



City of Ann Arbor

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Legislation Text

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ANN ARBOR CITY COUNCIL MINUTES REGULAR SESSION - JUNE 5, 2006

Mayor John Hieftje called the regular session of the Ann Arbor City Council to order at 7:09 p.m. in the City Hall Council Chamber, 100 N. Fifth Avenue, Ann Arbor.

Council stood for a moment of silence.

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

ROLL CALL OF COUNCIL

PRESENT : Councilmembers John Roberts, Robert M. Johnson, Joan Lowenstein, Stephen Rapundalo, Jean Carlberg, Leigh Greden, Margie Teall, Marcia Higgins, Christopher Easthope, Wendy A. Woods, Mayor John Hieftje, 11;

ABSENT : 0.

INTRODUCTIONS

2006 GOLDEN PAINTBRUSH AWARDS

Margaret Parker, Chairperson of the Commission on Art in Public Places, presented the Art in Public Places Annual Report and gave a slide presentation of the 7th Annual 2006 Golden Paintbrush Awards. The commission accepts nominations from the community throughout the year. This year's recipients are as follows:

Gallery Without Walls sponsored by the Ann Arbor Art Center;
Pigskins on Parade, sponsored by the Ann Arbor Visitor's Convention;
and Fairy Doors, discovered by Jonathan B. Wright

(Councilmember Johnson arrived at 7:20 p.m.)

HUNGER AWARENESS DAY PROCLAMATION

Mayor Hieftje read a proclamation recognizing June 6, 2006 as Hunger Awareness Day and presented it to Eileen Spring. The Mayor encouraged community based organizations, local governments, the food industry and all corporate and private citizens to become engaged in efforts to end hunger in our community. (A copy of the proclamation is on file in the City Clerk's Office.)

PUBLIC COMMENTARY - RESERVED TIME

FY-06 ALLOCATIONS TO NON-PROFIT ENTITIES FOR HOUSING AND HUMAN SERVICE

The following people spoke about the proposed FY-06 Allocations to non-profit entities for Housing and Human Services Resolution:

Joan Doughty of Community Action Network, 2401 Meadowridge, urged Council to reinstate the proposed \$7000 budget cut to the Community Action Network as the funding is necessary for many of its summer programs.

Tina Bissell, 5 Northwick Court, urged Council to reinstate all funding for CAN.

PALESTINE

The following people addressed Council regarding issues in Palestine:

Blaine Coleman, P. O. Box 7038

Mozhgan Savabieasfahni, 710 E. Ann

Henry Herskovitz, 404 Mark Hanna Place

EILEEN SPRING - NATIONAL HUNGER AWARENESS DAY

Eileen Spring, Executive Director of Food Gatherers, addressed Council regarding hunger awareness in Washtenaw County. Ms. Spring thanked Council for their support of national hunger awareness programs.

DAVID BOYLE - DIVESTMENT FROM SUDAN

David Boyle addressed Council regarding divestment from Sudan.

PUBLIC HEARINGS

WILLIAM STREET STATION BROWNFIELD PLAN - 4TH AND WILLIAM PROPERTY

A public hearing was conducted on the proposed William Street Station Brownfield Plan, 4th and William Property. Notice of public hearing was published May 6, 2006.

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

ANN ARBOR RESEARCH PARK SITE PLAN

A public hearing was conducted on the proposed Ann Arbor Research Park Site Plan, 5.79 acres, located at 3920 Research Park Drive. Notice of public hearing was published May 28, 2006.

Tom Phillips of Hobbs and Black, representing the petitioner, was available to answer any questions of Council.

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

EVERGREEN PARK ZONING (ORDINANCE NO. 17-06)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 4.2 acres from TWP (Township District) to PL (Public Land District), Evergreen Park property, located on the east and west sides of Parkwood, north of Valley and south of and including Kingwood. Notice of public hearing was published May 14, 2006.

Kerry Miles, a property owner in the area, spoke in support of the purchase of the parkland. However, Ms.

Miles stated she was not in support of any type of play equipment to be purchased for that area, as there are other places in the city to go for that type of recreation. Ms. Miles stated she felt this park should be set aside as a natural area.

James Wesley, 330 Barber, wanted to know if the proposed ordinance to rezone this property for parkland would serve the children or the people in the adjacent neighborhoods.

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

KENNEDY ZONING (ORDINANCE NO. 18-06)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.29 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Kennedy property, located at 460 Rose Drive. Notice of public hearing was published May 14, 2006.

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

O'CONNOR ZONING (ORDINANCE NO. 19-06)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 1.19 acres from TWP (Township District) to R1C (Single-Family Dwelling District), O'Connor property, located at 3300 Dexter Road. Notice of public hearing was published May 14, 2006.

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

PRITULA ZONING (ORDINANCE NO. 20-06)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.9 acre from TWP (Township District) to R1C (Single-Family Dwelling District), Pritula property, located at 3328 Dexter Road. Notice of public hearing was published May 14, 2006.

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

ROSS/FREUND ZONING (ORDINANCE NO. 21-06)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 2.1 acres from TWP (Township District) to R1C (Single-Family Dwelling District), Ross/Freund property, located at 2 Ridgemor Drive. Notice of public hearing was published May 14, 2006.

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

MALLETT'S WOOD 2 ZONING (ORDINANCE NO. 16-06)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 3.77 acres from PUD (Planned Unit Development) to Revised PUD, Mallett's Wood 2 property, located on the south side of Cardinal Avenue at Sharon Drive. Notice of public hearing was published May 14, 2006.

Peter Pollack, representing the owner, was available to answer questions of Council.

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

MALLETT'S WOOD 2 PUD SITE PLAN

A public hearing was conducted on the proposed Mallett's Wood 2 Revised PUD Site Plan and Development Agreement, 3.77 acres, located on the south side of Cardinal Avenue at Sharon Drive. Notice of public

hearing was published May 28, 2006.

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

WASHINGTON TERRACE SITE PLAN

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.50 acre, located at 401 East Washington Street. Notice of public hearing was published May 29, 2006.

Frances Todoro of McKinley and Associates, representing the owner, explained the project to Council.

Ray Detter, 120 N. Division, Apt. 1, spoke in support of the proposed site plan.

Leigh Carmez of Joseph Freid and Associates was available to answer questions of Council.

Chris Crocket, 506 E. Kingsley, spoke in opposition of the architectural design of the proposed building.

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

TERMINATION OF EISENHOWER PARKWAY INDUSTRIAL DEVELOPMENT DISTRICT A - 777 EAST EISENHOWER BOULEVARD

A public hearing was conducted on the proposed termination of Eisenhower Parkway Industrial Development District A, located at 777 East Eisenhower Boulevard. Notice of public hearing was published May 7, 2006.

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

TERMINATION OF EISENHOWER PARKWAY INDUSTRIAL DEVELOPMENT DISTRICT B - 789 EAST EISENHOWER BOULEVARD

A public hearing was conducted on the proposed termination of Eisenhower Parkway Industrial Development District B, located at 789 Eisenhower Boulevard. Notice of public hearing was published May 7, 2006.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

Councilmember Woods moved, seconded by Councilmember Greden, that the agenda be approved with the following changes:

CONSENT AGENDA

Move: Resolution to Approve a Professional Legal Services Agreement with Model Cities Legal Services, Inc. to Provide Legal Representation as Court-Appointed Counsel to Indigent Defendants) (\$200,000.00) (15th Judicial District Court - Keith Zeisloft, Court Administrator) (Moved to Motions and Resolutions- See D -29)

MOTIONS AND RESOLUTIONS

Move: Resolution to Approve Mallett's Wood 2 Revised PUD Site Plan and Development Agreement, 3.77

Acres, South Side of Cardinal Avenue at Sharon Drive (City Planning Commission recommendation: Approval - 6 Yeas, 0 Nays, 1 Abstention) ((Planning and Development Services - Jayne Miller, Community Services Area Administrator) (See PH-10) (Will be heard together with B-1)

Delete: Resolution Authorizing Publication of Notice of Intent to Issue Bonds and Pledge of Limited Tax Full Faith and Credit for Eligible Activities of Lower Town Brownfield Redevelopment Project (Roll Call Vote Required) (Financial and Administrative Services - Tom Crawford, C. F. O.) (Delete; added twice - See D- 28)

Move: Resolution Accepting Easement for Road Right-of-Way from the Rudolf Steiner School Association of Ann Arbor (2230 Pontiac Trail - The Upper High School) (8 Votes Required) (Attorney - Stephen W. Postema, City Attorney) (Consider with D-26 and D-27)

Move: Resolution Accepting Utility Easement Number 1 for Water Main from the Rudolf Steiner School Association of Ann Arbor (2230 Pontiac Trail - The Upper High School) (8 Votes Required) (Attorney - Stephen W. Postema, City Attorney) (Consider with D-25 and D-27)

Add: Resolution to Approve a Professional Legal Services Agreement with Model Cities Legal Services, Inc. to Provide Legal Representation as Court-Appointed Counsel to Indigent Defendants) (\$200,000.00) (15th Judicial District Court - Keith Zeisloft, Court Administrator) (Removed from Consent Agenda to "D" Items - 5/30/06)

Added After Newspaper Deadline:

Add: Resolution to Approve the 2004 - 2006 Teamster Police Professional Assistants Collective Bargaining Agreement (Human Resources - Carol S. Schuler, Director) (Added 6/5/06)

Add: Resolution Creating a Task Force to Establish an Ann Arbor Percent for Art Program (Mayor Hieftje) (Added 6/5/06)

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

APPROVAL OF COUNCIL MINUTES

MINUTES OF MAY 8 AND MAY 15, 2006 APPROVED

Councilmember Rapundalo moved, seconded by Councilmember Carlberg, that the working session minutes of May 8, 2006 and the regular session minutes of May 15, 2006 be approved as presented.

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

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

Councilmember Roberts moved, seconded by Councilmember Rapundalo, that the following Consent Agenda items be approved as presented:

R-214-6-06 APPROVED

Resolution to Approve a Contract with Governmental Consultant Services Inc., for Lobbying Services

Whereas, In 2001, City Council sought proposals for the provision of lobbying services for the City and awarded a one-year contract to Governmental Consultant Services, Inc. (GCSI) which under the terms of the contract provided for two six-month service periods;

Whereas, GCSI's contract for services expires on June 30, 2006;

Whereas, GCSI has done an outstanding job for the past five years of communicating issues currently pending before the legislature;

Whereas, Funds for this contract are included in the Administrator's Office FY 2006/2007 budget; and

Whereas, Human Rights approval and compliance with the living wage ordinance were received on May 19, 2006;

RESOLVED, That Council approve a 12 month contract with GCSI in the amount of \$48,000.00 for fiscal year 2006/2007 to perform lobbying services for the City;

RESOLVED, That the Mayor and City Clerk be authorized to sign the agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized to take the necessary administrative actions, including the authority to execute on behalf of the City any related documentation to identify GCSI as lobbyist for the City of Ann Arbor, to implement this resolution.

R-215-6-06 APPROVED

Resolution to Approve a Contract with Washtenaw Development Council for Business Support Services

Whereas, The City has had a long-standing relationship with the Washtenaw Development Council since 1982 to provide services related to the economic development of the area;

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

Whereas, The consolidation of the Washtenaw Development Council with Ann Arbor SPARK may be completed during the term of this renewal;

Whereas, The Washtenaw Development Council received Human Rights approval on May 18, 2006; and

Whereas, Funding for services for FY 2006/07 are budgeted within the approved budget under the citywide membership account in the amount of \$40,000.00.

RESOLVED, That City Council approve a one year contract in the amount of \$40,000.00 with Washtenaw Development Council for business support services for the period of July 1, 2006 to June 30, 2007;

RESOLVED, That if the consolidation of the two entities takes place, the City Administrator will submit an amended agreement for Council approval;

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

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

R-216-6-06 APPROVED

**Resolution to Approve Amendment of the Agreement
Creating a Hazardous Materials Response Authority for Washtenaw County and Adjacent Communities
Extending the Duration of the Authority**

Whereas, Washtenaw County, the Cities of Ann Arbor and Ypsilanti and the Charter Townships of Pittsfield and Ypsilanti (collectively "Enabling Public Agencies") created, along with other interested public agencies and private entities, the Washtenaw County Hazardous Materials Response Authority ("Authority") pursuant to the Urban Cooperation Act (P.A. 7 of 1967, as amended being MCLA 124.501 et seq);

Whereas, It is the purpose of the Authority to assist local fire departments by providing on-scene support to the ranking fire department official within a jurisdiction for the purpose of confining, containing or otherwise stopping environmentally dangerous chemical releases, and to provide hazardous rescue, when possible, but not to include any environmental remediation actions;

Whereas, City Council approved Resolution R-80-2-95 authorizing the participation in the Authority and approving the necessary Agreement Creating A Hazardous Materials Response Authority for Washtenaw County and Adjacent Communities ("Implementing Agreement");

Whereas, The term of the Implementing Agreement was ten years after adoption by all Enabling Public Agencies, which could be extended by amendment approved by each of the governing boards of the Enabling Public Agencies; and

Whereas, The Fire Chief, as the City's designated representative to the Authority, recommends the City continue as an Enabling Public Agency;

RESOLVED, That City Council authorize the City to continue as an enabling Public Agency in the Authority;

RESOLVED, That City Council approve extension of the duration of the Washtenaw County Hazardous Materials Authority;

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

RESOLVED, That the Authority shall provide evidence that it has adequate insurance to protect the Authority and the City prior to execution of the Amendment to the Implementing Agreement by the City; and

RESOLVED, That the City Clerk shall provide the Authority with a certified copy of this Resolution for filing with the State of Michigan.

R-217-6-06 APPROVED

Resolution to Approve a Domestic Violence Prevention Grant Service Contract with the Domestic Violence Project, Inc., a.k.a. Safehouse Center

Whereas, The 15th Judicial District Court has been awarded and Council has accepted an Office on Violence Against Women of the Department of Justice Grant for the period of July 1, 2005 through June 30, 2007;

Whereas, The Grant award includes funds to compensate the Domestic Violence Project, Inc., a.k.a. SafeHouse Center for domestic violence victim support, referrals, staff training and case monitoring as well as other related domestic violence prevention services for the 15th Judicial District Court, 14A Judicial District Court and the 14B Judicial District Court; and

Whereas, It is in the best interests of the City to enhance domestic violence prevention by obtaining the services recited in this resolution;

RESOLVED, That City Council approve the Domestic Violence Prevention Grant Service Contract in a total amount not to exceed \$75,000.00 under the terms specified in this Resolution;

RESOLVED, That City Council authorize funding of the contract with the Domestic Violence Project, Inc., a.k.a. SafeHouse Center for the term of the Grant and without regard to City Fiscal Year;

RESOLVED, That City Council authorize and direct the Mayor and City Clerk to execute the Domestic Violence Prevention Service Contract after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

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

R-218-6-06 APPROVED

Resolution to Approve a Domestic Violence Prevention Grant Service Contract with Washtenaw County

Whereas, The 15th Judicial District Court has been awarded and Council has accepted an Office on Violence Against Women of the Department of Justice Grant for the period of July 1, 2005 through June 30, 2007;

Whereas, The Grant award includes funds to reimburse Washtenaw County for intensive domestic violence offender compliance monitoring services for cases in the 14A and 14B Judicial District Courts and "best practices" monitoring, program utilization reporting and database management services for the 15th, 14A & 14B Judicial District Courts; and

Whereas, It is in the best interests of the City to enhance domestic violence prevention by obtaining the services recited in this resolution;

RESOLVED, That City Council approve the Domestic Violence Prevention Grant Service Contract in a total amount not to exceed \$168,000.00 under the terms specified in this Resolution;

RESOLVED, That City Council authorize funding of the contract with Washtenaw County for the term of the Grant and without regard to City Fiscal Year;

RESOLVED, That City Council authorize and direct the Mayor and City Clerk to execute the Domestic Violence Prevention Service Contract after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

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

R-219-6-06 APPROVED

**Resolution to Approve the Transfer of Ownership
and Location of a Class C Licensed Business Located at
1321 S. University - D/B/A Sadako Japanese Restaurant**

RESOLVED, That the request from Sadako Japanese Restaurant, LLC to transfer ownership of 2005 Class C licensed business, located in escrow at 1435 E. Michigan, Ypsilanti, MI 48197, Ypsilanti Township, Washtenaw County, from Spoon Restaurants I LLC; transfer location (governmental unit) (MCL 436.1531(1)) to 1321 S. University, Ann Arbor MI 48104, Washtenaw County be approved.

R-220-6-06 APPROVED

**Resolution to Approve Housing Rehabilitation Agreement
with Gigi Graham for 2156 Eden Court**

Whereas, An application was received from Gigi Graham for rehabilitation assistance for her home located at 2156 E. Eden Court;

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

Whereas, On March 29, 2006, the Community Development Waiver and Review Board approved a request to waive the maximum program assistance of \$32,800.00 and increase it to \$45,000.00 to complete the housing rehabilitation work at 2156 E. Eden Court; and

Whereas, Eight bids were received on April 27, 2006, and Ms. Graham will be executing an agreement with A. H. Construction, the lowest responsible bidder, who has Human Rights and Living Wage Approval, to complete the rehabilitation work;

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Gigi Graham in the amount of \$38,500.00 in HOME Funds as a 0% interest, deferred payment loan, to be repaid in full after 30 years or at the time the property changes ownership either by sale, gift, mortgage, land contract, conversion to rental property, inheritance, or change of the use of the property from a single-family residence;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute a Housing Rehabilitation Agreement with Gigi Graham consistent with this resolution, subject to approval as to substance by the City Administrator and approval as to form by the City Attorney with funds to be available without regard to fiscal year;

RESOLVED, That as a condition of loan disbursement, Gigi Graham will execute a mortgage and promissory note, subject to approval as to substance by the City Administrator and approval as to form by

the City Attorney; and

RESOLVED, That the City Administrator, or his designee, be authorized to take necessary administrative actions and to execute any documents necessary to complete this transaction and to implement this resolution.

R-221-6-06 APPROVED

Resolution to Establish Annual Population Adjustment for Ann Arbor Township

Whereas, Certain properties located in the Township of Ann Arbor were annexed from said township to the City of Ann Arbor during 2005, by joint resolution of Township and City;

Whereas, The locations of said properties are contained within the following:

Name of Property	Location	Effective Date
DiCecco	336 Rock Creek Court	10/8/03*
Blaauw	1811 Glenwood Road	1/14/05
Holzhauer	1580 Alexandria Boulevard	1/14/05
Mathews	1335 Bird Road	1/14/05
South Pond Village	North of Arborland	1/14/05
Miller	2600 Geddes Avenue	4/18/05
Ann Arbor Public Schools	Maple Road and M-14	4/28/05
Angelino/Schlossberg	1205 Green Road	7/22/05
Barrett	404 South Glendale Drive	7/22/05
Chamberlain	402 South Glendale Drive	7/22/05
Frederick	2101 Arborview Boulevard	7/22/05
Johnson	1522 Arborview Boulevard	7/22/05
Mitroi	1851 Upland Drive	7/22/05
Tai/Keiser	1175 Arlington Boulevard	7/22/05
Wilbanks	1863 Upland Drive	7/22/05
Schulz	1680 South State Street	7/22/05
Duda	1720 Green Road	7/22/05
Upland Green	1771 Plymouth Road	7/22/05
Schesky	2760 Nixon Road	7/22/05
Quart	1645 Miller Avenue	9/28/05
Staples	5 Ridgemor Drive & 3 Lots	9/28/05

* Did not receive State notification of this 2003 annexation until 2005;

Whereas, Michigan law allows for the Township and City, by joint resolution of each governing body, to prorate state funds, monies or grants between the Township and City;

Whereas, It is necessary for the Township of Ann Arbor and City of Ann Arbor to have prorated state revenue sharing funds; and

Whereas, In order for the State of Michigan to prorate such funds, it needs an agreed upon count of persons residing in the area annexed from the Township to the City;

RESOLVED, That the Ann Arbor Township Board and the Ann Arbor City Council find that there were 42 people residing in the annexed areas, and the ratio of population between the annexed areas being 42

persons, and the remainder of the Township as determined by the 2000 Census shall be the basis for determining the proper pro rata share for any state funds, monies or grants hereafter distributable under Michigan law.

R-222-6-06 APPROVED

Resolution to Establish Annual Population Adjustment for Pittsfield Township

Whereas, Certain properties located in Pittsfield Charter Township were annexed from said township to the City of Ann Arbor during 2005, by joint resolution of Township and City;

Whereas, The locations of said properties are contained within the following:

Name of Property	Location	Effective Date
Lin	2974 Shady Lane	11/22/02*
Cooper	2979 Shady Lane	2/18/05
Grant	2655 Packard Road	2/18/05
Cross	2530 Emerald & 5 Lots	9/28/05
Kelsaw/Henderson	3555 Stone School Road	9/28/05
Bajwa	2195 Ellsworth Road	9/30/05

* Did not receive State notification of this 2002 annexation until 2005;

Whereas, Michigan law allows for the Township and City, by joint resolution of each governing body, to prorate state funds, monies or grants between the Township and City;

Whereas, It is necessary for Pittsfield Charter Township and the City of Ann Arbor to have prorated state revenue sharing funds; and

Whereas, In order for the State of Michigan to prorate such funds, it needs an agreed upon count of persons residing in the area annexed from the Township to the City;

RESOLVED, That the Pittsfield Charter Township Board of Trustees and the Ann Arbor City Council find that there were 17 people residing in the annexed areas, and the ratio of population between the annexed areas being 17 persons, and the remainder of the Township as determined by the 2000 Census shall be the basis for determining the proper pro rata share for any state funds, monies or grants hereafter distributable under Michigan law.

R-223-6-06 APPROVED

Resolution to Establish Annual Population Adjustment for Scio Township

Whereas, Certain properties located in the Township of Scio were annexed from said township to the City of Ann Arbor during 2005, by joint resolution of Township and City;

Whereas, The locations of said properties are contained within the following:

Name of Property	Location	Effective Date	
Sibley	435 Barber		2/18/05
West Towne Condos	Liberty and Maple	4/14/05	
Maple Cove	Calvin and North Maple	4/18/05	
Liberty Pines	Liberty and I-94	6/1/05	

Whereas, Michigan law allows for the Township and City, by joint resolution of each governing body, to prorate state funds, monies or grants between the Township and City;

Whereas, It is necessary for the Township of Scio and City of Ann Arbor to have prorated state revenue sharing funds; and

Whereas, In order for the State of Michigan to prorate such funds, it needs an agreed upon count of persons residing in the area annexed from the Township to the City;

Resolved, That the Scio Township Board and the Ann Arbor City Council find that there were 7 people residing in the annexed areas, and the ratio of population between the annexed areas being 7 persons, and the remainder of the Township as determined by the 2000 Census shall be the basis for determining the proper pro rata share for any state funds, monies or grants hereafter distributable under Michigan law.

R-224-6-06 APPROVED

Resolution to Approve Purchase of Quicklime for Water and Wastewater Treatment from Carmeuse Lime, Inc., Bid Number 3788

Whereas, The Water Treatment Services Unit uses quicklime to soften drinking water;

Whereas, The Wastewater Treatment Services Unit uses quicklime in its solids management processes;

Whereas, Contracts for supplying estimated requirements are the most stable and cost-effective way of meeting the water and wastewater treatment needs;

Whereas, Carmeuse Lime Inc. submitted the lowest responsible bid for the supply of quicklime per Bid No. 3788; and

Whereas, Carmeuse Lime Inc. received the Human Rights Approval on May 10, 2006;

RESOLVED, That Council accept Carmeuse Lime Inc's bid of \$119.74/ton (plus an additional \$18.00/ton during frost laws) for the Wastewater Treatment Services Unit and \$146.25/ton (plus an additional \$18.00/ton during frost laws) for the Water Treatment Services Unit in accordance with the terms of Bid No. 3788;

RESOLVED, That the City Administrator be directed to enter into a purchasing agreement in accordance with this resolution at a projected cost of approximately \$950,000.00 for a one-year term ending on June 30, 2007;

RESOLVED, That the agreement may be renewed for up to two one-year periods provided both parties agree to an extension;

RESOLVED, That the City Administrator be authorized and directed to sign a purchase order with Carmeuse

Lime Inc. for the purchase of quicklime;

RESOLVED, That the City Administrator be directed to accept the next lowest responsible bidder if Carmeuse Lime Inc is unable to furnish adequate supplies; and

RESOLVED, That the purchase of quicklime is to be funded from the approved FY07 Operation and Maintenance Budgets of the Water Supply and Sewage Disposal Systems.

R-225-6-06 APPROVED

Resolution to Amend an Agreement with Hubbell, Roth & Clark, Inc. for the Lakewood Sewage Lift Station and Force Main Replacement Project

Whereas, The high probability of equipment failure at the Lakewood Lift Station significantly increases the likelihood of sewage backup in homes tributary to the lift station and discharge of sewage to the environment;

Whereas, The City's Public Services Area has determined the need to replace the Lakewood Sewage Lift Station and force main due to its age, poor condition and likelihood of frequent failures;

Whereas, On April 6, 2004, Council approved a Professional Services Agreement with Hubbell, Roth & Clark, Inc. (HRC) in the amount of \$155,839.00 to design the necessary improvements and to assist in the bid process for this project;

Whereas, On February 6, 2006, Council approved award of a construction contract for \$1,328,500.00 with a contingency of \$180,000.00 to F.J. Jones & Company to replace the Lakewood Sewage Lift Station and force main;

Whereas, An amendment to the Professional Services Agreement with HRC is needed in the amount of \$300,770.80 to change the scope of services to expand design services and add construction engineering support services; and

Whereas, Funds to finance this project are available in the proceeds of the Sewer Revenue Bonds Series XIX, and within the approved project budget;

RESOLVED, That Council approve an amendment to the Professional Services Agreement with HRC in the amount of \$300,770.80 for expanded design services and construction engineering services and \$26,000 as contingency to finance amendments to the agreement, for the life of the project to be expended without regard to fiscal year;

RESOLVED, That Council authorize the City Administrator to approve amendments to the Professional Services Agreement with HRC if needed; and

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

R-226-6-06 APPROVED

Resolution to Approve Purchase of Sodium Hypochlorite for Water Treatment for J CI Jones Chemicals Inc., Bid Number 3789

Whereas, The Water Treatment Division uses sodium hypochlorite in daily operations;

Whereas, Contracts for supplying estimated requirements are the most stable and cost-effective way of meeting water treatment needs;

Whereas, Of the bids received to supply sodium hypochlorite, per Bid No. 3789, JCI Jones Chemicals Inc submitted the lowest bid; and

Whereas, JCI Jones Chemicals Inc received the Human Rights approval on June 21, 2005;

RESOLVED, That Council accept JCI Jones Chemicals Inc bid of \$.063/gal for sodium hypochlorite in accordance with the terms of Bid No. 3789;

RESOLVED, That the City Administrator be directed to enter into a purchasing agreement in accordance with this resolution at a projected cost of approximately \$110,250.00 for a one-year term ending on June 30, 2007;

RESOLVED, That the agreement may be renewed for up to three one-year periods provided both parties agree to an extension;

RESOLVED, That the City Administrator be authorized and directed to sign a purchase order with JCI Jones Chemicals Inc for the purchase of sodium hypochlorite; and

RESOLVED, That the purchase of sodium hypochlorite to be funded from the FY07 Operation and Maintenance Budget of the Water Supply System.

R-227-6-06 APPROVED

Resolution to Authorize Purchase Order to Purchase Sewage Disposal and Storm Sewer Service Materials from East Jordan Iron Works, Inc.

Whereas, The Public Services Area, Field Operations Service Unit has funds budgeted to purchase materials and supplies for its' daily operations;

Whereas, Staff sent bid documents for sewage disposal and storm service materials on April 3, 2006;

Whereas, The bids were separated into six groups for the purchase of service materials;

Whereas, Staff received bids on April 21, 2006, and determined the lowest responsible bidder for each group;

Whereas, It was determined that East Jordan Iron Works Inc., was the lowest responsible bidder for five of the six groups totaling \$20,764.00; and

Whereas, East Jordan Iron Works Inc., received Human Rights approval on May 3, 2006.

RESOLVED, That City Council approve the purchase of sewage disposal and storm service materials from

East Jordan Iron Works Inc., in the amount of \$20,764.00;

RESOLVED, That the City Administrator is authorized to issue purchase orders in the amount of \$20,764.00 to East Jordan Iron Works Inc; and

RESOLVED, That the purchases of the sewage disposal and storm service materials to be funded from the approved FY 05/06 Field Operations Unit, Sewage Disposal System (\$8,716.00) and Storm Sewer Supply System (\$12,048.00) operating budgets totaling \$20,764.00.

R-228-6-06 APPROVED

Resolution for the Approval to Purchase One Ion Chromatograph with a One-Year Service Agreement from Dionex Corporation - Bid Number 3780

Whereas, The Ion and cation analysis are required by Federal and State regulations for drinking water and final wastewater effluent and for plant process control and watershed monitoring;

Whereas, The Laboratory estimates an annual savings of \$6359.00 in labor and materials by applying Ion Chromatography technology in the Environmental Services Laboratory;

Whereas, Dionex Corporation furnished the lowest responsible bid in the amount of \$40,375.00;

Whereas, Dionex Corporation has received Human Rights Approval on April 26, 2006 and complies with the Living Wage Ordinance; and

Whereas, That funds for purchase are included in the approved FY06 Laboratory Operations and Maintenance Budget;

RESOLVED, That Council accepts the bid and approves a purchase order to authorize a purchase order to Dionex for \$40,375.00 to purchase one (1) Ion Chromatograph with autosampler, eluent generator with a one (1) year service agreement;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute a contract for services after approval as to substance by the City Administrator and approved as to form by the City Attorney.

R-229-6-06 APPROVED

Resolution to Approve a Change Order for Jones Chemicals, Inc. - JCI

Whereas, The Water Treatment Services Unit uses sodium hypochlorite for the safety of drinking water in the distribution system and compliance with state and federal regulations;

Whereas, By Resolution No R-259-7-03, on July 7, 2003, City Council awarded a 3-year contract in the amount of \$285,000.00 to JCI Jones Chemicals, Inc to supply sodium hypochlorite;

Whereas, JCI Jones Chemicals Inc. has increased the per gallon price of sodium hypochlorite;

Whereas, JCI Jones Chemicals Inc still has the lowest per gallon price of sodium hypochlorite meeting the City's specifications for the desired quality of sodium hypochlorite;

Whereas, The \$285,000.00 approved by City Council on July 7, 2003 is insufficient to meet the need of the Water Treatment Services Unit for sodium hypochlorite; and

Whereas, JCI Jones Chemicals Inc received Human Rights approval on June 25, 2005;

RESOLVED, That JCI Jones Chemicals Inc. to continue to supply sodium hypochlorite to the Water Treatment Services Unit;

RESOLVED, That a change order in the amount of \$38,000.00 be approved for JCI Jones Chemicals, Inc to supply sodium hypochlorite to the Water Treatment Services Unit during the FY06;

RESOLVED, That the City Administrator be authorized and directed to issue a change order in the amount of \$38,000.00 to JCI Jones Chemicals, Inc to supply sodium hypochlorite; and

RESOLVED, That the change order be funded from the FY06 Operations and Maintenance Budget of the Water Supply System.

R-230-6-06 APPROVED

**Resolution to Amend Previously Approved
R-419-9-05 Resolution to Grant Water and Sewer
Services Outside City Limits to 3175 Glazier Way**

Whereas, Council has previously approved a resolution for outside city service agreement to a specific property address identified as a township parcel;

Whereas, We have found minor discrepancies and wish to correct those to enable us to finalize the agreements; and

Whereas, Council approval of this resolution results in amendment of the previous resolution so that the resolution number assigned and the approval date do not change;

RESOLVED, That Council amend resolution R-419-9-05 approved on September 6, 2005, as follows:

- (Resolution Title) RESOLUTION TO GRANT WATER AND SEWER SERVICES OUTSIDE CITY LIMITS TO 3175 GLAZIER WAY
- (First) Whereas, Elizabeth J Dale (owner) of the property at 3175 Glazier Way on March 29, 2005 has requested that the City extend public water and sewer service to their property in Ann Arbor Township in accordance with the Policy Statement of February 1, 1994 and the Amendment of October 22, 2004 between the City of Ann Arbor and Ann Arbor Township.

RESOLVED, That the City Clerk be directed to make all necessary changes in the minutes and resolutions in accordance with this resolution.

R-231-6-06 APPROVED

**Resolution to Grant Water Service Outside
City Limits to 3123 Geddes Avenue**

Whereas, The owner of the property at 3123 Geddes Avenue on March 28, 2005, has requested that the City extend public water service to their property in Ann Arbor Township in accordance with the Policy Statement of February 1, 1994, and the Amendment of October 22, 2004, between the City of Ann Arbor and Ann Arbor Township;

Whereas, The owner desires to enter into an agreement with the City to provide an equitable method of obtaining City services outside of its corporate boundaries; and

Whereas, As part of this agreement, the owner agrees to cooperate with the City and to pursue diligently all actions necessary to bring about annexation no later than December 31, 2007;

RESOLVED, That the Mayor and Clerk be authorized and requested to sign the agreement to allow City water service to the land during the time it is still outside of the Corporate City Limits; and

RESOLVED, That the Public Services Area promptly record the agreement in the office of the Register of Deeds of Washtenaw County, Michigan and send an executed copy of the agreement to the owners.

R-232-6-06 APPROVED

**Resolution Authorizing Sanitary Sewer and
Water Improvement Charges for 2990 Shady Lane**

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

- Parcel ID 09-12-03-309-028 (2990 Shady Lane)
 - 200 mm Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
 - Constructed in 1999
 - \$10,245.00/connection*1 connection = \$10,245.00

 - 12" Water Main in Packard Road: Non-District Job No. A-220W
 - Constructed in 1964
 - \$3.1559/Front foot x 66 = \$208.29

GRAND TOTAL OF IMPROVEMENT CHARGES \$10,453.29;

Whereas, The owner of 2990 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of June 2003;

Whereas, The owner of 2990 Shady Lane signed Outside City Service Agreements on April 25, 2003, to be eligible for sanitary sewer and water improvement charges applicable at that time; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2990 Shady Lane
City Assessor Code: 09-12-03-309-028
Annexation Number: A03-08
Planning File No.: 12033D5

Lot 4, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$10,453.29;

3. That this improvement charge is divided into 9 equal installments; the first to be due on July 20, 2006, and the 8 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, Patrick L. O'Harris and Ann M. O'Harris (husband and wife), of the property known as 2990 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$208.29 to Fund 0042-073-8000-7151.

R-233-6-06 APPROVED

RESOLUTION Authorizing Sanitary Sewer and Water Improvement Charges for 2986 Shady Lane

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

Parcel ID 09-12-03-309-022 (2986 Shady Lane)
8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
Constructed in 1999
\$10,245.00/connection*1 connection = \$10,245.00

8" Water Main in Shady Lane: District & File No. 93049
Constructed in 1999
\$7,636.70/connection * 1 connection = \$7,636.70

GRAND TOTAL OF IMPROVEMENT CHARGES \$17,881.70;

Whereas, The owner of 2986 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of February 2005;

Whereas, The owner of 2986 Shady Lane has fulfilled their obligation to connect to utilities following annexation and, as a result of a delay on our part to levy improvement charges, we request to levy the

improvement charges in the historic amounts shown above; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2986 Shady Lane
City Assessor Code: 09-12-03-309-022
Annexation Number: A99-13

Lot 5, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$17,881.70;

3. That this improvement charge is divided into 15 equal installments; the first to be due on July 20, 2006, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, Amy Nowland, of the property known as 2986 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$7,636.70 to Fund 0042-073-8000-7151.

R-234-6-06 APPROVED

Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 2978 Shady Lane

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

Parcel ID 09-12-03-309-027 (2978 Shady Lane)
8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
Constructed in 1999
\$10,245.00/connection*1 connection = \$10,245.00

8" Water Main in Shady Lane: District & File No. 93049
Constructed in 1999
\$7,636.70/connection * 1 connection = \$7,636.70

GRAND TOTAL OF IMPROVEMENT CHARGES \$17,881.70;

Whereas, The owner of 2978 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of May 2004;

Whereas, The owner of 2978 Shady Lane has fulfilled their obligation to connect to utilities following annexation and, as a result of a delay on our part to levy improvement charges, we request to levy the improvement charges in the historic amounts shown above; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2978 Shady Lane
City Assessor Code: 09-12-03-309-027
Annexation Number: A03-06
Planning File No.: 12033B5

Lot 7, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$17,881.70;

3. That this improvement charge is divided into 15 equal installments; the first to be due on July 20, 2006, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, Thomas A. Owens, of the property known as 2978 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$7,636.70 to Fund 0042-073-8000-7151.

R-235-6-06 APPROVED

RESOLUTION Authorizing Sanitary Sewer and Water Improvement Charges for 2974 Shady Lane

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

Parcel ID 09-12-03-309-026 (2974 Shady Lane)
8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
Constructed in 1999

\$10,245.00/connection*1 connection = \$10,245.00

8" Water Main in Shady Lane: District & File No. 93049

Constructed in 1999

\$7,636.70/connection * 1 connection = \$7,636.70

GRAND TOTAL OF IMPROVEMENT CHARGES \$17,881.70;

Whereas, The owner of 2974 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of October 2002;

Whereas, The owner of 2974 Shady Lane signed Outside City Service Agreements on October 9, 2002, to be eligible for sanitary sewer and water improvement charges applicable at that time; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2974 Shady Lane
City Assessor Code: 09-12-03-309-026
Annexation Number: A02-07
Planning File No.: 12033B5

Lot 26, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$17,881.70;

3. That this improvement charge is divided into 15 equal installments; the first to be due on July 20, 2006, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, Lynnanne Sweezey, of the property known as 2974 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$7,636.70 to Fund 0042-073-8000-7151.

R-236-6-06 APPROVED

Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 2975 Shady Lane

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

- Parcel ID 09-12-03-313-006 (2975 Shady Lane)
 - 8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
 - Constructed in 1999
 - \$10,245.00/connection*1 connection = \$10,245.00

- 8" Water Main in Shady Lane: District & File No. 93049
- Constructed in 1999
- \$7,636.70/connection * 1 connection = \$7,636.70

GRAND TOTAL OF IMPROVEMENT CHARGES \$17,881.70;

Whereas, The owner of 2975 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of July 2003;

Whereas, The owner of 2975 Shady Lane signed Outside City Service Agreements on June 10, 2003, to be eligible for sanitary sewer and water improvement charges applicable at that time; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2975 Shady Lane
City Assessor Code: 09-12-03-313-006
Annexation Number: A03-12
Planning File No.: 12033B4

Lot 26, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$17,881.70;

3. That this improvement charge is divided into 15 equal installments; the first to be due on July 20, 2006, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, Dianna Smith, of the property known as 2975 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$7,636.70 to Fund 0042-073-8000-7151.

R-237-6-06 APPROVED

**RESOLUTION Authorizing Sanitary Sewer and
Water Improvement Charges for 2971 Shady Lane**

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

- Parcel ID 09-12-03-313-005 (2971 Shady Lane)
 - 8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
 - Constructed in 1999
 - \$10,245.00/connection*1 connection = \$10,245.00

 - 8" Water Main in Shady Lane: District & File No. 93049
 - Constructed in 1999
 - \$7,636.70/connection * 1 connection = \$7,636.70

GRAND TOTAL OF IMPROVEMENT CHARGES \$17,881.70;

Whereas, The owner of 2971 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of February 2006;

Whereas, The owner of 2971 Shady Lane signed Outside City Service Agreements on April 17, 2003, to be eligible for sanitary sewer and water improvement charges applicable at that time; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2971 Shady Lane
City Assessor Code: 09-12-03-313-005
Annexation Number: A03-04
Planning File No.: 12033A4

Lot 25, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$17,881.70;

3. That this improvement charge is divided into 15 equal installments; the first to be due on July 20, 2006, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, Don E. Prior, of the property known as 2971 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$7,636.70 to Fund 0042-073-8000-7151.

R-238 -6-06 APPROVED

Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 2966 Shady Lane

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

- Parcel ID 09-12-03-309-032 (2966 Shady Lane)
 - 8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
 - Constructed in 1999
 - \$10,245.00/connection*1 connection = \$10,245.00

 - 8" Water Main in Shady Lane: District & File No. 93049
 - Constructed in 1999
 - \$7,636.70/connection * 1 connection = \$7,636.70

GRAND TOTAL OF IMPROVEMENT CHARGES \$17,881.70;

Whereas, The owner of 2966 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of May 2004;

Whereas, The owner of 2966 Shady Lane signed Outside City Service Agreements on February 18, 2004, to be eligible for sanitary sewer and water improvement charges applicable at that time; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2966 Shady Lane
City Assessor Code: 09-12-03-309-032
Annexation Number: A04-03
Planning File No.: 12033B4

Lot 10, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$17,881.70;

3. That this improvement charge is divided into 15 equal installments; the first to be due on July 20, 2006, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum

commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owners, Bonnie M. Motyka & David M. Holland, of the property known as 2966 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$7,636.70 to Fund 0042-073-8000-7151.

R-239-6-06 APPROVED

RESOLUTION Authorizing Sanitary Sewer and Water Improvement Charges for 2962 Shady Lane

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

- Parcel ID 09-12-03-309-034 (2962 Shady Lane)
 - 8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
 - Constructed in 1999
 - \$10,245.00/connection*1 connection = \$10,245.00

 - 8" Water Main in Shady Lane: District & File No. 93049
 - Constructed in 1999
 - \$7,636.70/connection * 1 connection = \$7,636.70

GRAND TOTAL OF IMPROVEMENT CHARGES \$17,881.70;

Whereas, The owner of 2962 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of September 2004;

Whereas, The owner of 2962 Shady Lane has fulfilled their obligation to connect to utilities following annexation and, as a result of a delay on our part to levy improvement charges, we request to levy the improvement charges in the historic amounts shown above; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2962 Shady Lane
City Assessor Code: 09-12-03-309-034
Annexation Number: A04-52
Planning File No.: 12033A5

Lot 11, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$17,881.70;
3. That this improvement charge is divided into 15 equal installments; the first to be due on July 20, 2006, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;
4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, Craig Bamm, of the property known as 2926 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$7,636.70 to Fund 0042-073-8000-7151.

R-240-6-06 APPROVED

RESOLUTION Authorizing Sanitary Sewer and Water Improvement Charges for 2926 Shady Lane

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

- Parcel ID 09-12-03-309-033 (2926 Shady Lane)
 - 8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
 - Constructed in 1999
 - \$10,245.00/connection*1 connection = \$10,245.00

 - 8" Water Main in Shady Lane: District & File No. 93049
 - Constructed in 1999
 - \$7,636.70/connection * 1 connection = \$7,636.70

GRAND TOTAL OF IMPROVEMENT CHARGES \$17,881.70;

Whereas, The owner of 2926 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of March 2005;

Whereas, The owner of 2926 Shady Lane has fulfilled their obligation to connect to utilities following annexation and, as a result of a delay on our part to levy improvement charges, we request to levy the improvement charges in the historic amounts shown above; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is

specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2926 Shady Lane
City Assessor Code: 09-12-03-309-033
Annexation Number: A04-53
Planning File No.: 12033C2

Lot 20, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$17,881.70;
3. That this improvement charge is divided into 15 equal installments; the first to be due on July 20, 2006, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;
4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, S. L. Schopbach, of the property known as 2926 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$7,636.70 to Fund 0042-073-8000-7151.

R-241-6-06 APPROVED

RESOLUTION Authorizing Sanitary Sewer and Water Improvement Charges for 2922 Shady Lane

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

- Parcel ID 09-12-03-309-029 (2922 Shady Lane)
 - 8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
 - Constructed in 1999
 - \$10,245.00/connection*1 connection = \$10,245.00
- 8" Water Main in Shady Lane: District & File No. 93049
- Constructed in 1999
- \$7,636.70/connection * 1 connection = \$7,636.70

GRAND TOTAL OF IMPROVEMENT CHARGES \$17,881.70;

Whereas, The owner of 2922 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of June 2003;

Whereas, The owner of 2922 Shady Lane signed Outside City Service Agreements on April 23, 2003, to be eligible for sanitary sewer and water improvement charges applicable at that time; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2922 Shady Lane
City Assessor Code: 09-12-03-309-029
Annexation Number: A03-07
Planning File No.: 12033C2

Lot 21, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$17,881.70;

3. That this improvement charge is divided into 15 equal installments; the first to be due on July 20, 2006, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, Robert N. Galdeen, of the property known as 2922 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$7,636.70 to Fund 0042-073-8000-7151.

R-242-6-06 APPROVED

Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 2915 Shady Lane

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

Parcel ID 09-12-03-313-007 (2915 Shady Lane)
8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
Constructed in 1999
\$10,245.00/connection*1 connection = \$10,245.00

8" Water Main in Shady Lane: District & File No. 93049
Constructed in 1999
\$7,636.70/connection * 1 connection = \$7,636.70

GRAND TOTAL OF IMPROVEMENT CHARGES \$17,881.70;

Whereas, The owners of 2915 Shady Lane paid connection charges and are being furnished sanitary sewer

and water service as of May 2004;

Whereas, The owners of 2915 Shady Lane signed Outside City Service Agreements on February 27, 2004, to be eligible for sanitary sewer and water improvement charges applicable at that time; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2915 Shady Lane
City Assessor Code: 09-12-03-313-007
Annexation Number: A04-07
Planning File No.: 12033B4

Lot 28, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$17,881.70;

3. That this improvement charge is divided into 15 equal installments; the first to be due on July 20, 2006, and the 14 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owners, David DeVee and Linda DeVee (husband and wife), of the property known as 2915 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$7,636.70 to Fund 0042-073-8000-7151.

R-243-6-06 APPROVED

RESOLUTION Authorizing Sanitary Sewer and Water Improvement Charges for 2905 Shady Lane

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

Parcel ID 09-12-03-309-030 (2905 Shady Lane)
8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049
Constructed in 1999
\$10,245.00/connection*1 connection = \$10,245.00

12" Water Main in Packard: No. A-220W, Constructed in 1964
\$3.1559/L.F. x 88.99 L.F. = \$280.85

GRAND TOTAL OF IMPROVEMENT CHARGES \$10,525.85;

Whereas, The owner of 2905 Shady Lane paid connection charges and is being furnished sanitary sewer and water service as of June 15, 2004;

Whereas, The owner of 2905 Shady Lane signed Outside City Service Agreements on February 25, 2004, to be eligible for sanitary sewer and water improvement charges applicable at that time; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2905 Shady Lane
City Assessor Code: 09-12-03-309-030
Annexation Number: A04-05
Planning File No.: 12033B4

Lot 3, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$10,525.85;

3. That this improvement charge is divided into 9 equal installments; the first to be due on July 20, 2006, and the 8 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, Cyndra Sakstrup, of the property known as 2905 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$280.85 to Fund 0042-073-8000-7151.

R-244-6-06 APPROVED

RESOLUTION Authorizing Sanitary Sewer Improvement
Charge for 373 Pinewood

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

Parcel ID 09-08-24-305-006 (373 Pinewood Street)

12" Sanitary Sewer in Pinewood: District No. 444; Constructed in 1989
\$6,059.03/connection*1 connection = \$6,059.03

Trunkline Charge, West Park Relief Sewer
\$17.41/connection x 1 connection = \$17.41

Trunkline Charge, District 326
\$19.39/connection x 1 connection = \$19.39

Trunkline Charge, District 359
\$69.66/connection x 1 connection = \$69.66

10" Water Main in Pinewood: Non-District Job with no improvement charges (constructed by State of Michigan due to well contamination)
Constructed in 1992

GRAND TOTAL OF IMPROVEMENT CHARGES \$6,165.49;

Whereas, The owner of 383 Pinewood paid connection charges and is being furnished sanitary sewer and water service as of September 2004;

Whereas, The owner of 383 Pinewood has fulfilled their obligation to connect to utilities following annexation and, as a result of a delay on our part to levy improvement charges, we request to levy the improvement charges in the historic amounts shown above; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 373 Pinewood St.
City Assessor Code: 09-08-24-305-006
Annexation Number: A02-04

Lots 67 & 69 Evergreens Subdivision, Washtenaw County, Michigan; previously Scio Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$6,165.49;

3. That this improvement charge is divided into 6 equal installments; the first to be due on July 20, 2006, and the 5 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 7.8% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, Thomas Hill, of the property known as 373 Pinewood Street, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of

\$6,165.49 to Fund 0043-073-8000-7151.

R-245-6-06 APPROVED

RESOLUTION Authorizing Sanitary Sewer and Water Improvement Charges for 584 Allison Drive

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

Parcel ID 09-08-24-421-028 (584 Allison Drive)
8" Sanitary Sewer in Allison Drive: District 439; File #84035
Constructed in 1987
\$6,143.03/connection * 1 connection = \$6,143.03

8" Water Main in Allison Drive: File #87070; District No. 87070
Constructed in 1988
\$3,670.54/connection * 1 connection = \$3,670.54

GRAND TOTAL OF IMPROVEMENT CHARGES \$9, 813.57

Whereas, The owners of the property at 584 Allison Drive on March 14, 2005, requested that the City extend public water and sewer service to their property in Scio Township and desired to enter into agreements with the City for such services;

Whereas, The date of March 14, 2005, shall govern for the purposes of Section 1:278(4) of the City Code;

Whereas, The owners have paid connection charges and connected to City water and sewer on October 20, 2005;

Whereas, As part of these agreements, the owners agreed to annex into the City of Ann Arbor, which became official on February 1, 2006, as notified by the State of Michigan; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED, That Mayor and Clerk are authorized and requested to sign the water and sewer agreements for the Scio Township parcel at 584 Allison Drive to allow City water and sewer services to the lands during the time it was outside the Corporate City Limits; and

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Scio Township: 584 Allison Drive
Property ID Code: 09-08-24-421-028
Planning File No.: 8244H18

S 40 Ft of Lot 239 & all Lot 240 Scioto Hills #1, Washtenaw County, Michigan; previously Scio Township and

now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$9,813.57;

3. That this improvement charge is divided into 9 equal installments; the first to be due on July 20, 2006, and the 8 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 7.1% per annum commencing July 20, 2006;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owners, Louis V. Zuck and Joyce Zuck (husband and wife), of the property known as 584 Allison Drive, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$6,143.03 to Fund 0043-073-8000-7151 and \$3,670.54 to Fund 0042-073-8000-7151.

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

ORDINANCES - SECOND READING

16-06 APPROVED

MALLETT'S WOOD ZONING (SOUTH SIDE OF CARDINAL AVENUE AT SHARON DRIVE)

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

This ordinance would change the zoning of 3.77 acres, located on the South Side of Cardinal Avenue at Sharon Drive, from PUD (Planned Unit Development) to Revised PUD. (The complete text of Ordinance 16-06 is on file in the City Clerk's Office.)

R-246-6-06 APPROVED

Resolution to Approve Mallett's Wood 2 Revised
PUD Site Plan and Development Agreement, 3.77 Acres,
South Side of Cardinal Avenue at Sharon Drive

Whereas, Mallett's 2 LLC has requested PUD site plan approval in order to construct 35 dwelling units in 12 two-story structures in Phase 2 and to allow the alternative mitigation plan for the conveyance of 1.32 acres of parkland to the City in lieu of providing 434.5 caliper inches of replacement trees on the site;

Whereas, A development agreement has been prepared to address public and private utilities, maintenance of existing woodland and landmark trees to be saved, conveyance of 1.32 acres of parkland adjacent to Brown Park, street tree escrow, on-site storm water management, disconnection of footing drains, conveyance of utility easements, installation of a park identification sign at the end of Sharon Court, and construction of the buildings consistent with the elevations in the approved site plan;

Whereas, The Ann Arbor City Planning Commission, on February 22, 2006 and May 16, 2006 recommended approval of said request;

Whereas, The contemplated development will comply with all applicable state, local and federal law, ordinances, standards and regulations;

Whereas, The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in this Chapter; and

Whereas, The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety or welfare;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated May 26, 2006;

RESOLVED, That City Council approve the Mallett's Wood 2 Revised PUD Site Plan upon the conditions that (1) the Development Agreement is signed by all necessary parties and (2) all terms of the Development Agreement are satisfied;

RESOLVED, That City Council approve the alternative mitigation plan for the conveyance of 1.32 acres of parkland to the City in lieu of providing 434.5 caliper inches of replacement trees on the site; and

RESOLVED, That the Mayor and the Clerk are authorized and directed to execute the Mallett's Wood 2 PUD Development Agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Resolution to Approve Mallett's Wood 2 Revised PUD Site Plan and Development Agreement, 3.77 Acres, South Side of Cardinal Avenue at Sharon Drive.

Councilmember Carlberg moved, seconded by Councilmember Greden, that the ordinance and resolution be adopted at second reading.

On roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Greden, Teall, Easthope, Woods, Roberts, Johnson, Lowenstein, Rapundalo, Mayor Hieftje, 10;

Nays, 0.

Councilmember Higgins absent at roll call.

The Mayor declared the motion carried unanimously.

17-06 APPROVED

EVERGREEN PARK ZONING
(East and West Sides of Parkwood, North of Valley and South of AND INCLUDING Kingwood)

**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 4.2 acres, located on the east and west sides of Parkwood, north of Valley and south of and including Kingwood, from TWP (Township District) to R1C (Single-Family Dwelling District). (The complete text of Ordinance 17-06 is on file in the City Clerk's Office.)

Councilmember Woods moved, seconded by Councilmember Johnson, that the ordinance be adopted at second reading.

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

18-06 APPROVED

**KENNEDY ZONING
(460 ROSE DRIVE)**

**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 0.29 acre, located at 460 Rose Drive, from TWP (Township District) to R1C (Single-Family Dwelling District). (The complete text of Ordinance 18-06 is on file in the City Clerk's Office.)

Councilmember Woods moved, seconded by Councilmember Easthope, that the ordinance be adopted at second reading.

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

19-06 APPROVED

**O'CONNOR ZONING
(3300 DEXTER ROAD)**

**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 0.29 acre, located at 3300 Dexter Road, from TWP (Township District) to R1C (Single-Family Dwelling District). (The complete text of Ordinance 19-06 is on file in the City Clerk's Office.)

Councilmember Greden moved, seconded by Councilmember Higgins, that the ordinance be adopted at second reading.

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

20-06 APPROVED

**PRITULA ZONING
(3328 DEXTER ROAD)**

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

This ordinance would change the zoning of 0.9 acre, located at 3328 Dexter Road, from TWP (Township District) to R1C (Single-Family Dwelling District). (The complete text of Ordinance 20-06 is on file in the City Clerk's Office.)

Councilmember Roberts moved, seconded by Councilmember Johnson, that the ordinance be adopted at second reading.

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

21-06 APPROVED

**ROSS/FREUND ZONING
(2 RIDGEMOR DRIVE)**

**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 2.1 acres, located at 2 Ridgemor Drive, from TWP (Township District) to R1C (Single-Family Dwelling District). (The complete text of Ordinance 21-06 is on file in the City Clerk's Office.)

Councilmember Higgins moved, seconded by Councilmember Teall, that the ordinance be adopted at second reading.

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

22-06 APPROVED

**SCHESKY ZONING
(2760 NIXON ROAD)**

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

This ordinance would change the zoning of 1.04 acres, located at 2760 Nixon Road, from TWP (Township District) to R2A (Single-Family Dwelling District). (The complete text of Ordinance 22-06 is on file in the City Clerk's Office.)

Councilmember Rapundalo moved, seconded by Councilmember Lowenstein, that the ordinance be

adopted at second reading.

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

ORDINANCES - FIRST READING

27-06 APPROVED

**Wetland preservations
(APPLICATION FOR USE PERMIT AND MITIGATION)**

An Ordinance to Amend Sections 5:206 and 5:213 of Chapter 60 (Wetlands Preservation) of Title V of the Code of the City of Ann Arbor.

(The complete text of Ordinance 27-06 is on file in the City Clerk's Office.)

Councilmember Carlberg moved, seconded by Councilmember Johnson, that the ordinance be approved at first reading.

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

28-06 APPROVED

**DOLPH PARK ZONING
(north side of liberty road,
west of lakeview avenue)**

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 18.75 acres, located on the north side of Liberty Road, west of Lakeview Avenue, from TWP (Township District) to PL (Public Land District). (The complete text of Ordinance 28-06 is on file in the City Clerk's Office.)

Councilmember Woods moved, seconded by Councilmember Johnson, that the ordinance be approved at first reading.

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

29-06 APPROVED

**THE GALLERY ZONING
(414 NORTH MAIN STREET)**

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 0.76 acre, located at 414 North Main Street, from TWP

(Township District) to PUD (Planned Unit Development District). (The complete text of Ordinance 29-06 is on file in the City Clerk's Office.)

Councilmember Lowenstein moved, seconded by Councilmember Rapundalo, that the ordinance be approved at first reading.

Councilmember Easthope moved, seconded by Councilmember Greden, to postpone the 2nd reading of the proposed ordinance to the first meeting in August 2006.

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

The question being the ordinance to be approved at first reading, on roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Greden, Teall, Higgins, Easthope, Woods, Roberts, Lowenstein, Rapundalo, 9;

Nays, Councilmember Johnson, Mayor Hieftje, 2.

The Mayor declared the motion carried.

The second reading has been scheduled for August 7, 2006.

30-06 APPROVED

WATER AND SEWER RATES

An Ordinance to Amend Sections 2:63 and 2:64 of Chapter 29 (Water and Sewer Rates) of Title II of the Code of the City of Ann Arbor

(The complete text of Ordinance 30-06 is on file in the City Clerk's Office.)

Councilmember Carlberg moved, seconded by Councilmember Roberts, that the ordinance be approved at first reading.

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

31-06 APPROVED

**STORMWATER SYSTEM
INCREASE STORMWATER RATES
(FLAT RATE CHARGES, CHARGES BASED ON LAND AREA
AND USER CHARGE)**

An Ordinance to Amend Sections 2:203, 2:204, and 2:205 of Chapter 33 (Increase Stormwater Rates) of Title II of the Code of the City of Ann Arbor

(The complete text of Ordinance 31-06 is on file in the City Clerk's Office.)

Councilmember Teall moved, seconded by Councilmember Carlberg, that the ordinance be approved at first

reading.

On a voice vote, the Mayor declared the motion carried, with Councilmember Higgins dissenting.

32-06 APPROVED

**BICYCLES
(REGISTRATION PROCEDURE)**

An Ordinance to Amend Section 10:162 of Chapter 127(Bicyclists - Registration Procedure) of Title X of the Code of the City of Ann Arbor

(The complete text of Ordinance 32-06 is on file in the City Clerk's Office.)

Councilmember Johnson moved, seconded by Councilmember Woods, that the ordinance be approved at first reading.

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

The Mayor declared a recess at 8:57 p.m. and reconvened the meeting at 9:13 p.m.

MOTIONS AND RESOLUTIONS

POSTPONED

RESOLUTION TO APPROVE the William Street Station Brownfield Plan (4th and William - Old YMCA Property)

Whereas, The Washtenaw County Board of Commissioners established the Washtenaw County Brownfield Redevelopment Authority (the "WCBRA") and adopted the Brownfield Redevelopment Plan for Washtenaw County (the "Plan"), which facilitates the implementation of plans relating to the identification and treatment of environmentally-distressed areas within the County of Washtenaw, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Authority Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act");

Whereas, The Act requires the explicit consent of each local governmental unit to be included in the Authority Zone, and that the County resolution included a provision that the Proposed Brownfield Redevelopment Zone will include all local governmental units within the County that pass a resolution approving the inclusion of the Brownfield Redevelopment Zone;

Whereas, The City of Ann Arbor Environmental Commission passed a resolution supporting the City's inclusion in the Washtenaw County Brownfield Redevelopment Authority Zone;

Whereas, The Ann Arbor City Council passed Resolution R-35-1-02 to include the City of Ann Arbor in the Washtenaw County Brownfield Redevelopment Authority; and developed the Brownfield Implementation Plan to describe the Brownfield process in the City;

Whereas, The Brownfield Implementation Plan allows for public participation and comment and allows the City of Ann Arbor to use a more restrictive clean up standard for each project based on the Current Part 201 Residential clean up standard and a 10-6 risk level for carcinogens;

Whereas, The 4th and William (Old YMCA) property was identified as potentially eligible for Brownfield Financial Incentives after a finding that the property contained hazardous materials (asbestos, lead-based paints, and PCB) which would require removal and was determined by the City Assessor to be functionally obsolete because of its size, configuration, and layout of the interior spaces were not conducive to future uses involving reasonably foreseeable commercial or residential uses without renovation that would likely be prohibitive economically;

Whereas, The Ann Arbor City Council created the Brownfield Plan Review Committee (“Committee”) (R-557-10-05) for the 4th and William (Old YMCA) Site to accept and review applications for the property and negotiate with Washtenaw County and the applicant a Brownfield Project Agreement, Reimbursement Agreement and Project Bond (collectively “Brownfield Plan”);

Whereas, The WCBRA Application for the William Street Station Brownfield Plan and Project Application for the former 4th and William (Old YMCA) property was presented to Committee by XY, LLC (“Developer”);

Whereas, A public presentation of the Plan was conducted by City staff and the Developer on March 15, 2006, which described the environmental contamination, compared the proposed remediation under current Brownfield regulation and Part 201 Residential standards, the proposed Area Plan for the development and assumptions used to generate proposed eligible costs and estimated taxes to be generated;

Whereas, The Environmental Commission has not recommended any contaminants for which clean up standards should be set above current state standards;

Whereas, The Developer has paid the Application Fee for City review of the application;

Whereas, The Committee recommended to and the City Administrator on April 17, 2006, as authorized and directed to by the City Brownfield Implementation Plan, forwarded a letter to the WCBRA to initiate its review process and advising WCBRA that the City, through the Committee, was engaged in formal negotiations with the Developer concerning the Brownfield Plan;

Whereas, It is understood that neither the initiation of the review process by the WCBRA for development of the Brownfield Plan nor the recommendation of the Brownfield Plan to WCBRA by the City is a guarantee that it will be approved by the Washtenaw County Board of Commissions, the MDEQ or that TIF or other financial incentives will be obtained;

Whereas, The City Council held a public hearing on May 15, 2006 to receive public comment on the Brownfield Plan; and

Whereas, The Committee has completed its negotiations with the Developer concerning the Brownfield Plan (attached to this Resolution) and recommends it for action to City Council;

RESOLVED, That City Council approve the William Street Station Brownfield Plan for the former 4th and William (Old YMCA) property developed by the Washtenaw County Brownfield Redevelopment Authority;

RESOLVED, That the City Clerk be directed to submit a copy of this Resolution to the Washtenaw County Board of Commissioners as documentation of the City’s consideration and approval of the Brownfield Plan; and

RESOLVED, That any changes to the Brownfield Plan after the date of this Resolution will require review by the Committee and approval by City Council.

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

Councilmember Carlberg moved, seconded by Councilmember Teall, to postpone the resolution to June 19, 2006.

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

R-247-6-06 APPROVED

RESOLUTION TO APPROVE Termination of Eisenhower Parkway Industrial Development District "A" - 777 East Eisenhower Blvd.

Whereas, Pursuant to Public Act 198 of 1974, as amended, ("the Act") the City Council has the authority to terminate an existing "Industrial Development District" within the City of Ann Arbor if there are no industrial facilities exemption certificates in effect in the industrial development district on the date City Council adopts the resolution to terminate;

Whereas, The Chief Financial Officer of the City of Ann Arbor has petitioned this City Council to terminate Eisenhower Parkway Industrial Development District A, more fully described in Attachment 1 to this Resolution;

Whereas, There are no industrial facilities exemption certificates in effect in Eisenhower Parkway Industrial Development District A, as of June 5, 2006;

Whereas, Written notice was given by certified mail to all owners of real property located within Eisenhower Parkway Industrial Development District A, and to the public on May 7, 2006, by newspaper advertisement in the Ann Arbor News and public posting of the hearing on the proposed termination of Eisenhower Parkway Industrial Development District A;

Whereas, On May 15, 2006, a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of Ann Arbor were afforded an opportunity to be heard thereon; and

Whereas, The City Council deems it to be in the public interest of the City of Ann Arbor to terminate Eisenhower Parkway Industrial Development District A, as proposed;

RESOLVED, That the City Council of the City of Ann Arbor hereby terminates Eisenhower Parkway Industrial Development District A pursuant to the provisions of Public Act No. 198 of 1974, as amended; and

RESOLVED, That a copy of this Resolution be forwarded to the City Assessor.

Councilmember Roberts moved, seconded by Councilmember Rapundalo, that the resolution be adopted.

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

R-248-6-06 APPROVED

RESOLUTION TO APPROVE Termination of Eisenhower Parkway Industrial Development District "B" - 789 East Eisenhower Blvd.

Whereas, Pursuant to Public Act 198 of 1974, as amended, (“the Act”) the City Council has the authority to terminate an existing “Industrial Development District” within the City of Ann Arbor if there are no industrial facilities exemption certificates in effect in the industrial development district on the date City Council adopts the resolution to terminate;

Whereas, The Chief Financial Officer of the City of Ann Arbor has petitioned this City Council to terminate Eisenhower Parkway Industrial Development District B, more fully described in Attachment 1 to this Resolution;

Whereas, There are no industrial facilities exemption certificates in effect in Eisenhower Parkway Industrial Development District B, as of June 5, 2006;

Whereas, Written notice was given by certified mail to all owners of real property located within Eisenhower Parkway Industrial Development District B, and to the public on May 7, 2006, by newspaper advertisement in the Ann Arbor News and public posting of the hearing on the proposed termination of Eisenhower Parkway Industrial Development District B;

Whereas, On May 15, 2006, a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of Ann Arbor were afforded an opportunity to be heard thereon; and

Whereas, The City Council deems it to be in the public interest of the City of Ann Arbor to terminate Eisenhower Parkway Industrial Development District B, as proposed;

RESOLVED, That the City Council of the City of Ann Arbor hereby terminates Eisenhower Parkway Industrial Development District B pursuant to the provisions of Public Act No. 198 of 1974, as amended; and

RESOLVED, That a copy of this Resolution be forwarded to the City Assessor.

Councilmember Rapundalo moved, seconded by Councilmember Johnson, that the resolution be adopted.

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

R-249-6-06 APPROVED

RESOLUTION TO Order Election and to Determine Ballot Question for Charter Amendment for Renewal of Street Reconstruction Millage

Whereas, The Street Reconstruction Millage has been the principle funding source for the resurfacing and reconstruction of the City’s streets and bridges,

Whereas, The last Street Reconstruction Millage was approved by the voters in 2001 for five years beginning in 2002 and ending in 2006;

RESOLVED, That the Ann Arbor City Council proposes that the City Charter be amended by modifying Section 8:20 to read as follows:

Funds for Street Reconstruction

Section 8.20. In addition to any other amount which the City is authorized to raise by general tax upon the real and personal property by this Charter or any other provision of law, the City shall, in 2002 through 2006 2007 through 2006 2011, annually levy a tax of up to 2 mills on all taxable real and personal property situated within the City for the purpose of providing funds for the reconstruction or resurfacing of streets.

RESOLVED, That November 7, 2006 is designated as the day for holding an election on the proposed Charter amendment;

RESOLVED, That the Clerk shall transmit a copy of the proposed amendment to the Attorney General and the Governor of Michigan and shall perform all other acts required by law for holding the election;

RESOLVED, That the proposed Charter amendment shall appear on the ballot in the following form:

**ANN ARBOR CITY CHARTER AMENDMENT
REGARDING TAX FOR STREET RECONSTRUCTION**

The Charter previously authorized a tax up to 2 mills for street reconstruction for 2002 through 2006, which currently is rolled back to 1.9382 mills pursuant to MCL 211.34d. Shall the Charter be amended to replace that expiring tax and authorize a new tax up to the full amount of 2 mills for street reconstruction for 2007 through 2011, which will raise in the first year of the levy the estimated revenue of \$8,860,239?

Yes No

RESOLVED, That the proposed Charter amendment and proposed ballot question shall be published in full not fewer than two times in the Ann Arbor News; and

RESOLVED, That if the amendment is adopted, it shall take effect on January 1, 2007.

Councilmember Higgins moved, seconded by Councilmember Lowenstein, that the resolution be adopted.

On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the seven-vote requirement.

POSTPONED

**Resolution to Approve FY 06-07 Allocations to
Non-Profit Entities for Housing and Human Services**

Whereas, The Community Development Executive Committee (CDEC) has recommended the allocation of \$1,331,401.00 in General Fund grants to local non-profit housing and human services agencies as part of the annual Community Development Request for Proposal process;

Whereas, The Consolidated Strategy and Plan FY 2006 One-Year Action Plan, approved by City Council on May 15, 2006 as Resolution (R-212-5-06), recommends allocation of \$396,000.00 in Community Development Block Grant (CDBG) funds and \$47,504.00 in HOME Investment Partnership grant funds to local non-profit housing and human services organizations;

Whereas, Staff and the CDEC recommends that \$20,000.00 in General Funds be set aside for housing and human services contingency funds; and

Whereas, Human Resources will review and approve these contractors for human rights and living wage compliance prior to the execution of contracts;

RESOLVED, That the Mayor and City Council approve allocations from the General Fund to the non-profit

entities listed below and authorize the Office of Community Development to negotiate contractual agreements in accordance with the City’s purchasing procedures, subject to approval as to substance by the City Administrator, and approval as to form by the City Attorney:

Ann Arbor Area Community Foundation	\$20,000.00	
Ann Arbor Center for Independent Living, Inc.		27,500.00
Ann Arbor Community Center, Inc.	20,000.00	
Ann Arbor Housing Commission		26,000.00
Ann Arbor Teen Center, Inc.	10,000.00	
Ann Arbor YMCA, The		9,500.00
Arrowwood Hills Community Center (Ann Arbor Homes, Inc.)		20,000.00
Catholic Social Services of Washtenaw County		63,500.00
Center for Occupational and Personalized Education, Inc.	22,700.00	
Community Housing Alternatives Nonprofit Housing Corp.	10,000.00	
Corner Health Center (Young Adult’s Health Center, Inc.)	20,000.00	
Domestic Violence Project, Inc.		45,000.00
Family Learning Institute, The		30,678.00
Food Gatherers		112,000.00
HelpSource	20,000.00	
HIV/Aids Resource Center (Wellness Huron Valley)	12,000.00	
Home of New Vision, The		25,365.00
Hope Medical Clinic, Inc.		10,000.00
Interfaith Hospitality Network of Washtenaw County, Inc.	35,000.00	
Legal Services of South Central Michigan	3,500.00	
Michigan Ability Partners, Inc.		34,000.00
Neighborhood Senior Services		50,000.00
Packard Community Clinic		30,000.00
Peace Neighborhood Center	25,000.00	
Planned Parenthood Mid-Michigan Alliance	12,500.00	
Regents of The University of Michigan		
Community Dental Center		45,036.00
Community Family Health Center		25,000.00
Housing Bureau for Seniors	24,000.00	
Motor Meals		16,000.00
St. Andrew’s Episcopal Church		8,000.00
Shelter Association of Washtenaw County	239,122.00	
SOS Community Services		59,500.00
Student Advocacy Center of Michigan, Inc.	30,000.00	
The Women’s Center of America		21,000.00
Washtenaw Affordable Housing Corporation		20,000.00
Washtenaw County Community Support and Treatment Services	107,000.00	
Washtenaw Literacy		22,500.00

RESOLVED, That the Mayor and City Council approve \$20,000.00 from the General Fund be set aside for housing and human services contingency funds;

RESOLVED, That the Mayor and City Council approve allocations from the City’s CDBG and HOME entitlement funds to the non-profit entities listed below and authorize the Office of Community Development to negotiate contractual agreements in accordance with the City’s purchasing procedures, subject to approval as to substance by the City Administrator, and approval as to form by the City Attorney:

Avalon Housing, Inc.	75,000.00 (CDBG)
Avalon Housing, Inc.	11,463.00 (HOME)

Community Action Network	55,000.00 (CDBG)
Community Housing Alternatives Nonprofit Housing Corp	9,624.00 (HOME)
Child Care Network/Washtenaw Regional 4C	167,500.00 (CDBG)
Homeplace Community Land Trust Housing Corporation	3,680.00 (HOME)
Legal Services of South Central Michigan	51,500.00 (CDBG)
Michigan Ability Partners, Inc.	12,737.00 (HOME)
Ozone House	47,000.00 (CDBG)
Washtenaw Affordable Housing Corporation	10,000.00 (HOME)

RESOLVED, That all projects funded by these grant funds shall give priority to extremely low-, very low- and low-income Ann Arbor residents and that performance by the non-profit entities will be monitored by the Office of Community Development; and

RESOLVED, That the City Administrator, or his designee, be authorized to take necessary administrative actions and to execute any documents necessary to complete this transaction and to implement this resolution.

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

Councilmember Higgins moved, seconded by Councilmember Teall, to postpone the resolution until June 19, 2006.

On a voice vote, the Mayor declared the motion carried, with Councilmember Rapundalo dissenting.

R-250-6-06 APPROVED

RESOLUTION TO APPROVE Street Closings for the Tortoise and Hare 5K Run/Walk and Kid's Dash on Tuesday, July 4, 2006 from 7:00 A.M. to 9:00 A.M.

Whereas, The City has received a request to hold the Tortoise and Hare 5K Run/Walk and Kid's Dash on Tuesday, July 4, 2006 prior to the Jaycees Fourth of July Parade;

Whereas, the Sponsor is requesting the City provide the following services:

- 1) Closing the following streets from 8:00 - 9:00 A.M.
 - E. Liberty Street from S. State Street to S. Main Street
 - E. William Street from S. State Street to S. Ashley Street
 - S. Main Street from E. Liberty Street to E. William Street
 - S. Fourth Avenue From E. Washington Street to Packard Street
 - S. Fifth Avenue from E Washington Street to E William Street
 - S. Division Street from E. Washington Street to E. Jefferson Street
 - Thompson Street from E. Liberty Street to E. William Street
 - Maynard Street from E. Liberty Street to E. Jefferson Street
 - E. Jefferson Street from Maynard Street to Thompson Street
 - S. State Street from E. Washington Street to E. Madison Street
 - S. University Avenue from S. State Street to Church Street
 - Tappan Avenue from S. University Avenue to Monroe Street
 - E. University Avenue from S. University Avenue to Willard Street
 - Church Street from Willard Street to Washtenaw Court
 - N. University Avenue from Washtenaw Court to S. State Street

Fletcher Street from N. University Avenue to E. Huron Street
E. Washington Street from Fletcher Street to S. State Street
S. Thayer Street from E Washington Street to N. University Avenue

- 2) Closing of E. Liberty Street from S. Fifth Avenue to S. Fourth Avenue from 7:00 - 8:00 A.M. to provide a staging area for the participants;
- 3) Provide directional cones and barricades;
- 4) Place parking meter bags on the meters of the closed streets Sunday night and remove immediately after the event;
- 5) Clean the streets prior to the race;

Whereas, The sponsor has agreed to pay the cost of services provided by Police and Public Services for this event;

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

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

Whereas, The Main Street Area Association supports the event;

RESOLVED, That City Council approve the closing of:

E. Liberty Street from S. State Street to S. Main Street
E. William Street from S. State Street to S. Ashley Street
S. Main Street from E. Liberty Street to E. William Street
S. Fourth Avenue From E. Washington Street to Packard Street
S. Fifth Avenue from E Washington Street to E William Street
S. Division Street from E. Washington Street to E. Jefferson Street
Thompson Street from E. Liberty Street to E. William Street
Maynard Street from E. Liberty Street to E. Jefferson Street
E. Jefferson Street from Maynard Street to Thompson Street
S. State Street from E. Washington Street to E. Madison Street
S. University Avenue from S. State Street to Church Street
Tappan Avenue from S. University Avenue to Monroe Street
E. University Avenue from S. University Avenue to Willard Street
Church Street from Willard Street to Washtenaw Court
N. University Avenue from Washtenaw Court to S. State Street
Fletcher Street from N. University Avenue to E. Huron Street
E. Washington Street from Fletcher Street to S. State Street
S. Thayer Street from E Washington Street to N. University Avenue

from 8:00 - 9:00 A.M. on Tuesday, July 4, 2006 for the event; and the closing of E. Liberty Street from S. Fifth Avenue to S. Fourth Avenue from 7:00 - 8:00 A.M. on Tuesday, July 4, 2006 for the staging of the event; and

RESOLVED, That the sponsor reimburse the City for Police and Public Services.

Councilmember Woods moved, seconded by Councilmember Roberts, that the resolution be adopted.

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

R-251-6-06 APPROVED

**RESOLUTION TO APPROVE Street Closings for
the 2006 Ann Arbor Jaycees Fourth of July Parade
from 8:00 A.M. - 1:00 P.M. on Tuesday, July 4, 2006**

Whereas, The City has received a request from the Ann Arbor Jaycees to hold a parade in the City of Ann Arbor on Independence Day, Tuesday, July 4, 2006;

Whereas, It will be necessary to close the following streets from 8:00 A.M. to 1:00 P.M. for staging and cleanup of the parade: Maynard from E. Liberty to E. Jefferson;

Whereas, The following streets along the parade route will be closed only as needed beginning at 10:00 A.M. and until no later than 1:00 P.M. to accommodate the parade itself:

- S. State Street from E. Washington to S. University**
- E. Liberty and E. William from S. State to S. Main**
- S. Main from Liberty to William**
- S. Fourth Ave. from E. Washington to Packard**
- S. Fifth Ave. from E. Washington to E. William**
- S. Division from E. Washington to E. Jefferson**
- Thompson from E. William to E. Liberty**
- Maynard from E. Liberty to E. Jefferson**
- E. Jefferson from Thompson to Maynard**

Whereas, The Ann Arbor Jaycees agree to obtain the necessary permits and comply with all procedures, rules, and regulations established to stage such an event; and

Whereas, The Ann Arbor Jaycees agree to pay the cost of City support services associated with staging this event;

RESOLVED, That the Fourth of July Parade is hereby approved being routed along S. State, Liberty, Main and William Streets beginning at 10:00 A.M.;

RESOLVED, That Maynard from E. Liberty to E. Jefferson is closed for the staging and cleanup of the parade from 8:00 A.M. to 1:00 P.M.;

RESOLVED, That the following streets along the parade route will be closed only as needed beginning at 10:00 A.M. and until no later than 1:00 P.M. to accommodate the parade itself:

- S. State Street from E. Washington to S. University**
- E. Liberty and E. William from S. State to S. Main**
- S. Main from Liberty to William**
- S. Fourth Ave. from E. Washington to Packard**
- S. Fifth Ave. from E. Washington to E. William**
- S. Division from E. Washington to E. Jefferson**
- Thompson from E. William to E. Liberty**
- Maynard from E. Liberty to E. Jefferson**
- E. Jefferson from Thompson to Maynard; and**

RESOLVED, That the sponsor reimburse the City for Police and Public Services.

Councilmember Rapundalo moved, seconded by Councilmember Carlberg, that the resolution be adopted.

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

R-252-6-06 APPROVED

**RESOLUTION TO Street Closings for
the 2006 Ann Arbor Jaycees Fourth of July Parade
from 8:00 A.M. - 1:00 P.M. on Tuesday, July 4, 2006**

Whereas, The City has received a request from the Main Street Area Association to close S. Main Street between Washington Street and E. William Street from 3:00 P.M. to Midnight on Thursday, August 17, 2006 to facilitate the staging of the UA Block Party (AAACVB Plumbers & Pipe Fitters);

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

Whereas, The sponsor requires the approval of the Michigan Liquor Control Commission for a special outdoor liquor license;

Whereas, The sponsor will obtain all necessary permits and comply with all procedures, rules and regulations for holding the event and pay all fees associated with their sponsorship of this event; and

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

RESOLVED, That City Council approve the closing of S. Main Street from Washington Street to E. William Street from 3:00 P.M. to Midnight on Thursday, August 17, 2006.

Councilmember Lowenstein moved, seconded by Councilmember Carlberg, that the resolution be adopted.

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

R-253-6-06 APPROVED

**RESOLUTION TO APPROVE Participation Agreement
with Ann Arbor Township for the Purchase of
Development Rights on the Kapp Farm**

Whereas, City Council adopted Resolution R-118-4-05 supporting Ann Arbor Township's Application to the Federal Farm and Ranch Land Protection Program for the purchase of development rights on the Kapp Farm located in Ann Arbor Township and within the Ann Arbor Greenbelt District;

Whereas, Ann Arbor Township was awarded \$698,500 by the Federal Farm and Ranch Land Protection Program for the purchase of development rights on the Kapp Farm;

Whereas, Section 3:63 of the Ann Arbor City Code specifically authorizes City Council to enter into agreements for joint acquisition, retention and management of land and development rights, conservation and other easements in the Greenbelt District with another governmental agency;

Whereas, City Council and Ann Arbor Township both indicated interest in participating in a “regional program of farmland preservation,” working together, financially and otherwise, to preserve a critical community resource for the future;

Whereas, The City and Ann Arbor Township have negotiated a Participation Agreement which defines each government’s interest in the purchased development rights on Kapp Farm and specifically provides for:

- Contribution by the City to the acquisition cost for the development rights in an amount equal to fifty percent (50%) of the local matching funds;
- Title to the developments rights to be held by Ann Arbor Township under a conservation easement. Should Ann Arbor Township terminate, transfer or otherwise divest itself of title to the development rights at a future date, and the United States Department of Agriculture does not exercise its right under the FRPP grant to assume title, the City reserves the right to have title vest in the City.
- Monitoring of the conservation easement shall be performed by the Township, or under the Township’s direction and the City will have no responsibility for the costs or management of the conservation easement so long as title to the development rights remains with Ann Arbor Township;

Whereas, Sufficient funds in the Open Space and Parkland Preservation Millage budget are available for the expenditure; and

Whereas, The Greenbelt Advisory Commission supports approval of the Participation Agreement with Ann Arbor Township;

RESOLVED, That City Council approve the terms and conditions of the Participation Agreement with Ann Arbor Township for the purchase of development rights on the Kapp Farm;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the Participation Agreement and if required, any supplemental documents necessary to document the appropriation of funds for the purchase of development rights on the Kapp Farm; and

RESOLVED, That the City Clerk provide the Ann Arbor Township Clerk with a copy of this Resolution.

Councilmember Johnson moved, seconded by Councilmember Woods, that the resolution be adopted.

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

R-254-6-06 APPROVED

RESOLUTION TO APPROVE Ann Arbor Research Park Site Plan, 5.79 Acres, 3920 Research Park Drive

Whereas, Burton-Katzman Development Company has requested site plan approval in order to construct a one-story, 63,462-square foot office and warehouse building at 3920 Research Park Drive;

Whereas, The Ann Arbor City Planning Commission, on April 18, 2006, recommended approval of said request;

Whereas, The contemplated development will comply with all applicable state, local and federal law, ordinances, standards and regulations;

Whereas, The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set

forth in Chapter 57; and

Whereas, The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety or welfare;

RESOLVED, That City Council approve the Ann Arbor Research Park Site Plan, subject to the combination of the two existing parcels prior to the issuance of building permits and subject to the disconnection of three footing drains before issuance of the first certificate of occupancy.

A communication was received from the Planning Commission transmitting its recommendation of approval of the proposed Ann Arbor Research Park Site Plan, 5.79 Acres, located at 3920 Research Park Drive.

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

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

R-255-6-06 APPROVED AS AMENDED

Resolution to Approve Washington Terrace Site Plan and Development Agreement, 0.50 Acre, 401 East Washington Street

Whereas, Washington Division Holdings, LLC, has requested site plan approval in order to construct an 11-story, 132,610-square foot building for retail use on the first floor and approximately 90 one and two-bedroom residential units on the remaining floors at 401 East Washington Street;

Whereas, A development agreement has been prepared to address public and private utilities, on-site storm water management, a park contribution, a street tree planting escrow, and footing drain disconnections;

Whereas, The Ann Arbor City Planning Commission, on April 18, 2006, recommended approval of said request;

Whereas, The contemplated development will comply with all applicable state, local and federal law, ordinances, standards and regulations;

Whereas, The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in Chapter 57; and

Whereas, The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety or welfare;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated May 30, 2006;

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

RESOLVED, That City Council approve the Washington Terrace Site Plan, upon the conditions that (1) the Development Agreement is signed by all necessary parties, (2) all terms of the Development Agreement are

satisfied, (3) the lots are combined prior to the issuance of any permits, and (4) the existing structure at 411 -413 East Washington Street is satisfactorily relocated to a site within the City of Ann Arbor.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Washington Terrace Site Plan and Development Agreement, 0.50 Acre, located at 401 East Washington Street.

Councilmember Rapundalo moved, seconded by Councilmember Easthope, that the resolution be adopted.

Councilmember Greden recused himself from voting and discussion on this resolution.

Councilmember Easthope moved, seconded by Councilmember Rapundalo, to amend the development agreement as follows:

Add (T-7):

(T-7) any changes proposed to the exterior materials, facade design setback or pedestrian footprint must seek review and permission from the city council before such changes may be made.

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

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

POSTPONED

**RESOLUTION TO APPROVE Barton Green Annexation, 31.93 Acres,
West Side of Pontiac Trail, North of Skydale Drive**

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

Whereas, MW Land, LLC, is the owner of said property; and

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

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

Beginning at the W ¼ corner of Section 16, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence N 00o24'44" E 267.00 feet along the West line of said Section 16; thence N 89o42'29" W 340.00 feet parallel with the E-W ¼ line of Section 17, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 00o24'44" W 267.00 feet parallel to the West line of said Section 16; thence N 89o42'29" W 75.20 feet along the E-W ¼ line of said Section 17; thence N 01o01'18" E 25.02 feet along the Easterly right-of-way line of M-14 Hwy; thence continuing along said right-of-way line 717.32 feet in the arc of a circular curve to the right, radius 1660.08 feet, central angle 24o45'27", and chord N 13o24'01" E 711.76 feet; thence continuing along said ROW line N 25o46'45" E 595.13 feet; thence S 00o24'44" W 587.84 feet along the West line of said Section 16; thence N 87o57'55" E 1846.70 feet along the South line of the N ½ of the S ½ of the NW ¼ of said Section 16; thence S 04o47'06" W 454.25 feet along the centerline of Pontiac Trail (66.00 feet

wide), as monumented; thence S 87°50'56" W 290.74 feet; thence S 02°09'04" E 212.25 feet; thence S 87°50'56" W 1530.95 feet along the E-W ¼ line of said Section 16 to the POINT OF BEGINNING, being a part of Sections 16 and 17, T2S, R6E, Washtenaw County, Michigan, and containing 31.93 acres of land, more or less, subject to easements and restrictions of record, if any.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Barton Green Annexation, 31.93 Acres, located on the west side of Pontiac Trail, north of Skydale Drive.

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

Councilmember Carlberg moved, seconded by Councilmember Woods, to postpone the resolution until June 19, 2006.

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

POSTPONED

RESOLUTION TO APPROVE a Construction Contract with Cross Lake Construction, Inc. for Improvements at Evergreen Park - Bid #3777, Appropriate \$28,000 from the Park Rehabilitation and Development Millage Fund Balance and to Establish a Total Construction Project Budget of \$61,429.00

Whereas, Evergreen Park is identified in the Park and Recreation Open Space Plan, 2000-2005 to receive upgrades and improvements;

Whereas, Neighborhood questionnaires and public meetings were administered to obtain input into the plan for improvements at the Evergreen Park;

Whereas, Competitive bids were sought by the Procurement Office with bids received on March 28, 2006 and Cross Lake Construction, Inc. was identified as the lowest responsible bidder;

Whereas, Funds for the Evergreen Park project are included in the approved FY 2005-2006 Park Rehabilitation and Development Millage budget and the additional \$28,000 exists in the Park Rehabilitation and Development Millage fund balance to provide for the added expenses for development of Evergreen Park; and

Whereas, Cross Lake Construction, Inc. received Human Rights approval on April 12, 2006 and complies with the living wage and prevailing wage requirements;

RESOLVED, That City Council approve a construction contract, per Bid #3777, with Cross Lake Construction, Inc. in the amount of \$55,844.00 for improvements at Evergreen Park;

RESOLVED, That City Council approve a construction contingency in the amount of \$5,585.00 (10%) to cover potential contract change orders and a total Project Budget of \$61,429.00 for the life of the project without regard to fiscal year;

RESOLVED, That City Council appropriate from the Park Rehabilitation and Development Millage fund balance funds in the amount of \$28,000.00 to the Project budget to supplement existing funds in the FY 05-06 budget;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the contract after approval as to substance by the City Administrator and approval 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 including the authority to approve change orders within the approved contingency.

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

Councilmember Woods moved, seconded by Councilmember Johnson, to postpone the resolution until July 3, 2006.

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

R-256-6-06 APPROVED

RESOLUTION TO Accept and Approve a Grant from the Michigan Department of State for AutoMARK Ballot Marking Devices from Election Systems and Software through Funding from the Help America Vote Act

Whereas, The City Clerk's Office has been notified by the Michigan Department of State, Bureau of Elections, that the City of Ann Arbor will receive 41 new accessible voting systems for use by individuals with disabilities through funding from the federal Help America Vote Act;

Whereas, The new AutoMARK ballot-marking machines are being purchased through monies from the federal Help America Vote Act;

Whereas, A grant agreement is required between the State of Michigan and the City of Ann Arbor to enable the Michigan Secretary of State to purchase the new AutoMARK machines on the City's behalf using HAVA funds; and

Whereas, The AutoMARK ballot marking devices will further increase access to voting and the City's polling places for voters with disabilities;

RESOLVED, That City Council authorize the acceptance and approval of a \$265,147.00 grant from the Michigan Department of State for AutoMARK ballot-marking devices from Election Systems and Software through Funding from the Help America Vote Act; and

RESOLVED, That the City Clerk be authorized to sign the grant agreement on behalf of the City of Ann Arbor after approval by the City Administrator.

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

On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

R-257-6-06 APPROVED AS AMENDED

(RESOLUTION TO APPROVE to Approve the Revised Traffic Calming Program)

Councilmember Johnson moved, seconded by Councilmember Roberts, that the resolution be adopted.

Councilmember Johnson moved, seconded by Councilmember Teall, to amend the resolution as follows:

RESOLVED Clause:

RESOLVED, That Attachment "A", the Revised Traffic Calming Program, be approved for implementation That the "A Ten Step Traffic Calming Process" shown as Attachment A replaces the "Design Process" shown in the Amended Attachment A previously approved by the City Council (R-341-8-02);

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

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

The resolution as amended reads as follows:

RESOLUTION TO APPROVE to Approve the Revised Traffic Calming Program

Whereas, The City's Traffic Calming Program has been in place since December 1999;

Whereas, On May 7, 2001 by resolution R-176-5-01, the City Council determined that "...the traffic calming program shall be reviewed annually and new policies proposed to maximize the effectiveness of traffic calming procedures and policies...";

Whereas, The Interim Traffic Calming Program was adopted and approved March 21, 2005 by resolution R-80-3-05; and

Whereas, Several traffic calming projects were completed in 2005 under the Interim process and the trial was successful;

RESOLVED, That the "A Ten Step Traffic Calming Process" shown as Attachment A replaces the "Design Process" shown in the Amended Attachment A previously approved by the City Council (R-341-8-02); and

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

R-258-6-06 APPROVED

Resolution to Authorize Single Lot Assessments for the 2005 Local Street Resurfacing Program

Whereas, The residents of Creek Drive and King George Boulevard Drive petitioned for traffic calming plans on their streets;

Whereas, the survey results support the proposed traffic calming plans;

Whereas, The total estimated construction cost for the traffic calming devices is \$69,000.00; and

Whereas, Funding for the construction of the traffic calming projects is included in the approved FY2006-07 Project Management Local Street Fund budget;

RESOLVED. That City Council approve the installation of the traffic calming devices on King George Boulevard and Creek Drive,

RESOLVED, That upon the completion of the traffic calming devices installation the construction costs will be transferred from the FY 2006-07 approved Project Management Local Street operating budget to the 2006 Annual Street Resurfacing project budget;

RESOLVED, That the funds be available until expended without regard to fiscal year; and

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

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

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

R-260-6-06 APPROVED

Resolution Number 2, Easy Street Sidewalk

Whereas, The City Council has directed and ordered the City Administrator to have prepared plans, specifications and estimates of cost for the Easy Street Sidewalk Project, described as follows:

Construction of sidewalk improvements on both sides of Easy Street between Packard Road and Towner Boulevard.

File No. 2005-061; District No. 36;

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, 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 determines to proceed with the acquisition and construction of the Easy Street Sidewalk described as follows:

Construction of sidewalk improvements on both sides of Easy Street between Packard Road and Towner Boulevard.

4. That the City Council determines the cost of said improvement, including all incidentals, to be \$169,715.00, and that of said total cost, the sum of \$155,034.44, be paid by special assessment upon the property specially benefited within the City, and that the balance of the cost thereof, \$14,680.56, be paid by the City at large;

5. 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:

SEE ATTACHED

; and

6. 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.

**RESOLUTION NO. 2
EASY STREET SIDEWALK**

File No. 2005-061 District No. 36

Estimated Project Cost Breakdown

Construction Cost	\$	108,250.00
Design Engineering	\$	17,075.00
Construction Engineering	\$	17,320.00
Testing	\$	5,415.00
Miscellaneous	\$	5,415.00
Contingencies	\$	8,660.00
Bond Costs	\$	7,580.00
Estimated Total Project Cost	\$	169,715.00

Proposed Distribution of Costs

Total Cost of Assessable Sidewalk (fronting parcels)	\$	155,034.44
Total Cost of City-Share Sidewalk (ramps, connections)	\$	14,680.56
Estimated Total Project Cost	\$	169,715.00

Total Quantity of Fronting (Benefiting) Parcels	44
Per Parcel Benefit	\$ 3,523.51

LAND INSIDE THE CITY

ASSESSOR'S CODE	LEGAL DESCRIPTION	PROPERTY OWNER	ESTIMATED COST
09-12-03-400-001 Arbor, MI 48104	Lot 20 Green Lea Subdivision \$3,523.51	Terry & Nancy Stewart	2990 Easy Street Ann
09-12-03-400-002 Belleville, MI 48111	Lot 21 Green Lea Subdivision \$3,523.51	Peter W. Davey	48641 S 1-94 Service Dr, Apt 209
09-12-03-400-003 48104	Lot 22 Green Lea Subdivision \$3,523.51	Paul G. Davis	2950 Easy Street Ann Arbor, MI

09-12-03-400-004	Lot 23 Green Lea Subdivision Street Ann Arbor, MI 48104	\$3,523.51	Christopher & Resnick S. Pacheco	2930 Easy
09-12-03-400-005	Lot 24 Green Lea Subdivision 48104	\$3,523.51	Marilyn Purdy	2910 Easy Street Ann Arbor, MI
09-12-03-400-006	Lot 25 Green Lea Subdivision Arbor, MI 48104	\$3,523.51	Thomas & Carol Hart	2890 Easy Street Ann
09-12-03-400-007	Lot 26 Green Lea Subdivision Ann Arbor, MI 48104	\$3,523.51	Dwight & Victoria Cendrowski	2870 Easy Street
09-12-03-400-008	Lot 27 Green Lea Subdivision MI 48104	\$3,523.51	Martin & M. Gittins	2850 Easy Street Ann Arbor,
09-12-03-400-009	Lot 28 Green Lea Subdivision Arbor, MI 48104	\$3,523.51	Steven & Pamela Silva	2830 Easy Street Ann
09-12-03-400-010	Lot 29 Green Lea Subdivision Street Ann Arbor, MI 48104	\$3,523.51	Amy Yamashiro & John Mclaughlin	2810 Easy
09-12-03-400-011	Lot 30 Green Lea No 1 Subdivision Ann Arbor, MI 48104	\$3,523.51	Theodore G. & Suzanne L. Huff	2688 Easy Street
09-12-03-400-012	Lot 31 Green Lea No 1 Subdivision 48104	\$3,523.51	William Kelsay	2672 Easy Street Ann Arbor, MI
09-12-03-400-013	Lot 32 Green Lea No 1 Subdivision Ann Arbor, MI 48104	\$3,523.51	Jeannine Palms & Dale Petty	2656 Easy Street
09-12-03-400-014	Lot 33 Green Lea No 1 Subdivision Street Ann Arbor, MI 48104	\$3,523.51	Isaac Tapley & Susanna Coll-RaMirez	2640 Easy
09-12-03-400-015	Lot 34 Green Lea No 1 Subdivision MI 48104	\$3,523.51	Perry H. Engstrom	2618 Easy Street Ann Arbor,
09-12-03-400-016	Lot 35 Green Lea No 1 Subdivision	\$3,523.51	Ian M. Scott	2600 Easy Street Ann Arbor, MI 48104
09-12-03-400-017	Lot 36 Green Lea No 1 Subdivision MI 48104	\$3,523.51	Carrie L. Robertson	2588 Easy Street Ann Arbor,
09-12-03-400-018	Lot 37 Green Lea No 1 Subdivision 48104	\$3,523.51	David J. Rowe	2578 Easy Street Ann Arbor, MI
09-12-03-400-019	Lot 38 Green Lea No 1 Subdivision 48104	\$3,523.51	David N. Bicknell	2564 Easy Street Ann Arbor, MI
09-12-03-400-020	Lot 39 Green Lea No 1 Subdivision 48104	\$3,523.51	Barry C. Fritts	2552 Easy Street Ann Arbor, MI
09-12-03-400-021	Lot 40 Green Lea No 1 Subdivision MI 48104	\$3,523.51	Sonya Deitos Haynes	2538 Easy Street Ann Arbor,
09-12-03-400-022	Lot 41 Green Lea No 1 Subdivision Arbor, MI 48104	\$3,523.51	Heidi B. & Michael Harris	2524 Easy Street Ann
09-12-03-400-023	Lot 42 Green Lea No 1 Subdivision 48104	\$3,523.51	Christine L. Tiller	2532 Towner Blvd Ann Arbor, MI
09-12-03-404-044	Lot 10 Green Lea Subdivision Arbor, MI 48104	\$3,523.51	Wendy Jean Henshaw	2809 Easy Street Ann
09-12-03-404-045	Lot 9 Green Lea Subdivision Circle Northville, MI 48167	\$3,523.51	Dimanin Investment Group, L.L.C.	39856 Rockcrest
09-12-03-404-046	Lot 8 Green Lea Subdivision MI 48104	\$3,523.51	John W. & Sharon A. Bosio	2849 Easy Street Ann Arbor,
09-12-03-404-047	Lot 7 Green Lea Subdivision 48104	\$3,523.51	Jean Balakovich Trust	2869 Easy Street Ann Arbor, MI
09-12-03-404-048	Lot 6 Green Lea Subdivision	\$3,523.51	Eileen M. Kreiner	2889 Easy Street Ann Arbor, MI 48104
09-12-03-404-049	Lot 5 Green Lea Subdivision	\$3,523.51	Ryan Lindsay	2909 Easy Street Ann Arbor, MI 48104
09-12-03-404-050	Lot 4 Green Lea Subdivision	\$3,523.51	William Tehoy	2929 Easy Street Ann Arbor, MI 48104

09-12-03-404-051 \$3,523.51	Lot 3 Green Lea Subdivision	Terry A. Somers	2949 Easy Street Ann Arbor, MI 48104
09-12-03-404-052 Street Ann Arbor, MI 48104	Lot 2 Green Lea Subdivision	Chapman Andrews Ross & Metadryden LLC	2969 Easy
09-12-03-404-053 \$3,523.51	Lot 1 Green Lea Subdivision	Frank & Ilar Burris	2989 Easy Street Ann Arbor, MI 48104
09-12-03-405-001 MI 48104	Lot 19 Green Lea Subdivision	Carol B. Sakstrup	2790 Carmel Street Ann Arbor,
09-12-03-405-014 48104	Lot 64 Green Lea No 1 Subdivision	Paul & L. Hueter	2604 Towner Blvd Ann Arbor, MI
09-12-03-405-015 Ann Arbor, MI 48104	Lot 65 Green Lea No 1 Subdivision	Michael & Amy H. Olszewski	2543 Easy Street
09-12-03-405-016 Road Saline, MI 48176	Lot 66 Green Lea No 1 Subdivision	Donald J. & Sharon Gingras	6119 Waterworks
09-12-03-405-017 Arbor, MI 48104	Lot 67 Green Lea No 1 Subdivision	Paul And Pamela Klinger	2569 Easy Street Ann
09-12-03-405-018 48104	Lot 68 Green Lea No 1 Subdivision	Roger & P. Vance	2581 Easy Street Ann Arbor, MI
09-12-03-405-019 Arbor, MI 48104	Lot 69 Green Lea No 1 Subdivision	Maurice & Jane Gould Trust	2595 Easy Street Ann
09-12-03-405-020 Arbor, MI 48104	Lot 70 Green Lea No 1 Subdivision	John & Jeanne Meszaros	2601 Easy Street Ann
09-12-03-405-021 Ann Arbor, MI 48104	Lot 71 Green Lea No 1 Subdivision	Leonard & Karen L. Richardson	2619 Easy Street
09-12-03-405-022 48104	Lot 72 Green Lea No 1 Subdivision	Kathleen Nolan	2645 Easy Street Ann Arbor, MI
09-12-03-405-023 48104	Lot 73 Green Lea No 1 Subdivision	Lynn Saliba	2655 Easy Street Ann Arbor, MI

Councilmember Woods moved, seconded by Councilmember Higgins, that the resolution be adopted.

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

R-261-6-06 APPROVED

Resolution to Approve Amendment Number 4 to Lease Agreement with Dahlmann Apartments, LTD. for Office and Storage Space in the City Center Building for 3 years

Whereas, Dahlmann Apartments Ltd., (landlord) will integrate all the terms and conditions pertaining the office and storage space in the suites currently occupied by Human Resources, Public Services Administration and the Customer Service areas into one instrument;

Whereas, The City of Ann Arbor has leased office and storage space in the City Center building at 220 East Huron since 1995;

Whereas, This amendment proposes that the City lease the seventh floor office space (10,000 square feet) to house Human Resources and Public Services Administration, the first floor for office space (5,400 square feet) to house the Customer Service Area and 1,300 square feet of additional storage space;

Whereas, The lease period begins December 1, 2006 through November 30, 2007;

Whereas, The City will pay a base rent of \$284,438.00 per year, payable in monthly installments of \$23,703.17;

Whereas, Funds are available from the approved FY 2006/07 Public Services Area Administration Unit and Customer Service Unit operating budgets;

Whereas, The lease begins in December of 2007 and that the base rent shall be cumulative and adjusted on the greater of either 3.0% or any increase in the Consumer Price Index; and

Whereas, The City has the option of renewing the terms of this agreement prior to its expiration on December 1, 2009;

RESOLVED, That City Council approve the amended lease with Dahlmann Apartments Ltd., effective December 1, 2006; and

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

Councilmember Carlberg moved, seconded by Councilmember Greden, that the resolution be adopted.

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

R-262-6-06 APPROVED

RESOLUTION TO APPROVE Land Lease with Ann Arbor Alpacas

Whereas, Kara Heinrichs and Gregory Croasdill own and operate Ann Arbor Alpacas on their land at 4805 Stone School Road;

Whereas, They are in need of approximately five acres for additional grazing land, which is available on adjacent City-owned property; and

Whereas, The City has no immediate need to use the area for an alternative activity;

RESOLVED, That the City Council approve a ten year lease with Kara A. Heinrichs and Gregory C. Croasdill, sole proprietors d/b/a Ann Arbor Alpacas, for \$260.59 per year, which includes the allowance of two extensions of five years each if approved by City Council;

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

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

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

On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

R-263-6-06 APPROVED

RESOLUTION TO Accept the Emergency Management Performance Grant and Approve the Department of Homeland Security (DHS)/Office for Domestic Preparedness (ODP) Agreement Allowing for Funding Assistance and Appropriate the Funds to the Office of Emergency Management

Whereas, The Michigan Emergency Management Act (P.A. 390 of 1976, as amended) authorized the City of Ann Arbor to establish an office of Emergency Management;

Whereas, Chapter 15 of the City of Ann Arbor Code establishes an Office of Emergency Management to provide services identified in Public Act 390 of 1976, as amended;

Whereas, The duties of Emergency Management Program Manager under the terms of the grant are currently performed directly by or under the supervision of the City Emergency Management Director;

Whereas, The Emergency Management Performance Grant objective is to provide financial assistance to support the staffing of emergency management programs;

Whereas, The Emergency Management Performance Grant reimbursement award is \$36,111.00 for salary and fringe benefits of the Emergency Management Director subject to reduction based on the level of federal funding for the State of Michigan Emergency Management Performance Grant Program; and

Whereas, In order to obtain reimbursement of funds, the City of Ann Arbor is required to elect to be part of a federal grant to the State of Michigan as a subgrantee to receive emergency management allocated funds;

RESOLVED, That City Council accept the Emergency Management Performance Grant award for FY 2005-2006 under the terms of the Agreement with the State of Michigan and the Federal Emergency Management Agency;

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

RESOLVED, That the grant funds be appropriated when received to the appropriate Office of Emergency Management multi-year grant fund for the purpose stated in the grant until such time as all grant funds have been expended without regard to fiscal year.

Councilmember Woods moved, seconded by Councilmember Roberts, that the resolution be adopted.

On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

R-264-6-06 APPROVED

RESOLUTION Accepting Utility Easement from Morningside Ann Arbor, L.L.C. - Liberty Lofts Condominium

Whereas, Morningside Ann Arbor, LLC, a Michigan limited liability company, is the fee simple owner of property located in the City of Ann Arbor, Washtenaw County, Michigan as described in the Washtenaw County Records at Liber 4484, Page 913, recorded June 13, 2005;

Whereas, The Operating Agreement of Morningside Ann Arbor, LLC, a Michigan limited liability company, dated July 1, 2004, authorized the delivery of an easement to the City for the maintenance of storm water

pipes; and

Whereas, Morningside Ann Arbor, LLC, a Michigan limited liability company, has delivered an easement to the City for the 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:

Easement Description

A variable width easement for on-site fire hydrant, storm water conveyance pipes and water mains over a portion of Lots 8, 9, 10, and 14 of the Plat of William S. Maynard's First Addition to the Village of Ann Arbor, County of Washtenaw, State of Michigan being more particularly described as:

BEGINNING at a point that is on the East right-of-way of Second Street (66.00 feet wide) being N.00°00'00"E. 141.36 feet from the Southwest Corner of Lot 16 of the Plat of William S. Maynard's First Addition to the Village of Ann Arbor recorded in Liber 3, Page 548 Washtenaw County Records; thence continuing N.00° 00'00"E. 56.41 feet along the East line of said Second Street; thence S.90°00'00"E. 67.63 feet; thence S.00° 00'00"W. 13.76 feet; thence S.87°52'34"W. 25.67 feet; thence S.02°07'26"E. 41.73 feet; thence S.90°00'00"W. 43.52 feet to the POINT OF BEGINNING.

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

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

On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

R-265-6-06 APPROVED

RESOLUTION Accepting Easement for Road Right-of-Way from the Rudolf Steiner School Association of Ann Arbor - 2230 Pontiac Trail - The Upper High School

Whereas, The Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, 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 4072, Page 617, recorded on December 5, 2001 and Liber 4557, Page 560, recorded on May 12, 2006;

Whereas, A Resolution of the Board of Directors of The Rudolf Steiner School Association of Ann Arbor, dated April 5, 2006, authorized the delivery of an easement to the City for a variable width road right-of-way, measured from the centerline of Pontiac Trail along the easterly side of Pontiac Trail, as described below, to run with the land and burden the respective property perpetually; and

Whereas, The Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, has delivered an easement to the City for a variable width road right-of-way, measured from the centerline of Pontiac Trail along the easterly side of Pontiac Trail, as described below, to run with the land and burden the respective property perpetually;

RESOLVED, That the City of Ann Arbor accept an easement for a variable width road right-of-way, as described below, from the Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, in, on and over property located in the City of Ann Arbor, Washtenaw County, Michigan and described as follows:

Commencing at the NE corner of Huron River Hills, a subdivision of part of the SW ¼ of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 6 of Plats, Page 47, Washtenaw County Records; thence N01° 53'30" E 337.95 feet along the centerline of Pontiac Trail to the POINT OF BEGINNING; thence continuing along said centerline N01° 53'30" E 209.29 feet to a point on the Southerly line of proposed Huron Parkway; thence along said Southerly line N87° 30'30" E 50.15 feet; thence S01° 53' 30" W 335.07 feet to a point on the Northerly line of ORCHARD PLACE, a Site Condominium as recorded in Liber 2596, Page 936, Washtenaw County Records; thence along said Northerly line S88° 37'10" W 17.03 feet to a point on the Easterly right-of-way line of Pontiac Trail; thence along said Easterly line N01°53'30" E 125.45 feet; thence S87° 30'30" W 33.10 feet to the POINT OF BEGINNING. Being a part of the SW ¼ of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan and containing 0.29 acres of land, more or less. Being subject to easements and restrictions of record, if any.

Councilmember Johnson moved, seconded by Councilmember Roberts, that the resolution be adopted.

On a voice vote, the Mayor declared the motion carried, thus satisfying the eight-vote requirement.

R-266-6-06 APPROVED

RESOLUTION Accepting Utility Easement Number 1 for Water Main from the Rudolf Steiner School Association of Ann Arbor - 2230 Pontiac Trail - The Upper High School

Whereas, The Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, 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 4072, Page 617, recorded on December 5, 2001 and Liber 4557, Page 560, recorded on May 12, 2006;

Whereas, A Resolution of the Board of Directors of The Rudolf Steiner School Association of Ann Arbor, dated April 5, 2006, authorized the delivery of an easement for public utilities to the City for the maintenance of municipally operated public services comprising the public utilities system to run with the land and burden the respective property perpetually; and

Whereas, The Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, has delivered an easement for public utilities to the City for the maintenance of municipally operated public services comprising the public utilities system to run with the land and burden the respective property perpetually;

RESOLVED, That the City of Ann Arbor accepts an easement for public utilities for water main from the Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, in, on and over property located in the City of Ann Arbor, Washtenaw County, Michigan and described as follows:

A 40 foot wide easement for the installation and maintenance of a water main having a centerline described as follows: Commencing at the Northeast corner of "HURON RIVER HILLS", a subdivision of part of the Southwest 1/4 of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan as recorded in Liber 6 of Plats, Page 47, Washtenaw County Records; thence N01°53'30"E 213.14 feet along the centerline of Pontiac Trail to a point on the Westerly extension of the Northerly line of "ORCHARD PLACE", a Site Condominium as recorded in Liber 2596, Page 936, Washtenaw County Records; thence along said Northerly line and the Westerly extension thereof N88°37'10"E 728.57 feet to the POINT OF BEGINNING; thence N00°17'39"W 265.69 feet, more or less, to a point on the Southerly right-of-way line of proposed Huron Parkway, said point being the POINT OF TERMINATION.

Councilmember Johnson moved, seconded by Councilmember Roberts, that the resolution be adopted.

On a voice vote, the Mayor declared the motion carried, thus satisfying the eight-vote requirement.

R-267-6-06 APPROVED

RESOLUTION Accepting Utility Easement Number 2 for Water Main from the Rudolf Steiner School Association of Ann Arbor - 2230 Pontiac Trail - The Upper High School

Whereas, The Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, 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 4072, Page 617, recorded on December 5, 2001 and Liber 4557, Page 560, recorded on May 12, 2006;

Whereas, A Resolution of the Board of Directors of The Rudolf Steiner School Association of Ann Arbor, dated April 5, 2006, authorized the delivery of an easement for public utilities 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; and

Whereas, The Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, has delivered an easement for public utilities 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;

RESOLVED, That the City of Ann Arbor accept an easement for the construction and maintenance of public utilities from the Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, in, on and over property located in the City of Ann Arbor, Washtenaw County, Michigan and described as follows:

A 40 foot wide easement for the construction and maintenance of a water main having a centerline described as follows: Commencing at the Northeast corner of "HURON RIVER HILLS", a subdivision of part of the Southwest 1/4 of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan as recorded in Liber 6 of Plats, Page 47, Washtenaw County Records; thence N01°53'30"E 360.12 feet along the centerline of Pontiac Trail to the POINT OF BEGINNING; thence N84°21'57"E 191.69 feet; thence N05°38'03"W 34.48 feet; thence S05°38'03"E 34.48 feet; thence N84°21'57"E 32.67 feet; thence N62°11'36"E 191.43 feet; thence N89°46'06"E 85.39 feet; thence N00°13'54"W 34.75 feet; thence S00°13'54"E 34.75 feet; thence N89°46'06"E 244.28 feet to a point on the centerline of an existing water main, said point being the POINT OF TERMINATION.

Councilmember Johnson moved, seconded by Councilmember Roberts, that the resolution be adopted.

On a voice vote, the Mayor declared the motion carried, thus satisfying the eight-vote requirement.

R-268-6-06 APPROVED

RESOLUTION Authorizing Publication of Notice of Intent to Issue Bonds and Pledge of Limited Tax Full Faith and Credit for Eligible Activities of Lower Town Brownfield Redevelopment Project

Whereas, The Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, 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 4072, Page 617, recorded on December 5, 2001 and Liber 4557, Page 560, recorded on May 12, 2006;

Whereas, A Resolution of the Board of Directors of The Rudolf Steiner School Association of Ann Arbor, dated April 5, 2006, authorized the delivery of an easement for public utilities 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; and

Whereas, The Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, has delivered an easement for public utilities 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;

RESOLVED, That the City of Ann Arbor accepts an easement for the construction and maintenance of public utilities from the Rudolf Steiner School Association of Ann Arbor, a Michigan non-profit corporation, in, on and over property located in the City of Ann Arbor, Washtenaw County, Michigan and described as follows:

A 40 foot wide easement for the construction and maintenance of a water main having a centerline described as follows: Commencing at the Northeast corner of "HURON RIVER HILLS", a subdivision of part of the Southwest 1/4 of Section 16, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan as recorded in Liber 6 of Plats, Page 47, Washtenaw County Records; thence N01°53'30"E 360.12 feet along the centerline of Pontiac Trail to the POINT OF BEGINNING; thence N84°21'57"E 191.69 feet; thence N05°38'03"W 34.48 feet; thence S05°38'03"E 34.48 feet; thence N84°21'57"E 32.67 feet; thence N62°11'36"E 191.43 feet; thence N89°46'06"E 85.39 feet; thence N00°13'54"W 34.75 feet; thence S00°13'54"E 34.75 feet; thence N89°46'06"E 244.28 feet to a point on the centerline of an existing water main, said point being the POINT OF TERMINATION.

Councilmember Easthope moved, seconded by Councilmember Lowenstein, that the resolution be adopted.

Councilmember Greden recused himself from voting and discussion on this resolution.

On roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Teall, Higgins, Easthope, Woods, Roberts, Lowenstein, Rapundalo, Mayor Hieftje, 9;

Nays, Councilmember Johnson, 1.

The Mayor declared the motion carried.

R-269-6-06 APPROVED

RESOLUTION TO APPROVE a Professional Legal Services Agreement with Model Cities Legal Services, Inc. to Provide Legal Representation as Court-Appointed Counsel to Indigent Defendants

Whereas, Persons charged with misdemeanor violations for which incarceration may be imposed are entitled to legal representation;

Whereas, Persons who are determined by the 15th District Court to be indigent have the right to have counsel appointed by the Court to represent them at public expense;

Whereas, The City of Ann Arbor is obligated by law to fund 15th District Court operations;

Whereas, Funds for Court-appointed counsel for indigent persons have been approved in the 15th District Court's FY 2006 - 2007 Budget in the amount of \$200,000.00;

Whereas, Pursuant to Michigan Court Rule 8.110(C), the Chief Judge is the chief administrative official in the District Court and is responsible for oversight of the appointment of counsel for indigent defendants;

Whereas, The 15th District Court frequently appoints Model Cities Legal Services, Inc. attorneys to represent indigent defendants based on their proven abilities, demonstrated knowledge and sensitivity in performing this work;

Whereas, The cost for Court-appointed legal representation by Model Cities Legal Services, Inc. is less than the prevailing rate for private legal representation in such matters; and

Whereas, Living Wage and Human Rights approval was granted by the City Human Resources Department on June 7, 2005;

RESOLVED, That City Council approve a professional legal services agreement with Model Cities Legal Services, Inc. to provide Court-appointed counsel for indigent defendants appearing in the 15th District Court, in an amount not to exceed \$200,000.00 for FY 2006 - 2007, and

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

Councilmember Roberts moved, seconded by Councilmember Carlberg, that the resolution be adopted.

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

R-270-6-06 APPROVED

RESOLUTION TO APPROVE the 2004 - 2006 Teamster Police Professional Assistants Collective Bargaining Agreement

Whereas, The current collective bargaining agreement between the City of Ann Arbor and the Ann Arbor Teamster Police Professional Assistants expired June 30, 2004;

Whereas, The parties have reached a settlement on a new agreement effective July 1, 2004 through June 30, 2006, which provides for no wage increase with step increases continuing as available, and an additional \$500.00 lump sum if eligible for step increase, or a 3% lump sum if maxed out;

Whereas, The agreement includes various other changes and provisions such as unit name change to Teamster Police Professional Assistants, personal days must be used each year or paid out, and the maximum allowed compensatory time bank is reduced from 120 hours to 100 hours; and

Whereas, The City Administrator recommends approval of the negotiated agreement;

RESOLVED, That the City Council approve the two-year settlement agreement providing for no wage increase with step increases continuing as available, and a \$500.00 lump sum payment in addition if eligible for step increase, or a 3% lump sum payment if maxed out in steps;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the bargaining agreement on behalf of the City, after approval as to substance by the City Administrator and approval as to form by the City Attorney.

Councilmember Woods moved, seconded by Councilmember Higgins, that the resolution be adopted.

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

R-271-6-06 APPROVED

RESOLUTION Creating a Task Force to Establish
an Ann Arbor Percent for Art Program

Whereas, Council recognizes the substantial economic benefits to be gained through the aesthetic enhancement of its public spaces, and the City's increased ability to attract and retain commercial and industrial businesses through an enriched visual environment;

Whereas, the Commission on Art in Public Places has recommended to Council and other community leaders that Ann Arbor establish an ongoing mechanism for funding art in public places;

Whereas, Council has received a staff report outline approaches, options and recommendations for establishing a 'Percent for Art' program to assure the aesthetic enhancement of its public spaces and is supportive of establishing such a program;

Whereas, the Commission on Art in Public Places, the Downtown Development Authority and the Commission on Art in Public Places are critical partners in ensuring the success of such a program for the citizens of Ann Arbor;

RESOLVED, That the Mayor will appoint a 5 member taskforce that will serve until August 1, 2006, to work with City Staff to develop a recommendation for the administration of a 'Percent for Art Program' that addresses as a minimum;

- purchase or commission of works of art or design elements created by artists
- funding and other recommendations contained in the staff report previously presented to Council
- maintenance, repair, relocation or conservation of the City's public artwork
- community outreach and education, documentation, publicity, promotion, and administration of the program

RESOLVED, That the task force recommendations be presented to Council by memorandum of the task force no later than August 1, 2006;

RESOLVED, That the Percent for Art Task Force will include one representative from the University, one representative of the DDA, two representatives of the Commission on Art in Public Places, and one member of Council;

JAMES A. KOSTVA (University of Michigan)

James A. Kosteva has been the Director of Community Relations for the University of Michigan since December of 1994. Jim serves on the Board of Directors of the Ann Arbor Area Chamber of Commerce, the Ann Arbor Area Convention and Visitors Bureau, the Ann Arbor Rotary, the Washtenaw Development Council and the Ann Arbor Summer Festival among his many other civic involvements.

RUSS COLLINS (DDA)

Russ Collins has been a member of the Ann Arbor DDA since July 2005. In addition to his work with the DDA, Russ has served as the Executive Director of the Michigan Theater for more than 20 years, during which time he oversaw two major renovations and the addition of a new screening room for smaller art films. Russ has also served as a volunteer for a number of arts projects and programs during the past two decades, and is well known for his weekly program "Cinema Chat" on WEMU radio.

MARGARET PARKER (CAPP)

Margaret Parker has been a member of the Ann Arbor Commission on Art in Public Places since 2002, Chair since 2004, and active in planning for the public art in the 4th and Washington Parking Structure. She is an artist whose public works include the "Sun Dragon," a renewable energy demonstration project at Fuller Pool, and the courtyard garden at Downtown Home & Garden on Ashley St.. She founded a nonprofit, Art Pro Tem, in 2000 to promote temporary art installations in downtown Ann Arbor. Her work has been exhibited around the country and is in the permanent collection of the United States Capitol.

ELAINE SIMS, MA (CAPP)

Elaine Sims is serving her second year as a member of the Commission for Art in Public Places. Ms Sims is the Director of the University of Michigan Hospitals and Healthcare Centers Gifts of Art program. She has worked in arts in healthcare since 1990. Her areas of special expertise include the visual and performing arts, healing gardens, caring for the caregiver initiatives as well as the full spectrum of arts in healthcare offerings including commissioning and selecting art, art cart programs, bedside music, artists-in-residence, medical school arts curriculum, community partnerships and running a full medical center orchestra, the Life Sciences Orchestra. Ms. Sims is President of the Board of The Society for the Arts in Healthcare and serves as a consultant with funding from a leadership grant from the National Endowment for the Arts. Ms. Sims is a conceptual artist whose work has appeared in The New Yorker and museums around the world.

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

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

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the May 1, 2006 regular session of Council:

Zoning Board of Appeals

Kathryn Loomis
2316 Fernwood
Ann Arbor, MI 48104
Term: June 5, 2006 -June 5, 2009

Ann Arbor Percent for Art Program

Jim Kosteva
Russ Collins
Margaret Parker
Elaine Sims,
Councilmember Teall

Councilmember Higgins moved, seconded by Councilmember Carlberg, to approve the Ann Arbor Percent Program nominations as a one step process.

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

Councilmember Carlberg moved, seconded by Councilmember Johnson, 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:

Commission on Disability Issues

Helen Elisa Meador Re-Appointment
P.O. Box 7488
Ann Arbor, MI 48107
Term: June 19, 2006 -June 19, 2009

Carol Jane Schauer Re-Appointment
2152 Hemlock Dr.
Ann Arbor, MI 48108
Term: June 19, 2006-June 19, 2009

Els Nieuwenhuijsen Eldersveld (replacing Jeanine A. DeLay)
3653 Larchmont Dr.
Ann Arbor, MI 48105
Term: June 19, 2006- June 19, 2009

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Roger Fraser announced that a work session has been scheduled for June 12, 2006 to

discuss the following:

1. Park Millage with Park Advisory Commission
2. Park Land and Open Space Initiative with Washtenaw County

REPORTS SUBMITTED

City Administrator Roger Fraser submitted the following reports for information of Council:

1. April 2006 Investment Portfolio Report - Finance - Tom Crawford, C.F.O.

(Report on file in the City Clerk's Office.)

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

None.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Schostak Brothers & Company regarding an invitation to municipalities for exhibit tables for communities looking for new developments. The "International Council of Shopping Centers" (I.C.S.C.) is holding its annual Michigan Idea Exchange meeting on July 12 and 13th in Novi, MI - Planning and Development Services
2. Communication from SEMCOG - Regional Update, Vol. 11, No's 10 & 11, May 8 and 22, 2006
3. Notification from SEMCOG regarding notification to member communities about an important meeting scheduled on May 17 to explain the restoration of Our Trees (or ROOT) Program. Administrative grants of \$1,500.00 for communities that applies regarding Emerald Ash Borer. - Parks & Recreation Services and Field Operations
4. Communication regarding Joint Resolution between Pittsfield Charter Township and the City of Ann Arbor
5. Communication from COMCAST regarding literacy in Washtenaw County - CTN
6. Communication from County Clerk Lawrence Kestenbaum regarding the Washtenaw County Board of Canvassers certification of the elections held in Washtenaw County on May 2, 2006 (See Page 99 for summary of results)
7. Communication from Northfield Township - Notice of Intent to Plan - Sent an update of the existing Growth Management Plan for Northfield Township - a formal distribution to neighboring local governments, etc. - Planning and Development Services

8. Communication from the Congress of the U.S. House of Representatives regarding creation of a national communications policy - CTN and City Administration
9. Communication from G2 Consulting Group regarding Notice of Proposed Telecommunication Antenna Placement (G2 Project No. 060283) - Planning and Development Services
10. Communication from NextG Networks seeking a bi-lateral form of right-of-way in wireless communications. - CTN
11. Communication from the MDEQ regarding a permit in the Mallett's Creek 100 year floodplain - Proposed Mallett's View Office Center located at 385 E. Eisenhower Parkway - Planning and Development Services

The following minutes were received for file:

1. Taxicab Board - March 30, 2006
2. Housing Commission - April 19, 2006
3. Employees' Retirement System - April 20, 2006
4. Downtown Development Authority - February 1, March 1 and April 5, 2006
5. Retiree Health Care Benefit Plan and Trust (V.E. B.A.) - April 20, 2006
6. Greenbelt Advisory Commission - Nov. 2, and Dec. 7, 2005 and Jan. 4, 2006

Councilmember Rapundalo moved, seconded by Councilmember Roberts, that the Clerk's Report be accepted.

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

PUBLIC COMMENTARY - GENERAL

None.

RECESS FOR CLOSED SESSION

None.

ADJOURNMENT

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

On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:04 p.m.

Jacqueline Beaudry
Clerk of the Council

Anissa R. King
Recording Secretary

**SUMMARY OF RESULTS
FOR THE CITY OF ANN ARBOR, MICHIGAN
MAY 2, 2006 SCHOOL ELECTION
(Complete Official Report of the City of Ann Arbor
Board of Canvassers is on file in the City Clerk's Office)**

PROPOSAL A 800MHz:

Yes	12126
No	7352

ANN ARBOR DISTRICT LIBRARY:

Adye Bel Evans	1748
Barbara Murphy	3213
Connie L. Greene	2783
Jan Barney Newman	3062
Prue Rosenthal	2414
Write-In	63

ANN ARBOR PUBLIC SCHOOLS

Board Member Partial Term:

Randolph J. Friedman	4426
Write-In	84

Ann Arbor School Member:

Deb Mexicotte	4015
Susan Baskett	4342
Write-In	162