENT WITH  
WASHTENAW COUNTY REGARDING SHELTER PROJECTS

Whereas, On June 19, 2000, City Council approved Resolution R-294-6-00 regarding funding for the emergency shelter projects;

Whereas, The City and County have negotiated the terms of the agreement to reflect conditions approved by both the Ann Arbor City Council and the Washtenaw County Board of Commissioners; and

Whereas, \$764,642 of the total funds for the agreement are available within the FY 2000/01 Community Development budget and future allocations will be made from the FY 2001/02 and FY 2002/03 budgets;

RESOLVED, That the Mayor and City Council approve the Agreement in the amount of One Million Dollars (\$1,000,000) with Washtenaw County for the development of the emergency shelter projects and authorizes 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.

Councilmember Hanna-Davies moved that the resolution be adopted.

Councilmember Carlberg moved to amend the service contract as follows:

Article III

- 5. **INCLUSION ON THE SITE PLAN OF DETAILED STORMWATER MANAGEMENT AND FLOODPLAIN CAPACITY MEASURES CONSISTENT WITH THE STANDARDS OF THE CITY OF ANN ARBOR AND WASHTENAW COUNTY DRAIN COMMISSIONER.**

On a voice vote the Mayor declared the motion carried.

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

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R-416-8-00 APPROVED

RESOLUTION TO APPROVE A DESIGN CONCEPT TO ADDRESS CITY HALL SPACE NEEDS

Whereas, A high priority goal of the Mayor and City Council is to develop a plan to address space needs for city hall, including the Police Department;

Whereas, An extensive study was performed by a consultant team of Hobbs and Black Associates, Moyer Associates and McNamee Porter and Seeley;

Whereas, The consultant team interviewed each department regarding current and future space needs and applied recognized space standards to conclude that 70,000 additional square feet of space is needed to achieve the space needs goal;

Whereas, Numerous conceptual options were presented at the March 13, 2000 and June 26, 2000 Mayor and City Council Work Sessions; and

Whereas, The consultant and administrative staff recommended that conceptual option 4D as described in the attached consultant report be approved as it meets the space needs goals;

RESOLVED, That the Mayor and City Council adopt Design Concept 4D as described in the attached consultant report;

RESOLVED, That the Mayor and City Council direct the City Administrator to present the following for approval no later than the last meeting in 2000 to the Mayor and City Council:

- X Project financing plan for both the Guy C. Larcom Jr. Municipal Building expansion and the maintenance facility.
- X Proposal from the consultant to prepare the details for a design and construction RFP that will define the specifics related to green specifications/sustainable elements as well as design requirements.
- X A time line for the project that includes an appropriate public review process.

Councilmember Hanna-Davies moved that the resolution be adopted.

Councilmember Hartwell moved to postpone until September 18, 2000 to allow other options to be explored.

On a roll call the vote was as follows:

Yeas, Councilmembers Hieftje, Upton, Hartwell, Higgins, 4;

Nays, Councilmembers Daley, Hanna-Davies, Carlberg, Herrell, Kolb, Mayor Sheldon, 6.

The Mayor declared the motion defeated.

The question being the resolution as presented, on roll call the vote was as follows:

Yeas, Councilmembers Daley, Hanna-Davies, Upton, Carlberg, Herrell, Kolb, 6;

Nays, Councilmembers Hieftje, Hartwell, Higgins, Mayor Sheldon, 4.

The Mayor declared the motion carried.

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R-417-8-00 APPROVED

RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES FOR MATCHING GRANT FUNDS FOR ACQUISITION OF BLUFFS PARK ADDITION

Whereas, The acquisition of Bluffs Park Addition has been recommended in the 2000-2005 Parks, Recreation and Open Space Plan;

Whereas, The Park Advisory Commission approved a recommendation to the Mayor and Council to apply for a grant for the acquisition of Bluffs Park Addition; and

Whereas, The total cost of the acquisition is estimated to be \$1,100,000 plus \$12,000 for closing and incidental costs and funding for the local match has been identified

through the Park Acquisition Millage;

RESOLVED, That the Mayor and City Council approve an application for the Michigan Natural Resources Trust Fund and matching grant funds and authorize the City Administrator to execute all documents necessary to enter into an agreement with the Department of Natural Resources for parkland acquisition; and

RESOLVED, That if the grant is approved by the State, the Mayor and Council appropriate \$550,000 in grant funds and establish a \$1,112,000 budget for the life of the project.

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-418-8-00 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM  
ALEXANDER S. CRAWFORD FOR 1205 CAMBRIDGE COURT -  
CAMBRIDGE COURT SANITARY SEWER REPLACEMENT PROJECT

Whereas, Alexander S. Crawford, a single man, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 3718, Page 0983, recorded July 24, 1998; and

Whereas, Alexander S. Crawford, a single man, has delivered an easement to the City for the construction and maintenance of municipally operated public services to run with the land and burden the respective property perpetually, being more particularly described as follows:

The Southerly Seven (7) Feet of the following described parcel:

The east 38 feet of the following: Beginning at the southwest corner of Lot 12 in Block 3 of Hills Addition to the City of Ann Arbor, running thence east along the south boundary line of said Lot 138, more or less, to the land belonging to H. W. Clark; thence south on the west line of said Clark=s land 73 feet, more or less, to the center of a cement drive; thence west along the center of said cement drive 138 feet to the east line of Church Street; thence north along the east line of Church Street; thence north along the east line of Church Street to the place of beginning, said property being on the east 2 of the northwest 3 of Section 33, City of Ann Arbor, County of Washtenaw, State of Michigan.

RESOLVED, That the City hereby accepts said easement.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-419-8-00 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM DONALD B MATUSKO AND SONJA A. MATUSKO FOR 1209 CAMBRIDGE COURT CAMBRIDGE COURT SANITARY SEWER REPLACEMENT

Whereas, Donald B. Matusko and Sonja A. Matusko, Husband and Wife, are the owners in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 3036, Page 004, recorded October 7, 1994; and

Whereas, Donald B. Matusko and Sonja A. Matusko, Husband and Wife, have delivered an easement to the City for the construction and maintenance of municipally operated public services to run with the land and burden the respective property perpetually, being more particularly described as follows:

The Southerly Seven (7) Feet of the following described parcel:

Beginning at a point on the South line of Hill=s Addition to the City of

Ann Arbor, as recorded in Liber 60 of Deeds, Pages 134, 135 and 136, Washtenaw County Records; 102 feet, more or less, West of an iron pipe monument in the center of Forest Avenue and proceeding thence Southerly parallel with the West line of Forest Avenue through the center of two spruce trees about 18 inches in diameter, a distance of 73 feet, more or less, to the center of a cement drive; thence Westerly parallel with the South line of said Hill=s Addition 34 feet; thence Northerly parallel with the first line to the South line of said Hill=s Addition; thence along said line to the Place of Beginning, being a part of the Northwest 3 of Section 33, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan.

RESOLVED, That the City hereby accepts said easement.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-420-8-00 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM JAGAR, L.L.C. LOCATED AT EISENHOWER PARKWAY AND BOARDWALK BOULEVARD

Whereas, JAGAR, L.L.C., a Michigan limited liability company, is the fee simple owner of property located in the City of Ann Arbor, Washtenaw County, Michigan as described in the Washtenaw County Records at Liber 3934, Page 375, recorded March 13, 2000;

Whereas, The Operating Agreement of JAGAR, L.L.C., dated March 7, 2000, grants authority to the Managers of JAGAR, L.L.C., to deliver a perpetual easement to the City for the construction and maintenance of municipally operated public services comprising the public utilities system; and

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

Centerline Description of A Variable Width Watermain Easement

Commencing at the Southwest Corner of Section 4, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence North 87°09'00" East, 1904.44 feet along the south line of said Section 4 to a point on the R. O. W. line of the Ann Arbor Railroad; thence North 08E20'00" West, 82.13 feet along said R. O. W. line to a point on the Northerly R. O. W. line of Eisenhower Parkway; thence along the North R. O. W. line of Eisenhower Parkway South 85E32'50" West 628.68 feet to a point on the East R. O. W. line of Boardwalk Drive; thence along said R. O. W. line North 01E53'00" West 195.81 feet to the point of beginning; thence North 87E37'46" East 49.81 feet; thence South 01E58'24" East 164.48 feet; thence North 88E01'36" East 40.00 feet; thence North 01E58'24" West 164.58 feet; thence North 87E52'44" East 117.71 feet; thence North 02E07'16" West 15.00 feet; thence North 87E52'44" East 58.53 feet; thence South 69E08'15" East 10.94 feet; thence North 88E01'45" East 30.07 feet; thence South 01E58'15" East 15.00 feet; thence North 88E01'45" East 32.55 feet; thence North 43E01'09" East 26.77 feet; thence North 88E30'46" East 194.75 feet; thence North 01E29'14" West 40.00 feet; thence South 88E30'46" West 211.52 feet; thence South 43E01'09" West 15.18 feet; thence North 01E53'00" West 220.00 feet; thence South 88E07'00" West 40.00 feet; thence South 01E53'00" East 238.39 feet; thence South 88E01'45" West 11.31 feet; thence North 69E08'15" West 10.96 feet; thence South 87E52'44" West 61.52 feet; thence North 01E53'00" West 9.43 feet; thence South 88E00'28" West 207.46 feet; thence South 01E53'00" East 40.00 feet to the point of ending.

RESOLVED, That the City hereby accepts said easement.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-421-8-00 APPROVED

RESOLUTION AUTHORIZING THE PARTICIPATION IN A  
 GRANT APPLICATION TO THE MICHIGAN DEPARTMENT OF  
 ENVIRONMENTAL QUALITY FOR MATCHING FUNDS TO IMPLEMENT  
 THE PHASE 1 IMPROVEMENTS OF THE BUHR PARK STORMWATER  
 MANAGEMENT PLAN

Whereas, The Park Advisory Commission has adopted the Buhr Park Stormwater Management Plan as a component document in guiding ways to reduce the influences of

stormwater into the Mallet=s Creek Watershed from Buhr Park;

Whereas, The Park Advisory Commission has recommended the participation in a grant application being prepared by the Huron River Watershed Council in association with WMT and assistance from the Department of Parks and Recreation to the MDEQ Clean Michigan Initiative;

Whereas, The first phase elements identified in the Buhr Park Stormwater Management Plan require the funding to implement these elements including rebuilding two parking lots, document administration, engineering design fees, and miscellaneous contingencies. It will also allow for the inclusion of an Art in Public Places component as part of the project; and

Whereas, The total cost of the project is estimated to be \$450,000 and funding for the local match has been identified through the Park Maintenance and Repair Mileage Funds in the amount of \$75,000 and \$42,000 in funds will be provided by contributions from the Buhr Park Wet Meadow Team, miscellaneous organizations and volunteers;

RESOLVED, That the Mayor and City Council approve an application for the MDEQ, Clean Michigan Initiative and authorize matching grant funds; and

RESOLVED, That if the grant is approved by the State, the Mayor and Council appropriate \$333,000 grant funds, \$75,000 from the Park Maintenance and Repair Millage Fund balance and up to \$42,000 in contributions plus establish a \$450,000 budget for the life of the project.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-422-8-00 APPROVED

RESOLUTION ACCEPTING UTILITY EASEMENT FROM DOUGLAS O. SPALY AND REBECCA J. SPALY FOR 1012 S. FOREST AVENUE CAMBRIDGE COURT SANITARY SEWER REPLACEMENT PROJECT

Whereas, Douglas O. Spaly and Rebecca J. Spaly, Husband and Wife, are the owners in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 2743, Page 9, recorded January 28, 1993; and

Whereas, Douglas O. Spaly and Rebecca J. Spaly, Husband and Wife, have delivered an easement to the City for the construction and maintenance of municipally operated public services to run with the land and burden the respective property perpetually, being more particularly described as follows:

The Southerly Seven (7) Feet of the following described parcel:

Beginning at 2 inch gas pipe monument in the center of Forest Avenue, at a point 825 feet South, and 637.7 feet West, more or less, from the quarter post between Sections 28 and 33 in Township 2 South, Range 6 East, according to the Government survey of the State of Michigan; thence proceeding Westerly along the South line of Hills Addition to the City of Ann Arbor, 102 feet, more or less, to a line running parallel with the West line of Forest Avenue, through a center of two spruce trees about 18 inches in diameter; thence Southerly on the said last mentioned line (through the said trees) about 73 feet to the center of a cement drive called Cambridge Court; thence Easterly parallel with the first mentioned line to the center line of Forest Avenue; thence to the place of beginning, being in the City of Ann Arbor, Washtenaw County, Michigan, EXCEPTING AND RESERVING the perpetual use of the said drive and unobstructed vision over the property hereby conveyed for 25 feet from the center of the said drive and from the edge of the said Forest Avenue.

Also described as: Beginning at a point on the South line of Hills Addition to the City of Ann Arbor, Washtenaw County, Michigan, as recorded in the recorded Plat thereof, said point being 68.65 feet West of the Southeast corner of Lot 13, Block 3 of said Hills Addition; thence East 68.65 feet along the South line of said Hills Addition; thence continuing East 33.00 feet to the centerline of South Forest Avenue; thence deflecting 91E 53' 00" to the right, 73.35 feet; thence deflecting 88E 07' 00" to the right 33.00 feet; thence continuing on said last course 68.65 feet along the centerline of a 9 foot cement drive, (now known as Cambridge Court); thence deflecting 91E 53' 00" to the right, 73.35 feet to the Point of Beginning. Being part of the City of Ann Arbor, Washtenaw County, Michigan. RESERVING the perpetual use of the said Drive and the rights of the public in the West 33 feet in South Forest Avenue.

RESOLVED, That the City hereby accepts said easement.

Councilmember Hartwell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**The following resolution was reconsidered later in the meeting:**

**AMENDED AND DEFEATED**

**RESOLUTION AUTHORIZING PURCHASE OF THE YMCA PROPERTY  
AND DIRECTING THE CITY ADMINISTRATOR TO DEVELOP A  
COOPERATIVE FINANCING AND DEVELOPMENT PLAN WITH THE  
ANN ARBOR TRANSIT AUTHORITY AND THE DOWNTOWN  
DEVELOPMENT AUTHORITY**

A resolution authorizing purchase of the YMCA property and directing the City Administrator to develop a cooperative financing and development plan with The Ann Arbor Transit Authority and The Downtown Development Authority was considered.

Councilmember Kolb moved that the resolution be adopted.

Council unanimously agreed to amend the resolution as follows:

**RESOLVED**, That the Mayor and City Council direct the City Administrator to initiate discussions with the AATA and DDA, **AND THAT AVALON HOUSING AND OTHER INTERESTED HOUSING NON-PROFITS BE INCLUDED IN THE DISCUSSIONS** to develop a financing and redevelopment plan for the YMCA site which would best meet the needs of the community, AATA, the DDA and the YMCA.

Councilmember Upton moved to delete subsections 1 and 2 in paragraph 11.

The motion died for lack of support.

The question being the original resolution, on roll call the vote was as follows:

Yeas, Councilmembers Daley, Hanna-Davies, Hieftje, Carlberg, Herrell, Hartwell, Kolb, 7;

Nays, Councilmembers Upton, Higgins, Mayor Sheldon, 3.

The motion was defeated for lack of 8 votes.

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R-424-8-00 APPROVED

RESOLUTION FOR 2000-2001 COMMUNITY EVENTS  
FUND DISBURSEMENT

Whereas, The Ann Arbor City Council wishes to support activities that promote or bring the community together to celebrate its richness; and

Whereas, The City of Ann Arbor values the presence of art in our lives.

RESOLVED, That the Ann Arbor City Council approve the following allocation from the 2000-2001 Community Events Fund:

Art Pro Tem - \$500 to assist in funding the Video Culture Exhibit in 5 shop windows on Main Street from September 7, 2000, - October 8, 2000

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-425-8-00 APPROVED

RESOLUTION TO MAKE THE INTERSECTION OF GREEN ROAD  
AND GLAZIER WAY A FOUR-WAY STOP

Whereas, Glazier Way, between Huron Parkway and Green Road, was recently reconstructed and paved, and re-opened to through traffic during the last week of July, 2000;

Whereas, The newly paved road lacks the Atraffic calming≡ influence of the gravel surface of the road it replaced;

Whereas, The sight lines on Glazier Way, looking both east and west from Green Road are perceived as poor;

Whereas, The alignment of the lanes on the four segments of the intersection are perceived to be off-center, creating confusion for drivers approaching the intersection;

Whereas, More than 200 residents living in close proximity to Green and Glazier Way have signed a petition asking the City to make the intersection a four-way stop; and

Whereas, These residents believe the intersection is unsafe and a detriment to their quality of life without the stop signs;

RESOLVED, That the City Council directs that four-way stop control be implemented at the intersection of Green and Glazier Way as soon as possible.

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-426-8-00 APPROVED

RESOLUTION TO APPROVE LANGUAGE FOR BALLOT QUESTION FOR AMENDMENT TO CHARTER SECTION 16.2 PROPOSED BY INITIATORY PETITION

Whereas, On August 15, 2000, an initiatory petition was filed with the City Clerk's Office which proposes an amendment to Section 16.2 of the Ann Arbor City Charter;

Whereas, Said petition was filed six (6) days late because Section 21 of the Home Rule Act sets the filing deadline for an initiatory petition for a charter amendment at 90 days before the general election, said date being August 9, 2000;

Whereas, Said petition fails to identify the body, organization or person(s) primarily interested in and responsible for the circulation of the petition and securing the amendment, and fails to verify that the petition was circulated at the direction of said association, organization or person(s) as required by Section 25 of the Home Rule Act;

Whereas, Said petition states the following as its summary in 115 words of the proposed charter amendment and does not include ballot language in question form of 100 words or less which is required to place the question on the ballot:

AA Proposed Amendment to the Charter of the City of Ann Arbor, Michigan, Section 16.2, to waive fines and all other costs upon proof that the defendant has a recommendation of a medical care provider or practitioner to use or provide marijuana or cannabis for medical treatment; to prohibit Ann Arbor police officers, and his or her agents, from complaining and the city attorney from referring any complaint, of the possession, control, use, giving away, sale or cultivation of marijuana or cannabis upon proof of an aforementioned recommendation; to change the fine for third or subsequent offenses from not less than \$100 to \$100; and to prohibit imposition of other punitive or rehabilitative measures.≡

Whereas, The language of the proposed amendment is set forth in full on the back of the petition, a copy of which is attached;

Whereas, Section 21 of the Home Rule Act requires the City Council to approve language in the event the language in an initiatory petition for a charter amendment is not in the proper form to be placed on the ballot;

Whereas, August 30, 2000, is the deadline for the City Clerk to submit ballot question language for placement on the ballot for the November 7, 2000, general election;

Whereas, Although the law is clear with respect to both the filing deadline and the requirement that the organization or person(s) interested in and directing the circulation of the petition be identified and verified, it is possible that one or more persons interest in the petition may file a lawsuit in an attempt to obtain an order to have the proposed charter amendment placed on the ballot;

Whereas, Although a court should uphold the City Clerk=s rejection of the petition because it is untimely and fails to include the required identification of and verification regarding the association, organization or person(s) interested in and directing the circulation of the petition, the City Council believes that it should approve ballot language at this time so as to comply in a timely manner with the requirements of both the Election Law and Home Rule Act in the unlikely event such compliance is required; and

Whereas, Approval of appropriate ballot language by the City Council is an obligation imposed by statute and does not constitute acceptance of the validity of the petition either as to its timeliness or its content, and does not constitute an endorsement of the proposed amendment;

RESOLVED, That the Ann Arbor City Council approve the following language be placed on the ballot in the unlikely event a court should require the City Clerk to place a question on the ballot, based on said initiatory petition:

AMENDMENT TO SECTION 16.2 OF  
THE ANN ARBOR CITY CHARTER  
PERTAINING TO MARIJUANA OR CANNABIS

Shall Section 16.2 of the Chapter be amended to require waiver of fines and costs upon proof that the defendant has a recommendation of a medical care provider or practitioner to use or provide marijuana or cannabis (Amarijuana≡) for medical treatment; to prohibit Ann Arbor police officers from complaining, and the city attorney from referring any complaint, of the possession, use, giving away, sale or cultivation of marijuana upon proof of such recommendation; to prohibit punitive or rehabilitative measures other than fines for other marijuana offenses; and to set the fine for third or subsequent such offenses at \$100?

YES 9

NO 9

RESOLVED, That in the unlikely event a court should require the City Clerk to place a question on the ballot, based on said initiatory petition, that the proposed Charter amendment and foregoing proposed ballot question, shall be published in full not fewer than two times in the Ann Arbor News; and

RESOLVED, That approval of this resolution by the City Council does not constitute acceptance of the validity of the petition either as to its timeliness or its content, and does not constitute an endorsement of the proposed amendment by the City Council.

Councilmember Hartwell moved that the resolution be adopted.

Mayor Sheldon declared a recess at 11:27 p.m.

Mayor Sheldon declared the meeting reconvened at 12:15 a.m.

Councilmember Daley moved that the resolution be amended as follows:

1st Resolved Clause

RESOLVED, That the Ann Arbor City Council approve the following language **TO** be placed on the ballot <, in the unlikely event a court should require the City clerk to place a question on the ballot, based on initiatory petition> **FOR THE GENERAL ELECTION ON NOVEMBER 7, 2000:**

On roll call the vote was as follows:

Yeas, Councilmembers Daley, Hanna-Davies, Herrell, Kolb, 4;

Nays, Councilmembers Hieftje, Upton, Carlberg, Hartwell, Higgins, Mayor Sheldon, 6.

The Mayor declared the motion defeated.

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

\*\*\*\*\*

**RECONSIDERATION:**

R-423-8-00 APPROVED AS AMENDED

RESOLUTION AUTHORIZING PURCHASE OF THE YMCA  
PROPERTY AND DIRECTING THE CITY ADMINISTRATOR TO  
DEVELOP A COOPERATIVE FINANCING AND DEVELOPMENT  
PLAN WITH THE ANN ARBOR TRANSIT AUTHORITY AND THE  
DOWNTOWN DEVELOPMENT AUTHORITY

Councilmember Higgins moved to reconsider the Resolution Authorizing Purchase of the YMCA Property and Directing the City Administrator to Develop a Cooperative Financing and Development Plan with the Ann Arbor Transit Authority and the Downtown Development Authority.

On a voice vote the Mayor declared the motion carried.

Councilmember Higgins moved to delete all references to the Alibrary lot≡ from the resolution.

On roll call the vote was as follows:

Yeas, Councilmembers Daley, Hanna-Davies, Hieftje, Upton, Carlberg, Herrell, Hartwell, Higgins, Mayor Sheldon, 9;

Nays, Councilmember Kolb, 1.

The Mayor declared the motion carried.

The question being the resolution as amended, on roll call the vote was as follows:

Yeas, Councilmembers Daley, Hanna-Davies, Hieftje, Carlberg, Herrell, Hartwell, Higgins,

Kolb, 8;

Nays, Councilmember Upton, Mayor Sheldon, 2.

The Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-423-8-00

RESOLUTION AUTHORIZING PURCHASE OF THE YMCA  
PROPERTY AND DIRECTING THE CITY ADMINISTRATOR TO  
DEVELOP A COOPERATIVE FINANCING AND DEVELOPMENT  
PLAN WITH THE ANN ARBOR TRANSIT AUTHORITY AND THE  
DOWNTOWN DEVELOPMENT AUTHORITY

Whereas, The City entered into a management agreement with the Ann Arbor YMCA on April 26, 1995;

Whereas, Exhibit C of the management agreement provides that if the YMCA should intend to sell or otherwise transfer ownership of the building and property, and if the YMCA receives a bona fide offer for the purchase of such building and property, the YMCA will provide the City with the right and option of a period of twenty (20) days to elect to purchase or take ownership upon the same price, terms and conditions of the contemplated sale;

Whereas, On August 4, 2000, the Ann Arbor Ann Arbor Transit Authority (Buyer) has entered into a sales agreement (Agreement) with the Ann Arbor YMCA (Seller) to purchase the YMCA building and property including the personalty;

Whereas, On August 9, 2000, the City of Ann Arbor, pursuant to the terms of the June 22, 1995, right of first refusal agreement received a copy of the Agreement and subsequently on August 15, 2000, received a copy of the proposed lease;

Whereas, A copy of this Agreement along with the proposed lease is on file in the City Clerk=s Office;

Whereas, A review of the Agreement indicates that the Buyer has agreed to purchase the YMCA real estate, building and personalty from the Seller pursuant to the following essential terms and conditions:

1. A cash purchase price of \$5,000,000.00 plus the requirement the Buyer

- enter into a lease with the Seller. The term of the lease shall not exceed December 30, 2002 and shall have a net rent of ten (10) dollars.
2. All brokerage or commission fees which arise out of the consummation of this sale shall be paid by the Seller.
  3. The Seller is to pay all fuel, water, sewer and all other utility charges as long as the Seller remains in possession of the property.
  4. The Buyer has ninety (90) days after August 28, 2000 to review all documents necessary to consummate the sale and to investigate and inspect the real estate, building and personalty including the right to perform survey, title work, environmental and soil conditions, zoning, architectural, engineering, feasibility and marketing studies.
  5. If the Buyer in its "sole and exclusive judgment" is not satisfied for any reason with the property, any of the documents provided to the Buyer by the Seller or the results of any of the Buyer=s inquiries or investigations then the Buyer can cancel and terminate the agreement provided written notice of the cancellation is given to the Seller within three (3) days after the expiration of the ninety (90) due diligence period.
  6. The Buyer will have no obligation or responsibility for any charges, salaries, vacation pay, wages or fringe benefits of any employee of the Seller. There are no on-site or hired persons whose employment will survive the delivery of possession of the property to the Buyer.
  7. All state, county and municipal transfer taxes and fees for documentary stamps, if any, shall be paid by the Seller along with the cost of any recording fees, survey fees, title examination and insurance charges and premiums.
  8. Possession of the property by the Buyer shall occur no later than December 30, 2002.
  9. The closing for the purchase of the property shall occur no later than January 25, 2001, unless extended by mutual agreement of the parties.
  10. Pursuant to sub-paragraph 7(H) of the Agreement, the Seller and the Buyer

shall execute at closing, a restrictive covenant, in recordable form in which the Buyer covenants and agrees not to utilize the property or any portion thereof for the purpose of providing recreational facilities or other recreational uses open to the public generally.

Whereas, The AATA has informed the City that it desires to acquire the YMCA site to provide for the redevelopment of the YMCA site as an expanded transit center and mixed use public/private development which may provide additional funding sources to support transit service;

Whereas, The AATA has indicated to the City that it has a desire to enter into discussions with the City and the DDA to collaboratively develop a redevelopment plan for the YMCA site;

Whereas, The YMCA currently provides 100 units of single occupancy very low cost housing in the YMCA building;

Whereas, There is limited housing of this nature in the community and the permanent elimination of these units would further exacerbate the problem of affordable housing for community residents;

Whereas, The City has interest in the site for the provision of housing, particularly moderate and low income rental housing, which currently is provided in the YMCA and which would be lost by the immediate sale of the property to AATA;

Whereas, It is in the best interest of the community for the City, the AATA and the DDA to work collaboratively to acquire the YMCA site and develop financial and redevelopment proposals that would meet the collective needs and goals of the City, AATA and DDA;

Whereas, The Agreement entered into by the YMCA and the AATA provides for a due diligence period expiring ninety (90) days after August 28, 2000;

Whereas, During the ninety (90) day due diligence period while the City is reviewing, analyzing and attempting to make a determination as to whether to consummate the sale of the YMCA real estate, building and personalty, the City, the AATA and the DDA will have, at the same time, an opportunity to develop a collaborative proposal for the development of the YMCA site which would meet the needs of the City, AATA and the YMCA;

Whereas, Pursuant to City ordinance, an appraisal of the YMCA site must be provided to City Council unless waived by City Council;

Whereas, An appraisal of the YMCA site has already occurred in 1996 and the YMCA site was appraised at \$7,000,000.00;

Whereas, Pursuant to sub-section 1:320(4) of the City Ordinances, the City Administrator recommends that the appraisal requirement be waived because in addition to the fact that an appraisal of the YMCA site has already been completed, it is not feasible to have another appraisal completed within the 20 day option period; and

Whereas, The ninety (90) day due diligence period in the Agreement does not specifically allow the City to cancel the purchase of the YMCA site if a financing and redevelopment plan satisfactory to the City for the YMCA site between the City, AATA and the DDA is not achieved within ninety (90) days from August 28, 2000; and

RESOLVED, That pursuant to sub-section 1:320(4) of the City Ordinances the requirement of obtaining an appraisal for the YMCA site is waived for the reasons that an appraisal of the YMCA site has already been completed and it is not feasible to obtain another completed appraisal within the twenty (20) day option deadline set forth in Exhibit C of the April 26, 1995, Management Agreement;

RESOLVED, That the Mayor and City Council direct the City Administrator to notify the YMCA in writing of the City's intent to exercise its option to purchase the YMCA site and the personalty pursuant to the terms and conditions set forth in the Agreement provided that:

- 1) sub-paragraph 7(H) of the Agreement is removed because it is violative of Michigan law as applied to municipal corporations, and
- 2) it is explicitly agreed between the City, YMCA and AATA that the City can cancel its purchase of the YMCA site if achievement of a financing and redevelopment plan satisfactory to the City of the YMCA site between the City, AATA and DDA does not occur within the ninety (90) day due diligence period set forth in the Agreement;

RESOLVED, That the Mayor and City Council direct the City Administrator to initiate discussions with the AATA and DDA, and that Avalon Housing and other interested housing non-profits be included in the discussions to develop a financing and redevelopment plan for the YMCA site which would best meet the needs of the community, AATA, the DDA and the YMCA.

## REPORTS FROM COUNCIL COMMITTEES

None.

### **COUNCIL PROPOSED BUSINESS**

September 5, 2000

Resolution to Appoint Members to the City's Environmental Commission  
(Councilmember Kolb)

### **COMMUNICATIONS FROM THE MAYOR**

#### TERM EXTENSION APPROVED

The Mayor requested that Council extend the following term of membership 90 days per Code of Ordinances, Chapter 8, 1:171: (6 votes required)

#### Planning Commission

Victoria Hueter  
304 Virginia  
Ann Arbor, MI 48103  
Term: 8/30/00 to 11/28/00

Councilmember Carlberg moved that Council concur with the request of the Mayor.

On a voice vote the Mayor declared motion carried.

#### APPOINTMENTS APPROVED

Mayor Sheldon recommended the following appointments at the August 7, 2000 regular session of Council:

#### Recreation Advisory Commission

Jonas Kieffer (reappointment)  
263 Crest  
Ann Arbor, MI 48103  
Term: 08/21/00 to 08/31/2003

Donna Phillips (reappointment)  
800 Heather Way  
Ann Arbor, MI 48104  
Term: 08/21/00 to 08/31/2003

Park Advisory Commission

Linda Langmore (reappointment)  
1724 Hermitage  
Ann Arbor, MI 48104  
Term: 08/21/00 to 08/20/2003

Owen Janssen (reappointment)  
1325 Minerva  
Ann Arbor, MI 48104  
Term: 08/21/00 to 08/20/2003

Bicycle Coordinating Committee

Everett Mayes (to fill unexpired term)  
1007 Wright Street Apt. #3  
Ann Arbor, MI 48105  
Term: 08/21/00 to 04/02/2002

Commission on Disability Issues

John Hathaway (reappointment)  
1407 Wakefield  
Ann Arbor, MI 48103  
Term: 08/21/00 to 08/20/2003

Individual Historic Properties Historic District Study Committee

Michelle Trombley (to replace Duane Black's expired term)  
819 S. Seventh  
Ann Arbor, MI 48103  
Term: 08/21/00 to 05/01/2003

Councilmember Carlberg 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:

Domestic Violence Coordinating Board

Kristen Larcom  
City Attorney=s Office co-representative  
100 N. Fifth Ave  
Ann Arbor, MI 48104  
Term: 09/05/2000 to 09/04/2002

Robert West  
City Attorney=s Office co-representative  
100 N. Fifth Ave  
Ann Arbor, MI 48104  
Term: 09/05/2000 to 09/04/2002

Deb Cauffiel (reappointment)  
Ann Arbor Police Department Representative  
100 N. Fifth Ave.  
Ann Arbor, MI 48104  
Term: 09/05/2000 to 09/04/2003

Michelle Woolery ( to replace Erin House)  
Domestic Violence Project Representative  
P.O. Box 7052  
Ann Arbor, MI 48107  
Term: 09/05/2000 to 09/04/2002

Crystal (Brown) James (reappointment)  
University of Michigan Security Representative  
525 Church Street  
Ann Arbor, MI 48104  
Term: 09/05/2000 to 09/04/2003

Lore Rogers, Chair (reappointment)  
Domestic Violence Project/SAFE House Representative  
P. O. Box 7052  
Ann Arbor, MI 48107  
Term: 09/05/2000 to 09/04/2003

Rebecca Sheimke (reappointment)  
Family Law Project Representative  
University of Michigan Law School  
Hutchins Hall  
Ann Arbor, MI 48109-1215  
Term: 09/05/2000 to 09/04/2003

Lt Mike Zsenyuk (reappointment)  
Ann Arbor Police Department Representative  
100 N. Fifth Ave.  
Ann Arbor, MI 48104  
Term: 09/05/00 to 09/04/2003

Miriam Jaffa (new appointment to fill at-large position)  
1525 Washtenaw  
Ann Arbor, MI 48104  
Term: 09/05/00 to 09/04/2003

#### Historic District Commission

H. Scott Diels (reappointment)  
1115 Ferdon  
Ann Arbor, MI 48104  
Term: 09/05/00 to 09/04/2003

#### Housing Commission

Robin Stephens (to fill an expired term)  
6 Metro Court  
Ann Arbor, MI 48108  
Term: 09/05/00 to 04/30/2004

#### Local Officers Compensation Commission

Samuel Eldersveld (reappointment)  
3653 Larchmont  
Ann Arbor, MI 48105  
Term: 09/05/2000 to 09/30/2007

Park Advisory Commission

Roy Curry (reappointment)  
 2889 Leslie Park Circle  
 Ann Arbor, MI 48105  
 Term: 09/05/00 to 09/04/2003

ANNOUNCEMENTS

Mayor Sheldon made the following announcements:

- A Thank You to Councilmember Marcia Higgins for welcoming people to the 18th Annual Arbourough Games held August 18-20.
- Salvador Munoz, International Economic Consultant, presented ideas for setting up a micro-loan bank in Juigalpa, Nicaragua, Ann Arbor Sister City.
- Mayor Sheldon thanked Eileen Ryan and the Community Development Staff for their hard work and for receiving a letter of commendation from U.S. Department of Housing and Urban Development for excellent administration of the C.D.B.G Program, timely expenditure of C.D.B.G Funds, and meeting regulatory requirements.
- Next regular Council Meeting will occur on Tuesday, September 5, 2000 due to the Labor Day holiday.
- Working Session scheduled for Monday, September 25, 2000 at 7:00 p.m. to discuss the Financial Management System recommendation.
- Liberty Road Improvement Task Force Meeting will be held Wednesday, August 23, 2000 at 7:00 p.m. at Eberwhite School. Contact person in Anne Warrow in the City's Engineering Department.
- MDOT Transportation Enhancements Projects:
  - Whitmore Lake Road for the N. Main pedestrian bicycle facility
  - South State Street's median landscaping project
- *ALet Local Votes Count* petition initiative was certified by the State Board of Canvassers unanimously. Issue will be placed on November ballot.

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

**REPORTS SUBMITTED**

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

1. DDA Resolution Requesting Review of Density Guidelines
2. West Liberty Street Reconstruction Project Status Report
3. Concern Over Number of Actual Bids Received
4. Initial Draft of First and Washington Request for Qualifications
5. Water Utilities Department Special Audit
6. Park Improvement and Acquisition State Grant Reapplications

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

**COMMUNICATIONS FROM THE CITY ATTORNEY**

None.

**ADMINISTRATION OF OATH OF OFFICE**

Interim City Clerk Yvonne Carl administered the Oath of Office to newly appointed Second Ward Councilmember Joan Lowenstein.

Councilmember Lowenstein took her seat.

**COMMUNICATIONS FROM COUNCIL**

None.

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

The following communications were referred as indicated:

1. Communication from Timothy W. Minick, Ann Arbor District Library Facilities Manager, regarding the accomplishments of the Ann Arbor District Library - file
2. Communication from Carole A. McCabe, Executive Director of Avalon Housing, Inc. regarding the Feasibility Study on the Ann Arbor YMCA - file
3. Communication from Councilmember Elisabeth Daley regarding Reconsideration of Associate City Administrator Appointment - file

The following minutes were received for file

1. Downtown Development Authority Meeting - May 16, May 24, June 9 and June 20, 2000
2. Housing Board of Appeals - June 6, 2000
4. Building Board of Appeals - June 14, 2000
5. Zoning Board of Appeals - June 29, 2000
6. Employees= Retirement System - June 15, 2000
7. VEBA Trust Board - June 15, 2000

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

On a voice vote the Mayor declared the motion carried.

**PUBLIC COMMENTARY - GENERAL****KATHY GRISWOLD - FOUR-WAY STOP AT GLAZIER WAY AND GREEN ROAD**

Kathy Griswold, 3565 Fox Hunt, thanked City Council for approving the resolution to install a four-way stop sign at the intersection of Green Road and Glazier Way. She indicated that the site distance at the intersection is in violation of the state code and Chapter 40 of the Ann Arbor city ordinance.

**ADJOURNMENT**

There being no further business to come before Council the Mayor declared the meeting adjourned at 12:43 a.m.

Yvonne Carl  
Interim Clerk of the Council

Frances M. McMullan  
Recording Secretary