

**ANN ARBOR CITY COUNCIL MINUTES  
REGULAR SESSION - NOVEMBER 7, 1996**

The regular session of the Ann Arbor City Council was called to order at 7:40 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 (entered at 9:20 p.m.), Jean Carlberg, Heidi Cowing Herrell, Patrick A. Putman, Christopher Kolb, Elisabeth L. Daley, Mayor Ingrid B. Sheldon, 10.

**ABSENT :** Councilmember Stephen C. Hartwell, 1.

**INTRODUCTIONS**

None.

**PUBLIC COMMENTARY - RESERVED TIME**

**ANDY GULVEZAN - BUS SCHEDULE**

Andy Gulvezan, 2104 Pauline Blvd., objected to bus service ending after 6:00 p.m. on Plymouth Road, and stated that the Ann Arbor Transportation Authority should extend bus service to all hours around the city.

**RAY TANTER - HABITAT FOR HUMANITY**

Ray Tanter, 101 N. Main St., representing Habitat for Humanity of Huron Valley, announced that a benefit reception for Habitat for Humanity will be held at 6:30 p.m., November 17, at the Ark on Main Street. Mr. Tanter stated that one goal of the fundraiser is to build five house next summer.

**SANTA DRIVER - POLICE POLICY**

Santa Driver, 999 Whitmore, Detroit, MI, spoke in opposition to the police presence in the Ann Arbor public schools. She stated that a recent incident at Huron High School demonstrated the selective and racist character of the policy, and reported that the students will be mounting a campaign to object to this treatment.

#### **VIVIAN LOUIE - ARMORY BUILDING**

Vivian Louie, 2413 Laurelwood Cir., representing the Homeless Action Committee, expressed concern with the lack of affordable housing and shelter space for the homeless in Ann Arbor. Ms. Louie spoke in support of the City acquiring the Armory building for use as a homeless shelter to help reduce the homeless population and centralize support services for the homeless in the city.

#### **JUSTIN FITINS - POLICE IN SCHOOLS**

Justin Fitins, 615 S. Forest Ave., spoke in opposition to placing police in the Ann Arbor schools because of the lack of respect police have for the students. Mr. Fitins stated that he will help organize students to protest this policy, and spoke in support of mediation programs as an alternative to placing police in the schools.

### **PUBLIC HEARINGS**

#### **HURON STREET BURGER KING RESTAURANT SITE PLAN**

A public hearing was conducted on the proposed Huron Street Burger King Restaurant Site Plan, 0.58 acre, 206 West Huron Street. Notice of public hearing was published October 27, 1996. (Hearing continued from October 21, 1996)

The following persons appeared in support of the proposal:

Robert Pfund, of the Carrols Corporation, petitioner, gave an overview of the project and reported that the plan reflects the extensive changes suggested by the Planning Department staff, including improvements to the traffic pattern and landscaping. Mr. Pfund stated that the one-way traffic pattern eliminates traffic hazards and that the plan meets all legal requirements.

Dick Timmons, of Atwell-Hicks, Inc., project engineer, reviewed the site plan details and reported that turning movements on the site have been adjusted to accommodate most vehicles and that ample landscaping has been provided.

Jonathan Reid, traffic engineer representing the petitioner, stated that his traffic study shows that external traffic flow, sight distances and stacking room at this location would not be a problem for the proposed use, and that the internal one-way traffic flow would not be hazardous to pedestrians crossing the driveways.

David Shand, attorney representing the petitioner, reported that the petitioner has complied with all zoning requirements and has done everything legally required for the project's approval. Mr. Shand stated that the facility will be an attractive addition to the neighborhood.

The following persons appeared in opposition to the proposal because the project does not fit with the character and goals of the downtown. They expressed concern that this type of project would lead to an unhealthy pattern of development, and urged adherence to the goals established in the City's Downtown Plan and Central Area Plan, calling for pedestrian-friendly uses and more residential development downtown. The speakers raised concern with traffic and pedestrian hazards created by a drive-through business in an already busy area, and with problems of trash, noise, lights and smells from the restaurant.

Susan Pollay, Downtown Development Authority Coordinator

Leah Gunn, Downtown Development Authority member

Lawrence Kestenbaum, Historic District Commission member

Paul Dannels, downtown resident and business owner

Christine Crockett, downtown resident, speaking on behalf of the Old Fourth Ward Association, the Old West Side Association and the North Central Property Owners Association

Brian Delaney, 219 N. First St.

Arthur Kuo, 452 Spring St.

Richard Shackson, downtown resident who lives across the street from the proposed site

**Sherry Rackov, owner of Fine Flowers, 300 W. Huron St.**

**Mary Wehking, Director of Children=s Playspace, 123 N. Ashley St.**

**Michael Steer, Ann Arbor resident and business owner at 416 W. Huron St.**

**Bruce Arden, downtown resident**

**Carl Luckenbach, 641 N. Fifth Ave., owner of a downtown building which will be renovated for his residence**

**Doug Elman, owner of downtown building which will be renovated for a law office**

**Meg Delaney, 219 N. First St.**

**Ray Detter, DDA Development Area Citizens= Council member**

**Patty Zerhusen, S. First St. resident**

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

**BRIARWOOD RESIDUAL LOTS 12, 13, 14 AND 15 PUD ZONING PRELIMINARY PHASE (ORDINANCE NO.38-96)**

**A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 16.47 acres from AG (Agricultural District) to PUD (Planned Unit Development District) Preliminary Phase, Briarwood Residual Lots 12, 13, 14 and 15, Briarwood Circle. Notice of public hearing was published October 20, 1996.**

**The following person appeared:**

**Bill Knight, of Beckett & Raeder, Inc., representing the petitioner, gave a brief overview of the project. He reported that uses on the site would be regional in nature and complimentary to the mall, and that the main emphasis of the PUD is to allow for additional landscaping along the pond areas to screen the parking lot.**

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

**KARRINGTON OF ANN ARBOR ZONING (ORDINANCE NO. 39-96)**

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 4.15 acres from TWP (Township District) to R4B (Multiple-Family Dwelling District), Karrington of Ann Arbor, 2190 Ann Arbor-Saline Road. Notice of public hearing was published October 20, 1996.

The following person appeared:

Joseph LaDuca, representing the petitioner, gave a brief overview of the project. He stated that the proposed facility will be designed for assisted housing for the elderly and will be residential in nature and scale. Mr. LaDuca reported that he has met with neighborhood residents to address their concerns.

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

#### **KARRINGTON OF ANN ARBOR SITE PLAN AND WETLAND USE PERMIT**

A public hearing was conducted on the proposed Karrington of Ann Arbor Site Plan and Wetland Use Permit, 4.15 acres, 2190 Ann Arbor-Saline Road. Notice of public hearing was published November 27, 1996.

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

#### **CONCORD CENTER REVISED FINAL PHASE PUD**

A public hearing was conducted on the proposed Concord Center Revised Final Phase PUD (Phase III, Ann Arbor Commerce Bank), 2.33 acres, 2930 South State Street. Notice of public hearing was published November 27, 1996.

The following person appeared:

Michael Rein, of Bowers and Rein Associates, representing the petitioner, presented a brief overview of the project. He reported that 17 parking spaces will be shared with the retail portion, and that differences from the original PUD proposal include increased landscaping, decreased parking and impervious surface, and the addition of a visual amenity on the corner consisting of a pond with a fountain.

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

#### **HOUSING COMMISSION LAND DIVISION**

A public hearing was conducted on the proposed Housing Commission Land

Division, 3.46 acres, Pennsylvania Avenue at Commerce Drive intersection. Notice of public hearing was published November 27, 1996.

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

#### **APPROVAL OF AGENDA**

##### **AGENDA APPROVED AS AMENDED**

Councilmember Putman moved that the agenda be approved with the following change:

**Add:**

**EXECUTIVE SESSION REGARDING PERSONNEL MATTERS (To follow  
Public commentary - General)**

On a voice vote the Mayor declared the motion carried.

#### **APPROVAL OF COUNCIL MINUTES**

##### **MINUTES OF OCTOBER 14 AND 21 APPROVED**

Councilmember Lumm moved that the working session minutes of October 14, 1996 and the regular session minutes of October 21, 1996 be approved with the following correction to page 18 of the October 21 minutes:

#### **COMMUNICATIONS FROM COUNCIL**

...Councilmember Hanna-Davies announced that Jeffrey **GEOFFREY** Canada, an award winning educator and author....

On a voice vote the Mayor declared the motion carried.

#### **CONSENT AGENDA**

##### **CONSENT AGENDA ITEMS APPROVED**

Councilmember Kolb moved that the following Consent Agenda items be approved:

**R-502-11-96 APPROVED**

**RESOLUTION NO. 2 - PREPARE ASSESSMENT ROLL FOR  
SOUTH INDUSTRIAL HIGHWAY SIDEWALK GAPS PROJECT**

Whereas, The City Council has directed and ordered the City Administrator to have prepared plans, specifications and estimates of cost for sidewalk on South Industrial Highway described as follows:

**South Industrial Highway Sidewalk Gaps, between Stadium Boulevard and Eisenhower Parkway; File No. 94063; District No. 26;**

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 and what part should be paid by the City at large, the number of installments in which the special assessments may be paid, and the land 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 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 Council be approved;

3. That the City Council hereby determine to proceed with the acquisition and construction of the South Industrial Highway Sidewalk Gap Project described as follows:

**South Industrial Highway Sidewalk Gaps, between Stadium Boulevard and Eisenhower Parkway;**

4. That the City Council determine that the cost of said improvement including all incidentals, to be \$188,589.00, and that of said total cost, the sum of \$129,385.00, be paid by special assessment upon the properties specially benefited within the City, and the balance of the cost thereof, \$59,204.00 be paid by the City at large, from the General Fund (010);

5. That an amount of \$188,589.00 be advanced from the General Fund (010) pending the sale of the appropriate bonds;

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:

<u>ASSESSOR-S CODE</u>	<u>TOTAL FRONTAGE</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED ASSESSMENT</u>
09-33-316-007 2020 Chalmers Drive Marcia & D. MacMullan	142.72	71.36	\$3,853.44
09-33-314-005 1700 S. Industrial Blvd. Way Bakeries Inc.	150.00	75.00	\$4,050.00
09-33-314-008 1910 South Industrial John & Cathy McNary	121.50	121.50	\$6,561.00
09-33-314-004 1950 South Industrial LLC & South Industrial Dev.	332.62	332.62	\$17,961.48
09-33-314-002 1956 South Industrial Colonial Lanes Plaza	11.00	11.00	\$594.00



<u>ASSESSOR=S CODE</u>	<u>TOTAL FRONTAGE</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED ASSESSMENT</u>
09-33-314-002 & 12-04-200-016 1958 South Industrial K & K Investments	315.00	315.00	\$17,010.00
12-04-201-041 1206 Astor Ave Botanical Garden Assoc.	8.00	8.00	\$432.00
12-04-201-042 2025 South Industrial Three D. Investment	222.02	222.02	\$11,989.08
12-04-200-011 2216 South Industrial Carl F. Sly	98.00	98.00	\$5,292.00
12-04-200-033 2232 South Industrial Richard Gross	19.00	19.00	\$1,026.00
12-04-203-015 1070 Rosewood Larry Bane	10.50	10.50	\$567.00
12-04-203-016 2255 South Industrial Edward & Alice Cook	185.00	185.00	\$9,990.00
12-04-200-022 2280 South Industrial Wedemeyer Management Co.	75.00	75.00	\$4,050.00
12-04-203-017 2275 South Industrial Stadium Linoleum	20.00	20.00	\$1,080.00

<u>ASSESSOR=S CODE</u>	<u>TOTAL FRONTAGE</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED ASSESSMENT</u>
12-04-200-005 & 12-04-200-006 2300 South Industrial & 2304 South Industrial Coin Meter AA Co.	161.50	161.50	\$8,721.00
12-04-200-025 2310 South Industrial Special Metals Corp.	270.00	270.00	\$14,580.00
12-04-204-015 2311 South Industrial Hutzel Plumbing	80.00	80.00	\$4,320.00
12-04-204-016 2401 South Industrial Earl FeldKamp	179.06	179.06	\$9,669.24
12-04-204-017 2331 South Industrial DJ Investments	141.46	141.46	\$7,638.84
<b>TOTAL PROPERTY SHARE ASSESSABLE</b>			<b>\$129,385.08</b>

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 certification attached thereto, with the City Clerk for presentation to the City Council.

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**R-503-11-96 APPROVED**

**RESOLUTION TO GRANT WATER AND SEWER SERVICES  
OUTSIDE CITY LIMITS TO 1277 BIRD ROAD**

Whereas, Thomas G. and Margot K. Mehringer, owners of the property at 1277 Bird Road, on October 21, 1996, requested that the City extend public water and sewer services to their property in Ann Arbor Township prior to the completion of the annexation process;

Whereas, Thomas G. and Margot K. Mehringer desire to enter into the standard agreements with the City which provide an equitable method of obtaining City services outside of its corporate boundaries; and

Whereas, On September 21, 1996, the owners petitioned the City for annexation under Planning Department File No. 9184X22.1 and .2;

**RESOLVED**, That the Mayor and Clerk be authorized and requested to sign the agreements to allow City water and sewer services to the land during the time it is still outside of the corporate limits; that the City Clerk be directed to send a copy of this resolution and the agreements by first class mail to the above property owner; and that the Water Utilities Department shall promptly have this resolution and the agreements recorded in the office of the Register of Deeds of Washtenaw County, Michigan.

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**R-504-11-96 APPROVED AS AMENDED**

**RESOLUTION TO APPROVE HOUSING REHABILITATION  
AGREEMENT WITH PATRICK AND DENISE SHAWL FOR  
1264 CREAL CRESCENT**

Council unanimously agreed that the last paragraph of the resolution be amended as follows:

**RESOLVED**, That City Council approve the Housing Rehabilitation Agreement with Patrick and Denise Shawl in the amount of ~~\$27,900.00~~ **\$29,700.00** as a 0% interest deferred payment loan which requires no payment until a change in ownership....

The resolution as amended reads as follows:

**R-504-11-96**

**RESOLUTION TO APPROVE HOUSING REHABILITATION  
AGREEMENT WITH PATRICK AND DENISE SHAWL  
FOR 1264 CREAL CRESCENT**

Whereas, An application was received from Patrick and Denise Shawl for rehabilitation assistance to their home located at 1264 Creal Crescent, Ann Arbor;

Whereas, The homeowners meet the City=s criteria for participation in the Housing Rehabilitation Program;

Whereas, Three bids were received on October 17, 1996 and Mr. and Mrs. Shawl will be executing an agreement with the lowest responsible bidder, who has Human Rights approval, to complete the rehabilitation work; and

Whereas, On Friday, October 25, 1996, the Waiver and Review Board approved the waiver of the maximum rehabilitation assistance limit of \$26,420.00 up

to \$29,700.00;

**RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Patrick and Denise Shawl in the amount of \$29,700.00 as a 0% interest deferred payment loan which requires no payment until a change in ownership, 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.**

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**R-505-11-96 APPROVED**

**RESOLUTION TO TRANSFER DELINQUENT HOUSING INSPECTION FEES TO THE DECEMBER 1996 CITY TAX ROLL**

Whereas, There are unpaid charges for housing inspections of private properties within the City which were unpaid on June 30, 1996;

Whereas, This Council did, on December 9, 1974, resolve that notice be given by first class mail to the owners of such properties of the amount due, and that this Council did intend that such amount would be assessed against such property as a special assessment unless paid on or before October 31, 1996;

Whereas, The City Clerk has on file a list of such presently unpaid charges, a copy of which is attached hereto and incorporated as "Schedule A"; and

Whereas, Notice has been sent to all owners of property affected by such delinquent fees, in accordance with the Council Resolution of December 9, 1974, to advise said property owners of the impending assessment;

**RESOLVED, That the City Clerk shall forthwith certify to the City Assessor such unpaid charges and the names of the owners of the premises so served; and**

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

**SCHEDULE A  
DELINQUENT HOUSING INSPECTION FEES  
TAX ROLL - DECEMBER, 1996**

Assessor Code	Property Address	Inv. Amt.	Inv. #	Date	Bal. Due (w/10% penalty)	Property Owner (As Shown on Assessor's Records)
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09-33-209-025	1111 S. State	176.00	68531	02/28/96	193.60	Wu-Hsiung & Ellise Hwei-Er Tseng
09-19-103-031	1721 Newport	117.00	66447	01/11/96	128.70	Wilfred & Sarah Armster
09-29-215-025	833 Miller, #2	78.00	68513	02/28/96	85.80	Ernest & S. Bateson
09-29-221-022	415-417 Felch	78.00	ARINVS80523	06/07/96	85.80	Michael Bielby & Lisa Profera
09-20-309-008	740 Brooks	39.00	68552	02/28/96	42.90	W.P. & E.E. Curtis
09-20-317-019	732 Spring	78.00	68559	02/28/96	85.80	George D. Dodd, Jr.
09-20-317-019	732 Spring	88.00	68560	02/28/96	96.80	George D. Dodd, Jr.
09-20-317-018	734 Spring	78.00	ARINVS80066	05/07/96	85.80	George D. Dodd, Jr.
09-20-317-018	734 Spring	108.00	ARINVS80067	05/07/96	118.80	George D. Dodd, Jr.
09-30-108-019	1406 W. Washington	117.00	ARINVS80529	06/07/96	128.70	Gregory S. Eggleston
09-29-426-015	332 E. William	1,021.00	69596	04/15/96	1,123.10	Jeffrey R. Gallatin
12-10-303-097	2163 Hemlock Dr.	116.00	ARINVS80227	05/31/96	127.60	Barbara Norman
12-10-303-097	2163 Hemlock Dr.	117.00	ARINVS80228	05/31/96	128.70	Barbara Norman
12-10-303-097	2163 Hemlock Dr.	147.00	ARINVS80229	05/31/96	161.70	Barbara Norman
12-10-303-097	2163 Hemlock Dr.	39.00	ARINVS80230	05/31/96	42.90	Barbara Norman
08-24-400-006	785 N. Maple, #1	39.00	69030	03/18/96	42.90	Calvin & Joan Hoeft
09-29-425-015	413 S. Division	164.00	ARINVS80257	05/31/96	180.40	Metro Property Services
09-29-402-011	307 S. Division	255.00	66476	01/11/96	280.50	Dale Newman
09-29-402-011	307 S. Division	78.00	66477	01/11/96	85.80	Dale Newman
09-33-220-005	911 Vaughn	117.00	66441	01/11/96	128.70	VP Properties Ltd. Partnership
09-33-220-005	911 Vaughn	88.00	69551	04/15/96	96.80	VP Properties Ltd. Partnership
12-11-207-050	3273-3275 Platt	78.00	ARINVS80029	05/07/96	85.80	Otto & Joyce Riegger
09-30-421-015	414-416 Montgomery	78.00	69525	04/15/96	85.80	Arthur H. Simsar
SCHEDULE A TOTAL		<u>\$3,294.00</u>			<u>\$3,623.40</u>	

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**R-506-11-96 APPROVED**

**RESOLUTION AUTHORIZING STREET CLOSINGS FOR  
1996 CHILDREN=S HOLIDAY PARADE**

Whereas, The Main Street Area Association will be sponsoring the Eighth Annual Children=s Holiday Parade Sunday, December 8, 1996 commencing at 12:30 p.m. and ending at approximately 1:00 p.m.;

Whereas, In order to accommodate the 500 children participating in the

parade, the Main Street Area Association has requested that the following downtown area streets be closed from 11:30 a.m. until approximately 1:30 p.m.:

- William St. from Fourth Ave. to Ashley St.
- Liberty St. from Fifth Ave. to Ashley St.
- Washington St. from Fifth Ave. to Ashley St.
- Fourth Ave. from William to Huron Sts.
- Main St. from Packard to Huron Sts.

Whereas, The street closures will be signed and barricaded by the sponsor and properly supervised by the sponsor and the Ann Arbor Police Department;

Whereas, The sponsor will obtain all necessary permits and be responsible to comply with all procedures, rules and regulations required by the City and State to stage such an event;

Whereas, The sponsor has requested that the City support this event by allocating funds from the 1996-97 Community Events Account to pay for the following City services:

Police Department	\$600 (est.)
Transportation Division (barricades)	\$250 (est.)
Total	\$850

and waive the following Transportation Division fees:

meter bag deposit	\$580;
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and

Whereas, The Main Street Area Association agrees to defend and indemnify and save the City harmless against any claim arising from their sponsorship of this event;

RESOLVED, That the Mayor and City Council hereby approve the closing of the requested streets at the indicated times;

RESOLVED, That the City agree to waive the parking meter bag deposit fees;  
and

RESOLVED, That the City support this event in the amount of \$850.00 for reimbursement of the cost of city services with funds to be transferred from the 1996-97 Community Events Account.

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**Council - November 7, 1996**

**R-507-11-96 APPROVED**

**RESOLUTION AUTHORIZING ANN ARBOR/WASHTENAW  
COUNTY INTERNET CONSORTIUM AGREEMENT**

**Whereas, Administrative Services Department personnel have worked collaboratively with Washtenaw County officials to create a consortium to share the cost of establishing an Internet connection;**

**RESOLVED, That City Council approve the City of Ann Arbor and Washtenaw County Internet Consortium Agreement (on file in the City Clerk=s Office); and**

**RESOLVED, That the Mayor, City Clerk and City Administrator be authorized to sign the agreement on behalf of the City.**

**The question being the foregoing Consent Agenda items, with Resolution R-504-11-96 as amended, on a voice vote the Mayor declared the motion carried.**

**ORDINANCES - SECOND READING**

**38-96 APPROVED**

**BRIARWOOD RESIDUAL LOTS 12, 13, 14 AND 15  
PRELIMINARY PHASE PUD ZONING**

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

**This ordinance would change the zoning of 16.47 acres, Briarwood Residual Lots 12, 13, 14 and 15, located at Briarwood Circle, from AG (Agricultural District) to PUD (Planned Unit Development District) Preliminary Phase.**

**Councilmember Carlberg moved that the ordinance be adopted at second reading.**

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

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**39-96 APPROVED**

**KARRINGTON OF ANN ARBOR 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 4.15 acres, located at 2190 Ann Arbor-Saline Road, from TWP (Township District) to R4B (Multiple-Family Dwelling District).**

**Councilmember Putman moved that the ordinance be adopted at second reading.**

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



**Council - November 7, 1996**

**ORDINANCES - FIRST READING**

**42-96 APPROVED**

**ANN ARBOR ARMORY 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 0.38 acre, located at 223 East  
Ann Street, from PL (Public Land District) to C2A (Central Business District).**

**Councilmember Lumm moved that the ordinance be approved at first reading.**

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

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**43-96 APPROVED**

**LIN 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 1.12 acres, located at 2701 Nixon Road,  
from TWP (Township District) to R1C (Single-Family Dwelling District).**

**Councilmember Putman moved that the ordinance be approved at first reading.**

**Councilmember Kwan entered at 9:20 p.m.**

**The question being the ordinance as presented, on a voice vote the Mayor declared  
the motion carried.**

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**44-96 APPROVED**

**NEW DOMESTIC PARTNERSHIP**

**An Ordinance to Repeal Section 9:91 of Chapter 110 of  
Title IX of the Code of the City of Ann Arbor**

This ordinance would repeal the section of the Domestic Partnership Ordinance that states: AWhen a domestic partnership has been terminated pursuant to Section 9:89(1), no new declaration of partnership shall be valid under this chapter until 3 months after the termination.z

Councilmember Kolb moved that the ordinance be approved at first reading.

On a voice vote the Mayor declared the motion carried.

**MOTIONS AND RESOLUTIONS**

**DEFEATED**

**RESOLUTION TO APPROVE TO HURON STREET  
BURGER KING RESTAURANT SITE PLAN**

A communication was received from the City Planning Commission transmitting its recommendation of denial (0 yeas, 8 nays) of the proposed Huron Street Burger King Restaurant Site Plan, 0.58 acre, 206 West Huron Street.

Whereas, Carrols Corporation has requested site plan approval in order to construct a 2,920-square foot restaurant at 206 West Huron Street; and

Whereas, The Ann Arbor City Planning Commission, on September 17, 1996, recommended denial of said request;

**RESOLVED**, That City Council approve the Burger King Restaurant Site Plan.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion defeated.

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**R-508-11-96 APPROVED**

**RESOLUTION TO APPROVE BRIARWOOD RESIDUAL  
LOTS 12, 13, 14 AND 15 SITE DEVELOPMENT AGREEMENT**

**Council - November 7, 1996**

**A communication was received from the City Planning Department transmitting its recommendation of approval of the proposed Briarwood Residual Lots 12, 13, 14 and 15 Site Development Agreement, Briarwood Circle.**

**Whereas, A site development agreement for Briarwood Residual Lots 12, 13, 14 and 15 has been prepared to address South State Street improvements and mitigation measures;**

**RESOLVED, That City Council approve the Site Development Agreement, substantially in the form of that, dated October 28, 1996, on file in the City Clerk's Office.**

**Councilmember Lumm moved that the resolution be adopted.**

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

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**R-509-11-96 APPROVED**

**RESOLUTION TO APPROVE KARRINGTON OF ANN ARBOR  
SITE PLAN AND WETLAND USE PERMIT**

**A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Karrington of Ann Arbor Site Plan and Wetland Use Permit, 4.15 acres, 2190 Ann Arbor-Saline Road.**

**Whereas, DevelopMed Operating Company has requested site plan approval in order to construct a 45,000 square foot assisted living residence at 2190 Ann Arbor-Saline Road;**

**Whereas, A wetland use permit has been requested to incorporate the parcel's 0.15 acre wetland into the on-site storm water detention capacity; and**

**Whereas, The Ann Arbor City Planning Commission, on August 20, 1996, recommended approval of said site plan and wetland use permit;**

**RESOLVED, That City Council approve the Karrington of Ann Arbor Site Plan and Wetland Use Permit.**

**Councilmember Carlberg moved that the resolution be adopted.**

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

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**R-510-11-96 APPROVED AS AMENDED****RESOLUTION TO APPROVE CONCORD CENTER REVISED  
FINAL PHASE PUD - PHASE III, ANN ARBOR COMMERCE BANK**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Concord Center Revised Final Phase PUD (Phase III, Ann Arbor Commerce Bank), 2.33 acres, 2930 South State Street.

The resolution to approve the Concord Center Revised Final Phase PUD (Phase III, Ann Arbor Commerce Bank) was considered.

Councilmember Vereen-Dixon moved that the resolution be adopted.

With unanimous consent of Council, the petitioner answered questions concerning parking and landscaping issues.

Councilmember Herrell moved that the following paragraph be added to the resolution:

**RESOLVED, That a review of the parking situation be conducted in cooperation with the developer two years after Certificate of Occupancy is issued by the City, and that based upon the actual use of parking at that time, the City will determine if there are excess parking spaces which should be removed.**

On a voice vote the Mayor declared the motion carried, with Councilmember Lumm dissenting.

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-510-11-96**

**RESOLUTION TO APPROVE CONCORD CENTER REVISED  
FINAL PHASE PUD - PHASE III, ANN ARBOR COMMERCE BANK**

Whereas, South State Street Commerce Center has requested a revision to the Concord Center PUD in order to construct a four-story, 40,000-square foot office building at 2930 South State Street; and

Whereas, The Ann Arbor City Planning Commission, on October 15, 1996, recommended approval of said request;

**Council - November 7, 1996**

**RESOLVED, That City Council approve the Concord Center Revised Final Phase PUD (Phase III, Ann Arbor Commerce Bank), subject to the following:**

- (1) A maximum of 17 parking spaces will be shared throughout the entire Concord Center PUD, as allowed by Chapter 55 (Zoning Ordinance), Section 5:80(3)(e);**
- (2) Alterations may be made to nonconforming interior landscape areas within Phase I without the necessity of bringing the entire site into compliance, as allowed by Section 5:80(3)(f), provided that any future revisions to the Phase I site may require full compliance with Chapter 62 (Landscape and Screening); and**
- (3) Final design and construction details and materials for the pond feature and the office building shall be submitted to the Planning Commission for review and approval prior to the issuance of building permits;**

**RESOLVED, That the Building Department shall not issue permits until the final design and construction details and materials for the pond feature and the office building have been reviewed and approved by the Planning Commission; and**

**RESOLVED, That a review of the parking situation be conducted in cooperation with the developer two years after Certificate of Occupancy is issued by the City, and that based upon the actual use of parking at that time, the City will determine if there are excess parking spaces which should be removed.**

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**R-511-11-96 APPROVED**

**RESOLUTION TO APPROVE HOUSING  
COMMISSION LAND DIVISION**

**A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Housing Commission Land Division, 3.46 acres, Pennsylvania Drive at Commerce Drive intersection.**

**Whereas, the Ann Arbor Housing Commission has requested the division of a 3.46-acre parcel of property on Pennsylvania Drive (Assessor Code No. 09-31-210-001) into two separate parcels; and**

**Whereas, The Ann Arbor City Planning Commission recommended approval of said request on October 15, 1996;**

**RESOLVED, That City Council approve the Housing Commission Land**

Division, as described below:

**Parcel A**

Part of the Northwest 1/4 of Section 31, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan, described as beginning at a point on the true west line of Section 31 (said line also being the east line of Section 25, Town 2 South, Range 5 East, Scio Township), distant N 00° 11' 19" West 4.18 feet from the southeast corner of Section 25, Town 2 South, Range 5 East, and proceeding thence along said true west line of Section 25, N 00° 11' 19" West 129.36 feet to the true northwest corner of Section 31, Town 2 South, Range 6 East; thence along the north line of Section 31, as monumented, S 89° 51' 00" East 6.29 feet to the northwest closing corner of Section 31; thence continuing along said north line of Section 31, S 89° 51' 00" East 400.00 feet; thence along the boundary of ABedford-Buttner Commercial Subdivision, as recorded in Liber 16 of Plats, Pages 8 and 9, Washtenaw County Records, the following four courses, (1) S 00° 11' 00" West 150.00 feet, (2) N 89° 51' 00" West 60.00 feet, (3) S 00° 11' 00" West 235.96 feet, and (4) along a curve concave to the East, radius 1748.86 feet, central angle 03° 57' 54", chord bears south 01° 47' 57" East 121.00 feet, an arc distance of 121.03 feet; thence S 89° 45' 00" West 146.19 feet; thence N 00° 11' 00" East 378.56 feet; thence N 89° 51' 00" West 203.45 feet to the Point of Beginning. Containing 2.470 acres. Subject to the rights of the public and of any governmental unit in any part thereof used, taken or deeded for street, road or highway purposes. Subject to all easements and restrictions of record.

**Parcel B**

Part of the Northwest 1/4 of Section 31, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan, described as beginning at a point distant N 00° 11' 19" West 4.18 feet along the true west line of Section 31 (said line also being the East line of Section 25, Town 2 South, Range 5 East, Scio Township) and S 89° 51' 00" East 203.45 feet and S 00° 11' 00" West 378.56 feet from the Southeast corner of Section 25, Town 2 South, Range 5 East, and proceeding thence N 89° 45' 00" East 146.19 feet; thence along the westerly boundary of ABedford-Buttner Commercial Subdivision, as recorded in Liber 16 of Plats, Pages 8 and 9, Washtenaw County Records, the following four courses, (1) along a curve concave to the east, radius 1748.86 feet, central angle 00° 02' 06", chord bears S 03° 47' 57" East 1.07 feet, an arc distance of 1.07 feet, (2) S 03° 49' 00" East 111.62 feet, (3) along a curve concave to the west, radius 1688.86 feet, central angle 04° 00' 00", chord bears S 01° 49' 00" East 117.88 feet, an arc distance of 117.91 feet, and (4) S 00° 11' 00" West 49.70 feet; thence along the north line of Pennsylvania Avenue, 60.00 feet wide, S 89° 45' 00" West

**Council - November 7, 1996**

**158.16 feet; thence N 00° 11' 00" East 280.01 feet to the Point of Beginning. Containing 0.992 acres. Subject to all easements and restrictions of record.**

**Councilmember Kolb moved that the resolution be adopted.**

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

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**R-512-11-96 APPROVED**

**RESOLUTION TO APPROVE NEWPORT CREEK  
REVISED SITE DEVELOPMENT AGREEMENT**

**A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Newport Creek Revised Site Development Agreement, west side of Newport Road, north of M-14.**

**Whereas, The Woods of Newport Limited Partnership has requested a revision to Paragraph P-12 of the Newport Creek Site Condominium Site Development Agreement, as approved by City Council on November 9, 1995; and**

**Whereas, The proposed revision has been reviewed and found acceptable by City departments;**

**RESOLVED, That City Council approve the Newport Creek Site Condominium Revised Site Development Agreement, substantially in the form of that, dated October 30, 1996, 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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**R-513-11-96 APPROVED**

**RESOLUTION TO APPROVE FOREST CREEK ANNEXATION**

**A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Forest Creek Annexation, 8.32 acres, 3315 Stone School Road.**

**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, Carolyn Coffin and Russell L. Hibbard are the owners and Fairfield Development Company is the purchaser of said property; and**

**Whereas, It is the desire of Carolyn Coffin, Russell L. Hibbard and Fairfield Development Company to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;**

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



Council - November 7, 1996

**Parcel A:** Part of the NW 1/4 of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, described as beginning at a point on the west line of Section 10, distant north 01° 46' 00" east 830.00 feet from the west 1/4 corner of Section 10, T3S, R6E, and proceeding thence along the west line of Section 10, north 01° 46' 00" west 150.00 feet; thence south 89° 37' 00" east 323.35 feet; thence south 01° 46' 00" west 150.00 feet; thence north 89° 57' 00" west 323.55 feet to the point of beginning.

**Parcel B:** Part of the NW 1/4 of Section 10, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, described as beginning at a point on the west line of Section 10, distant north 01° 46' 00" east 980.00 feet from the west 1/4 corner of Section 10, T3S, R6E, and proceeding thence along the west line of Section 10, north 01° 46' 00" east 150.00 feet; thence south 89° 57' 00" east 906.02 feet; thence south 01° 42' 00" west 300.00 feet; thence north 89° 57' 00" west 582.81 feet; thence north 01° 46' 00" east 150.00 feet; thence south 89° 57' 00" west 323.55 feet to the point of beginning.

**Parcel C:** Commencing at the west 1/4 post of Section 10, T3S, R6E, Meridian of Michigan; thence north 1° 46' east 730.0 feet in the west line of Section 10 for a place of beginning; thence continuing north 1° 46' east in the west line of said section, 100.0 feet; thence south 89° 57' east 906.36 feet; thence south 1° 42' west 100.0 feet; thence north 89° 57' west 906.47 feet to the place of commencement, being a part of the NW 1/4 of Section 10, Pittsfield Township, Washtenaw County, Michigan.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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R-514-11-96 APPROVED

**RESOLUTION TO APPROVE UETE ANNEXATION**

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Uete Annexation, 0.46 acre, northwest and adjacent to 320 Riverview 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, Helen and Hiroyuki Uete are the owners of said property; and

Whereas, It is the desire of Helen and Hiroyuki Uete 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 center of Section 27, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 0° 57' 35" E 867.64 feet along the N-S 1/4 line of said Section 27 and the west line of Huntington Woods No. 2, as recorded in Liber 17 of Plats, Pages 1 and 2, Washtenaw County Records; thence along the south line of said subdivision in the following four courses: N 89° 02' 30" E 300.00 feet; S 34° 50' 06" E 326.74 feet; N 14° 03' E 53.87 feet and N 40° 13' E 26.55 feet for a Place of Beginning; thence N 40° 13' E 209.79 feet along the southeast line of Lot 38 of said Huntington Woods No. 2; thence S 52° 42' 20" E 97.43 feet along the southwest line of Riverview Drive; thence S 40° 46' W 205.72 feet; thence N 55° 12' 30" W 95.74 feet to the Place of Beginning, being a part of the SE 1/4 of said Section 27.

Councilmember Daley moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

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**R-515-11-96 APPROVED**

**RESOLUTION TO ESTABLISH PROJECT BUDGET FOR  
INSTALLATION OF ZEBRA MUSSEL CONTROL SYSTEM**

Whereas, It is necessary to install a Zebra Mussel Control System for the City=s raw water intakes at Barton Pond;

Whereas, The materials and equipment for the project are procured by the City and a contractor is to install the Zebra Mussel Control System; and

Whereas, The project is to be financed from the 1995 Water Revenue Bond funds;

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

	<u>Section I - Revenue</u>	
1995 Water Revenue Bonds		\$100,000

**Council - November 7, 1996**

Section II - Expenditure

Construction	\$ 20,000
Materials	\$ 25,000
Equipment	\$ 42,000
Contingencies approved by City Administrator	\$ 9,000
Bond overhead charges	<u>\$ 4,000</u>
Total	\$100,000

**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 AMENDMENT TO FISCAL YEAR 1996-97  
CONSOLIDATED STRATEGY AND PLAN ONE YEAR ACTION PLAN AND  
FIRST AMENDMENT TO FISCAL YEAR 1996-97 AGREEMENT WITH OZONE  
HOUSE AND THE SHELTER ASSOCIATION OF  
WASHTENAW COUNTY**

**Whereas, City Council approved the FY 1996-97 agreements with Ozone House and with Shelter Association of Washtenaw County on June 3, 1996, which included funding for program operations;**

**Whereas, The City advertised a Request for Proposals (RFP) identifying the availability of \$112,828.00 of CDBG Contingency and residual funds targeted toward acquisition and/or rehabilitation of an emergency shelter facility for individuals and/or youth;**

**Whereas, On October 11, 1996, three proposals were submitted;**

**Whereas, At its meeting on October 21, 1996, the Community Development Executive Committee recommended approval of \$65,000.00 of additional Community Development Block Grant (CDBG) funds for public facilities and improvements for Ozone House and \$47,828.00 of additional CDBG funds for public facilities and improvements to the Shelter Association of Washtenaw County;**

**Whereas, Ozone House and Shelter Association of Washtenaw County received Human Rights approval from the Human Resources Department on March 29, 1996; and**

**Whereas, Funding for this amendment is available in the approved FY 1996-97**

community Development Block Grant budget;

**RESOLVED, That City Council approve the amendment to the FY 1996-97 agreement with Ozone House to provide public facilities and improvements and allocate an additional \$65,000.00 of CDBG funds;**

**RESOLVED, That City Council approve the amendment to the FY 1996-97 agreement with the Shelter Association of Washtenaw County to add to the scope of services public facilities and improvements at Shelter Association properties and allocate an additional \$47,828.00 of CDBG funds;**

**RESOLVED, That the Mayor and City Clerk be authorized to sign the documents necessary to implement these amendments substantially in the form on file in the office of the City Clerk, with funds to be available until expended without regard to fiscal year; and**

**RESOLVED, That City Council approve the amendment to the FY 1996 consolidated Strategy and Plan One Year Action Plan to reflect these project additions.**

**Councilmember Lumm moved that the resolution be adopted.**

**Councilmember Hanna-Davies moved that the resolution be postponed to the November 18, 1996 regular session of Council to investigate adding the SOS Crises Center=s proposal for funding.**

**With unanimous consent of Council, the Director of Ozone House answered questions concerning the timing for the project=s funding.**

**The question being the motion to postpone, on roll call the vote was as follows:**

**Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Lumm, Kwan, Carlberg, Herrell, Kolb, Daley, 8;**

**Nays, Councilmember Putman, Mayor Sheldon, 2.**

**The Mayor declared the motion carried.**

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**R-516-11-96 APPROVED**

**RESOLUTION ACCEPTING CONSERVATION EASEMENT  
FROM WOODS OF NEWPORT LIMITED PARTNERSHIP -  
NEWPORT CREEK SITE CONDOMINIUMS**

**Council - November 7, 1996**

**Whereas, Woods of Newport Limited Partnership is the owner of property located in the City of Ann Arbor, Washtenaw County, Michigan, and more particularly described as follows:**

**Commencing at the E 1/4 corner of Section 18, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence N 89° 55' 00" W 1328.57 feet along the E-W 1/4 line of said Section 18; thence S 00° 36' 47" W 985.00 feet along the east line of the W 2 of the SE 1/4 of said Section 18 and the centerline of Newport Road, to the Point of Beginning; thence S00° 36' 47" W 350.34 feet along the east line of the W 2 of the SE 1/4 of said Section 18 and the centerline of Newport Road; thence N89° 26' 00" W 992.35 feet along the south line of the NW 1/4 of the SE 1/4 of said Section 18; thence N00° 27' 00" E 556.16 feet; thence N89° 55' 00" W 290.44 feet; thence S00° 27' 00" W 553.71 feet; thence N 89° 26' 00" W 707.25 feet along the south line of the NW 1/4 of the SE 1/4 and the south line of the NE 1/4 of the SW 1/4 of said Section 18; thence N00° 27' 00" E 998.54 feet; thence S89° 55' 00" E 1.85 feet; thence N 00° 28' 00" E 320.00 feet; thence S 89° 55' 00" E 660.17 feet along the E-W 1/4 line of said Section 18 to the center of said Section 18; thence S89° 55' 00" E 224.83 feet along the E-W 1/4 line of said Section 18; thence S00° 28' 00" W320.00 feet; thence S89° 55' 00" E 643.08 feet; thence S00° 27' 00" W 383.69 feet; thence N89° 45' 13" W 50.08 feet; thence S00° 36' 47" W 280.00 feet; thence S89° 45' 13" E 512.00 feet to the Point of Beginning, being a part of the S 1/2 of said Section 18, T2S, R6E, containing 41.46 acres of land, more or less. Being subject to the rights of the public over the east most 33.00 feet thereof as occupied by Newport Road, and a 20 foot wide easement for ingress/egress recorded in Liber 1031, Page 14, Washtenaw County. Other easements and restrictions of record, if any;**

**and**

**Whereas, Said owner has delivered a conservation easement to the City over portions of the above described premises, which portions are described in Exhibit AA attached to the conservation easement;**

**RESOLVED, That the City hereby accept said conservation easement.**

**Councilmember Kwan moved that the resolution be adopted.**

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

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**R-517-11-96 APPROVED**

**RESOLUTION ACCEPTING UTILITY EASEMENT  
FROM METROPOLITAN LIFE INSURANCE COMPANY -  
1000 CORPORATE CAMPUS**

Whereas, Metropolitan Life Insurance Company, a New York corporation, is the owner of property located in the City of Ann Arbor, Washtenaw County, Michigan, and more particularly described as follows:

A 40 foot wide strip of land having a centerline described as follows: Commencing at the SW 1/4 corner of Section 4, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N01° 53' 00" W 250.00 feet along the West line of said Section; thence N87° 09' 00" E 51.25 feet to a point on the Easterly right-of-way line of State Street; thence N02° 03' 20" W 619.05 feet along said right-of-way line to the POINT OF BEGINNING; thence continuing N02° 03' 20" W 40.00 feet along said right-of-way line; thence N87° 01' 00" E 268.68 feet; thence N02° 59' 00" W 204.17 feet; thence N03° 42' 50" E 2.85 feet; thence N87° 01' 00" E 49.47 feet; thence N42° 01' 00" E 36.39 feet; thence S86° 17' 10" E 8.31 feet; thence S03° 42' 50" W 40.00 feet; thence N86° 17' 10" W 39.39 feet; thence S02° 59' 00" E 196.63 feet; thence N87° 01' 00" E 28.00 feet; thence S02° 59' 00" E 40.00 feet; thence S87° 01' 00" W 28.00 feet; thence S02° 59' 00" E 5.00 feet; thence S87° 01' 00" W 40.00 feet; thence N02° 59' 00" W 5.00 feet; thence S87° 01' 00" W 269.32 feet to the POINT OF BEGINNING;

and

Whereas, Said owner has delivered an easement to the City for the construction and maintenance of utilities on the above described premises;

RESOLVED, That the City hereby accept said easement.

**Councilmember Kolb moved that the resolution be adopted.**

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

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**RESOLUTION RECONSIDERED**

**Councilmember Kolb moved that Resolution R-488-10-96, Resolution Regarding Traffic on Crest Avenue, adopted October 21, 1996, be placed on the table for reconsideration.**

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

**Council unanimously agreed that the following substitute resolution be placed on**

**Council - November 7, 1996**

**the table for consideration:**

**R-518-11-96 APPROVED**

**RESOLUTION REGARDING TRAFFIC ON CREST AVENUE**

**Whereas, Members of City Council and over 40 citizens from Crest, Buena Vista, Montgomery, Eighth St., W. Washington, Martin Pl., and S. Revena met on November 6, 1996 to discuss the potential closing off of Crest Street to through traffic between Buena Vista and Bemidji, the effect on neighborhood traffic patterns, and ideas to address traffic concerns throughout the neighborhood;**

**RESOLVED, That the Ann Arbor City Council direct the City Administrator to establish two additional stop signs at the intersection of Crest and Buena Vista, one facing north and one facing south; and that the cost of these signs be paid for by already budgeted monies in the Public Services Department;**

**RESOLVED, That the City Administrator, with neighborhood input, explore the following additional steps to resolving neighborhood traffic and safety problems:**

- 1. Increase traffic enforcement by the Ann Arbor Police Department on Crest, Eight St. and Washington, as well as the adjoining streets in the neighborhood.**
- 2. Investigate the use of traffic quieting methods, including traffic islands, unstraightening of the road(s), etc.**
- 3. Gather data on the amount of cut through traffic (identify cars and numbers), volume of traffic, and speed of cards.**
- 4. Investigate adding additional stop signs at Crest and Bemidji; and**
- 5. Provide Aexpert~~s~~ opinions and help in implementing proposed solutions that the neighborhood comes forth with to alleviate the traffic concerns in their neighborhood;**

**RESOLVED, That the City Administrator report back on the findings on how to help alleviate the neighborhood traffic concerns within 90 days; and**

**RESOLVED, That the experiment to close Crest St. be put on hold indefinitely, or until after winter, so that these other actions, identified above, can be implemented and evaluated for success or failure in addressing the traffic and safety concerns of the entire neighborhood.**

**Councilmember Kolb moved that the resolution be adopted.**

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



Council - November 7, 1996

## REPORTS FROM COUNCIL COMMITTEES

None.

## COUNCIL PROPOSED BUSINESS

### COUNCIL MEMBER VEREEN-DIXON

Councilmember Vereen-Dixon stated that she will be bringing forward a proposal that would give citizens a better understanding of site plans and the planning process.

Ms. Vereen-Dixon suggested that Council consider organizing a City fair that would show citizens what their tax dollars are being spent on.

## COMMUNICATIONS FROM THE MAYOR

### COUNCIL COMMITTEE ASSIGNMENTS

Mayor Sheldon stated that information and sign-up sheets for Council committee assignments will be distributed in Council mailboxes for consideration.

## ADMINISTRATION OF OATH OF OFFICE

Council unanimously agreed to alter the agenda in order to administer the oath of office to the newly elected Mayor and Councilmembers.

Acting Clerk of the Council Jan Chapin administered the Oath of Office to the newly elected Mayor, Ingrid B. Sheldon, and Councilmembers: Tobi Hanna-Davies, First Ward; Jane Lumm, Second Ward; Jean Carlberg, Third Ward; and Elisabeth L. Daley, Fifth Ward.

## COMMUNICATIONS FROM THE MAYOR (CONT.)

### RECENTLY SIGNED PROCLAMATIONS

Mayor Sheldon reported that she recently signed proclamations in recognition of:

- X People=s Food Co-op 25th Anniversary - October 27, 1996;
- X Key Club Week - November 3-9, 1996; and
- X Winter Hazard Awareness Week - November 11-15, 1996.

**NORM HARDEN**

Mayor Sheldon extended her sympathy to the family and co-workers of Norm Harden, Ann Arbor's Chief Building Inspector, who passed away last weekend.

**SPECIAL SESSION**

The Mayor reminded Council of the special session on Tuesday, November 12, to handle the official business of the first meeting of the new Council.

**APPOINTMENTS APPROVED**

Mayor Sheldon recommended the following appointments at the October 21, 1996 regular session of Council:

**HURON RIVER WATERSHED COUNCIL**

Haldon L. Smith (reappointment - representative)  
1606 Shadford Rd.  
Term: 11/4/96 to 10/31/98

**RECREATION ADVISORY COMMISSION**

Martha W. Graham (to fill vacancy)  
1415 Wisteria Ave.  
Term: 11/7/96 to 8/31/99

**HUMAN RIGHTS COMMISSION**

Harry Mial, Sr. (reappointment)  
1200 Minglewood St.  
Term: 11/7/96 to 10/31/99

**BUDGET POLICY/PROCESS COMMITTEE  
(Council Committee Assignment)**

Councilmembers Lumm, Hartwell, Kolb and Daley

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

**Council - November 7, 1996**

**date:**

**HISTORIC DISTRICT COMMISSION**

**Karen L. Simpson (to fill vacancy created by resignation)  
2260 Garden Homes  
Term: 11/18/96 to 3/6/97**

**HURON RIVER WATERSHED COUNCIL**

**Heidi Cowing Herrell (to fill alternate vacancy)  
2896 Sharon Dr.  
Term: 11/18/96 to 10/31/98**

**ANN ARBOR SUMMER FESTIVAL BOARD**

**Don Chisholm (reappointment)  
315 E. Eisenhower Pkwy.  
Term: 11/18/96 to 11/1/99**

**Ronald Cresswell (reappointment)  
855 Oakdale Rd.  
Term: 11/18/96 to 11/1/99**

**Patricia Garcia (reappointment)  
Ann Arbor Observer  
201 Catherine St.  
Term: 11/18/86 to 11/1/99**

**John K. Lawrence (reappointment)  
2972 Hickory Ln.  
Term: 11/18/96 to 11/1/99**

**ANN ARBOR SUMMER FESTIVAL BOARD (CONT.)**

**Peter Schork (replacing George Goodman at term expiration)  
1107 Ravenwood Ave.  
Term: 11/18/96 to 11/1/99**

**Deanna Dorner (to fill vacancy)  
1631 Wildwood Ave.  
P.O. Box 700  
Saline, MI  
Term: 11/18/96 to 11/1/97**

**Bruce Moyer (to fill vacancy)**

505 Green Rd.  
Term: 11/18/96 to 11/1/97

**DOMESTIC VIOLENCE COORDINATING BOARD**

Lore Rogers (replacing Kathleen Hagenian who resigned)  
Domestic Violence Project/SAFE House  
P.O. Box 7052  
Term: 11/18/96 to 7/17/97

Susan Cameron (replacing Thomas Blessing as  
City Attorney representative)  
City Attorney=s Office  
Term: 11/18/96 to 7/17/97

Crystal Brown (replacing Bennie Cheneert as  
University Security representative)  
525 Church St.  
Term: 11/18/96 to 7/17/97

Lt. Jim Tieman (replacing Dan Branson as  
Ann Arbor Police Department representative)  
Ann Arbor Police Department  
100 N. Fifth Ave.  
Term: 11/18/96 to 7/17/97

Lynelle Detzler Morgan (replacing Mary Ann Snow as  
Family Law Project representative)  
420 N. Fourth Ave.  
Term: 11/18/96 to 7/17/97

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

**REPORTS SUBMITTED**

City Administrator Neal G. Berlin submitted the following reports for information of Council:

1. 1st Quarter - Quarterly Report/Measures of Success
2. Auditor=s Management Report to City Council for the year ended June 30, 1996
3. Financial Transaction Device Payments

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

**Council - November 7, 1996**

**COMMUNICATIONS FROM THE CITY ATTORNEY**

**TELECOMMUNICATIONS ORDINANCE**

City Attorney Abigail Elias reported that a final draft of the telecommunications permit ordinance was distributed in Council mailboxes and will be presented for first reading at the next session of Council. Ms. Elias further reported that the moratorium will have to be extended 30 days to allow adoption of the ordinance.

**COMMUNICATIONS FROM COUNCIL**

**COUNCILMEMBER VEREEN-DIXON**

Councilmember Vereen-Dixon announced that Community Action Network is sponsoring a fundraiser fashion show with celebrity models at 7:00 p.m., November 15, at Cobblestone Farm.

**COUNCILMEMBER DALEY**

Councilmember Daley recognized the City Clerk's Office for a job well done during the presidential election.

**COUNCILMEMBER LUMM**

Councilmember Lumm reminded Council that she is not yet hooked up to the City Hall computer network system, but will be soon.

**CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS**

The following communications were referred as indicated:

1. Communication from Richard A. Petit, 2015 Marra Dr., in opposition to Karrington of Ann Arbor Zoning (Ordinance No. 39-96) - Planning.
2. Communication from Pia M. Bennett, 476 Village Oaks Ct., in opposition to Karrington of Ann Arbor Zoning (Ordinance No. 39-96) - Planning.

The following minutes were received for file:

1. Housing Policy Board - October 16, 1996
2. Ann Arbor Energy Commission - October 16, 1996
3. Ann Arbor Transportation Authority - September 18, 1996

4. Planning Commission - September 5 and September 17, 1996
5. Cable Communications Commission - August 27, 1996
6. Historic District Commission - August 22, 1996

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

On a voice vote the Mayor declared the motion carried.

#### **PUBLIC COMMENTARY - GENERAL**

None.

Councilmember Kwan exited.

#### **RECESS FOR EXECUTIVE SESSION**

Councilmember Kolb moved that the regular session of Council be recessed in order to convene an executive session to discuss personnel matters.

On roll call the vote was as follows:

Yeas, Councilmembers Hanna-Davies, Vereen-Dixon, Lumm, Carlberg, Herrell, Putman, Kolb, Daley, Mayor Sheldon, 9;

Nays, 0;

The Mayor declared the motion carried and the regular session recessed at 11:20 p.m.

Councilmember Kolb moved that the regular session of Council be reconvened.

On a voice vote the Mayor declared the motion carried and the regular session reconvened at 12:45 a.m.

#### **ADJOURNMENT**

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

On a voice vote the Mayor declared the motion carried and the meeting adjourned at

**Council - November 7, 1996**

**12:45 a.m.**

**Janet L. Chapin  
Acting Clerk of the Council  
Recording Secretary**