



Legislation Text

File #: 07-0972, Version: 1

REGULAR SESSION - DECEMBER 3, 1990

Council - December 3, 1990

747

The regular session of the Ann Arbor City Council was called to order at 7:35 p.m. in the City Hall Council Chamber by Mayor pro tem Jerry S. Schleicher. Council stood for one moment of silence.

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

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Larry Hunter, Ann Marie Coleman, M. Terry Martin, Ingrid B. Sheldon, Elizabeth S. Brater, Nelson K. Meade, Jerry S.

Schleicher, Mark Ouimet, Thais Anne Peterson, Joe Borda, 10.

ABSENT : Mayor Gerald D. Jernigan, 1.

INTRODUCTIONS

NEW CITY FINANCE DIRECTOR

Acting City Administrator Donald Mason introduced and welcomed the new City Finance Director A. Dean Moore.

AUDIENCE PARTICIPATION - Reserved Time

LESLIE MEAD - HOMELESSNESS

Leslie Mead, 2581 International Pl., read an article from the November 22, 1990 Chicago Tribune concerning the problem of homelessness. Ms. Mead stated that the problems of the homeless cannot be solved by the charity of a few, but will have to be solved through large-scale and long-term intervention at the institutional level.

MIKE FOOTE - HOMELESSNESS

Mike Foote, 3150 Morgan Rd., suggested that the Audience Participation portion of the Council agenda be renamed "Citizen Participation" or "Public Speaking Time" to emphasize the role of citizens in government. Mr. Foote expressed concern with the recent court decision that homeless squatters had no legal right to live in an abandoned city-owned house, and stated that the decision should have been based on common law, which reflects society's ethical beliefs and sense of fairness.

LARRY FOX - KLINE'S PARKING STRUCTURE

748

Council - December 3, 1990

Larry Fox, 530 S. State St., stated that the City is fiscally irresponsible and wasteful in its decision to build another unneeded parking structure, especially when the economy is headed for a recession. Mr. Fox stated that the City should encourage mass transit, as recommended in the City's Transportation Plan, and use the money for housing and substance abuse programs.

JOHN WOLTER - AIRPORT NOISE STUDY

John Wolter, 1541 Jones Dr., Chair of the Airport Advisory Committee, spoke in favor of the proposed Noise Exposure Map Document of the Ann Arbor Airport Noise Compatibility Study, which has as its goals: aircraft noise reduction in neighborhoods, increased safety, compatible land use and risk reduction. Mr. Wolter stated that the study provides details of the environmental impact on residential areas near the airport to assist in making high quality decisions

to protect the City and its taxpayers from liability problems.

LIZ COPELAND - AIRPORT NOISE STUDY

Liz Copeland, 3971 Waldenwood, urged Council's careful consideration of the airport noise compatibility study and the South Area Plan which provide the City with the needed information to allow for better planning to meet the needs and concerns of area residents.

GEORGE HUNT - AIRPORT NOISE STUDY

George Hunt, 10 Manitou Ct., stated that, as a resident living directly under the airport flight path, he endorses the aims of the airport noise compatibility study as well as the South Area Plan which address airport noise and safety issues to reduce liability to the City and assure the safest operation possible.

GEORGE BROOKOVER - DOOLEY'S LIQUOR LICENSE

George Brookover of Foster, Swift, Collins and Smith, representing Dooley's, spoke in opposition to the resolution to set a hearing date on the revocation of Dooley's liquor license. Mr. Brookover stated that the process is unnecessary since Dooley's is currently closed and the owner is attempting to sell the business.

PUBLIC HEARINGS

SOUTH AREA PLAN

A public hearing was conducted on the proposed South Area Plan, a proposed new element of the City Master Plan to replace the Pittsfield Valley South Area Plan. Notice of public hearing was published November 25, 1990.

There being no one to speak the Chair declared the hearing closed.

Council - December 3, 1990

749

TRAVER VILLAGE LAND DIVISION

A public hearing was conducted on the proposed Traver Village land division, 16.98 acres, northwest corner of Plymouth and Nixon Roads. Notice of public hearing was published November 25, 1990.

There being no one to speak the Chair declared the hearing closed.

CITY ANTI-SUBSTANCE ABUSE POLICY STATEMENT

A public hearing was conducted on the proposed City of Ann Arbor Anti-Substance Abuse Policy Statement. Notice of public hearing was published November 25, 1990.

The following persons appeared:

Charles Gierke, Director of the Chemical Dependency Program of the Catherine McAuley Health Systems, spoke in favor of the proposed policy statement, and reported on the costly effects of substance abuse in the workplace. Mr. Gierke stated that drug abuse programs are currently unable to meet current demands, and that a prompt and concerted effort is required of both the public and private sector.

Janet Allen, clinical social worker at the University of Michigan Children's Hospital, spoke in favor of the proposed policy statement. Ms. Allen reported on the effects of drugs and alcohol on babies born to addicted mothers, and stated that the expense involved for treating these babies would be better spent on prevention of substance abuse.

Toby Citrin, Director of Community and Government Relations for the University of Michigan School of Public Health, spoke in support of the proposed policy statement. Mr. Citrin requested that the City play a key role in the establishment of the county-wide coalition on substance abuse, being formed under the Community Partnership

Grant, and emphasized the importance of cooperation among Washtenaw County communities and organizations in the formation and operation of this new community partnership.

Charles Perry, 1309 Huron River Dr., spoke in support of the proposed policy statement which will help make Ann Arbor a model City. Mr. Perry commended the City for taking a leadership role and urged Council to continue to move forward on this issue.

Larry Fox, 530 S. State St., spoke in favor of the policy statement as a step in making treatment more available for poor people afflicted with substance abuse problems.

750

Council - December 3, 1990

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

Councilmember Martin requested that the public hearing be reopened later in the meeting to hear one additional speaker.

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

CONSENT AGENDA

Add: Resolution to Approve Agreement for Michigan Recreation Bond Grant for Bandemer River Park Development (\$380,000.00)

MOTIONS AND RESOLUTIONS

Delete: Resolution to Request Proportional WALTEC Service from Washtenaw County for the City of Ann Arbor (Mayor Jernigan) (Tabled November 5, 1990)

Revise: Resolution Approving City Anti-Substance Abuse Policy Statement (Tabled November 5, 1990)

Delete: Resolution Regarding Amendment to Downtown Development Authority Plan (Councilmembers Brater and Hunter)

Revise: Resolution to Approve Deferred Payment Loan to DEMONSTRATION SERVICES AGREEMENT WITH Shirley Harding for Construction of Affordable Home (\$2,000.00) (Councilmembers Coleman and Sheldon)

Delete: Resolution to Approve Purchase of Five Side Load Refuse Trucks - Bid No. 2040 (\$470,395.00)

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Add: Solid Waste Department Progress Report

Add: Ashley/William Properties Status Report

Add: Snow Storm on December 3, 1990

Council - December 3, 1990

751

CLERK'S REPORT

Add: Communication from Vivian L. Bradbury, 3128 Oakwood, regarding Proposed Ann Arbor City Transportation Plan Update -Planning

On a voice vote the Chair declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF NOVEMBER 19 APPROVED

Councilmember Sheldon moved that the regular session minutes of November 19, 1990 be approved as presented.

On a voice vote the Chair declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

**R-639-12-90 APPROVED
RESOLUTION ACCEPTING PLACEMENT OF RECYCLING
CONTAINER AT PLYMOUTHVIEW SHOPPING CENTER**

Whereas, By resolution passed in February, 1989 Council directed the Administrator to begin implementation of the Solid Waste Plan by purchasing and locating recycling drop-off containers;

Whereas, the City has placed three such containers within the City in addition to the recycling container located at the Ann Arbor Landfill;

Whereas, The recycling containers have been successful in diverting materials from landfill disposal;

Whereas, The north side of the City has not been adequately represented with a recycling drop-off location;

752

Council - December 3, 1990

Whereas, Plymouthview Shopping Center has agreed to site a recycling container on its property;

Whereas, This location is easily accessible to the public and is well lit;

Whereas, The owners of the Plymouthview Shopping Center have agreed to the same conditions as the owners of the Pauline Plaza recycling container location;

Whereas, This contract has been approved as to form by the City Attorney's Office;

RESOLVED, That the City agree to site a recycling drop-off container at the Plymouthview Shopping Center;

RESOLVED, That this agreement can be terminated by either party within thirty days written notice by either party;

RESOLVED, That the City indemnify the owner of the property from any and all damages resulting from the placement of this container;

RESOLVED, That the container be placed at the Plymouthview Shopping Center as soon as possible after the contract agreement has been signed by both parties.

**R-640-12-90 APPROVED
RESOLUTION TO ACQUIRE DRUNK DRIVING
TECHNICAL EQUIPMENT**

Whereas, The use of in-car video equipment has proven useful in court for prosecuting intoxicated drivers;

Whereas, FAX machines have been upheld as an expeditious tool in obtaining search warrants used in investigating drunken driving offenses; and

Whereas, The Ann Arbor Police Department has been awarded a \$3,000.00 grant from the Allstate Insurance Company to assist in purchasing car/video equipment and FAX machines for efforts to fight drunk driving;

RESOLVED, That the City of Ann Arbor accept the \$3,000.00 grant from the Allstate Insurance Company, into revenue source 010-031-6999; and

RESOLVED, That the \$3,000.00 be appropriated to the Police Department for use in obtaining evidence for prosecuting drunk drivers, into expenditure budget account No. 010-031-0160-5130.

Council - December 3, 1990

753

**R-641-12-90 APPROVED
RESOLUTION TO APPROVE BID FOR TWO
4 X 4 PICK-UP TRUCKS - BID NO. 2046**

Whereas, At the request of the Municipal Garage, the Purchasing Department solicited bids for 4 x 4 pick-up trucks;
Whereas, Bids were submitted from six vendors;
Whereas, It has been determined that Red Holman Pontiac GMC is the lowest responsible bidder in the amount of \$14,237.00 per truck; and
Whereas, The Personnel/Human Rights Department has approved Red Holman Pontiac GMC on November 15, 1990;
RESOLVED, That the City Council approve the bid of Red Holman Pontiac GMC in the amount of \$28,474.00; and
RESOLVED, That the City Administrator be directed to issue a purchase order in the amount of \$28,474.00 to Red Holman Pontiac GMC.

**R-642-12-90 APPROVED
RESOLUTION TO AWARD CONTRACT FOR
REPAIRS TO 2072 GARDEN CIRCLE**

Whereas, The Ann Arbor Housing Commission owns property at 2072 Garden Circle which is a part of the Turnkey III Homebuyers Program;
Whereas, 2072 Garden Circle is in need of substantial repairs to meet code and be available for reoccupancy;
Whereas, Funds for such repair will be provided by homebuyer sales, EHPA and NRMR and the Ann Arbor Housing Commission; and
Whereas, The project was bid and Uni-Prise (Personnel/Human Rights Department approval on November 7, 1990) was the lowest responsible bidder;
RESOLVED, That City Council approve and award the contract to repair 2072 Garden Circle to Uni-Prise for \$31,626.00; and
RESOLVED, That the Mayor and Clerk be authorized to execute the contract that is substantially in the form of that on file with the City Clerk.

754

Council - December 3, 1990

**R-643-12-90 APPROVED
RESOLUTION TO AWARD CONTRACT FOR
OAKWOOD FOUNDATION DRAINAGE SYSTEM**

Whereas, The three public housing rental units at Oakwood suffer basement water problems;
Whereas, The Ann Arbor Housing Commission, through its architectural firm, has prepared plans and specifications which resulted in the submission of bids; and
Whereas, The Department of Housing and Urban Development, through the Comprehensive Improvement Assistance Program, has provided funds for this project;
RESOLVED, That the City Council approve and award the Oakwood foundation drainage system project to Beresh and Riedel (Personnel/Human Rights Department approval September 10, 1990) for up to \$109,200.00; and
RESOLVED, That the Mayor and Clerk be authorized to execute the contract that is substantially in the form of that on file with the City Clerk.

**R-644-12-90 APPROVED
RESOLUTION TO AWARD CONTRACT FOR REROOFING
OF WHITE/STATE/HENRY PUBLIC HOUSING SITE**

Whereas, The 28 public housing sites at White/State/Henry are in need of roof replacement;
Whereas, The Ann Arbor Housing Commission, through its architectural firm, has prepared plans and specifications which resulted in the submission of

bids; and

Whereas, The Department of Housing and Urban Development, through the Comprehensive Improvement Assistance Program, has provided funds for this project;

RESOLVED, That the City Council approve and award the White/State/Henry roofing project to Beresh and Riedel (Personnel/Human Rights Department approval on September 10, 1990) for \$34,290.00; and
Council - December 3, 1990

755

RESOLVED, That the Mayor and Clerk be authorized to execute the contract that is substantially in the form of that on file with the City Clerk.

R-645-12-90 APPROVED

**RESOLUTION AUTHORIZING ANNUAL CONTRIBUTIONS
CONTRACT AMENDMENT NO. 22 FOR 1990**

COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM

Whereas, The City of Ann Arbor, Michigan (herein called the "Local Governing Body"), acting by and through the Ann Arbor Housing Commission (herein called the "Local Authority"), and the United States of America (herein called the "Government") as of the 26th day of November 1965, entered into a certain Annual Contributions Contract to assist in the development of certain low-rent housing, identified therein as Project No. MICH 64-1; and

Whereas, The Local Authority and the Government desire to modify the terms of said Annual Contract;

RESOLVED, By the Local Authority as follows:

Section 1. The Local Authority shall enter into an amendatory agreement with the Government, modifying the terms of the Annual Contributions Contract, and the President of the Housing Commission be hereby authorized and directed to execute such amendment in quadruplicate and the Clerk of the Local Governing Body be authorized and directed to impress and attest the official seal of the Governing Body on each such counterpart. The aforesaid amendatory agreement shall be in substantially the form on file with the City Clerk.

R-646-12-90 APPROVED

**RESOLUTION TO APPROVE PURCHASE OF MICROVAX 3100
FOR POLICE DATA PROCESSING - BID NO. 2037**

Whereas, The City of Ann Arbor has completed and adopted an Information Services Strategic Plan (ISSP) to guide investment in information technology for the next six years;

Whereas, The Information Services Steering Committee (ISSC) has recommended approval of this microcomputer, pursuant to the identified goals and objectives of the ISSP;

Whereas, This machine would add to the effective and efficient operation

756

Council - December 3, 1990

of the Police Data Processing data input process by giving them their own machine, eliminating interruptions in the entry of information into the police records management system;

Whereas, Bid No. 2037 was sent to qualified vendors;

Whereas, Pioneer-Standard Electronics, Inc. at \$16,533.00 was determined to be the lowest total responsible bidder; and

Whereas, Pioneer-Standard Electronics, Inc. has received Personnel/Human Rights Department approval on November 6, 1990, pursuant to Section 9:158 of Chapter 112 of Title IX of the Ann Arbor City Code, to perform the contract

according to Bid No. 2037;
RESOLVED, That Council award those items from Bid No. 2037 that are to be purchased from Pioneer-Standard Electronics, Inc. in the amount of \$16,533.00 for hardware, licensing and software, plus whatever reasonable shipping charges are later determined, once the equipment has been located and shipped.

R-647-12-90 APPROVED

RESOLUTION TO AWARD BID FOR INSTALLATION OF THREE POOL FILTRATION SYSTEMS - BID NO. 2044

Whereas, The 1989-94 Park Millage Fund includes funding for pool filtration at each City pool, (in year 1989-90);

Whereas, Equipment has been purchased for installation;

Whereas, Hutzel Plumbing submitted a bid on November 21, 1990, for installation of filtration equipment in the amount of \$26,986.00 for Buhr, \$31,951.00 for Fuller, and \$24,996.00 for Mack Pool which were the lowest responsible bids;

Whereas, The Personnel/Human Rights Department approved said company on September 9, 1990; and

Whereas, Funds have been appropriated for these projects from the 1989-94 Park Millage Fund;

RESOLVED, That the recommendation of the City Administrator be approved, that the bid of Hutzel Plumbing in the amount of \$83,933.00 be accepted, and that a purchase order be authorized to Hutzel Plumbing for the items described in Bid No. 2044.

Council - December 3, 1990

757

R-648-12-90 APPROVED

RESOLUTION TO APPROVE AGREEMENT FOR MICHIGAN RECREATION BOND GRANT FOR BANDEMER RIVER PARK DEVELOPMENT

RESOLVED, That the City of Ann Arbor, Michigan does hereby accept the terms of the agreement as received from the Michigan Department of Natural Resources, and that the City of Ann Arbor does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate the sum of \$380,000.00 to match the grant authorized by the Department and to appropriate such additional funds as shall be necessary to complete the project;
2. To maintain satisfactory financial accounts, documents, and records to make them available to the Department for auditing at reasonable times;
3. To construct the project and provide such funds, services and materials as may be necessary to satisfy the terms of said agreement.
4. To authorize Ron Olson, Superintendent of Parks and Recreation, to be the local authorized representative to sign documents on behalf of Ann Arbor, Michigan; and
5. To comply with any and all terms of said agreement including all terms not specifically set forth in the foregoing portions of this resolution.

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

ORDINANCES - Second Reading

64-90 ACTION POSTPONED

BOCA NATIONAL BUILDING CODE

An Ordinance to Amend Chapter 98 of Title VIII of the Code of the City of Ann Arbor

This ordinance would adopt, by reference, the 1987 version of the Basic Building Code, with certain exceptions to meet local needs and to conform to other provisions of the City Code.
Councilmember Sheldon moved that the ordinance be adopted at second reading.
Council agreed to consider the ordinance later in the agenda to allow the City
758

Council - December 3, 1990

Attorney to check the accuracy of certain references in Section 8:5. (See ORDINANCES - Second Reading (Cont.), following Resolution No. R-651-12-90)
ORDINANCES - First Reading
67-90 APPROVED

ALLEN ZONING

An Ordinance to Amend the Zoning Map Being a Part of Chapter 55 of Title V of the Code of the City of Ann Arbor
This ordinance would change the zoning of 0.1 acre, located at 2530 James Drive, from TWP (Township District) to R1C (Single-Family Dwelling District).
Councilmember Coleman moved that the ordinance be approved at first reading.
On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

68-90 APPROVED

ALVAREZ ZONING

An Ordinance to Amend the Zoning Map Being a Part of Chapter 55 of Title V of the Code of the City of Ann Arbor
This ordinance would change the zoning of 0.17 acre, located at the southwest corner of Joseph and Victoria Streets, from TWP (Township District) to R1C (Single-Family Dwelling District).
Councilmember Coleman moved that the ordinance be approved at first reading.
On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

69-90 APPROVED

PARRISH ZONING

An Ordinance to Amend the Zoning Map Being a Part of Council - December 3, 1990
759

Chapter 55 of Title V of the Code of the City of Ann Arbor
This ordinance would change the zoning of 0.22 acre, located at 486 Barber Avenue, from TWP (Township District) to R1C (Single-Family Dwelling District).
Councilmember Coleman moved that the ordinance be approved at first reading.
On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

70-90 APPROVED

SCHMIDT/WERFELMANN ZONING

An Ordinance to Amend the Zoning Map Being a Part of Chapter 55 of Title V of the Code of the City of Ann Arbor
This ordinance would change the zoning of 0.19 acre, located at 445 Clarendon Drive, from TWP (Township District) to R1C (Single-Family Dwelling District).
Councilmember Coleman moved that the ordinance be approved at first reading.
On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

71-90 APPROVED

STONER ZONING

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

This ordinance would change the zoning of 0.35 acre, located at 2521 James Street, from TWP (Township District) to R1C (Single-Family Dwelling District). Councilmember Coleman moved that the ordinance be approved at first reading. On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

72-90 APPROVED

CLEARING LITTER FROM OPEN PRIVATE PROPERTY BY CITY

760

Council - December 3, 1990

An Ordinance to Amend Section 7:104 of Chapter 82 of Title VII of the Code of the City of Ann Arbor

This ordinance would correct a reference error that has been in the Code since 1964.

Councilmember Sheldon moved that the ordinance be approved at first reading. On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

73-90 APPROVED

CODE VIOLATION CITATIONS

An Ordinance to Amend Section 1:17(8) of Chapter 1 of Title I of the Code of the City of Ann Arbor

This ordinance would add three Utilities Department employees to those who are authorized to write citations.

Councilmember Sheldon moved that the ordinance be approved at first reading. On a voice vote the Chair declared the motion carried and the ordinance approved at first reading.

MOTIONS AND RESOLUTIONS

**R-649-12-90 APPROVED AS AMENDED
RESOLUTION TO ACCEPT ANN ARBOR
CITY TRANSPORTATION PLAN UPDATE
TO GUIDE FUTURE DECISIONS**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Ann Arbor City Transportation Plan Update to guide future decisions.

A resolution to accept the Ann Arbor City Transportation Plan Update to guide future decisions was considered.

Councilmember Sheldon moved that the resolution be adopted.

Councilmember Brater moved that the following language be added to the Council - December 3, 1990

761

resolution:

RESOLVED, That acceptance of this plan shall not be construed as a commitment to implementation of any specific element or recommendation of the plan; rather the plan shall be seen as a guideline; and

RESOLVED, That each element of the plan shall be implemented only after Council approval, as appropriate.

On a voice vote the Chair declared the motion carried.

The question being the resolution as amended, on a voice vote the Chair

declared the motion carried.

The resolution as adopted reads as follows:

R-649-12-90

**RESOLUTION TO ACCEPT ANN ARBOR
CITY TRANSPORTATION PLAN UPDATE
TO GUIDE FUTURE DECISIONS**

Whereas, The Transportation Plan Steering Committee and Citizens Advisory Committee have prepared a draft Transportation Plan Update with the assistance of a consultant and local staff; and

Whereas, Public hearings were held by the City Planning Commission on September 25 and October 9, 1990, and the Commission has adopted the plan;

RESOLVED, That the Mayor and City Council hereby accept the Ann Arbor City Transportation Plan Update as an element of the City Master Plan to guide future decisions about the development of the transportation systems of the City;

RESOLVED, That acceptance of this plan shall not be construed as a commitment to implementation of any specific element or recommendation of the plan; rather the plan shall be seen as a guideline; and

RESOLVED, That each element of the plan shall be implemented only after Council approval, as appropriate.

R-650-12-90 APPROVED

**RESOLUTION TO APPROVE TRAVER VILLAGE
LAND DIVISION**

762

Council - December 3, 1990

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Traver Village land division, 16.98 acres, northwest corner of Plymouth and Nixon Roads.

Whereas, First Martin Corporation has requested land division approval in order to separate a 0.53 acre parcel of property from the existing 12.95 acre Traver Village Shopping Center; and

Whereas, The Ann Arbor City Planning Commission, at its meeting of November 13, 1990, recommended approval of said request;

RESOLVED, That the Traver Village land division be hereby approved.

Councilmember Martin moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-651-12-90 APPROVED

RESOLUTION TO APPROVE SOUTH AREA PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed South Area Plan, a proposed new element of the City Master Plan to replace the Pittsfield Valley South Area Plan.

Whereas, The City Planning Commission South Area Plan Subcommittee and Planning Department staff have prepared a draft South Area Plan Update; and

Whereas, Public hearings were held by the City Planning Commission on October 25 and November 13, 1990, and the Commission has adopted the plan;

RESOLVED, That the Mayor and City Council hereby adopt the Ann Arbor City South Area Plan Update as an element of the City Master Plan to guide future decisions about the development of the City's south area.

Councilmember Ouimet moved that the resolution be adopted.

Council agreed that the following corrections be made to the plan:

Page 22 -

Area L

Location: East WEST of Stone School Road, south of Packard...

Page 14 (1st paragraph) -

Council - December 3, 1990

763

Overall there are 268.44 acres of City parkland in the south area. Added to this total is the 141 acre County Farm Park on Washtenaw Avenue where a large multi-purpose recreational building is proposed for completion by 1992 1991. The County Park facility will be available to City residents and will provide a wide range of activities including a pool, racquet courts GYMNASIUM, and exercise rooms....

Page 15 (2nd paragraph) -

The Ann Arbor Public Schools have a ten-acre vacant elementary school site at the west end of Verle Street adjacent to Brown Park. The property is not considered excess by the schools even though they have no plan to build a school on the site at this time.

Councilmember Sheldon moved that the title and last paragraph of the resolution be amended as follows:

**RESOLUTION TO APPROVE ACCEPT THE SOUTH AREA
PLAN UPDATE TO GUIDE FUTURE DECISIONS**

RESOLVED, That the Mayor and City Council hereby adopt ACCEPT the Ann Arbor City South Area Plan Update as an element of the City Master Plan to guide future decisions about the development of the City's south area.

After further discussion, the motion was withdrawn.

The question being the original resolution with the corrected Plan, on a voice vote the Chair declare the motion carried.

ORDINANCES - Second Reading (Cont.)

64-90 APPROVED AS CORRECTED

BOCA NATIONAL BUILDING CODE

Council unanimously agreed to continue the discussion and consideration of Ordinance No. 64-90.

Council agreed that Section 8:5 be corrected as follows:

8:5 Provision for refuse collection.

(1) Any structure which is erected under building permit issued on or after May 15, 1968, and which contains 3 or more

764

Council - December 3, 1990

dwelling units shall provide a refuse collection area and access thereto which meets the standards of Section 2:3(2)(a) of Chapter 26 of the City Code....

(2) Any commercial or other nonresidential structure erected under a building permit issued on or after May 15, 1968, shall include adequate provision as set forth in Section 2:3(2)(b) of Chapter 26 of the City Code....

The question being the ordinance as corrected, on roll call the vote was as follows:

Yeas, Councilmembers Hunter, Coleman, Martin, Sheldon, Brater, Meade, Ouimet, Peterson, Borda, Mayor pro tem Schleicher, 10;

Nays, 0.

The Chair declared the motion carried and the ordinance adopted at second reading as corrected.

PUBLIC HEARINGS (Cont.)

CITY ANTI-SUBSTANCE ABUSE POLICY STATEMENT (Cont.)

Council unanimously agreed to reopen the public hearing on the proposed City of Ann Arbor Anti-Substance Abuse Policy Statement to hear the following person:

Ron Rinker, Supervisor of the Fifteenth District Court Probation Department, spoke in favor of the proposal. Mr. Rinker reported that much of the criminal activity brought before District Court is a result of substance abuse, and emphasized the need for funding for treatment because of the alarming increase in substance abuse related cases.

The Chair declared the hearing closed.

MOTIONS AND RESOLUTIONS (Cont.)

TABLED

**RESOLUTION REGARDING OPEN EXCAVATION AT
338 SOUTH MAIN STREET - BROWN PROPERTY**

Whereas, A lot located at the northwest corner of William and South Main Street (338 S. Main St.) is detrimental to good and desirable economic and Council - December 3, 1990

765

civic activities in downtown Ann Arbor;

Whereas, The above-mentioned lot has not had any construction activity in the last six months;

Whereas, The owners of this lot may be in violation of City ordinances by reasons of having unsightly and open building excavations;

Whereas, The open excavation may be a health and safety hazard;

Whereas, The members of the Main Street Area Association and other citizens have petitioned City Council that this excavation be filled in and that the lot be converted into a surface parking facility; and

Whereas, There will be a reduction of available surface parking spaces in the Main Street area during the construction phase of the Ashley/William (Kline's) Parking Structure;

RESOLVED, That the City Attorney be hereby authorized and directed to request the owner of the lot to comply forthwith with all applicable City ordinances;

RESOLVED, That the Downtown Development Authority be authorized and directed to enter into the necessary agreements for construction of site improvements on the lot located at the northwest corner of William and South Main Street in order to prepare it for operation as a public surface parking facility;

RESOLVED, That the City Administrator be authorized and directed to arrange for the operation and management of this parking facility as a public lot by the Transportation Department; and

RESOLVED, That the City Administrator inform Council within thirty days of the status of this lot and of the progress in converting same to a public surface parking facility.

Councilmember Hunter moved that the resolution be adopted.

Councilmember Brater moved that the resolution be tabled indefinitely for further negotiations with the property owner.

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

R-652-12-90 SUBSTITUTE RESOLUTION

APPROVED AS AMENDED

766

Council - December 3, 1990

RESOLUTION REGARDING PARKING METERS

IN RESIDENTIAL NEIGHBORHOODS

A resolution regarding parking meters in residential neighborhoods was considered.

Councilmember Hunter moved that the substitute resolution distributed during the meeting be placed on the table for consideration and adoption. (See November 19, 1990 Council minutes for text of original resolution)

Council agreed that the fourth and fifth paragraphs of the substitute resolution be amended as follows:

RESOLVED, That the Mayor and the Ann Arbor City Council direct the Transportation Department to discontinue the installation of new parking meters in the following residential areas as itemized in **ON ANY BLOCKS WHERE 85% OF THE STRUCTURES ARE RESIDENTIAL UNITS, INCLUDING BUT NOT LIMITED TO** the attached list;

RESOLVED, That all new parking meter posts recently installed on the streets indicated on **BLOCKS WHERE 85% OF THE STRUCTURES ARE RESIDENTIAL, INCLUDING BUT NOT LIMITED TO** the attached list, be removed as soon as possible;

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

The resolution as adopted reads as follows:

R-652-12-90

RESOLUTION REGARDING PARKING METERS

IN RESIDENTIAL NEIGHBORHOODS

Whereas, The Mayor and the Ann Arbor City Council recognize the need to raise additional revenues in order to reduce an anticipated budgetary shortfall in the parking system fund;

Whereas, The Transportation Department has proposed increasing parking revenues by the installation of additional parking meters along streets in certain residential areas within the City; and

Whereas, The installation of additional parking meters in residential areas has led to numerous complaints and has met with disapproval from neighborhood individuals and organizations;

RESOLVED, That the Mayor and the Ann Arbor City Council direct the Council - December 3, 1990

767

Transportation Department to discontinue the installation of new parking meters on any blocks where 85% of the structures are residential units, including but not limited to the following list:

Kingsley Street between N. Main St. and Fourth Ave.,

Kingsley Street between Fourth Ave. and Division St. (north side only),

Fifth Ave. (North) between Kingsley St. and Beakes St.,

Ashley St. (North) between Kingsley St. and Catherine St. (west side);

RESOLVED, That all new parking meter posts recently installed on blocks where 85% of the structures are residential, including but not limited to the above list, be removed as soon as possible;

RESOLVED, That future plans for placement of new parking meters in residential areas only take place after proper notification of the neighborhood, and that such plans be submitted to the Ann Arbor City Council for final approval;

RESOLVED, That the Transportation Department shall not install any new parking meters along residential neighborhood streets. Residential neighborhood for the purpose of this resolution is defined as an area for which 85% of structures on a street or block are used as residential dwelling units;
RESOLVED, That prior to the installation of any new meters, the Transportation Department shall provide notification to all residents of the affected neighborhood and provide the information regarding the Residential Parking Permit Program; and
RESOLVED, That the Mayor and the Council recognize the need for the parking system to raise additional funds in order to maintain the fiscal integrity of the parking fund, and direct the Transportation Department to continue to explore methods of raising revenues.

**R-653-12-90 APPROVED AS AMENDED
RESOLUTION REGARDING IMPLEMENTATION
OF THE DOWNTOWN PLAN**

A resolution regarding implementation of the Downtown Plan was considered. Councilmember Brater moved that the resolution be adopted. Councilmember Sheldon moved that the seventh and eighth paragraphs of the resolution be amended as follows:

768

Council - December 3, 1990

RESOLVED, That the Ann Arbor City Council request **SUPPORT** the Planning Commission **AS IT DEVELOPS ITS WORK PROGRAM** to designate matters relevant to implementation of the Downtown Plan, including necessary ordinances changes, as Phase I of the Central Area Plan;
RESOLVED, That Council request that **SUPPORT** the Planning Commission draw up a set of **AS IT SETS** criteria to judge conformance of downtown development proposals with the Downtown Plan,...

On roll call the vote was as follows:

Yeas, Councilmembers Hunter, Coleman, Martin, Sheldon, Brater, Meade, Ouimet, Peterson, Borda, 9;

Nays, Mayor pro tem Schleicher, 1.

The Chair declared the motion carried.

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

Yeas, Councilmembers Hunter, Coleman, Martin, Sheldon, Brater, Meade, Peterson, 7;

Nays, Councilmembers Ouimet, Borda, Mayor pro tem Schleicher, 3.

The Chair declared the motion carried.

The resolution as adopted reads as follows:

R-653-12-90

**RESOLUTION REGARDING IMPLEMENTATION
OF THE DOWNTOWN PLAN**

Whereas, The Ann Arbor City Council adopted the Downtown Plan on July 5, 1988;

Whereas, Implementation of the Downtown Plan requires revision of certain City ordinances, including the premium provisions of Chapter 55;

Whereas, Certain other ordinances should be examined for possible revision, including the provisions for a special parking district of Chapter 59;

Whereas, Certain zoning changes in the downtown area may be advisable in order to promote housing development;

Council - December 3, 1990

769

Whereas, Other direction may be given to developers in an advisory capacity to encourage conformance with the Downtown Plan; and

Whereas, It is logical to address these issues as a first phase of adopting a Central Area Plan;

RESOLVED, That the Ann Arbor City Council support the Planning Commission as it develops its work program to designate matters relevant to implementation of the Downtown Plan, including necessary ordinance changes, as Phase I of the Central Area Plan;

RESOLVED, That Council support the Planning Commission as it sets criteria to judge conformance of downtown development proposals with the Downtown Plan, and that the Planning Department require each downtown development proposal to include a clear demonstration of how the development meets these criteria; and

RESOLVED, That City Council schedule a working session with the Planning Commission to address implementation of the Downtown Plan and discuss other planning matters.

R-654-12-90 APPROVED

RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO PETITION THE STATE BOUNDARY COMMISSION FOR ANNEXATION OF ANN ARBOR TOWNSHIP AREAS

Whereas, The City of Ann Arbor does not have a rational boundary and does not have an agreement with Ann Arbor Township to work cooperatively toward achieving a rational boundary between the City and the Township;

Whereas, Some areas of Ann Arbor Township are either entirely or partially surrounded by City properties and City facilities but are not part of the City; and

Whereas, These township islands and peninsulas should be made part of the City to facilitate the future planning, construction, maintenance of City facilities and services, and to insure that these properties assume their proper share of the City cost;

RESOLVED, By the Mayor and City Council that the City Administrator be directed to prepare applications for submittal to the State Boundary Commission to annex Ann Arbor Township islands and peninsulas to the City.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

770

Council - December 3, 1990

The Chair declared a recess at 10:32 p.m.

The Chair again called the meeting to order at 10:45 p.m.

R-655-12-90 APPROVED

RESOLUTION TERMINATING THE WATER SUPPLY AND WASTEWATER TREATMENT CONTRACTS WITH ANN ARBOR TOWNSHIP

Whereas, A wastewater treatment contract was entered into with Ann Arbor Township on November 8, 1976. It specifies an initial term through 1995 and an automatic renewal unless notice of non-renewal is given three years prior to the end of 1995;

Whereas, On June 22, 1984, the City entered into a water supply contract with Ann Arbor Township. It has an initial 20-year term with automatic extension unless there is a notice of intent not to renew; and

Whereas, The City does not wish either of these contracts to be extended beyond the initial terms;
RESOLVED, By the Council for the City of Ann Arbor that the Mayor be authorized to provide notice, on form developed by the City Attorney, that the City will not permit either the wastewater treatment contract or the water supply contract to be extended beyond the initial terms.
Councilmember Coleman moved that the resolution be adopted.
On a voice vote the Chair declared the motion carried.

**R-656-12-90 APPROVED
RESOLUTION APPROVING CITY ANTI-SUBSTANCE
ABUSE POLICY STATEMENT**

Whereas, At the request of City Council the following policy statement has been submitted by the administrative staff;

Whereas, The original policy statement draft has been amended to Council - December 3, 1990

771

incorporate language suggested by City Council;

Whereas, City Council recognizes that the misuse and abuse of alcohol and drugs poses potential risk to the health and safety of individuals, family, communities and society;

Whereas, The City of Ann Arbor hereby acknowledges its responsibility to the community to affirmatively address the issue from a multi-faceted perspective including prevention, intervention and treatment; and

Whereas, It is the responsibility of City government to protect the health, welfare and safety of its citizens;

RESOLVED, That City Council recognize the needs of high risk populations;

RESOLVED, That the City of Ann Arbor recognize the need to collaborate with governmental entities, educational establishments and public and private agencies in the sharing of multiple resources;

RESOLVED, That the City of Ann Arbor identify funding to implement solutions to substance abuse problems within the City; and

RESOLVED, That City Council hereby approve the Policy Statement submitted to Council on December 3, 1990.

**CITY OF ANN ARBOR
ANTI-SUBSTANCE ABUSE POLICY STATEMENT
INTRODUCTION**

The City of Ann Arbor, as informed by the Anti-Substance Abuse Task Force Final Report on Substance Abuse of September 17, 1990 recognizes the existence of a community-wide substance abuse problem.

Abuse and misuse of alcohol and drugs poses potential risks to the health and safety of individuals, families, communities, and society. Public policy regarding the availability and consumption of alcohol and drugs, along with prevention and treatment of substance abuse should be designed to minimize these risks and maintain a safe, healthy community.

The City of Ann Arbor also recognizes its responsibility to the community to affirmatively address the issue of substance abuse from a multi-faceted perspective including prevention, intervention and treatment. In accepting this responsibility, the City of Ann Arbor commits itself to take a leadership role in establishing and coordinating a city-wide anti-substance abuse effort.

The goal of this effort will be to develop overall strategies to coordinate all levels of activity so that community support and funding priorities can be appropriately focused. Solutions to the City's substance abuse problem, which involves all sectors of the City and all facets of society, need to be

developed through a holistic and systems approach.

772

Council - December 3, 1990

In an effort to ensure an ongoing community-wide coalition to fight substance abuse, the City commits itself to implementing procedures and programs which support these guiding principles:

PRINCIPLES

1. To promote and protect the rights of all citizens to live, work and attend school in an environment free of the abuse and misuse of alcohol and drugs.
2. To create a city-wide education and awareness effort, focusing on alternative means of coping with stress and life's opportunities, other than substance use/abuse.

Therefore, the policy of the City of Ann Arbor is to actively work toward a solution to substance abuse in this community through implementation of these objectives:

OBJECTIVES

1. Become a model city government and a leader/partner in the development of a plan to achieve an effective community-wide prevention program.
2. Strengthen existing intergovernmental and educational institution relationships and structures to promote community-wide public sector leadership.
3. Provide a model drug-free workplace with an effective, accessible, and confidential employee assistance program. Adopt an employee substance abuse education and referral program to set a community example, and to encourage other public and private employers to follow.
4. Establish City Anti-Substance Abuse Office/staff which will manage and coordinate the City's effort, while not duplicating efforts of other entities; work with City Departments and other organizations to effect better communication and coordination of local efforts; facilitate the dissemination of information on existing and future substance abuse programs; and seek additional funding resources.
5. Devise ordinances, and encourage and support enforcement of all laws that penalize the illicit drug and illegal alcohol suppliers, with special attention given to the reduction of accessibility of drugs and alcohol to youth.
6. Work with the courts and their probation departments to expedite substance abuse related criminal prosecutions from arraignment to sentencing, as well as to ensure that defendants who are identified as substance abusers are assigned to, and follow through with, appropriate

Council - December 3, 1990

773

treatment programs.

7. Assist in the establishment of a Community Citizens Coalition, reflective of City demographics, against substance abuse to engage all segments and groups of the community to help develop and implement future programs.
8. Develop an ongoing assessment program to evaluate and measure the performance of future community education, enforcement, and treatment programs.

DISTRIBUTION AND POLICY REVIEW

Annually, a copy of this policy will be distributed to all City employees, Biennially, the City will review its "Anti-Substance Abuse Policy" to determine the program's and policy's effectiveness, and implement changes, as needed. Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

TABLED

**RESOLUTION APPROVING AIRPORT PART 150
NOISE EXPOSURE MAP DOCUMENT**

Whereas, The City has been participating in a Federal Air Regulation Part 150 Noise Study of the Ann Arbor Municipal Airport;
Whereas, One requirement of this study is that an FAR Part 150 Noise Exposure Map Document be prepared and approved for submission to the FAA for a technical review; and

Whereas, The City has prepared a Noise Exposure Map Document identifying existing noise and land-use conditions on and adjacent to the Ann Arbor Municipal Airport;

RESOLVED, That the FAR Part 150 Noise Exposure Map Document be approved for submission to the Federal Aviation Administration for technical review, and that the Mayor be authorized to affix his signature to the Noise Exposure Maps attesting that the documents have been prepared utilizing the best available information and that interested persons were afforded the opportunity to offer comments, views and data on the study as referenced in this document.

Councilmember Sheldon moved that the resolution be adopted.

Councilmember Meade moved that the resolution be tabled indefinitely and referred to the Planning Department for review and correction of the maps.

774

Council - December 3, 1990

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

R-657-12-90 APPROVED

**RESOLUTION TO APPROVE SUMMARY PUBLICATION OF
ORDINANCE NO. 64-90 - BOCA NATIONAL BUILDING CODE**

Whereas, Ordinance No. 64-90 may be published by summary because it is over 500 words long;

RESOLVED, That Ordinance No. 64-90 may be published by the following summary:

Ordinance No. 64-90 amends City Code Chapter 98 by adopting by reference the 1987 version of the Basic Building Code instead of the 1981 version. It also adopts exceptions to the Basic Building Code to meet local needs and to conform to other provisions of the City Code.

A complete text of the ordinance is available at the Office of the City Clerk.

Councilmember Martin moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

TABLED

**RESOLUTION TO REQUIRE SOLICITATION PROPOSALS FOR
PRIVATE OPERATION OF PHASE III OF THE LANDFILL**

Whereas, The City has spent over three years attempting to get a license to operate Phase III of the landfill;

Whereas, The City has not yet received approval for the construction or operation of Phase III; and

Whereas, The City Council believes that the licensing and operation of Phase III of the landfill by a private contractor would be more economical and

Council - December 3, 1990

775

better serve the needs of the City of Ann Arbor;
RESOLVED, That the City administration be directed to solicit proposals from private contractors for the purpose of obtaining approval of the Phase III license, constructing Phase III and operating Phase III.
 Councilmember Sheldon moved that the resolution be adopted.
 Councilmember Sheldon moved that the resolution be tabled to the January 22, 1991 regular session of Council, following reports on the upcoming meetings with the Department of Natural Resources.
 On roll call the vote was as follows:
 Yeas, Councilmembers Hunter, Coleman, Sheldon, Brater, Meade, Peterson, 6;
 Nays, Councilmembers Martin, Ouimet, Borda, Mayor pro tem Schleicher, 4.
 The Chair declared the motion carried and the resolution tabled.

**R-658-12-90 APPROVED AS AMENDED
 RESOLUTION TO ESTABLISH A COMMITTEE TO
 MEET WITH THE BOARD OF REVIEW REGARDING
 UNIFORM PROPERTY TAX RELIEF SYSTEM**

A resolution to establish a committee to meet with the Board of Review regarding the uniform property tax relief system was considered.
 Councilmember Hunter moved that the resolution be adopted.
 Council agreed that the last paragraph of the resolution be amended as follows:
RESOLVED, That the Mayor appoint an ad hoc Council committee of not less than four members to conduct such an investigation and to report its findings to the Council by the first meeting in January FEBRUARY, 1991, along with such recommendations as it deems appropriate.
 The question being the resolution as amended, on a voice vote the Chair declared the motion carried.

The resolution as adopted reads as follows:

**R-658-12-90
 RESOLUTION TO ESTABLISH COMMITTEE TO
 MEET WITH THE BOARD OF REVIEW REGARDING**

776

Council - December 3, 1990

UNIFORM PROPERTY TAX RELIEF SYSTEM

Whereas, The Ann Arbor News, in a recent front page story and subsequent editorial, has called into question the integrity and fairness of the procedures of the Board of Review in granting property tax reductions for hardship;
 Whereas, The Ann Arbor News, in its editorial comments, has termed the procedures used by the Board of Review as "incredibly sloppy" and the result as "outrageous";
 Whereas, It is essential to maintain public trust in the confidence and integrity of public officials and in the fairness of their decisions; and
 Whereas, A review of the methods used by the Board of Review and an investigation of the specific allegations made by The Ann Arbor News seems to be called for;
RESOLVED, That the Mayor appoint an ad hoc Council committee of not less than four members to conduct such an investigation and to report its findings to the Council by the first meeting in February, 1991, along with such recommendations as it deems appropriate.

R-659-12-90 APPROVED

RESOLUTION TO APPROVE DEMONSTRATION SERVICES AGREEMENT WITH SHIRLEY HARDING FOR CONSTRUCTION OF AFFORDABLE HOME

Whereas, Sunstructures Architects has designed a home for the First of America "Affordable Housing" Design competition;
Whereas, The Department of Housing and Urban Development, the Community Development Department, and First of America of Ann Arbor have been working cooperatively to have the house built in the City;
Whereas, A lottery was held in September to select a person to build and own the house and Shirley Harding was chosen and has met preliminary lending requirements;
Whereas, The Washtenaw Black Economic Development League, through its Director, Charles Thomas, has agreed to sell a lot at 620 North Fifth Avenue for the project;
Whereas, Sunstructures has advertised for bids for the construction of the home and selected Kent Home Services of Detroit as low bidder to build the house;

Council - December 3, 1990

777

Whereas, In order to meet the guidelines and financial requirements of the project, an additional \$2,000.00 must be made available; and
Whereas, Shirley Harding in cooperation with Sunstructures Architects has agreed to conduct a tour of the home when completed and workshop documenting the process relating to the "Affordable Housing" design;

RESOLVED, That the Mayor and City Council approve a Demonstration Services Agreement in the amount of \$2,000.00 from the Affordable Housing Account to Shirley Harding relating to the construction of a home at 620 N. Fifth Ave. to be repaid at point of sale or transfer of the property;

RESOLVED, That an additional condition of the agreement include a provision that 2% of the profit from the sale of the home be donated to the City as a contribution toward providing additional affordable housing opportunities within the City; and

RESOLVED, That the City Council authorize the Mayor and City Clerk to execute the required documents substantially in the form on file in the Office of the City Clerk.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

TABLED

RESOLUTION TO SET HEARING DATE ON REVOCATION OF DOOLEY'S LIQUOR LICENSE

Whereas, The City Council finds that there is probable cause to consider a revocation of the license issued to Dooley's, 310 Maynard St., Ann Arbor, Michigan, based on information that the owner of the business has knowingly permitted unlawful activities on the premises;

RESOLVED, By the Ann Arbor City Council that a hearing be held before the City Council on January 22, 1991 for receiving and considering evidence on whether the Dooley's license should be revoked; and

RESOLVED, That the City Administrator be directed to notify Dooley's of the particulars of the charges and of the licensee's rights at the hearing.

Councilmember Sheldon moved that the resolution be adopted.

Councilmember Sheldon moved that the resolution be tabled until the March 4,

778

Council - December 3, 1990

1991 regular session of Council.
On a voice vote the Chair declared the motion carried and the resolution tabled.

**R-660-12-90 APPROVED
RESOLUTION TO PURCHASE REVENUE
CONTROL EQUIPMENT FROM TRAFFIC AND SAFETY
CONTROL SYSTEMS, INC - BID NO. 2041**

Whereas, The Parking System has structures which are attended locations and handle approximately 526,533 vehicle transactions per year for a total of approximately \$439,705.00 annually;

Whereas, The existing cashiering system and attendant booths have no revenue control capability, and are more costly and difficult to maintain because replacement parts are scarce and the equipment obsolete;

Whereas, Bid No. 2041 solicited quotations to provide revenue control and attendant booths for the Maynard Carport;

Whereas, Traffic and Safety Control Systems, Inc., of Wixom, Michigan, submitted the lowest responsible bid for this equipment and has received Personnel/Human Rights Department approval on November 7, 1990; and
Whereas, Funds were approved in the 1990-91 operating budget to purchase revenue control equipment and attendant booths;

RESOLVED, That City Council award Bid No. 2041 in the amount of \$159,384.00 to Traffic and Safety Control Systems, Inc., for the purchase of revenue control equipment and attendant booths for the Maynard Carport.

Councilmember Peterson moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

**R-661-12-90 APPROVED
Council - December 3, 1990
779**

**RESOLUTION TO AUTHORIZE PURCHASE ORDER TO
SCHINDLER ELEVATOR CORPORATION - BID NO. 1995**

Whereas, The various parking structures are equipped with elevators which cannot be maintained by in-house personnel and which required specialized maintenance by qualified maintenance firms;

Whereas, Bid No. 1995 solicited quotations for qualified and skilled personnel trained in maintaining elevators;

Whereas, Four companies submitted quotes in response to bid No. 1995, and Schindler Elevator Corporation submitted the lowest responsible bid in the amount of \$23,400.00;

Whereas, Schindler Elevator Corporation received Human Rights approval on November 7, 1990; and

Whereas, Funds are available in the 1990-91 operating budget under equipment maintenance;

RESOLVED, That Council award Bid No. 1995 to Schindler Elevator Corporation for the general maintenance of elevators located within the Parking System.

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

**R-662-12-90 APPROVED
RESOLUTION TO APPROVE BID FOR FRONT-
LOAD REFUSE TRUCK - BID NO. 2038**

Whereas, The Solid Waste Department and Municipal Garage requested the

Purchasing Department to solicit bids for one front-load refuse truck;
Whereas, The Purchasing Department solicited competitive bids (under Bid No. 2038), bids were sent to 22 companies, and one bid was received on November 1, 1990;

Whereas, The bid of D & H Mack meets City specifications; and
Whereas, D & H Mack received Human Rights approval on November 26, 1990;

RESOLVED, That City Council accept the bid of D & H Mack in the amount of \$121,611.10; and

780

Council - December 3, 1990

RESOLVED, That the City Administrator be directed to issue a purchase order in the amount of \$121,611.10 to D & H Mack to supply one front-load refuse truck, as specified in Bid No. 2038. Funds for this unit are provided in the 1990/91 Municipal Garage Revolving Equipment Fund (No. 012-091-130-5530).

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-663-12-90 APPROVED

**RESOLUTION TO AWARD PROFESSIONAL SERVICES
AGREEMENT FOR DESIGN OF INDEPENDENCE BOULEVARD
IMPROVEMENTS AND ESTABLISH PROJECT DESIGN BUDGET**

Whereas, The owners of certain properties along Independence Boulevard have requested that improvements be made to Independence Boulevard between Powell and Victoria Avenues;

Whereas, It has been found necessary to retain the services of a professional consulting engineering firm to perform the design;

Whereas, It is now necessary to enter into a contract for performance of the design;

Whereas, The professional engineering firm of Atwell-Hicks, Inc. of Ann Arbor has submitted to the City a proposal for engineering services, setting forth the services to be performed by said consulting engineers, and the payments to be made by the City therefore, all of which are agreeable to the City; and

Whereas, The Personnel/Human Rights Department has given approval of Atwell-Hicks, Inc. for said project on December 3, 1990;

RESOLVED, That a professional services agreement in the amount of \$32,990.00 be approved with Atwell-Hicks, Inc.;

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

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

DESIGN BUDGET

Council - December 3, 1990

781

Section I, Revenue

\$40,000.00 Fund 062, 1989 Street Millage Fund (previously appropriated by Council Resolution R-289-5-90, pending the sale of special assessment bonds)

Section II, Expense

\$32,990.00 Design engineering services (Consultant)

4,500.00 City's design engineering services

2,510.00 Other charges including City-owned vehicles,

printing, materials & supplies, overhead,
etc.

\$40,000.00 TOTAL

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

R-664-12-90 APPROVED

**RESOLUTION TO APPROVE APPROPRIATION OF PARK
REHABILITATION AND DEVELOPMENT MILLAGE INCLUDING
DONATIONS AND CONTRIBUTIONS FUND BALANCE**

Whereas, Voters approved two millages in 1983 and renewed the millage in
1989;

Whereas, Donations and private development contributions have been
received; and

Whereas, It is required that funds be appropriated for the "life of the
projects" in order to continue implementing the approved projects that overlap
fiscal years;

RESOLVED, That the Mayor and City Council appropriate for the "life of
the projects," without regard to a specific fiscal year from Fund 41
unappropriated fund balance at June 30, 1990 (including the 1983 Park Millage,
the 1989 Millage renewal, all cash contributions, donations and interest)
totaling \$2,741,545; and

RESOLVED, That all projects be implemented in accordance with purchasing
regulations and with required approvals.

Councilmember Coleman moved that the resolution be adopted.

782

Council - December 3, 1990

On a voice vote the Chair declared the motion carried.

R-665-12-90 APPROVED

RESOLUTION TO APPOINT SUCCESSOR REMARKETING AGENT

Whereas, The City of Ann Arbor, pursuant to a resolution of its City
Council, duly adopted on December 16, 1985, authorized the issuance of its 1985
General Obligation Limited Tax Development Variable Rate Demand Bonds, Series
B, in the original principal amount of \$4,200,000;

Whereas, The City, pursuant to the resolution, appointed Ehrlich-Bober &
Company, Inc. as the Remarketing Agent for the bonds;

Whereas, Pursuant to Section 10 of the Remarketing Agreement entered into
by and between the City and the Remarketing Agent, Ehrlich-Bober & Company,
Inc. has tendered its resignation as Remarketing Agent for the bonds;

Whereas, It is necessary to appoint a successor Remarketing Agent;

Whereas, John Nuveen & Company, Inc. has submitted a proposal to act as
successor Remarketing Agent; and

Whereas, The issuer of the credit facility for the bonds, Comerica Bank-
Detroit, N.A., has approved of John Nuveen & Company, Inc. as successor
Remarketing Agent;

RESOLVED, That:

1. The resignation of Ehrlich-Bober & Company, Inc. as Remarketing Agent for
the City's 1985 General Obligation Limited Tax Development Bonds, Series
B., be and is hereby accepted.

2. John Nuveen & Company, Inc., being an institution authorized by law to
perform all of the duties imposed upon it under the Remarketing Agreement
and the resolution, and otherwise meets the terms and conditions of the
Remarketing Agreement, be and is hereby appointed successor Remarketing

Agent, as successor to Ehrlich-Bober and Company, Inc. as Remarketing Agent;

3. The City Clerk be and is hereby authorized to execute any documents and provide any notices respecting said substitution of successor Remarketing Agent as shall be necessary to effectuate said succession; and

4. All resolutions and parts of resolutions in conflict herewith be and the same are hereby rescinded.

Council - December 3, 1990

783

Councilmember Coleman moved that the resolution be adopted.

On a voice vote the Chair declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

TENTATIVE ITEMS FOR FUTURE COUNCIL MEETINGS:

Resolution Supporting State Legislation Enabling Municipalities and Townships to Levy Impact Fees for Transportation Infrastructure Needs (Councilmember Sheldon)

Resolution Directing City Administrator to Provide Information on Local Option Tax (Councilmember Martin)

Resolution to Change Street Name of Washtenaw Place to Pitcher Street (Councilmember Borda)

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS APPROVED

Council unanimously agreed with Mayor Jernigan's following recommendation for appointments, placed on the table at the November 19, 1990 regular session of Council:

DOWNTOWN DEVELOPMENT AUTHORITY

Peter Long (to replace Ann Black)

505 E. Huron St.

Term: 12/3/90 to 7/31/91

Victor Adamo (reappointment)

207 W. Jefferson St.

Term: 12/3/90 to 7/31/94

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

Acting City Administrator Donald Mason submitted the following reports (on file 784

Council - December 3, 1990

in the City Clerk's Office) for information of Council:

1. Open Excavations on South Main Street
2. Plymouth Road Phase III
3. Ann Arbor Township Heliport
4. Pedestrian Crossing Concerns
5. Valet Parking Inquiry
6. Series A Bond Issue
7. Solid Waste Department Progress Report
8. Ashley/William Properties Status Report
9. Snow Storm on December 3, 1990

COMMUNICATIONS FROM THE CITY ATTORNEY

GELMAN LITIGATION

City Attorney R. Bruce Laidlaw reported that several City employees were called as witnesses during the Gelman litigation because residents asserted that they were entitled to damages by virtue of having to be annexed to the City. Mr.

Laidlaw stated that the jury verdict did not award damages in this matter.

PROFESSIONAL DRIVE VACATION

Mr. Laidlaw stated that, in the case involving the vacation of Professional Drive, it is his belief that the court has erred grievously in finding that the City's act of giving up a right-of-way was a civil rights violation. Mr. Laidlaw stated that it would be appropriate to discuss the case further in an executive session at the next Council meeting.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER SHELDON

Councilmember Sheldon thanked the participants of the first "At Issue" program on community access television, sponsored by the City Clerk's Office. Ms. Sheldon stated that the program includes news media people and Councilmembers discussing current issues.

Council - December 3, 1990

785

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Vivian L. Bradbury, 3128 Oakwood, regarding Proposed Ann Arbor City Transportation Plan Update - Planning.

The following minutes were received for file:

1. Planning Commission - October 9 and 25, 1990
2. Ann Arbor Transportation Authority Board - October 17, 1990
3. Commission on Handicapper Concerns - September 17, 1990
4. Historic District Commission - October 11, 1990

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

On a voice vote the Chair declared the motion carried.

AUDIENCE PARTICIPATION - General

None.

ADJOURNMENT

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

On a voice vote the Chair declared the motion carried and the meeting adjourned at 12:18 a.m.

W. Northcross

Clerk of the Council

Janet L. Chapin

786

Council - December 3, 1990

Recording Secretary