

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - OCTOBER 20, 2003**

Mayor John Hieftje called the regular session of the Ann Arbor City Council to order at 7:33 p.m. in the City Hall Council Chamber.

Council stood for a moment of silence.

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

ROLL CALL OF COUNCIL

PRESENT : Council Members Kim Groome, Robert M. Johnson, Joan Lowenstein, Michael R. Reid, Jean Carlberg, Heidi Cowing Herrell, Margie Teall, Marcia Higgins, Christopher Easthope, Wendy A. Woods, Mayor John Hieftje, 11.

ABSENT : 0.

INTRODUCTIONS

PRESENTATION OF EMERGENCY MANAGEMENT CERTIFICATES

Mayor Hieftje presented certificates from the State of Michigan Police to Myron Blackwell, Lucy Teets, and Frances Todoro-Hargreaves for completion of the Emergency Management Division training.

PRESENTATION OF ART FAIR ARTWORK

Sherry Brown, representing the Ann Arbor Art Fair, presented three pieces of artwork to the city.

PUBLIC COMMENTARY - RESERVED TIMEPALESTINE

The following people spoke to Council about issues in Palestine:

Blaine Coleman, P.O. Box, 7038

Henry Herskovitz, 404 Mark Hannah

Phil Carroll, 1006 Lincoln Avenue

LISA GOTTLIEB – SISTER CITY PROPOSAL WITH CUBA

Lisa Gottlieb, 722 Soule, informed Council that a slide presentation regarding the proposal to include Cuba as a Sister City would be given at the November 6, 2003 Council meeting.

KIM WALDO – PROPOSITION B

Kim Waldo, 3423 Charring Cross, thanked Council for placing Proposition B on the November 4, 2003 ballot.

RECESS FOR CLOSED SESSION

Council Member Easthope moved seconded by Council Member Teall that the regular session of Council be recessed to discuss pending litigation and attorney-client communication.

On roll call, the vote was as follows:

Yeas, Council Members Carlberg, Herrell, Teall, Higgins, Easthope, Woods, Groome, Johnson, Lowenstein, Reid, Mayor Hieftje, 11;

Nays, 0.

The Mayor declared the motion carried and the meeting recessed at 8:06 p.m.

Council Member Woods moved, seconded by Council Member Groome to reconvene the regular session of Council.

On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 8:53 p.m.

Council Member Johnson moved, seconded by Council Member Herrell to adopt the resolution presented in closed session.

R-456-10-03 APPROVED

RESOLUTION TO AUTHORIZE SETTLEMENT OF THE PENDING CONTESTED CASE REGARDING PALL LIFE SCIENCE'S NPDES PERMIT NO. MI 0048453

RESOLVED, That the City Attorney and outside council be authorized to proceed with settlement of this contested case on the terms discussed in closed session.

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

Council Member Easthope moved, seconded by Council Member Higgins to adopt the resolution presented in closed session.

R-457-10-03 APPROVED

RESOLUTION TO AUTHORIZE SETTLEMENT OF CASE NO. 03-20-NZ, PETERS VS THE CITY OF ANN ARBOR

RESOLVED, That the City Attorney be authorized to settle this matter within the authority given by Council in closed session.

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

PUBLIC HEARINGS

FEES AND BONDS REQUIRED, CIRCUSES, SHOWS AND EXHIBITIONS, ANIMALS, ANIMAL CONTROL ORDINANCE, HORSE DRAWN VEHICLES FOR HIRE (ORDINANCE NO. 42-03)

A public hearing was conducted on the proposed Ordinance to amend Sections 7:33 - License for A-D; 7:34 - Licenses for E-H and 7:37 - Licenses for Q-T of Chapter 77 - Fees and Bonds Required of Title VII; to amend Sections 7:331 - Show License and 7:332 - Animal Shows and Exhibitions of Chapter 88 - Circuses, Shows and Exhibitions of Title VII; to Repeal the Existing Chapter 107 – Animals, except for Section 9:39 – Bees and add a new Chapter 107 – Animal Control Ordinance of Title IX, and to Repeal the Existing

Chapter 129 – Horse Drawn Vehicles for Hire of Title X of the Code of the City of Ann Arbor. Notice of public hearing was published October 19, 2003.

The following people expressed concern with the proposed Animal Ordinance:

Lawrence McKenna, 1818 Packard

The following people spoke in support of the proposed Animal Ordinance:

Josephine Kelsey, executive director of The Humane Society of Huron Valley

Kristine Simon, Ann Arbor Resident

Ken Clark, 497 Larkspur Street

Freda Herseth, 2209 Stellar Road

Carol Akerlof, 2229 Needham Road

Braxton Blake, 2209 Stellar Road

Dee Strom, 2580 Seminole

Sally Daniels, 1847 Packard

Karen Young, director of Bird Rescue of Huron Valley

Dorothy Davies, director of an animal sanctuary in Manchester, Michigan

Patty Maki, Ann Arbor resident, asked how the danger level for dogs would be determined in the proposed Ordinance.

There being no further comment, the Mayor declared the hearing opened. The hearing will be continued on November 6, 2003.

ASHLEY MEWS PUD SUPPLEMENTAL REGULATIONS ZONING (ORDINANCE NO. 39-03)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of Ashley Mews PUD Supplemental Regulations to Revised PUD Supplemental Regulations, located on the west side of Main Street. Notice of public hearing was published October 5, 2003.

Scott Munzel, 110 Miller, representing the owner, addressed Council regarding the proposed Ashley Mews PUD Supplemental Regulations zoning.

Ray Detter, chair of the Citizens Advisory Council, spoke in support of the proposed rezoning.

There being no further comment, the Mayor declared the hearing closed.

TRAFFIC (ORDINANCE NO. 41-03)

A public hearing was conducted on the proposed Ordinance to amend Sections 10:87 – Intoxicants or Controlled Substances, and 10:88– Permitting Intoxicated or Drugged Person to Operate Vehicle, of Chapter 126 – Traffic, of Title X and add a new Subsection 10:87(6)– Intoxicants or Controlled Substances to Chapter 126 of Title X of the Code of the City of Ann Arbor. Notice of public hearing was published October 19, 2003.

There being no one present for comment, the Mayor declared the hearing closed.

LOCAL LAW ENFORCEMENT BLOCK GRANT

A public hearing was conducted on the Local Law Enforcement Block Grant. Notice of public hearing was published October 19, 2003.

There being no one present for comment, the Mayor declared the hearing closed.

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

Council Member Teall moved, seconded by Council Member Carlberg that the agenda be approved with the following changes:

Added After Newspaper Deadline:

MOTIONS AND RESOLUTIONS

Add &: ~~Resolution Establishing a Sister City Relationship Between the City of Ann Arbor and Remedios, Cuba (Council Member Groome)~~ **(Added 10/16/03; Deleted 10/20/03)**

Add: Resolution to Present Names for Council’s Consideration for Appointment to the Task Force to Review the City of Ann Arbor’s Animal Related Programs, Policies, Procedures and Ordinances – (Council Member Herrell) **(Added 10/17/03)**

Add: Resolution Establishing A City “Cool Cities” Taskforce (Mayor Hieftje and Council Member Woods) **(Added 10/20/03)**

Add: Resolution for Community Events Funds Disbursement From the 2003-2004 Budget (Council Members Higgins and Teall) **(Added 10/20/03)**

COMMUNICATIONS FROM THE CITY ATTORNEY

Add: Completion of Annexation from Pittsfield Township – Oxford Condominiums (Stephen K. Postema, City Attorney) **(Added 10/16/03)**

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

APPROVAL OF COUNCIL MINUTES

MINUTES OF OCTOBER 6, 2003 AND OCTOBER 7, 2003 APPROVED

Council Member Johnson moved, seconded by Council Member Carlberg that the Special Session minutes of October 6, 2003 be approved as presented and that the regular session minutes of October 7, 2003 be approved with minor changes.

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

CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following items were removed from the Consent Agenda and placed at the end of Motions and Resolutions:

Resolution Authorizing a Contract with Richard Kemner’s Truck Rental for the Rental of Four Rear Load Refuse Trucks (\$35,400.00) (Utilities - Sue F. McCormick, Director)

Resolution to Approve Amendment No. 1 to Blue Cross Blue Shield Contract to Add Aggregate Stop Loss Policy Coverage and Reduce Current Specific Stop Loss Policy Coverage (Human Resources – Carol Schuler, Director)

CONSENT AGENDA ITEMS APPROVED

Council Member Herrell moved, seconded by Council Member Lowenstein that the following Consent Agenda items be approved as presented:

R-435-10-03 APPROVED

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT TO
LANZO LINING SERVICES, INC., FOR THE SPRING
STREET STORM SEWER LINING PROJECT
BID NO. 3628 - \$239,175.00

Whereas, The existing storm sewer on Spring Street is in poor condition and needs to be repaired prior to Spring Street being resurfaced in 2004;

Whereas, Competitive bids were received by the Purchasing Division on September 4, 2003 and Lanzo Lining Services, Inc. of Roseville, Michigan, was the lowest responsible bidder at \$239,175.00;

Whereas, The budget of \$290,000.00 previously approved by City Council (R-186-6-03) has sufficient funds to complete the project;

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

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

Whereas, Lanzo Lining Services, Inc. received Human Rights approval on September 15, 2003 and complies with the living wage ordinance;

RESOLVED, That a contract in the amount of \$239,175.00 be awarded to Lanzo Lining Services, Inc. for the construction of the Spring Street Storm Sewer Lining Project (Bid No. 3628) to be funded from the approved budget;

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

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

R-436-10-03 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT
WITH AYRES, LEWIS, NORRIS & MAY, INC., (\$12,800.00) AND
ESTABLISH A PROJECT DESIGN BUDGET FOR THE
YOST SANITARY SEWER REPLACEMENT
PROJECT - \$20,000.00

Whereas, The rehabilitation of the existing 10-inch sanitary sewer beginning in Yost Boulevard and extending cross-lots to Darrow Drive is included in the City's Capital Improvements Plan for the 2004 construction season;

Whereas, It is necessary to retain the services of a professional consulting engineering firm to perform the design for the Yost Sanitary Sewer Replacement Project;

Whereas, Ayres, Lewis, Norris & May, Inc. has demonstrated the required experience, personnel, and competitive fee schedule to perform the engineering design of the Yost Sanitary Sewer Replacement Project; and

Whereas, Ayres, Lewis, Norris & May, Inc. received Human Rights approval on September 24, 2003, and employees working on this project will be paid living wages per the contract;

RESOLVED, That the City Council authorize a professional services agreement with Ayres, Lewis, Norris & May, Inc. in the amount of \$12,800.00 for the design of the Yost Sanitary Sewer Replacement 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 for the life of the project, to be available until expended without regard to fiscal year:

Section I - Revenue

\$20,000.00	Advanced from the Sewage Disposal System unobligated fund balance pending sale of Sewer Revenue Bonds, Series XIX, to be sold in 2003
\$20,000.00	TOTAL

Section II - Expense

\$12,800.00	Consulting
\$ 3,000.00	Project Management
\$ 1,100.00	Testing
\$ 1,100.00	Miscellaneous Costs
\$ 2,000.00	Contingencies
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\$20,000.00	TOTAL;

RESOLVED, That the city make the following declaration for the purpose of complying with the reimbursement rules of treasury regulations 1.150-2 pursuant to the internal revenue code of 1986, as amended, that the city reasonably expect to reimburse itself for expenditures for the costs of the project with proceeds of bonds; and

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

R-437-10-03 APPROVED

RESOLUTION TO APPROVE THE PURCHASE OF A NEW
MODEL 2100 VACTOR, JACK DOHENY SUPPLIES - \$252,473.00

Whereas, Jack Doheny Supplies is the sole source supplier of Vactor products in the Michigan, Ohio, and Northern Indiana area and submitted a bid of \$252,473.00; and

Whereas, Jack Doheny Supplies received Human Rights approval on February 3, 2003 and complies with the living wage ordinance;

RESOLVED, That the City Council approve the purchase of a model 2100 Vactor from Jack Doheny Supplies in the amount of \$252,473.00 from the FISCAL YEAR 2003/04 budgeted Storm Sewer Collection Operations and Maintenance Fund, with the funds to be available without regard to fiscal year.

R-438-10-03 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL DEVELOPMENT SERVICES CONTRACT WITH WASHTENAW COUNTY TO CONTINUE THE ANN ARBOR LEADERSHIP PROGRAM AT A COST OF \$80,000.00

Whereas, The City desires to continue the leadership training program for City supervisors, and managers with Washtenaw County;

Whereas, The City will receive the continuation of the core program plus four additional classes and the invitation to attend elective courses offered by the County for \$80,000.00;

Whereas, The funding for this project was budgeted in the Human Resources Department’s Employee Training Budget; and

Whereas, The County is in compliance with the City’s Human Rights and Living Wage Ordinances effective April 7, 2003;

RESOLVED, That the City Council approve entering into the Professional Development Services Contract with Washtenaw County for the amount of \$80,000.00 from funds budgeted in the Human Resources Department’s Employee Training Budget; and

RESOLVED, That the Mayor and City Clerk be hereby authorized to sign the contract on behalf of the City, after approval as to substance by the City Administrator and approval as to form by the City Attorney.

R-439-10-03 APPROVED

RESOLUTION TO APPROVE AN ALLOCATION TO LEGAL SERVICES OF SOUTH CENTRAL MICHIGAN IN THE AMOUNT OF \$16,440.00

Whereas, On June 2, 2003, City Council approved Resolution R-208-6-03 allocating \$7,955.00 to the Ann Arbor Tenants Union from the Community Development Department General Fund budget;

Whereas, The City has supported tenant services, including eviction prevention to avoid homelessness, landlord/tenant dispute counseling, and referrals to legal/financial resources;

Whereas, The Ann Arbor Tenants Union has experienced staff turnover and the loss of funding from the University of Michigan Student Assembly that has reduced its ability to deliver tenant services;

Whereas, The Boards of Directors of the Ann Arbor Tenants Union and Legal Services of South Central Michigan have agreed to allow Legal Services of South Central Michigan to assume programmatic responsibility for tenant services in Ann Arbor;

Whereas, Legal Services of South Central Michigan has developed a proposal to replace services provided by the Ann Arbor Tenants Union for City and County residents;

Whereas, Legal Services of South Central Michigan has requested reallocation of \$7,955.00 originally allocated to Ann Arbor Tenants Union;

Whereas, Legal Services of South Central Michigan has requested an additional allocation of \$8,485.00 from the non-departmental General Fund Housing and Human Services Contingency; and

Whereas, Legal Services of South Central Michigan received Living Wage and Human Rights approval in July 2003;

RESOLVED, That the Mayor and Council approve the reallocation of \$7,955.00 from the Ann Arbor Tenants Union to Legal Services of South Central Michigan for the provision of tenant services to Ann Arbor residents;

RESOLVED, That the Mayor and Council provide an additional allocation of \$8,485.00 to Legal Services of South Central Michigan to provide tenant services to Ann Arbor residents; and

RESOLVED, That the Mayor and City Clerk be authorized to execute an agreement with Legal Services of South Central Michigan to provide tenant services to Ann Arbor residents after approval as to substance by the City Administrator and approval as to form by the City Attorney.

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

R-440-10-03 APPROVED

RESOLUTION AUTHORIZING A CONTRACT WITH
RICHARD KEMNER'S TRUCK RENTAL FOR
THE RENTAL OF FOUR-REAR LOAD
REFUSE TRUCKS - \$35,400.00

Whereas, The City needs to rent rear load refuse trucks for use in the fall leaf collection program;

Whereas, Competitive bids were received by the Field Operations Unit of the Public Services Area and Richard Kemner's Truck Rental was the lowest responsible bidder;

Whereas, Richard Kemner's Truck Rental received Human Rights approval on October 7, 2003; and

Whereas, Sufficient funds are budgeted in the Public Services Area FISCAL YEAR 2004 budget;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute a rental contract with Richard Kemner's Truck Rental after approval as to substance by the City Administrator and as to form by the City Attorney; and

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

Council Member Groome moved, seconded by Council Member Johnson that the resolution be adopted.

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

POSTPONED

RESOLUTION TO APPROVE AMENDMENT NO. 1 TO BLUE CROSS BLUE SHIELD
CONTRACT TO ADD AGGREGATE STOP LOSS POLICY COVERAGE AND REDUCE
CURRENT SPECIFIC STOP LOSS POLICY COVERAGE

Council Member Easthope moved, seconded by Council Member Teall that the resolution be adopted.

Council Member Reid moved, seconded by Council Member Easthope to amend the resolution as follows:

1st RESOLVED Clause:

... RESOLVED, That City Council approve Amendment No. 1 to the Blue Cross Blue Shield contract to add aggregate stop loss coverage to the City's policy **at a cost of \$43,000.00** and reduce the specific loss coverage to \$50,000.00 from \$75,000.00 under the current terms of the policy as recommend by the City's brokers and City Administration; and...

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

The resolution as amended reads as follows:

POSTPONED

RESOLUTION TO APPROVE AMENDMENT NO. 1 TO BLUE CROSS BLUE SHIELD
CONTRACT TO ADD AGGREGATE STOP LOSS POLICY COVERAGE AND REDUCE
CURRENT SPECIFIC STOP LOSS POLICY COVERAGE

Whereas, The City entered into a contract with Blue Cross Blue Shield to provide City employees, retirees and their dependents Health Care Insurance coverage beginning July 1, 2003;

Whereas, The City Administration determined in early 1990's that aggregate stop loss coverage was not cost effective based on the then current claims experience history;

Whereas, The current approved contract does not include aggregate stop loss coverage and the City's administration believes that risk assumptions have changed and it is prudent to revise our coverage to include aggregate stop loss coverage at this time;

Whereas, The City's insurance brokers have provided an analysis of the City's specific stop loss coverage and recommended 1) the addition of aggregate stop loss coverage and 2) reduction of the specific stop loss coverage based on the City's claim experience; and

Whereas, The cost for these modifications to the City's existing coverage will offset each other so that no additional funds will be required above those budgeted for health insurance premiums in the FISCAL YE AR2003-2004 budget;

RESOLVED, That City Council approve Amendment No. 1 to the Blue Cross Blue Shield contract to add aggregate stop loss coverage to the City's policy at a cost of \$43,000.00 and reduce the specific loss coverage to \$50,000.00 from \$75,000.00 under the current terms of the policy as recommend by the City's brokers and City Administration; and

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

Council Member Reid moved, seconded by Council Member Easthope to postpone the resolution until November 6, 2003 for further review.

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

ORDINANCES - SECOND READING

42-03 POSTPONED

**FEES AND BONDS REQUIRED; CIRCUSES, SHOWS AND EXHIBITIONS;
REPEAL ANIMALS EXCEPT BEES AND ADD NEW CHAPTER – ANIMAL CONTROL
ORDINANCE; AND REPEAL HORSE DRAWN VEHICLES FOR HIRE**

An Ordinance to Amend Sections 7:33, 7:34 and 7:37 of Chapter 77 of Title VII, to Amend Sections 7:331 and 7:332 of Chapter 88 of Title VII, to Repeal the Existing Chapter 107, Except for Section 9:39 and Add a New Chapter 107 of Title IX, and to Repeal the Existing Chapter 129 of Title X of the Code of the City of Ann Arbor

(The complete text of Ordinance 42-03 is on file in the City Clerk's Office.)

Council Member Herrell moved, seconded by Council Member Groome that the ordinance be adopted at second reading.

Council Member Herrell moved, seconded by Council Member Teall to amend the ordinance as follows:

Add new Item D:

9:38(1)(d) The Ann Arbor Public Schools. which entity may be allowed to keep reptiles, amphibians, crustaceans, mollusks and fowl eggs.

Add new #7:

1:37(1)(h) Animals used for education purposes in the Ann Arbor Public Schools.

Mayor Hieftje recessed the meeting at 10:19 p.m. and reconvened the meeting at 10:30 p.m.

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

Council Member Higgins moved, seconded by Council Member Teall to postpone the ordinance until November 6, 2003 for further review.

On roll call, the vote was as follows:

Yeas, Council Members Teall, Higgins, Woods, Johnson, Reid, Mayor Hieftje, 6;

Nays, Council Members Groome, Lowenstein, Carlberg, Herrell, Easthope, 5.

The Mayor declared the motion carried.

39-03 APPROVED

ASHLEY MEWS PUD SUPPLEMENTAL
REGULATIONS ZONING

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

This ordinance would change the zoning Ashley Mews PUD, located on the west side of Main Street, from existing PUD Supplemental Regulations to Revised PUD Supplemental Regulations. (The complete text of Ordinance 39-03 is on file in the City Clerk's Office.)

Council Member Carlberg moved, seconded by Council Member Woods that the ordinance be adopted at second reading.

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

41-03 APPROVED

INTOXICANTS OR CONTROLLED SUBSTANCES, PERMITTING
INTOXICATED OR DRUGGED PERSON TO OPERATE VEHICLE – TRAFFIC AND ADD
NEW SECTION INTOXICANTS OR CONTROLLED SUBSTANCES

An Ordinance to Amend Sections 10:87 and 10:88 of Chapter 126, of Title X
and Add a New Subsection 10:87(6) to Chapter 126,
of Title X of the Code of the City of Ann Arbor

(The complete text of Ordinance 41-03 is on file in the City Clerk's Office.)

Council Member Easthope moved, seconded by Council Member Carlberg that the ordinance
be adopted at second reading.

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

ORDINANCES - FIRST READING

43-03 APPROVED

GREATER FAITH CHRISTIAN CHURCH ZONING

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

This ordinance would change the zoning of 0.1 acre, located at 3100 Platt Road, from P
(Parking District) to C1 (Local Business District). (The complete text of Ordinance 43-03 is on
file in the City Clerk's Office.)

Council Member Carlberg moved, seconded by Council Member Herrell that the ordinance be
approved at first reading.

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

POSTPONED

FIRE PREVENTION, COST RECOVERY OF
EMERGENCY SERVICES FOR NON-RESIDENTS

An Ordinance to Amend Chapter 111 of Title IX of the Code of the City of Ann Arbor by
Adding a New Section Which New Section Shall be Designated as Section 9:114 of
Chapter 111 of Title IX of the Code of the City of Ann Arbor

(The complete text of this ordinance is on file in the City Clerk's Office.)

Council Member Johnson moved, seconded by Council Member Lowenstein that the
ordinance be approved at first reading.

Council Member Johnson moved, seconded by Council Member Easthope that the ordinance
be postponed until November 6, 2003 for further review.

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

44-03 APPROVED

APPLICATION FOR TAXI CAB LICENSE,
PROOF OF INSURANCE

An Ordinance to Amend Section 7:153, (3) of Chapter 85
of the Code of the City of Ann Arbor

(The complete text of Ordinance 44-03 is on file in the City Clerk's Office.)

Council Member Teall moved, seconded by Council Member Higgins that the ordinance be
approved at first reading.

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

MOTIONS AND RESOLUTIONS

R-441-10-03 APPROVED

**RESOLUTION REGARDING CREDIT OF SITE PLAN REVIEW FEE
FOR GEORGETOWN COUNTRY CLUB**

Whereas, Georgetown Country Club (GTCC) submitted two site plan petitions, one in February 2001 and one in August 2001;

Whereas, The petition fees for these two petitions totaled \$2,122.40;

Whereas, GTCC submitted a site plan petition in June 2003, paying \$4,225.00, which reflected petition review fees revised in January 2003; and

Whereas, GTCC has requested that the two site plan review fees (\$2,122.40) paid in 2001 be credited toward the most recent site plan review fee;

RESOLVED, That the Mayor and City Council hereby authorize a credit of \$2,122.40 to Georgetown Country Club.

Council Member Carlberg moved, seconded by Council Member Herrell that the resolution be adopted.

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

R-442-10-03 APPROVED

**RESOLUTION TO APPROVE FY2003-04 BUDGET FOR COMMISSION ON
ART IN PUBLIC PLACES, ACCEPT A \$5,000.00 GRANT
FROM THE ANN ARBOR AREA COMMUNITY FOUNDATION
AND APPROPRIATE WHEN RECEIVED GRANT FUNDS
TO THE COMMISSION ON ART IN PUBLIC PLACES
AND AUTHORIZE THE COMMISSION ON ART IN PUBLIC PLACES
TO IDENTIFY AND APPLY FOR APPROPRIATE GRANTS**

Whereas, The Commission on Art in Public Places is a Commission created by the Mayor and Council;

Whereas, The Commission on Art in Public Places is required to present its annual budget to the Mayor and Council for approval;

Whereas, The Commission on Art in Public Places received \$7,000.00 in general fund support for fiscal year 2003-04;

Whereas, The Commission on Art in Public Places has been awarded a \$5,000.00 grant from the Ann Arbor Area Community Foundation to assist in the funding of a qualified consultant to facilitate the creation of a master plan for public art in Ann Arbor;

Whereas, The Commission on Art in Public Places has identified additional grant programs for which it qualifies; and

Whereas, Community support for public art and the work of the Commission on Art in Public Places may result in additional financial and in-kind donations to the City on behalf of the Commission's work;

RESOLVED, That Mayor and Council approve the fiscal year 2003-2004 CAPP budget and authorize the expenditure of the \$7,000.00 in general funds for CAPP for fiscal year 2003-04;

RESOLVED, That Mayor and Council accept the \$5,000.00 grant from the Ann Arbor Area Community Foundation, authorize the City Administrator to execute the necessary documentation to accept the funds, and appropriate on receipt the grant funds for the life of grant without regard to fiscal year to CAPP for the purpose of contracting for a consultant to prepare a master plan for public art in Ann Arbor;

RESOLVED, That Mayor and Council authorize the Commission on Art in Public Places application for additional grant funding consistent with its purpose as identified in founding resolution subject to approval, on an application-by-application basis, by the City Administrator, or his authorized designee; and

RESOLVED, That any additional grant awarded or donations to the City on behalf of the Commission on Art in Public Places during fiscal year 2003-2004 be subject to future approval and appropriation by City Council.

Council Member Woods moved, seconded by Council Member Teall that the resolution be adopted.

On roll call, the vote was as follows:

Yeas, Council Members Carlberg, Teall, Higgins, Easthope, Woods, Groome, Johnson, Lowenstein, Reid, Mayor Hieftje, 10;

Nays, Council Member Herrell, 1.

The Mayor declared the motion carried.

R-443-10-03 APPROVED

RESOLUTION TO APPROVE EMERGENCY PURCHASE OF A TRANSFORMER FOR THE WATER TREATMENT PLANT FROM POWER PLUS ENGINEERING, INC., - \$31,000.00 AND SUPPLEMENTAL APPROPRIATION OF \$110,000.00 FOR REPAIRS DUE TO TRANSFORMER FAILURE

Whereas, On September 1, 2003, one of the four primary transformers at the Water Treatment Plant failed;

Whereas, The transformer failure resulted in damage to some of the equipment powered by this transformer;

Whereas, The City Administrator authorized an emergency purchase of a transformer in the amount of \$31,000.00 from Power Plus;

Whereas, Power Plus received Human Rights and living wage approval on October 1, 2003; and

Whereas, The total cost of repairs, replacements, rental equipment, fuel, and other incidentals due to this transformer failure is estimated to be \$110,000.00, which expense is not budgeted in the Operation and Maintenance Budget of the Water Supply System for the FY04;

RESOLVED, That City Council approve the emergency purchase of a transformer for the Water Treatment Plant from Power Plus in the amount of \$31,000.00 as authorized by the City Administrator; and

RESOLVED, That a supplemental appropriation in the amount of \$110,000.00 for the unanticipated expenses associated with the transformer failure at the Water Treatment Plant be made from the water supply system unobligated fund balance to the FY 04 operation and maintenance budget of the water supply system.

Council Member Easthope moved, seconded by Council Member Woods that the resolution be adopted.

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

R-444-10-03 APPROVED

RESOLUTION TO AWARD CONTRACT TO KROME CONSTRUCTION, INC. AND AUTHORIZE APPROPRIATION FROM SEWAGE DISPOSAL FUND BALANCE - \$31,635.00 FOR THE STONE SCHOOL ROAD SANITARY SEWER EXTENSION

Whereas, Krome Construction, Inc. as the contractor for the Stone School Townhomes development is extending sanitary sewer in Stone School Road to serve the development;

Whereas, Upon completion of the sanitary sewer extension required to serve the Stone School Townhomes there will remain only one parcel of land on this portion of Stone School Road without sanitary sewer fronting it;

Whereas, The most cost-effective means of providing this last portion of sanitary sewer is to construct it in conjunction with the Stone School Townhomes development, as recommended by the City Administrator, rather than by competitive bid;

Whereas, Krome Construction, Inc. has submitted a cost proposal to perform the work necessary to extend this final portion of sanitary sewer along this portion of Stone School Road in the amount of \$31,635.00; and

Whereas, Krome Construction, Inc. received Human Rights approval on September 15, 2003 and complies with the Living Wage Ordinance;

RESOLVED, That a contract in the amount of \$31,635.00 be awarded to Krome Construction, Inc. for the construction of a sanitary sewer extension to serve 3751 Stone School Road;

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

RESOLVED, That City Council appropriate \$31,635.00 from the Sewage Disposal Fund Balance (Fund 043) to fund the construction of this sanitary sewer extension to 3751 Stone School Road;

RESOLVED, That City Council establishes that this sanitary sewer extension is not available for connection until the owner of 3751 Stone School Road requests sanitary sewer service; and

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

Council Member Carlberg moved, seconded by Council Member Johnson that the resolution be adopted.

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

R-445-10-03 APPROVED

RESOLUTION TO ACCEPT A \$21,501.00 GRANT FROM THE PFIZER GLOBAL RESEARCH AND DEVELOPMENT CORPORATION AND TO AUTHORIZE THE APPROPRIATION OF FUNDS TO LESLIE SCIENCE CENTER

Whereas, The Leslie Science Center has been awarded a grant from the Pfizer Global Research and Development Corporation in the amount of \$21,501.00;

Whereas, The grant will provide the Leslie Science Center the opportunity to conduct natural science programming for elementary age students enrolled in specific Ann Arbor and Ypsilanti schools;

Whereas, The targeted schools in this grant program are elementary schools with the highest percentage of low-income children in the Ann Arbor and Ypsilanti area;

Whereas, This one-year grant will allow 846 children the opportunity to experience hands-on interactive programming from the Leslie Science Center staff; and

Whereas, There is no matching fund requirement for this grant;

RESOLVED, That the Mayor and Council accept the \$21,501.00 grant from the Pfizer Global Research and Development Corporation;

RESOLVED, That the Mayor and Council approve the appropriation of funds to Leslie Science Center on receipt for the life of the grant without regard to fiscal year; and

RESOLVED, That the City Administrator be authorized and directed to execute the grant agreement after approval as to form by the City Attorney and take all necessary administrative actions to implement this resolution.

Council Member Johnson moved, seconded by Council Member Lowenstein that the resolution be adopted.

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

R-446-10-03 APPROVED

RESOLUTION TO APPROPRIATE ANN ARBOR ASSISTANCE FUND DONATIONS AS RECEIVED FOR EXPENDITURE IN CONNECTION WITH THE BARRIER BUSTERS COALITION PROJECT AND APPROVE THE MANAGEMENT AGREEMENT WITH THE ANN ARBOR AREA COMMUNITY FOUNDATION ESTIMATED \$8,200.00

Whereas, City Council established the Ann Arbor Assistance Fund in January 1984 as a mechanism by which individual donors and the business community could make tax-deductible donations to help their neighbors in crisis situations;

Whereas, City Council established that Ann Arbor Assistance Fund be used for unmet emergency needs of eviction prevention and utility shut-off prevention;

Whereas, The City of Ann Arbor and Washtenaw County, in collaboration with local nonprofit organizations, has formed the Barrier Busters Coalition Project in an attempt to remove unnecessary administrative barriers to citizens receiving needed emergency services;

Whereas, A designated account with the Ann Arbor Area Community Foundation has been established to receive and manage Coalition project funds and public donations on behalf of the Barrier Busters Coalition Project;

Whereas, The Ann Arbor Area Community Foundation has agreed to follow the guidelines established by City Council for oversight and management of the Ann Arbor Assistance Fund in connection with the expenditure of funds for emergency services in the City; and

Whereas, The City of Ann Arbor desires to improve the customer service to those citizens who are homeless, at risk of homelessness, or otherwise in need of emergency services by removing unnecessary administrative requirements;

RESOLVED, That the Mayor and Council authorize the appropriation of water bill donations, estimated to be \$8,200.00 in fiscal year2003-04, to the Ann Arbor Assistance Fund as received for expenditure in connection with the Barrier Busters Coalition Project under the management of the Ann Arbor Area Community Foundation; and

RESOLVED, That the Mayor and Council approve a management agreement with Ann Arbor Area Community Foundation and authorize the City Administrator to execute the necessary documentation to implement this resolution after approval as to form by the City Attorney.

Council Member Woods moved, seconded by Council Member Teall that the resolution be adopted.

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

R-447-10-03 APPROVED

RESOLUTION AUTHORIZING AMENDING BUILDING DEPARTMENT BUDGET TO APPROPRIATE FUNDS NECESSARY TO PERFORM OVERTIME INSPECTIONS

Whereas, It is occasionally necessary for the City to conduct overtime inspections for emergency sewer repairs, to test emergency lights, or to accommodate other similar needs; and

Whereas, The Building Department budget cannot fully anticipate such needs so far in advance of these occurrences;

RESOLVED, That funds be appropriated to the Building Department budget to provide for overtime inspection services in situations where those requesting the service agree to pay the costs; and

RESOLVED, That the amount of the appropriation be equal to the expenses incurred and without regard to fiscal year.

Council Member Carlberg moved, seconded by Council Member Johnson that the resolution be adopted.

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

R-448-10-03 APPROVED

RESOLUTION TO APPROVE ACCEPTING UTILITY EASEMENT FROM
MARVIN L. VANEK - STONE SCHOOL TOWNHOMES

Whereas, Marvin L. Vanek, a married man, is the fee simple owner of property located in the City of Ann Arbor, Washtenaw County, Michigan as described in the Washtenaw County Records at Liber 4279, Page 583, recorded July 3, 2003;

Whereas, The Sky Bank, an Ohio state chartered bank, has delivered a Consent Joinder, dated July 21, 2003, consenting to the delivery of a perpetual easement to the City for public utilities; and

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

Description of variable width water main:

Commencing at the Southwest corner of Section 10, Town 3 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan; thence N00°53'05"W 1495.85 feet along the West line of said Section 10 and the centerline of Stone School Road (Variable Width); thence N87°54'55"E 33.01 feet for a PLACE OF BEGINNING; thence N00°53'05"W 77.68 feet; thence N87°54'55"E 29.85 feet; thence N29°55'53"E 69.95 feet; thence N 60°04'07"W 21.10 feet; thence N29°55'53"E 20.00 feet; thence S60°04'07"E 21.10 feet; thence N29°55'53"E 72.10 feet; thence N87°54'55"E 145.36 feet; thence N02°05'05"W 27.00 feet; thence N87°54'55"E 20.00 feet; thence S02°05'05"E 27.00 feet; thence N 87°54'55"E 112.75 feet; thence S02°05'05"E 139.57 feet; thence N87°54'55"E 37.19 feet; thence S02°05'05"E 36.00 feet; thence S 87°54'55"W 37.19 feet;

thence S02°05'05"E 39.50 feet; thence S87°54'55"W 395.49 feet to the Place of Beginning. EXCEPT Commencing at the Southwest corner of said Section 10; thence N00°53'05"W 1535.86 feet; thence N87°54'55"E 87.27 feet for a PLACE OF BEGINNING; thence N29°55'53"E 159.30 feet; thence N87°54'55"E 215.94 feet; thence S02°05'05"E 135.07 feet; thence S87°54'55"W 300.39 feet to the Place of Beginning.

Description of a 35 foot wide sanitary sewer:

Commencing at the Southwest corner of Section 10, Town 3 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan; thence N00°53'05"W 1527.52 feet along the West line of said Section 10 and the centerline of Stone School Road (Variable width); thence N87°54'55"E 33.01 feet for a Place Of Beginning; thence N00°53'05"W 88.29 feet along the Easterly Right-of-Way line of Stone School Road (variable width); thence S04°12'09"E 53.31 feet; thence N87°54'55"E 33.09 feet; thence N29°55'53"E 164.41 feet; thence N87°54'55"E 275.76 feet; thence S02°05'05"E 201.99 feet; thence S87°54'55"W 35.00 feet; thence N02°05'05"W 166.99 feet; thence S87°54'55"W 220.18 feet; thence S29°55'53"W 126.07 feet; thence S87°04'19"E 171.77 feet; thence S02°55'41"W 35.00 feet; thence N87°04'19"W 198.69 feet; thence S87°54'55"W 47.93 feet to the Place of Beginning.

RESOLVED, That the City hereby accept said grant of easement.

Council Member Carlberg moved, seconded by Council Member Groome that the resolution be adopted.

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

R-449-10-03 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR PUBLIC RIGHT-OF-WAY FROM MARVIN L. VANEK - STONE SCHOOL TOWNHOMES

Whereas, Marvin L. Vanek, a married man, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan as described in the Washtenaw County Records at Liber 4279, Page 583, recorded July 3, 2003;

Whereas, Sky Bank, an Ohio state chartered bank, has delivered a Consent Joinder, dated July 21, 2003, consenting to the granting of a perpetual easement to the City for public utilities; and

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

The Westerly 33 feet of the following described parcel located in Section 10, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan:

Commencing at the Southwest corner of Section 10, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N00°53'05"W 1419.95 feet along the West line of said Section 10 and the centerline of Stone School Road (variable width) for a Place of Beginning; thence continuing N00°53'05"W 380.79 feet along said line; thence N87°54'55"E 33.01 feet; thence S00°53'05"E 380.79 feet along the Easterly right-of-way of said Stone School Road; thence S87°54'55"W 33.01 feet to the Place of Beginning, being a part of the West 1/2 of the Southwest 1/4 of Section 10, City of Ann Arbor, Washtenaw County, Michigan.

RESOLVED, That the City hereby accept said grant of easement.

Council Member Carlberg moved, seconded by Council Member Teall that the resolution be adopted.

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

POSTPONED

RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE NO. 42-03 AMENDING SECTIONS 7:33 (LICENSES FOR A-D), 7:34 (LICENSES FOR E-H) AND 7:37 (LICENSES FOR Q-T) OF CHAPTER 77 (FEES AND BONDS REQUIRED) OF TITLE VII, REPEALING THE EXISTING CHAPTER 107 (ANIMALS) EXCEPT FOR SECTION 9:39 (BEES) AND ADDING A NEW CHAPTER 107 (ANIMAL CONTROL ORDINANCE) OF TITLE IX, AND REPEALING THE EXISTING CHAPTER 129 (HORSE DRAWN VEHICLES FOR HIRE) OF TITLE X OF THE CODE OF THE CITY OF ANN ARBOR

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

RESOLVED, That Ordinance No. 42-03 be published by the following summary:

Ordinance No. 42-03 amends the City Code by repealing the existing Chapter 107 (Animals), which governs rights and responsibilities with regard to animals within the City, and replaces it with a new Chapter 107 (Animal Control Ordinance), Sections 9:35 - 9:59, to govern rights and responsibilities with regard to animals within the City, amends Sections 7:33, 7:34, and 7:37 of Chapter 77 of Title VII and Sections 7:331 and 7:332 of Chapter 88 of Title VII to eliminate City licensing of animal shows and circuses, and repeals the existing Chapter 129 to eliminate City licensing of horse drawn vehicles for hire.

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

Council Member Carlberg moved, seconded by Council Member Herrell that the resolution be adopted.

Council Member Herrell moved, seconded by Council Member Groome to postpone the resolution until November 6, 2003 for further review.

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

R-450-10-03 APPROVED

RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF
ORDINANCE NO. 41-03 AMENDING SECTIONS 10:87 (INTOXICANTS OR
CONTROLLED SUBSTANCES) AND 10:88 (PERMITTING INTOXICATED OR
DRUGGED PERSON TO OPERATE VEHICLE) OF CHAPTER 126, TRAFFIC, OF TITLE
X AND ADD A NEW SUBSECTION 10:87(6) (INTOXICANTS OR CONTROLLED
SUBSTANCES) TO CHAPTER 126, TRAFFIC,
OF TITLE X OF THE CODE OF THE CITY OF ANN ARBOR

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

RESOLVED, That Ordinance No. 41-03 be published by the following summary:

Ordinance No. 41-03 amends Sections 10:87 and 10:88 and adds a new subsection 10:87(6) to Chapter 126, Traffic, of the City Code conforming the amended provisions to amendments to the Michigan Vehicle Code which govern the operation of a motor vehicle while under the influence of intoxicating liquor or a controlled substance, or a combination of both and operating a motor vehicle while visibly impaired lowering the allowable bodily alcohol level with an alcohol content of 0.08 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or, beginning October 1, 2013, with an alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or with any amount of a controlled substance as defined in Schedule 1 of the Michigan Public Health Code.

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

Council Member Johnson moved, seconded by Council Member Carlberg that the resolution be adopted.

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

R-451-10-03 APPROVED

RESOLUTION RECOGNIZING SQUARE GROOVES, INC., AS A CIVIC NON-PROFIT ORGANIZATION OPERATING IN THE ANN ARBOR COMMUNITY FOR THE PURPOSE OF OBTAINING A CHARITABLE GAMING LICENSE

Whereas, P.A. 382 of 1972, as amended, requires that local civic nonprofit organizations be recognized by resolution adopted by the local governmental subdivision in which the organization conducts its principal activities and that a copy of said resolution be filed with any application for a license to conduct a bingo, raffle or charity game(s);

Whereas, Square Grooves, Inc. has requested that it be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license;

Whereas, Square Grooves, Inc was establishes to collect, manage and disburse money and other forms of support donations for the benefit of the Ann Arbor Pioneer High School Men's and Women's Golf teams and their respective athletic activities; and

Whereas, Square Grooves, Inc. is a local civic nonprofit organization as defined by P.A. 382 of 1972, as amended, which should be recognized for its continuing efforts to support the Ann Arbor student athletic community at Pioneer High School.

RESOLVED, That City Council hereby approve recognition of Square Grooves, Inc. as a local civic nonprofit organization operating in the Ann Arbor community for the purposes of its charitable gaming license application and required by P.A. 382 of 1972, as amended; and

RESOLVED, That the City Clerk be directed to provide a certified copy of this Resolution to Square Grooves, Inc. and to take all necessary administrative actions to provide notice of this Resolution to the Charitable Gaming Division, Michigan Department of Treasury.

Council Member Teall moved, seconded by Council Member Johnson that the resolution be adopted.

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

R-452-10-03 APPROVED

RESOLUTION TO APPROVE TO POSTPONE THE FIRST REGULAR NOVEMBER SESSION OF THE ANN ARBOR CITY COUNCIL TO NOVEMBER 6, 2003

Whereas, Prior to 1994, when the City’s elections were moved from April to November, a Council meeting that fell on Election Day was moved to the next Thursday, permitting a “lame duck” session of the Council and providing an opportunity to recognize and thank outgoing Council Members;

Whereas, The first Regular Session of the Ann Arbor City Council for the month of November, 2003 is scheduled for Monday, November 3rd;

Whereas, November 3rd is the night before the City General election, and would ordinarily be the final session for outgoing Council Members; and

Whereas, Postponing this meeting would be in keeping with prior City tradition;

RESOLVED, That the first Regular Session of the Ann Arbor City Council for the month of November, 2003 be postponed until 7:30 p.m. on Thursday, November 6, 2003.

Council Member Carlberg moved, seconded by Council Member Higgins that the resolution be adopted.

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

R-453-10-03 APPROVED

RESOLUTION TO PRESENT NAMES FOR COUNCIL’S CONSIDERATION FOR APPOINTMENT TO THE TASK FORCE TO REVIEW THE CITY OF ANN ARBOR’S ANIMAL RELATED PROGRAMS, POLICIES, PROCEDURES AND ORDINANCES

Whereas, On March 6, 2000 the Task Force To Review The City of Ann Arbor’s Animal Related Programs, Policies, Procedures and Ordinances was established;

Whereas, Council member Heidi Herrell has been serving as the Council representative on the Task Force;

Whereas, Council member Herrell has completed her term of office;

Whereas, The Task Force has yet to review related programs, policies, and procedures including but not limited to: fees, permit forms, U of M pamphlets for responsible animal ownership, outreach letter to local veterinarians asking for their help in licensing animals, summary ordinance for pet owners, Letter/resolution to State Representatives to ask for statewide efforts to provide low cost spay/neuter clinics, research regarding dog and cat census; and

RESOLVED, That the following names be presented to Council for their consideration for appointment at the next meeting to the Task Force To Review The City of Ann Arbor’s Animal Related Programs, Policies, Procedures and Ordinances:

Kim Groome as the Council representative
Heidi Herrell as the Mayor’s nominee.

Council Member Herrell moved, seconded by Council Member Teall that the resolution be adopted.

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

R-454-10-03 APPROVED

RESOLUTION ESTABLISHING A CITY “COOL CITIES” TASKFORCE

Whereas, Governor Jennifer Granholm has requested Director David Hollister to coordinate and oversee the “Cool Cities” initiative for the State of Michigan;

Whereas, Governor Granholm has requested that the City of Ann Arbor establish it own “Cool City” advisory group in order to develop a vision for a cool city and help to find way to make people, particularly young adults, more interested in living, working and shopping in the Ann Arbor;

Whereas, Mayor Hieftje proposes the formation of a Task Force that would work for six months to explore what makes Ann Arbor a “cool” and what is our vision of a “cool” city, and then report back to City Council;

Whereas, It has been proposed that the Task Force would include one (1) Pfizer employees; two (2) students of the University of Michigan; one (1) Artist; two (2) downtown residents and/or businesspersons; three (3) at-large residents, and would be assisted by Mayor’s office staff;

Whereas, Members of the Task Force will serve as representatives to the State “Cool City” Advisory Group; and

Whereas, Members of the Task Force will be nominated by the Mayor and approved by City Council;

RESOLVED, That the City Council establish the Ann Arbor “Cool Cities” Task Force with the direction and purpose of exploring what makes Ann Arbor a “cool” city and how we can improve our City;

RESOLVED, That the Ann Arbor “Cool Cities” Task Force shall report back to City Council with its findings and recommendation by May 1, 2003 for Council consideration; and

RESOLVED, That the Ann Arbor “Cool Cities” Task Force shall automatically dissolve on presentation of its findings and recommendation to City Council unless otherwise extended by Resolution of Council.

Council Member Woods moved, seconded by Council Member Teall that the resolution be adopted.

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

R-455-10-03 APPROVED

RESOLUTION FOR COMMUNITY EVENTS FUNDS DISBURSEMENT
FROM THE 2003-2004 BUDGET

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

Whereas, The Council Community Events Committee met and reviewed funding requests from the community groups; and

Whereas, The Committee recommends the following allocations:

- 1) Ann Arbor Street Art Fair - \$6,500.00 to assist in covering the costs of the interactive demonstrations Kids Zone and the potter demonstrations.

RESOLVED, That the Ann Arbor, City Council approve the recommended allocations from the 2003-2004 Community Events Fund.

Council Member Higgins moved, seconded by Council Member Teall that the resolution be adopted.

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

REPORTS FROM COUNCIL COMMITTEES

ENVIRONMENTAL COMMISSION

Council Member Carlberg said that the Planning Commission selected Jennifer Hall as its appointment to the Environmental Commission. The appointment needs to be approved by City Council. The next meeting commission is scheduled for October 23, 2003.

Council Member Carlberg moved, seconded by Council Member Johnson to appoint Jennifer Hall as the Planning Commission Representative to the Environmental Commission.

On roll call, the vote was as follows:

Yeas, Council Members Carlberg, Herrell, Teall, Higgins, Easthope, Woods, Johnson, Lowenstein, Mayor Hieftje, 9;

Nays, Council Members Groome, Reid, 2.

The Mayor declared the motion carried.

COUNCIL PROPOSED BUSINESS

COUNCIL MEMBER REID

Council Member Reid asked that the administrator follow up on the Art Fair study regarding charges associated with the Art Fair right-of-way rental accounting.

COUNCIL MEMBER CARLBERG

Council Member Carlberg said that the Washtenaw Hill Historic District Commission resolution would be presented at the November 6, 2003 Council meeting.

COUNCIL MEMBER GROOME

Council Member Groome said that a ten-minute presentation would be held on November 6, 2003 regarding the resolution to adopt Remedios, Cuba as a Sister City.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the October 7, 2003 regular session of Council:

Airport Advisory Committee

Steward V. Nelson - Reappointment
2975 Hickory Lane
Ann Arbor, MI 48104
Term: October 20, 2003 – March 5, 2006

Garret H. Evans - Reappointment
1644 Argyle Crescent
Ann Arbor, MI 48103
Term: October 20, 2003 – October 15, 2006

Local Officer's Compensation Commission

Eunice L. Burns (Taking the place of Frank Beal)
1614 Harbal
Ann Arbor, MI 48105
Term: October 20, 2003 – September 30, 2006

Council Member Carlberg moved, seconded by Council Member Higgins that Council concur with the recommendations of the Mayor.

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

Mayor Hieftje recommended the following appointments for immediate consideration:

Board of Canvassers

Joanna Scott – Replacing Jane Barney
1525 Harding Road
Ann Arbor, MI 48104
Term: October 20, 2003 – December 31, 2005

L. Walter Helmreich- Reappointment
4 Fair Oaks Parkway
Ann Arbor, MI 48104
Term: October 20, 2003 – December 31, 2005

Council Member Higgins moved, seconded by Council Member that Council concur with the recommendations of the Mayor.

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

NOMINATIONS PLACED ON TABLE

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

Ann Arbor Commission on Disability Issues

Julie A. Harrison
1725 Saxon
Ann Arbor, MI 48103
Term: November 6, 2003 – November 6, 2006

Housing Board of Appeals

Susan E. Caya– (Taking the place of Amy Starr)
7073 W. Liberty
Ann Arbor, MI 48103
Term: November 6, 2003 – June 30, 2005

Economic Development Corporation Board

Fred Beal (Taking the place of James Bradley)
2008 Morton Avenue
Ann Arbor, MI 48104
Term: November 6, 2003 – June 16, 2008

Ann Arbor Building Authority

Douglas L. Smith
510 Eberwhite
Ann Arbor, MI 48103
Term: November 6, 2003 – June 30, 2009

Community Development Block Grant Executive Commission

John Austin
817 Berkshire
Ann Arbor, MI 48104
Term: November 6, 2003 to June 30, 2004

ANNOUNCEMENTS

Mayor Hieftje requested that the administrator look into removing a couple of vacant gas stations, one on the corner of Depot and Main Street and another on Detroit Street.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

City Administrator Roger Fraser submitted the following reports for information of Council (Reports on file in the City Clerk's Office):

1. Broadway Bridges Reconstruction Project – Project Status Report as of September 20, 2003 (Public Services – Homayoon Pirooz, P.E., Chief Engineer)
2. Section 8 Renewal of Increments Expiring 7/31/03 and 8/31/03 (Housing Commission – Elizabeth A. Lindsley, Executive Director)
3. Local Law Enforcement Block Grant Program – (Police – Daniel Oates, Chief)

COMMUNICATIONS FROM THE CITY ATTORNEY

REPORT ON COMPLETED ANNEXATIONS

City Attorney Stephen Postema submitted a report on the following completed annexation (Report on file in the City Clerk's Office):

1. Report on completion of an annexation from Pittsfield Township:
 - Oxford Condominiums property, 5.95 acres, located on the northwest corner of Oakbrook and South Main Streets (Approved by Council on 12/2/02)

COMMUNICATIONS FROM COUNCIL

COUNCIL MEMBER HIGGINS

Council Member Higgins asked if the administrator could find a way to announce vacant positions of boards and commissions onto the City's web site.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications was referred as indicated (Communication on file in the City Clerk's Office):

1. Communication from the Ann Arbor Housing Commission regarding the Capital Fund Project

The following minutes were referred received for file (Minutes on file in the City Clerk's Office):

1. Airport Advisory Committee – April 16, 2003
2. Downtown Development Authority – Annual Meeting of July 2, 2003 and Regular Meetings of July 2, 2003 and September 3, 2003
3. Housing Commission – August 20, 2003
4. Zoning Board of Appeals – September 25, 2002, October 23, 2002, November 20, 2002, December 18, 2002 and January 22, 2003
5. Human Rights Commission – August 20, 2003

Council Member Herrell moved, seconded by Council Member Lowenstein that the Clerk's Report be accepted.

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

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

There being no further business to come before Council, it was moved by Council Member Easthope that the meeting be adjourned.

On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:50 p.m.

Kathleen M. Root
Clerk of the Council

Anissa R. King
Recording Secretary