..Title
ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - AUGUST 4, 1997
..Body
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The regular session of the Ann Arbor City Council was called to order at 7:36 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 Tobi Hanna-Davies, Patricia Vereen-Dixon, Jane Lumm, David Kwan, Heidi Cowing Herrell, Patrick A. Putman, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 9.
ABSENT : Councilmembers Jean Carlberg and Stephen C. Hartwell, 2.
INTRODUCTIONS
HURON RIVER DAY SPONSORS RECOGNIZED
Parks and Recreation Superintendent Ronald Olson and Mayor Sheldon presented plaques recognizing the following major corporate sponsors of the 1997 Huron River Day celebration and Corporate Challenge Canoe Race: Subaru Mid-America, Ann Arbor Subaru, Ann Arbor News, Parke-Davis, Canoe Sport and First Martin Corporation. The event raised $10,000 for the City=s Parks and Recreation Scholarship Fund for disadvantaged youth and families. Parks and Recreation Marketing Specialist Irene Bushaw was recognized for her efforts in coordinating the event.
YOUTH MAPPING UPDATE
An update of the Youth Mapping project was presented by Jill Mason, coordinator, and high school students Rob Lloyd and Danielle Stockton. Ms. Mason explained that the project involves a survey of resources for youth in the community to develop a database accessible by Ann Arbor residents. Mr. Lloyd and Ms. Stockton reported on the method for collecting the information and the preliminary findings of the survey. (Project information and preliminary survey findings on file in the City Clerk=s Office).
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PUBLIC COMMENTARY - RESERVED TIME
ELWOOD HOLMAN - PARKING
Elwood Holman, President of the Ann Arbor Area Chamber of Commerce, read a statement, adopted by the Chamber board of directors, expressing the importance of parking structures to the economic vitality of the community. He also quoted from letters of central area business people expressing concern with the City=s parking problems. Mr. Holman stated that the condition of the parking structures is of critical concern and that the City urgently needs to remedy the situation and commit the necessary financial resources. He urged Council=s approval of the

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Downtown Development Authority=s proposed parking structure repair plan.

PAUL LAMBERT - PARKING

Paul Lambert, 201 W. William St., stated that the current parking proposal is too costly and shortsighted, and will further the City=s cycle of debts. He expressed concern that the proposal will only benefit a few people, especially the downtown landlords, and stated that Ann Arbor citizens need a city that is not just for the rich. Mr. Lambert urged Council to vigorously pursue alternative forms of transportation.

RICHARD BOLLINGER - NEW CONSTRUCTION ON TURNER PARK COURT

Richard Bollinger, 618 Fifth St., spoke in opposition to the large homes being built on the vacant land on Turner Park Court. He stated that the new construction, which is out of scale and character with the surrounding residences, violates Historic District guidelines for the size of the lots. He requested that the City enforce those guidelines.

VINCE CARUSO - ALLEN CREEK DRAIN

Vince Caruso, 556 Glendale Circle, spoke in opposition to the proposal to replace portions of the Allen Creek with a large partially-buried pipe to prevent further erosion. He stated that the project will drastically alter the look and function of this Westside park space, and does not comply with the recently adopted natural features ordinance. Mr. Caruso expressed concern that the two plans presented by the City Utilities Department are highly destructive to the natural features in the area, require excessive man-made structures, and may further aggravate conditions in the areas down stream. He requested postponement of the proposal for a public hearing.

MEL LARSON - FINANCING DOWNTOWN PARKING

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Mel Larson, 3018 Bolgos Circle, spoke against parking revenues going into the general fund and stated that the parking structures should have been funded for maintenance over many years. Mr. Larson also spoke against using this occasion to make parking structures hostage to affordable housing. He urged Council=s approval of the proposal to amend the agreement between the Downtown Development Authority and the City to allow the DDA to receive parking revenues for parking structure repairs.

RITA MITCHELL - NEW CONSTRUCTION ON TURNER PARK COURT

Rita Mitchell, 621 Fifth St., spoke in opposition to the large homes being built on the vacant land on Turner Park Court, and requested that the Historic District Commission maintain its standards in height, front and side setbacks, and scale in order to maintain harmony with the housing in the local neighborhoods. Ms. Mitchell reported that the Building Department granted a building permit before the proposal was reviewed by the Historic District Commission and that the Commission was given incomplete information. She expressed concern that the new construction is not receiving the same scrutiny as existing structures.

STEVEN RUSSMAN - NEW CONSTRUCTION ON TURNER PARK COURT

Steven Russman, 629 Fifth St., spoke in opposition to the new construction on Turner Park Court. He stated that an error was made by allowing construction of these large homes, and that the City is responsible for enforcing the Historic District regulations. Mr. Russman expressed concern that, as construction moves forward, the residents are not getting an appropriate response back from the City. He reported that over 100 neighborhood residents have signed a petition opposing the construction.

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PUBLIC HEARINGS

ERIM REZONING (ORDINANCE NO.33-97)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 35.26 acres from ORL (Office/Research/Limited Industrial District) and O (Office District) to Preliminary Phase PUD (Planned Unit Development District), ERIM property, 1968 Green Road. Notice of public hearing was published July 20, 1997.

The following person appeared:

Robert Black, representing ERIM, thanked the City for its cooperation and urged approval of the proposed ordinance and the resolution to approve the site development agreement. Mr. Black stated that ERIM

worked with its neighbors to develop partnerships for environmental considerations as well as economic development. He reported that the design of the storm water retention/filtration system recognizes and celebrates Miller=s Creek which runs through the site, and that he had no objection to the addition of the word Jprotect regarding Miller=s Creek in the development regulations.

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

BALLOT PROPOSALS

A public hearing was conducted on the following two proposed ballot issues for the November 1997 general election: 1) Park Maintenance and Repair Millage (.4725 Mill); and 2) Leslie Science Center Environmental Education Addition Bonding Proposition ($1,700,000 Bond Package).

The following people appeared:

Paul McKelvey, 2956 Exmoor Rd., Chair of the Leslie Science Center Citizen Advisory Committee, spoke in support of the bonding proposition for the Leslie Science Center. Ms. McKelvey stated the current facility is grossly inadequate for the programs at the center, and that the proposal will provide the children of the community with an environmental educational center that would serve their needs well into the next century.

Nelson Meade, Park Advisory Commission Member, urged Council=s support of the two proposals to allow Ann Arbor citizens the opportunity to vote on the issues. He stated that the renewal of the millage is essential to continuing the quality operations of the Parks Department, and that the modest addition to the millage will enable the City to keep pace with the growth of its park system.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

MOTIONS AND RESOLUTIONS

Move: Resolution Authorizing Amendment of Parking Agreement Between the City of Ann Arbor and the Downtown Development Authority

(Administrator) (Tabled March 17, 1997) ***(Considered after R-342-8-97)***

Move: Resolution Authorizing Appropriation of Funds to Downtown Development Authority for Capital Repairs ($373,798.00) (Administrator (8 Votes

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Required) (Tabled March 17, 1997) ***(Considered after R-342-8-97)***
Revise: Resolution to Approve Collective Bargaining Agreement with Ann Arbor Police Officers Association for Community Service Assistants, 1994-1998 (Human Resources) (Postponed June 21, 1997) ***(Cover memo and Page 2 of Collective Bargaining Agreement Revised)***
Delete: Resolution Regarding Council Secretary Job Description (Ad Hoc Council Secretary Committee)
Delete: Resolution Regarding City Efforts to Encourage and Use Alternative Transportation (Councilmembers Daley and Herrell) ***(Rescheduled for September 2, 1997)***
Correct Resolution <Ordering Election and Determining Ballot Questions for Title & Charter Amendment -> TO APPROVE A MILLAGE PROPOSAL FOR Sponsor: .4725 MILL for Parks Maintenance and Repair (<Administrator> PARK ADVISORY COMMISSION) (7 Votes Required)
Correct Resolution <to Approve Ballot Proposal for $1,700,000 General Title & Obligation Bond Issue to Fund Expansion of Environmental Learning Sponsor: Facilities at Leslie Science Center> CALLING ELECTION FOR LESLIE SCIENCE CENTER ENVIRONMENTAL EDUCATION ADDITION BONDING PROPOSITION ($1,700,000 BOND PACKAGE) (<Administrator> PARK ADVISORY COMMISSION) (7 Votes Required)
Add: Resolution to Accept and Appropriate a Grant from the Michigan Department of Community Health for the Mayor=s Task Force on Increasing Safety for Women=s ℑPainted Bus Project (Mayor Sheldon)
On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF JULY 14 AND 21 APPROVED

Councilmember Putman moved that the working session minutes of July 14, 1997 and the regular session minutes of July 21, 1997 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-323-8-97 APPROVED

RESOLUTION TO APPROVE INSURANCE RENEWAL

Whereas, The City is best served by purchasing a composite insurance program through different markets with the broadest coverages at the lowest price;
Whereas, Human Rights approval was obtained for the C.M. Althoff Company, Arkwright Mutual Insurance Company and Sedgwick James of Michigan on July 25, 1997; and
Whereas, The Finance Director, Risk Manager, Board of Insurance Administration and the Administrator recommend the purchase of insurance as outlined in Attachment "A" (on file in the City Clerk=s Office);
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RESOLVED, That the City Council hereby approve the Fiscal Year 1997-98 Insurance Program as presented in Attachment "A";
RESOLVED, That an amount of $528,065 be appropriated from the Insurance

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Fund to pay for the property and casualty insurance costs identified in Attachment "A"; and
RESOLVED, That the City Administrator is authorized to take the necessary administrative steps to implement this resolution.
****
R-324-8-97 APPROVED
RESOLUTION TO AUTHORIZE EXECUTION OF
COMPREHENSIVE GRANT PROGRAM AMENDMENT #705-97
FOR IMPROVEMENTS TO EXISTING PUBLIC HOUSING
Whereas, The City of Ann Arbor, acting by and through the Housing Commission, and HUD have a Consolidated Annual Contributions Contract #C-3001, dated 11-16-76;
Whereas, Annually HUD agrees to provide comprehensive grant assistance to the Housing Commission, upon submission of an annual and five-year plan, which reflects resident participation and Board approval (4-16-97 by Resolution No. 37-97); and
Whereas, HUD has reviewed and accepted said submission for federal fiscal year 1997 and has returned for execution of the requisite Comprehensive Grant Program (CGP) Amendment documents, (form HUD-52840) to grant $470,009.00 in funding assistance under CGP# M128-P064-705-97;
RESOLVED, That City Council approve the execution of said CGP Amendment #005 by the Executive Director of the Housing Commission, to authorize grant funding in the amount of $470,009.00 for the purpose of financing improvements to the physical condition of existing public housing and upgrades to the Commission=s management and operations of those sites.
****
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R-325-8-97 APPROVED
RESOLUTION TO APPROVE PROFESSIONAL SERVICES
AGREEMENT WITH JOHNSON, JOHNSON, AND ROY, INC.
AND ESTABLISH A PROJECT BUDGET FOR
THE BROADWAY BRIDGES SITE PLAN
Whereas, The Broadway Bridges require replacement;
Whereas, It is necessary to retain the services of a professional engineering/architectural firm to prepare the site plan documents to comply with City policy;
Whereas, Johnson, Johnson, and Roy, Inc. of Ann Arbor, Michigan, has submitted a proposal for preparing the site plan, setting forth the services to be performed by them, and the payments to be made by the City therefor, all of which are agreeable to the City; and
Whereas, The Human Resources Department has given approval of Johnson, Johnson, and Roy, Inc. on August 4, 1997;
RESOLVED, That a professional services agreement in the amount of $249,987.00 be approved with Johnson, Johnson, and Roy, Inc.;
RESOLVED, That the Mayor and City Clerk be hereby authorized and directed to execute said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator;
RESOLVED, That the following project budget be adopted for the life of the project, to be available without regard to fiscal year:
DESIGN BUDGET
Section I, Revenue

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$300,000 Street Millage Fund (Fund 062)
$300,000 TOTAL; and
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Section II, Expense
$250,000 Consulting architectural/engineering services
40,000 City=s design engineering services
10,000 Miscellaneous charges including City owned vehicles, printing, materials and supplies, etc.
$300,000 TOTAL; and
RESOLVED, That the City Administrator be authorized to take the necessary administrative actions to implement this resolution.
****

R-326-8-97 APPROVED
RESOLUTION TO APPROVE PURCHASE OF ELGIN SWEEPER WITH BELL EQUIPMENT COMPANY
Whereas, An Elgin Street Sweeper is needed by the Public Service Department for street maintenance;
Whereas, Bell Equipment is the regional Elgin Dealer and their quote of $91,760.00 represents only a 3.0% increase from the City=s 1996 purchase of a similar sweeper;
Whereas, It is in the City=s best interest to standardize street cleaning equipment;
Whereas, Bell Equipment Company received Human Rights approval from the Human Resources Department on April 29,1997; and
Whereas; Funding for this purchase is available within the approved Fleet Services Motor Equipment Fund Budget;
RESOLVED, That City Council approve the purchase of a 1997 Elgin Street Sweeper from Bell Equipment Company in the amount of $91,760.00.
****

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R-327-8-97 APPROVED
RESOLUTION TO ACKNOWLEDGE EMERGENCY PURCHASE ORDER TO LA FONTAINE BROS ARBOR DODGE FOR TWO 1997 INTREPIDS FOR POLICE DEPARTMENT
Whereas, The Fleet Services Division of the Public Services Department purchases new replacement vehicles for the City of Ann Arbor=s Police Department;
Whereas, LaFontaine Bros Arbor Dodge was the lowest responsible bidder for two 1997 Dodge Intrepids;
Whereas, Pursuant to City Code 1:316, Emergency Purchases, appropriate Public Service Department and City Administrator approval was obtained prior to the purchase of these new vehicles; and
Whereas, LaFontaine Bros Arbor Dodge received Human Resources approval on July 14, 1997;
RESOLVED, That City Council confirms and ratifies the purchase of these automobiles on an emergency purchase order, pursuant to City Code 1:316; and
RESOLVED, That the Public Service Department be directed to provide the details of this purchase to the City of Ann Arbor=s Purchasing Agent, who shall be required to preserve the documents for a period of 2 years in accordance with City Code.
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R-328-8-97 APPROVED

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RESOLUTION TO AUTHORIZE SINGLE LOT
SPECIAL ASSESSMENTS FOR SOUTH
MAIN STREET
RECONSTRUCTION PROJECT - PHASE III

Whereas, The City has constructed improvements in the public right-of-way abutting certain lots and premises; and

Whereas, Notices have been given by first class mail to the owners of each premises of the total amount due as required by the City Code;

RESOLVED, That single lot special assessments for the unpaid amounts be levied against such owners and premises as described in Schedule A;

RESOLVED, That the payment of said special assessments be hereby
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authorized in six annual installments commencing on December 1, 1997, with a rate of interest of 7.00%. Interest is to commence on December 1, 1997 and is to be collected annually on June 1, the due date of the second and subsequent installments of said special assessment roll; and

RESOLVED, That the total amount of $5,226.74 be credited to the South Main Street Reconstruction - Phase III Project Account (Fund 062; Job No. 1577).

SCHEDULE A
S. MAIN STREET RECONSTRUCTION - PHASE III
SINGLE LOT SPECIAL ASSESSMENTS

Assessor=s Code Address Owner Amount
09-32-224-018 1328 S. Main Street John R. Simpkins $2,186.74
Ann Arbor, MI 48104
09-32-233-001 1300 S. Main Street Byron E. Weed, II $1,520.00
Ann Arbor, MI 48104
09-32-233-024 1302 S. Main Street Mid-American Sales $1,520.00
Ann Arbor, Mi 48104

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R-329-8-97 APPROVED

RESOLUTION TO APPROVE A VOLUME PURCHASE
AGREEMENT WITH MICROSOFT CORPORATION AND
SOFTMART CORPORATION FOR PURCHASE OF
COMPUTER SOFTWARE PRODUCTS - BID NO. 3071

Whereas, The City of Ann Arbor has many applications implemented and planned for its Network Computing System directed towards increasing the efficiency and effectiveness of city service delivery;
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Whereas, The City of Ann Arbor requires computer server and system software to expand and improve the capabilities of its Network Computing System;

Whereas, The Information Services Division of the Administrative Services Department has established Microsoft server and system products as its standard for the Network Computing System;

Whereas, The Microsoft Corporation extends the lowest possible cost to the City of Ann Arbor for its software products through two-year volume purchase agreements;

Whereas, The Microsoft Corporation has authorized certain large accounts distributors to manage and administer its volume purchase agreements;

Whereas, Bid No. 3071: Microsoft Volume Purchase Agreement, was sent to

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four Microsoft product distributors and responses were received from four firms;
Whereas, Softmart Corporation of Downingtown, Pennsylvania, was determined to be the lowest responsible bidder on Bid No. 3071;
Whereas, Softmart Corporation received Human Rights approval on October 18, 1996; and
Whereas, Funds for the purchase of computer software products are included in the budget within the Capital Projects Fund, Account No. OCP-013-9523;
RESOLVED, That the recommendation of the City Administrator be approved, that the City enter into the Volume Purchase Agreement with Microsoft Corporation, and that Bid No. 3071 be awarded and purchase orders issued to Softmart Corporation under said volume purchase agreement in the amount of $55,774.00; and
RESOLVED, That the Mayor and City Clerk be authorized to execute on behalf of the City all contracts and agreements which are required for this purchase and which are approved as to form by the City Attorney and to substance by the City Administrator.
****

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R-330-8-97 APPROVED
RESOLUTION TO APPROVE PURCHASE AND INSTALLATION OF RECYCLED ALUMINUM BLEACHERS
FOR SOUTHEAST AREA PARK - BID NO. 3061
Whereas, The budget for the supply and installation of bleachers (with recycled materials content) was appropriated by Council from the Buy-Recycled Set Aside Fund for Fiscal Year 1996-97 that was reappropriated to Fiscal Year 1997-98 (per Council Resolution R-276-6-97) with matching multi-year funds from the 1989-94 Park Rehabilitation and Development Millage Fund 041 for Southeast Area Park improvements as approved as part of the budget for Fiscal Year 1997-98;
Whereas, Competitive bids were received by the Purchasing Division on July 24, 1997 and Dant Clayton Corporation was the lowest responsible bidder at $31,654.00, including the purchase, delivery and installation of 9 sets of Alum-AStand bleachers for Southeast Area Park;
Whereas, Funds are available and appropriated for the project from the Buy-Recycled Grant Award in the amount of $15,965.00 and matching amount from the 1989-94 Park Rehabilitation and Development Millage Fund 041 for a total of $31,930.00; and
Whereas, The Human Rights Department approval was received on July 28, 1997 for the Dant Clayton Corporation;
RESOLVED, That the Mayor and City Council approve a purchase order for purchase, delivery and installation of the 9 sets of bleachers, per Bid No. 3061, with Dant Clayton Corporation in the amount of $31,654.00 for the recycled aluminum bleachers for Southeast Area Park.
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R-331-8-97 APPROVED
RESOLUTION TO APPROVE A ONE-YEAR SOLID WASTE EDUCATION CONTRACT EXTENSION WITH
THE ECOLOGY CENTER - RFP NO. 369
Whereas, It is the City's responsibility to manage and reduce the solid waste

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stream in a cost-effective, service-oriented and environmentally responsible manner;
Whereas, Solid waste programs require residents to separate clean materials for recycling and composting and encompass over 30 broad categories of materials,
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representing thousands of specific consumer items;
Whereas, To increase the volume of recyclables diverted from the waste stream and keep the recovered materials relatively free of contaminants, the City engages in cost-effective solid waste education measures to increase community understanding and compliance;
Whereas, To address the educational needs of youth in solid waste education, the City conducted a competitively-bid request for proposals in 1995;
Whereas, The Ecology Center bid was ranked highest by a review committee representing the Solid Waste Commission, the schools, general public and the department;
Whereas, The bid document specified the services to be provided at the same rate for 2 years with a one-year optional extension for 1997/98;
Whereas, Funds for youth educational services have been budgeted in the Solid Waste Department's 1997/98 operating budget; and
Whereas, Human Rights Approval for the Ecology Center was received June 18, 1997;
RESOLVED, That the City authorize the third year extension of the contract for solid waste youth educational services with the Ecology Center as identified in the original bid for $23,000.00 for fiscal year 1997/98.
****

R-332-8-97 APPROVED
RESOLUTION TO APPROVE TEMPORARY OUTDOOR SALES, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR GRIZZLY PEAK BREWING CO., 120 WEST WASHINGTON STREET - SEPTEMBER 26-28, 1997
RESOLVED, That the request of the Grizzly Peak Brewing Co., 120 West Washington Street, for temporary authorization of outdoor sales, service and consumption of alcoholic beverages during its Oktoberfest event, September 26-28,1997, be approved within the defined area filed with the Ann Arbor Police and Building Departments.
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R-333-8-97 APPROVED
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RESOLUTION TO APPROVE TRANSFER OWNERSHIP OF A B-HOTEL LICENSED BUSINESS TO
U.S. 23 LODGE, L.L.C., 3750 WASHTENAW AVENUE -
D.B.A. QUALITY INN AND SUITES
RESOLVED, That the request from U.S. 23 Lodge, L.L.C. (d.b.a. Quality Inn and Suites) to transfer ownership of a 1996 B-Hotel licensed business with Dance-Entertainment Permit, located in escrow at 3750 Washtenaw Avenue, Ann Arbor, from Shrel, Inc. be approved.
The question being the foregoing Consent Agenda items as presented, on a voice

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vote the Mayor declared the motion carried.
ORDINANCES - SECOND READING
33-97 APPROVED
ERIM REZONING
An Ordinance to Amend the Zoning Map Being a Part of
Chapter 55 of Title V of the Code of the City of Ann Arbor
This ordinance would change the zoning of 35.26 acres, located at 1968 Green Road, from ORL (Office/Research/Limited Industrial District) and O (Office District) to Preliminary Phase PUD (Planned Unit Development District), ERIM Property, 1968 Green Road.
Councilmember Putman moved that the ordinance be adopted at second reading.
Councilmember Hanna-Davies moved that the second sentence of Section 1 of the PUD Supplemental Regulations be amended as follows:
...These regulations seek to promote development that integrates this parcel with its neighbors; enhances the character and quality of its open space; recognizes, <and> celebrates AND PROTECTS Miller=s Creek; ...
On a voice vote the Mayor declared the motion carried.
Council unanimously agreed with Councilmember Kwan=s request that he be allowed to abstain from the vote.
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With unanimous consent of Council, Robert Black, representing ERIM, answered questions concerning permitted uses on the site.
The question being the ordinance with the amended supplemental regulations, on a voice vote the Mayor declared the motion carried, with Councilmember Kwan abstaining.
ORDINANCES - FIRST READING
40-97 APPROVED
ANN ARBOR HOUSING COMMISSION
An Ordinance to Amend Section 1:209 of Chapter 8
of Title I of the Code of the City of Ann Arbor
This ordinance would empower the Housing Commission to act as a Iborrower as defined within Public Act 18.
Councilmember Daley moved that the ordinance with Option 1 be approved at first reading.
On a voice vote the Mayor declared the motion carried.
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MOTIONS AND RESOLUTIONS
R-334-8-97 APPROVED
RESOLUTION TO APPROVE COLLECTIVE BARGAINING
AGREEMENT WITH ANN ARBOR POLICE OFFICERS ASSOCIATION
FOR COMMUNITY SERVICE ASSISTANTS, 1994-1998
Whereas, The Ann Arbor Police Officers Association has bargained a collective bargaining agreement for the Community Services Assistants, Crime Analyst, Youth Diversion Case Worker, Crime Prevention Specialist, and Disaster Preparedness Planning Specialist;
Whereas, The parties bargained this agreement to take effect retroactive to July 1, 1994 through June 30, 1998; and
Whereas, The City Administrator recommends approval of the Tentative

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Agreement on file in the City Clerk=s Office;
RESOLVED, That City Council approve the collective bargaining agreement negotiated between the City of Ann Arbor and the Ann Arbor Police Officers Association;
RESOLVED, That the Administrator be authorized to make necessary transfers to the budget as appropriate; and
RESOLVED, That City Council authorize the Mayor and City Clerk to sign the collective bargaining agreement substantially in the form on file in the Office of the City Clerk.
Councilmember Vereen-Dixon moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
****

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R-335-8-97 APPROVED
RESOLUTION TO APPROVE THE SUPPLEMENTAL AGREEMENT BETWEEN THE CITY OF ANN ARBOR AND THE ANN ARBOR POLICE SUPERVISORS TEAMSTERS, LOCAL 214, FOR WAGES, JULY 1, 1997-JUNE 30, 1998
Whereas, The current bargaining agreement between the City of Ann Arbor and the Ann Arbor Police Supervisors Teamsters, Local 214, included a July 1, 1997 reopener for wages;
Whereas, The parties have negotiated an increase in wages of 1.5% retroactive to July 1, 1997, and an increase of 1.5% effective January 1, 1998;
Whereas, The parties negotiated a wage step Jafter 5 years of 1% above the starting pay for Lieutenant, Lieutenant with Educational Premium Pay, Captain and Captain with Educational Premium Pay retroactive to July 1, 1997;
Whereas, The parties negotiated a wage increase of 1% at the Jafter 5 years step for Lieutenant, Lieutenant with Educational Premium Pay, Captain and Captain with Educational Premium Pay effective January 1, 1998; and
Whereas, The City Administrator recommends approval of the negotiated supplemental agreement;
RESOLVED, That City Council approve the negotiated wage increases for the Ann Arbor Police Supervisors Teamsters, Local 214; and
RESOLVED, That City Council authorize the Mayor and City Clerk to sign the supplemental bargaining agreement on behalf of the City, the City Administrator as to substance, and the City Attorney as to form.
Councilmember Daley moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
****

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R-336-8-97 APPROVED
RESOLUTION TO INSTITUTE A $10,000 FRANCHISE APPLICATION FEE FOR ENERGY UTILITY FRANCHISE APPLICANTS
Whereas, The energy utility industry (primarily natural gas and electric) restructuring may lead to a proliferation of entities wishing to use Ann Arbor=s rights-of-way to deliver energy;
Whereas, The City has a right and obligation to regulate the usage of public

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rights-of-way;
Whereas, The State constitution mandates that energy utilities have a franchise in municipalities in which they do business;
Whereas, The City wishes to investigate thoroughly the ability of each applicant to meet its obligations to deliver energy and to use the City=s rights-ofway responsibly prior to granting a franchise;
Whereas, Processing applications to use the public rights-of-way has an associated expense in staff and legal costs; and
Whereas, The Energy Commission, after researching this issue, recommends the establishment of a franchise application fee for utility franchise applicants;
RESOLVED, That the City Attorney be hereby directed to prepare an ordinance for consideration by Council establishing a non-refundable franchise application fee in the amount of $10,000 for entities requesting a franchise to use, directly or indirectly, the public rights-of-way to deliver energy.
****

R-337-8-97 APPROVED
RESOLUTION TO APPROVE ERIM SITE DEVELOPMENT AGREEMENT
A communication was received from the City Planning Commission transmitting its approval of the proposed ERIM Site Development Agreement, 35.26 acres, 1968 Green Road.
Whereas, A site development agreement for ERIM Planned Unit Development at 1968 Green Road has been prepared to address public utilities, storm water detention and retention, Plymouth/Green intersection improvements, and public utilities and cross-access easements;
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RESOLVED, That City Council approve the Site Development Agreement, substantially in the form of that on file in the City Clerk=s Office, dated June 11, 1997.
Councilmember Vereen-Dixon moved that the resolution be adopted.
Council unanimously agreed with Councilmembers Kwan=s request that he be allowed to abstain from the vote.
The question being the resolution as presented, on a voice vote the Mayor declared the motion carried.
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R-338-8-97 APPROVED
RESOLUTION TO APPROVE KINCH (LOT 25) ANNEXATION
A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Kinch (Lot 25) Annexation, 0.16 acre, east side of Pinewood Street north of 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, Stephen L. and Cynthia M. Kinch are the owners of said property; and
Whereas, It is the desire of Stephen L. and Cynthia M. Kinch 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

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being in the Township of Scio, Washtenaw County, Michigan, be detached from said Township of Scio and annexed to the City of Ann Arbor, to-wit:
Lot 25 of The Evergreens Subdivision, Washtenaw County, Michigan.
Councilmember Vereen-Dixon moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
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R-339-8-97 APPROVED
RESOLUTION TO APPROVE KINCH (LOT 29) ANNEXATION
A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Kinch (Lot 29) Annexation, 0.16 acre, east side of Pinewood Street north of 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, Stephen L. and Cynthia M. Kinch are the owners of said property; and
Whereas, It is the desire of Stephen L. and Cynthia M. Kinch 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 Scio and annexed to the City of Ann Arbor, to-wit:
Lot 29 of The Evergreens Subdivision, Washtenaw County, Michigan.
Councilmember Vereen-Dixon moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
****

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R-340-8-97 APPROVED
RESOLUTION TO APPROVE ORCUTT ANNEXATION
A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Orcutt Annexation, 0.13 acre, 1712 South State Street.
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, Daniel K. Orcutt is the owner of said property; and
Whereas, It is the desire of Daniel K. Orcutt 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:
Commencing at the Southeast 1/4 of Section 32; thence West 120.88 feet in the south line of section; thence deflecting 91 degrees 25 minutes 20 seconds to the right 21.75 feet for a Place of Beginning; thence continuing Northerly 43.30 feet; thence deflecting 67 degrees 30 minutes to the right 130.65 feet; thence deflecting 90 degrees 00 minutes to the right 40 feet; thence deflecting 90 degrees 00 minutes to the right 147.12 feet to the Place of Beginning, being a part of the southwest 1/4 of Section 33 and part of the Southeast 1/4 of Section 32,

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Town 2 South Range 6 East, Township of Ann Arbor, Washtenaw County, Michigan.
Councilmember Vereen-Dixon moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
****

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R-341-8-97 APPROVED
RESOLUTION TO APPROVE PALMER ANNEXATION
A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Palmer Annexation, 1.5 acres, 227 Orchard Hills Drive.
Whereas, The territory hereinafter described is located in the Township of Ann Arbor and is adjacent to the corporate limits of the City of Ann Arbor;
Whereas, Mary S. Palmer is the owner of said property; and
Whereas, It is the desire of Mary S. Palmer 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:
Lots 20, 21 and 22 of Orchard Hills Subdivision No. 1, Washtenaw County, Michigan.
Councilmember Kwan moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
****

R-342-8-97 APPROVED AS AMENDED
RESOLUTION ON DOWNTOWN DEVELOPMENT AUTHORITY
PROPOSED PARKING STRUCTURES REPAIR DECISIONS
A resolution on the Downtown Development Authority proposed parking structures repair decisions was considered.
Councilmember Kolb moved that the resolution be adopted.
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Councilmember Kwan moved that the tenth paragraph of the resolution be amended as follows:
RESOLVED, That City Council supports <the DDA decision to demolish all but the bottom three levels> DEMOLITION AND REPLACEMENT of the Fourth & Washington parking structure <and do full slab replacement on these levels creating a parking facility> with approximately <90> 245-375 parking spaces, AND ENCOURAGES THE DDA TO EXPLORE THE EXPANSION OF THE STRUCTURE OVER THE ADJACENT ALLEY TO MAXIMIZE, WITHIN REASON, THE TOTAL NUMBER OF PARKING SPACES AVAILABLE;
On a voice vote the Mayor declared the motion carried.
Councilmember Kwan moved that the ninth paragraph of the resolution be amended as follows:
RESOLVED, That City Council supports the DDA decision to conduct a full slab replacement of the west half of the Maynard parking structure, and oversee other repairs as outlined in the 1997 Carl Walker

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report, UNLESS FURTHER STUDIES AND ANALYSES RESULT IN A MORE VIABLE ALTERNATIVE;

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

The resolution as adopted reads as follows:

R-342-8-97

RESOLUTION ON DOWNTOWN DEVELOPMENT AUTHORITY PROPOSED PARKING STRUCTURE REPAIR DECISIONS

Whereas, Several recent engineering studies indicate that parking structures currently under DDA management will need significant repairs over the next several years to remain operational;

Whereas, The DDA is required by Article 7 of its lease agreement with the City to undertake ℑfurther repairs, alterations, additions, and enhancements of the Facilities as deemed reasonable and necessary by the DDA to operate the Facilities for the purposes set forth in this agreement;

Whereas, The DDA has presented a series of public meetings to discuss parking repair options and issues, and has received input from a great number of people in the community through letters, phone calls, and personal comments; and

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Whereas, The DDA presented its findings and recommendations to City Council at a work session on July 14, 1997;

RESOLVED, That City Council supports the DDA decision to apply a sealer with strip deck coating to the Ann/Ashley parking structure, and oversee elevator repairs and other repairs to the structure as outlined in the 1997 Carl Walker report;

RESOLVED, That City Council supports the DDA decision to apply a traffic membrane with deck coating to the Liberty Square parking structure, and oversee elevator repairs and other repairs to the structure as outlined in the 1997 Carl Walker report;

RESOLVED, That City Council supports the DDA decision to apply a traffic membrane with deck coating to the Fourth & William parking structure, and oversee elevator repairs and other repairs to the structure as outlined in the 1997 Carl Walker report;

RESOLVED, That City Council supports the DDA decision to completely replace the Forest Street parking structure on the same site or on another site in the South University area with a minimum of 591 parking spaces;

RESOLVED, That City Council supports the DDA decision to conduct a full slab replacement of the west half of the Maynard parking structure, and oversee other repairs as outlined in the 1997 Carl Walker report, unless further studies and analyses result in a more viable alternative;

RESOLVED, That City Council supports demolition and replacement of the Fourth & Washington parking structure with approximately 245-375 parking spaces, and encourages the DDA to explore the expansion of the structure over the adjacent alley to maximize within reason the total number of parking spaces available; and

RESOLVED, That City Council supports the DDA decision to conduct a full slab replacement on the First & Washington parking structure, and oversee other repairs as outlined in the 1997 Carl Walker report.

The Mayor declared a recess at 9:36 p.m.

The Mayor again called the meeting to order at 9:50 p.m.

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R-343-8-97 APPROVED AS AMENDED
RESOLUTION AUTHORIZING AMENDMENT OF
PARKING AGREEMENT BETWEEN THE CITY OF ANN ARBOR
AND THE DOWNTOWN DEVELOPMENT AUTHORITY
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A resolution authorizing amendment of the parking agreement between the City of Ann Arbor and the Downtown Development Authority was considered.
Councilmember Kolb moved that the resolution be adopted.
Councilmember Lumm moved that the resolution be amended after the fifth paragraph as follows:
WHEREAS, THE DDA RECENTLY COMPLETED ITS PARKING STRUCTURE STUDY AND PRESENTED ITS CONCLUSIONS AND RECOMMENDATIONS TO COUNCIL ON JULY 14, 1997;
WHEREAS, THE RECOMMENDATIONS WERE UNANIMOUSLY ENDORSED BY ALL DDA MEMBERS, INCLUDING THE RECOMMENDATION THAT THE DDA RETAIN ALL THE PARKING REVENUES TO ENSURE THAT THE STRUCTURES ARE REPAIRED AND THAT ADEQUATE RESERVES FOR FUTURE REPAIRS ARE ESTABLISHED; AND
WHEREAS, THE RECOMMENDATIONS REPRESENT A LONGTERM (10-YEAR) PARKING STRUCTURE PLAN INCLUDING BOND FINANCING OF 15-20 YEARS, AND TO DEMONSTRATE ITS SUPPORT OF THAT PLAN, CITY COUNCIL ENDORSES THE RECOMMENDATION THAT THE PARKING SYSTEM BE ALLOWED TO RETAIN ALL THE PARKING REVENUES (IF DETERMINED NECESSARY BY THE DDA) FOR THE DURATION OF THE RELATED BOND FINANCING;
RESOLVED, That the Mayor and City Council authorize an amendment to the agreement between the City of Ann Arbor and the DDA, reserving all surplus parking revenues to an urgent repairs AND REPLACEMENT account <for a period of three years commencing with fiscal year July 1, 1996/97 and ending with fiscal year July 1, 1998/99> BEGINNING JULY 1, 1996 FOR AS LONG AS DEEMED NECESSARY BY THE DDA TO ONLY FUND PARKING REPAIRS, MAINTENANCE AND OPERATIONS OF THE CURRENT DDA PARKING SYSTEM;
<RESOLVED, That on June 30, 1999, any excess revenues retained, but not encumbered for repair projects shall revert to the City;>
RESOLVED, THAT AT THE TIME THE LEASE AGREEMENT BETWEEN THE CITY AND DDA IS RENEWED, THE STATUS OF THE PARKING STRUCTURE REPAIR PROGRAM SHALL BE REVIEWED, INCLUDING AN EXAMINATION OF THE DDA DEBT SERVICE OBLIGATION, THE FUNDING OF THE URGENT REPAIR ACCOUNT,
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ANTICIPATED STRUCTURE REPAIRS AND OTHER ANTICIPATED EXPENSES; and
RESOLVED, That the Mayor and City Council ALSO authorize an amendment to the lease agreement between the City of Ann Arbor and the DDA reflecting that an increased annual reserve in the amount of 25% of gross parking revenues shall be set aside by the DDA for major

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capital repairs.
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:
R-343-8-97
RESOLUTION AUTHORIZING AMENDMENT OF
PARKING AGREEMENT BETWEEN THE CITY OF ANN ARBOR
AND THE DOWNTOWN DEVELOPMENT AUTHORITY
Whereas, Several recent engineering studies indicate that many parking structures currently under Downtown Development Authority (DDA) management will need significant repairs over the next several years to remain operational;
Whereas, The DDA is required by Article 7 of its lease agreement with the City to undertake further repairs, alterations, additions, and enhancements of the Facilities as deemed reasonable and necessary by the DDA to operate the Facilities for the purposes set forth in this agreement;
Whereas, The passage of Proposition A limited the ability of the DDA to issue bonds for construction or repair projects, and capital reserve funds are not anticipated to be sufficient to cover the cost of these repairs and the only remaining source of funds for needed repairs are parking revenues not expended from DDA annual parking operations and maintenance accounts;
Whereas, The DDA resolved at its November 14, 1996 meeting to authorize the submission to City Council of an amendment to the agreement between the City of Ann Arbor and the DDA reserving all surplus parking revenues to an Urgent Repairs account for a period of three years commencing with fiscal year July 1, 1996/97 and ending with fiscal year July 1, 1998/99;
Whereas, The DDA also resolved at its January 9, 1997 meeting to authorize the submission to City Council of an amendment reflecting that an annual reserve in the amount of 25% of gross parking revenues shall be set aside by the DDA for
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major capital repairs;
Whereas, The DDA recently completed its parking structure study and presented its conclusions and recommendations to Council on July 14, 1997;
Whereas, The recommendations were unanimously endorsed by all DDA members, including the recommendation that the DDA retain all the parking revenues to ensure that the structures are repaired and that adequate reserves for future repairs are established; and
Whereas, the recommendations represent a long-term (10-year) parking structure plan, including bond financing of 15-20 years, and to demonstrate its support of that plan, City Council endorses the recommendation that the parking system be allowed to retain all the parking revenues (if determined necessary by the DDA) for the duration of the related bond financing;
RESOLVED, That the Mayor and City Council authorize an amendment to the agreement between the City of Ann Arbor and the DDA, reserving all surplus parking revenues to an urgent repairs and replacement account beginning July 1, 1996 for as long as deemed necessary by the DDA to only fund parking repairs, maintenance and operations of the current DDA Parking System;
RESOLVED, That at the time the lease agreement between the City and DDA is renewed, the status of the parking structure repair program shall be reviewed,

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including an examination of the DDA debt service obligation, the funding of the Urgent Repair account, anticipated structure repairs and other anticipated expenses; and

RESOLVED, That the Mayor and City Council authorize an amendment to the lease agreement between the City of Ann Arbor and the DDA reflecting that an increased annual reserve in the amount of 25% of gross parking revenues shall be set aside by the DDA for major capital repairs.

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R-344-8-97 APPROVED

RESOLUTION AUTHORIZING APPROPRIATION
OF FUNDS TO DOWNTOWN DEVELOPMENT
AUTHORITY FOR CAPITAL REPAIRS

Whereas, The Downtown Development Authority (DDA) commissioned conditional assessments which indicate that many parking structures currently under DDA management will need significant repairs over the next several years to remain operational;

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Whereas, The DDA is required through its lease agreement with the City to keep parking facilities in good repair and to undertake further repairs, alterations, additions, and enhancements of the Facilities as deemed reasonable and necessary by the DDA to operate the Facilities for the purposes set forth in this agreement;

Whereas, The DDA anticipated revenues from the parking structures above those budgeted in fiscal year 1995/96 and voted to amend its 1995/96 budget at a special Board Meeting March 26, 1996 to create an Urgent Repairs fund;

Whereas, Upon advice of City staff the DDA resolved on June 13, 1996 to recognize all revenues in the 1995/96 DDA Parking System budget not obligated to parking operations and debt repayment and appropriate them to this Urgent Repairs fund to maintain existing parking structures;

Whereas, This information was communicated to City Council, and adjustments were made in the 1996/97 DDA budget to allow retention of excess revenues by the DDA in this Urgent Repairs fund;

Whereas, No action was taken to amend the lease agreement between the DDA and the City prior to the 1995/96 fiscal year end and $373,798.00 was transferred out of the DDA Parking Fund (063) to the City General Fund; and

Whereas, the DDA resolved at its November 14, 1996 Board to authorize the DDA Executive Director to take the necessary administrative actions to implement the DDA Board=s directive;

RESOLVED, That the Mayor and City Council authorize that $373,798.00 be appropriated from the General Fund balance and transferred back to the DDA for urgent capital repairs.

Councilmember Kwan moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

****

DEFEATED

RESOLUTION TO APPROVE A MILLAGE PROPOSAL FOR
.4725 MILL FOR PARKS MAINTENANCE AND REPAIR

RESOLVED, That the Ann Arbor City Council propose that the City Charter be amended by amending Section 8.22 which shall read as follows:

Funds for MAINTENANCE AND REPAIR OF PARK FACILITIES

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SECTION 8.22. In addition to any other amount which the City is authorized to raise by general tax upon the real and personal property by this Charter or any other provision of law, the City shall, in 1998 through 2002, annually levy a tax of .4725 mil on all taxable real and personal property situated within the City for the purpose of financing the maintenance and repair of park facilities.
RESOLVED, That November 4, 1997, be designated as the day for holding an election on the proposed Charter amendment;
RESOLVED, That the City Clerk transmit a copy of the proposed amendment to the Attorney General and the Governor of Michigan and perform all other acts required by the law for holding the election;
RESOLVED, That the proposed charter amendment appear on the ballot in the following form, together with the following statement of purpose:
ANN ARBOR CITY CHARTER AMENDMENT
AUTHORIZING TAX FOR PARKS
Shall the Charter be amended to authorize a .4725 mil tax for five years, to replace the expiring Park Maintenance and Repair Millage of .37 mil (reduced by the required millage reduction to .3654 mil), which will raise in the first year of the levy the estimated revenue of $1,307,000.00 (based on the current year=s SEV=s), to provide funds for financing park maintenance and repair in accordance with four categories in the Ann Arbor Parks 2000 Plan:
1) Natural Area Preservation, including Forestry and Horticulture;
2) Care for newly acquired and developed park land;
3) Compliance with Americans with Disabilities Act (ADA) and with safety, security and other legal requirements; and
4) Otherwise unfunded maintenance for park and recreation facilities.
YES NO
PURPOSE OF AMENDMENT
The amendment would renew and increase the Park maintenance and Repair Millage for 5 years after its expiration in 1997.
RESOLVED, That the proposed Charter amendment and proposed ballot question, along with statement of purpose, shall be published in full not fewer than
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two times in the Ann Arbor News; and
RESOLVED, That if the amendment is adopted, it shall take effect on July 1, 1998.
Councilmember Vereen-Dixon moved that the resolution be adopted.
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Councilmember Lumm moved that the resolution be postponed to allow the drafting of two separate proposals: one for the millage renewal, and one for the millage increase.
On roll call the vote was as follows:
Yeas, Councilmembers Putman, Kolb, Lumm, Kwan, Mayor Sheldon, 5;
Nays, Councilmembers Herrell, Daley, Hanna-Davies, Vereen-Dixon, 4.
The Mayor declared the motion defeated.
The question being the resolution as presented, on roll call the vote was as follows:
Yeas, Councilmembers Herrell, Kolb, Daley, Hanna-Davies, Vereen-Dixon, 5;

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Nays, Councilmembers Putman, Lumm, Kwan, Mayor Sheldon, 4.
The Mayor declared the motion defeated.
****

POSTPONED
RESOLUTION CALLING ELECTION FOR LESLIE SCIENCE
CENTER ENVIRONMENTAL EDUCATION ADDITION BONDING
PROPOSITION - $1,700,000 BOND PACKAGE

Whereas, The City Council (the ℑCouncil) of the City of Ann Arbor (the ℑCity) has determined that it is necessary for the City to construct improvements to the existing Leslie Science Center facility, together with all necessary appurtenances and attachments reasonably related thereto and useful in connection therewith (the ℑProject);

Whereas, This Council has determined that the City borrow money in an amount not to exceed One Million Seven Hundred Thousand Dollars ($1,700,000) and to issue bonds of the City in such amount for the purpose of paying part of the cost of the Project;

Whereas, Act 279 of the Public Acts of Michigan of 1909, as amended, authorizes the City to borrow money for this purpose; and

Whereas, It is necessary to submit the proposed borrowing and the issuance of the bonds to the qualified electors of the City for a vote;

RESOLVED, That:

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1. At the regular City election, which is hereby called to be held in the City on Tuesday, November 4, 1997, between the hours of 7 o=clock a.m. and 8 o=clock p.m., there shall be submitted to vote of the qualified electors of the City the proposition of borrowing the said sum of not to exceed One Million Seven Hundred Thousand Dollars ($1,700,000) and issuing bonds of the City therefor;

2. The proposition to be submitted at said election shall be stated on a separate ballot, or as a separate proposition on voting machines, in substantially the following form:

Leslie Science Center Environmental
Education Addition Bonding Proposition

Shall the City of Ann Arbor, County of Washtenaw, Michigan, borrow the principal amount of not to exceed One Million Seven Hundred Thousand Dollars ($1,700,000) and issue its unlimited tax general obligation bonds therefor which may be issued in series, for the purpose of paying part of the cost of constructing improvements to the existing Leslie Science Center facility, together with all necessary appurtenances and attachments reasonably related thereto and useful in connection therewith?

3. The Clerk of the City shall cause notice of last day for registration to be published as a display advertisement at least twice in The Ann Arbor News, in Ann Arbor, Michigan, a newspaper of general circulation in the City, prior to the last day for receiving registrations, the first publication to be not less than ten (10) full days prior to said last day for receiving registration;

4. The notice of registration shall be in substantially the following form:

NOTICE OF THE LAST DAY FOR RECEIVING
REGISTRATIONS FOR THE REGULAR CITY ELECTION
TO BE HELD IN THE CITY OF ANN ARBOR ON

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TUESDAY, NOVEMBER 4, 1997
PLEASE TAKE NOTICE that any qualified elector of the City of Ann Arbor, County of Washtenaw, Michigan, who is not already registered may register for the regular City election to be held on the 4th day of November, 1997, in said City.
The City Clerk will be at the Clerk=s Office in the City on each working day during regular working hours until and including Monday, October 6, 1997, for the purpose of receiving registration of qualified electors of the City of Ann Arbor not already registered.
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The following proposition will be submitted to the electors of the City of Ann Arbor at said election:
Leslie Science Center Environmental
Education Addition Bonding Proposition
Shall the City of Ann Arbor, County of Washtenaw, Michigan, borrow the principal amount of not to exceed One Million Seven Hundred Thousand Dollars ($1,700,000) and issue its unlimited tax general obligations bonds therefor which may be issued in series, for the purpose of paying part of the cost of constructing improvements to the existing Leslie Science Center facility, together with all necessary appurtenances and attachments reasonably related thereto and useful in connection therewith?
THE LAST DAY FOR RECEIVING REGISTRATIONS FOR SAID ELECTION TO BE HELD TUESDAY, NOVEMBER 4, 1997, WILL BE MONDAY, OCTOBER 6, 1997.
Clerk, City of Ann Arbor
5. The Clerk of the City shall cause notice of the submission of said proposition to be published at least twice as a display advertisement before the date of election in The Ann Arbor News, in Ann Arbor, Michigan, a newspaper of general circulation in the City, the first publication to be not less than ten (10) full days prior to the date of said election;
6. The notice of the submission of the said proposition shall be in substantially the following form:
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NOTICE OF ELECTION
TO THE QUALIFIED ELECTORS OF THE CITY OF ANN ARBOR:
PLEASE TAKE NOTICE that at an election to be held in the City of Ann Arbor, County of Washtenaw, Michigan, on the 4th day of November, 1997, from 7 o=clock a.m. to 8 o=clock p.m., there will be submitted to vote of the qualified electors of said City the following proposition:
Leslie Science Center Environmental
Education Addition Bonding Proposal
Shall the City of Ann Arbor, County of Washtenaw, Michigan, borrow the principal amount of not to exceed One Million Seven Hundred Thousand Dollars ($1,700,000) and issue its unlimited tax general obligations bonds therefor which may be issued in series, for the purpose of

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paying part of the cost of constructing improvements to
the existing Leslie Science Center facility, together with all
necessary appurtenances and attachments reasonably
related thereto and useful in connection therewith?
THE PRINCIPAL AND INTEREST OF SAID BONDS SHALL BE PAYABLE
FROM THE FUNDS OF THE CITY LEGALLY AVAILABLE THEREFOR,
INCLUDING THE LEVY OF ***AD VALOREM*** TAXES IN EXCESS OF
CHARTER TAX RATE LIMITATIONS IN AMOUNTS SUFFICIENT TO PAY
THE PRINCIPAL AND INTEREST ON SAID BONDS.
All qualified and registered electors may vote on the above bonding
proposition.
The places of voting will be as follows:
(polling places to be listed)
This notice is given by authority of the City Council of the City of
Ann Arbor, County of Washtenaw, Michigan.
Clerk, City of Ann Arbor
7. The estimated cost of the Project and the estimated useful life of the
Project of at least thirty (30) years be and are hereby authorized;
8. The City Clerk be and is hereby authorized to file a Notice of Intent to
Issue an Obligation form with the Michigan Department of Treasury and to pay the
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related fee therefor; and
9. All resolutions and part of resolutions, insofar as they conflict with the
provisions of this resolution, are hereby repealed.
Councilmember Vereen-Dixon moved that the resolution be adopted.
Councilmember Vereen-Dixon moved that the resolution be postponed to the
August 18, 1997 regular session of Council to allow additional time to gather
support for the proposal.
On a voice vote the Mayor declared the motion carried.
****

R-345-8-97 APPROVED
RESOLUTION TO APPROVE CONTRACT AMENDMENT
WITH BROWNING-FERRIS INDUSTRIES FOR SOLID WASTE
AND SLUDGE DISPOSAL
Whereas, The City of Ann Arbor has a ten-year contract with Browning-Ferris
Industries (BFI) for the disposal of municipal solid waste (MSW) and optional
sewage sludge disposal;
Whereas, The existing contract has a re-opener clause for years 6-10 of the
agreement;
Whereas, Year 6 of the agreement began on July 1, 1997;
Whereas, City staff has negotiated reductions in the tipping fee for both MSW
and sewage sludge, saving the City an estimated $1.4 million over the next five
years;
Whereas, $212,000 in landfill disposal savings are estimated in fiscal 1997/98;
Whereas, BFI Arbor Hills is the only operating landfill in Washtenaw County;
and
Whereas, BFI received updated Human Rights approval on July 29, 1997;
RESOLVED, That City Council approve a contract amendment with BFI for
years 6-10 of the existing service agreement at a constant rate of $8.25/cubic yard

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for MSW and $13/ton for sewage sludge, retroactive to July 1, 1997; and
RESOLVED, That the Mayor and City Clerk be authorized to sign a contract
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amendment substantially in the form on file in the City Clerk=s office.
Councilmember Kolb moved that the resolution be adopted.
On a voice vote the Mayor declared the motion carried.
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POSTPONED
RESOLUTION TO APPROVE DESIGN ALTERNATIVE FOR
LIBERTY-GLENDALE STORM DRAINAGE IMPROVEMENT PROJECT
AND TO APPROVE PROFESSIONAL SERVICES CONTRACT AMENDMENT
NO. 4 WITH MIDWESTERN CONSULTING, INC. - RFP NO. 398)
Whereas, On September 16, 1996, in response to citizen requests for drainage channel repair, a professional services contract was approved with Midwestern Consulting, Inc., RFP 398 for $20,735.00, to evaluate, design and develop contract documents to prevent further erosion and property damage to the Allen Creek Condominiums;
Whereas, Amendment No. 1, No. 2 and No. 3 for a total cost of $37,876.00 to the professional services contract with Midwestern Consulting, Inc. were approved to address strong public concern about replacement plantings to the proposed design, temporary erosion control and to perform preliminary design of an open channel option;
Whereas, On July 16, 1997, residents at a public dispute resolution meeting conducted by the Washtenaw County Dispute Resolution Center did not reach a consensus on which option to construct enclosed pipe or open channel;
Whereas, A survey of the neighborhood residents indicated that 75-percent of the 50-percent responding to the survey prefer the enclosed pipe option;
Whereas, Midwestern Consulting, Inc. has proposed to conduct construction inspection and engineering for the enclosed pipe option for a cost of $32,000.00; and
Whereas, On May 28, 1997, the Human Rights Department approved Midwestern Consulting, Inc.
RESOLVED, That City Council accept the proposal and Amendment No. 4 to the contract with Midwestern Consulting, Inc. to conduct construction layout, inspection and engineering for the enclosed pipe option;
RESOLVED, That City Council approve a reallocation of the $92,000.00 project
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budget, adopted for the life of the project without regard to fiscal year, to include proposed professional services of $58,611.00, construction layout, inspection and engineering services for an additional $32,000.00 and a contingency of $1,389.00 for change orders to be approved by the City Administrator; and
RESOLVED, That the City Council approve Amendment No. 4, in the amount of $32,000.00, to the professional services agreement with Midwestern Consulting, Inc., and that the Mayor and City Clerk be authorized to sign the amendment approved as to form by the City Attorney.
Councilmember Putman moved that the resolution be adopted.
Councilmember Herrell moved that the resolution be postponed to the August 18, 1997 regular session of Council for further review of the two design options.
On a voice vote the Mayor declared the motion carried.

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R-346-8-97 APPROVED
RESOLUTION ACCEPTING WARRANTY DEED
FOR THE PURCHASE OF 20.01 ACRES OF LAND
FOR PARKLAND - PROPERTY ADJACENT TO
THE ST. THOMAS CATHOLIC CEMETERY

Whereas, On April 24, 1997, the City acquired 20.01 acres of land from Carl F. Mengeling, Bishop of the Roman Catholic Diocese of Lansing, Warranty Deed recorded in Liber 03416, Pages 0716-0717, for use as parkland;

Whereas, The Michigan Natural Resources Trust Fund provided a grant of $726,000 toward the purchase price of $1,100,000; and

Whereas, The Park Acquisition Millage fund provided the balance of $374,000 toward the purchase price;

RESOLVED, That the City Council hereby accept the warranty deed of April 24, 1997 for parkland pursuant to Resolution R-48-2-97, approved by this Council on February 3, 1997.

Councilmember Lumm moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-347-8-97 APPROVED
RESOLUTION TO ACCEPT AND APPROPRIATE A GRANT
FROM THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH
FOR THE MAYOR=S TASK FORCE ON INCREASING SAFETY
FOR WOMEN=S ℑPAINTED BUS PROJECT

Whereas, The Mayor=s Task Force on Increasing Safety for Women has undertaken an education campaign centered around the slogan "There=s No Excuse for Violence Against Women";

Whereas, As part of the campaign, the Task Force plans to paint an Ann Arbor Transportation Authority bus with a design focused on that slogan and advertising crisis line numbers to call for help, and the Task Force has been actively soliciting private as well as public funds to pay for this project; and

Whereas, Pending Council approval, the Task Force has been awarded a $15,000 grant from the State of Michigan Department of Community Health for the "Painted Bus Project";

RESOLVED, That the City be authorized to accept and appropriate a grant from the Michigan Department of Community Health for $15,000 for the "Painted Bus Project";

RESOLVED, That funding under this grant be expended for the life of the grant, regardless of fiscal year; and

RESOLVED, That the Mayor and City Clerk be authorized to execute the grant document as approved by the City Attorney, and the City Administrator be authorized to take all necessary administrative actions to ensure compliance with the grant and city requirements.

Councilmember Vereen-Dixon moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

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AUGUST 18, 1997 REGULAR SESSION
Reconsideration of Resolution to Approve a Millage Proposal for .4725 Mill for Parks
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Maintenance and Repair (7 Votes Required) (Mayor Sheldon)
Resolution to Approve Millage Renewal Proposal for Parks Maintenance and Repair (7 Votes Required) (Councilmember Lumm)
Resolution to Approve Millage Increase Proposal for Parks Maintenance and Repair (7 Votes Required) (Councilmember Lumm)
COMMUNICATIONS FROM THE MAYOR
ANNOUNCEMENTS
Mayor Sheldon made the following announcements:
· This year=s Arborough Games, which begin August 8, were made possible through generous donations and community support.
· Executive Session of Council to discuss the Pall/Gelman pending litigation - August 11, 1997, 6:30 p.m.
· Working Session of Council regarding Housing Commission issues - August 25, 1997, 7:00 p.m.
· Thank you from the International Fellowship of Christians and Jews for the donation from this year=s King=s Chosen art fair, which went to the program providing freedom flights to Russian Jews. (Letter on file in the City Clerk=s Office)
· Thank you to the Historic District Commission and community members for their efforts in the restoration of the Osias Zwerdling Fur Shop sign at 215-217 East Liberty Street.
APPOINTMENTS APPROVED
Mayor Sheldon recommended the following appointments at the July 21, 1997 regular session of Council:
ANN ARBOR HOSPITALITY COMMITTEE
The Rev. Emmett Green
Second Baptist Church
850 Red Oak Rd. 48103
8/4/97 to 1/1/99
Elke K. Ferris
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3559 Burbank Dr. 48105
Term: 8/4/97 to 1/1/99
ANN ARBOR ENERGY COMMISSION
Donn L. Wolf, Regional Manager (to complete the unexpired term of Rosa Lucas)
Detroit Edison
425 S. Main St. 48104
Term: 8/4/97 to 9/15/99
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Councilmember Kolb 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:

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SOLID WASTE COMMISSION
Garrett L. Evans (to fill civil engineer vacancy)
1644 Argyle Cres. 48103
Term: 8/18/97 to 4/30/99
Carol J. Miller (to fill citizen at large vacancy)
2412 Georgetown Blvd. 48105
Term: 8/18/97 to 4/30/99
EMPLOYEES RETIREMENT SYSTEM BOARD
Carolyn Burke (to fill vacancy)
2001 Vinewood Blvd. 48104
Term: 8/18/97 to 1/1/98
COMMUNICATIONS FROM THE CITY ADMINISTRATOR
REPORTS SUBMITTED
City Administrator Neal G. Berlin submitted the following reports for information of Council:
1. Grant Submissions to HUD
2. Information Services and Technology Strategic Plan Draft Report
3. Achievement Gap Committee Meeting
4. 4th Quarter - Quarterly Report/Measures of Success
(Reports on file in the City Clerk's Office)
COMMUNICATIONS FROM THE CITY ATTORNEY
GELMAN SCIENCES
Council - August 4, 1997 43
City Attorney Abigail Elias reported that no action was taken by the court in the Gelman matter because there was no motion pending before the court. Ms. Elias stated that she will keep Council informed on this issue.
COMMUNICATIONS FROM COUNCIL
COUNCILMEMBER VEREEN-DIXON
Councilmember Vereen-Dixon announced that the first annual African American Health Summit will be held August 14-17, 1997, at the Ypsilanti Marriott. The conference will bring speakers from around the country to address health issues confronting African Americans.
COUNCILMEMBER KWAN
Councilmember Kwan stated that the ℑgraffiti buster is working well and complimented City staff.
COUNCILMEMBER HERRELL
Councilmember Herrell expressed disappointment at the way the parks maintenance and repair millage proposal was handled and that Council could not move forward on the issue.
COUNCILMEMBER LUMM
Councilmember Lumm stated that her purpose in splitting the parks maintenance and repair millage proposal into two ballot issues is to give the voters as many choices and as much information in the matter as possible.
COUNCILMEMBER KOLB
Councilmember Kolb announced that the African American Health Festival will be held on August 9, 1997, from 10:00 a.m. to 4:00 p.m., at the Peace Neighborhood Center.
Mr. Kolb urged Council to reconsider how its joint caucus sessions are used and what can be done to improve them.

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CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS
The following communications were referred as indicated:
1. Communication from George D. Goodman, Michigan Municipal League
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Executive Director, transmitting notice of annual meeting of Michigan Municipal League - File.
2. Communication from Ann Arbor Libertarian Caucus regarding 1997 Ann Arbor City Council candidates - File
The following minutes were received for file:
1. Planning Commission - June 3 and 17, 1997
2. Airport Advisory Committee - May 21, 1997
3. Employees= Retirement System Board - June 19, 1997
Councilmember Kolb 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, the Mayor declared the meeting adjourned at 11:40 p.m.
W. Northcross
Clerk of the Council
Janet L. Chapin
Recording Secretary

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