

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - NOVEMBER 9, 2000**

The regular session of the Ann Arbor City Council was called to order at 7:36 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, Joan Lowenstein, Jean Carlberg, Heidi Cowing Herrell, Stephen C. Hartwell, Marcia Higgins, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 11.

ABSENT : 0.

INTRODUCTIONS

MAYOR SHELDON

Mayor Sheldon introduced her brother Eric, son Bill, daughter-in-law Laurie, and husband Cliff who provided support during her many years of service. The Mayor recognized departing Councilmembers Tobi Hanna-Davies and Elisabeth Daley for their years of dedicated service to the City, and presented both with a specially-crafted brass bell from Harmony Hollow Bell Works of Ann Arbor. The bell is decorated with the City's symbol and is given to special visitors to the City as well as to those who have served the City.

PUBLIC COMMENTARY - RESERVED TIME

ELIZABETH HAMILTON - GENETIC ENGINEERING

Elizabeth Hamilton, 900 Oakland Ave., spoke in support of the proposed resolution concerning genetic engineering in food and agriculture, which asks for mandatory labeling of genetically modified ingredients in food and increased safety and environmental testing of genetically modified foods and crops. Ms. Hamilton submitted petitions in support of the

resolution. (Petitions on file in the City Clerk=s Office).

CATHERINE BADGLEY - GENETIC ENGINEERING

Catherine Badgley, 2581 Hayes, Chelsea, MI, spoke in support of the proposed resolution concerning genetic engineering in food and agriculture, which asks for mandatory labeling of genetically modified ingredients in food and increased safety and environmental testing of genetically modified foods and crops.

PATRICIA VEREEN-DIXON - THANK YOU

Patricia Vereen-Dixon, 2367 Arrowwood Tr., thanked departing Mayor Sheldon and Councilmembers Hanna-Davies and Daley for their service to the City.

JESSICA STANTON - GENETIC ENGINEERING

Jessica Stanton, 2 Parkview Pl., spoke in support of the proposed resolution concerning genetic engineering in food and agriculture, which asks for mandatory labeling of genetically modified ingredients in food and increased safety and environmental testing of genetically modified foods and crops.

ANDREA DAVID - TWO-WAY STREETS

Andrea David, 2585 Gladstone Ave., spoke in opposition to the proposed change to two-way traffic patterns in the State Street area. She expressed concern that two-way traffic would increase accidents and traffic waiting times, and would waste tax payers= money.

HERBERT DAVID - TWO-WAY STREETS

Herbert David, 2585 Gladstone Ave., Liberty St. business owner, spoke in opposition to the proposed change to two-way traffic patterns in the State Street area, which he believes would increase accidents and traffic waiting times and waste tax payers= money.

PUBLIC HEARINGS

VINEYARD CHRISTIAN FELLOWSHIP CHURCH REZONING (ORDINANCE NO. 41-00)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 2.59 acres from M1 (Limited Industrial District) to O (Office District), Vineyard Christian Fellowship Church property, 2275 Platt Road. Notice of public hearing was published October 15, 2000.

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

FOX FIRE PHASE IIC REVISED SITE CONDOMINIUM SITE PLAN AND WETLAND USE PERMIT

A public hearing was conducted on the proposed Foxfire Phase IIC Revised Site Condominium Site Plan and Wetland Use Permit, 31.41 acres, north of Dhu Varren Road, south of US-23 and east of the Ann Arbor Railroad. Notice of public hearing was published October 29, 2000.

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

2074 SOUTH MAIN STREET REVISED SITE PLAN

A public hearing was conducted on the proposed 2074 South Main Street Site Plan, 0.33 acre. Notice of public hearing was published October 29, 2000.

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

APPLICATION OF MICHIGAN BELL TELEPHONE (AMERITECH) FOR AMENDMENT NO. 3 TO PERMIT NO. 1997-3 FOR USE OF PUBLIC RIGHTS-OF-WAY

A public hearing was conducted on the application of Michigan Bell Telephone Company, a/k/a Ameritech or Ameritech Michigan, for Amendment No. 3 to Permit No. 1997-3 for use of public rights-of-way to provide telecommunication services. Notice of public hearing was published October 30, 2000.

The following person appeared:

Paul Lambert, Ann Arbor resident, objected to his neighborhood continually being torn up and disrupted by companies installing telecommunication services. He requested that the City allow such activity only once each year in a particular neighborhood.

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

2000-01 CROSS COUNTRY SKI RATES

A public hearing was conducted on the proposed 2000-01 cross country ski rates at Huron Hills Ski Center. Notice of public hearing was published November 5, 2000.

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

APPROVAL OF AGENDAAGENDA APPROVED WITH CHANGES

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

Add topic:

RECESS FOR EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION AND TO RECEIVE PRIVILEGED COMMUNICATION FROM THE CITY ATTORNEY

CA - CONSENT AGENDA

Move: Resolution to Approve the West Liberty Street Reconstruction Project (Public Services) (***Consider prior to New Business - Council under Motions and Resolutions***)

Revised: Resolution to Approve [~~Funding for~~] **ADDITIONAL ALLOCATION TO Interfaith Hospitality Network of Washtenaw County (\$15,000.00) (Community Development)**

Move: Resolution Approving Distribution of a Request for Qualifications for a Public/Private Partnership at First and Washington Street Parking Structure (Downtown Development Authority) (***Consider prior to New Business - Council under Motions and Resolutions***)

Move: Resolution Authorizing Entry Into an Interlocal Agreement Establishing the Local Energy Aggregation Project (Administrator) (***Consider prior to New Business - Council under Motions and Resolutions***)

Correct Title: Resolution to Approve a Service Agreement **AND PURCHASE ORDER** with Ameritech for a T-1 Communication Line for District Court Probation Department Connection to Washtenaw County ITS Network (**\$13,190.00**) (District Court)

Revised: Resolution to Transfer Delinquent Housing Inspection Fees to the December, 2000 City Tax Roll (~~[\$15,052.67]~~ **\$14,043.97**)

D - MOTIONS AND RESOLUTIONS

Add: Resolution to Appoint a Nominee to the Neighborhood Advisory Council for the Huron Street Shelter (Administrator)

Add: Resolution to Accept Board of Insurance Administration Minutes of November 3, 2000 and to Authorize Payments (Finance)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: Community Development Block Grant (CDBG) and HOME Program Budgets

Add: Resolution to Develop On-Street Parking Reform Program

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF OCTOBER 9 AND 16 APPROVED

Councilmember Upton moved that the working session minutes of October 9, 2000, the continued regular session of October 9, 2000, and the regular session minutes of October 16, 2000 be approved as presented.

On a voice vote the Mayor declared the motion carried.

RECESS FOR EXECUTIVE SESSION

Councilmember Upton moved that the regular session of Council be recessed for an executive session to discuss pending litigation and to receive a privileged communication from the City Attorney.

On roll call the vote was as follows:

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

Nays, 0.

The Mayor declared the motion carried and the meeting recessed at 8:10 p.m.

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

On a voice vote the Mayor declared the motion carried and the meeting reconvened at 9:30 p.m.

AGENDA ITEM ADDED

Councilmember Hanna-Davies moved that the following item be added to the agenda under Motions and Resolution, New Business - Departmental:

Resolution Regarding Settlement with Arbor Hills Properties, LLC et al
(Attorney) (8 Votes Required).

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

Council unanimously agreed with Councilmember Upton's request to remove the following items from the Consent Agenda for consideration following approval of the Consent Agenda:

Resolution to Approve Additional Allocation to Interfaith
Hospitality Network of Washtenaw County (\$15,000.00) (Community
Development)

Resolution to Approve Funding for Washtenaw Homebuyers Program
(\$8,500.00) (Community Development).

CONSENT AGENDA ITEMS APPROVED

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

R-525-11-00 APPROVED

AMENDED RESOLUTION NO. 4 - CONFIRM ASSESSMENT ROLL FOR
SOUTH MAIN/ANN ARBOR-SALINE/EISENHOWER PARKWAY SIDEWALK
AND BIKE PATH SPECIAL ASSESSMENT PROJECT

Whereas, The City Council, after due and legal notice, has met for the purpose of reviewing a special assessment roll prepared for the purpose of assessing the private property=s share of the cost of acquiring and constructing sidewalk and bike path described as follows:

Construction of approximately 550 meters of 1.5 meter wide concrete sidewalks along Eisenhower Parkway from approximately 300 meters east of Stone School Road to Boardwalk Drive, and construction of approximately 720 meters of 2.4 meter wide bituminous bicycle pathways along Ann Arbor-Saline Road and South Main Street from Scio Church Road to Eisenhower Parkway, District Number 30, File No. 97045;

Whereas, The City Council has heard all persons interested in the necessity of the improvement or aggrieved by the special assessment roll and has considered any and all objections thereto; and

Whereas, The City Council is satisfied with said special assessment roll;

RESOLVED,

1. That said special assessment roll, as prepared by the City Assessor, be hereby confirmed in the amount of \$261,746.76 and designated as Sidewalk and Bike Path Special Assessment, District Number 30, File Number 97045;

2. That said special assessment roll be divided into fifteen (15) equal annual installments, the first of which shall be due on, December 1, 2001; and

3. That the deferred installments of said special assessment roll bear interest at the rate of 7% to be adjusted to 1% per annum above the average interest rate of any bonds issued to finance the improvements, commencing December 1, 2001, said interest to be collected annually on the due date of the second and subsequent installments of said special assessment roll.

R-526-11-00 APPROVED

RESOLUTION TO AMEND PROFESSIONAL SERVICES AGREEMENT WITH EARTH TECH, INC. FOR BROADWAY BRIDGES RECONSTRUCTION PROJECT

Whereas, Earth Tech, Inc. (ET) was awarded a contract on December 7, 1998 (R-507-12-98) to provide essential professional engineering services for the Broadway Bridges Reconstruction Project;

Whereas, Additional design engineering services are needed to complete the project;

Whereas, It is necessary to amend ET=s existing professional services agreement to include additional design engineering services, in the amount of \$197,300.00 to complete the design in accordance with City of Ann Arbor and Michigan Department of Transportation standards;

Whereas, Funds for the services are available in the Street Resurfacing Millage (Fund 0062); and

Whereas, ET has received Human Rights approval on February 28, 2000;

RESOLVED, That Council approved the Amendment to the Professional Services Agreement with ET in the amount of \$197,300.00 for the Broadway Bridges 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 be authorized to take the necessary administrative actions to implement this resolution.

R-527-11-00 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH CAMP DRESSER & MC KEE, INC. AND ESTABLISH A BUDGET FOR THE DESIGN OF THE SWIFT RUN SANITARY SEWER RELIEF PROJECT

Whereas, Additional capacity is needed downstream of Clark Road in the Swift Run Sanitary Trunkline to prevent overflows;

Whereas, It is necessary to retain the services of a professional engineering firm to perform the design of the Swift Run Sanitary Sewer Relief project;

Whereas, Camp Dresser & McKee, Inc. has demonstrated the required experience, personnel, and competitive fee to design the Swift Run Sanitary Sewer Relief project; and

Whereas, The Human Resources Department, on February 15, 2000, approved said company;

RESOLVED, That the City Council authorize a professional services agreement with Camp Dresser & McKee, Inc. in the amount of \$119,000.00 for the design of the Swift Run Sanitary Sewer Relief project;

RESOLVED, That the Mayor and City Clerk be 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

\$ 189,000	Advanced from the Sewage Disposal System Operating Fund Balance (pending sale of Sewage Revenue Bond XX to be sold in Spring 2001)
\$ 189,000	TOTAL

Section II - Expenses

\$ 119,000	Design Consulting
\$ 46,000	Design Engineering, including Contracted Services for Appraisals
\$ 9,500	Contingencies approved by the City Administrator
\$ 8,500	Bond Expenses
\$ 6,000	Miscellaneous Costs
\$ 189,000	TOTAL; and

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

R-528-11-00 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT
WITH SPALDING, DEDECKER AND ASSOCIATES, INC. AND ESTABLISH
A PROJECT BUDGET FOR THE 2000 BRIDGE INSPECTION PROGRAM

Whereas, It is necessary to retain the services of a professional consulting engineering firm to perform the 2000 Bridge Inspection Program;

Whereas, The professional engineering firm of Spalding, DeDecker & Associates, Inc. (SDA), of Rochester Hills, Michigan has submitted to the City a proposal for the necessary services, setting forth the services to be performed by said firm, and the payments to be made by the City therefor, all of which are agreeable to the City; and

Whereas, SDA received Human Rights approval on October 23, 2000;

RESOLVED, That a professional services agreement with SDA in the amount of \$57,500.00 be approved;

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;

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

Section I B Revenue

\$70,900	Major Street Fund (021)
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<u>\$12,100</u>	Sewage Disposal Fund (043)
\$83,000	TOTAL;

Section II - Expense

\$57,500	Consulting engineering services
\$ 21,500	Other charges including City engineering services, City owned vehicles, printing, materials and supplies, etc.
\$ <u>4,000</u>	Contingencies to be approved by the City Administrator
\$83,000	TOTAL; and

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

R-529-11-00 APPROVED

RESOLUTION AUTHORIZING THE EXECUTION OF A FOUR-YEAR
MUNICIPAL TRUNKLINE MAINTENANCE CONTRACT BETWEEN
THE CITY OF ANN ARBOR AND THE STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION

Whereas, The Michigan Department of Transportation (MDOT) and the City of Ann Arbor desire that the city of Ann Arbor maintain certain state trunkline highways as set forth in MDOT contract 2000-0575;

Whereas, Pursuant to Act 51 of the Public Acts of 1951, as amended, and Act 17 of the Public Acts of 1925, as amended, MDOT and the City may enter into a contract providing for maintenance on state trunkline highways; and

Whereas, The amount of the contract will be adjusted each year after consultation between the City and the Michigan Department of Transportation;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute contract number 2000-0575 with the Michigan Department of Transportation for the Municipal Trunkline Maintenance Contract, substantially in the form on file

with the City Clerk, following approval as to substance by the City Administrator, and approval as to form by the City Attorney.

R-530-11-00 APPROVED

RESOLUTION TO APPROVE A CONSTRUCTION WITH BELDEN
ASPHALT COMPANY AND A 10% CONSTRUCTION CONTINGENCY
FOR ASPHALT GAME COURT AND BICYCLE PATH IMPROVEMENTS -
BID NO. 3396

Whereas, Several asphalt game courts and bicycle paths are badly deteriorated and in need of repair;

Whereas, Competitive bids were received by the Purchasing Division on October 17, 2000, and Belden Asphalt Company was the lowest responsible bidder at 133,530.00;

Whereas, Funds for the project are available from the 1995-2001 Parks Rehabilitation and Development Millage, the Maintenance and Repair Millage and the Bicycle Program; and

Whereas, The Human Rights Department approval was received on October 23, 2000 for Belden Asphalt Company;

RESOLVED, That the Mayor and City Council approve a construction contract, per Bid #3396, with Belden Asphalt Company in the amount of \$133,530.00 for improvements to asphalt game courts and bicycle paths, and authorize the Mayor and City Clerk to sign the agreement substantially in the form on file with the City Clerk; and

RESOLVED, That the Mayor and City Council approve a construction contingency in the amount of \$13,353.00 (10%) to cover potential contract change orders to be approved by the City Administrator, and approve a total project budget of \$146,883.00 for the life of the project without regard to fiscal year.

R-531-11-00 APPROVED

RESOLUTION TO INCREASE PURCHASING AUTHORIZATION
FOR ENGAN TOOLEY DOYLE & ASSOCIATES TO \$75,000.00
FOR PLAYGROUND EQUIPMENT

Whereas, The Department of Parks and Recreation has purchased equipment from Engan Tooley Doyle & Associates on several projects;

Whereas, Engan Tooley Doyle & Associates, a major supplier playground equipment in this area, has been lowest bidder on these products;

Whereas, The accumulated equipment purchase orders for the multiple park projects exceed the \$25,000.00 amount, therefore requiring Mayor and Council approval to increase the authorization to \$75,000.00; and

Whereas, Engan Tooley Doyle & Associates received City of Ann Arbor Human Rights approval on May 17, 2000;

RESOLVED, That City Council approve a standing purchase order authorization with Engan Tooley Doyle & Associates in the amount of \$75,000.00 for fiscal year 2000-2001.

R-532-11-00 APPROVED

RESOLUTION ESTABLISHING 2000-01 FEES AND CHARGES
FOR DEPARTMENT OF PARKS AND RECREATION FACILITIES
HURON HILLS SKI CENTER

Whereas, The Department of Parks and Recreation recommends the proposed fees for the 2000-01 season to achieve specific levels of ski center self-support as the fees have not been adjusted for over 13 years;

Whereas, A review of current rate policies was conducted and the goal of setting an equitable fee policy differentiating between resident and non-resident was established;

Whereas, Comparative analysis of area ski centers has been provided;

Whereas, The Department of Parks and Recreation policies require the ski center to operate on a self supporting basis as it resides in the Golf Course Enterprise Fund which must achieve a 100% level of self-support; and

Whereas, The Parks Advisory Commission and the Recreation Advisory Commission approved the fee proposal at recent meetings;

RESOLVED, That the attached ski center fee schedule be adopted and be effective commencing with the start of the 2000-01 season and remain active unless modified:

DAILY FEES

	Weekday Ski Rental* <u>Adult</u>	Weekday Ski Rental* <u>Youth/Senior</u>	Weekend Ski Rental* <u>Adult</u>	Weekend Ski Rental* <u>Youth/Senior</u>
Resident	\$7.00	\$4.50	\$8.00	\$5.50
Nonresident	\$7.00	\$4.50	\$8.00	\$5.50

*ski rental includes trail fee

DAILY FEES (CONT.)

	Instruction <u>Adult</u>	Instruction <u>Youth/Senior</u>	Trail Fee Only <u>Weekday</u>	Trail Fee Only <u>Weekend</u>	Park User <u>Fee</u>
Resident	\$11.50	\$7.50	\$3.00	\$3.75	\$0.00
Nonresident	\$11.50	\$7.50	\$3.00	\$3.75	\$1.00

SEASON PASSES

	Trail Fee Only <u>Adult</u>	Trail Fee Only <u>Youth/Senior</u>	Trail Fee Only <u>Family</u>
Resident	\$24.00	\$14.00	\$42.00
Nonresident	\$30.00	\$18.00	\$52.00

SEASON PASSES (CONT.)

	<u>Trail Fee & Ski Rental Adult</u>	<u>Trail Fee & Ski Rental Youth/Senior</u>	<u>Trail Fee & Ski Rental Family</u>
Resident	\$52.00	\$32.00	\$92.00
Nonresident	\$65.00	\$40.00	\$114.00

R-533-11-00 APPROVED

RESOLUTION DESIGNATING THE FARMERS= MARKET
AS A CITY PARK

Whereas, The administration of the City Market was transferred to the Department of Parks and Recreation in January 1999;

Whereas, Designation as a City park will benefit the City Market by allowing the market to be eligible for State and Federal matching grants for park improvements;

Whereas, The City Market Commission and the Park Advisory Commission recommends that the Market be designated as a City park;

Whereas, As a City park, the market activities will be covered by park rules under Chapter 39 of the Ann Arbor City Code; and

Whereas, The City Market will continue to be named the Ann Arbor Farmers Market;

RESOLVED, That the Mayor and City Council approve the designation lots 72 lots 74,75, 76 and 82 of the Farmers Market as a City park; and

RESOLVED, That lot 73 will be incorporated into the park designation as Farmers Market when the life estate ends.

R-534-11-00 APPROVED

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

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

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

Whereas, The original contractor awarded the project had to withdraw from the case and the project was rebid;

Whereas, Two bids were received on October 5, 2000 and Mr. Hesterly will be executing an agreement with the lowest responsible bidder, B. R. Stoffer & Associates, who received Human Rights approval on October 5, 2000 to complete the rehabilitation work; and

Whereas, On Thursday, October 12, 2000 the Waiver and Review Board approved the waiver of the \$28,020.00 maximum for rehabilitation assistance up to the amount of \$50,000.00;

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Bruce C. Hesterly in the amount of \$50,000.00 as a 0% interest, deferred payment loan, and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the office of the City Clerk with funds to be available without regard to fiscal year; and

RESOLVED, That City Council authorize that payments can be made to the contractor, B. R. Stoffer & Associates, on behalf of the homeowner for the work completed on the project.

R-535-11-00 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 2000-01 CONTRACT
WITH STUDENT ADVOCACY CENTER

Whereas, City Council approved the allocation of \$17,000.00 to Student Advocacy Center when it approved continuation funding for FY 1999/2000 Housing and Human Service organizations on December 20, 1999;

Whereas, On June 19, 2000, City Council approved an additional allocation of \$23,000.00 to Student Advocacy Center to provide services at Community Impact Resource Center; and

Whereas, The Human Resources Department has reviewed and approved this contractor;

RESOLVED, That City Council approve a contract with Student Advocacy Center for \$40,000.00 beginning July 1, 2000 and terminating June 30, 2001, with the exception of services provided at Community Impact Resource center which may terminate on December 31, 2000, and authorize the Mayor and City Clerk to execute this contract substantially in the form on file in the Office of the City Clerk; and

RESOLVED, That all services give priority to very low income Ann Arbor residents and that performance be monitored by the Community Development Department.

R-536-11-00 APPROVED

RESOLUTION TO APPROVE FUNDING FOR UNIVERSITY OF MICHIGAN COMMUNITY FAMILY HEALTH CENTER

Whereas, The University of Michigan Community Family Health Center has requested \$14,000.00 from the City of Ann Arbor to open a family health clinic at Maple Meadows Public Housing;

Whereas, The Community Family Health Center currently receives funding from the city to operate a similar clinic to serve very low-income Ann Arbor residents;

Whereas, The Ann Arbor Housing Commission has offered to donate space for the clinic;

Whereas, The Human Services Task Force recommends approval of this request; and

Whereas, There is \$100,000.00 remaining in the FY 2000/2001 Housing and Human Services Contingency;

RESOLVED, That the Mayor and City Council approve the allocation of \$14,000.00 in FY 2000/2001 Housing and Human Services Contingency funds to the University of Michigan Community Family Health Center, and authorize the Community Development

Department to amend the contractual agreement with the Regents of the University of Michigan for the Community Family Health Center in accordance with the City's purchasing procedures.

R-537-11-00 APPROVED

RESOLUTION TO GRANT WATER AND SEWER SERVICES
OUTSIDE CITY LIMITS TO 2954 SHADY LANE

Whereas, On October 18, 2000, the owners of the property at 2954 Shady Lane requested that the City extend public water and sewer service to their property in Pittsfield Township prior to the completion of the annexation process;

Whereas, The owners 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 October 17, 2000, the owners petitioned the City for annexation under Planning Department file number 12033A4.1 and 12033A4.2;

RESOLVED, That the Mayor and Clerk be 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 be directed to send a copy of this resolution by first class mail to the above property owners; and that the Water Utilities Department 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 owners.

R-538-11-00 APPROVED

RESOLUTION TO GRANT WATER AND SEWER SERVICES
OUTSIDE CITY LIMITS TO 2935 SHADY LANE

Whereas, On October 19, 2000, the owners of the property at 2935 Shady Lane requested that the City extend public water and sewer service to their property in Pittsfield Township prior to the completion of the annexation process;

Whereas, The owners 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 October 17, 2000, the owners petitioned the City for annexation under Planning Department file number 12033A3.1 and 12033A3.2;

RESOLVED, That the Mayor and Clerk be 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 be directed to send a copy of this resolution by first class mail to the above property owners; and that the Water Utilities Department 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 owners.

R-539-11-00 APPROVED

RESOLUTION TO GRANT WATER SERVICE OUTSIDE CITY
LIMITS TO 411 ORCHARD HILLS DRIVE

Whereas, On October 23, 2000, Michael B. and Debra O. Lisull, the owners of the property at 411 Orchard Hills Drive, requested that the City extend public water service to their property in Ann Arbor Township prior to the completion of the annexation process;

Whereas, The owners desire to enter into the standard agreement with the City which provides an equitable method of obtaining City service outside of its corporate boundaries; and

Whereas, On October 23, 2000, the owners petitioned the City for annexation under Planning Department file number 9273J15.1 and 9273J15.2;

RESOLVED, That the Mayor and Clerk be authorized and requested to sign the agreements to allow City water service to the land during the time it is still outside of the Corporate City Limits; that the City Clerk be directed to send a copy of this resolution by

first class mail to the above property owners; and that the Water Utilities Department promptly have this resolution and the agreement recorded in the office of the Register of Deeds of Washtenaw County, Michigan, and send a completely executed copy of the agreement to the owners.

R-540-11-00 APPROVED

RESOLUTION TO APPROVE A CONTRACT WITH
WASHTENAW DEVELOPMENT COUNCIL

Whereas, The Washtenaw Development Council provides a variety of services related to the Economic Development of the area including services to businesses, marketing efforts, and improved coordination with other economic development and nonprofit entities, and continues to identify entry level job openings;

Whereas, The Washtenaw Development Council received Human Rights approval on December 10, 1999; and

Whereas, The funds are included in the City Wide Membership account;

RESOLVED, That the contract with the Washtenaw Development Council in the amount of \$40,000.00 be approved, and that the Mayor and City Clerk be authorized to execute the contract in the form substantially on file with the City Clerk; and

RESOLVED, That the City Administrator be authorized to take any necessary administrative actions necessary.

R-541-11-00 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDERS TO A & L
PARTS, INC. FOR AUTOMOTIVE AND TRUCK REPAIR PARTS -
BID NOS. 3266, 3372 AND 3387

Whereas, The City of Ann Arbor=s Public Services, Fire, Parks and Utilities Departments require repair parts for the City=s vehicle fleet;

Whereas, A & L Parts, Inc. was the lowest responsible bidder on bid numbers 3266, 3372 and 3387;

Whereas, The City also uses A & L Parts, Inc. to supply miscellaneous repair parts

which are awarded based on telephone bids;

Whereas, The Public Services, Fire, Parks and Utilities Departments need approval to increase expenditures to A & L Parts, Inc. from \$25,000.00 to \$57,000.00 for the remainder of the fiscal year;

Whereas, A & L Parts, Inc. received Human Rights approval on June 22, 2000; and

Whereas, Funds for these purchases are budgeted and available within Public Services, Fire, Parks and Utilities accounts;

RESOLVED, That City Council approve an increase in the spending authorization limit to A & L Parts, Inc., from \$25,000.00 to \$57,000.00 for the remainder of the fiscal year ending June 30, 2001.

R-542-11-00 APPROVED

RESOLUTION TO APPROVE A SERVICE AGREEMENT AND
PURCHASE ORDER WITH AMERITECH FOR T-1 COMMUNICATION
LINE FOR DISTRICT COURT PROBATION DEPARTMENT CONNECTION
TO WASHTENAW COUNTY ITS NETWORK

Whereas, The District Court Probation Department located at 206 East Huron Street uses other than fiber optic quality communication lines to connect to the Washtenaw County ITS servers for case processing and electronic communication services;

Whereas, Recent hardware upgrades now require a faster, higher capacity communications line to replace slower, low capacity lines, and Washtenaw County ITS staff responsible by contract for providing technical support for District Court systems, has recommended installation of a T-1 communications line to link the Probation Department to the ITS network servers located at 220 North Main Street;

Whereas, Ameritech offers leases for T-1 communications lines for network services in a variety of time intervals to match customer's needs;

Whereas, The District Court has determined that a three-year lease would be the most suitable period for this service; and

Whereas, Three vendors were invited to submit bids on hardware necessary to support this communication and Ameritech was the successful bidder;

RESOLVED, That the City Council authorize the Mayor and Clerk to sign a service agreement with Ameritech, as approved by the City Attorney, for the purpose of providing for a three year period, a T-1 communication line for the District Court Probation Department's connection to the Washtenaw County ITS network servers, and that a purchase order not to exceed \$2,400.00 be issued to Ameritech for the necessary hardware.

R-543-11-00 APPROVED

RESOLUTION TO TRANSFER DELINQUENT HOUSING INSPECTION
FEES TO THE DECEMBER, 2000 CITY TAX ROLL

Whereas, There are unpaid charges for housing inspections of private properties within the City which were unpaid on June 30, 2000;

Whereas, This Council did, on December 9, 1974, resolve that notice 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 November 1, 2000;

Whereas, The City Clerk has on file a list of such presently unpaid charges, 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 "Schedule A"(on file in the City Clerk=s Office) together with an additional penalty charge of 10% of the total unpaid, as provided in Section 1:292 of the Ann Arbor City Code, and that the City Assessor shall place the same on the next tax roll of the City and that such charges will be collected in the same manner as general City taxes.

R-544-11-00 APPROVED

RESOLUTION AUTHORIZING STREET CLOSINGS FOR THE TWELFTH ANNUAL CHILDREN=S HOLIDAY PARADE

Whereas, The Main Street Area Association will be sponsoring the Twelfth Annual Children=s= Holiday Parade on Sunday, December 3, 2000, commencing at 12:00 noon and ending at approximately 1:00 p.m.;

Whereas, In order to accommodate the 500 children participating in the parade, the Main Street Area Association has requested that the following downtown area streets be closed from 11:30 a.m. until approximately 1:30 p.m.:

- William from South Fourth Avenue to South Ashley
- Liberty from South Fifth Avenue to South Ashley
- Washington from South Fifth Avenue to South Ashley
- South Fourth Avenue from East William to East Huron
- South Main from Packard to East Huron

Whereas, The street closures will be signed and barricaded by the sponsor and properly supervised by the sponsor and the Ann Arbor Police Department;

Whereas, The sponsor will obtain all necessary permits and be responsible to comply with all procedures, rules and regulations required by the City and State to stage such an event and pay the following estimated service charges associated with their sponsorship of the event:

Police Department	\$600
Transportation Division (barricades)	<u>\$250</u>
TOTAL	\$850

Whereas, The Main Street Area Association agrees to defend and indemnify and save the City harmless against any claim arising from their sponsorship of this event; and

Whereas, The sponsor requests Council waive meter bag deposit fees (\$580.00) ;

RESOLVED, That the Mayor and City Council hereby approve the closing of the requested streets at the indicated times; and

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

R-545-11-00 APPROVED

RESOLUTION APPROVING THE CLOSING OF CITY STREETS FOR
THE EVANS SCHOLAR 5K RACE ON NOVEMBER 12, 2000

Whereas, The City has received a request to hold the Evans Scholar Fraternity 5K Race on Sunday, November 12, 2000;

Whereas, The sponsor is requesting that the city provide the following services:

- 1) Closing the following streets from 9:00-9:30 a.m. to provide a staging area for the participants: b
 - * Hoover - S. Division to Sybil
- 2) Closing the following streets from 9:30 - 10:00 a.m. for the race itself:
 - *Hoover - S. Division to S. State
 - *Mary - Hoover to Packard
 - *Benjamin - Mary to Division
 - *Division - Hoover to John
 - *John - Division to S. Fifth Ave.
 - *S. Fifth Ave. - Hill to E. Madison
 - *Hill - Division to Main
 - *Brown - Hill to Buffalo
 - *Buffalo - Hoover to Keech
 - *Keech - Greene to S. Main
 - *Greene - Keech to Hill
 - *Sybil - Benjamin to Hoover
 - *State - Hoover to Arch
- 3) Use of the sidewalks on S. Main from E. Stadium to Keech and E. Stadium from White to S. Main from 9:30 -9:50 a.m.
- 4) Provide directional cones and barricades as needed (sponsor will pick up and return).

Whereas, The sponsor has agreed to pay the costs associated with the event for Police Department and Transportation Department services;

Whereas, The sponsor agrees to defend and indemnify and save the city harmless against any claim arising from their sponsorship of this event; and

Whereas, The sponsor will obtain the necessary permits and provide evidence of proper liability insurance;

RESOLVED, That City Council approve the street closings as requested; and

RESOLVED, That the sponsor reimburse the City for the following city services:

Police \$600.00 (est.)

R-546-11-00 APPROVED

RESOLUTION TO APPROVE THE CLOSING OF MAYNARD STREET FOR A MIDNIGHT MADNESS HOLIDAY MUSICAL PERFORMANCE

Whereas, The City has received a request from the State Street Area Association to close a section of Maynard Street between E. Liberty and E. William on Friday, December 1, 2000 from 5 :30 - 9:00 p.m. to stage a musical performance celebrating the holiday season;

Whereas, The street closure will be properly signed, barricaded and supervised by the sponsor and the police department, if required;

Whereas, The sponsor will keep a lane open on Maynard to provide access in the area to vehicular traffic;

Whereas, The sponsor will obtain the necessary permits and provide evidence of proper liability insurance;

Whereas, The sponsor agrees to pay the costs associated with the event for Police Department and Transportation Division services; and

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

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

R-547-11-00 APPROVED

RESOLUTION TO ADD/DROP CO-LICENSEE IN RESORT CLASS C LICENSED BUSINESS LOCATED AT 314 EAST LIBERTY STREET - D.B.A. MAINSTREET COMEDY SHOWCASE

RESOLVED, That the request from Locutus, Ltd. to drop the Mainstreet Comedy Showcase, Inc. as a co-licensee and to add Happy Ventures, Inc. as a co-licensee in a 2000 12-Month Resort Class C licensed business with an Entertainment Permit, located at 314 E. Liberty St., be approved.

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

R-548-11-00 APPROVED

RESOLUTION TO APPROVE ADDITIONAL ALLOCATION TO
INTERFAITH HOSPITALITY NETWORK OF WASHTENAW COUNTY

Whereas, Interfaith Hospitality Network of Washtenaw County has requested \$15,000.00 from the City of Ann Arbor to provide a Specialized Financial Management Program for homeless families;

Whereas, City Council allocated \$8,000.00 to Interfaith Hospitality Network to provide shelter and support services to homeless families when it approved continuation funding on December 20, 1999;

Whereas, The Human Services Task Force recommended approval of this request at its meeting on October 23, 2000; and

Whereas, There is \$86,000.00 remaining in the FY 2000/2001 Housing and Human Services Contingency;

RESOLVED, That City Council approve the allocation of \$15,000.00 from the Housing and Human Services Contingency to Interfaith Hospitality Network of Washtenaw County for Specialized Financial Management Services; and

RESOLVED, That City Council authorize the Mayor and City Clerk to execute a contractual agreement with Interfaith Hospitality Network for \$23,000.00 for Shelter, case management and specialized financial management services in accordance with the City's purchasing procedures.

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-549-11-00 APPROVED

RESOLUTION TO APPROVE FUNDING FOR WASHTENAW
HOMEBUYERS PROGRAM

Whereas, Washtenaw Homebuyers Program has requested \$8,500.00 from the City of Ann Arbor to expand its efforts at partnering with local housing cooperatives to maintain Ann Arbor's affordable housing stock;

Whereas, Washtenaw Homebuyers Program currently receives funding from the City to assist individuals and families in becoming homeowners and to move into cooperatives;

Whereas, The Human Services Task Force recommended approval at its meeting October 23, 2000; and

Whereas, There is \$71,000.00 remaining in the FY 2000/2001 Housing and Human Services Contingency;

RESOLVED, That City Council approve the allocation of \$8,500.00 from the Housing and Human Services Contingency to Washtenaw Homebuyers Program for its Cooperative Partnering Project and authorizes the Mayor and City Clerk to amend the contractual agreement with Washtenaw Homebuyers Program in accordance with the City's purchasing procedures.

Councilmember Upton moved that the resolution be adopted.

Council unanimously agreed with Councilmember Carlberg=s request that she be allowed to abstain from the vote.

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

ORDINANCES - SECOND READING

41-00 APPROVED

VINEYARD CHRISTIAN FELLOWSHIP CHURCH REZONING

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

This ordinance would change the zoning of 2.59 acres, located at 2275 Platt Rd., from M1 (Limited Industrial District) to O (Office District). (The complete text of Ordinance 41-00 is on file in the City Clerk=s Office).

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

On a voice vote the Mayor declared the motion carried.

45-00 APPROVED

STOP SIGNS AND YIELD RIGHT OF WAY SIGNS

An Ordinance to Amend Sections 10:31 and 10:156 of Chapter 126 of Title X of the Code of the City of Ann Arbor

(The complete text of Ordinance 45-00 is on file in the City Clerk=s Office).
Councilmember Upton moved that the ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried.

46-00 DIED FOR LACK OF SUPPORT

POSSESSION BY MINORS

An Ordinance to Amend Sections 9:81 and 9:82 of Chapter 109
of Title IX of the Code of the City of Ann Arbor

(The complete text of Ordinance 46-00 is on file in the City Clerk=s Office).

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

The ordinance died for lack of support.

ORDINANCES - FIRST READING

None.

MOTIONS AND RESOLUTIONS

R-550-11-00 APPROVED AS AMENDED

**RESOLUTION TO APPROVE THE WEST LIBERTY STREET
RECONSTRUCTION PROJECT**

A resolution to approve the West Liberty Street Reconstruction Project was considered.

Councilmember Herrell moved that the resolution be adopted.

Councilmember Herrell moved that the fourth paragraph of the resolution be amended as follows:

RESOLVED, That City Council approve the West Liberty Street Reconstruction Project with the following design features:

Reconstruct West Liberty Street from I-94 to a point just east of Virginia Avenue including two paved lanes with pedestrian islands, curb & gutter, bike lanes, sidewalks, and storm water detention system,

WITH THE UNDERSTANDING THAT THE BALANCE OF THE STORM WATER DETENTION REQUIRED BY CHAPTER 63 OF THE ANN ARBOR CITY CODE BE ADDRESSED IN A COMPREHENSIVE STUDY OF ALLENS CREEK IN THE NEAR FUTURE;

On roll call the vote was as follows:

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

Nays, Councilmember Upton, Mayor Sheldon, 2.

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-550-11-00

**RESOLUTION TO APPROVE THE WEST LIBERTY STREET
RECONSTRUCTION PROJECT**

Whereas, Pursuant to Council Resolution No. R-159-3-89, it is the City=s policy to have its own major projects reviewed by appropriate City departments and the Planning Commission to ensure that they adhere to relevant City private development standards to the extent possible;

Whereas, On October 17, 2000 the City Planning Commission met for the purpose of considering the West Liberty Street Reconstruction Project and by a 6-0 vote affirmed that the project does adhere to applicable City private development standards with the following exceptions:

- 1) Storm water detention for less than the required 100-year storm (Chapter 63, Storm

Water Management and Soil Erosion and Sedimentation Control), is proposed for the segment of Liberty Street from Stadium to Virginia, due to the limited area available to place such facilities;

- 2) Detailed designs of the three storm water management facilities proposed to be located on private properties have not been provided at this time, as required by Chapter 63, due to the need to first obtain easements from the private property owners;
- 3) Sidewalk will not be provided on the north side of West Liberty Street between Maple Road and I-94 as part of this project, as required by the Public Services Department Standard Specifications, due to the lack of a pedestrian crossing on the north side of the Liberty bridge over I-94; and
- 4) A variable width right-of-way buffer of less than the 10-foot minimum required by Chapter 62 (Landscape and Screening) will be provided in the reconfiguration of the private parking lot at the northeast corner of Liberty Street and Stadium Boulevard, due to the need to maintain the amount of parking required by Chapter 59 (Off-Street Parking) for the restaurant use on the site;

and

Whereas, Additional property rights (right-of-way, easements, etc.) are needed for implementation of the project;

RESOLVED, That City Council approve the West Liberty Street Reconstruction project with the following design features:

Reconstruct West Liberty Street from I-94 to a point just east of Virginia Avenue including two paved lanes with pedestrian islands, curb & gutter, bike lanes, sidewalks, and storm water detention system,

with the understanding that the balance of the storm water detention required by Chapter 63 of the Ann Arbor City Code be addressed in a comprehensive study of Allens Creek in the near future;

RESOLVED, That the City Administrator and City Attorney be authorized and directed to ascertain the need for and proceed with any and all necessary actions to acquire the additional property rights needed to implement the project; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute any and all documents necessary to implement the project, subject to Council approval of the transfer of any interest in real property.

R-551-11-00 APPROVED AS AMENDED

RESOLUTION APPROVING DISTRIBUTION OF A REQUEST FOR
QUALIFICATIONS FOR A PUBLIC/PRIVATE PARTNERSHIP AT
FIRST AND WASHINGTON STREET PARKING STRUCTURE

Whereas, The Downtown Development Authority (DDA) Plan sets forward several objectives, including the construction of parking facilities to support new and existing developments and DDA participation in efforts to encourage mixed-use developments in conjunction with public improvements;

Whereas, The DDA has determined that current and future parking demand in the First and Washington area warrants construction of new public parking structure with at least 199 spaces to replace the spaces lost through the eventual closing of the First and Washington structure, and that any public parking facility built on this site shall be constructed as part of a mixed-use project, rather than a free-standing parking structure;

Whereas, On July 17, 2000 City Council approved replacement of the First and Washington parking structure to support new and existing developments and encouraged the DDA to develop this site in conjunction with a private developer based on several important project objectives;

Whereas, The process of replacing the First and Washington parking structure will include the issuance of an Request for Qualifications (RFQ) to provide for the selection of a private development partner; and

Whereas, At its October 2000 meeting, the DDA approved the attached RFQ and recommended that City Council authorize its use to implement the selection of a private partner with which to develop this site;

RESOLVED, That City Council approve the RFQ, on file in the City Clerk=s Office, to provide for the selection of a private partner for a development at First and Washington.

Councilmember Kolb moved that the resolution be adopted.

Councilmember Herrell moved that the Request for Qualifications (RFQ) document be amended as follows:

Page 2 -

Project Objectives

The objectives of a mixed use, public/private development partnership for the

City-owned property at First and Washington Streets are:...

- 3. The project will contribute to the public good and the City planning and development goals and/or make our community more livable and sustainable by taking into account the architectural nature of the neighborhood, and by developing **HOUSING WHICH IS AFFORDABLE ACCORDING TO HUD GUIDELINES OR OF MIXED AFFORDABILITY, AND OPTIONALLY ONE OR MORE OF THE FOLLOWING:** new retail, other commercial space, and/or [~~housing which is affordable or of mixed affordability, and/or providing~~] flood storage capacity over what is required.

Pages 2 and 3 -

Other Project Considerations

Once qualifications have been determined and assessed, and proposed projects measured against the objectives listed above, the DDA will then consider as part of its selection process the proposal which best meets the following standards:

- 1. The proposal should provide [~~the greatest~~] positive economic benefit to the DDA and to the general downtown area while meeting the objectives listed above. ...
- 3. d) Provision of residential dwelling units **SOME OF WHICH MEET HUD GUIDELINES FOR AFFORDABLE HOUSING.** ...

(Add a new number 4.):

- 4. **THE PROPOSAL EMPLOYS LEED (LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN - A U.S. GREEN BUILDING COUNCIL PROGRAM) GREEN BUILDING STANDARDS TO, AMONG OTHER THINGS REDUCE THE USE OF HAZARDOUS MATERIALS AND INCREASE ENERGY EFFICIENCY.**

On a voice vote the Mayor declared the motion carried.

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

On a voice vote the Mayor declared the motion carried.

RESOLUTION AUTHORIZING ENTRY INTO AN INTERLOCAL AGREEMENT
ESTABLISHING THE LOCAL ENERGY AGGREGATION PROJECT

A resolution authorizing entry into an Interlocal Agreement Establishing the Local Energy Aggregation Project was considered.

Councilmember Herrell moved that the resolution be adopted.

Councilmember Herrell moved that ninth paragraph of the resolution be amended as follows:

RESOLVED, That if the City Administrator of the Municipality, based upon financial information and projections provided to the Municipality by the Agency and its advisors and consultants, determines that the proposed energy purchase program or programs to be conducted by the Agency are competitive with the most favorable conditions reasonable available, that such energy purchase program or programs are in the best economic **AND ENVIRONMENTAL** interest of the Municipality, **AND THE ENERGY PROVIDER(S) ENTER INTO AN ELECTRIC UTILITY FRANCHISE WITH THE CITY OF ANN ARBOR**, then the City Administrator of the Municipality is hereby authorized to execute purchase, transportation, transmission, storage, nomination, energy information request, and similar or related energy contracts, certificates, instruments or papers necessary or convenient to effectuate the Municipality's participation in the energy purchase program or programs, including agreements directly with the Agency's energy advisors or local energy distribution companies;

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-552-0-11-00

RESOLUTION AUTHORIZING ENTRY INTO AN INTERLOCAL AGREEMENT
ESTABLISHING THE LOCAL ENERGY AGGREGATION PROJECT

Whereas, It is proposed that an interlocal authority be formed pursuant to the authority of the Urban Cooperation Act (Act No. 7, Michigan Public Acts of 1967, Extra

Session, as amended) and the Customer Choice and Electricity Reliability Act (Act No. 141, Michigan Public Acts of 2000) for the purpose of evaluating and implementing a program to permit Michigan municipalities to aggregate their electric loads to purchase electricity for themselves in order to obtain safe, reliable electric power at a reasonable rate;

Whereas, A group of Michigan municipalities have determined that it is in the best interest of their communities to form an interlocal agency for the purpose described above;

Whereas, The interlocal agency will be formed under the name of the Local Energy Aggregation Project (the "Agency");

Whereas, The Participating Municipalities will receive from the Agency the following services:

- (a) A coordinated voice for municipal interests during energy deregulation.
- (b) A central resource to allow the Participating Municipalities to share energy strategies and information regarding safe, reliable electric power at a reasonable rate.
- (c) A means to aggregate loads and energy supply bids so that the Participating Municipalities can take full advantage of their combined purchasing power.
- (d) A common administrative framework that provides each Participating Municipality with access to deregulated energy expertise and services, and enables Participating Municipalities to share the savings from avoiding duplication of the administrative efforts associated with effective aggregated energy purchase programs;

Whereas, On January 19, 1999, City Council granted the City Administrator the authority to enter into contracts for the purchase of natural gas for City facilities and this authority is now necessary for the purchase of electricity in an open electricity market, which may necessitate quick action to take advantage of low prices; and

Whereas, A form of the Interlocal Agreement Establishing the Local Energy Aggregation Project (the "Agreement") has been proposed by the Agency and is on file with the Clerk;

RESOLVED, That the Municipality hereby approve the Agreement and authorize the Mayor and City Clerk to execute and deliver the Agreement by signing and dating Exhibit B to the Agreement and forwarding an executed copy of Exhibit B to the Agency in accordance with the provisions of Article I of the Agreement;

RESOLVED, The Municipality's representative on the Agency's Board of Directors shall be the City Administrator. The named representative may give a proxy to another person affiliated with the Municipality to attend and vote at an Agency Board of Directors

meeting instead of the named representative;

RESOLVED, That if the City Administrator of the Municipality, based upon financial information and projections provided to the Municipality by the Agency and its advisors and consultants, determines that the proposed energy purchase program or programs to be conducted by the Agency are competitive with the most favorable conditions reasonable available, that such energy purchase program or programs are in the best economic and environmental interest of the Municipality, and the energy provider(s) enter into an Electric Utility Franchise with the City of Ann Arbor, then the City Administrator of the Municipality is hereby authorized to execute purchase, transportation, transmission, storage, nomination, energy information request, and similar or related energy contracts, certificates, instruments or papers necessary or convenient to effectuate the Municipality's participation in the energy purchase program or programs, including agreements directly with the Agency's energy advisors or local energy distribution companies;

RESOLVED, That the Clerk be hereby authorized to provide a certified copy of this resolution to the Agency, together with the executed copy of Exhibit B (on file in the City Clerk=s Office); and

RESOLVED, That all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded to the extent of such conflict.

R-553-11-00 APPROVED AS AMENDED

RESOLUTION TO DEVELOP ON-STREET PARKING REFORM PROGRAM

A resolution to develop an on-street parking reform program was considered.

Councilmember Kolb moved that the resolution be adopted.

Council unanimously agreed to divide the question to consider each proposed reform separately.

The question being reform No. 1 - *Adjust parking meters to have a ten-minute grace period*, on roll call the vote was as follows:

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

Nays, Councilmember Herrell, 1.

The Mayor declared the motion carried.

The question being reform No. 2 - *Establish written policy on the ability of parking enforcement officers to void tickets when customer arrives to move vehicle as ticket is being written*, on a voice vote the Mayor declared the motion carried.

The question being reform No. 3 - *Establish a "Freedom from Fine" program for anyone who receives a parking ticket for expired meter and parking over legal limit violations without having any other parking ticket violations within six months of the receiving the ticket*, on roll call the vote was as follows:

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

Nays, 0.

The Mayor declared the motion carried.

The question being reform No. 4 - *Develop policy to address enforcement of expired meters when less than 50% of the spaces are occupied on any given block*, on roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Hartwell, Kolb, Hieftje, 4;

Nays, Councilmembers Lowenstein, Herrell, Higgins, Daley, Hanna-Davies, Upton, Mayor Sheldon, 7.

The Mayor declared the motion defeated.

The question being reform No. 5 - *Rename parking enforcement officers to parking facilitators*, on roll call the vote was as follows:

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

Nays, Councilmembers Lowenstein, Carlberg, Herrell, Higgins, Daley, Hanna-Davies, Mayor Sheldon, 7.

The Mayor declared the motion defeated.

The question being reform No. 6 - *Establish AFree End of the Year parking program that will encourage shoppers downtown and still allow turnover of meter spaces*, on roll call the vote was as follows:

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

Nays, 0.

The Mayor declared the motion carried.

The question being reform No. 7 - *Establish and publicize random parking holidays within the DDA area when parking will be free for the day*, on roll call the vote was as follows:

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

Nays, 0.

The Mayor declared the motion carried.

The question being reform No. 8 - *Establish rate system for on street parking meters that*

encourages long-term parkers into four (4) hours long-term meter spaces through reduced hourly rates at those meters, on roll call the vote was as follows:

Yeas, Councilmembers Lowenstein, Carlberg, Herrell, Hartwell, Higgins, Kolb, Upton, 7;

Nays, Councilmembers Daley, Hanna-Davies, Hieftje, Mayor Sheldon, 4.

The Mayor declared the motion carried.

The question being reform No. 9 - *Investigate and install diagonal parking spaces on appropriate streets in the vicinity of the DDA area to increase the number of parking spaces and look for opportunities to increase additional on-street parking spaces, on roll call the vote was as follows:*

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

Nays, 0.

The Mayor declared the motion carried.

The question being the second Resolved clause as follows:

RESOLVED, That the City establish a Parking Ticket Amnesty period within fiscal year 2000/2001, when old (two weeks or older) parking tickets, except for citations issued for violations of parking in fire lanes, fire hydrants or handicap spaces, can be brought in and the original fine amount paid off;

On roll call the vote was as follows:

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

Nays, 0.

The Mayor declared the motion carried.

Councilmember Lowenstein exited at approximately 11:15 p.m.

The question being the third Resolved clause as follows:

RESOLVED, That the City install parking meters on Fifth Avenue and Division Street, where appropriate, as recommended to City Council by the Public Services Department;

On roll call the vote was as follows:

Yeas, Councilmembers Carlberg, Kolb, 2;

Nays, Councilmembers Herrell, Hartwell, Higgins, Daley, Hanna-Davies, Hieftje, Upton, Mayor Sheldon, 8.

The Mayor declared the motion defeated.

The question being the fourth Resolved clause as follows:

RESOLVED, That the City Administrator provide City Council with a report on the implementation of these reform measures and any significant revenue changes within 45 days.

On a voice vote the Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-553-11-00

RESOLUTION TO DEVELOP ON STREET PARKING PROGRAM REFORMS

Whereas, Parking in the downtown area has always stirred the passions of visitors to Ann Arbor;

Whereas, Parking meters were invented and installed in downtown areas to encourage turnover of parking spaces so customers of downtown businesses could find a place to park;

Whereas, Enforcement of parking meter rules and regulations is important for the ensured turnover in parking spaces;

Whereas, Enforcement often is seen by customers as overly aggressive, a deterrent to shopping downtown and used primarily as a source of revenue for the city; and

Whereas, The City through enforcement wants to encourage turnover in parking spaces, but not to the point of discouraging visitors, residents and shoppers from coming to our downtown area;

RESOLVED, That the following reforms be initiated in the city's street meter parking program:

1. Adjust parking meters to have a ten (10) minute grace period;
2. Establish written policy on the ability of parking enforcement officers to void tickets when customer arrives to move vehicle as ticket is being written;
3. Establish a "Freedom from Fine" program for anyone who receives a parking ticket for expired meter and parking over legal limit violations without having any other parking ticket violations within six months of the receiving the ticket;
4. Establish "Free End of the Year" parking program that will encourage shoppers downtown and still allow turnover of meter spaces;
5. Establish and publicize random parking holidays within the DDA area when parking will be free for the day;
6. Establish rate system for on street parking meters that encourages long-term parkers into four (4) hours long-term meter spaces through reduced hourly rates at those meters; and
7. Investigate and install diagonal parking spaces on appropriate streets in the vicinity of the DDA area to increase the number of parking spaces and look for opportunities to increase additional on-street parking spaces;

RESOLVED, That the City establish a Parking Ticket Amnesty period within fiscal year 2000/2001, when old (two weeks or older) parking tickets, except for citations issued for violations of parking in fire lanes, fire hydrants or handicap spaces, can be brought in and the original fine amount paid off; and

RESOLVED, That the City Administrator provide City Council with a report on the implementation of these reform measures and any significant revenue changes within 45 days.

R-554-11-00 APPROVED

RESOLUTION CONCERNING GENETIC ENGINEERING
IN FOOD AND AGRICULTURE

Whereas, The Ann Arbor community has a right to know whether the food it consumes contains or is produced with genetically engineered material, due to environmental, health, ethical, religious, or economic concerns associated with genetically engineered food;

Whereas, Genetic engineering in agriculture threatens sustainable, regional, non-corporate agriculture upon which the economy and character of the Ann Arbor community depends;

Whereas, Insufficient knowledge currently exists as to the long-term environmental and human health risks of genetic engineering in agriculture;

Whereas, Significant risks of genetic engineering in agriculture have been published in peer-reviewed, scientific journals and include risks to beneficial insects¹, creation of herbicide-resistant weeds², unexpected allergic reactions³, harm to laboratory rat intestinal

¹Losey, J.E., L.S. Rayor, and M.E. Carter. *Nature* v. 399, p. 214 (1999).

²*Nature* v. 380, p. 31 (1996).

³Nordlee, J.A., S.L. Taylor, J.A. Townsend, L.A. Thomas, and R.K. Bush. *New England Journal of Medicine* v. 334, pp. 688-692 (1996).

function⁴, and decreased nutritional content of foods⁵;

⁴Ewen, S.W.B. and Pusztai, A. *Lancet* v. 354, pp. 1353-1354 (1999).

⁵Lappe, M. *The Journal of Medical Foods* v. 1 (1999)

Whereas, Numerous bioengineers and scientists have gone on record stating that genetic engineering technology is clearly different from traditional breeding methods and carries the risk of unpredictable health or environmental risks⁶;

Whereas, Genetic engineering in agriculture may threaten organic crops through pollen drift and cross pollination, and reinforces an agricultural system that includes unsustainable, high-input methods;

Whereas, In 1999, over 60 million acres of genetically engineered crops were cultivated in the United States; and

Whereas, The federal government currently does not require genetically engineered food and products to be labeled and does not require that they be independently tested for safety;

RESOLVED, That the Ann Arbor City Council support the establishment of federal legislation to ban growing, disseminating, and marketing products that contain genetically engineered organisms until they have been proven safe for human consumption and the environment. This legislation will create and implement a transparent system to assess the socioeconomic, environmental, and human health impacts of genetic engineering in agriculture that conforms to rigorous scientific standards, requires a demonstration of a reasonable certainty of no harm, shift the burden of proof and cost to the manufacturer, and permanently codify the precautionary principle;

RESOLVED, That for products that meet the burden of proof of safety, the Ann Arbor City Council supports the establishment of federal legislation requiring mandatory, clear, accurate, and complete labeling of all food and products, whether foreign or domestic, derived from, processed with, produced by, containing, or consisting of genetically engineered organisms;

RESOLVED, That the Ann Arbor City Council encourage discussion among the greater community to facilitate public input on this and further action regarding genetic engineering in food and agriculture; and

RESOLVED, That a copy of this resolution be transmitted to our State and Federal

⁶U.S. Food and Drug Administration internal memoranda, Admin. Record Numbers 18572, 19179, 18960, and 18990.

representatives requesting their support on the enactment of the proposed federal legislation (HR 3377.IH and S 2080.IS regarding food labeling and HR 3883.IH regarding tests for safety).

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-555-11-00 APPROVED

RESOLUTION TO APPROVE FOXFIRE PHASE IIC REVISED
SITE CONDOMINIUM SITE PLAN, WETLAND USE PERMIT
AND REVISED DEVELOPMENT AGREEMENT

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Foxfire Phase IIC Revised Site Condominium Site Plan, Wetland Use Permit and Revised Development Agreement, 31.41 acres, north of Dhu Varren Road, south of US-23 and east of the Ann Arbor Railroad.

Whereas, Guenther Building Company has requested revised site condominium site plan approval in order to relocate a sanitary sewer line and revise the extent of a wetland boundary in Foxfire Phase IIC;

Whereas, A wetland use permit has been requested to allow construction of the sanitary sewer line in a wetland and grading and construction within 500 feet of a stream; and

Whereas, The development agreement has been revised to reflect changes to the site plan and City Code amendments since the previous site plan was approved; and

Whereas, The Ann Arbor City Planning Commission, on October 17, 2000, recommended approval of said request;

RESOLVED, That City Council approve the Foxfire Phase IIC Revised Development Agreement, substantially in the form of that attached, dated October 25, 2000;

RESOLVED, That City Council approve the Foxfire Phase IIC Revised Site Plan, upon the conditions that (1) the Development Agreement is signed by all necessary parties; (2) all terms of the Development Agreement are satisfied, and (3) utility easements are recorded prior to the issuance of building permits;

RESOLVED, That City Council approve the Foxfire Phase IIC Wetland Use Permit to allow the boring of a 380-linear foot sanitary sewer line within a wetland, to allow the open trench installation of a sanitary sewer line within a 100-year floodplain, and to allow grading and construction within 500 feet of a stream; and

RESOLVED, That City Council approve the alternative mitigation plan to allow the dedication of 53,579 square feet of wetland and buffer area to the City as parkland to satisfy the 36,917-square foot wetland mitigation requirement.

Councilmember Hartwell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-556-11-00 APPROVED

RESOLUTION TO APPROVE 2074 SOUTH MAIN STREET
REVISED SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed 2074 South Main Street Revised Site Plan, 0.33 acre.

Whereas, Dr. Ray Maturo has requested revised site plan approval in order to construct a 2,031-square foot addition onto the existing building at 2074 South Main Street; and

Whereas, The Ann Arbor City Planning Commission, on October 17, 2000, recommended approval of said request;

RESOLVED, That City Council approve the 2074 South Main Street Revised Site Plan.

Councilmember Hartwell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-557-11-00 APPROVED

RESOLUTION TO APPROVE KAPUR ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Kapur Annexation, 4.06 acres, 1125 Arlington Boulevard.

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, Dee and Vera Kapur are the owners of said property; and

Whereas, It is the desire of Dee and Vera Kapur 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:

Beginning at the intersection of the centerline of Aberdeen Drive with the centerline of Arlington Boulevard as recorded in AAssessor=s Plat No. 41,= part of the Northeast 1/4 of Section 34, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 12, pages 45 and 46, Washtenaw County Records; thence N 52°23' 00" E 319.99 feet along the centerline of said Aberdeen Drive; thence Northeasterly 153.62 feet continuing along said centerline in the arc of a 201.66-foot radius circular curve to the left, through a central angle of 43°38'50", having a chord which bears N 30°32'22" E 149.93 feet to a point on the centerline of Mallory Drive (abandoned); thence S 53°59'08" E 234.11 feet along said centerline to a point on the West line of ARiverside Hills Subdivision No. 1,= a part of the Northeast 1/4 of Section 34, and a part of the Northwest 1/4 of Section 35, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 13 of Plats, pages 19 and 20, Washtenaw County Records; thence S 03°32'34" E 349.43 feet along said West line; thence S 86°25'12" W 431.65 feet to a point on the centerline of Arlington Boulevard; thence N 23°39'56" W 20.27 feet along said centerline; thence Northwesterly 198.91 feet continuing along said centerline in the arc of a 795.30-foot radius circular curve to the left, through a central angle of 14°19'46", having a chord which bears N

30°49'50" W 198.39 feet to the Point of Beginning. Being a part of said Assessor's Plat No. 41" and other lands in the Northeast 1/4 of Section 34, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan, and containing 4.06 acres of land, more or less. Being subject to the rights of the public over the Northeasterly 30 feet of Arlington Boulevard and the Southeasterly 30 of Aberdeen Drive. Also being subject to easements and restrictions of record, if any.

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-558-11-00 APPROVED

RESOLUTION TO APPROVE TYLER ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Tyler Annexation, 0.59 acre, 381 Orchard Hills Drive.

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

Whereas, William C. and Jody T. Tyler are the owners of said property; and

Whereas, It is the desire of William C. and Jody T. Tyler 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:

Lot 6, Orchard Hills, a subdivision in the East one half of the Southwest one quarter of Section 27, Ann Arbor Township, Washtenaw County, Michigan, recorded in Liber 5 of Plats, page 2, Washtenaw County Records.

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-559-11-00 APPROVED

RESOLUTION RESTORING TWO-WAY TRAFFIC
IN STATE STREET AREA

Whereas, The DDA has committed itself to an extensive streetscape improvement project in the State Street Area;

Whereas, In anticipation of this project, the DDA commissioned a study from the University of Michigan, including an assessment of the State Street Area current and potential customer base, its urban design strengths and weaknesses, and the public policy issues that affect the district;

Whereas, Extensive data collection led the UM study team to put forward a number of findings, including a strong recommendation that the City modify its pattern of one-way streets in the State Street area, specifically restoring two-way traffic along S. State Street, E. Liberty, N. University, Thompson, and Maynard Streets;

Whereas, Restoring two-way traffic patterns along these streets would enable visitors, customers, and others to more readily enter and navigate the area, making it more attractive as a shopping and residential district;

Whereas, Restoring two-way traffic patterns would provide better linkages between the State Street area and other sectors of the University and community, making the area more accessible for alternate transit options, and would strengthen the pedestrian use of the area, as vehicular traffic speeds would be moderated;

Whereas, This recommendation has been strongly endorsed by the DDA, the State Street Area Association, the Citizen=s Advisory Council, and the State Street Design Advisory Committee, in addition to a number of other area stakeholders; and

Whereas, Local media has featured information on the issue for nearly two years and several public meetings and a public hearing before City Council have been held to elicit community input;

RESOLVED, That City Council direct the restoration of two-way traffic in the State Street Area, specifically along S. State, from E. Liberty to E. William; E. Liberty, from S. State to Thompson; N. University, from Thayer to S. State, Thompson, from Liberty to Jefferson; and Maynard, from E. Liberty to E. William Streets; and

RESOLVED, That the physical reconstruction needed to implement these changes

be a part of the pedestrian improvements project contract overseen by the DDA to enhance construction coordination and minimize community inconvenience.

Councilmember Carlberg moved that the resolution be adopted.

Councilmember Upton moved that the first Resolved clause be amended as follows:

RESOLVED, That City Council direct the restoration of two-way traffic in the State Street Area, specifically along [~~S. State, from E. Liberty to E. William; E. Liberty, from S. State to Thompson;~~] N. University Avenue, from Thayer to S. State; Thompson, from Liberty to Jefferson; and Maynard, from E. Liberty to E. William;

The motion died for lack of support.

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

R-560-11-00 APPROVED

RESOLUTION TO APPROVE FINAL PAYMENT FOR GEDDES AVENUE WATER MAIN REPLACEMENT TO THE UNIVERSITY OF MICHIGAN

Whereas, The existing water main on Geddes Avenue from Observatory to Washtenaw Avenue was found to be at the end of its useful life and replaced;

Whereas, The University of Michigan desired to expedite the project and agreed to pay 25% of project expenses and provided design, bidding and construction management of the project;

Whereas, There were unanticipated construction problems and the contractor needs to be compensated for these problems;

Whereas, The Project was completed in late 1999 and now all construction claims are settled; and

Whereas, The City=s share of the final balancing change order is \$41,634.50;

RESOLVED, That City Council approves a payment to the University of Michigan in the amount of \$41,634.50 for completion of the project; and

RESOLVED, That the funds be appropriated from the operating fund balance for the

Water Supply System to finance the payment to the University of Michigan.
Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-561-11-00 APPROVED

RESOLUTION TO APPROPRIATE GRANT FUNDS FOR
FISCAL YEAR 2000-01 LESLIE SCIENCE CENTER BUDGET

Whereas, The Leslie Science Center received a grant from the Carls Foundation for \$13,000.00 and from the State of Michigan Energy Office for \$5,000 in 2000-01; and

Whereas, The appropriations of the \$18,000.00 will allow the City to provide services that were agreed to as part of the grant agreements;

RESOLVED, That the Mayor and Council appropriate \$13,000.00 in grant revenues into the FY 2000/2001 Leslie Science Center budget to be used for the Headstart program and \$5,000.00 in grant revenues for the Solar Energy Grant for the life of the projects, without regard to fiscal year.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-562-11-00 APPROVED

RESOLUTION TO ACCEPT AND APPROPRIATE FUNDS TO REIMBURSE
OVERTIME COSTS FOR OFFICERS ASSIGNED TO L.A.W.N.E.T.

Whereas, The Police Department has five employees assigned to L.A.W.N.E.T.;

Whereas, L.A.W.N.E.T. has received a grant from HIDTA to reimburse costs associated with overtime; and

Whereas, L.A.W.N.E.T. will use these funds to reimburse the Ann Arbor Police Department for up to \$3,000.00 per employee for incurred overtime costs ;

RESOLVED, That City Council accept the funds from L.A.W.N.E.T. for reimbursement of costs associated with overtime for employees assigned to L.A.W.N.E.T.;

RESOLVED, Funds received from L.A.W.N.E.T. be appropriated to the Police Department general funds account.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-563-11-00 APPROVED

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

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

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

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

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-564-11-00 APPROVED

RESOLUTION TO AUTHORIZE CITY ADMINISTRATOR TO NEGOTIATE WITH AMERICAN MANAGEMENT SYSTEM, INC. (AMS) FOR ITS UPGRADE TO THE AMS FINANCIAL ADVANTAGE SOFTWARE

Whereas, The City of Ann Arbor has determined the need to replace the current financial system software due to deficiencies in the system;

Whereas, The recommendation is in line with the City's 1998 Information Services and Technology Strategic Plan to migrate software applications off the mainframe to a client server version;

Whereas, City staff performed the necessary background investigation to assess the needs of the city's internal and external customers, and found that the current financial system does not meet the city's functionality requirement's;

Whereas, The Finance Department and ITSD members evaluated and selected the software and vendor that best met the city's requirements;

Whereas, It has been determined that the City's present financial software vendor, American Management Systems, Inc. (AMS) has client server software that meets the City's needs; and

Whereas, The Finance Department's recommendation is to purchase upgrades to AMS's Financial Advantage software;

RESOLVED, That the City of Ann Arbor continue to support the Finance Department in it efforts to develop and implement an upgraded comprehensive financial system; and

RESOLVED, That the City Administrator be authorized to negotiate the cost with American Management Systems, Inc. (AMS) to purchase and install upgraded system components including, but not limited to: Budget, General Ledger, Accounts Payable and Accounts Receivable, Purchasing, Fixed Assets, Grant Accounting, and Human Resources.

Councilmember Upton moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-565-11-00 APPROVED AS AMENDED

RESOLUTION TO APPOINT A NOMINEE TO THE NEIGHBORHOOD ADVISORY COUNCIL FOR THE HURON STREET SHELTER

A resolution to appoint a nominee to the Neighborhood Advisory Council for the Huron Street Shelter was considered.

Councilmember Hieftje moved that the resolution be adopted.

Councilmember Hieftje moved that Paul Dannels be nominated as the City of Ann Arbor designee to the Neighborhood Advisory Council for the Huron Street Shelter.

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-565-11-00

RESOLUTION TO APPOINT A NOMINEE TO THE NEIGHBORHOOD ADVISORY COUNCIL FOR THE HURON STREET SHELTER

Whereas, A Neighborhood Advisory Council for the Huron Street Shelter is being created;

Whereas, The Washtenaw County Board of Commissioners will make the initial appointments at its meeting on November 15, 2000; and

Whereas, The Washtenaw County Board of Commissioners will fill positions representing the Old West Side Neighborhood Association, a resident of Chapin Street, a nearby commercial property owner, DDA Citizens Advisory Council, At Large and a City of Ann Arbor designee;

RESOLVED, That the Ann Arbor City Council nominates Paul Dannels as the City of Ann Arbor designee to the Neighborhood Advisory Council for the Huron Street Shelter.

R-566-11-00 APPROVED

RESOLUTION TO ACCEPT BOARD OF INSURANCE ADMINISTRATION MINUTES OF NOVEMBER 3, 2000 AND TO AUTHORIZE PAYMENTS

RESOLVED, That the attached Board of Insurance Administration Minutes of November 3, 2000, be accepted and that the payments therein be authorized:

MINUTES
CITY OF ANN ARBOR BOARD OF INSURANCE ADMINISTRATION
NOVEMBER 3, 2000

Present: Joe Upton, Councilperson
Brenda Smith, City Treasurer
Christopher Kolb, Councilperson 3.

Absent: None

Also Present: James Armstrong, Safety Manager
Neal Berlin, City Administrator
Abigail Elias, City Attorney
Bob West, Assistant City Attorney
Tom Blessing, Chief Assistant City Attorney
Craig Hupy, Utilities Department
Susan Campbell, Risk Management Office
Crisca Bierwert, Claimant
Scott Jones, Claimant
Melvin Williams, Claimant 10.

CLAIMS DENIED:

CASE NO.

CC 221-00 Sewer back up claim of Scott & Mary Jones (2258 Parkwood)
Discussed by Scott Jones, Claimant and the Board denied the claim.

CC 217-00 Property damage claim of Detroit Edison (304 South State Street)
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board denied the claim.

CC 233-00 Vehicle damage claim of Prudential Insurance for Rebecca Szado
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board denied the claim.

CC 252-00 Personal injury claim of Timothy Ralston by David Hill, Attorney
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board denied the claim.

OTHER BUSINESS:

CASE NO.

CC 38-00 Personal injury claim of Patty LaMoreaux
Discussed by Bob West, Assistant City Attorney and the Board tabled the

claim pending further information.

- CC 174-00 Vehicle damage claim of Joann Rice
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board tabled pending further information.
- CC 235-00 Vehicle damage claim of Nihar Kanodia
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board tabled pending further information.
- CC 109-99 & Property damage claim of Crisca Bierwert (1575 Miller)
CC 17-00 Discussed by Crisca Bierwert, Claimant and the Board authorized settlement.
CC 73-00 Sewer back up claim of Melvin Williams (520 W. Washington)
Discussed by Melvin Williams, Claimant and the Board authorized settlement.
- CC 131-98 Lawsuit of Stella Swope by James Plakas, Attorney
Discussed by Bob West, Assistant City Attorney and the Board authorized settlement.
- CC 248-00 Vehicle damage claim of Catherine Morrissey
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board authorized settlement.
- CC 96-99 Personal injury claim of Douglas Mooney by George Burke
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board authorized settlement.
- CC 250-00 Property damage claim of Dudley Barlow
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board authorized settlement.
- CC 161-00 Sewer back up claim of Sandra Weimert (1904 Austin)
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board authorized settlement.
- CC 226-00 Sewer back up claim of Dorothy Gray (2010 Wiltshire Court)
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board authorized settlement.
- CC 232-00 Sewer back up claim of Don Johnson (700 Madison Place)
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board authorized settlement.

- CC 9-00 Sewer back up claim of Westfield Insurance for Draugalis Studio (1945 Pauline)
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board authorized settlement.
- CC 197-00 Sewer back up claim of Martha Loukotka (2701 Sequoia Parkway)
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board authorized settlement.
- CC 253-00 Sewer back up claim of Indu & Sunny Khosla (2333 Georgetown)
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board authorized settlement.
- CC 139-00 Sewer back up claim of John Rasmussen (2603 Whitewood)
Discussed by Jim Armstrong, Manager of Safety & Risk Mgt. and the Board authorized settlement.

Prepared by Susan Campbell,
Senior Secretary/Claims Processing Clerk

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-567-11-00 APPROVED

RESOLUTION REGARDING SETTLEMENT WITH
ARBOR HILLS PROPERTIES, LLC ET AL

Whereas, City Council authorized the City Administrator and the City Attorney by Resolution R-392-7-99, dated July 6, 1999, to commence condemnation proceeding for acquisition of an easement for a portion of 2001 S. Huron Parkway, Ann Arbor; and

Whereas, The matter having been mediated on October 25, 2000, and scheduled by the Court for a settlement conference on January 4, 2001;

RESOLVED, That the City Administrator and City Attorney be granted limited authority to settle this proceedings in accordance with the recommendation of the City Attorney;

RESOLVED, That the City Administrator be authorized to execute all documents

which are approved by the City Attorney and which are necessary for the settlement of this case.

Councilmember Daley 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

- X HUD has recognized the Green Brier Apartments, Pine Valley Apartments and Traver Ridge Apartments, for helping to meet the needs of affordable housing in the community.
- X A proclamation was recently signed recognizing the Ann Arbor Fire Department Emergency Management Division Winter Hazards Awareness Week, November 5-11, 2000;
- X The FAA has selected the Ann Arbor Airport Control Tower as A Facility of the Year Level 5 tower.

THANK YOU

Mayor Sheldon thanked her assistant Barbara Dankert and past assistant Kathi Seglund for a job well done, and thanked City staff members who work hard to meet the needs of the community. The Mayor also thanked the citizens of Ann Arbor for allowing her the opportunity to work with them to serve the community.

APPOINTMENTS APPROVED / POSTPONED

Mayor Sheldon recommended the following appointments at the October 16, 2000 regular

session of Council:

Cable Communications Commission

Alan Dailey (to fill McDaniel vacancy)
3206 Alpine Dr. 48108
Term: 11/09/00 to 04/05/03

Local Officers= Compensation Commission

Michael Koen (to fill vacancy)
1930 Washtenaw Ave. 48104
Term: 11/09/00 to 09/30/04

Bicycle Coordinating Committee

Eric Britner (to fill vacancy)
544 Galen Cir. 48103
Term: 11/09/00 to 11/08/03

Community Development Citizens= Participation Executive Committee

Denise Simmons (to fill vacancy)
324 S. Ashley St., #4 48104
Term: 11/09/00 to 06/30/03

Elizabeth Dean Fund Committee

Donald H. Gray (to fill vacancy)
1704 Morton Ave. 48104
Term: 11/09/00 to 07/31/02

Planning Commission - **POSTPONED**

R. Scott Wade (to replace Megan Gibb)
1838 Joseph St. 48103
Term: 11/09/00 to 06/30/03

Kristen Gibbs (to replace Victoria Hueter)
2080 Pauline Blvd., Apt. 2A 48103
Term: 11/09/00 to 06/30/03

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

Councilmember Carlberg moved that the Planning Commission appointments be postponed until the November 20 Regular Session of Council to allow the new Councilmembers an opportunity to review the appointments.

On a voice vote the Mayor declared the motion carried.

The question being the remaining recommendations of the Mayor, on a voice vote the Mayor declared the motion carried.

NOMINATION PLACED ON TABLE

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

City Market Commission

Scott Douglas (to fill unexpired term)
2680 N. Zeeb Rd.
Dexter, MI 48130
Term: 11/20/00 to 12/31/01

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Affordable Housing Implementation Efforts - Quarterly Report
2. Material Recovery Facility Annual Report
3. 1st Quarter - Quarterly Report
4. Huron Parkway-Washtenaw Avenue Intersection Improvements Project Status
5. Traffic Calming Program Update
6. Buffalo Street Parking Lot
7. Community Development Block Grant (CDBG) and HOME Program Budgets
8. Resolution to Develop On-Street Parking Reform Program

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

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

FAREWELLS

Councilmembers Herrell, Carlberg, Kolb, Upton, Hartwell, Hieftje expressed their appreciation to departing Mayor Sheldon and Councilmembers Tobi Hanna-Davies and Elisabeth Daley.

Councilmembers Hanna-Davies and Daley gave farewell speeches and expressed their appreciation for serving the community and working together with all Councilmembers.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Peter Long, EDC Counsel, transmitting the 2000 Annual Report and Balance Sheet of the Ann Arbor Economic Development Corporation - File.
2. Communication from Washtenaw County Clerk/Register Peggy M Haines transmitting A Resolution Setting the 2000 Washtenaw County Millage Rate at 5.4759, ≡ adopted October 18, 2000 by Washtenaw County Board of Commissioners - Finance.

The following minutes were received for file:

1. Planning Commission - September 14, 2000
2. Ann Arbor Transportation Authority - September 20 and October 5, 2000

3. Building Board of Appeals - August 9 and September 13, 2000
4. Planning Commission - September 19, 2000
5. Airport Advisory Committee - October 18, 2000
6. Employees= Retirement System Board - September 21, 2000
7. Retiree Health Care (VEBA) Board - September 21, 2000
8. Downtown Development Authority - October 4, 2000

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

DANIEL SOZA - COUNCILMEMBER DALEY

Daniel Soza, City of Saginaw Councilmember, presented outgoing Councilmember Daley with a proclamation from the City of Saginaw in recognition of her years of service to the community. Mr. Soza noted Councilmember Daley=s work on affordable housing, affirmative action, and gender and job equity.

ADJOURNMENT

There being no further business to come before Council, the Mayor declared the meeting adjourned at 12:50 a.m.

Yvonne Carl
Clerk of the Council

Janet L. Chapin
Recording Secretary