



Action Minutes

City Council

April 8, 1993

..Title

REGULAR SESSION - APRIL 8, 1993

..Body

The regular session of the Ann Arbor City Council was called to order at 7:35 p.m. in the City Hall Council Chamber by Mayor Pro Tem Larry Hunter.

Council stood for one moment of silence.

Mayor Pro Tem Hunter led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Larry Hunter, Tobi Hanna-Davies, Barbara B. Bach, Robert C. Grady (entered at 8:45 p.m.), Nelson K. Meade, Kurt Zimmer, Peter Nicolas, Thais Anne Peterson, Robert Eckstein, Mayor Elizabeth S. Brater (entered at 8:30 p.m.), 10.

ABSENT : Councilmember Peter Fink, 1.

INTRODUCTIONS

CERTIFICATES OF APPRECIATION TO OUTGOING COUNCILMEMBERS

(Presented under Communications from Council)

SAFE CELEBRATION AWARDS PRESENTATION

Mayor Pro Tem Hunter presented Certificates of Appreciation for outstanding service to the City of Ann Arbor to the students and businesses who participated in working toward safe celebrations following the NCAA basketball finals.

PUBLIC COMMENTARY - RESERVED TIME

TOM KUCZAJDA - ROCK FOR LIFE CHARITY FESTIVAL

Tom Kuczajda, 1315 Hill St., representing the Rock for Life Foundation, stated that the Rock for Life 1993 Festival scheduled for April 17 will benefit the Shelter Association of Ann Arbor. Mr. Kuczajda urged Council's approval of the resolution to close South Forest Avenue for the event and requested that City fees be waived.

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PUBLIC HEARINGS

None.

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

APPROVAL OF COUNCIL MINUTES

Revise: Regular Session of March 15, 1993 (Page 1 - Introductions corrected)

MOTIONS AND RESOLUTIONS

Revise: Resolution to Award Contract for Instrumentation Control Changes at Dams and Hydroelectric Installations to Accommodate Radio Telemetry System (\$24,680.00)

Add: Resolution Authorizing Grant Applications for Pedestrian/Bike Path, Sidewalk and Downtown Historical Display Improvements

Add: Resolution Supporting Michigan House Bill 4001, The Tax Foreclosure Protection Clause (Mayor Brater)

Add: Resolution to Waive Fees for Take Back the Night March (Councilmember Hunter)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add & Proposed Consent Agreement Between Michigan Department of Public

Health and the City of Ann Arbor Regarding the Surface Water Treatment Rule (Cover memo revised)

On a voice vote the Chair declared the motion carried.

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APPROVAL OF COUNCIL MINUTES

MINUTES OF MARCH 15 APPROVED

Councilmember Meade moved that the revised regular session minutes of March 15, 1993 be approved as presented.

On a voice vote the Chair declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

R-118-4-93 APPROVED

RESOLUTION TO APPROVE FIRST NATIONAL BUILDING PRELIMINARY PHASE PUD THREE-YEAR EXTENSION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed First National Building Preliminary Phase PUD Three-Year Extension, 0.2 acre, 201 South Main Street.

Whereas, The First National Building was approved as a Preliminary Phase Planned Unit Development (PUD) on March 16, 1981;

Whereas, City Council extended approval of the PUD in 1984, 1987 and 1990, making the plan valid until March 16, 1993;

Whereas, Section 5:80(7) of the Ann Arbor City Code requires that final phase site plans be submitted before the termination of a three-year period after approval of a preliminary phase PUD; and

Whereas, Main/Washington Associates, owner of the building, has requested that approval be extended to March 16, 1996;

RESOLVED, That approval of the First National Building Preliminary Phase PUD for the renovation of the interior and exterior of the building and expansion of the east and south portions of the building to approximately the same height as the existing tower, with 4 Council - April 8, 1993

mixed uses for the building consisting of commercial/office uses in the basement, first and second floors; office use on floors 3-9; and office/residential on floors 10-13, be hereby extended from March 16, 1993 to March 16, 1996 in accordance with Section 5:80(7) of the Ann Arbor City Code.

R-119-4-93 APPROVED

RESOLUTION APPROVING THE CLOSING OF SOUTH FOREST AVENUE FOR ROCK FOR LIFE 1993

Whereas, The City has received a request from the Delta Sigma Phi Fraternity to hold Rock for Life, a charitable festival, in the City of Ann Arbor on April 17, 1993;

Whereas, This will require the closing of South Forest Avenue from Hill Street to Willard Street between 10:00 a.m. and 6:00 p.m., the bagging of parking meters, and the use of street barricades;

Whereas, Delta Sigma Phi Fraternity will be responsible for obtaining all necessary permits to stage such an event including noise and special event permits;

Whereas, Delta Sigma Phi Fraternity agrees to defend and indemnify and save harmless against any claim arising out of their sponsorship of this event;

Whereas, Rock for Life will donate proceeds from this event to the Shelter Association of Ann Arbor; and

Whereas, Delta Sigma Phi Fraternity has requested that the City waive parking meter bag deposits;

RESOLVED, That the Mayor and City Council hereby approve the Rock for Life 1993 charity festival to be held on April 17, 1993;

RESOLVED, That the Mayor and City Council approve the closing of South Forest Avenue as indicated; and

RESOLVED, That City Council waive the meter bag deposit fee.

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R-120-4-93 APPROVED

RESOLUTION TO APPROVE THE USE OF CITY PROPERTY AT THE ANN ARBOR MUNICIPAL AIRPORT BY CATHERINE MCAULEY HEALTH SYSTEMS FOR A CIRCUS AND TO CLOSE CERTAIN STREETS FOR THE DOWNTOWN CIRCUS PARADE

Whereas, The City has received a request from the Catherine McAuley Health System to use City property at the Ann Arbor Municipal Airport for set up of a circus on Thursday, June 24, and for holding a circus on Friday, June 25, through Sunday, June 27, 1993, and to conduct a circus parade on certain City streets on Friday, June 25, 1993;

Whereas, The Catherine McAuley Health System is a long established health service agency serving our community, and has committed to use the proceeds of this circus to benefit the Mcauley Campaign for Elderly Care;

Whereas, The Catherine McAuley Health System will be responsible to comply with all procedures, rules and regulations, and to pay all costs and fees required by City Airport Management as approved by the Manager of Transportation, City Council and Pittsfield Township;

Whereas, The Catherine McAuley Health System agrees to defend and indemnify and save the City harmless against any claim arising out of their sponsorship of this event;

Whereas, The Catherine McAuley Health System shall mow and otherwise prepare the City property to be used prior to the event, and shall remove all debris from the property following the event; and

Whereas, The Catherine McAuley Health System has requested that the City waive parking meter bag deposits;

RESOLVED, That the Mayor and City Council hereby approve the Catherine McAuley Health System request to use City property at the Ann Arbor Municipal Airport for activities related to a circus on Thursday, June 24, 1993 through Sunday, June 27, 1993;

RESOLVED, That the Circus Parade be hereby approved being routed along South University, State, Liberty, Main and William Streets (Alternate: North University, State, Liberty, Main and William Streets) beginning at 12:00 p.m. on Friday, June 25, 1993;

RESOLVED, That the closing of designated streets along the route as needed, from 12:00 p.m. to 2:00 p.m. on Friday, June 25, 1993 along with parking prohibitions, as

6 Council - April 8, 1993 required, is also approved (including Fifth from Washington to William and Division from Jefferson to Washington);

RESOLVED, That East University and Tappan from South University to Hill Street (Alternate: North University from State Street to Fletcher and Thayer from Washington to North University) be closed for the staging of the parade at 10:00 a.m. on Friday, June 25, 1993; and

RESOLVED, That the City agrees to waive parking meter bag deposits; and

RESOLVED, That the use of City property for staging the circus and the circus parade are approved subject to The Catherine McAuley Health System filing an insurance certificate complying with all City requirements to hold such an event prior to June 24, 1993.

R-121-4-93 APPROVED
 RESOLUTION TO APPROVE AWARD OF CONTRACT FOR
 WEST PARK BAND SHELL RENOVATIONS - BID NO. 2402

Whereas, Six proposals were received on March 18, 1993 in response to Bid No. 2402 for the West Park Band Shell renovations; and

Whereas, L.D.S. Contractors, Inc. of Keego Harbor, MI, has submitted the lowest responsible bid in the amount of \$154,000.00 and obtained Human Rights approval on March 29, 1993;

RESOLVED, That the Mayor and Council approve a contract from L.D.S. contractors in the amount of \$154,000.00 for West Park Band Shell renovations (Bid No. 2402) and authorize the Mayor and City Clerk to execute the contract substantially in the form on file with the City Clerk.

R-122-4-93 APPROVED
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 RESOLUTION NO. 2 - PREPARE ASSESSMENT
 ROLL FOR WEST LIBERTY STREET SANITARY SEWER
 PROJECT TO SERVE LIBERTY MEDICAL COMPLEX

Whereas, The City Council has directed and ordered the City Administrator to have prepared plans, specifications and estimates of cost for sanitary sewer described as

follows:

West Liberty Road Sanitary Sewer to serve the Liberty Medical Complex
File No. 91076; District No. 467

Whereas, The City Administrator has had the same prepared and has filed the same with the City Clerk together with his recommendations as to what part of the cost thereof should be paid by special assessment and what part should be paid by the City at large, the number of installments in which the special assessments may be paid, and the lands which should be included in the special assessment district; and

Whereas, The same has been presented to the City Council and examined and reviewed by the Council;

RESOLVED,

1. That the plans, specifications, estimate of cost, and the recommendations of the City Administrator be filed with the City Clerk and be available for public examination;

2. That the plans, specifications, estimate of cost, and recommendations of the City Administrator for said improvements as filed with the City Clerk by the City Administrator and presented to the Council be approved;

3. That the City Council hereby determine to proceed with the acquisition and construction of sanitary sewer described as follows:

Approximately 900 L.F. of sanitary sewer in West Liberty Road from Burr Oak Drive westerly to serve the Liberty Medical Complex.

4. That the City Council determine the cost of said improvement, including all incidentals, to be \$161,420.00, and that of said total cost, the sum of \$53,173.65, be paid by special assessment upon the property specially benefitted within the City, and the Council - April 8, 1993

balance of the cost thereof \$108,246.35, be paid by the City at large;

5. That an amount of \$161,420.00 be advanced from the sewage system fund pending the sale of the appropriate bonds;

6. That the following described lots and parcels of land be designated as constituting the special assessment district against which the cost of said improvement shall be assessed, or against which an improvement charge shall, pursuant to Section 1.278 of the City Code, be levied:

Property Share Assessable

(front footage basis)

Assessor's Code : 08-25-300-007

Owner : Liberty Medical Complex

3200 West Liberty Road

Ann Arbor, Michigan 48103

Legal Description : PART OF SW 1/4 SEC 25, T2S, R5E, DESC AS COM AT NE

COR OF KILLINS LAKEVIEW SUB. TH S 2 DEG 0 MIN 50

SEC W 687.7 FT F POB, TH S 51 DEG 12 MIN 20 SEC E

699.44 FT. TH S 88 DEG 6 MIN 40 SEC E 450.5 FT, TH S I

DEG 53 MIN 20 SEC 490.91 FT, TH N 77 DEG 4 MIN 10 SEC

W 847.93 FT, TH N 2 DEG 0 MIN 50 SEC 348.39 FT, TH N 77

DEG 4 MIN 10 SEC W 182.5 FT, TH N 2 DEG 0 MIN 50 SEC

E 365.17 FT TO POB. 10.38 AC M/L

Assessable

Frontage : 560'

Estimated Cost : \$53,173.65

7. That the City Assessor be hereby directed to prepare a special assessment roll in accordance with the foregoing determinations of the City Council, and to file the same, together with his certificate attached thereto, with the City Clerk for presentation to the City Council.

R-123-4-93 APPROVED

RESOLUTION REQUIRING PROPERTY OWNER

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NOTICE OF POTENTIAL LIEN ASSESSMENT OF

DELINQUENT UTILITY BILLS ON NEXT TAX ROLL

Whereas, The City Administrator has reported to the City Council that there are unpaid charges for water, sanitary sewer and stormwater services furnished to certain premises in the City of Ann Arbor which on the 29th day of March, 1993 have remained unpaid for a period of six months;

RESOLVED, That, pursuant to Section 2:72 of Chapter 29 of Title II of the Code of the City of Ann Arbor, due notice shall be given by the Utilities Department by first class mail to the owners of record in the Assessor's Office of the premises so served, stating the total amount due for such service, and further notice that such amount shall be assessed by this Council on May 3, 1993, unless sooner paid, as a tax against said premises and placed on the next tax roll of the City.

R-124-4-93 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ENGINEERING AND TESTING SERVICES, INC. FOR CONSTRUCTION TESTING SERVICES FOR STADIUM BOULEVARD RECONSTRUCTION PROJECT - PACKARD TO S. INDUSTRIAL

Whereas, It is necessary to employ a qualified testing firm to perform essential testing for the Stadium Boulevard Reconstruction Project (Packard to S. Industrial); Whereas, Proposals for this testing were received and evaluated by the Engineering Division on the basis of qualifications and fees;

Whereas, Engineering and Testing Services, Inc. has demonstrated the required experience, personnel and competitive fee schedule to perform the work;

Whereas, On April 8, 1993 the Personnel/Human Rights Department gave approval of said company for said work; and

Whereas, On February 22, 1993 with the approval of the project's construction budget, Council appropriated sufficient funds for this contract;

RESOLVED, That Council authorize a professional services agreement in the standard City form in the amount of \$50,000.00 with Engineering and Testing Services, Inc. for construction testing and inspection services for the Stadium Boulevard

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Reconstruction Project (Packard to S. Industrial); and

RESOLVED, That the Mayor and 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.

R-125-4-93 APPROVED

RESOLUTION TO APPROVE PURCHASE OF MICROCOMPUTER HARDWARE - BID NOS. 2404 AND 2407

Whereas, The City of Ann Arbor has completed an Information Services Strategic Plan to guide investment information technology for the six-year period commencing in 1989;

Whereas, A key element of this plan is the development of a network computing system consisting of a citywide data communications network and microcomputer workstations;

Whereas, Additional microcomputer workstations are needed to enhance the computing capacity of departments and meet the requirements of application projects;

Whereas, The City Council approved on March 15, 1993 the purchase of 50 IBM PS/2 8556-055 microcomputer system units;

Whereas, Display monitors and network adapters were not purchased with the microcomputer system units but are needed to complete microcomputer workstations;

Whereas, Bid No. 2404: Network Equipment and Bid No. 2407: Monitors were sent to all qualified vendors;

Whereas, Item 16 of Bid No. 2404 was for 3Com Etherlink III network adapters and Item 4 of Bid No. 2407 was for Nanao Flexscan 15-inch color display monitors;

Whereas, Computerland Metropolitan Detroit of Southfield, Michigan, at \$8,775.00 was the lowest responsible bidder on Item 16 of Bid No. 2404 and Technology Partners of Ann Arbor, Michigan, at \$33,700.00 was the lowest responsible bidder on Item 4 of Bid No. 2407;

Whereas, Computerland Metropolitan Detroit received Human Rights approval on December 14, 1992, and Technology Partners received Human Rights approval on Council - April 8, 1993 11 November 25, 1992; and

Whereas, Funding for this acquisition is included in the FY 1992-93 Administrative Services Department Workstation and Permits and Inspection budgets; RESOLVED, That the recommendation of the City Administrator be approved and Item 16 of Bid No. 2404 be awarded and a purchase order issued to Computerland Metropolitan Detroit in the amount of \$8,775.00, and Item 4 of Bid No. 2407 be awarded and purchase order issued to Technology Partners in the amount of \$33,700.00.

R-126-4-93 APPROVED
RESOLUTION AUTHORIZING SOFTWARE MAINTENANCE SUPPORT WITH AMERICAN MANAGEMENT SYSTEM, INC.

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

Whereas, The City's financial system has been structured around the LGFS software package for the past 12 years;

Whereas, Under the license agreement the City is entitled to purchase maintenance support at 10% of the prevailing market price or \$30,800.00;

Whereas, American Management Systems, Inc. received human rights approval March 19, 1993; and

Whereas, Funding for the software maintenance support will be obtained from the FY 1992-93 Information Services budget;

RESOLVED, That the City Administrator be authorized to issue a purchase order to American Management System, Inc. for the sum of \$30,800.000 for software maintenance support; and

RESOLVED, That the Mayor and City Clerk be authorized to sign a contract on behalf of the City of Ann Arbor which has been approved by the City Attorney.

R-127-4-93 APPROVED
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RESOLUTION TO APPROVE HOUSING REHABILITATION AGREEMENT WITH FANNIE TUCKER FOR 1342 JEWETT AVE.

Whereas, An application was received from Fannie Tucker for rehabilitation assistance for her home located at 1342 Jewett, Ann Arbor;

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

Whereas, Four bids were received on March 11, 1993 and Ms. Tucker will be executing an agreement with the lowest acceptable bidder to complete the rehabilitation work;

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Fannie Tucker in the amount of \$16,995.00 as a six percent fifteen-year loan and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the Office of the City Clerk.

R-128-4-93 APPROVED
RESOLUTION TO APPROVE CHANGE ORDER WITH UST TECH, INC. FOR FUEL STORAGE TANK PROJECT

Whereas, On July 20, 1992, Resolution R-312-7-92, City Council awarded a contract to UST Tech, Inc. in the amount of \$137,641.03 for the installation of fuel storage tanks;

Whereas, It has been found necessary to perform additional work to complete this project;

Whereas, The cost of the additional work is determined to be \$23,272.51; and

Whereas, \$7,404.84 was paid to UST Tech under the contingency amount approved by City Council Resolution R-312-7-92, thus \$15,867.67 remains to be paid to compensate UST Tech, Inc. for services rendered;

RESOLVED, That City Council approve Change Order No. 1 with UST Tech, Inc. in the amount of \$15,867.67 for the installation of fuel storage project;

RESOLVED, That City Council approve \$15,867.67 from Insurance Fund Council - April 8, 1993 13

construction budget for said change order; and

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

R-129-4-93 APPROVED

RESOLUTION TO APPROVE A CONTRACT FOR FAIRVIEW

CEMETERY MAINTENANCE - BID NO. 2276

Whereas, The Purchasing Department solicited bids for maintenance of Fairview Cemetery for the Department of Parks and Recreation, Bid No. 2276;

Whereas, R.G. Flack Lawn Service was the sole bidder, and has Human Rights approval as of March 11, 1993; and

Whereas, Funds are available in the 1992-93 park maintenance budget for cemetery maintenance;

RESOLVED, That the Mayor and Council approve the contract for Fairview Cemetery Maintenance to R. G. Flack Lawn Service, Bid No. 2276, 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 City Administrator may extend this contract for up to two oneyear periods if agreeable to both parties at no additional cost under the terms in Bid No. 2276.

R-130-4-93 APPROVED

RESOLUTION APPROVING LESLIE SCIENCE CENTER

RESIDENT ORGANIZATION LEASE RENEWALS FOR 1993

Whereas, Resident organization leases have been reviewed annually for renewal since the implementation of The Resident Organization concept in 1985;

Whereas, Evaluations of current resident organizations have revealed compliance 14 Council - April 8, 1993

with lease requirements in 1992;

Whereas, The Leslie Science Center Advisory Committee has reviewed the 1992 resident organization evaluation and proposed 1993 lease revisions; and

Whereas, The Leslie Science Center Advisory Committee adopted a resolution on December 10, 1992 and the Park Advisory Commission adopted a resolution on February 16, 1993 to recommend acceptance of 1993 lease renewals;

RESOLVED, That the Mayor and Council approve the renewal of 1993 resident organization leases for the Ecology Center of Ann Arbor and Project Grow Community Gardens.

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

ORDINANCES - SECOND READING

None.

ORDINANCES - FIRST READING

15-93 APPROVED

ECUMENICAL CENTER 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 0.34 acre, located at 921 Church Street, from R4C (Multiple-Family Dwelling District) to Preliminary and Final Phase PUD (Planned Unit Development District).

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

On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

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16-93 APPROVED

KAY 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 0.25 acre, located at 2505 Victoria, from TWP (Township District) to R1C (Single-Family Dwelling District). Councilmember Hanna-Davies moved that the ordinance be approved at first reading. On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

17-93 APPROVED

SEQUOIA PLACE 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 2.39 acres, located at the southwest corner of North Maple Road and Sequoia Place, from R1C (Single-Family Dwelling District) to Preliminary and Final Phase PUD (Planned Unit Development District). Councilmember Meade moved that the ordinance be approved at first reading. On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

MOTIONS AND RESOLUTIONS

R-131-4-93 APPROVED

RESOLUTION TO RECOGNIZE THE HURON RIVER WATERSHED COUNCIL AS A NONPROFIT ORGANIZATION

Whereas, The Huron River Watershed Council is a nonprofit organization; 16 Council - April 8, 1993 Whereas, The US Department of the Treasury, Internal Revenue Service has recognized the Huron River Watershed Council as a nonprofit organization by giving it tax exempt status; Whereas, The Huron River Watershed Council needs the City to recognize it as a nonprofit organization in order to conduct fund raising with State approval; and Whereas, The Huron River Watershed Council has been a vital force in restoring and preserving the quality of the Huron River which is an important natural resource and recreational asset; RESOLVED, That the City of Ann Arbor recognize the Huron River Watershed Council as a nonprofit organization in the City of Ann Arbor. Councilmember Peterson moved that the resolution be adopted. On a voice vote the Chair declared the motion carried.

R-132-4-93 APPROVED

RESOLUTION TO APPROVE NETWORK COMPUTING SYSTEM EXPANSION - BID NOS. 2356, 2360 AND 2404

Whereas, The City of Ann Arbor has completed an Information Services Strategic Plan to guide investment in information technology for the six-year period commencing in 1989; Whereas, A key element of this plan is the development of a citywide Network Computing System; Whereas, The installation of the Network Computing System has been completed at the City Hall hub site and the three remote sites of the City Hall Annex, the Utilities Department Field Services Division, and the Utilities Department Water Plant; Whereas, The expansion of the Network Computing System at the City Hall hub site and the last three remote sites of the Municipal Garage at 721 North Main Street, the Parks and Transportation Operations Building at 415 West Washington Street, and the Wastewater Treatment Plant at 49 South Dixboro Road was included in the FY 1992-93 budgets of the Administrative Services and Utilities Departments; Council - April 8, 1993 17 Whereas, The Information Services Division of the Administrative Services Department has prepared implementation plans, equipment specifications, bid documents, requests for price quotations, and other technical elements necessary to implement the expansion of Network Computing System;

Whereas, Clover Communications of Novi, Michigan, has installed the network cabling at all sites, was the most qualified and lowest responsible bidder to RFP's 271 and 272, and was determined to be the most qualified contractor for the installation of the network cabling at the last three remote sites;

Whereas, Bid No. 2356: Microcomputers, 2360: Printers, and Plotters, and 2404: Network Equipment specified the hardware and software items needed to expand the network and were sent to all qualified vendors;

Whereas, Clover Communications submitted a price quotation of \$31,738.00 for cabling of the last three remote sites;

Whereas, The lowest responsible bidder on Bid Nos. 2356, 2360 and 2404 for the hardware and software items needed for the network expansion were Computerland Metropolitan Detroit of Southfield, Michigan, at \$18,249.44; Data Systems Network of Farmington Hills, Michigan, at \$56,261.00; Electronic Data Systems of Troy, Michigan, at \$3,266.00; Entre' Computer Center of Farmington Hills, Michigan, at \$5,448.00; and MicroAge Computer Center of Ann Arbor, Michigan, at \$30,920.00; and

Whereas, Clover Communications received Human Rights approval on December 4, 1992, Computerland Metropolitan Detroit received Human Rights approval on December 14, 1992, Data Systems Network received Human Rights approval on March 30, 1993, Entre' Computer Center received Human Rights approval on December 1, 1992, and MicroAge Computer Center received Human Rights approval on December 4, 1992;

RESOLVED, That the recommendation of the City Administrator be approved and the price quotation for the network cabling be accepted and purchase orders issued to Clover Communications in the amount of \$31,738.00;

RESOLVED, That the recommendation of the City Administrator be approved and purchase orders issued to Computerland Metropolitan Detroit of Southfield, Michigan, in the amount of \$18,249.44; to Data Systems Network of Farmington Hills, Michigan, in the amount of \$56,261.00; to Electronic Data Systems of Troy, Michigan, in the amount of \$3,266.00; to Entre' Computer Center of Farmington Hills, Michigan, in the amount of \$5,448.00; and to MicroAge Computer Center of Ann Arbor, Michigan, in the amount of \$30,920.00; and

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RESOLVED, That the Mayor and City Clerk be authorized to execute on behalf of the City all contracts and agreements which are required for the network expansion and which are approved as to form by the City Attorney and to substance by the City Administrator.

Councilmember Bach moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-133-4-93 APPROVED

RESOLUTION TO MODIFY FY 1992-93 STATEMENT OF OBJECTIVES AND PROJECTED USE OF FUNDS AND AMEND FY 1992-93 COMMUNITY DEVELOPMENT DEPARTMENT BUDGET

Whereas, At its meeting on May 26, 1992, City Council approved the FY 1992/93 Community Development Statement of Objectives and Projected Use of Funds and the FY 1992/93 Community Development Department Budget;

Whereas, At its meeting on March 8, 1993, the Community Development Executive Committee approved minor modifications to the Community Development Statement of Objectives and Projected Use of Funds regarding allocation of unexpended FY 1990/91 funds and FY 1992/93 unallocated funds recommending transfer to the Housing Trust Fund for affordable housing projects;

Whereas, Community Development Department Program Income from both the Rental Rehabilitation and Single-Family Rehabilitation Programs have exceeded the projected revenues budgeted in the FY 1992/93 departmental budget;

Whereas, Federal regulations require that Program Income be spent prior to expenditure of currently budgeted program funds; and

Whereas, Unallocated grant balances and fund residuals require appropriation;

RESOLVED, That the Mayor and City Council approve the modifications to the FY 1992/93 Statement of Objectives and Projected Use of Funds as identified below for submission to the Department of HUD; and

RESOLVED, That City Council approve the amendment to the FY 1992/93 Community Development Budget as identified below:

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- Increase the CDBG Rental Rehabilitation Program Income Revenues and Expenditures by \$2,626.00;
- Increase the CDBG Single-Family Rehabilitation Program Income Revenues and Expenditures by \$23,000.00;
- Transfer \$9,660.00 in FY 1990/91 unallocated CDBG funds to the Housing Trust Fund;
- Transfer \$10,000.00 in FY 1990/91 CDBG Relocation funds to the Housing Trust Fund;
- Transfer \$13,700.00 in FY 1992/93 CDBG Unallocated funds to the Housing Trust Fund.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-134-4-93 APPROVED

RESOLUTION TO APPROVE PURCHASE OF TWO 72" ROTARY MOWERS - BID NO. 2277

Whereas, The Purchasing Division solicited bids for 72" rotary mowers for the Department of Parks and Recreation, Bid No. 2277;

Whereas, Wilkie Turf Equipment was the lowest responsible bidder, and has Human Rights approval as of March 9, 1993; and

Whereas, Funds are available in the 1992-93 park maintenance budget;

RESOLVED, That the Mayor and Council approve the purchase of two 72" Toro Model 325-D rotary mowers from Wilkie Turf Equipment Company in the amount of \$27,750.00 per Bid No. 2274.

Councilmember Eckstein moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-135-4-93 APPROVED

RESOLUTION TO AWARD CONTRACT FOR INSTRUMENTATION CONTROL CHANGES AT DAMS AND HYDROELECTRIC INSTALLATIONS TO ACCOMMODATE RADIO TELEMTRY SYSTEM

Whereas, Instrumentation control changes are needed to convert the current telemetry telephone based signals to radio based signals at the dams and hydroelectric installations;

Whereas, Corresponding instrumentation control changes must be done at the Water Treatment Plant to maintain related operational control of the dams and hydroelectric and to comply with recording requirements;

Whereas, These instrumentation control changes are of a highly technical nature and can only be efficiently and cost effectively performed by a firm that is specifically qualified and familiar with this specialized equipment;

Whereas, Utilities Instrumentation Service has such knowledge and has been involved in the design, installation, and maintenance of this equipment in the water supply, dam and hydropower systems for the City of Ann Arbor; and

Whereas, On March 31, 1993 the Human Resources Department has approved Utilities Instrumentation Service to perform these services;

RESOLVED, That City Council accept the proposal of Utilities Instrumentation Service and award a contract in the amount of \$24,680.00 for the aforementioned instrumentation control changes at the dams, hydroelectric and Water Treatment Plant; and

RESOLVED, That the Mayor and Clerk be authorized and requested to sign said contract approved as to form by the City Attorney, and approved as to substance by the City Administrator.

Source of Funds: Utilities Department Water Treatment Plant and Hyrdopower FY 1992/93 Approved Operating Budgets

Councilmember Meade moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

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R-136-4-93 APPROVED

RESOLUTION TO APPROVE THE ADDITION OF ANN ARBOR PROJECTS TO UATS TRANSPORTATION IMPROVEMENT PROGRAM FOR FISCAL YEARS 1994-1996

Whereas, The Ann Arbor-Ypsilanti Urban Area Transportation Study Committee (UATS), as part of federal funding requirements, must submit annually a three-year Transportation Improvement Program (TIP);

Whereas, The list of projects on file in the City Clerk's Office is substantially in the form submitted to and approved by the Planning Commission for inclusion in the City's Capital Improvements Plan;

Whereas, Staff will submit projects to Council for authorization to proceed and for appropriation of the funds to cover the City portion of the cost should federal aid become available for any project listed on the TIP; and

Whereas, UATS requires that all projects included in the TIP be submitted with a Council resolution;

RESOLVED, That the Council approve the 1994-1996 Transportation Improvement Program for Ann Arbor as filed in the City Clerk's Office, and that City funds be appropriated to cover the City share of the projects if federal funding is provided.

Councilmember Peterson moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

DEFEATED

RESOLUTION REGARDING SMOKING IN CITY HALL

Whereas, The Smoking Task Force reconvened on March 23, 1993, at the request of City Council, to determine the feasibility of converting the Democratic Caucus room into an environmentally isolated smoking room, within City Hall;

Whereas, The Smoking Task Force took into consideration the U.S. Environmental Protection Agency (EPA) report, "Respiratory Effects of Passive Smoking"; and

Whereas, The Task Force, by a majority vote, felt it was feasible to convert the Democratic Caucus room into an environmentally isolated smoking room;

RESOLVED, That the City Administrator take the necessary step to prohibit smoking in City Hall, with the exception of one environmentally isolated smoking room.

Councilmember Hanna-Davies moved that the resolution be adopted.

Council unanimously agreed with Councilmember Hunter's request to abstain from the vote.

Mayor Brater entered at 8:30 p.m.

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

Yeas, Councilmembers Hanna-Davies, Bach, Peterson, Eckstein, Mayor Brater, 5;

Nays, Councilmembers Meade, Zimmer, Nicolas, 3;

Abstentions, Councilmember Hunter, 1.

The Chair declared the motion defeated.

R-137-4-93 APPROVED

RESOLUTION TO APPROVE STREET CLOSINGS FOR THE 1993 ANN ARBOR ART FAIR

Whereas, The 1993 Ann Arbor Art Fair dates are July 21 through 24, 1993; and

Whereas, The three art fair organizations and the Washtenaw Non-Profits have requested street closings and related services from the City to permit a successful event;

RESOLVED, That the City Council approve the closing and barricading of the following streets, and that parking be prohibited from Tuesday, July 20 at 6:00 a.m. through Sunday, July 25 at 2:00 p.m. for the 1993 Ann Arbor Art Fair:

LIBERTY STREET from South State to Ashley Streets. Ashley Street, Fourth Avenue, Fifth Avenue, and Division Street will remain open to through

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traffic. The Washtenaw Non-Profits will occupy Liberty Street between Fifth

Avenue and 200 feet west of Division Street.

NORTH UNIVERSITY AVENUE from Thayer to State Streets.

WILLIAM STREET from State to Thompson Streets. The barricade at Thompson Street will be placed so the driveway out of NBD Bank is open to traffic. The barricade will be staffed by art fair members at all times.

JEFFERSON STREET from Maynard to Thompson Streets. The barricade at Thompson Street will be manned by art fair staff to allow authorized vehicles access to the University of Michigan facilities along Jefferson and Maynard Streets.

SOUTH UNIVERSITY AVENUE from Washtenaw to Tappan Avenues. Forest Avenue will remain open to through traffic.

MAIN STREET from the south side of Huron Street to the north side of William Street. Huron, Washington and William Streets will remain open to through traffic.

THOMPSON STREET from Liberty Street to the parking structure entrance/exit. Two art fair staff will be stationed on Thompson Street to assist with traffic flow.

MAYNARD STREET from Liberty to Jefferson Streets:

1. The Maynard Street exit/entrance to the parking structure will be closed in order to relieve vehicle congestion in the area and to ensure pedestrian safety; and
2. A barricade will be located at the north edge of the parking lot entrance to the Betsey Barber Dormitory and will be manned by art fair staff.

SOUTH STATE STREET from Washington Street to South University Avenue. State Street will be closed to general traffic from South University Avenue to Madison Street, however, local traffic and service vehicles will be permitted to enter/exit.

EAST UNIVERSITY AVENUE from the construction area to Willard Street. Booth sections will be stored on the sidewalk at the intersection of East and 24 Council - April 8, 1993

South University Avenues. Set up for the information booth will occur Monday night (July 19) at this intersection.

CHURCH STREET from the entrance to the City parking lot on the south to the University of Michigan parking lot on the north.

RESOLVED, That parking be prohibited on both sides of Tappan Avenue between South University Avenue and Monroe Street and on Monroe Street between Tappan Avenue and East University Avenue to facilitate AATA shuttle bus service and operations;

RESOLVED, That the City comply with the other requests of the art fair organizations as outlined in the communications to the Mayor and City Council dated March 22, 1993 and Mach 24, 1993; and

RESOLVED, That the City Council waive the street occupancy fee (\$1,600.00) for the portion of Liberty Street occupied by the Washtenaw Non-Profits for the reasons outlined in the letter to the Mayor and City Council dated March 25, 1993.

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

TABLED

RESOLUTION CONCERNING OUTDOOR SALES ON PRIVATE PROPERTY DURING 1993 SUMMER ART FAIR

Whereas, The City of Ann Arbor's Zoning Ordinance establishes requirements for temporary outdoor sales on private property;

Whereas, Section 5:10.15 (2)h states "The City Council may, by resolution, designate certain dates and locations as special events temporary outdoor sales areas.

Said resolution shall include conditions and standards of conduct to be in force for outdoor sales and displays on private property";

Whereas, City Council approved a resolution in 1985 regarding outdoor sales on private property which was to be effective for the 1985 Art Fair and all subsequent Art Fairs;

Whereas, The standards included with the 1985 resolution have become outdated;
Council - April 8, 1993 25

Whereas, The areas used for temporary outdoor sales has continued to increase;
and

Whereas, This increased activity for temporary outdoor sales has increased
potential for accidents/injury due to the increased congestion;

RESOLVED, That the previous resolution regarding temporary outdoor sales on
private property be rescinded;

RESOLVED, That for the days of the 1993 Summer Art Fair (July 21-24), a special
events temporary outdoor sales area be hereby established and that the owners of
commercially-zoned property fronting on the following streets may use their private yard
areas for outdoor sales and display: Liberty Street from Main Street to South State Street,
William Street from Thompson Street to South State Street, South University Avenue from
East University Avenue to Washtenaw Avenue, Main Street from Huron Street to William
Street, Thompson Street from Liberty Street to the parking structure entrance, Maynard
Street from Liberty Street to Jefferson Street, and South State Street from Washington
Street to William Street; and

RESOLVED, That the following standards be in force for outdoor sales and display
areas on private property:

1. Outdoor sales areas located more than 50 feet from the public right-of-way
(sidewalk or alley) require a 10-foot wide emergency access/escape
passageway.
2. Maintain a six-foot wide pedestrian passage between sales and display
booths.
3. For every 50 lineal feet of booth, a ten-foot wide aisle way is provided.
4. Booth material shall be made of fire retardant material.
5. No open flames for cooking, demonstration, or entertainment purposes.
6. Wiring for temporary electrical power shall comply with the requirements of
the National Electrical Code.
7. A Zoning Compliance Application form must be filled out, submitted, and
approved for all purposed areas on private property no later than July 1,
1993.

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Councilmember Meade moved that the resolution be adopted.

Councilmember Peterson moved that the resolution be tabled to the April 19, 1993 regular
session of Council for further information from City departments concerning the necessity
of certain standards as well as historical information on the issue.

On a voice vote the Chair declared the motion carried and the resolution tabled.

R-138-4-93 APPROVED

RESOLUTION TO EXTEND THE ANNUAL CONTRIBUTIONS

CONTRACT FOR SECTION 8 SUBSIDIES - CERTIFICATES

Whereas, The Ann Arbor Housing Commission currently administers 296 units of
Section 8 Certificates;

Whereas, The need for affordable housing in the Ann Arbor area prompted the Ann
Arbor Housing Commission to apply to the Department of Housing and Urban
Development for additional subsidy assistance in the form of Certificates;

Whereas, The Department of Housing and Urban Development approved an
extension of 272 Section 8 Certificates to December 31, 1995; and

Whereas, This extension together with Exhibit II (below) provides for both totals
together resulting in an amendment to the Annual Contributions contract with the
Ann Arbor Housing Commission in the amount of \$1,495,589.00; and

RESOLVED, That the Ann Arbor City Council accept the amended Annual
Contributions Contract submitted by H.U.D. for the same purpose.

EXHIBIT II

Projects Appropriated in Federal Fiscal Year 1988 and Later Years

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Unit

Contract Budget First Date Last Date Distri-.....

Project No. Authority Authority of Term of Term bution
MI28-E064-012 \$122,069 \$610,345 1/1/93 12/31/96 14 - 2BR
10 - 3BR
24 units

Councilmember Nicolas moved that the resolution be adopted.
On a voice vote the Chair declared the motion carried.

R-139-4-93 APPROVED

RESOLUTION TO EXTEND THE ANNUAL CONTRIBUTIONS
CONTRACT FOR SECTION 8 SUBSIDIES - VOUCHERS

Whereas, The Department of Housing and Urban Development executed with the
Ann Arbor Housing Commission an Annual Contributions Contract to administer the
Section 8 Housing Voucher Program;

Whereas, The amendment includes the deletion of Expiring Project No. MI28-VO64-
005/006 from Exhibit I (see below); and

Whereas, The amendment also includes the addition of Renewal Project No. MI28-
V064-013 to Exhibit II (see below);

RESOLVED, That the Ann Arbor City Council accept the amended Annual
Contributions Contract submitted by H.U.D. for the same purpose.

EXHIBIT I: ONGOING 86x0164

Contract First Date Last Date

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Project No. Authority (\$) of Term of Term

MI28-V064-001 39,140 7/21/86 7/20/91

MI28-V064-002 105,678 9/30/86 9/29/91

MI28-V064-003 240,857 6/12/87 6/11/92

MI28-V064-004 66,300 6/12/87 6/11/92

MI28-V064-005 470,235 4/06/88 4/05/93

MI28-V064-006 85,215 4/06/88 4/05/93

Terminations

Replaced by MI28-V064-008

MI28-V064-001 (39,140) 7/21/86 7/20/91

MI28-V064-002 (105,678) 9/30/86 9/29/91

Replaced by MI28-V064-010

MI28-V064-003 (240,857) 6/12/87 6/11/92

MI28-V064-004 (66,300) 6/12/87 6/11/92

Replaced by MI28-V064-013

MI28-V064-005 (470,235) 4/06/88 4/05/93

MI28-V064-006 (85,215) 4/06/88 4/05/93

EXHIBIT II: ONGOING 86x0164

Contract First Date Last Date

Project No. Authority (\$) of Term of Term

MI28-V064-007 319,917 6/1/89 5/31/94

MI28-V064-011 515,250 10/1/92 9/30/97

MI28-V064-012 184,322

EXHIBIT II: RENEWALS 86x0194

Contract First Date Last Date

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Project No. Authority (\$) of Term of Term

MI28-V064-008 227,557 7/1/91 6/30/96

MI28-V064-010 382,464 6/1/92 5/31/97

MI28-V064-013 761,622 4/1/93 3/31/98

Councilmember Nicolas moved that the resolution be adopted.
On a voice vote the Chair declared the motion carried.

R-140-4-93 APPROVED

RESOLUTION AUTHORIZING GRANT APPLICATIONS FOR
PEDESTRIAN/BIKE PATH, SIDEWALK AND DOWNTOWN
HISTORICAL DISPLAY IMPROVEMENTS

Whereas, Under the Transportation Enhancement Activity Program of the 1991 Federal Intermodal Surface Transportation Efficiency Act (ISTEA), certain local projects may qualify for federal funding as determined by the Michigan Department of Transportation;

Whereas, Six proposed pedestrian, bicycle and historic preservation projects were identified for the grant applications: 1) A pedestrian/bike path along the Huron River parallel to North Main Street from Huron River Drive at the Barton Oxbow through Bandemer Park to Main Street, as recommended in the 1988 Park, Recreation and Open Space Plan, the 1992 Bicycle Master Plan and the 1992-93 and 1993-94 Capital Improvements Plan; 2) Pedestrian/bike path and bridges crossing the Pittsfield-Ann Arbor Drain along the east side of South Main Street and the east side of Ann Arbor-Saline Road, as recommended in the 1992 Bicycle Master Plan and 1988 Park, Recreation and Open Space Plan; 3) A sidewalk and retaining wall along Washtenaw Avenue between Geddes Avenue and Zina Pitcher Place, as recommended in the 1990 Transportation Plan Update and the 1993-98 Capital Improvements Plan; 4) A sidewalk along the north side of Ellsworth Road between State Street and Platt Road as recommended in the 1990 Transportation Plan Update; 5) A pedestrian/bike path along the north side of Washtenaw Avenue between Huron Parkway and Stadium Boulevard, as recommended in the 1990 Transportation Plan Update; and 6) A downtown historical street exhibit in the Courthouse Square area of Huron and Main Street, as recommended by the 1991 Central Area Plan; and

Whereas, 1) The total cost of the North Main Street/Bandemer Park pathway project is \$761,800.00 and funding for a 39% local match has been identified through the Park 30 Council - April 8, 1993

Rehabilitation and Development Millage Funds; 2) The total cost of the Pittsfield-Ann Arbor drain pathway and bridges is \$150,370.00 and the local match of 50% is budgeted through the Parks Rehabilitation and Development Millage; 3) The total cost of the Washtenaw Avenue sidewalk project is \$212,000.00 and funding for a 50% match has been identified through City general funds (25%) and a University of Michigan contribution (25%); 4) The total cost of the Ellsworth Road sidewalk project is \$264,000.00 and funding for a match of 32% is budgeted through special assessments; 5) The total cost of the Washtenaw Avenue bike path project is \$91,000.00 and the match of 30% will come from special assessments; and 6) The total cost of the Downtown Historical Street Exhibit is \$59,400.00 and a match of 50% is budgeted through Downtown Development Authority funds;

RESOLVED, That the Mayor and City Council authorize the City Administrator to submit applications for Transportation Enhancement Activity funds and to execute all documents necessary to enter into an agreement with the Michigan Department of Transportation for the construction of: 1) North Main Street/Bandemer Park Pedestrian/Bike Path; 2) Pittsfield-Ann Arbor Drain Pathway and Bridges; 3) Washtenaw Avenue Sidewalk; 4) Ellsworth Road Sidewalk; 5) Washtenaw Avenue Bike Path; and 6) Downtown Historical Street Exhibit; and

RESOLVED, That if any or all of the grants are approved by the State, the Mayor and Council appropriate the grant funds and identify City matching funds for the life of each project as follows:

- 1) North Main Street/Bandemer Park Pedestrian/Bike Path - up to \$761,800.00 appropriated from the Park Rehabilitation and Development Funds (041), with reimbursement of \$461,800.00 by MDOT upon completion;
- 2) Pittsfield-Ann Arbor Drain Pathway and Bridges - up to \$150,370.00 appropriated from Park Rehabilitation and Development funds (041), with reimbursement of \$75,185.00 by MDOT upon completion;
- 3) Washtenaw Avenue Sidewalk - up to \$212,000.00 appropriated from General Fund (010), with reimbursement of \$106,000.00 by MDOT and \$53,000.00 by The University of Michigan upon completion;
- 4) Ellsworth Road Sidewalk - up to \$264,000.00 appropriated from General Fund (010), with reimbursement of \$179,520.00 by MDOT upon completion;
- 5) Washtenaw Avenue Bike Path - up to \$130,000.00 appropriated from General Fund (010), with reimbursement of \$91,000.00 by MDOT upon completion; and

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6) Downtown Historical Street Exhibit - up to \$59,400.00 appropriated from Downtown Development Authority Funds (003), with reimbursement of \$29,400.00 by MDOT upon completion.

Councilmember Nicolas moved that the resolution be adopted.
On a voice vote the Chair declared the motion carried.

R-141-4-93 APPROVED

RESOLUTION SUPPORTING MICHIGAN HOUSE BILL 4001,
TAX FORECLOSURE PROTECTION CLAUSE

Whereas, House Bill 4001, which is in the House Taxation Committee, reduces foreclosure for the inability to pay property tax for household incomes earning less than 187.5% of poverty;

Whereas, HB 4001 will support continuity of neighborhoods by helping citizens to stay in their neighborhoods;

Whereas, HB 4001 helps citizens to maintain their dignity and independence;

Whereas, HB 4001 gives citizens the ability to better allocate their resources for health maintenance and basic needs by deferring the immediate tax burden;

Whereas, HB 4001 will reduce the drain on community resources which have been used to help reduce foreclosure;

Whereas, HB 4001 will amend the General Property Tax Act, Sec. 70 of Act 206 of 1893;

Whereas, HB 4001 seeks to establish a low interest (9%) lien on the property for the amount of unpaid taxes, which can be released when the property is sold; and
Whereas, The Michigan County Treasurers Association has indicate that this is, at least, a revenue neutral act;

RESOLVED, That the Ann Arbor City Council express its support for House Bill 4001 of 1993 and direct the City Clerk to send copies of this resolution to the State Representatives.

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Councilmember Hunter moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-142-4-93 APPROVED

RESOLUTION TO WAIVE FEES FOR TAKE
BACK THE NIGHT MARCH

Whereas, Sexual assaults are serious crimes which have a devastating, long-term impact on survivors and their families;

Whereas, Based on FBI reports, one out of three women and one out of seven men will be sexually assaulted in their lifetimes, 60 to 80% of the time by someone they know, a fact which suggests that nearly every citizen and family in Ann Arbor will be impacted either directly or indirectly by this problem;

Whereas, Sexual assault continues to be the most under-reported crime in our country, with less than 10% reported to the police and less than 5% pursued through the court system;

Whereas, The Mayor, City Council and Police Department support events that inform the public and promote measures to prevent sexual assaults;

Whereas, Many educational events about the causes and prevention of sexual assault occur during the month of April in the State of Michigan and in this community; and

Whereas, The 14th Annual Take Back the Night March is an educational event for those involved and for the community, and will take place on April 17, 1993;

RESOLVED, That the Mayor and City Council hereby designate April as Sexual Assault Awareness Month, and encourage all citizens to support and participate in programs that increase the awareness of this violent criminal act;

RESOLVED, That the Mayor and City Council take up to \$1,400.00 from the Community Events Fund for the costs for the Annual Take Back the Night March; and

RESOLVED, That the Mayor and City Council recognize with appreciation the work
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of individuals and agencies in the community who provide crisis intervention, counseling, prevention and information, including the Assault Crisis Center, U/M Sexual Assault

Prevention and Awareness Center, Domestic Violence Project/SAFE House, Ann Arbor Coalition Against Rape, and the Ann Arbor Police Department.

Councilmember Hanna-Davies moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

NOMINATIONS PLACED ON TABLED

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

ANN ARBOR COMMISSION ON DISABILITY ISSUES

Carolyn Grawi-Brandt (to fulfill membership requirements)

1750 Northbrook Dr.

Term: 4/19/93 to 4/19/96

ENERGY COMMISSION

Marc Ross (reappointment)

1056 Martin Pl.

Term: 4/19/93 to 4/19/96

SOLID WASTE COMMISSION

Vivienne Armentrout (replacing Janet Cohen at term expiration)

610 Stratford Dr.

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Term: 4/19/93 to 4/19/95

PARKS ADVISORY COMMISSION

Kim C. Waldo (to replace Austin Anderson upon term expiration)

3423 Charing Cross Rd.

Term: 4/19/93 to 4/19/96

Warren J. Attarian (to replace George Sexton upon term expiration)

3490 Gettysburg Rd.

Term: 4/19/93 to 4/19/96

APPOINTMENTS APPROVED

Councilmember Grady entered at 8:45 p.m.

Mayor Brater recommended the following appointment at the March 15, 1993 regular session of Council:

DOWNTOWN DEVELOPMENT AUTHORITY

Karl Pohrt (replacing Jon Gordon at term expiration)

313 S. State St.

Term: 4/8/93 to 7/31/97

Councilmember Hunter moved that Council concur with the recommendation of the Mayor.

On a roll call the vote was as follows:

Yeas, Councilmembers Hunter, Hanna-Davies, Bach, Grady, Meade, Peterson, Mayor Brater, 7.

Nays, Councilmembers Zimmer, Nicolas, Eckstein, 3.

The Chair declared the motion carried.

Mayor Brater also recommended the following appointments at the March 15, 1993 regular session of Council:

RECREATION ADVISORY COMMISSION

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Audrey L. Jackson (replacing Thomas Bletcher at term expiration)

2557 Sandalwood Cir.

Term: 4/8/93 to 8/31/96

Maureen Martin (upon the resignation of Cynthia Lynn Junker)

1120 W. Liberty St.

Term: 4/8/93 to 8/31/96

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

On a voice vote the Chair declared the motion carried.

COUNCIL CALL-IN

Mayor Brater announced that the next Council Call-In is scheduled for April 14 from 6:30 to 8:00 p.m.

APPRECIATION EXPRESSED

The Mayor expressed her appreciation to Councilmembers and to all those citizens who help with accomplishments during her two years as Mayor. Ms. Brater stated that she will continue to serve the citizens of Ann Arbor and hopes to work with the new Mayor.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

City Administrator Gatta submitted the following reports for information of Council:

1. Privatizing Management of Public Housing
 2. Ann Arbor Inn Status
 3. Monthly Statement of Revenues, Expenditures and Changes in Fund Balance, through March 1993, for Series A/B of the Environmental Bond
 4. Stadium Boulevard Reconstruction Project (Packard to S. Industrial)
 5. Health Care Costs for City Employees
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6. Proposals for Improvements to Sidewalk Snow Removal Program
 7. Sidewalk on Washtenaw between Stadium and Brockman
 8. Gelman Sciences, Inc. Evergreen Purge Water Discharge to the Sanitary Sewer - Update
 9. Network for Equal Economic Development Service Corporation
 10. Old West Side Residential Parking Permit Program
 11. Proposed Consent Agreement Between Michigan Department of Public Health and City of Ann Arbor Regarding the Surface Water Treatment Rule
(Reports on file in the City Clerk's Office)

COMMUNICATIONS FROM THE CITY ATTORNEY

REPORT ON COMPLETED ANNEXATION

City Attorney Elizabeth Schwartz submitted a report on the completed annexation of the Kay property, 0.25 acre, 2505 Victoria, from Pittsfield Township. (Report on file in the City Clerk's Office)

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER ECKSTEIN

Councilmember Eckstein presented the Ann Arbor Hospitality Committee with a promotional audio tape entitled, "Sound Cruising - Modern Silhouette, Chicago to Ann Arbor." Mr. Eckstein stated that the CD is being marketed in Japan by former University of Michigan students.

Mr. Eckstein stated that he has learned a lot during his two years on Council and wished everyone the best in the future.

COUNCILMEMBER NICOLAS

Councilmember Nicolas expressed his appreciation to all those who are leaving Council.
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Mr. Nicolas stated that he learned a lot from all five outgoing members and wished them success in the future.

COUNCILMEMBER HUNTER

Councilmember Hunter stated that he has enjoyed working with all outgoing members of Council, especially the Mayor.

COUNCILMEMBER PETERSON

Councilmember Peterson stated that all of the outgoing members of Council have worked for the good of the City and that no one has worked harder than the Mayor. Ms. Peterson further stated that she is glad to have served with Mayor Brater during her years on Council.

COUNCILMEMBER BACH

Councilmember Bach stated that she has made history by serving the shortest term on record, but that she will be back. Ms. Bach thanked the City Clerk's Office for its efforts on running this election in spite of the adversity that has hit staff members.

Ms. Bach stated that she was glad to be a part of the process involving the materials recovery facility and expressed hope that future Councils will continue to support it.

Ms. Bach expressed concern that residents were not notified of the proposal to fill in Mitchell Field next to Huron Towers for a rugby field.

COUNCILMEMBER MEADE

Councilmember Meade stated that one of the things that impressed him most about this community during his years on Council is that the residents share more values than they disagree on, and that this sharing of values spans the political parties and many segments of the community.

COUNCILMEMBER GRADY

Councilmember Grady expressed appreciation to all departing members of Council, especially to Councilmember Meade for his tolerance and forbearance and to the Mayor for her leadership and ability to work out important issues. Mr. Grady stated that the City has greatly benefited from these last two years in which significant changes have been made.

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MAYOR BRATER

Mayor Brater presented Certificates of Appreciation to outgoing Councilmembers Barbara Bach, Nelson K. Meade and Robert Eckstein in recognition of their years of dedicated service to the City of Ann Arbor as representatives of the Second, Third and Fifth Wards, respectively. (Outgoing Fourth Ward Councilmember Kurt Zimmer had exited the meeting and will receive his certificate by mail).

The Mayor thanked all the outgoing Councilmembers for their hard work and stated that it was a pleasure working with them. Ms. Brater also thanked the City staff for their hard work.

The Mayor noted that the work of the Safe Celebration Task Force was very successful this year, although she was not totally pleased because some young people were injured. Ms. Brater urged parents to keep track of their children during these types of celebration. Mayor Brater thanked the bar owners, police department, U of M administration and the students for their efforts.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from State Representative Mary Schroer in response to Council resolution in opposition to the proposed Augusta Township incinerator - File.
2. Communication from Norma J. Nichols, Lurie Terrace Administrator, 600 W. Huron St., regarding Sequoia Place Elderly Housing Project - File.
3. Communication from Jim Sygo, Chief of Waste Management Division-Michigan Department of Natural Resources, in response to Council resolution on hazardous waste management facility in August Township - File.
4. Communication from the Human Rights Commission transmitting its support of Council's action on boycott of Colorado's products and services - File.
5. Communication from Susan Contratto, 1617 Cambridge Rd., regarding resignation from City Board of Canvassers - File.
6. Board of Canvassers Report for the April 5, 1993 General City Election - File.

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The following minutes were received for file:

1. Ann Arbor Commission on Disability Issues - February 17, 1993
2. Ann Arbor Energy Commission - February 11, 1993
3. Housing Policy Board - March 17, 1993
4. Planning Commission - February 2 and 16, 1993
5. Human Rights Commission - February 22, 1993

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

On a voice vote the Chair declared the motion carried.

PUBLIC COMMENTARY - GENERAL**BRIAN CHAMBERS - NON-PROFITS AT ART FAIR**

Brian Chambers, representing Washtenaw Non-Profits, stated that his organization had requested that the fees for the street closings be waived for the non-profit booths during this year's art fair.

Building Department Director Jack Donaldson responded that waiver of the street occupancy fees for the Washtenaw Non-Profits was included in the resolution approved by Council tonight.

ANDREW GULVEZAN - ARREST FOR TRESPASSING

Andrew Gulvezan, 2167 Medford Rd., objected to his arrest for trespassing in City Hall.

Mr. Gulvezan wished the outgoing Mayor well.

MYUNG RAYMOND - THANK YOU TO MAYOR

Myung Raymond, 611 Sunset Rd., expressed appreciation to the Mayor for her excellent service to the City of Ann Arbor. Mr. Raymond stated that the Mayor's accomplishments include streamlining City Administration and saving millions of dollars, repairing the crumbling parking structures, upgrading city-wide collection of recyclables, and finding a

reasonable and cost-effective solution to the dioxane pollution problem. Ms. Raymond wished the Mayor success in the future.

ADJOURNMENT

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

On a voice vote the Chair declared the motion carried and the meeting adjourned at 9:19 p.m.

W. Northcross

Clerk of the Council

Janet L. Chapin

Recording Secretary

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REPORT OF THE

CITY BOARD OF CANVASSERS

for the

APRIL 5, 1993, GENERAL CITY ELECTION

TO: The Honorable Mayor and City Council of the City of Ann Arbor, Michigan

The Ann Arbor Elections Commission

The following is a tabulated list of votes received by the candidates for Mayor and Councilmember in the various wards in the City of Ann Arbor at the General City Election held in the City of Ann Arbor on April 5, 1993.

(REVISED APRIL 8, 1993)

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OFFICIAL CANVASS

APRIL 5, 1993, GENERAL CITY ELECTION

OFFICE OF MAYOR - FIRST WARD

DEMOCRATIC REPUBLICAN TISCH LIBERTARIAN WRITE-INS

PCT.

Elizabeth S. Ingrid B. P. S. Emily Hopp

Brater Sheldon Jensen Salvette

1 31 21 0 2

2 19 12 0 4

3 80 36 1 6

4 108 37 0 14

5 151 62 0 4

6 102 49 0 5

7 22 27 0 4

8 80 37 0 8

9 78 115 0 2

10 178 112 1 4

11 118 110 0 8

AVCB 138 174 0 6

TOTAL 1,105 792 2 67 0

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OFFICIAL CANVASS

APRIL 5, 1993, GENERAL CITY ELECTION

OFFICE OF MAYOR - SECOND WARD

DEMOCRATIC REPUBLICAN TISCH LIBERTARIAN WRITE-INS

PCT.

Elizabeth S. Ingrid B. P. S. Emily Hopp

Brater Sheldon Jensen Salvette

1 81 99 0 8

2 12 15 0 3

3 53 54 0 9
4 134 230 1 3
5 113 348 1 8
6 49 29 0 6
7 70 268 1 9
8 100 227 0 5
9 114 209 0 3
10 142 293 0 4
AVCB 80 352 1 3
AVCB 128 321 0 4
TOTAL 1,076 2,445 4 65 0

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OFFICIAL CANVASS

APRIL 5, 1993, GENERAL CITY ELECTION

OFFICE OF MAYOR - THIRD WARD

DEMOCRATIC REPUBLICAN TISCH LIBERTARIAN WRITE-INS

PCT.

Elizabeth S. Ingrid B. P. S. Emily Hopp

Brater Sheldon Jensen Salvette

1 41 7 0 16
2 83 30 0 7
3 204 83 1 7
4 167 192 0 3
5 212 222 3 5
6 114 198 1 12
7 117 167 0 2
8 125 215 0 5
9 148 179 3 9
10 94 61 2 6

AVCB 180 239 0 2

AVCB 38 73 0 0

TOTAL 1,523 1,666 10 74 0

Council - April 8, 1993 45

OFFICIAL CANVASS

APRIL 5, 1993, GENERAL CITY ELECTION

OFFICE OF MAYOR - FOURTH WARD

DEMOCRATIC REPUBLICAN TISCH LIBERTARIAN WRITE-INS

PCT.

Elizabeth S. Ingrid B. P. S. Emily Hopp

Brater Sheldon Jensen Salvette

1 34 12 0 3
2 35 17 0 5
3 165 75 4 13
4 171 296 3 10
5 122 178 3 9
6 67 67 0 1
7 80 256 3 6
8 49 68 0 2
9 91 375 1 2
10 137 442 5 9

AVCB 65 348 0 3

AVCB 124 289 1 5

TOTAL 1,140 2,423 20 68 0

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OFFICIAL CANVASS

APRIL 5, 1993, GENERAL CITY ELECTION

OFFICE OF MAYOR - FIFTH WARD

DEMOCRATIC REPUBLICAN TISCH LIBERTARIAN WRITE-INS

PCT.

Elizabeth S. Ingrid B. P. S. Emily Hopp
Brater Sheldon Jensen Salvette

1 60 20 1 3
2 328 186 4 21
3 179 64 4 7
4 282 216 0 12
5 179 166 2 15
6 128 171 3 4
7 30 41 1 3
8 96 168 2 6
9 225 273 2 9
10 77 249 6 9
11 137 175 3 6
12 252 159 3 9

AVCB 86 312 1 3
AVCB 163 210 0 4

TOTAL 2,222 2,410 32 111 0

CITY TOTAL 7,066 9,736 68 385 0

There was a total of 17,255 votes cast for the office of Mayor.

OFFICIAL CANVASS

APRIL 5, 1993, GENERAL CITY ELECTION

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OFFICE OF COUNCILMEMBER - FIRST WARD

DEMOCRATIC REPUBLICAN TISCH LIBERTARIAN WRITE-INS
PCT.

Tobi (No (No David H. Michael

Hanna-Davies Candidate) Candidate) Raaflaub Bielby

1 34 9 1
2 17 6 0
3 79 16 0
4 100 25 12
5 155 21 9
6 118 16 3
7 24 12 1
8 84 20 5
9 104 21 19
10 175 23 39
11 121 25 14

AVCB 144 37 60

TOTAL 1,155 231 163

There was a total of 1,549 votes cast for Councilmember in the First Ward.

Tobi Hanna-Davies was elected by a margin of 924 votes over the candidate receiving the next largest number of votes.

There were 2 write-in votes cast for McCormick.

OFFICIAL CANVASS

APRIL 5, 1993, GENERAL CITY ELECTION

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OFFICE OF COUNCILMEMBER - SECOND WARD

DEMOCRATIC REPUBLICAN TISCH LIBERTARIAN WRITE-INS
PCT.

Barbara B. Jane (No Bill

Bach Lumm Candidate) Krebaum

1 85 94 5
2 10 13 2
3 57 50 6
4 176 186 0
5 132 322 5
6 53 20 5
7 82 253 7

8 115 193 5
9 110 199 3
10 161 265 4
AVCB 97 332 1
AVCB 149 298 2
TOTAL 1,227 2,225 45 0

There was a total of 3,497 votes cast for Councilmember in the Second Ward.
Jane Lumm was elected by a margin of 998 votes over the candidate receiving the next largest number of votes.

OFFICIAL CANVASS
APRIL 5, 1993, GENERAL CITY ELECTION
OFFICE OF COUNCILMEMBER - THIRD WARD
Council - April 8, 1993 49
DEMOCRATIC REPUBLICAN TISCH LIBERTARIAN WRITE-INS
PCT.

Ulrich Lee (No Samuel M.
Stoll Pace Candidate) Copi

1 34 9 18
2 81 19 12
3 211 65 5
4 214 129 4
5 257 152 7
6 151 155 9
7 138 139 1
8 144 177 7
9 139 173 7
10 96 49 4
AVCB 38 73 2
AVCB 172 223 2
TOTAL 1,675 1,360 78 0

There was a total of 3,113 votes cast for Councilmember in the Third Ward.
Ulrich Stoll was elected by a margin of 315 votes over the candidate receiving the next largest number of votes.

OFFICIAL CANVASS
APRIL 5, 1993, GENERAL CITY ELECTION
OFFICE OF COUNCILMEMBER - FOURTH WARD
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DEMOCRATIC REPUBLICAN TISCH LIBERTARIAN WRITE-INS
PCT.

Stephen C. Julie M. Michael Kreg K.
Hartwell Creal Murawski Nichols

1 28 11 0 10
2 30 16 0 9
3 161 74 2 14
4 173 284 1 8
5 114 175 2 7
6 130 119 0 2
7 80 245 2 4
8 54 57 0 3
9 92 358 1 3
10 145 421 5 5
AVCB 52 365 0 0
AVCB 123 286 1 6
TOTAL 1,182 2,411 14 71 0

There was a total of 3,678 votes cast for Councilmember in the Fourth Ward.
Julie Creal was elected by a margin of 1,219 votes over the candidate receiving the next largest number of votes.

OFFICIAL CANVASS
APRIL 5, 1993, GENERAL CITY ELECTION

OFFICE OF COUNCILMEMBER - FIFTH WARD
DEMOCRATIC REPUBLICAN TSCH LIBERTARIAN WRITE-INS
PCT.

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David F. Lawrence A. Raymond Kent Charles

Stead Murphy Pierce Hyne

1 61 14 3 3

2 352 140 4 25

3 179 39 9 8

4 317 153 1 16

5 194 127 9 20

6 138 128 8 13

7 33 33 1 4

8 106 140 2 5

9 257 208 5 16

10 97 224 5 7

11 151 155 2 3

12 264 131 2 6

AVCB 103 288 2 5

AVCB 185 186 1 5

TOTAL 2,437 1,966 54 136 0

There was a total of 4,593 votes cast for Councilmember in the Fifth Ward.

David F. Stead was elected by a margin of 471 votes over the candidate receiving the next largest number of votes.

OFFICIAL CANVASS

APRIL 5, 1993, GENERAL CITY ELECTION

PROPOSAL A

ANN ARBOR CITY CHARTER AMENDMENT

AUTHORIZING TAX FOR PARKS

Shall the Charter be amended to authorize a .37 mill tax for five years, to replace the expiring Land Acquisition Millage, starting 1993, to provide funds for financing park maintenance and repair, in accordance with three categories in the Ann Arbor Parks 2000 Plan:

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- 1) Natural resource management and care for newly acquired park land;
- 2) Compliance with Americans with Disabilities Act (ADA) and with safety, security and other legal requirements; and
- 3) Creation of a park maintenance plan addressing newly developed parks and deferred maintenance for parks and recreation facilities?

PURPOSE OF AMENDMENT

The amendment is proposed for the purpose of maintaining and repairing park facilities.

PCT. WARD 1 WARD 2 WARD 3 WARD 4 WARD 5

Yes No Yes No Yes No Yes No Yes No

1 32 8 107 33 34 5 25 5 46 54

2 22 3 14 1 76 16 32 11 356 120

3 66 6 80 20 209 34 169 41 136 43

4 72 25 197 91 219 93 248 159 322 108

5 104 45 274 153 250 122 163 79 198 96

6 92 22 50 13 176 95 105 70 161 103

7 27 9 182 116 146 91 136 127 31 21

8 69 17 161 76 157 105 60 24 150 99

9 98 40 156 73 160 111 199 170 253 153

10 146 63 280 137 99 34 269 243 133 119

11 124 45 176 96

12 269 124

AVCB 205 102 230 200 66 50 189 212 161 235

AVCB 261 182 234 174 224 182 209 164

SUBTOTAL 1,057 385 1,992 1,095 1,826 930 1,819 1,323 2,601 1,535

CITY TOTAL : YES - 9,295 NO - 5,268

CITY BOARD OF CANVASSERS CERTIFICATION OF VOTES

for the

APRIL 5, 1993

GENERAL CITY ELECTION

Council - April 8, 1993 53

CERTIFIED BY:

Leah Gunn, Chairman

Jane Barney

L. Walter Helmreich

Carolyn Farmer

ATTESTED TO BY CLERK OF THE BOARD:

W. Northcross

WITNESSED BY:

Yvonne Fraser Carl, Deputy City Clerk

DATED: April 6, 1993