ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - AUGUST 17, 1998
The regular session of the Ann Arbor City Council was called to order at 7:30 p.m. in the City Hall Council Chamber by Mayor Ingrid B. Sheldon.
Council stood for a moment of silence.
Mayor Sheldon led Council in the recitation of the Pledge of Allegiance.
ROLL CALL OF COUNCIL
PRESENT : Councilmembers Patricia Vereen-Dixon, Jane Lumm, Jean Carlberg, Heidi Cowing Herrell, Stephen C. Hartwell, Patrick A. Putman, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 9.
ABSENT : Councilmembers Tobi Hanna-Davies, David Kwan, 2.
INTRODUCTIONS
PRESENTATION OF SPURGEON AWARD TO THE ANN ARBOR POLICE DEPARTMENT EXPLORER POST
Police Chief Carl Ent introduced Dean Williams, Senior Exploring Executive of the Boy Scouts of America, and Steve Regan, Executive Council Boardmember and Exploring North District Chairman. Mr. Regan stated that the Ann Arbor Police Department explorer post began in 1968, and is one of the first career posts in the nation and the oldest in the Council.
Mr. Williams presented the Spurgeon Award to Officers Renee Bush and Jamie Atkins, leaders of the Ann Arbor post, and explained that the William Spurgeon Award is presented to organizations that have an outstanding record of providing leadership. The current Ann Arbor exploring post was present, and members introduced themselves.

PRESENTATION OF MICHIGAN LIFEGUARD COMPETITION AWARDS - FULLER POOL STAFF
Gerald Clark, Parks & Recreation Deputy Superintendent, introduced Mike Magiera, Assistant Fuller Pool Supervisor, who presented awards of appreciation to the Fuller Pool lifeguard staff for their first place finish at the Michigan Lifeguard Competition. Award recipients were: Krissy Tinney, Chye Messner, Matt Johnson and Matt Schmitt.
PUBLIC COMMENTARY - RESERVED TIME
THOMAS SAFFOLD - PROSECUTION OF NWROC
Thomas Saffold, 2084 Pauline, Peace Team member, stated that many Peace Team members oppose what they perceive to be a politically motivated and vengeful prosecution of members of NWROC and ARA. Mr. Saffold stated that he feels the City is treating NWROC and ARA as criminals, and urged them not to criminalize anti-racism.
ERIC LORMAND - KLAN RALLY PROSECUTIONS
Eric Lormand, 715 McKinley #3, recalled that the civil disobedience of a local realtor spurred the City to rethink its sign ordinance rather than prosecute. Mr. Lormand said he feels that the anti-racist civil disobedience should spur the City to rethink its Klan related policy. He stated that prosecution of the KKK protesters serve only as a means for the City to harass the people who contribute to the well being of the community.
SHANTA DRIVER - KKK RALLY/KANGAROO COURT
Shanta Driver, 999 Whitmore, Detroit, MI, spoke in opposition to the prosecution of antiklan demonstrators. Ms. Driver gave an overview of the court proceedings in progress and stated that the witchhunt must come to an end.
CAROLYN BOVENKERK - SEWAGE BACK-UP

Carolyn Bovenkerk, 2958 Burlington, stated that she is not satisfied with city services. She reported that she has had sewage back-up in her basement three times within 18 years. Ms. Bovenkerk said she believes the problem is caused by illegal hook-ups to the sanitary sewer, and urged the City to correct the problem.

KERMIT SCHLANSKER - GLOBAL WARMING

Kermit Schlansker, 2960 Marshall, expressed concern that carbon-dioxide will double within a century. He suggesting that the City become active in opposing global warming by establishing a city levied five cent tax per kilowatt on electricity and switch to energy and

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consumption taxes.

STEPHEN RAPUNDALO - UTILITIES/FLOODING

Stephen Rapundalo, 3106 Bluett, President of the Orchard Hills/Maplewood Homeowners Association, reported that the recent floods and sewage back-up affected a large number of residents in his neighborhood. He stated that despite the fact that there are differing viewpoints regarding the cause of the sanitary sewer back-up, the City should be held accountable for its inability to deal with the stormwater event. Mr. Rapundalo urged the City to expedite all claim reviews and provide fair restitution to those affected.

LUKE MASSEY - WITCHHUNT AGAINST ANTI-RACISTS

Luke Massey, 300 Whitmore, Detroit, MI, spoke in opposition to prosecution of the antiracists who participated in the KKK Rally. He objected to the City displaying photos on television and stated that the City has not routinely displayed photos on television for a misdemeanor crime. Mr. Massey urged the City to stop the politically motivated prosecution of NWROC and appealed to the community to come out and oppose the City=s actions.

PAUL LEFRAC - ANTI-KLAN DEMONSTRATION

Paul LeFrac, 2458 Arrowwood, ARA member, spoke in opposition to the persecution of anti-fascists in Ann Arbor for speaking out against racism at the KKK Rally. He stated that the charges are politically motivated, and do not compare to the violence and mayhem that took place during the National Championship. Mr. LeFrac opposed photographs being displayed on cable television and urged the City to stop the witchhunt.

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PUBLIC HEARINGS

GREAT LAKES BANK REVISED SITE PLAN

A public hearing was conducted on the proposed Great Lakes Bank revised site plan. Notice of public hearing was published August 9, 1998.

The following person appeared:

David Shelden, project architect, was present to answer questions.

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

PARKE-DAVIS REVISED SITE PLAN

A public hearing was conducted on the proposed revised site plan. Notice of public hearing was published August 9, 1998.

The following person appeared:

Paul Miller, project manager, was present to answer questions.

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

SUNRISE ASSISTED LIVING OF ANN ARBOR SITE PLAN

A public hearing was conducted on the proposed site plan. Notice of public hearing was published August 9, 1998.

The following person appeared:

Joseph McElwee, Senior Vice-President of Sunrise Development, Inc., was present to answer questions.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

CONSENT AGENDA
Revise Resolution No. 2 - Prepare Assessment Roll for Dhu Varren Road
Info: Sanitary Sewer Project (Public Services) (Revised property list)
Revise: Resolution to Approve the Provision of Court Appointed Counsel for
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Indigent Defendants Expense by Model Cities Legal Services
($140,000.00) (District Court)
ORDINANCES - FIRST READING
Revise: Amendment to Chapter 37, Adding Sections 3:640-2:662 - Franchise for
DTE-CoEnergy (Attorney)
Revise: Amendment to Chapter 37, Adding Sections 2:610-2:632 - Franchise for
Nordic Electric (Attorney)
MOTIONS AND RESOLUTIONS
Delete: Resolution to Approve Middle Huron Point Source Discharge
Agreement for Voluntary Reductions of Phosphorus from Wastewater
Treatment Plants (Utilities) (8 Votes Required)
On a voice vote the Mayor declared the motion carried.
APPROVAL OF COUNCIL MINUTES
MINUTES OF AUGUST 3 APPROVED
Councilmember Putman moved that the regular session minutes of August 3,1998 be approved as presented.
On a voice vote the Mayor declared the motion carried.
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CONSENT AGENDA
CONSENT AGENDA ITEMS APPROVED
Councilmember Lumm moved that the following Consent Agenda items be approved as presented:
R-366-8-98 APPROVED
RESOLUTION NO. 2 - PREPARE ASSESSMENT ROLL
FOR DHU VARREN SANITARY SEWER PROJECT
Whereas, The City Council has directed and ordered the City Administrator to have prepared plans, specifications and estimates of cost for the Dhu Varren Road Sanitary Sewer described as follows:
- Approximately 450 meters of 200 mm sanitary sewer in Dhu Varren Road, from the Dhu Varren on the Park Subdivision to approximately 410 meters west of this subdivision.
File No. 96062 District No. 474;
Whereas, The City Administrator has had the same prepared and has filed the same with the City Clerk together with his recommendations as to what part of the cost thereof should be paid by special assessment, the number of installments in which the special assessments may be paid, and the lands which should be included in the special assessment district; and
Whereas, The same has been presented to the City Council and examined and reviewed by the Council:
RESOLVED,
1. That the plans, specifications, estimate of cost, and the recommendations of the City Administrator be filed with the City Clerk and be available for public examination;
2. That the plans, specifications, estimate of cost, and recommendations of the City Administrator for said improvements as filed with the City Clerk by the City Administrator and presented to the Council be approved;
3. That the City Council hereby determine to proceed with the acquisition and construction of the Dhu Varren Road Sanitary Sewer described as follows:
- Approximately 450 meters of 200 mm sanitary sewer in Dhu Varren Road, from the Dhu Varren on the Park Subdivision to approximately 410 meters

west of this subdivision.
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4. That the City Council determine the cost of said improvement, including all incidentals, to be $400,000, and that of said total cost, the sum of $41,400, be paid by special assessment upon the property specially benefited within the City, the sum of $175,600, be paid by the City as City share future recoverable (Land Outside The City); and that the balance of the cost thereof, $183,000, be paid by the City at large;
5. That an amount of $400,000 be advanced from the sanitary sewer supply system fund pending the sale of the Sewage Disposal System Bonds XIX to be sold in the spring of 1999;
6. That the following described lots and parcels of land be designated as constituting the special assessment district against which the cost of said improvement shall be assessed, or against which an improvement charge shall, pursuant to Section 1.278 of the City Code, be levied; and
7. That the City Assessor be hereby directed to prepare a special assessment roll in accordance with the foregoing determinations of the City Council, and to file the same, together with his certificate attached thereto, with the City Clerk for presentation to the City Council.
RESOLUTION NO. 2
DHU VARREN ROAD SANITARY SEWER
File No. 96062.20 District No. 474
Estimated Project Cost Breakdown
Construction Cost $
263,000
Design Engineering $ 31,560
Construction Engineering $ 39,450
Testing (Consulting) $ 13,150
Contingencies $ 21,040
Miscellaneous $ 13,150
Bond Costs $ 18,650
$ 400,000
Proposed Distribution of Costs
Estimated Project Cost $
400,000
Estimated Cost for Lateral (equivalent) $ 390,000
Estimated Cost of Additional Depth $ 10,000
City Share Non-Recoverable $
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183,000
Estimated Cost To Property Owners $
207,000
Number of Connections 10
Estimated Cost per Connection $ 20,700
Estimated Property Share Assessable (2 connections) $ 41,400
Estimated City Share Future Recoverable (8 connections) $ 165,600
LAND INSIDE THE CITY
No. Estimated * Trunkline Trunk.
Assessor Code Owner Conn. Cost Area (Acres) Charge
09-16-100-045 Chinese Church 2 $41,400 3.64 $3089.98
2396 Draper Ave.
Ypsilanti, MI 48197
(1616 Dhu Varren)
LAND OUTSIDE OF THE CITY
No. Estimated * Trunkline Trunk.

Assessor Code Owner Conn. Cost Area (Acres) Charge
09-16-150-002 Summers 1 $20,700 1.36 $1154.50
1710 Dhu Varren
Ann Arbor, MI 48105
09-16-150-003 Dennis B. Brewer 1 $20,700 1.36 $1154.50
1763 Plymouth Rd.
Ann Arbor, MI 48105
09-16-150-004 Thomas J. Phardel 1 $20,700 None None
1610 Dhu Varren
Ann Arbor, MI 48105
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09-16-150-005 Horace Work 2 $41,400 None None
P.O. Box 6929
Snowmass Village,
CO 81615
(1600 Dhu Varren)
09-09-475-003 Food Gatherers 3 $62,100 2.17 $1842.10
1731 Dhu Varren Rd.
Ann Arbor, MI 48105
09-16-150-006 Andrew Piper None None 3.25 $2758.92
1616 Dhu Varren Rd.
Ann Arbor, MI 48105
* The $10,000 trunkline charge is for servicing the rear portions of Parcel Nos. 09-16-150-001, 09-16-150-002, 09-16-150-003, 09-16-150-006 and 09-16-475-003. These trunkline charges will not be collected until the rear portions of these lots connect to the sanitary sewer. Area to be served by the additional depth sewer is 11.78 acres. The trunkline charge is $848.8964 per acre.
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R-367-8-98 APPROVED
RESOLUTION TO PROCLAIM THE CITY OF ANN ARBOR=S
RECOGNITION AND SUPPORT OF THE 3RD ANNUAL ANN ARBOR
MUNICIPAL AIRPORT OPEN HOUSE
Whereas, Tenants, users, and staff at the Ann Arbor Municipal Airport coordinated an airport open house the past two years, which turned out to be well attended, positive community events;
Whereas, These tenants, users and staff have again met this year to coordinate a 3rd annual airport open house;
Whereas, This event is to be held at the Ann Arbor Municipal Airport on Sunday, September 13th from 10 a.m. to 5 p.m.;
Whereas, The open house event is meant for families of the aviation and non-aviation community, in order that they might have an opportunity to visit the airport and learn about its operations and aviation; and
Whereas, The airport advisory committee has supported the open house event in the past, and also supports the continuation of the annual event;
RESOLVED, That the Mayor and City Council do hereby proclaim the City of Ann Arbor=s
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recognition and support of the 3rd annual Ann Arbor Municipal Airport Open House.
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R-368-8-98 APPROVED
RESOLUTION TO APPROVE THE PROVISION OF COURT APPOINTED
COUNSEL FOR INDIGENT DEFENDANTS EXPENSE
BY MODEL CITIES LEGAL SERVICES
Whereas, Individuals charged with misdemeanor violations for which jail time may be imposed are entitled to have counsel represent them;
Whereas, Those defendants who are determined by the court to be indigent have a right to

have counsel appointed to represent them at public expense;
Whereas, The City of Ann Arbor by law, must provide funding for 15th District Court operations;
Whereas, Funds for court appointed counsel have been approved in the 15th District Court=s FY 98-99 budget in an estimated amount of $140,000.00;
Whereas, Under Michigan Court Rule 8.110(C), the Chief Judge is the chief administrative official in the District Court with the responsibility for oversight of the appointment of counsel for indigent defendants;
Whereas, The 15th District Court frequently appoints Model Cities Legal Services attorneys to represent indigent defendants based on their proven abilities, demonstrated knowledge and sensitivity in performing this work;
Whereas, Model Cities Legal Services bills the court for these services at a rate that is less than the prevailing rate for criminal defense counsel; and
Whereas, Model Cities Legal Services has Human Rights approval effective July 25, 1998;
RESOLVED, The Mayor and Ann Arbor City Council approve the agreement between the City of Ann Arbor and Model Cities Legal Services to provide court appointed counsel for indigent defendants in an amount not to exceed $140,000.00 for FY 1998-99 and to authorize the Mayor and City Clerk to sign the agreement substantially in form on file with the City Clerk.
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R-369-8-98 APPROVED
RESOLUTION TO APPROVE CONTRACT WITH HAVILAND PRODUCTS COMPANY FOR PURCHASE OF SODIUM HYDROXIDE
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(CAUSTIC SODA) FOR THE WATER TREATMENT DIVISION
BID NO. 3192
Whereas, The Water Treatment Division uses sodium hydroxide in daily operations; and
Whereas, Contracts for supplying estimated requirements are the most stable and cost-effective way of meeting the water division's needs; and
Whereas, Haviland Products Company submitted the lowest responsible bid for membrane grade sodium hydroxide per Bid No. 3192; and
Whereas, Haviland Products Company has received Human Rights approval from the Human Resources Department on June 2, 1998.
RESOLVED, That City Council approve a requirements contract for sodium hydroxide to Haviland Products Company in accordance with the terms of Bid No. 3192;
RESOLVED, That the City Administrator be directed to enter into an agreement in accordance with this resolution at a projected cost of approximately $75,000 for FY 1998/1999;
RESOLVED, That the agreement may be renewed for up to two one-year periods provided both parties agree to an extension;
RESOLVED, That the City Administrator be authorized and directed to sign a purchase order with Haviland Products Company for the purchase of sodium hydroxide; and
RESOLVED, That the City Administrator be directed to accept the next lowest responsible bidder if Haviland Products Company is unable to furnish adequate supplies.
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R-370-8-98 APPROVED
RESOLUTION TO GRANT WATER SERVICE OUTSIDE CITY LIMITS TO 3802 PLATT ROAD
Whereas, Douglas Aprill and Jan Aprill, owners of the property at 3802 Platt Road, on July 3, 1998 requested that the City extend public water service to their property in Pittsfield Township prior to the completion of the annexation process;
Whereas, The owners desire to enter into the standard agreement with the City which provides an equitable method of obtaining City service outside of its corporate boundaries; and

Whereas, On May 12, 1998 the owners petitioned the City for annexation under Planning Department file number 9161Y.1 & .2.
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RESOLVED, That the Mayor and Clerk are authorized and requested to sign the agreement to allow City water service to the land during the time it is still outside of the Corporate Limits; that the City Clerk is directed to send a copy of this resolution by first class mail to the above property owners; and that the Water Utilities Department shall promptly have this resolution and the agreement recorded in the office of the Register of Deeds of Washtenaw County, Michigan and send a completely executed copy of the agreement to the owners.
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R-371-8-98 APPROVED
RESOLUTION TO APPROVE HOUSING REHABILITATION AGREEMENT WITH ERNEST JONES AND ROBERT L. JONES
Whereas, An application was received from Ernest Jones and Robert L. Jones for rehabilitation assistance for their home located at 125 Beakes;
Whereas, The homeowners meet the City's criteria for participation in the Housing Rehabilitation Program;
Whereas, Two bids were received on July 30, 1998 and Mr. Ernest Jones and Mr. Robert L. Jones will be executing an agreement with the lowest responsible bidder, who has Human Rights Approval, to complete the rehabilitation work; and
Whereas, On Friday, July 10, 1998 the Waiver and Review Board approved the waiver of the $28,000 maximum for rehabilitation assistance up to $38,000 to complete the rehabilitation work at 125 Beakes;
RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Ernest Jones and Robert L. Jones in the amount of $38,000 as a 0% interest, deferred payment loan and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the office of the City Clerk with funds to be available without regards to fiscal year.
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R-372-8-98 APPROVED
RESOLUTION TO APPROVE BOARD OF INSURANCE MINUTES OF AUGUST 6, 1998 AND TO AUTHORIZE PAYMENTS
RESOLVED, That the attached Board of Insurance Administration Minutes of August 6, 1998 be accepted and that the payments therein be authorized.
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MINUTES
CITY OF ANN ARBOR BOARD OF INSURANCE ADMINISTRATION
Present: Christopher Kolb, Councilperson
David Kwan, Councilperson
Brenda Smith, City Treasurer 3.
Absent: None
Also Present: Daniel J. Cullen, Risk Manager
Brian Hutcheon, Assistant City Attorney
Susan Campbell, Senior Secretary 3.
CITIZENS' CLAIMS APPROVED: (and check issued)
CASE NO. CLAIMANT AMOUNT
CC 48-98 Sewer Back Up Claim of Dan Pampreen $2,530.00
(736 S. Division)
CC 49-98 Vehicle damage claim of Rachel Standifer $330.59
CC 47-98 Sewer Back Up Claim of Erean Kaynan $690.00
(736 S. Division)
TOTAL $3,550.59
LEGAL EXPENSES AND/OR CASE RELATED EXPENSES:

CASE NO. CLAIMANT AMOUNT
BI 241-97 Employee Injury of Leonard McCoy $350.00
Arthur Tai, M.D.
BI 241-97 Employee Injury of Leonard McCoy $35.00
Associates in Internal Medicine
WC 2-95 Workers Compensation Case of Vicki Quibell $600.00
Preferred medical Associates
LEGAL EXPENSES AND/OR CASE RELATED EXPENSES: (Continued)
CASE NO. CLAIMANT AMOUNT
WC 2-95 Workers Compensation Case of Vicki Quibell $458.55
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Huron Reporting Service, Inc.
CC 16-97 Lawsuit of Alan Valusek by Jonathan Rose, Attorney $74.10
Hall & Deer
CC 42-95 Lawsuit of David Hunter $318.50
Huron Reporting Service
CC 26-98 Lawsuit of Maria Sherline by Andrew Muth, Attorney $132.70
Huron Reporting Service
CC 26-98 Lawsuit of Maria Sherline by Andrew Muth, Attorney $140.60
Hall and Deer
CC 66-96 Lawsuit of Jamar French by George Washington $240.50
Huron Reporting Service
CC 21-97 Lawsuit of Curtis Grayer by Richard Genesco, Attorney $59.60
Huron Reporting Service
CC 23-96 Lawsuit of Margaret Blattner by Robert Magill, Atty. $292.20
Hall & Deer
CC 23-96 Lawsuit of Margaret Blattner by Robert Magill, Atty. $122.35
Record Copy Services
CC 42-95 Lawsuit of David Hunter $30.00
Judy Bell
TOTAL $2,713.50
MISCELLANEOUS:
REIMBURSEMENTS RECEIVED --
TOTAL DEPOSITED SINCE 7-2-98 $0.00
CITIZEN'S CLAIMS DENIED:
CASE NO.
CC 64-98 Property damage claim of Detroit Edison (Ashley/Huron)
Discussed by Daniel J. Cullen, Risk Manager and the Board
denied the claim.
CC 65-98 Property damage claim of Detroit Edison (Catherine/Fifth)
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Discussed by Daniel J. Cullen, Risk Manager and the Board
denied the claim.
CC 66-98 Property damage claim of Detroit Edison (First/Washington)
Discussed by Daniel J. Cullen, Risk Manager and the Board
denied the claim.
CC 71-98 Property damage claim of Courthouse Square Apartments
Discussed by Daniel J. Cullen, Risk Manager and the Board
denied the claim.
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CC 75-98 Vehicle damage claim of Yuanming Hu
Discussed by Daniel J. Cullen, Risk Manager and the Board
denied the claim.
CC 77-98 Sewer Back Up Claim of Barb Higman (2835 Parkwood)

Discussed by Daniel J. Cullen, Risk Manager and the Board
denied the claim.
OTHER BUSINESS:
CASE NO.
CC 109-97 Personal Injury Claim of Lois Moore
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.
CC 56-98 Property damage claim of BMC Media Services
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.
CC 61-98 Property damage claim of Paul & Linnea Perlman
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.
CC 73-98 Vehicle damage claim of AAA for Rachel Standifer
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.
CC 74-98 Vehicle damage claim of Anthony White
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.
CC 58-98 Vehicle damage claim of Donald Price
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.
CC 60-98 Vehicle damage claim of Murat Yashin
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.
CC 84-98 Vehicle damage claim of Kihyun Kim
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.
CC 79-98 Sewer Back Up Claim of Robert VanTill (1255 Ferdon)
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Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.
CC 67-98 Vehicle damage claim of Best Way Carpet Cleaning
Discussed by Daniel J. Cullen, Risk Manager and the Board
authorized settlement.
REQUESTS FOR INFORMATION ON PENDING CLAIMS
awaiting more information:
INCIDENT CLAIM INFO FROM DATE OF ND. RPT DATE TO
CASE NO. NAME DATE RECEIVED CLAIMANT CORRES. FROM CLM.
SRVC.
78-98 D. Edison 5-8-98 7-14-98 7-14-98**Transp. 7-14-98
81-98 Hyman 7-20-98 7-23-98 7-30-98 Adm.Serv. 7-24-98
82-98 D. Edison 4-20-98 7-23-98 7-28-98 Utilities 7-28-98
83-98 Chase 5-27-98 7-24-98 7-29-98 Utilities 7-28-98
** Sent second notice to Transp 7-23-98
ADDITIONAL CLAIMS RECEIVED SINCE LAST MEETING --awaiting further
investigation (and/or information):
CASE NO.
CC 71-98 Property damage claim of Courthouse Square Apartments
CC 72-98 Lawsuit of The Edward Surovell Company by Joseph Phillips, Attorney
CC 73-98 Vehicle damage claim of AAA of Michigan
CC 74-98 Vehicle damage claim of Anthony White
CC 75-98 Vehicle damage claim of Yuanming Hu
CC 76-98 Lawsuit of Ann Arbor Police Officers Assoc. by Ronald Helveston, Atty.

CC 77-98 Sewer Back Up Claim of Barbara Higman (2835 Parkwood)
CC 78-98 Property damage claim of Detroit Edison (Zina Pitcher and Washtenaw)
CC 79-98 Sewer Back Up Claim of Robert VanTil & Cindy Schipani (1255 Ferdon)
CC 80-98 Vehicle damage claim of Khalid Malkawi
CC 81-98 Property damage claim of Norman Hyman
CC 82-98 Property damage claim of Detroit Edison (Glen West of Catherine)
CC 83-98 Vehicle damage claim of Lisa Chase by Allen Glass, Attorney
CC 84-98 Vehicle damage claim of Kihyun Kim
CC 85-98 Vehicle damage claim of Matthew Horning
CC 86-98 Property damage claim of Tamika Thomas
Prepared by,
Daniel J. Cullen, Risk Manager
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R-373-8-98 APPROVED
RESOLUTION TO CONSENT TO ASSIGNMENT OF AUDIT
SERVICES CONTRACT WITH COOPERS AND LYBRAND L.L.P.
TO PRICEWATERCOOPERS L.L.P.
Whereas, On March 18, 1996, City Council approved a five-year contract with Coopers & Lybrand L.L.P. for audit services (R-115-3-96);
Whereas, On July 1, 1998, Coopers & Lybrand L.L.P. and Price Waterhouse L.L.P. merged their businesses and practices under the name PricewaterhouseCoopers L.L.P., a Delaware limited liability partnership;
Whereas, PricewaterhouseCooperss L.L.P. has advised the City that the merger should not have any impact on the provision of audit services to the City under the terms of contract executed between Coopers & Lybrand L.L.P. and the City; and
Whereas, PricewaterhouseCoopers L.L.P. has requested the City consent to the assignment of its engagement for audit services to PricewaterhouseCoopers L.L.P.
RESOLVED, That City Council consent to and authorize the Mayor and City Clerk to execute all necessary documentation for the assignment of the contract for audit services between the City and Coopers & Lybrand L.L.P. to PricewaterhouseCoopers L.L.P. subject to the approval of the City Attorney, and provided that PricewaterhouseCoopers L.L.P. first provides proof of insurance required under the terms of the contract before the assignment may take effect.
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R-374-8-98 APPROVED
RESOLUTION TO CLOSE CERTAIN CITY STREETS FOR
A TRADITIONAL (CONTRA) MUSIC AND DANCE SPECIAL EVENT
Whereas, The City has received a request from the Ann Arbor Council for Traditional (Contra) Music and Dance to sponsor a special event on Sunday, September 6, 1998 from 11:00 a.m. - 4:00 p.m.;
Whereas, This event will be an attempt on the part of the sponsor to stage the world=s largest traditional (contra) dance line;
Whereas, The staging of this event will require the closing of Main Street between Huron and William, Liberty between Ashley and Fourth Avenue and Washington between Ashley and Fourth Avenue;
Whereas, The sponsors have requested Council waive meter bag deposits; and
Whereas, The sponsors will obtain the necessary permits, provide evidence of proper liability insurance, and comply with all procedures, rules and regulations for holding this event (including the payment of all required fees);
RESOLVED, That the closing of streets as requested is approved; and
RESOLVED, Council waive parking meter bag deposit fees (approximately $500.00).
The question being the foregoing Consent Agenda items as presented, on a voice vote the

Mayor declared the motion carried.
ORDINANCES - SECOND READING
30-98 APPROVED
STORMWATER SYSTEM
An Ordinance to Amend Chapter 33, Sections 2:200, 2:201,
2:205, 2:209 of the Code of the City of Ann Arbor
This ordinance would provide: 1) a definition of stormwater that references the City=s stormwater discharge permit issued by the State; 2) more specific provisions for the permits, permit application, annual permit fees for multi-year permits, and charges for use of the stormwater system for non-stormwater discharges form sources requiring pretreatment and those that do not require pre-treatment; 3) a requirement of Council approval for a non-stormwater discharge from an environmental cleanup; and 4) a provision on the initial charges for a non-permitted discharge into the stormwater system that requires a
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permit.
On a voice vote, the Mayor declared the motion carried.
ORDINANCES - FIRST READING
32-98 APPROVED
ORCUTT ZONING
An Ordinance to Amend the Zoning Map Being a Part of
Chapter 55 of Title V of the Code of the City of Ann Arbor
This ordinance would change the zoning of 0.13 acre, located at 1712 South State Street, from TWP (Township District) to O (Office District).
Councilmember Carlberg moved that the ordinance be approved at first reading.
On a voice vote the Mayor declared the motion carried.
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33 -98 APPROVED
NEWPORT RIDGE ZONING
An Ordinance to Amend the Zoning Map Being a Part of
Chapter 55 of Title V of the Code of the City of Ann Arbor
This ordinance would change the zoning of 0.5 acre, located on the west side of Newport Road, north of M-14 (Lot 3 of Jenning=s Newport Heights), from TWP (Township District) to R1A (Single-Family Dwelling District).
Councilmember Carlberg moved that the ordinance be approved at first reading.
On a voice vote the Mayor declared the motion carried.
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34 -98 APPROVED
SCHLENKER HARDWARE 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
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This ordinance would change the zoning of 0.52 acre, located at 213-215 West Liberty Street, from C2B (Business Service District) to C2A (Central Business District).
Councilmember Carlberg moved that the ordinance be approved at first reading.
On a voice vote the Mayor declared the motion carried.
****

35 -98 APPROVED
SCHWARTZ ZONING
An Ordinance to Amend the Zoning Map Being a Part of
Chapter 55 of Title V of the Code of the City of Ann Arbor
This ordinance would change the zoning of 0.17 acre, located at 1850 Joseph Street from TWP (Township District) to R1C (Single-Family Dwelling District).
Councilmember Carlberg moved that the ordinance be approved at first reading.
On a voice vote the Mayor declared the motion carried.

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36 -98 APPROVED
FRANCHISE FOR DTE - COENERGY
An Ordinance to Amend Chapter 37, Adding Sections 2:640-2:662
to the Code of the City of Ann Arbor
The proposed ordinance would grant DTE-CoEnergy, L.L.C., a franchise to provide electric service to customers within the City of Ann Arbor.
Councilmember Herrell moved that the ordinance be approved at first reading.
On a voice vote the Mayor declared the motion carried.
****

37 -98 APPROVED
FRANCHISE FOR NORDIC ELECTRIC
An Ordinance to Amend Chapter 37, Adding Sections 2:610-2:632
to the Code of the City of Ann Arbor
The proposed ordinance would grant Nordic Electric, L.L.C., a franchise to provide electric service to customers within the City of Ann Arbor.
Councilmember Herrell moved that the ordinance be approved at first reading.
On a voice vote the Mayor declared the motion carried.
MOTIONS AND RESOLUTIONS
R-375-8-98 APPROVED
RESOLUTION TO REMOVE PARCEL FROM
EXCESS CITY PROPERTY LISTING (340 S. ASHLEY)
Whereas, The City of Ann Arbor is the owner of certain property which is located in the City of Ann Arbor, Washtenaw County, State of Michigan, and more fully described as follows:
The East 100 feet of the South 40 feet of Lot 4, Block 3 South, Range 2 East, William S. Maynard=s Addition to the City of Ann Arbor, Washtenaw County, Michigan, according to Liber ÁZ of Deeds, page 548, Washtenaw County Records. Subject to easements and restrictions of
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record, if any. Commonly known as 340 S. Ashley Street;
Whereas, On October 16, 1995, City Council approved Resolution R-495-10-95 relating to evaluating City-owned real estate and making disposition recommendations to Council;
Whereas, The Real Estate Committee developed and implemented a process to dispose of such real estate, which includes the property described above;
Whereas, Bids were received on August 29, 1996 relating to such real estate, including the property described above;
Whereas, During the ensuing two-year period, negotiations have occurred in an attempt by the high bidder to purchase the property;
Whereas, The City now concluded that the property should be retained for public purpose and should be removed from the excess property listing; and
Whereas, The Real Estate Committee concurs with the recommendation to remove the property from the excess property listing;
RESOLVED, That City Council direct the City Administrator to remove the property at 340 S. Ashley St. from the excess property listing.
Councilmember Kolb moved that the resolution be adopted.
Councilmember Lumm moved that the resolution be amended as follows:
9th paragraph
RESOLVED, That <City Council direct the City Administrator to remove the property at 340 S. Ashley from the excess property listing>IF AT ANY TIME ON OR BEFORE AUGUST 3, 2003, THE CITY DETERMINES THE PROPERTY AT 340 S. ASHLEY IS NO LONGER

NEEDED FOR PUBLIC PURPOSES AND WILL BE SOLD, THAT KEN AND BARBARA LAND, HUSBAND AND WIFE, WHO ARE THE CURRENT OWNERS OF THE ADJACENT PROPERTY AT 342 S. ASHLEY, OR EITHER ONE OF THEM, INDIVIDUALLY, BE GIVEN THE FIRST RIGHT TO PURCHASE THE PROPERTY AT THEN CURRENT MARKET VALUE, PROVIDED THEY ARE, OR THE INDIVIDUAL LAND MAKING THE PURCHASE IS, THE OWNER OF RECORD T THAT TIME OF THE PROPERTY AT 342 S. ASHLEY.
On roll call the vote was as follows:
Yeas, Councilmembers Lumm, Hartwell, Putman, Kolb, Mayor Sheldon, 5;
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Nays, Councilmembers Daley, Vereen-Dixon, Carlberg, Herrell, 4.
The Mayor declared the motion failed.
The question being the resolution as originally presented, on a voice vote the Mayor declared the motion carried.
****

R-376-8-98 APPROVED AS AMENDED
RESOLUTION DESIGNATING THE OFFICIAL REPRESENTATIVE OF THE CITY OF ANN ARBOR AT THE ANNUAL MEETING OF THE MICHIGAN MUNICIPAL LEAGUE
A resolution designating the official representative of the City of Ann Arbor at the Annual Meeting of the Michigan Municipal League was considered.
Councilmember Lumm moved that the resolution be adopted.
Councilmember Kolb moved that the resolution be amended as follows:
4th paragraph
RESOLVED, That the Ann Arbor City Council hereby designates Mayor Ingrid B. Sheldon as the City=s official representative AND CITY COUNCILMEMBER CHRIS KOLB AS THE OFFICIAL ALTERNATE at the annual meeting of the Michigan Municipal League, September 9-11, 1998.
On a voice vote the Mayor declared the motion carried.
The question being the resolution as amended, on a voice vote the Mayor declared the motion carried.
The resolution as adopted reads as follows:
RESOLUTION DESIGNATING THE OFFICIAL REPRESENTATIVE OF THE CITY OF ANN ARBOR AT THE ANNUAL MEETING OF THE MICHIGAN MUNICIPAL LEAGUE
Whereas, The City of Ann Arbor is currently a member of the Michigan Municipal League; and
Whereas, Section 4.4 of the Bylaws of the Michigan Municipal League requires that each member shall, by action of its governing body prior to the annual meeting or any
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special meeting, appoint one official of such member city or village as its principal official representative to cast the vote of the member at such meeting; and
Whereas, Ingrid B. Sheldon, Mayor of the City of Ann Arbor, will be in attendance at the annual meeting.
RESOLVED, That the Ann Arbor City Council hereby designates Mayor Ingrid B. Sheldon as the City=s official representative and City Councilmember Chris Kolb as the official alternate at the annual meeting of the Michigan Municipal League, September 9-11, 1998.
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R-377-8-98 APPROVED
RESOLUTION TO APPROVE NON-STORMWATER DISCHARGE PERMIT FEES
Whereas, The newly amended Chapter 33 Stormwater Ordinance provides that

Council may set a fee for a discharge permit application and an annual fee for multi-year permits for discharge of non-stormwater to the stormwater system; and
Whereas, Based upon reasonable estimates of the time and effort to review, evaluate and process the discharge permit application for a non-stormwater discharge, a fee of $500.00 is recommended, and for an annual review and processing for a multi-year permit, a fee of $100.00 is recommended;
RESOLVED, That Council approve a $500.00 permit application fee to discharge any non-stormwater to the stormwater system and a $100.00 annual permit fee for a multiyear permit to discharge non-stormwater to the stormwater system.
Councilmember Kolb moved that the resolution be adopted.
On a voice vote, the Mayor declared the motion carried.
****

R-378-8-98 APPROVED
RESOLUTION DIRECTING THE ADMINISTRATIVE SERVICES DIRECTOR TO IMPLEMENT THE 1998 INFORMATION SERVICES AND TECHNOLOGY STRATEGIC PLAN
Whereas, On May 5, 1997, City Council awarded a contract to Plante & Moran, L.L.P. to develop a long range Information Services and Technology Strategic Plan;
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Whereas, On February 17, 1998, this contract was amended to include more indepth needs assessments with all departments;
Whereas, An Information Services Steering Team was formed in December, 1997 to work with the Administrative Services Department and its Director to facilitate completing the plan, to collaborate on developing broad-based solutions for city government, and to dynamically oversee the implementation and revision of the Strategic Plan on an ongoing basis after its completion;
Whereas, The Steering Team and Plante & Moran presented the completed plan to City Council on June 22, 1998;
RESOLVED, That the Administrative Services Director shall develop broad-based information service solutions, provide oversight regarding the implementation and revision of the 1998 Information Services and Technology Strategic Plan on an ongoing basis, and make recommendations regarding information technology improvements to the City Administrator and City Council as required; and
RESOLVED, That the Administrative Services Director will collaborate with the Information Services Steering Team using the following documents, which are included in the 1998 Strategic Plan, as guidelines in the performance of its duties:
A. Vision Statement for the Information Services and Technology Strategic Plan (Section II, pages 10-11),
B. Information Services Steering Team Charter (Appendix A, page 1, and
C. The Needs Assessment, Evaluation, and Approval Process for Technology Projects (Appendix A, page 2).
Councilmember Lumm moved that the resolution be adopted.
On a voice vote, the Mayor declared the motion carried.
****

R-379-8-98 REVISED RESOLUTION APPROVED
RESOLUTION TO PROVIDE COMPREHENSIVE INFORMATION OF RECLAMATION OF TOWED VEHICLES
Whereas, The Police Department of the City of Ann Arbor serves as the central processing point for all local car towing, from both public and private property; and
Whereas, In accordance with its Mission Statement, the City of Ann Arbor has committed to provide excellent municipal services which are efficient and friendly, and
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which strive to anticipate and meet our customers= needs in a timely way; and
Whereas, The experience of having one=s car towed is by definition unpleasant and

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everything possible should be done to minimize the unpleasantness of that experience; and
Whereas, A Committee of City Councilmembers and staff is currently at work revising the public towing contracts for the City of Ann Arbor;
RESOLVED, That this Committee, in coordination with Police and towing contractors, is requested to develop and provide for distribution through the Police Department, information for citizens whose automobiles have been towed. This information may include, but is not limited to:
× a complete outline of the process for reclaiming a towed vehicle
× the location of towing contractor offices and storage lots and their distances from City Hall
× the means of payment accepted and not accepted by different towing contractors
× the hours of operation of towing offices and lots
× itemized and total costs for towing tickets, reclamation, storage and any other costs
× the process for contesting a ticket and/or tow
× telephone numbers for taxicab companies and approximate fares for service to towing offices and lots; the location of bus routes and hours of operation
RESOLVED, That the Committee is also requested to review the fees charged by the different towing contractors and private property owners, for both public and private tows, to determine the extent to which the fees are consistent and reasonable, and to report back to Council on its findings; and
RESOLVED, That at an appropriate time, the City Administrator shall report back to Council on what informational procedures will be implemented, along with their costs, and an identified funding source in the 98-99 annual budget.
Councilmember Daley moved that the revised resolution be adopted.
On a voice vote the Mayor declared the motion carried.
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R-380-8-98 APPROVED
RESOLUTION TO ACCEPT AND APPROPRIATE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH VIOLENCE PREVENTION AND REDUCTION GRANT FOR MAYOR=S TASK FORCE ON INCREASING SAFETY FOR WOMEN
Whereas, The Mayor=s Task Force on Increasing Safety for Women is a coalition of
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representatives from local non-profit agencies specializing in services to survivors of domestic and sexual violence, businesses, clergy, higher education, and local government for the improvement of safety for women in the community;
Whereas, The Task Force has applied for and received a Community Violence Prevention Partnership Grant from the State of Michigan Department of Community Health=s Violence Prevention and Reduction Program in the sum of $25,000;
Whereas, The grant proposal includes funding for a .75 FTE position of Partnership Coordinator to provide support to the Task Force in facilitating communication and cooperation among its member organizations to create a coordinated community response to violence against women, with a focus on violence prevention and reduction; and
Whereas, City Council made the .75 FTE position permanent and adopted a program budget for the Mayor=s Task Force on Increasing Safety for Women with the approval of the 1998/1999 City of Ann Arbor Budget with the understanding that any available funding grants would be applied for by the Task Force;
RESOLVED, That the City of Ann Arbor accept the Community Violence Prevention Partnership Grant and appropriate the funds to the Mayor=s Task Force on Increasing Safety for Women for the life of the program without regard to fiscal year; and
RESOLVED, That the City Administrator be authorized to sign the necessary grant agreements, in a form acceptable to the City Attorney, to implement this resolution.
Councilmember Vereen-Dixon moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.

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R-381-8-98 APPROVED

RESOLUTION TO APPROVE GODEK ANNEXATION

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

Whereas, Walter and Bernice Godek are the owners of said property; and

Whereas, It is the desire of Walter and Bernice Godek 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 Pittsfield, Washtenaw County, Michigan, be detached from said Township

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

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BEGINNING at the Northwest corner of Lot 3 of ÁSouth Main Acres, part of the East 1/4 of the East 1/2 of the Southwest 1/4 of Section 5, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan as recorded in Liber 10 of Plats, page 3, Washtenaw County Records; thence N 87o55'20" E 646.78 feet along the Southerly right-of-way line of West Oakbrook Drive to a point on the Westerly right-of-way line of South Main Street; thence S 00o01'20" E 309.75 feet along said Westerly right-of-way line to a point on the North line of Lot 2 of ÁSouth Main Woods, the South 10 acres of the East 1/2 of the East 1/2 of the Southwest 1/4 of Section 5, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, as recorded in Liber 10 of Plats, page 1, Washtenaw County Records; thence S 87o56'50" W 159.95 feet along said North line to a point on the West line of said Lot 2; thence S 00o01'15" E 69.95 feet to a point on the South line of said Lot 2; thence S 87o58'15" W 486.86 feet along the Westerly projection of said South line to a point on the West line of Lot 12 of said ÁSouth Main Woods and the East line of ÁCranbrook Subdivision, as recorded in Liber 26 of Plats, pages 16 through 20, inclusive, Washtenaw County Records; thence North 139.50 feet along said West line and said East line to a point on the South line of said ÁSouth Main Acres; thence N 00o01'20" W 239.71 feet along said East line and the West line of said ÁSouth Main Acres to the Point of Beginning. Being Lots 1 through 3, inclusive, of said ÁSouth Main Acres and Lot 1 and part of Lot 12 of said ÁSouth Main Woods and containing 5.37 acres of land, more or less. Also being subject to easements and restrictions of record, if any.

Being subject to and together with a 30-foot wide easement for the purposes of ingress and egress and the installation and maintenance of utilities having a West line described as follows: Commencing at the Northwest corner of Lot 3 of ÁSouth Main Acres, a part of the East 1/2 of the East 1/2 of the Southwest 1/4 of Section 5, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, as recorded in Liber 10 of Plats, page 3, Washtenaw County Records; thence S 00o01'20" E 239.71 feet along the West line of said ÁSouth Main Acres and the East line of said ÁCranbrook Subdivision to the Northwest corner of said ÁSouth Main Woods, thence South 139.50 feet along the West line of said ÁSouth Main Woods and the East line of said ÁCranbrook Subdivision to the Point of Termination.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Godek Annexation, 2830-2870 South Main Street, 5.37 acres.

Councilmember Lumm moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-382-8-98 APPROVED
RESOLUTION TO APPROVE GREAT LAKES BANK
REVISED SITE PLAN
Whereas, Great Lakes Bank has requested site plan approval in order to demolish the existing bank and freestanding drive-up facility and construct a 5,715-square foot bank with attached drive-up facility at 1900 Pauline Boulevard;
Whereas, The Ann Arbor City Planning Commission, on July 21, 1998, recommended approval of said request;
RESOLVED, That City Council approve the Great Lakes Bank Revised Site Plan, subject to the provision of a sidewalk to enable pedestrians to cross the site from the northeast corner of the site.
A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Great Lakes Bank Revised Site Plan, 1900 Pauline Boulevard, 1.37 acres.
Councilmember Lumm moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
****

R-383-8-98 APPROVED
RESOLUTION TO APPROVE PARKE-DAVIS
REVISED SITE PLAN
Whereas, The Warner-Lambert Company has requested revised site plan approval in order to construct three building additions and three parking lots in the Parke-Davis research complex, located at 2800 Plymouth Road, as follows: 440-square foot addition to Building 14; 2,241-square foot addition to Building 40; 2,300-square foot addition to Building 80; and two parking lots on the southern portion of the site and one parking lot at the northeast corner of the site; and
Whereas, The Ann Arbor City Planning Commission, on April 21, 1998, recommended approval of said request;
RESOLVED, That City Council approve the Parke-Davis Revised Site Plan.
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A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Parke-Davis Revised Site Plan, 2800 Plymouth Road, 61.51 acres.
Councilmember Lumm moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
****

DEFEATED
RESOLUTION TO APPROVE SUNRISE ASSISTED LIVING
OF ANN ARBOR SITE PLAN
Whereas, Sunrise Assisted Living has requested site plan approval in order to construct a 58,060-square foot assisted living facility on the north side of Plymouth Road, west of Nixon Road;
Whereas, The Ann Arbor City Planning Commission, on July 21, 1998, recommended approval of said request;
RESOLVED, That City Council approve the Sunrise Assisted Living of Ann Arbor Site Plan, subject to the recording of necessary access easements prior to the issuance of any permits.
A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Sunrise Assisted Living of Ann Arbor Site Plan, 2105 Plymouth Road, 5.06 acres.
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With unanimous consent of Council, Laura Hester, architect representing Sunrise Development, Inc., answered questions concerning the driveway.

Councilmember Kolb moved that the resolution be amended to include no driveway.
On roll call the vote was as follows:
Yeas, Councilmembers Kolb, Daley, Vereen-Dixon, Carlberg, Herrell, 5;
Nays, Councilmembers Lumm, Hartwell, Putman, Mayor Sheldon, 4.
The Mayor declared the motion failed.
The question being the resolution as originally presented, on roll call the vote was as follows:
Yeas, Councilmembers Daley, Lumm, Hartwell, Putman, Mayor Sheldon, 5;
Nays, Councilmembers Kolb, Vereen-Dixon, Carlberg, Herrell, 4.
The Mayor declared the motion failed. (Resolution reconsidered and approved; See Resolution R-392-8-98.)
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R-384-8-98 APPROVED
RESOLUTION TO APPROVE SUPPLEMENTAL APPROPRIATION
AND TO APPROVE AN AGREEMENT WITH THE HURON RIVER WATERSHED
COUNCIL TO DEVELOP MIDDLE HURON RIVER WATERSHED PLAN
Whereas, The Huron River Watershed Council proposes to develop a multijurisdictional watershed plan for the Middle Huron ÁChain of Lakes in a collaborative project with the nine communities in the Middle Huron and with the Washtenaw County Drain Commissioners Office;
Whereas, The Huron River Watershed Council requests that the City fund its fair share of $27,011 of the total $57,000 to be raised from local communities;
Whereas, The Huron River Watershed Council received Human Rights approval on February 9, 1998;
RESOLVED, That Council approve a supplemental appropriation from the Stormwater Fund for $27,011 to finance the City=s share of the project and that this

appropriation is available for the life of the project without regard to fiscal year; and
RESOLVED, That Council approve an agreement with the Huron River Watershed Council for this project and that the Mayor and City Clerk are authorized to sign the agreement substantially in a form as on file in the City Clerk=s Office.
Councilmember Kolb moved that the resolution be adopted.
Utilities Director Frank Porta introduced Laura Rueben, new Executive Director of the Huron River Watershed Council.
The question being the resolution as presented, on a voice vote the Mayor declared the motion carried.
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R-385-8-98 APPROVED
RESOLUTION AUTHORIZING INVESTMENT ADVISORY CONTRACT
WITH AMERICAN MONEY MANAGEMENT ASSOCIATES (AMMA)
Whereas, American Money Management Associates (AMMA) has been the City=s lead investment advisory since 1994;
Whereas, AMMA provides assistance to staff in improving portfolio performance, investment accounting, and cash flow management;
Whereas, AMMA has received Human Rights approval from the City=s Human Rights Division on July 28, 1998.
RESOLVED, That City Council approve the investment advisory contract with AMMA for FY 1998-99 and authorize the Mayor and City Clerk to execute the contract.
Councilmember Putman moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
****

R-386-8-98 APPROVED
RESOLUTION ACCEPTING UTILITY EASEMENT FROM
RUSSELL L. HIBBARD, JR. AND LYN COFFIN AND R.B.K. ASSOCIATES L.L.C.

FOREST CREEK CONDOMINIUMS
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Whereas, Russell L. Hibbard, Jr. and Lyn Coffin, as joint tenants of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 2157, Page 651, dated July 20, 1987; and
Whereas, R.B.K. Associates, L.L.C., a Michigan limited liability company has a land contract interest in the property, as described in a Memorandum of Land Contract, at Liber 03467, Pages 0408-0409, dated July 29, 1997; and
Whereas, A Unanimous Consent Resolution of the Members of R.B.K. Associates, L.L.C., dated September 25, 1997, authorized the delivery of a perpetual easement to the City for the construction and maintenance of municipally operated public services comprising the public utilities system; and
Whereas, Russell L. Hibbard, Jr., Lyn Coffin, land contract vendors and R.B.K. Associates, L.L.C., land contract vendee, have delivered an easement to the City for the construction and maintenance of municipally operated public services to run with the land and burden the respective property perpetually, being more particularly described as follows:
Part of the NW 1/4 OF SECTION 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, described as:
Commencing at the W 1/4 Corner of said SECTION 10; thence N 01o 46' 00" E 916.84 feet along the W line of said Section 10 to the POINT OF BEGINNING. Thence S89o 54' 57" E 148.10 feet; thence S00o 03' 00" W 15.80 feet; thence S89o 54' 57" E 40.00 feet; thence N00o 03' 00" E 15.80 feet; thence S89o 54' 57" E 217.45 feet; thence S00o 03' 00" W 26.24 feet; thence S12o 27' 00" E 133.78 feet; thence S00o 03' 00" E 29.67 feet; TO THE SOUTH PROPERTY LINE thence S89o 56' 58" E 40.00 feet; ALONG THE SOUTH PROPERTY LINE thence N00o 03' 00" E 34.05 feet; thence N12o 27' 00" W 133.78 feet; thence N00o 03' 00" E 21.83 feet; thence S89o 54' 57" E 123.02 feet; thence N00o 03' 00" E 60.00 feet; thence N89o 54' 57" W 40.00 feet; thence S00o 03' 00" W 20.00 feet; thence N89o 54' 57" W 157.87 feet; thence N00o 03' 00" E 173.33 feet; TO THE NORTH PROPERTY LINE thence N89o 57' 00" W 40.00 feet; ALONG THE NORTH PROPERTY LINE thence S00o 03' 00" W 173.31 feet; thence N89o 54' 57" W 138.23 feet; thence N00o 03' 00" E 11.18 feet; thence N89o 54' 57" W 40.25 feet; thence S00o 03' 00" W 11.18 feet; thence N89o 54' 57" W 151.01 feet; thence S01o 46' 00" W 40.02 feet; ALONG THE WEST LINE OF SAID SECTION 10 TO POINT OF BEGINNING.
RESOLVED, That the City hereby accepts said easement.
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Councilmember Putman moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
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R-387-8-98 APPROVED
RESOLUTION ACCEPTING ROAD RIGHT-OF-WAY EASEMENT FROM RUSSELL L. HIBBARD, JR. AND LYN COFFIN AND R.B.K. ASSOCIATES L.L.C.
FOREST CREEK CONDOMINIUMS
Whereas, Russell L. Hibbard, Jr. and Lyn Coffin, as joint tenants of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 2157, Page 651, dated July 20, 1987; and
Whereas, R.B.K. Associates, L.L.C., a Michigan limited liability company has a land contract interest in the property, as described in a Memorandum of Land Contract, at Liber 03467, Pages 0408-0409, dated July 29, 1997; and
Whereas, A Unanimous Consent Resolution of the Members of R.B.K.

Associates, L.L.C., dated September 25, 1997, authorized the delivery of a perpetual easement to the City for road right-of-way; and
Whereas, Russell L. Hibbard, Jr., Lyn Coffin, land contract vendees and R.B.K. Associates, L.L.C., land contract vendor, have delivered an easement to the City for road right-of-way over the westerly 33 feet of the following described property, to run with the land and burden the respective property perpetually, being more particularly described as follows:
The W 33.00 feet of the following described property:
Part of the NW 1/4 of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, described as:
Commencing at the W 1/4 Corner of said Section 10; thence N01o 46' 00" E 730.00 feet along the W line of said Section 10 to the POINT OF BEGINNING; thence continuing N01o 46' 00" E 400.00 feet along said W line; thence S89o 57' 00" E 906.02 feet; thence S 01o 46' 00" W 400.00 feet; thence N89o 57' 00" W 906.02 feet to the POINT OF BEGINNING.
Containing 8.32 acres of land, more or less. Subject to the rights of the public over the W 33 feet for Stone School Road, also subject to any and all other easements or rights of way of record, if any.
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RESOLVED, That said easement is hereby accepted.
Councilmember Putman moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
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R-388-8-98 APPROVED
RESOLUTION ACCEPTING EASEMENT FOR UTILITIES
FROM 2008 S. STATE STREET, L.L.C.
Whereas, 2008 S. State, L.L.C., a Michigan limited liability company, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan as described in the Washtenaw County Records at Liber 3705, Pages 0502-0503; and
Whereas, A Resolution of the Board of Directors, dated July 30, 1998 authorized the delivery of a perpetual easement to the City for the construction and maintenance of municipally operated public services comprising the public utilities system; and
Whereas, 2008 S. State, L.L.C. has delivered an easement to the City for the construction and maintenance of municipally operated public services comprising the public utilities system to run with the land and burden the respective property perpetually, being more particularly described as follows:
Commencing at the NE Corner of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N90o 00' 00" W 183.21 feet along the N line of said Section 5 for a PLACE OF BEGINNING; thence S09o 48' 00" E 99.34 feet along the Westerly Right-of-Way line of S. State Street; thence N89o 47' 00" W 20.31 feet; thence N09o 48' 00" W 63.68 feet; thence N89o 47' 00" W 121.87 feet; thence N00o13' 00" E 35.00 feet; thence S89o 47' 00" E 106.19 feet along the N line of said Section 5 to the SE Corner of Section 32, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N90o 00' 00" E 29.78 feet along the N line of said Section 5 to the PLACE OF BEGINNING, being part of the NE 1/4 of said Section 5.
RESOLVED, That the City hereby accepts said easement.
Councilmember Putman moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
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****

R-389-8-98 APPROVED
RESOLUTION ACCEPTING UTILITY EASEMENT
FROM AERC OF MICHIGAN, L.L.C. - ARBOR LANDINGS

Whereas, AERC of Michigan, L.L.C., an Ohio limited liability company, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 03558, Pages 0917-0918, dated December 30, 1997; and
Whereas, A Certificate of Secretary of Associated Estates Realty Corporation, an Ohio corporation, as the Managing Member of AERC of Michigan, L.L.C., dated June 30, 1998, authorized the delivery of a perpetual easement to the City for the construction and maintenance of municipally operated public services comprising the public utilities system; and
Whereas, Associated Estates Realty Corporation has delivered an easement to the City for the construction and maintenance of municipally operated public services to run with the land and burden the respective property perpetually, being more particularly described as follows:
A 40.00Í wide easement whose centerline is described as follows:
Commencing at the Southwest corner of Section 24, T2S, R5E, Scio Township, Washtenaw County, Michigan, thence N02Å04Í30ÏE, 894.63Í along the West line of said Section and the centerline of Wagner Road; thence S72Å38Í35ÏE, 1,549.43Í along the northerly right-of-way line of Interstate Highway I-94; thence N00Å45Í00ÏE, 366.87Í along the westerly right-of-way line of Rose Drive, being 46.00 Í west of the centerline of said road, for a Place of Beginning; thence S69Å34Í57ÏW, 176.18Í, thence N73Å02Í07ÏW, 189.39Í to point B; thence S17Å21Í24ÏW, 166.17Í to a point of ending, also from point B, N17Å21Í24ÏE, 103.67Í; thence N08Å30Í19ÏE, 34.01Íto point C; thence continuing N08Å30Í19ÏE, 81.53Í;thence N02Å47Í52ÏE, 27.74Í; thence N00Å49Í15ÏE, 43.18Í; thence N11Å00Í00ÏE, 19.81Íto a point of ending; also from point C, N72Å38Í36ÏW, 189.57Í; thence S17Å21Í24ÏW, 151.31Í; thence N72Å38Í36ÏW, 249.40Í; thence N27Å32Í02ÏW, 68.74Í; thence N72Å38Í36ÏW, 221.78Í; thence N17Å21Í24ÏE, 257.14Í to a point of ending. (watermain)
A 30.00Í wide easement whose centerline is described as follows:
Commencing at the Southwest corner of Section 24, T2S, R5E, Scio
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Township, Washtenaw County, Michigan, thence N02Å04Í30ÏE, 894.63Í along the West line of said Section and the centerline of Wagner Road; thence S72Å38Í35ÏE, 1,549.43Í along the northerly right-of-way line of Interstate Highway I-94; thence N00Å45Í00ÏE, 359.36Í along the westerly right-of-way line of Rose Drive, being 46.00 Í west of the centerline of said road, for a Place of Beginning; thence S69Å34Í57ÏW, 212.19Í; thence N72Å38Í36ÏW, 172.11Í to point A; thence N10Å39Í42ÏE, 332.10Í to a point of ending; ALSO from point A, thence S10Å39Í42ÏW, 10.07Í; thence N72Å38Í36ÏW, 198.54Í; thence N41Å02Í19ÏW, 55.18Í; thence N72Å38Í36ÏW, 188.50Í; thence N11Å38Í53ÏW, 62.52Í; thence N72Å38Í36ÏW, 262.27Í to a point of ending. (sanitary sewer)
RESOLVED, That the City hereby accepts said easement.
Councilmember Putman moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
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R-390-8-98 APPROVED
RESOLUTION TO REAPPROPRIATE FUNDS FOR COMMUNITY NEEDS ASSESSMENT - CABLE T.V.
Whereas, The City Council of the City of Ann Arbor previously approved a Consulting Agreement with The Buske Group to perform a Ácommunity needs

assessment in conjunction with the cable television franchise renewal process (Resolution R-205-5-98);
Whereas, The execution of the Consulting Agreement was delayed in order to successfully resolve various insurance related issues;
Whereas, This delay altered the original community needs assessment work plan in a manner which loads the project work into FY 98/99 without sufficient funding to cover the original Purchase Order ($33,990.00);
Whereas, The original project quotation remains unchanged, and funds previously approved in the FY 97/98 budget for this project were unspent and remain in the Cable Fund;
RESOLVED, That the City Council reappropriate the $33,990 for the Community
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Needs Assessment from the Community Television Network Fund fund balance to the Community Television Network account within the City Clerk=s Budget.
Councilmember Daley moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
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R-391-8-98 APPROVED AS AMENDED
RESOLUTION TO REJECT BIDS AND AUTHORIZE
THE CITY ADMINISTRATOR TO NEGOTIATE A CONSTRUCTION CONTRACT
FOR THE WASHINGTON AND FOURTH PARKING STRUCTURE
A resolution to reject bids and authorize the City Administrator to negotiate a construction contract for the Washington and Fourth Parking Structure was considered.
Councilmember Kolb moved that the resolution be adopted.
Councilmember Kolb moved that the resolution be amended as follows:
RESOLVED, THAT THE FOLLOWING ELEMENTS BE INCLUDED IN THE DESIGN, UNLESS A SUITABLE ALTERNATIVE CAN BE ACCOMPLISHED:
- AWNINGS AT GROUND LEVEL AND (12) LIGHT FIXTURES UNDER AWNINGS;
- GUARD RAILS ON SOUTH ELEVATION ON UPPER 3 LEVELS, AND ON EAST ELEVATION AT ROOF LEVEL. VERTICALS OF GUARDRAILS ON EAST ELEVATION; AND
- MIDDLE CORNICE FROM TOWER #1, FOUR SIDES.
With unanimous consent of Council the following people presented their comments:
Jan Onder, Chair of the Downtown Public Art Committee, stated that the committee has identified art-ready sites in the parking structure and have raised funds for the artwork. She emphasized the importance of keeping the structure pedestrian friendly on the inside and the outside. Ms. Onder stated that the committee feels that Design B eliminates features that would provide aesthetic and human benefit, which the committee has worked hard to incorporate.
Tom Bartlett, Chair of the Ann Arbor Commission on Art in Public Places, stated that the commission feels that the copper awning, the guardrails, and the cornice should be added back in Design B because they are important details that will benefit and enhance the building at a very low cost.
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Ray Detter, member of the DDA Citizens Advisory Council, stressed the importance of the pedestrian experience, and what happens to people when they come to the downtown area. He stated that the DDA Citizens Advisory Council feels that the deleted elements are beneficial and should be put back in the design.
Ed Shaffran, member of the Downtown Development Association (DDA), stated that the DDA does not object to the items being included back in the design but would like flexibility in the design criteria and the material that will be used.
On a voice vote, the Mayor declared the motion carried.

The question being the resolution as amended, on a voice vote the Mayor declared the motion carried.
The resolution as adopted reads as follows:
RESOLUTION TO REJECT BIDS AND AUTHORIZE
THE CITY ADMINISTRATOR TO NEGOTIATE A CONSTRUCTION CONTRACT
FOR THE WASHINGTON AND FOURTH PARKING STRUCTURE
Whereas, City Council resolved, on August 4, 1997, to support a multi-year parking structure repair and replacement plan;
Whereas, One of the first phases of this multi-year repair and replacement plan included the replacement of the parking structure at the northwest corner of E. Washington St. and S. Fourth Ave;
Whereas, City Council approved, at its October 20, 1997 meeting, a Professional Services Agreement for the design and preparation of bid documents for the construction of a replacement parking structure at Washington and Fourth;
Whereas, All bids received by the City, on June 29, 1998 for this project, were significantly higher than the engineer=s estimate;
Whereas, Design modifications, acceptable to the DDA, could be made to reduce the cost to $6,696,050.00 for a seven level, 277-car, parking structure; and
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Whereas, The Downtown Development Authority board, at their August 10, 1998 meeting, resolved to authorize its Chair, its Executive Director, and the City Administrator, to negotiate changes with the low bidder to pursue further savings;
RESOLVED, That City Council reject all bids received for this project;
RESOLVED, That the City Council authorize the City Administrator, under Section 14.3 (d) of the City Charter, to negotiate a contract for construction of a seven level Parking Structure at Washington and Fourth with the low bidder, Bid No. 3179; and
RESOLVED, That the City Administrator be authorized to evaluate City charges and fees associated with this project, and that a recommendation regarding their assessment be presented to Council at its first regular meeting in September, 1998.
RESOLVED, That the following elements be included in the design, unless a suitable alternative can be accomplished:
- Awnings at ground level and (12) light fixtures under awnings;
- Guard rails on south elevation on upper 3 levels, and on east elevation at roof level. Verticals of guardrails on east elevation; and
- Middle cornice from Tower #1, four sides.

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R-392-8-98 RECONSIDERED
APPROVED AS AMENDED
RESOLUTION TO APPROVE SUNRISE ASSISTED LIVING
OF ANN ARBOR SITE PLAN
Councilmember Carlberg moved to reconsider the resolution to approve Sunrise Assisted Living of Ann Arbor Site Plan.
On a voice vote, the Mayor declared the motion carried.
The resolution to approve the Sunrise Assisted Living of Ann Arbor Site Plan was considered.
Councilmember Carlberg moved that the resolution be adopted.
Councilmember Carlberg moved that the resolution be amended as follows:
3rd Paragraph
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RESOLVED, That City Council approve the Sunrise Assisted Living of Ann Arbor Site Plan, subject to the ELIMINATION OF THE SOUTHERN DRIVEWAY AND TO THE recording of necessary access easements prior to the issuance of any permits.
On roll call, the voice was as follows:

Yeas, Councilmembers Kolb, Daley, Vereen-Dixon, Carlberg, Herrell, Hartwell 6;
Nays, Councilmembers Lumm, Putman, Mayor Sheldon, 3.
The Mayor declared the motion carried.
The question being the resolution as amended, on a voice vote the Mayor declared the motion carried.
The resolution as adopted reads as follows:
RESOLUTION TO APPROVE SUNRISE ASSISTED LIVING
OF ANN ARBOR SITE PLAN
Whereas, Sunrise Assisted Living has requested site plan approval in order to construct a 58,060-square foot assisted living facility on the north side of Plymouth Road, west of Nixon Road;
Whereas, The Ann Arbor City Planning Commission, on July 21, 1998, recommended approval of said request;
RESOLVED, That City Council approve the Sunrise Assisted Living of Ann Arbor Site Plan, subject to the elimination of the southern driveway and to the recording of necessary access easements prior to the issuance of any permits.
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REPORTS FROM COUNCIL COMMITTEES
COUNCILMEMBER VEREEN-DIXON
Councilmember Vereen-Dixon announced that the Parks and Recreation Commission will not meet in August.
COUNCIL PROPOSED BUSINESS
SEPTEMBER 14, 1998 REGULAR SESSION
Ordinance Regarding Storm Water System (Councilmember Kolb)
COMMUNICATIONS FROM THE MAYOR
APPOINTMENTS APPROVED
Mayor Sheldon recommended the following appointments at the August 3, 1998 regular session of Council:
Street Advisory Committee
Thomas Keast (reappointment)
2876 Eisenhower Pkwy.
Ann Arbor, MI 48108
Term: 08/17/98 to 7/31/2000
Recreation Advisory Commission
Herbert David (reappointment)
2585 Gladstone
Ann Arbor, MI 48104
Term: 08/17/98 to 8/31/2001
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Housing Board of Appeals
Emily NuIez (replacing Brian Nagorsky who resigned)
803 E. Kingsley
Ann Arbor, MI 48104
Term: 08/17/98 to 6/30/2000
Downtown Development Authority
Ronald K. Dankert (replacing Robert Gates at term expiration)
3517 Paisley Ct.
Ann Arbor, MI 48105
Term: 08/03/98 to 7/31/2002
Paul Ungrodt, Jr. (reappointment)
Ideation Inc.
2015 Washtenaw
Ann Arbor, MI 48104
Term: 08/03/98 to 7/31/2002

Robert Gillett (reappointment)
Legal Services of SE Michigan
420 N. Fourth Ave.
Ann Arbor, MI 48104
Term: 08/03/98 to 7/31/2002
Councilmember Lumm moved that Council concur with the recommendations of the Mayor.
On a voice vote the Mayor declared the motion carried.
Council unanimously agreed to waive its rules in order to confirm the following recommendations of the Mayor for appointment:
Zoning Board of Appeals
David Gregorka (reappointment)
1723 Ivywood Dr.
Ann Arbor, MI 48104
Term: 08/17/98 to 08/16/2001
Ethel K. Potts (reappointment)
1014 Elder Blvd.
Ann Arbor, MI 48103
Term: 08/17/98 to 08/16/2001
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Councilmember Putman 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:
Park Advisory Commission
Stephen T. Rapundalo (to fill vacancy)
3106 Bluett Rd.
Ann Arbor, MI 48105
Term: 09/14/98 to 01/19/2000
Bicycle Coordinating Committee
Kenneth Clark (reappointment)
497 Larkspur St.
Ann Arbor, MI 48105
Term: 09/14/98 to 09/13/2001
Rebecca Kanner (reappointment)
920 Gott St.
Ann Arbor, MI 48103
Term: 09/14/98 to 09/13/2001
City Planning Commission
Kevin S. McDonald (to fill vacancy)
2657 Salisbury Ln.
Ann Arbor, MI 48103
Term: 09/14/98 to 06/30/2001
Debra Bourque (to fill vacancy)
1615 Kearney Rd.
Ann Arbor, MI 48104
Term: 09/14/98 to 06/30/2001
Zoning Board of Appeals
Patricia Rayl (replacing Barbara Brown)
3487 Braeburn Circle
Ann Arbor, MI 48108
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Term: 09/14/98 to 09/13/2001
Community Development Citizen Participation Executive Committee

Tom Miree (replacing Robert Campbell who resigned)
2719 Tuebingen Pkwy.
Ann Arbor, MI 48105
Term: 09/14/98 to 06/30/99
Willie Horton (to fill vacancy)
2531 Braeburn Circle
Ann Arbor, MI 48108
Term: 09/14/98 to 06/30/2001
Steve Merritt (to fill vacancy)
3085 Whisperwood Dr., #453
Ann Arbor, MI 48105
Term: 09/14/98 to 06/30/2001
COMMUNICATIONS FROM THE CITY ADMINISTRATOR
REPORTS SUBMITTED
City Administrator Neal G. Berlin submitted the following reports for information of Council:
1. Two-Year Solid Waste Education Contract with the Ecology Center
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2. Council Caucus Questions - Energy Commission Recommendations for Electric Utility Franchises
(Reports on file in the City Clerk's Office)
COMMUNICATIONS FROM THE CITY ATTORNEY
REPORT ON COMPLETED ANNEXATIONS
City Attorney Abigail Elias submitted reports on the following completed annexations:
1. Chinese Christian Church property, 8.5 acres, located on the south side of Dhu Varren Road between Nixon Road and Pontiac Trail, from Ann Arbor Charter Township.
2. Orcutt property, 0.13 acre, 1712 South State Street, from Ann Arbor Charter Township.
City Attorney Elias thanked Energy Coordinator David Konkle, the Energy Commission and staff for their expertise and assistance in drafting the electric franchise ordinances for DTECoEnergy and Nordic Electric.
Ms. Elias reported that the City received an order and judgement of dismissal for the lawsuit filed by the Klu Klux Klan against the City in 1996.
City Attorney Elias stated that, from her understanding, the procedure for determining charges against anti-klan demonstrators is no different from the process used to determine charges for any misdemeanor.
COMMUNICATIONS FROM COUNCIL
COUNCILMEMBER VEREEN-DIXON
Councilmember Vereen-Dixon, referring to the prosecution of anti-klan demonstrators, stated that she is concerned about photographs being displayed on CTN of people who have not been found guilty.
Ms. Vereen-Dixon thanked all who supported the Arrowwood Family Fun Day. She thanked Police Chief Ent and Officer Green for attending the event, and presented Councilmember Kolb with a t-shirt to express appreciation of his support of the event.
COUNCILMEMBER KOLB
Councilmember Kolb presented Mayor Sheldon with a book from the children and staff of
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the Summer Enrichment Program at Hikone Community Center.
Councilmember Kolb presented a gift to Mayor Sheldon from the Mayor of Petersborough, Canada. He stated that during the Arborough Games it is tradition for the mayors to exchange gifts and he received the gift on behalf of Mayor Sheldon.
MAYOR SHELDON
Mayor Sheldon thanked the community volunteers, the Parks Department, Hospitality Committee, and the Ann Arbor Public Schools for support of the Arborough Games event.

COUNCILMEMBER CARLBERG
Councilmember Carlberg thanked all who supported the SmartWork Celebration at southeast area park on August 14, 1998.
COUNCILMEMBER LUMM
Councilmember Lumm thanked Councilmember Kolb for the lovely flowers.
CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS
The following minutes were received for file:
1. Downtown Development Authority - July 9, 1998
2. Employees= Retirement System - June 18, 1998
3. Ann Arbor Energy Commission - June 11, 1998 and July 2, 1998
Councilmember Lumm moved that the Clerk's Report be accepted.
On a voice vote the Mayor declared the motion carried.
PUBLIC COMMENTARY - GENERAL
None.
RECESS FOR EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION
Councilmember Herrell moved to recess for executive session to discuss pending litigation.
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On roll call, the vote was as follows:
Yeas, Councilmembers Kolb, Vereen-Dixon, Lumm, Carlberg, Herrell, Hartwell, Mayor Sheldon, 7;
Nays, 0.
Mayor Sheldon declared the meeting recessed at 10:18 p.m.
REGULAR SESSION RECONVENED
Councilmember Putman moved that the executive session be adjourned and that the regular session be reconvened.
On a voice vote the Mayor declared the motion carried and the regular session reconvened at 10:35 p.m.
ADJOURNMENT
There being no further business to come before Council, the Mayor declared the meeting adjourned at 10:35 p.m.
W. Northcross
Clerk of the Council
Frances M. McMullan
Recording Secretary