



Legislation Details (With Text)

File #: 07-1121 **Version:** 1 **Name:** 1994-06-06 Council Minutes
Type: Minutes **Status:** Filed
File created: 6/6/1994 **In control:** City Council
On agenda: 6/6/1994 **Final action:** 6/6/1994
Enactment date: **Enactment #:**
Title: EXECUTIVE SESSION - JUNE 6, 1994

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/6/1994	1	City Council	Approved	Pass

EXECUTIVE SESSION - JUNE 6, 1994
Council - June 6, 1994 1

The executive session of the Ann Arbor City Council was called to order at 7:05 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Tobi Hanna-Davies, Patricia Vereen-Dixon, Peter Fink, Jane Lumm, Ulrich Stoll, Haldon L. Smith, Peter Nicolas, Julie Creal, Christopher Kolb, David F. Stead, Mayor Ingrid B. Sheldon, 11.

ABSENT : 0.

MOTION TO CONVENE

Councilmember Stead moved and Councilmember Hanna-Davies supported that an executive session of Council be convened for the purpose of discussing: 1) Labor agreements between the City and AFSCME Local 369 and the City and Communication Operators and Community Service Assistants of the Ann Arbor Police Officers Association; and 2) Pending litigation.

On a voice vote the Mayor declared the motion carried.

ADJOURNMENT

Councilmember Stead moved and Councilmember Lumm supported that the executive session of Council be adjourned and that the regular session of Council be convened.

On a voice vote, the Mayor declared the motion carried and the executive session adjourned at 8:05 p.m.

Janet L. Chapin

Acting Clerk of the Council

Recording Secretary

2 Council - June 6, 1994

REGULAR SESSION - JUNE 6, 1994

The regular session of the Ann Arbor City Council was called to order at 8:05 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.

Council stood for one moment of silence.

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

D-DAY PROCLAMATION

Mayor Sheldon introduced Adam Banner, representing local World War II veterans, and

presented him with a proclamation in recognition of the 50th Anniversary of D-Day. A short service was held in memory of those who gave their lives in defense of freedom.

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Tobi Hanna-Davies, Patricia Vereen-Dixon, Peter Fink, Jane Lumm, Ulrich Stoll, Haldon L. Smith, Peter Nicolas, Julie Creal, Christopher Kolb, David F. Stead, Mayor Ingrid B. Sheldon, 11.

ABSENT : 0.

INTRODUCTIONS

ANN ARBOR AID FOR AIDS WALKATHON

Susan Lurch, representing the Hemophilia Foundation of Michigan, Craig Covy, representing Midwest AIDS Prevention Project, and Christopher Kolb, representing the HIV/AIDS Resource Center, invited everyone to participate in the Ann Arbor Aid for AIDS Walkathon to be held at 9:00 a.m. on June 11, 1994.

HABITAT FOR HUMANITY WALKATHON

Mike Marengi, Board President of Habitat for Humanity of Huron Valley, invited the community to participate in their annual walkathon on June 11 to benefit the organization. Mr. Marengi announced that construction will begin June 22 on the first house to be built

Council - June 6, 1994 3

in Ann Arbor by Habitat for Humanity.

PUBLIC COMMENTARY - RESERVED TIME

ALONZO RESTREPO - FIREWORKS

Alonzo Restrepo, 3165 Braeburn Cir., urged Council to work out a solution with Gelman Sciences, sponsor of the Fourth of July fireworks display, to provide adequate protection for his neighborhood during the event.

HOWARD STEWART - FIREWORKS

Howard Stewart, 1601 Leaird Dr., expressed concern with Gelman Sciences' sponsorship of the Fourth of July fireworks display. Mr. Stewart questioned Mr. Gelman's motives to spend money on the event to win over public support when he continues to duck responsibility for his polluted groundwater and use heavy-handed tactics against certain groups.

KERMIT SCHLANSKER - CITY COMMITTEES

Kermit Schlansker, 2960 Marshall St., expressed concern with the lack of citizens with technical skills serving on City committees, and urged Council to make the Council and utility representatives on the Energy Commission honorary positions. Mr. Schlansker suggested that the City form an environmental science committee which would, in turn, form a league of cities research organization to help save resources and energy.

RICHARD BALLARD - PEACE NEIGHBORHOOD CENTER

Richard Ballard, 848 Florence, representing the Peace Neighborhood Center Board of Directors, urged release of the \$30,000.00 previously approved by City Council for Peace Neighborhood Center. He questioned how an agency that has served the community for over 20 years can suddenly be denied funding without cause.

ROSE MARTIN - PEACE NEIGHBORHOOD CENTER

Rose Martin, Director of Peace Neighborhood Center, urged Council to support the children who are looking forward to the summer day camp program offered by the Center. Ms. Martin requested that the funding previously approved by Council be released to allow the center to continue its service to the community.

CLINTON SMITH - FIREWORKS

4 Council - June 6, 1994

Clinton Smith, 3060 Lohr Rd., requested that the following concerns regarding the proposed fireworks display at the City landfill be considered: 1) Use of explosives near methane gas; 2) Control of traffic and pedestrians in the adjacent neighborhoods; 3) Inadequate liability insurance; and 4) "Reasonable" costs to be paid by the sponsor are not adequately defined. Mr. Smith stated that the project has been rushed and not well thought out, and distributed a letter from the DNR addressing the potential danger of methane gas. (Letter on file in the City Clerk's Office).

ALEXIS KRAUSE - PEACE NEIGHBORHOOD CENTER

Alexis Krause, 1124 N. Maple Rd., client of Peace Neighborhood Center, spoke in support of the Center's programs and requested financial support for the continuation of the Center's valuable service to the community.

CLAUDIA MYSZKE - FIREWORKS

Claudia Myszke, Forest Hills Cooperative Managing Agent, spoke in opposition to the proposed Fourth of July fireworks display at the City landfill. Ms. Myszke stated that the impact on the surrounding neighborhoods needs to be addressed and expressed concern that the residents were not brought into the planning process.

PUBLIC HEARINGS

ARBOR HILLS PHASE I ZONING (ORDINANCE NO. 36-94)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 29.66 acres from Preliminary Phase PUD (Planned Unit Development District) to Final Phase PUD, Arbor Hills Phase I, north side of Green Road, north of Burbank Drive. Notice of public hearing was published May 14, 1994.

The following persons appeared:

Sheldon Berry, 2699 Antietam Ct., expressed concern with water management in the area, and requested that the City monitor the preservation areas and drainage design in all three phases to prevent dead woodlots. He further requested monitoring of the soil management.

Warren Attarian, 3490 Gettysburg Rd., representing the Orchard Hills-Maplewood Homeowners Association, expressed concern that the conditions Council - June 6, 1994 5

placed in the PUD to preserve natural features and control flooding in the area may not be carried out in the site plan. Mr. Attarian requested that the site plan agreement be amended to contain the necessary language to complete the transfer of the parkland and to protect the easements.

Mary Borkowski of Atwell-Hicks, project architect, stated that the final plan contains an increase of 10 acres of open space, as well as many features normally not added to a site plan. These features include a woodlands management plan, a storm water management plan, a storm water management system maintenance plan, storm water filtration areas, and a water booster pump station. Ms. Borkowski further stated that an alternate plan was developed for less impact on the woodlands along the west property line.

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

NATURAL FEATURE OPEN SPACE (ORDINANCE NO. 37-94)

A public hearing was conducted on the proposed amendment to Chapter 55 of the Ann Arbor City Code by adding a new Section 5:51 - Natural Feature Open Space. Notice of public hearing was published May 14, 1994.

There being no one to speak the Mayor declared the hearing recessed.

WETLANDS AND WATERCOURSES PRESERVATION (ORDINANCE NO. 60-94)

A public hearing was conducted on the proposed amendment to Chapter 60 - Wetlands and Watercourses Preservation Ordinance. Notice of public hearing was published May 21, 1994.

The following persons appeared:

Christopher Graham, 725 Peninsula Ct., expressed concern that the committee which authored the current ordinance has not had a chance to review the proposed language changes. He requested that this proposal, as well as the proposed Natural Feature Open Space Ordinance, be delayed until the Natural Features Ordinance Committee has had a chance to review the language. Mr. Graham encourage approval of the Wetland Inventory Map to bring the City into compliance with the State act.

Gwen Nystuen, 1016 Olivia Ave., member of the Natural Features Ordinance Committee, expressed surprise with the proposed rewrite of the Wetlands and Watercourses Preservation Ordinance. Ms. Nystuen stated that the 6 Council - June 6, 1994

proposal will require a great deal of review and that problems exist with many parts of the ordinance.

There being no one else to speak the Mayor declared the hearing recessed.

WETLAND INVENTORY MAP

A public hearing was conducted on the proposed Wetland Inventory Map. Notice of public hearing was published May 28, 1994.

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

DELTA UPSILON FRATERNITY SITE PLAN

A public hearing was conducted on the proposed Delta Upsilon Fraternity Site Plan, 0.74 acre, 1331 and 1319 Hill Street. Notice of public hearing was published May 28, 1994.

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

350 SOUTH MAIN STREET SITE PLAN

A public hearing was conducted on the proposed 350 South Main Street Site Plan, 0.40 acre, 350 South Main Street. Notice of public hearing was published May 28, 1994.

The following person appeared:

Ronald Thomas of Archetpe Inc., project architect, presented a model of the project and reviewed the following design goals for the building: 1) Creating a landmark entry to downtown; 2) Maintaining a strong retail frontage on Main Street; 3) Providing a level of underground parking; 4) Providing a pedestrian link from the Kline's parking lot to Main Street; 5) Incorporating planning standards of the various downtown plans; and 6) Relating to the historical context of downtown and campus buildings.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

Councilmember Stead moved that the following changes be added to the agenda:

Council - June 6, 1994 7

MOTIONS AND RESOLUTIONS

Revise: Resolution to Adopt Wetland Inventory Map

Add: Resolution Authorizing Appeal of Circuit Court Case: Zeeff v. Ann Arbor (Councilmember Stead)

On a voice vote the Mayor declared the motion carried.

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

CONSENT AGENDA

Revise: Resolution Allocating Funds for the 1994 Ann Arbor/Hikone Student Exchange (\$5,000.00)

MOTIONS AND RESOLUTIONS

Revise: Resolution to Adopt Wetland Inventory Map

Revise: <Resolution to Withhold Payments to Peace Neighborhood Center, to Delay Execution of FY 1993-94 Contract Agreement and to Approve Supplemental Appropriation to the FY 1994-95 Community Development Department

Human Services Budget (\$37,500.00)> RESOLUTION TO DELAY

EXECUTION OF THE \$30,000 FY 1993-94 CONTRACT AMENDMENT

WITH PEACE NEIGHBORHOOD CENTER (Councilmembers Creal and Lumm)

Substitute: <Resolution Regarding Approval of Fireworks Show Sponsored by Gelman Sciences> RESOLUTION TO APPROVE FIREWORKS DISPLAY AT THE ANN ARBOR LANDFILL AND SWIFT RUN PARK (COUNCILMEMBERS STOLL AND SMITH)

Add Resolution Regarding Dhu Varren Road Design (\$20,000.00) (Council-Sponsor: memberS Stoll AND HANNA-DAVIES)

Add: Resolution to Approve FY 1994-95 City General Fund Human Services and Economic Development Allocations (\$712,550.00) (Human Services Task

Force: Councilmembers Hanna-Davies, Lumm, Creal, Kolb)

Delete: Resolution to Approve FY 1994-95 Community Development Block Grant 8 Council - June 6, 1994

Contracts (\$656,000.00)

Delete: Resolution to Approve to Approve FY 1994-95 City General Fund Human Services and Economic Development Allocations and Contracts with Nonprofit Agencies (\$643,000.00)

Add: Resolution Authorizing Appeal of Circuit Court Case: Zeeff v. Ann Arbor (Councilmember Stead)

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF MAY 4, 5 AND 9 APPROVED

Councilmember Stead moved that the budget working session minutes of May 4, May 5 and May 9, 1994 be approved as presented.

On a voice vote the Mayor declared the motion carried.

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

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

R-224-6-94 APPROVED

RESOLUTION TO APPROVE HOEFT ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Hoeft Annexation, 1.69 acres, north side of Traver Boulevard, west of Nixon Road.

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

Whereas, Calvin C. Hoeft Building, Inc. is the owner of said property; and

Council - June 6, 1994 9

Whereas, It is the desire of Calvin C. Hoeft Building, Inc. to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

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

COM AT INTERSEC OF NS 1/4 LN & C/L TRAVER RD, TH N

82-35-47 E 330.0 FT, TH N 1-10-23 W 33.20 FT FOR POB,

TH CONT N 1-10-23 W 406.89 FT, TH N 88-49-14 E 144.42

FT, TH S 13-01-20 E 80.83 FT, TH S 27-12 E 78.89 FT, TH S

1-10-23 W TO N/LN OF RD, TH S 82-35-47 W TO POB,

PART OF NE 1/4 SEC 15 T2S R6E.

R-225-6-94 APPROVED

RESOLUTION TO APPROVE LIEBERTHAL ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Lieberthal Annexation, 0.75 acre, 3033 Geddes.

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

Whereas, Kenneth and Jane L. Lieberthal are the owners of said property; and

Whereas, It is the desire of Kenneth and Jane L. Lieberthal to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

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

Land situated in the Township of Ann Arbor, Washtenaw County, Michigan,

to-wit: That certain parcel or tract of land and premises lying and being in the

Township of Ann Arbor in the County of Washtenaw and State of Michigan

10 Council - June 6, 1994

and being composed or part of the southeast quarter of Section 27, which said part may be more particularly described as follows: Commencing at the south quarter post of said Section 27; thence north 88o 24' east along the south line of said section 954.80 feet; thence north 1o 36' west 200.63 feet to the Place of Beginning of this description; thence north 1o 36' west 296.92 feet; thence north 68o 13' east 266.57 feet; thence south 1o 36' east 389.07 feet; thence south 88o 24' west 250.00 feet to the Place of Beginning, excepting therefrom the following parcel:

Commencing at the south quarter post of said Section 27, thence N 88o 24' E along the south line of said section 954.80 feet; thence N 1o 36' W 200.63 feet; thence N 88o 24' E 100.4 feet for a Place of Beginning; thence N 27o 34' E 50.48 feet; thence N 1o 36' W 271.60 feet; thence N 68o 13' E 133.29 feet; thence S 1o 36' E 361.75 feet; thence S 88o 24' W 149.60 feet to the Place of Beginning, being a part of the southeast quarter of Section 27, Ann Arbor Township, Washtenaw County, Michigan.

Together with an easement for driveway purposes as granted in instrument recorded in Liber 1119, page 456, Washtenaw County Records.

R-226-6-94 APPROVED

RESOLUTION TO APPROVE PATKE ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Patke Annexation, 0.40 acre, 2720 Valley Drive.

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

Whereas, Rhea M. Patke, J. Maxine Andrus and Louise Rodenberg are the owners of said property; and

Whereas, It is the desire of Rhea M. Patke, J. Maxine Andrus Louise Rodenberg to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

RESOLVED, That the following described lands and premises situated and being in the Township of Scio, Washtenaw County, Michigan, be detached from said Township of Council - June 6, 1994 11

Scio and annexed to the City of Ann Arbor, to-wit:

Lots 74 and 75, excepting the west 10 feet of Lot 74, Scioto Hills Subdivision, Washtenaw County, Michigan.

R-227-6-94 APPROVED

RESOLUTION TO APPROVE PIRRUP ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Pirrup Annexation, 42.38 acres, west side of Newport Road, north M-14.

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

Whereas, The Philip W. Pirrup Company is the owner of said property; and

Whereas, It is the desire of the Philip W. Pirrup Company to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

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

BEGINNING at the S 1/4 corner of Section 18 (N 1/4 corner Section 19), T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 00o 11' 00" W 94.70 feet along the N-S 1/4 line of Section 19, T2S, R6E; thence along the north line of the M-14 (MDOT) right-of-way the following 3 courses: N 69o 55' 50" W 823.37 feet, 481.75 feet along the arc of a 3424.17 foot

radius curve to the left with chord bearing N 73° 57' 32" W 481.35, and N 77° 59' 00" W 143.15 feet; thence N 00° 12' 00" E 323.49 feet along the west line of the E 1/2 of the SW 1/4 of Section 18, T2S, R6E; thence S 89° 30' 00" E 1380.85 feet along the north line of the S 1/2 of the SE 1/4 of the SW 1/4 of said Section 18; thence N 00° 29' 00" E 629.00 feet along the N-S 1/4 line of said Section 18; thence S 89° 25' 00" E 91.08 feet; thence N 00° 29' 00" E 33.00 feet; thence S 89° 25' 00" E 743.23 feet along the north line of the SW 1/4 of the SE 1/4 of said Section 18; thence S 07° 52' 30" W 150.85 feet along the west line of Lot 13 of Jennings's Newport Heights, a subdivision as 12 Council - June 6, 1994

recorded in Liber 10 of Plats, page 56, Washtenaw County Records; thence along the North line of Victoria Circle 125.28 feet along the arc of a 1976.08 foot radius circle to the left with chord bearing N 83° 56' 29" W 125.26 feet; thence S 00° 16' 40" W 608.91 feet along the west line of Victoria Circle and Lots 18 thru 21 of said Subdivision; thence S 88° 59' 30" E 142.45 feet along the south line of said Lot 21; thence continuing along said south line 86.64 feet along the arc of a 110.31 foot radius curve to the left with chord bearing N 68° 30' 30" E 84.43 feet; thence S 43° 59' 30" E 66.00 feet along the southwesterly line of Alexandra Boulevard; thence along the perimeter of land as described in Liber 488, page 343, Washtenaw County Records in the following 7 courses: 138.47 feet along the arc of a 176.31 foot radius curve to the right with chord bearing S 68° 30' 30" W 134.94 feet, N 88° 59' 30" W 15.68 feet, S 00° 32' 30" W 150.40 feet, S 61° 17' 42" E 140.96 feet, 178.97 feet along the arc of a 257.35 foot radius curve to the left with chord bearing N 20° 27' 53" E 175.39 feet, N 00° 32' 30" E 58.55 feet and N 43° 59' 30" W 61.70 feet; thence N 46° 00' 30" E 66.00 feet along the southeasterly line of Alexandra Boulevard; thence continuing along said southeasterly line 68.89 feet along the arc of a 87.71 foot radius curve to the right with chord bearing N 68° 30' 30" E 67.13 feet; thence along the westerly line of Lots 1 thru 6 of said Jennings's Newport Heights Subdivision in the following 4 courses: S 00° 32' 30" W 174.00 feet, 140.08 feet along the arc of a 323.35 foot radius curve to the right with chord bearing S 12° 57' 07" W 138.98 feet, S 88° 59' 30" E 49.88 feet, and S 00° 32' 30" W 332.23 feet; thence N 88° 54' 10" W 1088.08 feet along the south line of said Section 18 to the Place of Beginning, being a part of the N 1/2 of the NE 1/4 of the NW 1/4 of Section 19, T2S, R6E, and part of the S 1/2 of the SE 1/4 of the SW 1/4 of Section 18 and part of the SW 1/4 of the SE 1/4 of Section 18, T2S, R6E, containing 42.38 acres of land, more or less, subject to easements and restrictions of record, if any.

R-228-6-94 APPROVED
RESOLUTION TO APPROVE HOUSING REHABILITATION
AGREEMENT WITH HOWARD AND JANET DISTELZWEIG
FOR 2034 THALER AVENUE

Whereas, An application was received in July, 1992 from Howard and Janet Distelzweig for rehabilitation assistance for their home located at 2034 Thaler Ave., Ann Arbor;

Council - June 6, 1994 13

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

Whereas, Bids were received on May 26, 1994 and Mr. and Mrs. Distelzweig will be executing an agreement with the lowest acceptable bidder to complete the rehabilitation work;

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Howard and Janet Distelzweig in the amount of \$14,810.00 as a 0% interest loan with payment deferred until change of ownership or change in use of property as a single-family residence, with funds to be available until expended without regard to fiscal year; and

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

R-229-6-94 APPROVED
RESOLUTION TO APPROVE AMENDMENT TO HOUSING
REHABILITATION AGREEMENT WITH LINDA D. WILHELM
FOR 2114 WINEWOOD AVENUE

Whereas, On April 4, 1994, City Council approved Resolution No. R-112-4-94 regarding the housing rehabilitation agreement between the City of Ann Arbor and Linda D. Wilhelm to complete rehabilitation assistance to her home located at 2114 Winewood Ave., Ann Arbor; and

Whereas, The name of her former husband, Paul J. Wilhelm, must be added as a party to the agreement because he is still named as an owner of the property;

RESOLVED, That City Council approve the amendment to the Housing Rehabilitation Agreement between Linda D. Wilhelm to add the name of Paul J. Wilhelm to the contract agreement; and

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

14 Council - June 6, 1994

R-230-6-94 APPROVED
RESOLUTION TO REALLOCATE FUNDS FROM SECOND
BAPTIST HUMAN SERVICES TO CATHOLIC SOCIAL
SERVICES FOR FOOD DISTRIBUTION SERVICES

Whereas, City Council allocated \$9,000.00 in FY 1993/94 General Funds to Second Baptist Human Services and \$12,000.00 to Catholic Social Services for emergency food distribution;

Whereas, Second Baptist Human Services informed the City that it would not use all of the funds allocated; and

Whereas, Catholic Social Services notified the City that it had expended 100% of the funds allocated for its emergency food distribution services and was beginning to limit the frequency clients could receive food;

RESOLVED, That City Council approve the reallocation of \$4,500.00 of FY 1993/94 General Funds from Second Baptist Human Services to Catholic Social Services;

RESOLVED, That City Council approve the amendment to the General Fund Agreement with Second Baptist Human Services reducing the FY 1993/94 agreement by \$4,500.00;

RESOLVED, That City Council approve the amendment to the General Fund Agreement with Catholic Social Services increasing the FY 1993/94 agreement by \$4,500.00; and

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

R-231-6-94 APPROVED
RESOLUTION TO APPROVE PURCHASE OF QUICKLIME FOR
WATER TREATMENT AND WASTEWATER TREATMENT DIVISIONS
OF THE UTILITIES DEPARTMENT - BID NO. 2571

Whereas, The water treatment and waste water treatment plants use quicklime in daily operations;

Whereas, Contracts for supplying estimated requirements are the most stable and Council - June 6, 1994 15

cost-effective way of meeting the water and waste water treatment plants' needs;

Whereas, Marblehead Lime Co. submitted the lowest responsible bid for supply of quicklime per Bid No. 2571; and

Whereas, Marblehead Lime Co. received human rights approval on May 3, 1994;

RESOLVED, That City Council approve a requirements contract for quicklime to

Marblehead Lime Co., in accordance with the terms of Bid No. 2571;
RESOLVED, That the City Administrator be directed to enter into said agreement in accordance with this resolution at a cost of approximately \$387,612.00 for the FY 1994/95 fiscal year;
RESOLVED, That the City Administrator may extend this agreement for up to two one-year periods if agreeable to both parties at no additional cost under the terms in Bid No. 2571; and
RESOLVED, That the City Administrator be directed to obtain quicklime from the next lowest bidder if Marblehead Lime Co. is unable to furnish adequate supplies.
Source of Funds: FY 1994/95 Water Supply and Sewage Disposal Systems Budgets

R-232-6-94 APPROVED

RESOLUTION TO PURCHASE ELECTRIC ACTUATORS
FOR WATER TREATMENT PLANT - BID NO. 2555

Whereas, It is necessary to purchase electric actuators for valves at the Water Treatment Plant and pumping stations;
Whereas, Of the two bids received for Bid No. 2555, Systems Specialties has submitted the low and responsible bid for electric actuators in the amount of \$19,377.00; and
Whereas, On April 21, 1994, the Human Resources Department approved Systems Specialties to supply electric actuators;
RESOLVED, That Council accept the bid proposal of Systems Specialties in the amount of \$19,377.00 to supply electric actuators;
16 Council - June 6, 1994
RESOLVED, That \$19,377.00 be appropriated for this without regard to the fiscal year; and
RESOLVED, That the City Administrator be directed to issue a purchase order in the amount of \$19,377.00 to Systems Specialties to supply electric actuators at the Water Treatment Plant, in accordance with Bid No. 2555.
Source of Funds: Water Supply System Fund, Operating and Maintenance Budget
FY 1993/94

R-233-6-94 APPROVED

RESOLUTION TO GRANT WATER AND SEWER SERVICE
OUTSIDE CITY LIMITS TO 2720 VALLEY DRIVE

Whereas, On May 19, 1994 Rhea M. Patke, J. Maxine Andrus, and Louise Rodenberg, owners of the property at 2720 Valley Drive, requested that the City extend public water and sewer services to their property in Scio Township prior to the completion of the annexation process;
Whereas, Ms. Patke, Ms. Andrus and Ms. Rodenberg desire to enter into the standard agreements with the City which provide an equitable method of obtaining City services outside of its corporate boundaries; and
Whereas, On April 13, 1994, Ms. Patke, Ms. Andrus and Ms. Rodenberg petitioned the City for annexation under Planning Department File No. 8244C10.1 and .2;
RESOLVED, That the Mayor and Clerk be hereby authorized and requested to sign the agreements to allow City water and sewer services to the land during the time it is still outside of the corporate limits, that the City Clerk be hereby directed to send a copy of this resolution and the agreements by first class mail to the above property owners, and that the Utilities Department shall promptly have this resolution and the agreements recorded in the office of the Register of Deeds of Washtenaw County, Michigan.

R-234-6-94 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL SERVICES
AGREEMENT WITH ENGINEERING AND TESTING SERVICES, INC.

Council - June 6, 1994 17
FOR CONSTRUCTION TESTING SERVICES FOR THE PLATT ROAD

RECONSTRUCTION PROJECT - PACKARD TO HURON PARKWAY

Whereas, It is necessary to employ a qualified testing firm to perform essential testing for the Platt Road Reconstruction Project (Packard to Huron Parkway);
Whereas, Proposals for this testing were received and evaluated by the Public Services Department - Engineering Division on the basis of qualifications and fees;
Whereas, Engineering and Testing Services, Inc. has demonstrated the required experience, personnel and competitive fee schedule to perform the work;
Whereas, On March 23, 1994 the Human Resources Department gave approval of said company for said work; and
Whereas, On May 16, 1994 Council appropriated sufficient funds to cover the cost of this agreement;
RESOLVED, That Council authorize a professional services agreement in the standard City form in the amount of \$48,825.00 with Engineering and Testing Services, Inc. for construction testing and inspection services for the Platt Road Reconstruction Project (Packard to Huron Parkway);
RESOLVED, That the Mayor and Clerk be authorized and directed to execute said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator; and
RESOLVED, That the City Administrator be authorized to take the necessary administrative actions to implement this resolution.

R-235-6-94 APPROVED

RESOLUTION TO APPROVE PURCHASE ORDER TO DUECO-DALUM'S UTILITY EQUIPMENT COMPANY, INC. FOR OVERHAUL OF MOBILE AERIAL TRUCK - BID NO. 2572

Whereas, The Fleet Service Division of the Public Services Department is required to have major overhauls of City of Ann Arbor mobile aerial trucks every six years per Federal OSHA standards;
18 Council - June 6, 1994

Whereas, Dueco-Dalum's Utility Equipment Company was the lowest responsible bidder, Bid No. 2572, for \$26,462.15; and
Whereas, Dueco-Dalum's Utility Equipment Company received Human Resources approval on May 20, 1994;
RESOLVED, That City Council approve the issuance of a purchase order to Dueco-Dalum's Utility Equipment Company for \$26,462.15 (Bid No. 2572);
RESOLVED, That \$26,462.15 be appropriated from the Public Services Department's Fleet Services Division 1993-94 General Fund budget, to be available until expended without regard to fiscal year; and
RESOLVED, That the City Administrator be authorized to take necessary administrative actions to implement this resolution.

Council - June 6, 1994 19

R-236-6-94 APPROVED

RESOLUTION TO TRANSFER DELINQUENT ALARM RESPONSE FEES TO THE 1994 CITY TAX ROLL

Whereas, There are unpaid charges for alarm related fees to properties within the City which were unpaid on December 31, 1993;
Whereas, This Council did, on December 9, 1974, resolve that notice be given by first class mail to the owner of such properties of the amount due, and that this Council did intend that such amount would be assessed against such properties as a special assessment unless paid on or before April 1, 1994;
Whereas, The City Clerk has on file a list of such presently unpaid charges, a copy of which is incorporated as "Schedule A"; and
Whereas, Notice has been sent to all owners of property affected by such delinquent alarm related fees, in accordance with the Council resolution of December 9, 1974, to advise said property owners of the impending assessment;

RESOLVED, That the City Clerk shall forthwith certify to the City Assessor such unpaid charges and the names of owners of the premise so served; and
RESOLVED, That such charges be levied as special assessments against such owners and premises according to "Schedule A" together with an additional penalty charge of 10% of the total unpaid, as provided in Section 1:292 of the Ann Arbor City Code, and that the City Assessor shall place the same on the next tax roll of the City and that such charges will be collected in the same manner as general City taxes.

R-237-6-94 APPROVED

RESOLUTION TO TRANSFER DELINQUENT HOUSING
INSPECTION FEES TO THE 1994 JULY CITY TAX ROLL

Whereas, There are unpaid charges for housing inspections of private properties within the City which were unpaid on December 31, 1993;
Whereas, This Council did, on December 9, 1974, resolve that notice be given by first class mail to the owners of such properties of the amount due, and that this Council did intend that such amount would be assessed against such property as a special assessment unless paid on or before May 13, 1994;
20 Council - June 6, 1994

Whereas, The City Clerk has on file a list of such presently unpaid charges, a copy of which is incorporated as "Schedule A"; and
Whereas, Notice has been sent to all owners of property affected by such delinquent inspection fees, in accordance with the Council Resolution of December 9, 1974, to advise said property owners of the impending assessment;
RESOLVED, That the City Clerk shall forthwith certify to the City Assessor such unpaid charges and the names of the owners of the premises so served; and
RESOLVED, That such charges be levied as special assessments against such owners and premises according to "Schedule A" together with an additional penalty charge of 10% of the total unpaid, as provided in Section 1:292 of the Ann Arbor City Code, and that the City Assessor shall place the same on the next tax roll of the City and that such charges will be collected in the same manner as general City taxes.

R-238-6-94 APPROVED

RESOLUTION ALLOCATING FUNDS FOR THE 1994
ANN ARBOR/HIKONE STUDENT EXCHANGE

Whereas, The City of Ann Arbor formally recognized Hikone, Japan as a sister city on February 3, 1969 and the citizens of Ann Arbor have maintained a relationship with the citizens of Hikone since that time;
Whereas, The purpose of the sister city program is to expand global understanding and give expression to the common desires for friendship, peace, goodwill, acceptance of diversity and cooperation for a better world for all;
Whereas, An academic exchange of middle school students has been established with student delegates representing the City of Ann Arbor in Hikone, Japan in 1985, 1988, 1990, and 1992;
Whereas, The Ann Arbor/Hikone Exchange Program received Human Rights Approval on June 2, 1994; and
Whereas, The City of Ann Arbor has financially supported each of the previous student trips to Hikone and for the 1994 program, a citywide committee in February, 1994 has selected ten middle schools students to participate in the sister city program;
Council - June 6, 1994 21

RESOLVED, That the City of Ann Arbor City Council approve an expenditure of \$5,000.00 in the 1994-95 Budget from the Community Events account for the Hikone Student Exchange Program and that the City Administrator be granted the administrative authority necessary to successfully complete the action.

R-239-6-94 APPROVED

RESOLUTION TO APPROVE THE 1994

ANN ARBOR JAYCEES CARNIVAL

Whereas, The Ann Arbor Jaycees have requested permission to hold a carnival at the Pioneer High School parking lot from July 6-10, 1994;

Whereas, The City Code of Ordinances prohibits such amusements without the permission of City Council, and is subject to the conditions established by Council; and

Whereas, The event sponsor has requested that the City support this event by appropriating funds from the 1994-95 Community Events Account for payment of the extra costs for services provided by the Police Department (estimated to be \$3,600.00);

RESOLVED, That the following constitute the conditions under which permission is granted to hold the event:

1. Noise emitting from the operations of the carnival shall not exceed 80 decibels measured at the property line;
 2. The carnival shall operate only between the hours indicated on the approved Special Events Permit;
 3. The Police Department may require certain machines to cease operation if excessive noise complaints are received;
 4. Evidence of proper liability insurance protection shall be submitted and approved by the City Attorney;
 5. Vendors of food and/or beverage shall be properly licensed to insure sanitary conditions of products consumed by the public;
 - 6 Proper fire lanes shall be maintained at all times;
- 22 Council - June 6, 1994

7. Electrical connections shall be made by a licensed electrician;
8. The event sponsors shall clear the parking lot and surrounding area of any debris resulting from the operation of the carnival upon termination of the event; and
9. All other concerns shall be regulated by the City Administrator and the Police Department;

RESOLVED, That the City of Ann Arbor support this event in the amount of up to \$3,600.00 for the reimbursement of City expenditures with funds to be appropriated from the 1994-95 Community Events Account; and

RESOLVED, That permission can be revoked at any time for good cause by the City Administrator, The Chief of Police or City Council.

R-240-6-94 APPROVED

RESOLUTION TO APPROVE PERMANENT OUTDOOR
SERVICE OF ALCOHOLIC BEVERAGES FOR BROWN JUG
CORPORATION, 1204 SOUTH UNIVERSITY AVENUE

RESOLVED, That the request from Brown Jug Corporation for Permanent Outdoor Service permit to be held in conjunction with a 1993 Class C licensed business, located at 605-607 Church Street and 1204 South University Avenue, Ann Arbor, be approved.

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

ORDINANCES - SECOND READING

36-94 APPROVED AS AMENDED

ARBOR HILLS PHASE I PUD 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 29.66 acres, located on the north side of Green Road, north of Burbank Drive, from PUD (Planned Unit Development District) to Final Council - June 6, 1994 23

Phase PUD.

Councilmember Stead moved that the ordinance be adopted at second reading.

Councilmember Stead moved that the following paragraphs from the "Arbor Hills Final Phase PUD Final Phase I Document" be amended as follows:

DESCRIPTION OF ORDINANCE ITEMS...

5. Condominium Language:The Development Agreement,

Stormwater Management System Plan AND MANAGEMENT PLAN FOR "B" WOODLANDS (APPENDIX J) will also be incorporated into the Master Deed....

6. Conservation Easements:All of the Phase I woodlands indicated as "B-Area of no disturbance" on the Preliminary PUD Plan are to be preserved IN ACCORDANCE WITH THE "MANAGEMENT PLAN FOR "B" WOODLANDS" WHICH IS ATTACHED IN APPENDIX J.

APPENDIX B

CONDOMINIUM LANGUAGE

A. OPEN SPACE PRESERVATION

shall be prohibited:...

2. Removal, damaging, or destruction of any landmark tree, or any trees located in a woodland, except as required for maintenance as per the approved Management Plan, WHICH IS ATTACHED IN APPENDIX J....

No activity, including construction, shall occur in these common areas other than nature study and hiking unless approved as part of the Management Plan (SEE APPENDICES E & J)....

C. CONSERVATION EASEMENTS (IN "A" WOODLANDS, WHERE DISTURBANCE IS ALLOWED WITH RESTRICTIONS)

The following activities are prohibited in a conservation easement:...

2. Removal, damaging, or destruction of any landmark tree, or any trees located in a woodland, except as required for

24 Council - June 6, 1994

maintenance AND AS NOTED IN C.1, BELOW....

On a voice vote the Mayor declared the motion carried.

Councilmember Stead moved that the last sentence in Section 1 of the ordinance be amended as follows:

Atwell-Hicks, Inc. (<dated April 12, 1994> REVISED AS OF MAY 25, 1994, AS AMENDED JUNE 6, 1994) shall become a part of the approved Arbor Hills Phase I Final Phase PUD.

On a voice vote the Mayor declared the motion carried.

The question being the Ordinance and the Final Phase I Document as amended, on roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Fink, Lumm, Stoll, Smith, Nicolas, Creal, Kolb, Stead, Mayor Sheldon, 11;

Nays, 0.

The Mayor declared the motion carried and the ordinance adopted at second reading.

40-94 APPROVED

OPERATION OF RAILROADS

An Ordinance to Repeal Chapter 128 of Title X of the Code of the City of Ann Arbor

This ordinance would repeal the City Code chapter regarding operation of railroads.

Councilmember Nicolas moved that the ordinance be adopted at second reading.

On a voice vote the Mayor declared the motion carried and the ordinance adopted at second reading.

ORDINANCES - FIRST READING

Council - June 6, 1994 25

41-94 APPROVED

WATER SUPPLY SYSTEM REVENUE BONDS, SERIES T

(Requires Only One Reading)

An Ordinance Authorizing the Acquisition and Construction of Extensions and Improvements to the Water Supply System of the City of Ann Arbor; Authorizing and Providing for the Issuance and Sale of Revenue Bonds of Equal Standing with Certain

Outstanding Water Supply System Revenue Bonds for the Purpose of Paying the Cost of Said Extensions and Improvements; To Provide for the Collection of Revenues from the System Sufficient for the Purpose of Paying the Costs of Operation and Maintenance of the System and to Pay the Principal of and Interest on the Bonds and Certain Outstanding Bonds of the System; To Provide an Adequate Reserve Fund for the Bonds and Outstanding Bonds of the System; To Provide for the Segregation and Distribution of the Revenues; To Provide for the Rights of the Holders of the Bonds and Outstanding Bonds of the System in Enforcement Thereof; and to Provide for Other Matters Relating to the System and the Bonds and Outstanding Bonds of the System.

This ordinance would authorize the issuance of not to exceed \$19,105,000 Water Supply System Revenue Bonds, Series T.

Councilmember Nicolas moved that the ordinance be adopted at first reading.

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

42-94 APPROVED

STORM WATER DISPOSAL SYSTEM REVENUE BONDS, SERIES 1994

(Requires Only One Reading)

An Ordinance to Provide for the Construction, Installation and Equipping of Improvements to the Storm Water Disposal System; To Provide for the Issuance and Sale of Revenue Bonds to Pay the Cost Thereof; To Prescribe the Form of the Bonds; To Provide for the Collection of Revenues from the System Sufficient for the Purpose of Paying the Costs of Operation and Maintenance of the System and to Pay the Principal of and Interest on the Bonds; To Provide an Adequate Reserve Fund for the Bonds; To Provide for the Segregation and Distribution of the Revenues; To Provide for the Rights of the Holders of the Bonds in Enforcement Thereof; and to Provide for Other Matters Relating to the Bonds and the System.

26 Council - June 6, 1994

This ordinance would authorize the issuance of not to exceed \$1,525,000 Storm Water Disposal System Revenue Bonds, Series 1994.

Councilmember Nicolas moved that the ordinance be adopted at first reading.

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

MOTIONS AND RESOLUTIONS

R-241-6-94 APPROVED

RESOLUTION TO APPROVE ARBOR HILLS PHASE I FINAL PHASE PUD SITE DEVELOPMENT AGREEMENT

A communication was received from the City Planning Director transmitting a recommendation to approve the proposed Arbor Hills Phase I Final Phase PUD Site Development Agreement, 29.66 acres, north side of Green Road, north of Burbank Drive.

Whereas, A site development agreement has been prepared to accompany the Arbor Hills Phase I Final Phase PUD, which addresses items such as utilities, a future special assessment project for improvements to Green Road, street tree planting, street name signage, and a woodchip path between Lots 15 and 16; and

Whereas, The Ann Arbor City Planning Commission, on April 19, 1994, recommended approval of the site development agreement, and the petitioner, Guenther Building Company, approved said agreement;

RESOLVED, By the Mayor and City Council that the Arbor Hills Phase I Final Phase PUD Site Development Agreement be hereby approved.

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-242-6-94 APPROVED

RESOLUTION TO APPROVE DELTA UPSILON

Council - June 6, 1994 27

FRATERNITY SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Delta Upsilon Fraternity Site Plan, 0.74 acre,

1331 and 1319 Hill Street.

Whereas, The University of Michigan Chapter of the Delta Upsilon Fraternity has requested site plan approval in order to construct a three-story, 1,440-square foot addition onto the existing building at 1319/1331 Hill Street;

Whereas, The Ann Arbor City Planning Commission, at its meeting of May 3, 1994, recommended approval of said request;

RESOLVED, By the Mayor and City Council that the Delta Upsilon Fraternity Site Plan be hereby approved.

Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-243-6-94 APPROVED

RESOLUTION TO APPROVE 350 SOUTH
MAIN STREET SITE PLAN

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed 350 South Main Street Site Plan, 0.40 acre, 350 South Main Street.

Whereas, MAV Development Company has requested site plan approval in order to construct a four-story, 63,656-square foot retail/office building; and

Whereas, The Ann Arbor City Planning Commission, at its meeting of May 17, 1994, recommended approval of said request;

RESOLVED, By the Mayor and City Council that the 350 South Main Street Site Plan be hereby approved, subject to necessary variances being granted by the Zoning Board of Appeals.

Councilmember Nicolas moved that the resolution be adopted.

28 Council - June 6, 1994

On a voice vote the Mayor declared the motion carried.

R-244-6-94 APPROVED

RESOLUTION TO ADOPT WETLAND INVENTORY MAP

Whereas, The City has made a draft of the wetland inventory map available to the public; and

Whereas, The City has provided for public notice and comment prior to finalizing the draft inventory map; and

Whereas, The City has responded in writing to written comments regarding the contents of the inventory;

RESOLVED, That the Mayor and City Council hereby adopt the wetland inventory map; and

RESOLVED, That the City shall notify each record owner of property on the property tax roll of the City that the inventory map exists, that the map may be reviewed at the City Planning Department, that the owner's property may be designated as a wetland on the inventory map, and that the City has an ordinance regulating wetlands. The notice shall also inform the property owner that the inventory map does not necessarily include all of the wetlands within the City that may be subject to the wetland ordinance. A wetland inventory map does not create any legally enforceable presumptions regarding whether property that is or is not included on the inventory map is or is not in fact a wetland.

Councilmember Smith moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-245-6-94 APPROVED

RESOLUTION TO APPROVE REVISED FOXFIRE PHASE II

Council - June 6, 1994 29

SITE CONDOMINIUM SITE DEVELOPMENT AGREEMENT

Whereas, The Foxfire Phase II Site Condominium Site Development Agreement was approved by City Council on July 20, 1992;

Whereas, Revisions are proposed to said agreement which would allow

construction of Phase II to proceed while final Dhu Varren Road construction plans are reviewed; and

Whereas, It is desirable to reduce the design speed by 5 mph to reduce impacts to trees;

RESOLVED, By the Mayor and City Council that the Revised Foxfire Phase II Site Condominium Site Development Agreement be hereby approved.

Councilmember Stoll moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-246-6-94 APPROVED

RESOLUTION TO APPROVE TRANSFER OF CLASS C LIQUOR

LICENSE TO MEMBEHEM ! INC. (MONGOLIAN BARBECUE

AT 200 SOUTH MAIN STREET

Whereas, A VI, Inc. Principal, under another legal entity, has outstanding unpaid personal property taxes; and

Whereas, The negotiations for the repayment of the above outstanding personal property taxes are proceeding;

RESOLVED, That Council approve the request from Membehem ! Inc. (Mongolian Barbecue) to transfer ownership of a 1989 B-Hotel licensed business with a Dance-Entertainment Permit, located in escrow at 2800 Jackson, Ann Arbor, from VI, Inc., to 200 South Main Street, and to transfer status to a Class C license.

Councilmember Fink moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

30 Council - June 6, 1994

R-247-6-94 APPROVED

RESOLUTION AUTHORIZING ENVIRONMENTAL BOND

EXPENDITURE FOR MRF EDUCATIONAL CENTER

Whereas, The City's materials recovery facility and waste transfer station was approved by the City's voters as part of the 1990 environmental bond;

Whereas, City Council approved the construction of the MRF/Transfer Station (MRF/TS) on February 22, 1993 allocating up to \$5.1 million for this purpose;

Whereas, The educational component of the MRF/TS was dropped from the original scope of the MRF project, but is an important service worth reinstating for Ann Arbor residents; and

Whereas, Staff has incorporated feedback from the Solid Waste Commission and City Council in reducing the cost and clarifying the function of this improvement;

RESOLVED, That City Council authorizes the expenditure of up to \$160,000 for the addition of an educational center on the second floor of the MRF's

administration building; and

RESOLVED, That funding for the MRF educational center be provided through the environmental bond; and

RESOLVED, That the construction element of this project be undertaken by the City's selected MRF contractor, Resource Recovery Systems (RRS), pursuant to the change order process outlined in Section 8.03 of the approved Construction Contract between the City and RRS; and

RESOLVED, That expenditures for furnishings and displays at the education center be coordinated through the Solid Waste Department pursuant to the City's purchasing requirements; and

RESOLVED, That expenditures not made in the current fiscal year be automatically carried over to subsequent fiscal years until completed.

Council - June 6, 1994 31

PROPOSED BUDGET

MRF/TRANSFER STATION

EDUCATIONAL CENTER

Construction \$136,240

Furniture/Equipment/Displays 10,000

Contingency 13,760

TOTAL \$160,000

Councilmember Kolb moved that the resolution be adopted.

On roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Stoll, Smith, Kolb, Stead, Mayor Sheldon, 7;

Nays, Councilmembers Fink, Lumm, Nicolas, Creal, 4.

The Mayor declared the motion carried.

R-248-6-94 APPROVED

RESOLUTION TO APPROVE AMENDMENTS TO THE BYLAWS

OF THE ANN ARBOR HOSPITALITY COMMITTEE

Whereas, The Ann Arbor City Council must approve changes to the Bylaws of the Ann Arbor Hospitality Committee;

Whereas, The Committee felt that certain amendments to their bylaws would enable them to function more effectively and efficiently; and

Whereas, The members of the Ann Arbor Hospitality Committee approved amended bylaws at their May 5, 1994 meeting;

RESOLVED, That the Ann Arbor City Council hereby approve the Bylaws of the Ann Arbor Hospitality Committee as amended and filed in the City Clerk's Office.

Councilmember Vereen-Dixon moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

32 Council - June 6, 1994

R-249-6-94 APPROVED

RESOLUTION PROCLAIMING JUNE 18, 1994 AS

JUNETEENTH NATIONAL FREEDOM DAY

Whereas, The Ann Arbor NAACP will initiate this year the first celebration in the City of Ann Arbor of Juneteenth (National Freedom) Day which is one of the oldest African American holiday observances;

Whereas, On September 22, 1862 President Lincoln issued a proclamation to the rebellious states that if they did not return to the Union, he would declare their slaves "forever free";

Whereas, On January 1, 1863 President Lincoln issued the Emancipation Proclamation abolishing slavery throughout the whole country, a proclamation which was ignored by the rebellious states;

Whereas, June 19, 1865 was the date on which General Gordon Granger arrived in Texas with the avowed intention of enforcing Lincoln's Emancipation Proclamation in that state;

Whereas, Words cannot adequately express the joy and great feeling of rapture when African Americans learned from the General that slavery was abolished and they were free;

Whereas, The annual celebrations of Juneteenth Day across the nation have been ignored in mainstream history;

Whereas, This celebration is known in the various states and cities by many names, such as Emancipation Day, Emancipation Celebration, Freedom Day, Jun-Jun, and Juneteenth; and

Whereas, The first Juneteenth Day here will feature instrumental music, dancing, singing, reading of the Proclamation by young people, speeches, food and drink at Wheeler Park;

RESOLVED, That the City of Ann Arbor proclaims Saturday, June 18, 1994, as the first Juneteenth National Freedom Day.

Council - June 6, 1994 33

Councilmember Vereen-Dixon moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

TABLED

RESOLUTION TO DELAY EXECUTION OF THE \$30,000 FY 1993-94
CONTRACT AMENDMENT WITH PEACE NEIGHBORHOOD CENTER

Whereas, The City has not yet executed a City Council approved contract amendment with Peace Neighborhood Center awarding an additional \$30,000.00 due to notification of a finding of non-compliance from the Department of Housing and Urban Development (HUD) related to Federal funds received by Peace Neighborhood Center from 1987 to 1990; and

Whereas, The City will be required to repay any funds determined to be disallowed by HUD;

RESOLVED, That the City shall delay execution of the contract amendment

(\$30,000.00) pending determination of the total amount of disallowed costs; and

RESOLVED, That future contracts with Peace Neighborhood Center be conditioned on the agency reimbursing the City for any disallowed General Fund or CDBG costs.

Councilmember Lumm moved that the resolution be adopted.

Councilmember Lumm moved that the resolution be tabled until consideration of the "Resolution to Direct the City Administrator to Release \$7,500.00 in FY 1993-94 Payments to Peace Neighborhood Center."

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

AMENDED AND DEFEATED

RESOLUTION TO DIRECT CITY ADMINISTRATOR TO RELEASE \$7,000

34 Council - June 6, 1994

IN FY 1993-94 PAYMENTS TO PEACE NEIGHBORHOOD CENTER

A resolution to direct the City Administrator to release \$7,000.00 in FY 1993-94 payments to the Peace Neighborhood Center was considered.

Councilmember Kolb moved that the resolution be adopted.

Council unanimously agreed that the following language be added to the resolution:

Add After Third Paragraph:

Whereas, In addition, on March 21, 1994, the City Council approved a contract with Peace Neighborhood Center awarding \$30,000.00 for youth program staff funding, with special contract conditions, and the City has not executed that Council approved contract;

Add After Last Paragraph:

RESOLVED, That the allocated funds for the unexecuted City Council approved contract with Peace Neighborhood Center, awarding \$30,000.00 for youth program staff funding, be carried forward from the FY 1993-94

Community Development Department Human Services Budget to the FY 1994-95 Community Development Human Services Budget; and

RESOLVED, That these carried-forward funds be released to Peace Neighborhood Center upon completion and report to Council of the City's review of Peace Neighborhood Center's financial records or 60 days, which ever comes first, with the special contract conditions stipulated in the City Council approved resolution of March 21, 1994, allocating the \$30,000.00 to Peace Neighborhood Center.

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

Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Smith, Stoll, Kolb, Stead, Mayor Sheldon, 7;

Nays, Councilmembers Fink, Lumm, Nicolas, Creal, 4.

The Mayor declared the motion defeated. (8 votes are required)

The resolution as amended and defeated reads as follows:

Council - June 6, 1994 35

RESOLUTION TO DIRECT CITY ADMINISTRATOR TO RELEASE \$7,000

IN FY 1993-94 PAYMENTS TO PEACE NEIGHBORHOOD CENTER

Whereas, Peace Neighborhood Center has \$7,500.00 remaining on its FY 1993-94

contract with the City;

Whereas, Peace Neighborhood Center informed the Human Service Task Force of its need for the funds;

Whereas, At its meeting on May 25, 1994, the Human Services Task Force recommended the release of \$7,500.00 to Peace Neighborhood Center; and

Whereas, In addition, on March 21, 1994, the City Council approved a contract with Peace Neighborhood Center awarding \$30,000.00 for youth program staff funding, with special contract conditions, and the City has not executed that Council approved contract; RESOLVED, That City Council direct the City Administrator to release \$7,500.00 in FY 1993-94 payments to Peace Neighborhood Center in accordance with the terms of the contract;

RESOLVED, That the allocated funds for the unexecuted City Council approved contract with Peace Neighborhood Center, awarding \$30,000.00 for youth program staff funding, be carried forward from the FY 1993-94 Community Development Department Human Services Budget to the FY 1994-95 Community Development Human Services Budget; and

RESOLVED, That these carried-forward funds be released to Peace Neighborhood Center upon completion and report to Council of the City's review of Peace Neighborhood Center's financial records or 60 days, which ever comes first, with the special contract conditions stipulated in the City Council approved resolution of March 21, 1994, allocating the \$30,000.00 to Peace Neighborhood Center.

RECONSIDERED

R-250-6-94 APPROVED AS AMENDED

RESOLUTION TO DIRECT CITY ADMINISTRATOR TO RELEASE \$7,000

36 Council - June 6, 1994

IN FY 1993-94 PAYMENTS TO PEACE NEIGHBORHOOD CENTER

Councilmember Kolb moved that the Resolution to Direct the City Administrator to Release \$7,000.00 in FY 1993-94 Payments to Peace Neighborhood Center (including the previously approved amendments) be placed on the table for reconsideration.

On a voice vote the Chair declared the motion carried.

Councilmember Kolb moved that the resolution be adopted.

Councilmember Fink moved that the last paragraph of the resolution be amended as follows:

RESOLVED, That these carried-forward funds be released to Peace Neighborhood Center upon completion and report to Council of the City's review of Peace Neighborhood Center's financial records <or 60 days, which ever comes first>, with the special contract conditions stipulated in the City Council approved resolution of March 21, 1994, allocating the \$30,000.00 to Peace Neighborhood Center.

On a voice vote the Mayor declared the motion carried.

Council unanimously agreed to divide the question to consider the first Resolved clause regarding the release of \$7,500.00 to Peace Neighborhood Center separately from the last two Resolved clauses.

The question being the resolution with the first Resolved clause, on roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Stoll, Smith, Kolb, Stead, Mayor Sheldon, 7;

Nays, Councilmembers Fink, Lumm, Nicolas, Creal, 4.

The Mayor declared the motion carried.

The question being the last two Resolved clauses, on roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Fink, Stoll, Smith, Nicolas, Kolb, Stead, Mayor Sheldon, 9;

Council - June 6, 1994 37

Nays, Councilmembers Lumm, Creal, 2.

The Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-250-6-94

RESOLUTION TO DIRECT CITY ADMINISTRATOR TO RELEASE \$7,000
IN FY 1993-94 PAYMENTS TO PEACE NEIGHBORHOOD CENTER

Whereas, Peace Neighborhood Center has \$7,500.00 remaining on its FY 1993-94 contract with the City;

Whereas, Peace Neighborhood Center informed the Human Service Task Force of its need for the funds;

Whereas, At its meeting on May 25, 1994, the Human Services Task Force recommended the release of \$7,500.00 to Peace Neighborhood Center; and

Whereas, In addition, on March 21, 1994, the City Council approved a contract with Peace Neighborhood Center awarding \$30,000.00 for youth program staff funding, with special contract conditions, and the City has not executed that Council approved contract;

RESOLVED, That City Council direct the City Administrator to release \$7,500.00 in FY 1993-94 payments to Peace Neighborhood Center in accordance with the terms of the contract;

RESOLVED, That the allocated funds for the unexecuted City Council approved contract with Peace Neighborhood Center, awarding \$30,000.00 for youth program staff funding, be carried forward from the FY 1993-94 Community Development Department Human Services Budget to the FY 1994-95 Community Development Human Services Budget; and

RESOLVED, That these carried-forward funds be released to Peace Neighborhood Center upon completion and report to Council of the City's review of Peace Neighborhood Center's financial records, with the special contract conditions stipulated in the City Council approved resolution of March 21, 1994, allocating the \$30,000.00 to Peace Neighborhood Center.

38 Council - June 6, 1994

WITHDRAWN

RESOLUTION TO DELAY EXECUTION OF THE \$30,000 FY 1993-94
CONTRACT AMENDMENT WITH PEACE NEIGHBORHOOD CENTER

The Resolution to Delay Execution of the \$30,000.00 FY 1993-94 Contract Amendment with Peace Neighborhood Center was withdrawn by the sponsors.

R-251-6-94 APPROVED AS AMENDED

RESOLUTION TO APPROVE FIREWORKS DISPLAY AT
THE ANN ARBOR LANDFILL AND SWIFT RUN PARK

A resolution to approve a fireworks display at the Ann Arbor Landfill and Swift Run Park was considered.

Councilmember Smith moved that the resolution be adopted.

Councilmember Smith moved that the following language be added to the resolution:

Add After Fifth Paragraph:

Whereas, Neighborhoods adjacent to a site selected for the staging of fireworks could be subjected to inconvenience and possible hazards resulting from excessive automobile traffic, large crowds, and unruly behavior;

Add After Last Paragraph:

RESOLVED, That in the event the City should be requested to issue permits in the future for the staging of fireworks, the site or sites selected shall be rotated to other locations in or adjacent to the City.

On a voice vote the Chair declared the motion carried.

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

Yeas, Councilmembers Fink, Lumm, Stoll, Nicolas, Creal, Kolb, Stead, Mayor Sheldon, 8;

Nays, Councilmembers Hanna-Davies, Vereen Dixon, Smith, 3.

Council - June 6, 1994 39

The Chair declared the motion carried.

The resolution as adopted reads as follows:

R-251-6-94

**RESOLUTION TO APPROVE FIREWORKS DISPLAY AT
THE ANN ARBOR LANDFILL AND SWIFT RUN PARK**

Whereas, The Ann Arbor City Council requested the Administration to assist Gelman Sciences, Inc. in locating a site within the city to stage a fireworks show to celebrate Independence Day;

Whereas, The City landfill was selected as the most suitable site to stage this event;

Whereas, The fireworks will be launched from inside the landfill starting at nightfall with the primary spectating area being Swift Run Park;

Whereas, Controlled paid parking will be provided by the Ann Arbor Jaycees and Ann Arbor Firefighters Local 1733 in the Southeast Area Park (Katz property) with proceeds being donated to recognized charitable organizations;

Whereas, The event has been coordinated with all relevant City departments for purposes of control and for the protection of the health and safety of the general public;

Whereas, Neighborhoods adjacent to a site selected for the staging of fireworks could be subjected to inconvenience and possible hazards resulting from excessive automobile traffic, large crowds, and unruly behavior;

Whereas, Gelman Sciences, Inc. will obtain all necessary permits and be responsible to comply with all procedures, rules and regulations required by the City to stage such an event;

Whereas, Gelman Sciences, Inc. will provide liability insurance of one million dollars (\$1,000,000), naming the City as additional insured and agrees to defend and indemnify and save the City harmless against any claim arising out of their sponsorship of this event;

Whereas, Fencing will be erected by the City along Ellsworth Road in front of the Forest Hills and University Townhouses Cooperatives and along the eastern perimeter of Southeast Area Park, respectively, to prevent vandalism and provide crowd and traffic control;

40 Council - June 6, 1994

Whereas, Gelman Sciences, Inc. will post a security bond of \$10,000.00 to insure adequate clean-up of the site following the show and to protect private property from damage as a result of their sponsorship of this event;

Whereas, Gelman Sciences, Inc. will provide shuttle bus service to and from the fireworks show beginning at 7:30 p.m. to reduce traffic congestion, promote the use of mass transportation and provide a means of attending the event for those without other types of transportation; and

Whereas, The Gelman Sciences, Inc. has agreed to pay all reasonable costs associated with the sponsorship of this event including the following (estimated):

Police Department \$12,500

Fire Department \$ 3,000

Transportation Department \$ 6,000

Parks Department \$ 1,000

TOTAL \$22,500

RESOLVED, That the Ann Arbor City Council approve the fireworks show to be held on July 3, 1994 at the Ann Arbor Landfill;

RESOLVED, That City Council approve the use of Southeast Area Park for paid parking with revenues being donated to charity and a report be submitted to the City Administrator by the sponsor indicating the amount and disbursement of these funds within thirty days of the event;

RESOLVED, That all provisions and conditions established by City Council for the staging of the fireworks display be confirmed by Gelman Sciences, Inc. no later than June 10, 1994 or the administrative authority shall not issue the required permits to hold this event; and

RESOLVED, That In the event that the City should be requested to issue permits in the future for the staging of fireworks, the site or sites selected shall be rotated to other locations in or adjacent to the City.

R-252-6-94 APPROVED AS AMENDED

RESOLUTION REGARDING DHU VARREN ROAD IMPROVEMENTS

Council - June 6, 1994 41

A Resolution Regarding Dhu Varren Road Improvements was considered.

Councilmember Stoll moved that the resolution be adopted.

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

RESOLVED, That Guenther Building Company continue to be responsible for submitting revised plans for approval and bear all expenses for making Road Improvements, in accordance with the operative Site Development Agreement of July 20, 1992 OR AS AMENDED BY COUNCIL;

RESOLVED, That \$20,000.00 be <appropriated> ALLOCATED from the <1991 millage funding for Major Road Reconstruction (i.e. the Streets Millage)> FY 1994-95 MAJOR STREETS RECONSTRUCTION FUND (I.E. FUND SOURCE, STREETS RESURFACING MILLAGE);

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

Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Lumm, Stoll, Smith, Creal, Kolb, Stead, Mayor Sheldon, 9;

Nays, Councilmember Fink, 1;

Absent during vote, Councilmember Nicolas, 1.

The Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-252-6-94

RESOLUTION REGARDING DHU VARREN ROAD IMPROVEMENTS

Whereas, It is desirable to modify the current design for reconstruction and paving of existing Dhu Varren Road between Omlesaad Dr. and Birchwood Ct. (the Road Improvements) by moving the road alignment as far north as permitted by existing ROW so as to minimize impact on existing significant trees and reduce the amount of filling of the adjoining natural ravine; and

42 Council - June 6, 1994

Whereas, Guenther Building Company has agreed to provide an appropriate redesign including final plans and specifications for a cost not to exceed \$40,000.00;

RESOLVED, That Council agree to pay Guenther Building Company 50% of the redesign cost with the City share not to exceed \$20,000.00;

RESOLVED, That Guenther Building Company continue to be responsible for submitting revised plans for approval and bear all expenses for making Road Improvements, in accordance with the operative Site Development Agreement of July 20, 1992, or as amended by Council;

RESOLVED, That \$20,000.00 be allocated from the FY 1994-95 Major Streets Reconstruction Fund (i.e. fund source, Streets Resurfacing Millage);

RESOLVED, That Guenther Building Company seek and receive Human Resources Department approval for this work before any payments are authorized;

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

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

Councilmember Stead moved that the Resolution to Contract with Scio Township for Long Term Water Supply and Related Joint Use of Water Mains be considered next.

On a voice vote the Chair declared the motion carried.

R-253-6-94 APPROVED AS AMENDED

RESOLUTION TO CONTRACT WITH SCIO TOWNSHIP FOR LONG TERM WATER SUPPLY AND RELATED JOINT USE OF WATER MAINS

Whereas, On August 2, 1993, by Resolution No. R-359-8-93, Council authorized the City Administrator to negotiate with the assistance of an Ad Hoc Council Committee a long

term agreement to supply water to Scio Township; and
Whereas, This agreement and a related agreement for the joint use of water mains
Council - June 6, 1994 43
have been negotiated;
RESOLVED, That Council approve the agreements for the long term water supply
to Scio Township and the joint use of water mains; and
RESOLVED, That the Mayor and the City Clerk be authorized and directed to sign
said agreements substantially in forms on file in the City Clerk's office.
Councilmember Stead moved that the resolution be adopted.
Councilmember Stoll moved that Item 1 under "Terms and Conditions" in the City of Ann
Arbor and Scio Township Water Agreement be amended as follows:
1. Sale of Water. The City agrees to sell and the Township
agrees to purchase all of its potable water ("water") to serve the area
described in Exhibit A ("Service Area") AND EXHIBIT B ("ZONING MAP
FOR SCIO TOWNSHIP") and produced by the City in accordance with state
regulatory standards,...
On a voice vote the Mayor declared the motion carried.
The question being the resolution with the amended agreement, on a voice vote the Chair
declared the motion carried.

R-254-6-94 APPROVED AS AMENDED
RESOLUTION TO APPROVE FY 1994-95 CITY GENERAL FUND
HUMAN SERVICES AND ECONOMIC DEVELOPMENT ALLOCATIONS
A resolution to approve FY 1994-95 City General Fund Human Services and Economic
Development Allocations was considered.

Councilmember Kolb moved that the resolution be adopted.
Councilmember Hanna-Davies moved that the resolution be amended as follows:
Third Paragraph:

RESOLVED, That the Mayor and City Council approve the allocation
to the agencies as listed and authorize the Community Development
Department <to negotiate contractual agreements in accordance with the
44 Council - June 6, 1994

City's purchasing procedures> , IN ACCORDANCE WITH THE CITY'S
PURCHASING PROCEDURES TO NEGOTIATE CONTRACTUAL
AGREEMENTS EITHER DIRECTLY WITH THE AGENCIES OR, AS IN
THE CASE OF THE ANN ARBOR YMCA, GREEN GLACIER
COMMUNITY CENTER AND OTHERS, WITH OUTSIDE
ORGANIZATIONS ACTING AS FIDUCIARIES:

Add After Third Paragraph:

RESOLVED, THAT THE \$5,000.00 ALLOCATED FOR TECHNICAL
ASSISTANCE TO NON-PROFIT AGENCIES GO TO OUTSIDE AGENCIES
WHICH WILL PROVIDE ASSISTANCE AS NEEDED TO THE NONPROFIT
AGENCIES LISTED ABOVE;

RESOLVED, THAT \$5,002.00 BE ALLOCATED FROM THE
GENERAL FUND HUMAN SERVICES FUNDS TO THE HOUSING TRUST
FUND;

Amend Fourth Paragraph (Now Sixth Paragraph):

RESOLVED, That <funds allocated for peace neighborhood center be
held until the City's review of Peace neighborhood center's financial records
is favorably concluded> THESE FUNDS BE RELEASED TO PEACE
NEIGHBORHOOD CENTER UPON COMPLETION AND REPORT TO
COUNCIL OF THE CITY'S REVIEW OF PEACE NEIGHBORHOOD
CENTER'S FINANCIAL RECORDS;

On roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Fink, Lumm, Stoll, Smith, Nicolas,
Creal, Kolb, Stead, Mayor Sheldon, 11;

Nays, 0.

The Chair declared the motion carried.

Councilmember Hanna-Davies moved that the following agencies and allocations listed in the third paragraph of the resolution be amended as shown:

Agency Amount

<American Red Cross for> Interfaith Hospitality Network <6,550> 3,000

Community Leaning Post <8,000> 10,000

Council - June 6, 1994 45

<Legal Services of Southeastern Michigan for> Fair Housing Center <5,000> 6,550

On roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Stoll, Smith, Kolb, Stead, 6;

Nays, Councilmembers Fink, Lumm, Creal, Mayor Sheldon, 4;

Absent during vote, Councilmember Nicolas, 1.

Councilmember Lumm moved that the resolution be further amended by deleting the first paragraph:

Whereas, The Human Services Task Force has recommended the allocation of specific General Fund amounts for the following organizations for FY 1994-95;

On roll call the vote was as follows:

Yeas, Councilmembers Fink, Lumm, Creal, Mayor Sheldon, 4;

Nays, Councilmembers Hanna-Davies, Vereen-Dixon, Smith, Kolb, Stead, 5;

Absent during vote, Councilmembers Stoll, Nicolas, 2.

The Chair declared the motion defeated.

Council unanimously agreed with Councilmember Vereen-Dixon's request to abstain from the vote on the allocation for "Community Action Network for CAN, Pinelake, Arrowwood."

Council unanimously agreed to divide the question to consider the Community Action Network allocation separately.

The question being the resolution as amended (without the allocation for Community Action Network for CAN, Pinelake, Arrowwood), on roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Fink, Lumm, Stoll, Smith, Nicolas, Creal, Kolb, Stead, Mayor Sheldon, 11;

Nays, 0.

The Mayor declared the motion carried.

46 Council - June 6, 1994

The question being the \$98,500.00 allocation for Community Action Network for CAN, Pinelake, Arrowwood, on a voice vote the Chair declared the motion carried with Councilmember Vereen-Dixon abstaining.

The resolution as adopted reads as follows:

R-254-6-94

RESOLUTION TO APPROVE FY 1994-95 CITY GENERAL FUND

HUMAN SERVICES AND ECONOMIC DEVELOPMENT ALLOCATIONS

Whereas, The Human Services Task Force has recommended the allocation of specific General Fund amounts for the following organizations for FY 1994-95; and

Whereas, The Human Resources Department has reviewed and approved these contractors as of May 24, 1994;

RESOLVED, That the Mayor and City Council approve the allocation to the agencies as listed and authorize the Community Development Department, in accordance with the City's purchasing procedures to negotiate contractual agreements either directly with the agencies or, as in the case of the Ann Arbor YMCA, Green Glacier Community Center and others, with outside organizations acting as fiduciaries:

AGENCY AMOUNT

Academy for African American Students \$ 5,000

Interfaith Hospitality Network 3,000

Ann Arbor Center for Independent Living 32,000

Ann Arbor Community Center 20,000

Ann Arbor Hunger Coalition 5,000

Ann Arbor Tenants Union 4,000
Ann Arbor YMCA 10,000
Assault Crisis Center 5,000
Bryant Community Center 8,000
AGENCY (Cont.) AMOUNT
Catholic Social Services for CSS, HIV/AIDS, Fr. Pat Jackson House 48,500
Center for Occupational and Personalized Education (COPE) 21,000
Child and Family Service of Washtenaw 12,000
Child Care Network 4,000
Community Action Network for CAN, Pinelake, Arrowwood 98,500
Community Learning Post 10,000
Domestic Violence Project 35,000
Council - June 6, 1994 47
Fair Housing Center 6,550
Food Gatherers 18,000
Green Glacier Community Center 18,000
Housing Bureau for Seniors 39,500
Huron Services for Youth 18,000
Interfaith Hospitality Network 1,500
Neighborhood Senior Services for Washt. Co. Council on Aging 5,000
Options Center, Inc. 26,000
Ozone House 20,000
Packard Community Clinic for PCC, Corner Health Center 22,000
Peace Neighborhood Center 15,000
Project Transition 8,000
St. Andrews Breakfast Program 8,000
Salvation Army 21,000
Second Baptist Human Services 5,000
Shelter Association of Washtenaw 100,000
Trailblazers 15,000
Washtenaw Development Council 45,000
TOTAL \$712,550
RESOLVED, That the \$5,000.00 allocated for Technical Assistance to Non-Profit Agencies go to outside agencies which will provide assistance as needed to the non-profit agencies listed above;
RESOLVED, That \$5,002.00 be allocated from the General Fund Human Services funds to the Housing Trust Fund;
RESOLVED, That these funds be released to Peace Neighborhood Center upon completion and report to Council of the City's review of Peace Neighborhood Center's financial records;
RESOLVED, That all human service programs funded by the City General Fund give priority to very low-income households and that performance be monitored by the Community Development Department; and
RESOLVED, That the Mayor and City Council authorize the inclusion of these General Fund projects as part of the FY 1994-95 City of Ann Arbor Statement of Community Development Objectives and Projected Use of Funds to be submitted to the Department of Housing and Urban Development.

R-255-6-94 APPROVED
RESOLUTION AUTHORIZING NOTICE OF SALE FOR
48 Council - June 6, 1994
WATER SUPPLY SYSTEM REVENUE BONDS, SERIES T -
NOT TO EXCEED \$19,105,000
Whereas, The City of Ann Arbor, County of Washtenaw, State of Michigan (the "Issuer"), has by an Ordinance duly adopted on date even herewith, authorized the issuance and sale of Nineteen Million One Hundred Five Thousand Dollars (\$19,105,000)

principal amount of the Issuer's Water Supply System Revenue Bonds, Series T (the "Bonds");

RESOLVED, That:

1. The Issuer's Clerk be hereby authorized and directed to fix the date for the sale of the Bonds.
2. The Issuer's Clerk shall cause a Notice of Sale of the Bonds to be published in either the Detroit Legal News, published in Detroit, Michigan, or in the Bond Buyer, published in New York, New York, at least fourteen (14) full days before the date fixed for sale.
3. The Notice of Sale of the Bonds shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

\$19,105,000

CITY OF ANN ARBOR

COUNTY OF WASHTENAW, STATE OF MICHIGAN

WATER SUPPLY SYSTEM REVENUE BONDS

Series T

SEALED BIDS for the purchase of the above bonds will be received by the undersigned at the office of the City Clerk located at 100 N. Fifth Ave., Ann Arbor, Michigan 48107-8647, on _____, the ____ day of _____, 1994, until _____ o'clock p.m., Eastern Daylight Time, at which time and place said bids will be publicly opened and read. Sealed bids for the purchase of the above bonds will also be received until the same time on the same date at the Municipal Advisory Council of Michigan, 1445 First National Building, Detroit, Michigan 48226, at which time and place said bids will be simultaneously opened and read. The City Council will meet at 7:00 o'clock p.m., on that date, to consider the award or rejection of bids.

BOND DETAILS: The bonds will be issued in fully-registered form, of the denomination of \$5,000 or multiples thereof not exceeding for each maturity the aggregate principal amount of that maturity, dated July 1, 1994, numbered in order of registration, and will bear interest from their date payable on February 1, 1995, and semiannually thereafter.

Council - June 6, 1994 49

The bonds will mature on the 1st day of February of the years as follows:

Year Amount Year Amount Year Amount

1996 \$ 25,000 2003 \$1,250,000 2010 \$1,525,000

1997 25,000 2004 1,245,000 2011 1,525,000

1998 35,000 2005 1,245,000 2012 1,525,000

1999 95,000 2006 1,525,000 2013 1,525,000

2000 120,000 2007 1,525,000 2014 1,535,000

2001 170,000 2008 1,525,000

2002 1,160,000 2009 1,525,000

TERM BOND OPTION: Bidders shall have the option of designating bonds maturing on and after February 1, 2004, as serial bonds or term bonds, or both. The bid must designate whether each of the principal amounts shown above for the years 2004 through 2014, inclusive, represents a serial maturity or maturity or a mandatory redemption requirement for a term bond maturity. A bidder may designate more than one term bond maturity.

PRIOR REDEMPTION: Serial Bonds of this issue maturing in the years 1996 to 2003, inclusive, are not subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 2004 and thereafter may be redeemed at the option of the Issuer, in such order as the Issuer shall determine and within any maturity by lot, on any interest payment date on or after February 1, 2003 at par and accrued interest to the date fixed for redemption plus a premium expressed as a percentage of par as follows:

1-1/2% of the par value of each bond or portion thereof called for redemption on or after February 1, 2003, but prior to February 1, 2004;

1% of the par value of each bond or portion thereof called for redemption on or after February 1, 2004, but prior to February 1, 2005;

1/2 of 1% of the par value of each bond or portion thereof called for redemption on or after February 1, 2005, but prior to February 1, 2006;

No premium shall be paid on bonds or portions thereof called for redemption on or after February 1, 2005.

The amounts of the maturities which are aggregated in a designated term bond shall be subject to mandatory redemption on February 1 of the years and in the amounts set forth in the maturity schedule a redemption price of par, plus accrued interest to the 50 Council - June 6, 1994 date of mandatory redemption.

Notice of redemption of any bond or portion thereof shall be given by the transfer agent at least thirty (30) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the transfer agent. Bonds shall be called for redemption in multiples of \$5,000 and any bond of a denomination of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bond by \$5,000 and such bond may be redeemed in part. Notice of redemption for a bond redeemed in part shall state that upon surrender of the bond to be redeemed a new bond or bonds in aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof. No further interest on a bond or portion thereof called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the transfer agent to redeem the bond or portion thereof.

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at a rate or rates not exceeding 9% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rate on the bonds shall not exceed two percent (2%) per annum. The interest rate borne by bonds maturing on or after the year 2005 shall not be less than the interest rate borne by bonds maturing in the preceding year. No proposal for the purchase of less than all of the bonds or at a price less than 98.5% of their par value will be considered.

BOOK-ENTRY ONLY: The bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificate representing their interest in bonds purchased. The book-entry-only system is described further in the preliminary official statement for the bonds.

TRANSFER AGENT AND REGISTRATION: Principal and interest shall be payable at the principal corporate trust office of _____, Michigan, or such other transfer agent as the Issuer may thereafter designate by notice mailed to the registered owners of the bonds not less than 60 days prior to any interest payment date. Interest shall be paid by check or draft mailed to the registered owners of the bonds as shown by the registration books of the Issuer on the 15th day of the month preceding the interest payment date. The bonds will be transferable only upon the registration books of the Issuer kept by the transfer agent.

Council - June 6, 1994 51

PURPOSE AND SECURITY: The bonds are issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 86, as amended, and Ordinance No. ____ 94 of the Issuer, for the purpose of defraying the cost of acquiring and constructing extensions and improvements to the Issuer's Water Supply System (the "System"). The bonds are payable solely from the net revenues of the System and any additions thereto, and a statutory first lien on said revenues has been established by said Ordinance. The bonds and said lien are of equal standing with the following series of Water Supply System Revenue Bonds: Series A, dated July 1, 1949; Series D, dated May 1, 1966; Series K, dated July 1, 1977; Series M, dated June 1, 1983; Series N, dated

July 1, 1988, Series O, dated May 1, 1989, Series P, dated June 1, 1990, Series Q, dated May 1, 1991, Series R, dated May 1, 1991 and Series S, dated December 30, 1992. The bonds do not constitute a general obligation of the City. The Issuer has covenanted and agreed to fix and maintain at all times while any of such bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System, of the principal and interest on all of said bonds when due, to create and maintain a bond reserve account therefor, and to provide for such other expenditures and funds for the System as are required by said Ordinance.

The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter enacted and by the application of general principles of equity including those relating to equitable subordination.

ADDITIONAL BONDS: For the terms upon which additional bonds of equal standing with the bonds of this issue as to revenues of the System may be issued reference is made to the above described Ordinances.

GOOD FAITH: A certified or cashier's check drawn upon an incorporated bank or trust company or a financial surety bond, in the amount of \$191,050 and payable to the order of the Treasurer of the Issuer, must accompany each bid as a guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the bonds. If a check is used, it must accompany each bid. If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Michigan and such Bonds must be submitted to the Issuer's financial advisor prior to the opening of the bids. The financial surety bond must identify each bidder whose good faith deposit is guaranteed by such financial surety bond. If the bonds are awarded to a bidder utilized a financial surety bond, then that purchaser (the "Purchaser") is required to submit its good faith deposit to the Issuer or its financial advisor in the form of a cashier's check (or wire transfer such amount) as instructed by the 52 Council - June 6, 1994

Issuer or its financial advisor in the form of a cashier's check not later than Noon, Eastern Daylight Time, on the next business day following the award. If such good faith deposit is not received by that time, the financial surety bond may be drawn by the Issuer to satisfy the good faith deposit requirement. The good faith deposit will be applied to the purchase price of the bonds. In the event the Purchaser fails to honor its accepted bid, the good faith deposit will be retained by the Issuer. No interest shall be allowed on the good faith checks and checks of the unsuccessful bidders will be promptly returned. The good faith check of the successful bidder may be deposited immediately by the Issuer and payment for the balance of the purchaser price of the bonds shall be made at the closing.

MICHIGAN PROPERTY TAX REFORM: On March 15, 1994, the electors of the State of Michigan voted to amend the State Constitution to increase the state sales tax from 4% to 6% and to place a yearly cap on property value assessment increases. The state will levy a property tax to finance education, and a higher real estate transfer tax will be imposed on the sale of real property. In addition local school districts will continue to levy property taxes at a reduced level for school operating purposes. The amendment also limits the growth in assessments for each parcel of property to the rate of inflation or 5%, whichever is less, until the property is transferred.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest interest cost computed by determining, at the rate or rates specified in the bid, the total dollar value of all interest on the bonds from July 1, 1992, to their maturity and deducting therefrom any premium or adding thereto any discount.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be printed on the reverse side of each bond, and the original of which will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C. for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to

issue their approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone, P.L.C. has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The Issuer will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser at Detroit, Michigan or such other location as may be mutually acceptable to the Issuer and the purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of the delivery of the bonds. If the bonds are not
Council - June 6, 1994 53

tendered for delivery by twelve o'clock noon, Eastern Daylight Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw his proposal by serving notice of cancellation, in writing, on the undersigned in which event the Issuer shall promptly return the good faith deposit. Payment for the bonds shall be made in immediately available funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery. Unless the purchaser furnishes the transfer agent with a list giving the denominations and names in which it wishes to have the certificates issued at least 5 business days prior to delivery of the bonds, the bonds will be delivered in the form of a single certificate for each maturity registered in the name of the purchaser.

TAX EXEMPTION: In the opinion of bond counsel, the bonds will be exempt from taxation in the State of Michigan and from federal income tax subject, in both cases, to certain exceptions described in bond counsel's opinion.

CUSIP NUMBERS: CUSIP identification numbers will be printed on the bonds, but neither the failure to print the numbers nor any error with respect thereto shall constitute cause for refusal by the purchaser to accept delivery of the bonds. All expenses in relation to the printing of CUSIP numbers shall be paid for by the Issuer except that the CUSIP Service Bureau charge for the assignment of numbers shall be the responsibility of and paid for by the purchaser.

OFFICIAL STATEMENT: A copy of the Official Statement may be obtained by contacting Stauder, Barch & Associates, Inc., Financial Consultant to the City, 3989 Research Park Drive, Ann Arbor, Michigan 48108, telephone 313-668-6688. The Official Statement is in a form deemed final as of its date by the City for purposes of SEC Rule 15c2-12(b)1, but is subject to revision, amendment and completion of a final Official Statement. The successful bidder shall supply to the City, within twenty-four hours after the award of the bonds, all pricing information and any underwriter identification determined by the City to be necessary to complete the Official Statement.

The City will furnish to the successful bidder, at no cost, a reasonable number of copies of the final Official Statement within seven business days after the award of the bonds. Additional copies will be supplied upon the bidder's agreement to pay the cost of the City for those additional copies.

The City shall deliver, at closing, an executed certificate to the effect that as of the date of delivery the information contained in the Official Statement, including revisions, amendments and completions as necessary, relating to the City and the bonds is true and correct in all material respects, and that such Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the
54 Council - June 6, 1994

statements therein, in light of the circumstances under which they were made, not misleading.

CERTIFICATION: The successful bidder will be required to furnish, prior to the delivery of the bonds, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended.

FINANCIAL CONSULTANT: Additional information may be obtained from Stauder Barch & Associates, 3989 Research Park Drive, Ann Arbor, Michigan 48108 (telephone: (313) 668-6688), financial consultant to the City.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for Water Revenue Bonds".

Winifred Northcross

City Clerk

City of Ann Arbor

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Councilmember Stead moved that the resolution be adopted.

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

R-256-6-94 APPROVED

RESOLUTION AUTHORIZING NOTICE OF SALE FOR

STORM SEWER SYSTEM REVENUE BONDS, SERIES 1994 -

NOT TO EXCEED \$1,525,000

Whereas, The City of Ann Arbor, County of Washtenaw, State of Michigan (the "Issuer"), has by an Ordinance duly adopted on date even herewith authorized the issuance and sale of One Million Five Hundred Twenty-Five Thousand Dollars (\$1,525,000) principal amount of the Issuer's Storm Water Disposal System Revenue Bonds, Series 1994 (the "Bonds");

Council - June 6, 1994 55

RESOLVED, That:

1. The Issuer's Clerk be hereby authorized and directed to fix the date for the sale of the Bonds.

2. The Issuer's Clerk shall cause a Notice of Sale of the Bonds to be published in either the Bond Buyer, published in New York, New York, or in the Detroit Legal News, published in Detroit, Michigan, at least fourteen (14) full days before the date fixed for sale.

3. The Notice of Sale of the Bonds shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

\$1,525,000

CITY OF ANN ARBOR

COUNTY OF WASHTENAW, STATE OF MICHIGAN

STORM WATER DISPOSAL SYSTEM REVENUE BONDS

SERIES 1994

SEALED BIDS for the purchase of the above bonds will be received by the undersigned at the office of the City Clerk located at 100 N. Fifth Avenue, Ann Arbor, Michigan 48107-8647, on _____, the _____ day of _____, 1994, until _____ o'clock __.m., Eastern Daylight Time, at which time and place said bids will be publicly opened and read. Sealed bids for the purchase of the above bonds will also be received until the same time on the same date at the offices of the Municipal Advisory Council of Michigan, 1445 First National Building, Detroit, Michigan 48226-3617, at which time and place said bids will be simultaneously opened and read. The City Council will meet at _____ o'clock __.m., on that date, to consider the award or rejection of bids.

BOND DETAILS: The bonds will be registered bonds of the denomination of \$5,000 or multiples thereof not exceeding for each maturity the aggregate principal amount of that maturity, dated July 1, 1994, numbered in order of registration, and will bear interest from their date payable on December 1, 1994, and semiannually thereafter.

The bonds will mature on the 1st day of June of the years as follows:

Year Amount Year Amount

1995 and 1996

1997

1998 and 1999

2000

2001
2002
\$ 70,000
75,000
80,000
85,000
95,000
100,000

2004
2005
2006
2007
2008
2009
\$110,000
115,000
125,000
130,000
140,000
145,000

56 Council - June 6, 1994

2003 105,000

TERM BOND OPTION: Bidders shall have the option of designating bonds maturing on and after June 1, 2004, as serial bonds or term bonds, or both. The bid must designate whether each of the principal amounts shown above for the years 2004 through 2008, inclusive, represents a serial maturity or maturity or a mandatory redemption requirement for a term bond maturity. A bidder may designate more than one term bond maturity. The amounts of the maturities which are aggregated as a designated term bond shall be subject to mandatory redemption on June 1 of the years and in the amounts set forth in the foregoing maturity schedules at a redemption price of par, plus accrued interest to the date of mandatory redemption.

PRIOR REDEMPTION: Bonds of this issue maturing in the years 1995 to 2003, inclusive, are not subject to redemption prior to maturity. Bonds of this issue, or portions thereof in multiples of \$5,000, maturing in the year 2004 and thereafter may be redeemed at the option of the City of Ann Arbor (the "Issuer"), in inverse order of maturity and within any maturity by lot, on any interest payment date on or after June 1, 2003, at par and accrued interest to the date fixed for redemption plus a premium expressed as a percentage of par as follows:

12% of the par value of each bond or portion thereof called for redemption on or after June 1, 2003, but prior to June 1, 2004;
1% of the par value of each bond or portion thereof called for redemption on or after June 1, 2004, but prior to June 1, 2005;
2 of 1% of the par value of each bond or portion thereof called for redemption on or after June 1, 2005, but prior to June 1, 2006;
No premium shall be paid on bonds or portions thereof called for redemption on or after June 1, 2006.

In case less than the full amount of an outstanding bond is called for redemption the transfer agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond of the same maturity and in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given by the transfer agent to the holders of any bond or portion thereof to be redeemed by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the Issuer. No further interest

Council - June 6, 1994 57

payable on any bond or portions thereof called for redemption shall accrue after the date

fixed for redemption, whether presented for redemption or not, provided that funds are on hand with the transfer agent for such redemption.

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at a rate or rates not exceeding 9% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rate on the bonds shall not exceed two percent (2%) per annum. The interest rate borne by bonds maturing on or after June 1, 2005 shall not be less than the interest rate borne by bonds maturing in the preceding year. No proposal for the purchase of less than all of the bonds or at a price less than 98.5% of their par value will be considered.

BOOK-ENTRY-ONLY: The bonds will be issued in book-entry-only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in bonds purchased. The book-entry-only system is described further in the preliminary official statement for the bonds.

TRANSFER AGENT AND REGISTRATION: Principal and interest shall be payable at _____, of _____, Michigan, or such other transfer agent as the Issuer may thereafter designate by notice mailed to the registered owners of the bonds not less than 60 days prior to any interest payment date. Interest shall be paid by check or draft mailed to the registered owners of the bonds as shown by the registration books of the Issuer on the 15th day of the month preceding the interest payment date. The bonds will be transferable only upon the registration books of the Issuer kept by the transfer agent.

PURPOSE AND SECURITY: The bonds are issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 94 of the Issuer, for the purpose of defraying the cost of acquiring and constructing additions and improvements to the Issuer's Storm Water Disposal System (the "System"). The bonds are payable solely from the net revenues of the System and any additions thereto, and a statutory first lien on said revenues has been established by said Ordinance. The Issuer has covenanted and agreed to fix and maintain at all times while any of such bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System, of the principal and interest on all of said bonds when due, to create and maintain and increase a bond reserve account therefor, and to provide for such other expenditures and 58 Council - June 6, 1994

funds for the System as are required by said Ordinance.

The rights or remedies of bondholders may be affected by bankruptcy laws or other creditors' rights legislation now existing or hereafter enacted.

ADDITIONAL BONDS: For the terms upon which additional bonds of equal standing with the bonds of this issue as to revenues of the System may be issued reference is made to the above described Ordinance.

GOOD FAITH: A certified or cashier's check drawn upon an incorporated bank or trust company or a financial surety bond, in the amount of \$30,500 and payable to the order of the Treasurer of the Issuer, must accompany each bid as a guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the bonds. If a check is used, it must accompany each bid. If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Michigan and such Bonds must be submitted to the Issuer's financial advisor prior to the opening of the bids. The financial surety bond must identify each bidder whose good faith deposit is guaranteed by such financial surety bond. If the bonds awarded to a bidder utilized a financial surety bond, then that purchaser (the "Purchaser") is required to submit its good faith deposit to the Issuer or its financial advisor in the form of a cashier's check (or wire transfer such amount) as instructed by the Issuer

or its financial advisor in the form of a cashier's check not later than Noon, Eastern Daylight Time, on the next business day following the award. If such good faith deposit is not received by that time, the financial surety bond may be drawn by the Issuer to satisfy the good faith deposit requirement. The good faith deposit will be applied to the purchase price of the bonds. In the event the Purchaser fails to honor its accepted bid, the good faith deposit will be retained by the Issuer. No interest shall be allowed on the good faith checks and checks of the unsuccessful bidders will be promptly returned. The good faith check of the successful bidder may be deposited immediately by the Issuer and payment for the balance of the purchaser price of the bonds shall be made at the closing.

MICHIGAN PROPERTY TAX REFORM: On March 15, 1994, the electors of the State of Michigan voted to amend the State Constitution to increase the state sales tax from 4% to 6% and to place a yearly cap on property value assessment increases. The state will levy a property tax to finance education, and a higher real estate transfer tax will be imposed on the sale of real property. In addition local school districts will continue to levy property taxes at a reduced level for school operating purposes. The amendment also limits the growth in assessments for each parcel of property to the rate of inflation or 5%, whichever is less, until the property is transferred.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest interest cost computed by determining, at the rate or rates specified in the bid, the Council - June 6, 1994 59

total dollar value of all interest on the bonds from _____, 1994, to their maturity and adding thereto any discount or deducting therefrom any premium.

LEGAL OPINION: Bids shall be conditioned upon the unqualified approving opinion of Miller, Canfield, Paddock and Stone P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be printed on the reverse side of each bond, and the original of which will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone P.L.C. for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue their unqualified approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone P.L.C. has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The Issuer will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser at Detroit, Michigan, or such other location as may be mutually acceptable to the Issuer and the purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of the delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, Eastern Daylight Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw his proposal by serving notice of cancellation, in writing, on the undersigned in which event the Issuer shall promptly return the good faith deposit.

Payment for the bonds shall be made in immediately available funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery. Unless the purchaser furnishes the transfer agent with a list giving the denominations and names in which it wishes to have the certificates issued at least 5 business days prior to delivery of the bonds, the bonds will be delivered in the form of a single certificate for each maturity registered in the name of the purchaser.

CUSIP NUMBERS: CUSIP identification numbers will be printed on the bonds, but neither the failure to print the numbers nor any error with respect thereto shall constitute cause for refusal by the purchaser to accept delivery of the bonds. All expenses in relation to the printing of CUSIP numbers shall be paid for by the Issuer except that the CUSIP Service Bureau charge for the assignment of numbers shall be the responsibility of and paid for by the purchaser.

OFFICIAL STATEMENT: A copy of the Official Statement may be obtained by contacting Stauder, Barch & Associates, Inc. at the below address and telephone number. The Official Statement is in a form deemed final as of its date by the Issuer for purposes of SEC 60 Council - June 6, 1994

Rule 15c2-12(b)1, but is subject to revision, amendment and completion of a final Official Statement. The successful bidder shall supply to the Issuer, within twenty-four hours after the award of the bonds, all pricing information and any underwriter identification determined by the Issuer to be necessary to complete the Official Statement.

The Issuer will furnish to the successful bidder, at no cost, a reasonable number of copies of the final Official Statement within seven business days after the award of the bonds. Additional copies will be supplied upon the bidder's agreement to pay the cost of the Issuer for those additional copies.

The Issuer shall deliver, at closing, an executed certificate to the effect that as of the date of delivery the information contained in the Official Statement, including revision, amendments and completions as necessary, relating to the Issuer and the bonds is true and correct in all material respects, and that such Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of circumstances under which they were made, not misleading.

ADDITIONAL INFORMATION: Additional information may be obtained from Stauder, Barch & Associates, 3989 Research Park Drive, Ann Arbor, Michigan 48107 (telephone: (313) 668-6688 -- facsimile: (313) 668-6723).

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for Storm Water Disposal System Revenue Bonds".

City Clerk

City of Ann Arbor

[Approved: _____]

State of Michigan

Department of Treasury]

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Councilmember Stead moved that the resolution be adopted.

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

Council - June 6, 1994 61

R-257-6-94 APPROVED

RESOLUTION AUTHORIZING 1994 GENERAL OBLIGATION

UNLIMITED TAX REFUNDING BONDS - HYDROELECTRIC FACILITIES

Whereas, The City of Ann Arbor (the "Issuer") issued its 1983 General Obligation Unlimited Tax Bonds (Hydroelectric Facilities) dated as of December 1, 1983, in the original principal amount of \$3,200,000 (the "Prior Bonds"), under the provisions of Act 279, Public Acts of Michigan, 1909, as amended, for the purpose of financing the cost of acquiring and constructing hydroelectric improvements; and

Whereas, \$2,650,000 of the Prior Bonds are presently outstanding;

Whereas, Interest rates have declined to a level such that it is advantageous to issue bonds and refund all or a portion of the Prior Bonds; and

Whereas, It is the determination of the City Council that at this time general obligation bonds in the principal amount of Two Million Five Hundred Ninety Five Thousand Dollars (\$2,595,000) should be issued for the purpose of refunding the Prior Bonds; and Whereas, Prior to the issuance of the bonds the Issuer must secure the approval of the Michigan Department of Treasury (the "Department") for the issuance of the bonds and secure certain waivers from the Department;

RESOLVED, That:

1. Bonds of the Issuer designated 1994 General Obligation Unlimited Tax Refunding Bonds (Hydroelectric Facilities), (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Two Million Five Hundred Ninety Five Thousand

Dollars (\$2,595,000) or such lesser amount as shall be approved by the City Council subsequent to receipt of bids for the purpose of paying the cost of refunding the Prior Bonds, including the cost incidental to the issuance, sale and delivery of the Bonds. The current estimated amount of Bonds needed to refund the Prior Bonds is \$2,595,000. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration and dated as of July 1, 1994. The Bonds shall bear interest, mature, and be payable at the times and in the manner set forth in Section 7 hereof.

The Bonds shall be subject to redemption prior to maturity as set forth in sections 6 and 7 hereof.

62 Council - June 6, 1994

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Issuer to conform to market practice in the future. Interest shall be payable by check or draft drawn on the Transfer Agent (as hereinafter defined) mailed to the registered owner at the registered address, as shown on the registration books of the Issuer maintained by the Transfer Agent. The principal of the Bonds shall be payable upon presentation and surrender to the Transfer Agent. The City Finance Director is hereby authorized to select a bank or trust company located in the State of Michigan to serve as bond registrar, paying agent and transfer agent (the "Transfer Agent") for this issue. The Issuer reserves the right to replace the Transfer Agent at any time upon written notice to the registered owners of record of the Bonds not less than sixty (60) days prior to an interest payment date.

The bonds may be issued in book-entry-only form through The Depository Trust Company in New York, New York.

At the election of the winning bidder, the bonds maturing after the year 2004 may be designated as serial bonds or term bonds or both, as further described in Section 7 hereof.

2. The Bonds of this issue shall be executed in the name of the Issuer with the facsimile signatures of the Mayor and Clerk of the Issuer and shall have the seal of the Issuer, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the Clerk or Treasurer of the Issuer upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

3. The Transfer Agent shall keep the books of registration for this issue on behalf of the Issuer. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the Issuer shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of Council - June 6, 1994 63

redemption shall be given by the Transfer Agent on behalf of the Issuer. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. The Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the Treasurer, to be designated 1994 GENERAL OBLIGATION UNLIMITED TAX REFUNDING BONDS (HYDROELECTRIC FACILITIES), DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. The Bonds shall be payable as a first budget obligation from the general funds of the Issuer, including ad valorem taxes which may be levied without limit as to rate or amount. Commencing with the year 1994, there shall be levied upon the tax rolls of the Issuer for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 202, Public Acts of Michigan, 1943, as amended, an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due prior to the next annual tax levy; provided, however, that if at the time of making any such annual tax levy there shall be surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bonds, then credit therefor may be taken against such annual levy for the Debt Retirement Fund.

5. The proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds and to secure payment of the Prior Bonds as provided in this section. Upon receipt of the proceeds of the Bonds, the accrued interest and premium, if any, shall be deposited in the Debt Retirement Fund. From the proceeds of the Bonds there shall next be set aside a sum sufficient, together with other funds of the Issuer to be allocated therefor, to effect the redemption of the Prior Bonds. The balance of the proceeds of the Bonds together with any other funds supplied by the Issuer shall be used to pay the costs of the issuance of the Bonds.

64 Council - June 6, 1994

The City Finance Director is authorized and directed to (a) take all steps necessary to call the Prior Bonds for redemption, including the preparation and publication of a notice of redemption and (b) negotiate terms of an escrow agreement with any financial institution qualified to serve as escrow agent and selected by the City Finance Director.

6. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF MICHIGAN

COUNTY OF WASHTENAW

CITY OF ANN ARBOR

1994 GENERAL OBLIGATION UNLIMITED TAX REFUNDING BOND
(HYDROELECTRIC FACILITIES)

Date of

Interest Rate Maturity Date Original Issue CUSIP

July 1, 1994

Registered Owner:

Principal Amount: Dollars

The CITY OF ANN ARBOR, County of Washtenaw, State of Michigan (the "Issuer"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon until paid from the Date of Original Issue specified above or such later date to which interest has been paid, at the Interest Rate per annum specified above, first payable on March 1, 1995 and semiannually thereafter. Principal of this bond is payable at the [principal corporate

trust] office of _____, _____, Michigan, or such other transfer agent as the Issuer may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to an interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the 15th day of the month preceding the interest payment date as shown on the registration books of the Issuer kept by the Transfer Agent by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the Issuer are hereby irrevocably pledged.

Council - June 6, 1994 65

This bond is one of a series of bonds aggregating the principal sum of \$_____, issued for the purpose of paying part of the costs of refunding the Issuer's 1983 General Obligation Unlimited Tax Bonds (Hydroelectric Facilities) dated as of December 1, 1983 (the "Prior Bonds") and paying costs incidental to the issuance of the series of bonds. Bonds of this issue maturing in the years 1995 to 2003, inclusive, are not subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 2004 and thereafter may be redeemed at the option of the Issuer, in such order as the Issuer shall determine and within any maturity by lot, on any interest payment date on or after September 1, 2003 at par and accrued interest to the date fixed for redemption plus a premium expressed as a percentage of par as follows:

12% of the par value of each bond or portion thereof called for redemption on or after September 1, 2003, but prior to September 1, 2004;

1% of the par value of each bond or portion thereof called for redemption on or after September 1, 2004, but prior to September 1, 2005;

1/2% of the par value of each bond or portion thereof called for redemption on or after September 1, 2005, but prior to September 1, 2006;

No premium shall be paid on bonds or portions of bonds if called for redemption on or after September 1, 2006.

In case less than the full amount of an outstanding bond is called for redemption the transfer agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption of any bond or portion thereof shall be given by the Transfer Agent at least thirty (30) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the Transfer Agent. Bonds shall be called for redemption in multiples of \$5,000 and any bond of a denomination of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bond by \$5,000 and such bond may be redeemed in part. Notice of redemption for a bond redeemed in part shall state that upon surrender of the bond to be redeemed a new bond or bonds in aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof. No further interest on a bond or portion thereof called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem the bond or portion thereof.

66 Council - June 6, 1994

This bond is transferable only upon the registration books of the Issuer kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond is payable out of the Issuer's Debt Retirement Fund for this issue, and it is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is

one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the Issuer, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the Issuer, by its legislative body, has caused this bond to be signed in the name of the Issuer by the facsimile signatures of its Mayor and Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF ANN ARBOR

County of Washtenaw

State of Michigan

By _____

Its Mayor

(SEAL)

By _____

Its City Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF REGISTRATION:

CERTIFICATE OF AUTHENTICATION

Council - June 6, 1994 67

This bond is one of the bonds described in the within-mentioned resolution.

_____, Michigan,

Transfer Agent

By _____

Authorized Signatory

[Bond printer to insert form of assignment]

7. The City Clerk shall (1) make requisite application to the Department of Treasury for an order granting permission for the issuance of the Bonds and such waivers as may be necessary to market the Bonds in accordance with the Notice of Sale; (2) upon receipt of said order fix a date of sale for the Bonds; and (3) publish notice of sale of the Bonds in either The Bond Buyer, New York, New York, or the Detroit Legal News, Detroit, Michigan, which notice of sale shall be in substantially the following form except for changes which may be required as a result of the order from the Department of Treasury:

OFFICIAL NOTICE OF SALE

\$2,595,000

CITY OF ANN ARBOR

COUNTY OF WASHTENAW, STATE OF MICHIGAN

1994 GENERAL OBLIGATION UNLIMITED TAX REFUNDING BONDS

(HYDROELECTRIC FACILITIES)

SEALED BIDS for the purchase of the above bonds will be received by the undersigned at the City's offices located at 100 N. Fifth Avenue, Ann Arbor, Michigan 48107-8647, on

_____, the ____ day of _____, 1994, until _____ o'clock __.m., Eastern

Daylight Time, at which time and place said bids will be publicly opened and read. Sealed bids will also be received on the same date and until the same time by an agent of the undersigned at the office of the Municipal Advisory Council of Michigan, 1445 First National Building, Detroit, Michigan 48226, when, simultaneously, the bids will be opened and read. The City Council will meet at _____ o'clock __.m., on that date at the City Hall to consider the award or rejection of bids.

BOND DETAILS: Said bonds will be registered bonds of the denomination of \$5,000 or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, originally dated July 1, 1994, numbered in order of registration, and will bear interest from their date payable on March 1, 1995, and semiannually thereafter.

68 Council - June 6, 1994

The bonds will mature on the 1st day of September of each of the years, as follows:

Year

1995

1996

1997

1998

1999

2000

2001

2002

2003

2004

2005

2006

2007

Amount

\$170,000

190,000

215,000

230,000

225,000

220,000

210,000

200,000

190,000

185,000

200,000

185,000

175,000

TERM BOND OPTION: Bidders shall have the option of designating bonds maturing on and after September 1, 2004, as serial bonds or term bonds, or both. The bid must designate whether each of the principal amounts shown above or the years 2004 through 2007, inclusive, represents a serial maturity or maturity or a mandatory redemption requirement for a term bond maturity. A bidder may designate more than one term bond maturity.

PRIOR REDEMPTION: Serial Bonds of this issue maturing in the years 1995 to 2003, inclusive, are not subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 2004 and thereafter may be redeemed at the option of the Issuer, in such order as the Issuer shall determine and within any maturity by lot, on any interest payment date on or after September 1, 2003 at par and accrued interest to the date fixed for redemption plus a premium expressed as a percentage of par as follows:

12% of the par value of each bond or portion thereof called for redemption on or after September 1, 2003, but prior to September 1, 2004;

1% of the par value of each bond or portion thereof called for redemption on or after September 1, 2004, but prior to September 1, 2005;

Council - June 6, 1994 69

1/2 of 1% of the par value of each bond or portion thereof called for redemption on or after September 1, 2005, but prior to September 1, 2006;

No premium shall be paid on bonds or portions thereof called for redemption on or after September 1, 2006.

The amounts of the maturities which are aggregated in a designated term bond shall be subject to mandatory redemption on February 1 of the years and in the amounts set forth in the maturity schedule a redemption price of par, plus accrued interest to the date of mandatory redemption.

Notice of redemption of any bond or portion thereof shall be given by the transfer agent at least thirty (30) days prior to the date fixed for redemption by mail to the registered

owner at the registered address shown on the registration books kept by the transfer agent. Bonds shall be called for redemption in multiples of \$5,000 and any bond of a denomination of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bond by \$5,000 and such bond may be redeemed in part. Notice of redemption for a bond redeemed in part shall state that upon surrender of the bond to be redeemed a new bond or bonds in aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof. No further interest on a bond or portion thereof call for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the transfer agent to redeem the bond or portion thereof.

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at a rate or rates not exceeding 9% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rate on the bonds shall not exceed two percent (2%) per annum. The interest rate borne by bonds maturing on or after the year 2005 shall not be less than the interest rate borne by bonds maturing in the preceding year. No proposal for the purchase of less than all of the bonds or at a price less than 100% of their par value will be considered.

BOOK-ENTRY ONLY: The bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 of any multiple thereof. Purchasers will not receive certificate representing their interest in bonds purchased. The book-entry-only system is described further in the preliminary official statement for the bonds.

70 Council - June 6, 1994

TRANSFER AGENT AND REGISTRATION: Principal and interest shall be payable at _____, _____, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner of record not less than 60 days prior to an interest payment date. Interest shall be paid by check or draft mailed to the registered owner of record as shown on the registration books kept by the transfer agent as of the 15th day prior to an interest payment date. The bonds will be transferred only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The bonds are being issued for the purpose of paying part of the costs of refunding the City's 1983 General Obligation Unlimited Tax Bonds (Hydroelectric Facilities) dated as of December 1, 1983 (the "Prior Bonds") and paying costs incidental to the issuance of the series of bonds. The Prior Bonds were issued for the purpose of defraying the cost of acquiring and constructing hydroelectric improvements for the City. The bonds are payable as a first budget obligation from the general fund of the City and from taxes imposed on all taxable property in the City. The bonds will be pledged the full faith and credit of the City. The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter enacted and by the application of general principles of equity including those relating to equitable subordination.

GOOD FAITH: A certified or cashier's check drawn upon incorporated bank or trust company or a Financial Surety Bond, in the amount of \$51,800, and payable to the order of the Treasurer of the City is required for each bid as a guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the bonds. If a check is used, it must accompany each bid. If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Michigan and such Bond must be submitted to the City's financial advisor prior to the opening of the bids. The Financial Surety Bond must identify each bidder whose good faith deposit is guaranteed by such Financial Surety Bond. If the bonds are awarded to a bidder utilizing a Financial Surety Bond, then that purchaser (the

"Purchaser") is required to submit its good faith deposit to the City or its financial advisor in the form of a cashier's check (or wire transfer such amount as instructed by the City or its financial advisor) not later than Noon, Eastern Time, on the next business day following the award. If such good faith deposit is not received by that time, the Financial Surety Bond may be drawn by the City to satisfy the good faith deposit requirement. The good faith deposit will be applied to the purchase price of the bonds. In the event the Purchaser fails to honor its accepted bid, the good faith deposit will be retained by the City. No interest shall be allowed on the good faith check and checks of the unsuccessful bidders will be returned to each bidder's representative or by mail. The good faith check of the successful bidder will be cashed and payment for the balance of the purchase price of the bonds shall be made at the closing.

Council - June 6, 1994 71

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest interest cost computed by determining, at the rate or rates specified in the bid (based on the maturities described above without regard to any adjustment in interest rate or maturity), the total dollar value of all interest on the bonds from _____, 1994 to their maturity and deducting therefrom any premium.

TAX MATTERS: In the opinion of bond counsel, assuming compliance with certain covenants, interest on the bonds is excluded from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation in the State of Michigan except inheritance taxes and taxes on gains realized from the sale, payment or other disposition thereof. The successful bidder will be required to furnish, prior to the delivery of the bonds, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be printed on the reverse side of each bond and the original of which will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C. for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its unqualified approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone, P.L.C. has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser at Detroit, Michigan, or such other place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, Eastern Daylight Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw his proposal by serving notice of cancellation, in writing, on the undersigned in which event the City shall promptly return the good faith deposit. Payment for the bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery. Unless the purchaser furnishes the transfer agent with a list giving the denominations and names in which it wishes to have the certificates issued at least 5 business days prior to the delivery of the bonds, the bonds will be delivered in the form of 72 Council - June 6, 1994

a single certificate for each maturity registered in the name of the purchaser.

CUSIP NUMBERS: It is anticipated that CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to

accept delivery of and pay for the bonds in accordance with terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the bonds shall be paid for by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchaser.

MICHIGAN PROPERTY TAX REFORM: On March 15, 1994, the electors of the State of Michigan voted to amend the State Constitution to increase the state sales tax from 4% to 6% and to place a yearly cap on property value assessment increases. The state will levy a property tax to finance education, and a higher real estate transfer tax will be imposed on the sale of real property. In addition local school districts will continue to levy property taxes at a reduced level for school operating purposes. The amendment also limits the growth in assessments for each parcel of property to the rate of inflation or 5%, whichever is less, until the property is transferred.

OFFICIAL STATEMENT: A copy of the Official Statement may be obtained by contacting Stauder, Barch & Associates, Inc., Financial Consultant to the City, 3989 Research Park Drive, Ann Arbor, Michigan 48108, telephone 313-668-6688. The Official Statement is in a form deemed final as of its date by the City for purposes of SEC Rule 15c2-12(b)1, but is subject to revision, amendment and completion of a final Official Statement. The successful bidder shall supply to the City, within twenty-four hours after the award of the bonds, all pricing information and any underwriter identification determined by the City to be necessary to complete the Official Statement.

The City will furnish to the successful bidder, at no cost, a reasonable number of copies of the final Official Statement within seven business days after the award of the bonds. Additional copies will be supplied upon the bidder's agreement to pay the cost of the City for those additional copies.

The City shall deliver, at closing, an executed certificate to the effect that as of the date of delivery the information contained in the Official Statement, including revisions, amendments and completions as necessary, relating to the City and the bonds is true and correct in all material respects, and that such Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

Council - June 6, 1994 73

CERTIFICATION: The successful bidder will be required to furnish, prior to the delivery of the bonds, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended.

FINANCIAL CONSULTANT: Additional information may be obtained from Stauder Barch & Associates, 3989 Research Park Drive, Ann Arbor, Michigan 48108 (telephone: (313) 668-6688), financial consultant to the City.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for General Obligation Bonds."

City Clerk

APPROVED: _____

STATE OF MICHIGAN

DEPARTMENT OF TREASURY

8. The Issuer shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the bonds pursuant to Sections 103(a) and 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder, in such a manner as to cause the bonds to be "arbitrage bonds" within the meaning of said Sections 103(a) and 148 and the applicable regulations thereunder.

9. The City Finance Director is authorized to approve circulation of a Preliminary Official Statement describing the Bonds.

10. The officers, agents and employees of the Issuer are authorized to take all other actions necessary and convenient to facilitate sale of the Bonds, including, if

desirable, obtaining a policy of municipal bond insurance to secure the Bonds.

11. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exemption of the interest on the Bonds from general federal income taxation (as opposed to alternative minimum or other indirect taxation) under the Internal Revenue Code of 1986, as amended (the "Code") including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of bond proceeds and moneys deemed to be bond proceeds.

74 Council - June 6, 1994

12. The improvements financed with the proceeds of the Prior Bonds have an estimated remaining usable life of not less than fifteen (15) years.

13. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Councilmember Stead moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-258-6-94 APPROVED

RESOLUTION ALLOCATING UNSPENT BOND PROCEEDS

Whereas, The City has heretofore issued its Sewage Disposal System Revenue Bonds, Series VII, Series IX, Series X, Series XI, and Series XII to pay the costs of certain specified improvements to the City's Sewage Disposal System:

Whereas, The City has heretofore issued its Water Supply System Bonds, Series L, Series M, Series N, Series O and Series P to pay the costs of certain specified improvements to the City's Water Supply System;

Whereas, The improvements contemplated to be paid for by the above referenced bonds have been completed and there remains unexpended bond proceeds from each of the above referenced bond issues;

Whereas, The City proposes to use the unexpended balance of the bond proceeds to pay the costs of further improvements and extensions to each respective system;

Whereas, The several ordinances authorizing each of the foregoing bond issues and Act 94 of the Public Acts of 1933, as amended (the "Revenue Bond Act"), provide that any unexpended balance of bond proceeds remaining after completion of the project for which the bond was issued may be used for the improvement, enlargement, or extension of the system provided the use is approved by the Michigan Department of the Treasury; RESOLVED, That:

1. The projects for which the above referenced water supply and sanitary sewer system bonds were originally issued have been completed and that there remains unspent Council - June 6, 1994 75

bond proceeds in the amounts shown on Exhibit A below and made part hereof.

2. It is determined that it is reasonable and necessary to acquire the additional water and sanitary sewer improvements listed in Exhibit A and that the unspent bond proceeds should be utilized to acquire said improvements as shown on Exhibit A.

3. The City Clerk be and is hereby authorized to file this resolution together with any supporting data and application with the Municipal Finance Division of the Michigan Department of Treasury (the "Division") and request that the Division approve the expenditure of the unspent bond proceeds for the purposes shown in Exhibit A.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

EXHIBIT A

PROPOSED USE OF PRIOR BOND BALANCES

REVISED FINANCE 5/31/94

Wastewater System Bonds

Series VII Series IX Series X Series XI Series XII

1980 1986 1988 1989 1990 Total

Wastewater Collection System

Huron West Park 422,203 241,462 30,000 159,266 701,708 1,554,639

76 Council - June 6, 1994
Water System Bonds
Series L Series M Series N Series O Series P
1979 1983 1988 1989 1990 Totals
Water Treatment Plant
Master Plan-Hydraulic 257,849 257,840
PCDM 40,047 72,230 300,000 37,235 384,652 834,164
Ozone Project 2,123,864 2,123,864
Water Master Plan 283,624 283,624
Future Water Supply 309,408
Totals 2,163,911 330,070 300,000 37,235 977,684 3,808,900
Councilmember Stead moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried unanimously.

R-259-6-94 APPROVED

RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATION TO
EXECUTE THE RENEWAL OF HEALTH CARE CONTRACTS

Whereas, The City provides health care insurance coverages to City employees in accordance with Personnel Rules and Regulations and various labor contracts at an estimated annual cost of approximately \$6,588,912;
Whereas, The contracts with Blue Cross Blue Shield, Blue Care Network, Care Choices and M-Care are due for renewal on July 1, 1994; and
Whereas, The renewal family rate for Blue Cross Blue Shield of Michigan decreased approximately 1%, Blue Care Network increased 6%, M-Care decreased 1%, and Care Choices increased 7% over last year's rates;
RESOLVED, That the City Administrator be authorized to execute the renewal contracts with Blue Cross Blue Shield, Blue Care Network, M-Care and Care Choices for a one-year period beginning July 1, 1994, at the monthly rates as quoted in Appendix "A", on file in the City Clerk's Office.
Councilmember Nicolas moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.

Council - June 6, 1994 77

R-260-6-94 APPROVED

RESOLUTION TO APPROVE AMENDMENTS TO THE COLLECTIVE
BARGAINING AGREEMENT BETWEEN THE CITY OF ANN ARBOR AND
LOCAL 369 OF THE AMERICAN FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES, AFL-CIO

Whereas, The current agreement between the City of Ann Arbor and Local 369 of the American Federation of State, County, and Municipal Employees Union, AFL-CIO, expired on June 30, 1993;
Whereas, The parties have negotiated amendments to the current agreement to take effect upon ratification by both parties with some provisions retroactive to July 1, 1993;
Whereas, The negotiated amendments to the current agreement, to go into effect upon ratification by both parties, provide for a two-year agreement extending from July 1, 1993 through June 30, 1995;
Whereas, Said 1993 through 1995 agreement carries forth all provisions of the former agreement except for the amendments and other stipulations contained in the attached document entitled Tentative Agreement; and
Whereas, The City Administrator recommends the approval of the amendments;
RESOLVED, That the amendments to the current agreement negotiated between the City of Ann Arbor and Local 369 of the American Federation of State, County, and Municipal Employees, AFL-CIO be hereby approved; and
RESOLVED, That the Administrator be authorized to make the necessary transfers to the budget as appropriate.
Councilmember Nicolas moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

78 Council - June 6, 1994

R-261-6-94 APPROVED

RESOLUTION TO APPROVE AMENDMENTS TO THE CURRENT COLLECTIVE
BARGAINING AGREEMENT BETWEEN THE CITY OF ANN ARBOR AND
THE COMMUNICATION OPERATORS AND COMMUNITY SERVICE ASSISTANTS
UNIT OF THE ANN ARBOR POLICE OFFICERS ASSOCIATION

Whereas, The current agreement between the City of Ann Arbor and the
Communication Operators and Community Service Assistants unit of the Ann Arbor Police
Officers Association expired on June 30, 1992;

Whereas, The parties have negotiated a settlement of their dispute as to the terms
of the amendments to the current agreement to take effect upon ratification by both parties
with some provisions retroactive to July 1, 1992;

Whereas, The negotiated amendments to the current agreement to go into effect
upon ratification by both parties provide for a two year agreement extending from July 1,
1992 through June 30, 1994;

Whereas, Said 1992 through 1994 agreement carries forth all provisions of the
former agreement except for amendment terms contained in the document entitled
Communication Operators & Community Service Assistants - City of Ann Arbor Final and
Best Offer, dated May 18, 1994;

Whereas, Said document was initialed by the negotiators for the City and the
Association as constituting the agreed upon contract settlement which has been ratified by
the Association membership; and

Whereas, The City Administrator recommends the approval of the settlement terms
within the aforesaid document;

RESOLVED, That the amendments to the current agreement negotiated between
the City of Ann Arbor and the Communication Operators and Community Assistants Unit of
the Ann Arbor Police Officers Association be hereby approved;

RESOLVED, That the Mayor and City Clerk be authorized to sign a collective
bargaining agreement incorporating the terms of the negotiated settlement; and

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

Councilmember Nicolas moved that the resolution be adopted.

Council - June 6, 1994 79

On a voice vote the Mayor declared the motion carried.

R-262-6-94 APPROVED

RESOLUTION MODIFYING 1993-94 GENERAL FUND APPROPRIATION

Whereas, When the 1993-94 Budget was originally adopted, it did not include the
cost of pay raises for AFSCME, Police Clerical, and Police Communications employees;

Whereas, City Council has approved Union contracts with AFSCME and Police
Communications employees and previously approved the Police Clerical Contract, which
contained a clause tying their July 1, 1993 to the AFSCME Contract, for a total of
\$201,835.00; and

Whereas, After these adjustments there will be \$25,417.00 available for the
remaining labor contract and other items as may be necessary;

RESOLVED, That the department budgets be modified by transferring from the
General Fund Contingencies/Pay Increase account \$201,835.00 to the various
departments in the amounts as listed in the Total Adjustments column below:

Police

Police Communi-

AFSCME Clerical cations

Wage Wage Wage Total

Increase Increase Increase Adjustments

Human Resources 1,193 1,193

Administrative Services 3,394 3,394
City Clerk 5,424 5,424
Finance 9,827 9,827
Police 7,074 38,203 45,277
Building 25,828 25,828
Public Services 52,079 52,079
Planning 5,069 5,069
Parks & Recreation 30,674 30,674
Solid Waste 23,070 23,070
TOTAL 156,558 7,074 38,203 201,835
80 Council - June 6, 1994

Councilmember Kolb moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-263-6-94 APPROVED

RESOLUTION TO APPROVE SUBORDINATION AGREEMENT

WITH JOHNNIE REDDING FOR 2541 EMERALD AVENUE

Whereas, The City of Ann Arbor, by and through its Housing Commission, operates a program designed to provide homeownership opportunities for 50 low-income families;

Whereas, The program was designed to allow participants the opportunity to take title to the property they occupy either by purchase, or at such time as their reserve account is equal to their unamortized principal balance;

Whereas, Johnnie Redding of 2541 Emerald Avenue purchased through the program with Council approval dated December 18, 1989;

Whereas, Ms. Redding's current mortgage balance is \$19,649.22 with a 9.75% interest;

Whereas, Ms. Redding wishes to take out a home equity loan of \$15,000.00 at a fixed rate of 8.4%;

Whereas, The property listed at 2541 Emerald Avenue would be used as collateral; and

Whereas, Great Lakes Bancorp requires the City of Ann Arbor to subordinate their interest in the property in favor of a Great Lakes Bancorp lien;

RESOLVED, That the City Council approve the subordination and authorize the Mayor and City Clerk to execute a subordination of Existing Mortgage Agreement.

Councilmember Lumm moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

Council - June 6, 1994 81

R-264-6-94 APPROVED

RESOLUTION TO APPROVE PROFESSIONAL RECRUITER

(CONSULTANT) FOR THE SELECTION OF A CHIEF OF POLICE

Whereas, The City Council approved a resolution on May 16, 1994 which, in part, authorized the City Administrator to retain the services of a professional recruiter (consultant) to aid in the effective selection of a chief of police;

Whereas, A committee comprised of the Assistant City Administrator, the Administrative Services Director and the Human Resources Director have reviewed the proposals of four recruiters (consultants) and have selected the firm of Slavin, Nevins and Associates due to its ability to meet the requirements as established by City Council and its submission of the lowest bid; and

Whereas, Slavin, Nevins, and Associates received Human Rights approval on May 26, 1994;

RESOLVED, That the City Council authorize the City Administrator to employ the services of Slavin, Nevins and Associates to aid in the search for a chief of police;

RESOLVED, That the City Council authorize the Mayor, City Clerk, and City Attorney to enter into a contract with Slavin, Nevins, and Associates to aid in the search for a Chief of Police; and

RESOLVED, That the amount for services, including travel, is not to exceed \$18,096.00 with 30% paid upon award of contract, 30% paid upon completion of #3 of Scope of Work, and 40% upon completion of the contract.
Councilmember Lumm moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.

R-265-6-94 APPROVED

RESOLUTION REGARDING ENCROACHMENT OF STRUCTURE AT
211 EAST DAVIS INTO THE GREENE STREET RIGHT-OF-WAY
RESOLVED, That the "Declaration of Restriction" permitting the continued
82 Council - June 6, 1994

occupancy of a portion of the Greene Street right-of-way by a structure with its address at 211 East Davis Street, Ann Arbor, Michigan, be hereby approved and the Mayor and City Clerk be hereby authorized to execute the same.
Councilmember Lumm moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.

R-266-6-94 APPROVED

RESOLUTION AUTHORIZING APPEAL OF CIRCUIT COURT
CASE: ZEEFF V. ANN ARBOR
RESOLVED, That the City Attorney be authorized to appeal to the Michigan Court of Appeals the Washtenaw County Circuit Court Opinion and Order in Jon Zeeff v. City of Ann Arbor, Case # 93-1548-CZ.
Councilmember Stead moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

None.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS APPROVED

Mayor Sheldon recommended the following appointment at the December 20, 1993 regular session of Council. It was again placed on the table for consideration at the May 2, 1994 regular session and postponed to this date:

Council - June 6, 1994 83

EMPLOYEES RETIREMENT SYSTEM BOARD

Larry Hahn (reappointment)

1524 Brookfield Dr.

Term: 5/16/94 to 1/1/97

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

On a voice vote the Mayor declared the motion carried.

Mayor Sheldon recommended the following appointments at the May 16, 1994 regular session of Council:

ZONING BOARD OF APPEALS

Charles A. Carver (reappointment)

1225 Wynnstone Dr.

Term: 6/17/94 to 6/16/97

DOWNTOWN DEVELOPMENT AUTHORITY BOARD

Paul Ungrodt, Jr. (to fill vacancy)

505 E. Huron St., #405

Term: 6/6/94 to 7/31/98

BUILDING BOARD OF APPEALS

Thomas Kittel (to fulfill membership requirements)

365 Hazelwood Ave.

Term: 6/6/94 to 6/5/99

SIGN BOARD OF APPEALS

Dick Carlisle (reappointment)

1702 Morton Ave.

Term: 6/6/94 to 6/5/97

Dan Ketelaar (reappointment)

717 W. Huron St.

Term: 6/6/94 to 6/5/97

84 Council - June 6, 1994

RECREATION ADVISORY COMMISSION

Joyce Chesbrough (replacing Susan Schmunk whose term expired)

3176 Lakewood Ave.

Term: 6/6/94 to 8/31/97

James C. Buntin III (to fill vacancy)

2384 Arrowwood Tr.

Term: 6/6/94 to 8/31/97

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

On a voice vote the Mayor declared the motion carried.

NOMINATIONS PLACED ON TABLE

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

ANN ARBOR HOSPITALITY COMMITTEE

Catherine S. Arcure (new appointment)

1206 Harbrooke Ave.

Term: 6/20/94 to 1/1/96

Brigitte Maassen (reappointment)

1178 Heatherway

Term: 6/20/94 to 1/1/96

Cecelia Paas (reappointment)

2392 Grant Dr.

Term: 6/20/94 to 1/1/96

Gregory Fox (reappointment)

554 First Ave.

Term: 6/20/94 to 1/1/96

Stella Hackbarth (reappointment)

655 Allen Rd.

Milan, MI

Term: 6/20/94 to 1/1/96

ANN ARBOR HOSPITALITY COMMITTEE

Council - June 6, 1994 85

Tal Hiebert (reappointment)

2233 S. Huron Pkwy.

Term: 6/20/94 to 1/1/96

Toni Hiebert (reappointment)

2233 S. Huron Pkwy.

Term: 6/20/94 to 1/1/96

Eba Hierta (reappointment)

915 Miner St.

Term: 6/20/94 to 1/1/96

Mary Pfaus (reappointment)

1055 Bandera Dr.

Term: 6/20/94 to 1/1/96

Hiromi Sano (reappointment)

15 Eastbury Ct.

Term: 6/20/94 to 1/1/96

David H. Sanders (new appointment)

3600 Plymouth Rd.

Term: 6/20/94 to 1/1/96

CITY PLANNING COMMISSION

Thomas Miree (reappointment)

2710 Tuebingen Pkwy.

Term: 7/1/94 to 6/30/97

Haldon Smith (Council representative)

1606 Shadford Rd.

Term: 7/1/94 to 6/30/95

ANN ARBOR ENERGY COMMISSION

Kenneth Saulter (reappointment)

1925 Ivywood Dr.

Term: 6/20/94 to 6/19/97

ELIZABETH DEAN FUND COMMITTEE

86 Council - June 6, 1994

Richard Chesbrough (replacing Merrill Dudley whose term expired)

3176 Lakewood Ave.

Term: 6/20/94 to 7/31/96

COMMUNITY DEVELOPMENT WAIVER AND REVIEW BOARD

Patricia Dufek (reappointment)

2024 Vinewood Blvd.

Term: 6/20/94 to 6/19/96

BICYCLE COORDINATING COMMITTEE

Manfred Schmidt (reappointment)

3214 Williamsburg Dr.

Term: 6/20/94 to 6/19/97

PROCLAMATIONS

Mayor Sheldon announced that she has recently signed proclamations for the 50th

Anniversary of D-Day - June 6, 1994; Recognition of Joan Goldsmith, Teacher - June 12, 1994; Fraternal Week - June 8-14, 1994; Big 10 Students Summer Conference - June 16-10, 1994; a Tribute to Dick Kennedy upon his retirement - June 29, 1994; and the Year of the International Family - 1994.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

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

1. Hoover Street Railroad Tracks/Potholes
2. Cable Television Proposal
3. Gandy Dancer Noise Complaint
4. City Commercial Recycling Program Update
5. Hydrant Checks and Water Main Flushings

Council - June 6, 1994 87

(Reports on file in the City Clerk's Office)

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER VEREEN-DIXON

Councilmember Vereen-Dixon invited everyone to attend the Juneteenth Day celebration to be held on June 18, 1994 at Wheeler Park.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from Seymour LeVine, Chief Pilot, Oakland Southwest Airport, New Hudson, MI, expressing appreciation for Airport Manager's assistance - Public Services
2. Communication from Bob Eckstein, 1345 Kuehnle Ave., regarding proposed Wetlands and Watercourses Preservation Ordinance - Planning.
3. Communication from Detroit City Council transmitting resolution regarding Senate Bills 1043 through 1056 (pension and medical benefits for Michigan governmental employees) - File.

The following minutes were received for file:

1. Human Services Task Force - February 25, March 3, May 11 and May 18, 1994
2. Finance Advisory Committee - March 10, 1994
3. Ann Arbor Transportation Authority - April 20 and May 10, 1994
4. Downtown Development Authority - April 14, 1994
5. Historic District Commission - March 10, 1994
- 88 Council - June 6, 1994
6. Housing Policy Board - May 18, 1994
7. Planning Commission - April 5 and April 19, 1994
8. Board of Review - March 21, 1994
9. Community Reinvestment Act Task Force - May 9 and May 18, 1994

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

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

On a voice vote the Mayor declared the motion carried and the meeting adjourned at 1:42 a.m.

W. Northcross

Clerk of the Council

Janet L. Chapin

Recording Secretary