



Legislation Details (With Text)

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REGULAR SESSION - AUGUST 19, 1991 Council - August 19, 1991 1

The regular session of the Ann Arbor City Council was called to order at 7:35 p.m. by Mayor pro tem Larry Hunter.

Council stood for a moment of silence.

Mayor pro tem Hunter led in the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: Councilmembers Ann Marie Coleman, Ingrid Sheldon, Kirk Dodge, Robert Grady, Kurt Zimmer, Mark Ouimet, Thais Anne Peterson, Mayor pro tem Hunter, 8

Absent: Councilmembers Nelson Meade, Robert Eckstein, Mayor Elizabeth S. Brater, 3

INTRODUCTIONS

None.

AUDIENCE PARTICIPATION - RESERVED TIME

GEORGE KEMPF - KLINE'S PARKING LOT

George Kempf, vice president of the Main Street Area Business Association, general manager of Fiegel's Men and Boys Store, 318 S. Main Street, said that the downtown area needs more short term parking spaces. He suggested three steps for providing more surface parking in a timely fashion. They are: (1) negotiate with the DDA to assume the lease of the Anthony Brown property for the purpose of surfacing that lot immediately, (2) proceed with surfacing of the expansion of the present Kline's lot and making that available as soon as possible and (3) to resurface the present Kline's lot. He suggested that the Ashley/William lot be an attended lot rather than a metered lot.

LARRY FOX - PARKING IN THE DOWNTOWN AREA

Larry Fox, 530 S. State Street, said that part of the solution to the parking problem would be attended lots rather than metered. He expressed the opinion that increased availability will not solve the parking problem downtown because the City has made the revenues from parking meters and tickets part of its revenue structure in the city budget. Also, the elimination of downtown housing has contributed further to the loss of business; those

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people now live by the malls. Speaking on another subject, he said that the

Comprehensive Housing Affordability Study (CHAS), an act approved by the Federal Government, requires each community to produce a strategy. He suggested active participation by Council in the strategy currently being developed by the Community Development Department.

JOHN KRUSO - ABC PAVING COMPANY BID ON THE ASHLEY/WILLIAM LOT

John Kruso, representing the ABC Paving Company, said that although his company was the apparent low bidder on the project, they were notified that their bid would not be accepted because of a prior problem on a resurfacing project with the City when a subcontractor backed out of the job. He said that his company took full responsibility for that incident and completed the job satisfactorily. He asked Council to reconsider the award of that project and to award it to the low bidder.

LISA OLIVIER-SORENSEN - NORTH CAMPUS INCINERATOR FACILITY

Lisa Olivier-Sorenson, 2457 Stone Drive, a resident of the North Campus family housing across from the North Campus Incinerator, said that she is seeking support from the community in the form of resolutions and citizen petitions. She said that the incinerator presents hazards to children and pregnant women. Even though the University has announced plans to discontinue incineration, the changeover will take approximately one year. She is concerned that the necessary filtration equipment will not be installed in order to cut costs.

PUBLIC HEARINGS

BJORK PROPERTY REZONING - ORDINANCE NO. 39-91

A public hearing was conducted on the proposed Bjork property rezoning. This is the rezoning of 0.23 acre from TWP (Township District) to R1C (Single-Family Dwelling District). The property is located at 2963 Dexter Road.

There being no one to speak at this public hearing, the Chair declared the hearing closed.

KASISCHKE PROPERTY REZONING - ORDINANCE NO. 40-91

A public hearing was conducted on the proposed Kasischke property rezoning. This is the rezoning of 0.18 acre from TWP (Township District) to R1C (Single-Family Dwelling District). The property is located at 2819 Dexter Road.

There being no one to speak at this public hearing, the Chair declared the hearing closed.

NEELY PROPERTY REZONING - ORDINANCE NO. 41-91

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A public hearing was conducted on the proposed Neely property rezoning. This is the rezoning of 0.41 acre from TWP (Township District) to R1C (Single-Family Dwelling District). The property is located on the west side of Pinewood, south of Dexter Road.

There being no one to speak at this public hearing, the Chair declared the hearing closed.

WEST PROPERTY REZONING - ORDINANCE NO. 42-91

A public hearing was conducted on the proposed West property rezoning. This the rezoning of 0.33 acre from TWP (Township District) to R1C (Single-Family Dwelling District). The property is located at 401 Glenwood Street.

There being no one to speak at this public hearing, the Chair declared the hearing closed.

APPROVAL OF AGENDA

AGENDA APPROVED AS AMENDED

Councilmember Coleman moved that the Agenda be approved with the following changes:

CONSENT AGENDA

Add: Resolution to Authorize the City Administrator to Execute the Renewal Contract with Delta Dental

ORDINANCES - FIRST READING

Add: Amendment to Chapter 18, Section 1:564 - Service Retirement Allowance (There are two versions - Option One - recommended by the Pension Board, and Option Two - recommended by Mayor pro tem Hunter)

MOTIONS AND RESOLUTIONS

Delete: Resolution to Approve Acquisition and Maintenance of Video Display Terminals and Printers with Memorex - Telex Corporation (\$11,936) - rescheduled for September 3, 1991

Delete: Resolution to Approve Turnberry Subdivision Final Preliminary Plat for Phases II and III Two-Year Extension, 61.28 acres, south side of Packard Road west of US-23 (Tabled August 5, 1991) - Deleted pending review by Ward Three Councilmembers
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On a voice vote, the Chair declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES APPROVED AS PRESENTED

Councilmember Coleman moved that the special sessions of July 22 and 26, and regular session of August 5, 1991 be approved as presented.

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

CONSENT AGENDA

The following Consent Agenda items were considered and approved by Council:

R-478-8-91 APPROVED

RESOLUTION TO APPROVE REAPPROPRIATION

FOR WATER TREATMENT PLANT CAPITAL

IMPROVEMENTS PROJECTS (\$457,038.96)

Whereas, It is necessary to reappropriate budget balances from the FY 90-91 to the FY 91-92 at the Water Treatment Plant;

Whereas, The projects: Furnishing Lime Slakers, Mechanical Repairs in Basin #2, Well Study, Ozone Study and Barton Dam Dike Restoration were initiated in the FY 90-91 and were not completed in the FY 90-91;

Whereas, These projects started in FY 90-91 need to have approval for multi-fiscal year project budgets; and

Whereas, The projects: Computer Network & Constant Voltage Power Supply, Floor Drain Changes, Repave Front Parking Area, Valve Operators for West High Service Pumps, Containments for Sodium Hypochlorite Tanks and Aboveground Fuel Storage Tanks, Removal of Underground Fuel Tanks and Buying aboveground Fuel Tanks, for a total amount of \$264,336.75 were not initiated in the FY 90-91 and will be started in the FY 91-92;

RESOLVED, That Council approves the project budgets of:

Furnishing Lime Slakers \$105,000.00

Mechanical Repairs in Basin #2 30,900.00

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Well Study 9,500.00

Ozone Study 14,302.21

Barton Dam Dike Restoration 30,000.00

Mechanical Repairs in Basin #2 3,000.00

(Change Order #1)

Total \$192,702.21

for the life of the projects until completed and without regard to fiscal year;

RESOLVED, That Council approves the reappropriation of \$264,336.75 to the FY 91-92 budget for the above described projects which were budgeted and not initiated in FY 90-91 and will be initiated in FY 91-92; and

RESOLVED, That Council approves the total reappropriation of \$457,038.96 from the FY 90-91 unreserved retained earnings of the Water Supply System Fund to the FY 91-92 to the same account numbers as were in the FY 90-91.

Source of Funds: Water Supply System Fund FY 90-91 Unreserved Retained Earnings.

R-479-8-91 APPROVED

RESOLUTION TO AMEND COMMUNITY DEVELOPMENT

DEPARTMENT BUDGET (\$295,160)

Whereas, The Community Development Department's Fiscal Year 1991-92 budget as submitted was based upon revenue projections done in January 1991;

Whereas, Actual revenue figures are now available from several special revenue fund balances; and

Whereas, These changes in revenues have a significant impact on the Community Development Department's Fiscal year 1991-92 budget;

RESOLVED, That the following shall constitute the revised portion of the Community Development Department's 1991-92 budget;

Proposed

Approved Proposed Revised

Budget Change Budget

Ann Arbor Housing Trust Fund

(Fund 070) \$255,500 \$83,422 \$338,922

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Lump Sum Drawdown Fund

Single Family (OJC-002-4080-4421) \$60,000 \$173,917 \$233,917

Cooperative (Arrowwood)

(OJC-002-4100-7025) 0 13,098 13,098

Non Profit (WAHC) (OJC-002-4110-7230) 0 11,324 11,324

Subtotal \$60,000 \$198,339 \$258,339

Ann Arbor Assistance Fund

(038-002-4000-7016) \$ 400 \$ 311 \$ 711

Power Grant (033-002-0805-2990) \$ 0 \$ 2,300 \$ 2,300

FY 1990-91 CDBG Entitlement Funds

Administration (090-002-1042-1100) \$39,700 \$ 7,788 \$ 47,488

Human Service Budget (General Fund 010)

SOS Community Crisis Center

(010-002-1820-4421) \$43,000 \$ 3,000 \$ 46,000

GRANT TOTAL \$398,600 \$295,160 \$693,760

RESOLVED, That the Mayor and Council do hereby amend the FY 1991-92 Community Development Budget to correspond to the above listed changes.

R-480-8-91 APPROVED

RESOLUTION ISSUING PURCHASE ORDER TO

CARRIER AND GABLE, INC. (\$96,850)

Whereas, Carrier and Gable, Inc. of Farmington Hills, Michigan is the sole source supplier of Eagle traffic components used in maintaining approximately 136 City of Ann Arbor traffic signals; and

Whereas, Carrier and Cable, Inc. received Human Rights approval on June 10, 1991;

RESOLVED, That a purchase order for materials and supplies be issued to Carrier Council - August 19, 1991 7

and Gable, Inc. a sole source supplier for traffic signal components.

R-481-8-91 APPROVED

RESOLUTION TO APPROVE PURCHASE OF ATOMIC

ABSORPTION SPECTROPHOTOMETER AND

ACCESSORIES FOR THE ANN ARBOR WASTEWATER

TREATMENT PLANT, BID NO. 2161

(\$71,000)

Whereas, The Ann Arbor Wastewater Treatment Plant is required to analyze specific metal concentrations in its effluent as a condition of its National Pollutant Discharge Elimination Permit;

Whereas, An Atomic Absorption Spectrophotometer is necessary to perform these analyses;

Whereas, The current Atomic Absorption Spectrophotometer is over ten years old, requires excessive maintenance and replacement is necessary to maintain acceptable performance;

Whereas, Four bids were received and reviewed, Varian Analytical Instruments is recommended as the lowest responsible bidder at a bid of \$71,000; and

Whereas, On August 6, 1991, the Personnel/Human Rights Department approved Varian Analytical Instruments to provide an Atomic Absorption Spectrophotometer and Accessories;

RESOLVED, That Council accept the Bid No. 2161 from Varian Analytical Instruments to provide the Atomic Absorption Spectrophotometer and Accessories for \$71,000;

RESOLVED, That \$71,000 be reappropriated from FY 90/91 Budget to FY 91/92 to purchase the Atomic Absorption Spectrophotometer and Accessories; and
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RESOLVED, That the City Administrator be directed to issue a purchase order to Varian Analytical Instruments to furnish an Atomic Absorption Spectrophotometer and Accessories in the amount of \$71,000.

Funding Source:

Wastewater Treatment Plant Capital

FY 90/91 Budget Reappropriation to FY 91/92 Budget

043-073-5920-5130

R-482-8-91 APPROVED

RESOLUTION TO APPROVE REAPPROPRIATION FOR WASTEWATER TREATMENT PLANT CAPITAL IMPROVEMENTS AND MAINTENANCE PROJECTS (\$29,613.68)

Whereas, The Ann Arbor Wastewater Treatment Plant has various approved construction and maintenance projects in progress;

Whereas, The purchase orders for these projects were extended from FY 90/91 to FY 91/92; and

Whereas, It is necessary to correspondingly reappropriate \$29,613.68 from FY 90/91 to FY 91/92 for these purchase orders;

RESOLVED, That the Council approve this reappropriation of funds for the amount of \$29,613.68 from FY 90/91 to FY 91/92; and

RESOLVED, That the City Administrator be directed to reappropriate \$29,613.68 from FY 90/91 to FY 91/92.

Funding Source:

Wastewater Treatment Plant Division FY 90/91 Budget

Reappropriation to FY 91/92 Budget

043-073-5920-5130 \$12,450.00

043-073-5620-2310 5,824.00

043-073-5910-5130 1,491.68

043-073-5620-2320 9,848.00

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R-483-8-91 APPROVED

RESOLUTION TO AWARD CONTRACT FOR JANITORIAL SERVICES - VARIOUS LOCATIONS FOR THE UTILITIES DEPARTMENT - BID NO. 2134 (\$29,109.12)

Whereas, The Ann Arbor Utilities Department requires janitorial services for the locations of its Divisions of Field, Water Treatment and Wastewater Treatment;

Whereas, The Utilities Department, through the Purchasing Department, advertised for bids to perform this work as specified in Bid No. 2134;

Whereas, Three (3) bids were received and reviewed, and City Building

Maintenance is recommended as the lowest responsible bidder at a bid of \$29,109.12; and

Whereas, On May 16, 1991 the Personnel/Human Rights Department approved

City Building Maintenance to perform the work;

RESOLVED, That Council accept the bid from City Building Maintenance for \$29,109.12 to perform the work as specified in Bid No. 2134;

RESOLVED, That the following janitorial services budget be accepted for one year and that the agreement may be renewed for up to two one-year periods provided both parties agree to an extension;
RESOLVED, That \$29,109.12 be appropriated from the FY 91/92 budget from these three divisions to finance this service; and
RESOLVED, That the City Administrator be directed to issue purchase orders to City Building Maintenance for a total of \$29,109.12 to furnish the services in accordance with Bid No. 2134.

Source of Funds: Field Operations
Water Treatment Plant
Wastewater Treatment Plant
FY 91/92 Building Maintenance

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R-484-8-91 APPROVED

RESOLUTION ACCEPTING DEED FOR GREEN

ROAD RIGHT-OF-WAY

(UNITED STATES POSTAL SERVICE)

Whereas, The United States Postal Services, an Independent establishment of the Executive Branch of the Government of the United States of America, is the owner of property described below; and

Whereas, The owner has delivered a deed for right-of-way over property located in the City of Ann Arbor Washtenaw County, Michigan and more fully described as follows:

Part of the Northeast 1/4 of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, being more particularly described as:
Commencing at the center of said Section 14; thence S 88° 32' 40" E. 10.00 feet; thence N. 00° 05' 10" E. 136.28 feet to the POINT OF BEGINNING; thence continuing N 00° 05' 10" E 350.00 feet; thence S 89° 32' 40" E 50.00 feet to a point on the East right-of-way line of Green Road (1/2 = 50' wide); thence S 00° 05' 10" W 350.00 feet along said East right-of-way; and thence N 89° 32' 40" W 50.00 feet to the POINT OF BEGINNING; containing 0.40 acres, more or less, subject to any and all easements or rights of way of record, if any;

RESOLVED, That said easement is accepted by the City of Ann Arbor.

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R-485-8-91 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR PUBLIC UTILITIES

FROM UNITED STATES POSTAL SERVICE

Whereas, The United States Postal Service, an Independent establishment of the Executive Branch of the Government of the United States of America, is the owner of property described below; and

Whereas, The owner has delivered an easement for public utilities over property located in the City of Ann Arbor, Washtenaw County, Michigan, and more fully described as follows:

A watermain easement being part of the N.E.1/4 of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, described as:
Commencing at the center of said Section 14; thence S 88° 32' 40" E 10.00 feet; thence N 00° 05' 10" E 486.28 feet; thence S 89° 32' 40" E 50.00 feet to a point on the East right-of-way line of Green Road (1/2 = 50' wide) said point being the POINT OF BEGINNING; thence continuing S 89° 32' 40" E 450.00 feet; thence S 00° 05' 10" W 20.00 feet; thence N 89° 32' 40" W 254.00 feet; thence S 0° 27' 20" W 86.00 feet; thence N 89° 32' 40" W 75.00 feet; thence N 0° 27' 20" E 40.00 feet; thence S 89° 32' 40" E 35.00 feet; thence N 0° 27' 20" E 46.00 feet; thence N 89° 32' 40" W 156.00 feet to the point on said East right-of-way line; and thence N 00° 05' 10" E 20.00 feet

along said East right-of-way line to the POINT OF BEGINNING. Subject to any and all easements or rights-of-way of record, if any.

A 35 foot wide sanitary sewer easement being part of the east 1/2 of Section 14, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, described as:

Commencing at the center of said Section 14; thence S 88° 32' 40" E 50.03 feet to the POINT OF BEGINNING; thence N 00° 05' 50" E 200.80 feet; thence S 89° 54' 10" E 35.00 feet; thence S 00° 05' 50" W 494.00 feet; thence N 89° 54' 10" W 45.00 feet to a point on the East right-of-way line of Green Road; thence N 00° 05' 50" E 35.00 feet along said East right-of-way line; thence S 89° 54' 10" E 10 feet; thence N 00° 05' 50" E 258.20 feet to the POINT OF BEGINNING, subject to any and all easements or rights-of-way of record, if any;

RESOLVED, That said easement is accepted by the City of Ann Arbor.

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R-486-8-91 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR PUBLIC UTILITIES FROM GUENTHER BUILDING COMPANY (OAKRIDGE)

Whereas, Guenther Building Company, a Michigan corporation, is the owner of property described below; and

Whereas, The owner has delivered an easement for public utilities over property located in the City of Ann Arbor, Washtenaw County, Michigan, and more fully described as follows:

Commencing at the Northwest corner of Section 26, T2S, R6E, in the City of Ann Arbor, Michigan, thence N 89° 05' 30" E 33.88 feet along the north line of said section for a PLACE OF BEGINNING; thence continuing N 89° 05' 30" E 40.01 feet along the north line of said section; thence S 1° 58' 50" E 24.70 feet; thence S 71° 56' 20" E 78.45 feet; thence S 52° 52' E 117.36 feet; thence S 37° 08' W 40.00 feet; thence N 52° 52' W 110.64 feet; thence N 71° 56' 20" W 99.71 feet; thence N 1° 58' 50" W 53.43 feet to the Place of Beginning, being part of the NW 1/4 of said section, containing 0.22 acres of land more or less and being subject to the right of the public over that land occupied by Glazier Way;

RESOLVED, That said easement is accepted by the City of Ann Arbor.

R-487-8-91 APPROVED

RESOLUTION ACCEPTING EASEMENT FOR PUBLIC UTILITIES FROM GLACIER WAY UNITED METHODIST CHURCH

Whereas, Glacier Way United methodist Church, a Michigan non-profit corporation, is the owner of property described below; and

Whereas, The owner has delivered an easement for public utilities over property located in the City of Ann Arbor, Washtenaw County, Michigan, and more fully described as follows:

Commencing at the S 1/4 corner, Section 23, T2S, R6E, City of Ann Arbor, Council - August 19, 1991 13

Washtenaw County, Michigan; thence S 89° 06' 30" W 190.00 feet along the South line of said Section 23 and the centerline of Glazier Road; thence N 00° 54' 00" W 183.03 feet; thence S 89° 06' 30" W 31.25 feet for a Point of Beginning; thence N 40° 07' 54" E 53.36 feet; thence N 00° 37' 36" W 269.51 feet; thence S 88° 52' 20" W 115.00 feet; thence S 00° 37' 36" E 15.00 feet; thence S 88° 52' 20" W 133.03 feet to the easterly line of an existing 30 feet wide easement for sanitary sewer; thence the following two courses along said easement line N 24° 26' 45" E 1.36 feet, and N 20° 32'

54" W 51.72 feet; thence N 88° 52' 20" E 305.08 feet; thence S 00° 37' 36" E 319.72 feet; thence S 40° 07' 54" W 66.57 feet; thence N 00° 54' 00" W 25.01 feet; thence S 89° 06' 30" W 31.25 feet to the Point of Beginning; RESOLVED, That said easement is accepted by the City of Ann Arbor.

R-488-8-91 APPROVED

**RESOLUTION ACCEPTING EASEMENT FOR
PUBLIC UTILITIES FROM SCOTT AND
CHERYL BONISTEEL (CHAUCER COURT)**

Whereas, Scott Bonisteel and Cheryl Bonisteel, Husband and Wife, are the owners of property described below; and
Whereas, The owners have delivered an easement for public utilities over property located in the City of Ann Arbor, Washtenaw County, Michigan and more fully described as follows:

A thirty-foot side easement for storm sewer whose centerline is described as:

A part of the Northwest 1/4 of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan. Commencing at the Northwest corner of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N 89° 41' 05" E 975.34 feet (Recorded as N 89° 39' E 975.34 feet) along the North line of said Section, the centerline of Scio Church Road and the North line of "LANDSDOWNE" as recorded in Liber 16 of Plats, Pages 43, 44 and 45 Washtenaw County Records; thence S 00° 29' 30" E 565.32 feet (Recorded as S 00° 32' E 565.62 feet) along the East line of said "LANDSDOWNE;" thence S 00° 55' 45" W 432.63 feet (Recorded as S 00° 53' W 432.46 feet) continuing along the East line of said "LANDSDOWNE" to the Northeast corner of Lot 370 of "LANDSDOWNE NO. 3" as recorded in Liber 21 of Plats, Pages 31, 32 and 33 Washtenaw County Records; thence S 00° 15' 45" W 118.05 feet along the East line of said "LANDSDOWNE 14 Council - August 19, 1991

NO. 3" (to the) Northwest corner of the Village Oaks Subdivision; thence S 00° 15' 45" W 45.01 feet to a point on the western lot line of Lot 7 of said Subdivision for a Point of Beginning; thence N 66° 57' 00" E 82.15 feet to the easterly lot line of Lot 7 of said Subdivision for a Point of Ending; RESOLVED, That said easement is accepted by the City of Ann Arbor.

R-489-8-91 APPROVED

**RESOLUTION AUTHORIZING CONVEYANCE OF
3/4 OF THE MINERAL RIGHTS IN THE BLACK POND
PROPERTY TO STATE OF MICHIGAN**

Whereas, The City has acquired the Black Pond property for use as parkland;
Whereas, The Michigan Natural Resources Trust Fund provided a grant of \$875,000 toward the purchase price of \$1,175,000; and
Whereas, A condition of that grant was that the City convey mineral rights in the property to the State of Michigan in the same proportion as the state's contribution bears to the whole purchase price;

RESOLVED, That this Council approves the transfer of 3/4 of the mineral rights to the State of Michigan and authorizes the Mayor and City Clerk to execute all documents necessary to transfer those rights in the Black Pond property which was purchased pursuant to Resolution R-367-6-91, approved by this Council June 24, 1991.

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R-490-8-91 APPROVED

**RESOLUTION TO ACCEPT BOARD OF INSURANCE
ADMINISTRATION MINUTES OF AUGUST 6, 1991
AND TO AUTHORIZE PAYMENTS**

RESOLVED, That the Board of Insurance Administration Minutes of August 6, 1991

be accepted and that the payments therein be authorized.

**R-491-8-91 APPROVED
RESOLUTION TO GRANT WATER
SERVICE OUTSIDE CITY LIMITS TO
3245 KINGWOOD**

Whereas, Timothy L. Sprik and Jill S. Sprik, owners of the property at 3245 Kingwood whose well is contaminated with 1,4 dioxane have requested the City on August 6, 1991 to extend public water service for their use to the property in Scio Township prior to the completion of the annexation process;

Whereas, The Sprik's desire to enter into the standard agreement with the City which provides an equitable method of obtaining City services outside of its Corporate Boundaries;

Whereas, Gelman Sciences Inc. has paid for the water tap fees and the water improvement charges; and

Whereas, On April 17, 1991, Timothy & Jill Sprik petitioned the City for annexation under Planning Department file number 8243F14.1 & .2;

RESOLVED, That the Mayor and Clerk are authorized and directed to sign the agreement on behalf of the City allowing City water service to the land during the time it is still outside of the Corporate Limits, that the City Clerk is directed and ordered to send a copy of this resolution and the agreement by first class mail to the customer chargeable therewith of the amounts therein determined, and that the Utilities Department shall promptly have this resolution and the agreement recorded in the office of the Register of Deeds of Washtenaw County, Michigan.

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**R-492-8-91 APPROVED
RESOLUTION TO GRANT WATER
SERVICE OUTSIDE CITY LIMITS TO
330 ROSE DRIVE**

Whereas, Hazen and Marian Kapp, owners of the property at 330 Rose Drive whose well is contaminated with 1,4 Dioxane have requested the City on August 7, 1991 to extend public water service for their use to the property in Scio Township prior to the completion of the annexation process;

Whereas, The Kapp's desire to enter into the standard agreement with the City which provides an equitable method of obtaining City services outside of its corporate boundaries;

Whereas, Gelman Sciences, Inc. has paid for the water tap fees and the water improvement charges; and

Whereas, On April 19, 1991, Hazen and Marian Kapp petitioned the City for annexation under Planning Department file number 8243E14.1 & .2;

RESOLVED, That the Mayor and Clerk are authorized and directed to sign the agreement on behalf of the City allowing City water service to the land during the time it is still outside of the corporate limits, that the City Clerk is directed and ordered to send a copy of this resolution and the agreement by first class mail to the customer chargeable therewith of the amounts therein determined, and that the Utilities Department shall promptly have this resolution and the agreement recorded in the office of the Register of Deeds of Washtenaw County, Michigan.

**R-493-8-91 APPROVED
RESOLUTION TO AUTHORIZE THE CITY
ADMINISTRATOR TO EXECUTE THE RENEWAL
CONTRACT WITH DELTA DENTAL**

Whereas, The City provides dental insurance to city employees in accordance with Personnel Rules and Regulations and various labor contracts at an estimated annual cost of approximately \$250,000; and

Whereas, The Contract with Delta Dental Plan of Michigan is due for renewal on September 1, 1991 and the rates represent a reduction from the current rates of about 2% overall;

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RESOLVED, That the City Administrator is authorized to execute the renewal of the contract with Delta Dental Plan of Michigan, Inc. for a two-year period beginning September 1, 1991, at the monthly per person rates reflected below.

Group Current Rate Renewal Rate

Police Command \$25.03 \$24.72

A.A.P.O.A. 25.03 24.72

A.F.S.C.M.E. 25.03 24.72

Fire 25.03 24.72

Police Administrative 25.03 24.72

Teamsters Supervisors 25.03 24.72

Non Union 25.03 24.72

Police Clerical 24.30 20.65

Police Communications 22.42 20.93

Councilmember Coleman moved that the Consent Agenda be approved.

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

ORDINANCES - SECOND READING

ORDINANCE NO. 39-91 APPROVED

BJORK REZONING

AN ORDINANCE TO AMEND THE ZONING MAP BEING A PART OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

This is the rezoning of 0.23 acre from TWP (Township District) to R1C

(Single-Family Dwelling District), Bjork Property, 2963 Dexter Road.

Councilmember Coleman moved that the ordinance be approved at second reading.

On roll call the vote was as follows: Yeas, Councilmembers Coleman, Sheldon, Dodge,

Grady, Zimmer, Ouimet, Peterson, Mayor pro tem Hunter, 8

Nays, 0

The Chair declared the motion carried and the ordinance approved at second reading.

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ORDINANCE NO. 40-91 APPROVED

KASISCHKE REZONING

AN ORDINANCE TO AMEND THE ZONING MAP BEING A PART OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

This is the rezoning of 0.18 acre from TWP (Township District) to R1C

(Single-Family Dwelling District), Kasischke Property, 2819 Dexter Road.

Councilmember Coleman moved that the ordinance be approved at second reading.

On roll call the vote was as follows: Yeas, Councilmembers Coleman, Sheldon, Dodge,

Grady, Zimmer, Ouimet, Peterson, Mayor pro tem Hunter, 8

Nays, 0

The Chair declared the motion carried and the ordinance approved at second reading.

ORDINANCE NO. 41-91 APPROVED

NEELY REZONING

AN ORDINANCE TO AMEND THE ZONING MAP BEING A PART OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

This is the rezoning of 0.41 acre from TWP (Township District) to R1C

(Single-Family Dwelling District), Neely Property, west side of Pinewood, south of Dexter Road.

Councilmember Dodge moved that the ordinance be approved at second reading.

On roll call the vote was as follows: Yeas, Councilmembers Coleman, Sheldon, Dodge,

Grady, Zimmer, Ouimet, Peterson, Mayor pro tem Hunter, 8

Nays, 0

The Chair declared the motion carried and ordinance approved at second reading.

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**ORDINANCE NO. 42-91 APPROVED
WEST REZONING**

**AN ORDINANCE TO AMEND THE ZONING MAP BEING A PART OF CHAPTER 55 OF
TITLE V OF THE CODE OF THE CITY OF ANN ARBOR**

This is the rezoning of 0.33 acre from TWP (Township District) to R1C

(Single-Family Dwelling District), West Property, 401 Glenwood Street.

Councilmember Sheldon moved that the ordinance be approved at second reading.

On roll call the vote was as follows: Yeas, Councilmembers Coleman, Sheldon, Dodge,
Grady, Zimmer, Ouimet, Peterson, Mayor pro tem Hunter, 8

Nays, 0

The Chair declared the motion carried and the ordinance approved at second reading.

Council recessed at 8:07 p.m.

Council reconvened at 8:16 p.m.

**ORDINANCE NO. 43-91 APPROVED
LITTERING AND ANIMAL CONTROL IN CITY PARKS**

**AN ORDINANCE TO AMEND SECTION 3:2 OF CHAPTER 39 OF TITLE III OF THE
CODE OF THE CITY OF ANN ARBOR**

This amendment states: While in a park, no person shall, being the owner or
person in charge of any dog, fail to maintain the dog at all times under
reasonable control as defined by 19:45(5) of this Code or fail to immediately
remove any feces discharged by the dog in the park.

Councilmember Grady moved that the ordinance be approved at second reading.

On roll call the vote was as follows: Yeas, Councilmembers Coleman, Sheldon, Dodge,
Grady, Zimmer, Ouimet, Peterson, Mayor pro tem Hunter, 8

Nays, 0

The Chair declared the motion carried and the ordinance approved at second reading.

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ORDINANCES - FIRST READING

ORDINANCE NO. 44-91 APPROVED

PRESTON REZONING

**AN ORDINANCE TO AMEND THE ZONING MAP BEING A PART OF CHAPTER 55 OF
TITLE V OF THE CODE OF THE CITY OF ANN ARBOR**

This is the rezoning of 1.75 acres from TWP (Township District) to R1C

(Single-Family Dwelling District), Preston Property, 2625 Traver Boulevard.

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.

ORDINANCE NO. 45-91 APPROVED

MEMBERSHIP IN THE RETIREMENT SYSTEM

(POLICE CHIEF)

**AN ORDINANCE TO AMEND SECTION 1:559 OF CHAPTER 18 OF TITLE I OF THE
CODE OF THE CITY OF ANN ARBOR**

This ordinance amendment would exclude the Police Chief from participation
in the retirement system if that person, upon commencement of employment,
elects not to be a member of the retirement system.

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.

ORDINANCE NO. 46-91 TABLED

SERVICE RETIREMENT ALLOWANCE (EARLY RETIREMENT WINDOW)

Option One (Pension Board) and Option Two (Mayor pro tem Hunter)

**AN ORDINANCE TO AMEND SECTION 1:564 OF CHAPTER 18 OF TITLE I OF THE
CODE OF THE CITY OF ANN ARBOR**

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This ordinance would allow an early retirement window for eligible members.
Councilmember Coleman moved that the options be considered simultaneously for approval.

Councilmember Coleman moved that the ordinances be tabled to September 3, 1991 because there were actually four options considered by the Pension Board but only one was recommended to Council. The tabling would give Council the opportunity to review all of the options considered by the Board and the one submitted by Mayor pro tem Hunter. On a voice vote, the Chair declared the motion carried and the ordinance tabled.

MOTIONS AND RESOLUTIONS

R-494-8-91 APPROVED

RESOLUTION TO APPROVE COMPUTER SOFTWARE MAINTENANCE (AMERICAN MANAGEMENT SYSTEMS, INC.) (\$16,938)

Whereas, The Information Services Department and the Assessor's Department wish to continue the OASIS software maintenance contract with AMS, Inc.;
Whereas, AMS, Inc. is the sole vendor for OASIS software maintenance; and
Whereas, American Management Systems has been approved by the
Personnel/Human Rights Department on July 5, 1991;

RESOLVED, That the recommendation of the City Administrator be approved and that a purchase order be authorized to American Management Systems in the amount of \$16,938 from the Information Services Department.

Source of Funds: Information Services Dept. \$16,938 (014-092-3300-2660)

Councilmember Peterson moved that the resolution be approved.

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

R-495-8-91 APPROVED

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RESOLUTION TO APPROVE PURCHASE OF 800 MHz RADIO EQUIPMENT FOR LAWNET AND THE UTILITIES DEPARTMENT (\$339,338.32)

Whereas, The Livingston/Washtenaw County LAWNET, of which the Ann Arbor Police Department is a member, has requested and approved the purchase and buy-in cost for 26 - 800 MHz mobil radios for their street units;

Whereas, By coordinating the purchase of the LAWNET radios with the Utilities Department purchase of units, LAWNET obtains a \$12,000 discount;

Whereas, The Utilities Department needs to have reliable and effective radio communications capabilities to effectively and responsibly perform its service; and the existing 158 MHz system is substantially overloaded, obsolete and nearing the end of its service life;

Whereas, Replacement of existing radios with 800 MHz units will result in improved and reliable radio communications capabilities now and in the future;

Whereas, The adding of 88 units to the 800 MHz system assists in meeting FCC requirements to preserve channels on this frequency presently allocated for the City's use;

Whereas, Motorola Communications and Electronics, Inc. has submitted quotations of \$103,917 for the supply and installation of the radio equipment for LAWNET and \$166,879 for the supply of radio equipment for the Utilities Department;

Whereas, On June 24, 1991 the Personnel Human Rights Department approved Motorola Communications and Electronics, Inc. for this purchase; and

Whereas, For each unit there is a \$778.89 capital cost buy-in for the 800 MHz system;

RESOLVED, That Council accept the transfer of funds from LAWNET to the 800 MHz non-departmental account to coordinate the purchase and installation of the radio equipment for LAWNET;

RESOLVED, That Council accepts the quotation and approves the purchase of 800 MHz radio equipment from Motorola Electronics, Inc;

RESOLVED That Council approves 800 MHz system buy-in costs of \$20,251.14

and \$48,192.18 respectively for the LAWNET and Utilities Department units; and
RESOLVED, That Mayor and Council authorize and direct the City Administrator to
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purchase the aforesaid radio equipment from Motorola Communications and Electronics,
Inc. in a total amount of \$270,796 and to release payment to the Washtenaw County 800
MHz User Group for system capital buy-in costs of \$68,542.32.

Source of Funds: LAWNET reimbursement and the Utilities Department Council approved
FY 91/92 Budget for the Water Supply System and Sewage Disposal funds.

Councilmember Sheldon moved that the resolution be approved.

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

**R-496-8-91 APPROVED AS REVISED
RESOLUTION TO CEASE INCINERATOR USE
AT DEAN/BAXTER ROAD**

Whereas, July 2nd, the University of Michigan notified the Department of Natural
Resources of its intent to resume incineration despite a promise to the University's
Resident's Council that it would not do so until filtration equipment was installed;
Whereas, The University of Michigan's Dean/Baxter incinerator's current
calculations of allowable burn quantities, the current stack sampling scheme and flow rate
measurements, and current radionuclide isotopic analyses performed on the stack
emissions suggest that the operation of the incinerator would not meet the dose standard
and emission monitoring proposed requirements of 40 CFR 61, Subpart I, 54 Federal
Register 51697;

Whereas, Records show that the University on October 12, 1989 burned 50-75 lbs.
of materials composed of plastic containers filled with radiologically contaminated blood
and tissue not specifically allowed under their current permit, causing smoke and noxious
odors to affect the surrounding community;

Whereas, The general conditions of the University's permit 11-821, Rule 901 state
that the "operation of this equipment shall not result in the emission of the air contaminant
which causes injurious effects to human health or safety, animal life, plant life of significant
economic value, or property, or which causes unreasonable interference with the
comfortable enjoyment of life and property;

Whereas, The general conditions of the University's permit 11-281, Rule 208(3)b
state "operation of this equipment shall not interfere with the attainment or maintenance of
the air quality standard for any air contaminant;"

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Whereas, The University of Michigan has violated Michigan Act 64 and Resource
Conservation and Recovery Act at its Willow Run and North University Building facilities for
failing to submit proper documentation to the Department of Natural Resources and failing
to remove hazardous waste by the 90 days required under Act 64;

Whereas, The University has failed to properly communicate with the Ann Arbor
residential community of its intentions to continue operation of the incinerator without
proper filtration equipment or to timely provide documents requested by Citizens for Safe
Waste Disposal under the Freedom of Information Act; and

Whereas, Even with filtration equipment, the Dean/Baxter incinerator stack may be
too short for proper operation; and the Nuclear Regulatory Commission Team Inspection
on March 13, 1990 stated that "increasing the stack height should be seriously
considered;"

RESOLVED, That be it known that the Ann Arbor City Council encourages the
University of Michigan to cease and desist its incineration of hazardous and radioactive
waste at the Dean/Baxter incinerator until such time that the University installs proper
filtration equipment and a review of the University's Air Quality Permit is conducted by the
Michigan Air Pollution Control Commission. Further, that the University investigate
alternatives to incineration and seek a program of waste reduction in University-related
research.

Councilmember Peterson moved that the resolution be approved.

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

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RESOLUTION TABLED

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT

TO POSEN CONSTRUCTION, INC. FOR THE

CONSTRUCTION OF THE ASHLEY/WILLIAM

SURFACE PARKING LOT PROJECT

BID NO. 2162 (\$348,202.60)

Whereas, By resolution of May 20, 1991 (R-301-5-91) the City Council determined to expand and reconstruct the City surface parking lot and alley at the northeast corner of Ashley and William Streets;

Whereas, Posen Construction, Inc. of Utica, Michigan, has submitted to the City on August 12, 1991, a bid for said work in the amount of \$348,202.60 which amount is the lowest responsible bid;

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

Whereas, It is now necessary to enter into a contract with said company for said work;

Whereas, The Personnel/Human Rights Department has on August 13, 1991, approved said company for said construction project; and

Whereas, The City Council approved on May 20, 1991 a project budget for this project, in the amount of \$500,000;

RESOLVED, That pursuant to Council resolution R-301-5-91 a contract in the amount of \$348,202.60 be awarded to Posen construction, Inc. for the construction of the Ashley/William Surface Parking Lot Project (Bid No. 2162); and

RESOLVED, That the Mayor and Clerk are hereby authorized and directed to sign said contracts on forms approved as to form by the City Attorney, and approved as to substance by the City Administrator, who may undertake necessary administrative action to successfully complete the project.

Councilmember Coleman moved that the resolution be approved.

Councilmember Grady moved that the resolution be amended by inserting the following language suggested by City Administrator Gatta prior to the last paragraph:

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FURTHER RESOLVED, THAT THE ADMINISTRATOR BE AUTHORIZED TO INCLUDE ALTERNATE NO. 1 AT A COST OF \$47,143.50 FOR PAVING OF THE ANTHONY BROWN LOT PROVIDED THAT THE DDA ENTERS INTO AN AGREEMENT WITH THE CITY THAT MAKES THE COMMITMENT TO EITHER MAKE DIRECT PAYMENT FOR ALTERNATE NO. 1 TO THE CONTRACTOR OR SUBMITS TO THE CITY PRIOR TO THE START OF CONSTRUCTION A SUM OF \$47,143.50 FOR THE COSTS ASSOCIATED WITH ALTERNATE NO. 1.

Councilmember Coleman moved that the resolution be tabled to September 3, 1991 in order to give Council time to study the additional information packet received prior to the meeting as well as the amendment that was suggested by City Administrator Gatta.

On roll call the vote was as follows: Yeas, Councilmembers Coleman, Grady, Zimmer, Peterson, Mayor pro tem Hunter 5,

Nays, Councilmembers Sheldon, Dodge, Ouimet, 3

Council recessed at 9:05 p.m. for City Attorney determination of the number of votes needed to table. Acting City Attorney Stefani Carter determined that under Robert's Rules of Order a simple majority of those in attendance is needed to approve a tabling motion.

Council reconvened at 9:15 p.m

The Chair declared the motion carried and the resolution tabled.

RESOLUTION TABLED

**RESOLUTION TO AUTHORIZE A PURCHASE ORDER TO
DUNCAN INDUSTRIES OF HARRISON, ARKANSAS,
FOR 74 PARKING METERS (\$16,593.64)**

Whereas, The City Council has resolved to expand and reconstruct the City surface parking lot at the corner of Ashley and William;

Whereas, The Transportation Department has determined the parking meter model EMM to be the best performing mechanism for the City's needs;

Whereas, Duncan Industries of Harrison, Arkansas, is the sole provider of the EMM model parking meter;

Whereas, The Transportation Department has determined the need for 74 parking Council - August 19, 1991 27

meters for the proper operation of the lot mentioned above; and

Whereas, on May 20, 1991, with the approval of the project's construction budget, Council appropriated sufficient funds for these services;

RESOLVED, That Council authorizes a Purchase Order to Duncan Industries of Harrison, Arkansas, in the amount of \$16,593.64 for the purchase of 74 parking meters.

Councilmember Coleman moved that the resolution be approved.

Councilmember Zimmer moved that the resolution be tabled to September 3, 1991 to be considered with the Ashley/William Surface Parking Lot Project which was tabled.

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

R-497-8-91 APPROVED

**RESOLUTION APPROPRIATING ENVIRONMENTAL BOND
FUNDS FOR PROMOTION AND START-UP FOR
RECYCLING AND WASTE-REDUCTION PROGRAMS
(\$168,000)**

Whereas, The City of Ann Arbor has a 50% waste reduction and recovery goal to be met by 1995;

Whereas, Educating the public on ways to recycle, compost and reduce wastes along with providing convenient service are the primary methods to be used to reach the 50% waste reduction goal;

Whereas, The voters of Ann Arbor approved the \$28 million Environmental Bond in April, 1990;

Whereas, A Category of Promotion and Start-Up was included in the bond proposal for \$168,000 for single-family, multi-family, commercial, year waste, and drop-off educational services;

Whereas, The funding will provide for the development of long-term programs and materials for use by the City;

Whereas, The Series A bonds were sold in January, 1991; and

Whereas, The Public Education Subcommittee of the Solid Waste Commission will 28 Council - August 19, 1991

assist staff in the development of educational programs;

RESOLVED, That the overall budget for the Environmental Bond Promotion and Start-Up program is:

Category Budget

Multi-Family \$63,000

Single-Family \$63,000

Commercial \$31,500

Drop-Offs \$5,250

Yard Waste \$5,250

TOTAL: \$168,000

RESOLVED, That unexpended balance of these funds is authorized to be carried over from one fiscal year to the next without additional City Council authorization; and

RESOLVED, That the City Administrator will submit a report to City Council within

60 days of the close of fiscal year 1991-92 and 1992-93 outlining the accomplishments under this program.

Councilmember Coleman moved that the resolution be approved.

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

R-498-8-91 APPROVED

**RESOLUTION TO APPROVE INCREASE IN STANDING
PURCHASE ORDER FOR RESIDUALS DISPOSAL
FOR WASTEWATER TREATMENT PLANT
(FROM \$14,000 TO \$122,352)**

Whereas, The Wastewater Treatment Plant division of the Utilities Department requires regular and timely disposal of residual solids generated to maintain process integrity;

Whereas, Browning-Ferris Industries of S.E. Michigan are the owners and operators of the only private landfill within practical travel distance from the Wastewater Treatment Plant;

Whereas, Anticipated expenditures are increased due to the costs associated with this landfill, the time the City-owned landfill was closed, the temporary non-acceptance of residual solids at the City owned landfill and the necessity of transporting and disposing of Council - August 19, 1991 29

generated residual solids; and

Whereas, On July 15, 1991 the Personnel/Human Rights Department approved Browning-Ferris Industries of S.E. Michigan to provide service;

RESOLVED, That Mayor and Council direct the City Administrator to increase the existing Standing Purchase Order to \$122,352 for Browning-Ferris Industries of S.E. Michigan.

Funding Source: Utilities Department, Wastewater Treatment Plant FY 91/92 Budget.

Councilmember Dodge moved that the resolution be approved.

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

R-499-8-91 APPROVED

**RESOLUTION AUTHORIZING PURCHASE ORDER FOR
3M COMPANY (\$82,400.00)**

Whereas, The City purchases high intensity sign materials and permanent pavement marking materials from the 3M Company; and

Whereas, 3M Company received Human Rights approval on May 22, 1991;

RESOLVED, That the City Administrator issue a sole source purchase order for material and supplies as needed to 3M Company.

Councilmember Coleman moved that the resolution be approved.

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

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RESOLUTION Tabled

**RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK
TO EXECUTE A CONTRACT WITH DAVID M. GRIFFITH
AND ASSOCIATES FOR A RATE STUDY AND COST
ALLOCATION PLAN (\$73,000)**

Whereas, The 1991-92 Budget provides for a user fee study and cost allocation plan; and

Whereas, The user fee study and cost allocation plan will assist the City to identify potential sources of additional revenue;

RESOLVED, That the Mayor and City Clerk are hereby authorized to execute a contract for \$73,000 with David M. Griffith and Associates in substantially the form attached hereto and made a part hereof provided that 15% be retained until the final report is accepted by Council.

Councilmember Sheldon moved that the resolution be approved.

Councilmember Sheldon moved to amend the final paragraph as follows:
RESOLVED, That the Mayor and City Clerk are hereby authorized to execute a contract FOR \$73,000 with David M. Griffith and Associates in substantially the form attached hereto and made a part hereof, **PROVIDED THAT 15% BE RETAINED UNTIL THE FINAL REPORT IS ACCEPTED BY COUNCIL.**

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

The question on the floor is approval of the resolution as amended.

Councilmember Dodge moved that the resolution be amended to add the following paragraph:

RESOLVED, THAT THE CITY ADMINISTRATOR SHOULD SEEK AN AGREEMENT TO SHARE ANY COMPARATIVE INFORMATION RELATIVE TO THE CHARGES AND FEES LEVIED BY OTHER COMMUNITIES.

Councilmember Peterson moved that the resolution be tabled to September 3, 1991 to give the Finance Director, Dean Moore, the opportunity to seek agreement from the consultant to provide comparative information relative to fees and charges levied by other communities and that an amended copy of the contract be submitted that would include that language.

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

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R-500-8-91 APPROVED

RESOLUTION ISSUING PURCHASE ORDER TO MOTOROLA (\$35,500)

Whereas, The City purchases radio equipment; i.e., mobile radios, replacement parts, base station radios, etc. from Motorola;

Whereas, Motorola is a sole source supplier for the radio equipment used by the City of Ann Arbor, including the Police and Fire Departments;

Whereas, Sufficient funds have been budgeted in the Transportation Department to fund the proposed expenditures; and

Whereas, Motorola received Human Rights approval on June 24, 1991;

RESOLVED, That the City Administrator issue a sole source purchase order for material and supplies as needed to Motorola.

Councilmember Coleman moved that the resolution be approved.

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

R-501-8-91 APPROVED

RESOLUTION AUTHORIZING PURCHASE ORDER FOR TRAFFIC SIGN MATERIALS (\$31,200)

Whereas, The City purchases traffic sign mounting systems from Unistrut of Detroit; and

Whereas, Unistrut of Detroit received Human Rights Approval on July 2, 1991;

RESOLVED, That the City Administrator issue a sole source purchase order for materials and supplies as needed to Unistrut of Detroit.

Councilmember Coleman moved that the resolution be approved.

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

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R-502-8-91 APPROVED

RESOLUTION TO APPROVE AGREEMENT WITH TELECOMMUNICATIONS CONSULTANT (\$29,536)

Whereas, The City of Ann Arbor has employed Mr. Donald Eschelbach as a part time telecommunications consultant since July, 1986 in the Purchasing Department;

Whereas, Mr. Eschelbach has successfully performed all of the services requested of him in an efficient and cost effective manner; and

Whereas, Mr. Eschelbach is willing to serve as our telecommunications consultant for one (1) year at the rate of \$17.75 per hour, eight (8) hours per day, approximately four (4) days per week;

RESOLVED, That City Council award this one (1) year contract for telecommunications technician - consultant to Donald Eschelbach in the approximate amount of \$29,536 per year; and

RESOLVED, That the City Administrator is directed to issue a purchase order in the approximate amount of \$29,536 to Donald Eschelbach in accordance with this resolution, and that the City Clerk and Mayor are authorized to sign the agreement.

Source of Funds: Purchasing Department approved by Council 1991/92.

Councilmember Coleman moved that the resolution be approved.

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

R-503-8-91 APPROVED

RESOLUTION TO AMEND FISCAL YEAR 1991-92

COMMUNITY DEVELOPMENT BUDGET (\$8,768)

Whereas, The FY 1991-92 City of Ann Arbor Budget adopted by City Council on May 30, 1991 includes \$676,872 in the General Fund for the Community Development Department; and

Whereas, In order to correct a mathematical error, and to restore a 5.9% reduction inadvertently applied to the General Fund budget in the Community Development Department;

RESOLVED, That the Mayor and City Council authorize the transfer of \$8,768 from the General Fund Nondepartmental Contingency Account (010-019-0110-4520) to the Council - August 19, 1991 33

Economic Development Account (010-002-4070-4421); and

RESOLVED, That the General Fund Budget for the Community Development Department be amended as follows:

Human Services: \$564,129

Economic Development 75,000

Historic Preservation: 46,511

Total \$685,640

Councilmember Coleman moved that the resolution be approved.

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

R-504-8-91 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 1991-92

CITY GENERAL FUND ECONOMIC DEVELOPMENT CONTRACTS (\$25,000)

Whereas, The Human Services Task Force and City Council have approved the allocation of \$25,000 in specific General Funds for the Ann Arbor Community Development Corporation for FY 1991-92 program year;

Whereas, A service contract between the City and this agency has been negotiated as directed by City Council; and

Whereas, The Personnel/Human Rights Department has reviewed and approved this contractor;

RESOLVED, That the Mayor and City Council do hereby approve the contract with the agency listed below and authorize the Mayor and City Clerk to execute the contract substantially in the form on file in the Office of the City Clerk for the amount indicated beginning July 1, 1991 and terminating June 30, 1992.

Agency: Ann Arbor Community Development Corporation

Funding: \$25,000

Human Rights Approval Date: April 11, 1991

Account Number: 010-002-4070-7010

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RESOLVED, That the Ann Arbor Community Development Corporation will give

priority in targeting services to very low income families and individuals; and
RESOLVED, That the Ann Arbor Community Development Corporation be required to report progress in providing services on a quarterly basis and that the program be monitored by the City of Ann Arbor's Community Development staff.
Councilmember Coleman moved that the resolution be approved.
On a voice vote, the Chair declared the motion carried.

R-505-8-91 APPROVED

**RESOLUTION ISSUING PURCHASE ORDER TO RATHCO
SAFETY SUPPLY, INC (\$14,450)**

Whereas, The City purchases sign face materials from Rathco Safety Supply, Inc.;
and

Whereas, Rathco Safety Supply, Inc. received Human Rights approval on June 10, 1991;

RESOLVED, That the City Administrator issue a sole source purchase order for material and supplies as needed to Rathco Safety Supply, Inc.

Councilmember Coleman moved that the resolution be approved.

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

RESOLUTION TABLED

**RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICES
AGREEMENT WITH ENGINEERING AND TESTING SERVICES, INC.
FOR TESTING SERVICES FOR THE ASHLEY/WILLIAM
SURFACE PARKING LOT PROJECT (\$10,000)**

Whereas, It is necessary to employ a qualified testing firm to perform essential testing for the Ashley/William Surface Parking Lot Project;

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

Whereas, On August 16, 1991, the Personnel/Human Rights Department gave approval of said company for said work; and

Whereas, On May 20, 1991, with approval of the project's construction budget, Council appropriated sufficient funds for these services;

RESOLVED, That Council authorizes a Professional Services Agreement with Engineering and Testing Services, Inc. in the amount of \$10,000 for construction testing and inspection services on the Ashley/William Surface Parking Lot Project; and

RESOLVED, That the Mayor and Clerk are hereby authorized and directed to sign said Professional Services Agreement on forms approved as to form by the City Attorney and approved as to substance by the City Administrator.

Councilmember Dodge moved that the resolution be approved.

Councilmember Zimmer moved that the resolution be tabled to September 3, 1991 so that it may be considered with the other Ashley/William Surface Parking Lot resolutions.

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

R-506-8-91 APPROVED

**RESOLUTION NO. 1 - PREPARE PLANS AND SPECIFICATIONS
FOR SIDEWALK CONSTRUCTION ON THE SOUTH SIDE OF
STADIUM BOULEVARD BETWEEN BROCKMAN AND
ST. FRANCIS**

Whereas, Council deems it necessary to acquire and construct the following improvement: Sidewalk, District No. 23; File No. 91054; described as: Sidewalk - South side of Stadium Boulevard between Brockman and St. Francis;

RESOLVED, That:

1. The City Administrator is directed to have prepared plans and specifications for said improvement project, and an estimate of the cost thereof;

2. The City Administrator is directed to file a report of same with the City Clerk,

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including a recommendation as to what proportion of the cost should be paid by special assessment and what part, if any, should be a general obligation of the City, the number of installments in which the assessments may be paid, and the land which should be included in the special assessment district;

3. The City Clerk shall present said report to the Council and make it available for public examination;

4. The sum of \$5,000 is appropriated for the planning and design of said project, such sum being advanced from the Street Millage (062) fund pending the sale of appropriate bonds;

5. Any unspent portion of said sum is re-appropriated and re-advanced as above for said project for succeeding fiscal years until bonds are sold and the Street Millage fund reimbursed, or until said project is officially closed; and

6. Council declares its intent to issue bonds to pay all or part of the cost of such improvement project, funding reserves, paying for credit enhancement, and the cost of issuance of such bonds (either initially or ultimately), provided that such bonds are issued in conformity with applicable State statutes and all documents, provisions, and details pertaining to such bonds are acceptable to and approved by this Council and provided, further, that such bonds can be sold.

Councilmember Peterson moved that the resolution be approved.

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

R-507-8-91 APPROVED

RESOLUTION TO APPROVE AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF ANN ARBOR AND THE ANN ARBOR POLICE OFFICERS ASSOCIATION

Whereas, The present agreement between the City of Ann Arbor and Ann Arbor Police Officers Association expired on June 30, 1991;

Whereas, Amendments to the present agreement have been negotiated with said bargaining unit for a one-year period extending from July 1, 1991 through June 30, 1992, and the members of the Association have ratified said amendments; and

Whereas, The estimated total costs for the changes in the agreement are \$303,369

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including \$275,134 for water; \$26,400 for uniforms; \$1,835 for sick leave and an undetermined amount for overtime;

RESOLVED, That the amendments to the existing agreement negotiated between the City of Ann Arbor and the Ann Arbor Police Officers Association are hereby approved; and

RESOLVED, That the Administrator is authorized to make the necessary transfers to the Police Department budget as appropriate.

Councilmember Ouimet moved that the resolution be approved.

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

REPORTS FROM COUNCIL COMMITTEES

Ingrid Sheldon, on behalf of the Cablecasting Commission, brought to Council's attention the new mugs presented to them by Community Access Television.

Councilmember Peterson said that at a meeting of the Bid Review Committee of the Solid Waste Commission held this date, two solid waste directors from other municipalities were present. Those directors indicated their amazement at the amount of recycling that occurs in the City and at the success of the program.

Councilmember Ouimet also expressed satisfaction at the high level of progress in this area by the City.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

The following appointments were placed on the table at the last Council meeting and were presented for confirmation this date:

CITY ATTORNEY SEARCH COMMITTEE

Ingrid Sheldon

City Councilmember

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Mark Ouimet

City Councilmember

Larry Hunter

City Councilmember

Thais Peterson

City Councilmember

Elizabeth S. Brater

Mayor

AIRPORT ADVISORY COMMITTEE

Robert Shulman (to replace John Wolter)

2759 Manchester

Term: 08-19-91 to 08-19-94

HOUSING POLICY BOARD

Bruce Curtis (to replace Ken Staples upon his resignation)

5 Keppler Court

Term: 08-19-91 to 08-19-94

ANN ARBOR COMMISSION ON DISABILITY ISSUES

Jeffrey Gordon Bennett (to replace Gerri Meadows-Franklin, upon her resignation)

3254 Chelsea Circle

Term: 08-19-91 to 08-19-94

DOWNTOWN DEVELOPMENT AUTHORITY

Kris Hoppe (to replace Peter Long)

340 South Division

Term: 08-19-91 to 08-19-95

Leah Gunn (to replace Don Chisholm)

1308 East Stadium Blvd.

Term: 08-19-91 to 08-19-95

NATURAL FEATURES ORDINANCE COMMITTEE

Kirk Dodge

City Councilmember

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Isaac-Jacobein Campbell (representing Planning Commission)

505 E. Liberty Street

Councilmember Peterson moved that Council concur in the recommendations of the Mayor.

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

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Alfred Gatta presented the following communications for the information of Council:

1. Purchase - Madison Electric (Item D-12, August 5, 1991 Council Meeting)
2. Traffic Concerns
3. Reimbursement from Michigan Underground Fuel Storage Tank Fund (MUFSTF)
4. Summary of Recent Solid Waste Disposal Bids
5. Solid Waste Management Plan Update
6. Ann Arbor Saline Road Speeding

The City Administrator received additional requests for information from the Councilmembers.

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

Councilmember Grady apologized to Councilmember Ouimet for remarks that he made which alluded to plagiarism during deliberations on a resolution at the July 15 Council

meeting sponsored by Councilmember Ouimet. He said that the remarks were made in jest and were not meant to be disrespectful.

Councilmember Ouimet expressed his appreciation for Councilmembers Grady's action.

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CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were received:

1. Congressman William D. Ford regarding Reauthorization of the Surface

Transportation Act - File

2. Governor John Engler - Industrial Facilities Act Resolution - File

3. Airport Advisory Committee - Resolution Concerning Airport Closure - File

The following minutes were received and are filed with the City Clerk:

1. Downtown Development Authority - August 6, 1991

2. Building Board of Appeals - May 28, 1991

Councilmember Coleman moved that the Clerk's report be approved.

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

AUDIENCE PARTICIPATION - GENERAL

None.

ADJOURNMENT

There being no further business, Councilmember Coleman moved that the meeting be adjourned.

On a voice vote, the Chair declared the motion carried and the meeting was adjourned at 10:20 p.m.

W. Northcross

Clerk of the Council

Linda J. Wise

Recording Secretary