

ANN ARBOR CITY COUNCIL MINUTES REGULAR SESSION - MAY 6, 2002

The regular session of the Ann Arbor City Council was called to order at 7:35 p.m. in the City Hall Council Chamber by Mayor John Hieftje.

Council stood for a moment of silence.

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

ROLL CALL OF COUNCIL

PRESENT : Councilmembers Jean Robinson, Robert M. Johnson, Joseph Upton, Michael R. Reid, Jean Carlberg, Heidi Cowing Herrell, Marcia Higgins, Christopher Easthope, Wendy A. Woods, Mayor John Hieftje, 10.

ABSENT : Councilmember Stephen C. Hartwell, 1.

INTRODUCTIONS

GOLDEN PAINTBRUSH AWARDS

Bob Elton and Kathleen Letts, members of the Commission on Art in Public Places, presented the annual Golden Paintbrush Awards to Allen & Kwan Developers for sponsoring the artwork on the North Main Street underpass (by artists Cullen Neaton and Mary Peoples); and to Galleria Associates for the art display case in the atrium of the Galleria on South University Ave. The awards recognize those in the community who, on their own initiative, add to the public art in Ann Arbor.

Mr. Elton also presented the 2002 Annual Report of the Commission on Art in Public Places (on file in the City Clerk's Office).

DONATION FROM PFIZER, INC.

Police Chief Dan Oates introduced representatives from Pfizer, Inc., who presented the City with Pfizer's donation of \$50,000.00 for a bomb-sniffing dog, a special patrol car, equipment and training. Chief Oates also introduced Police Officer Kevin Harding and his canine partner, KP.

“CLEAN COMMUNITIES” PROGRAM

Mayor Hieftje presented an update on the new “Clean Communities” program. He announced that out of 80 complaints, 77 clean-ups were completed voluntarily, and that the City has not had to charge the owners for any cleanups. (Update report on file in the City Clerk’s Office).

PUBLIC COMMENTARY - RESERVED TIME

A.F.S.C.M.E.

The following City employees expressed concern with the status of the A.F.S.C.M.E. contract negotiations. The speakers requested fair and equitable treatment and compensation for City union workers.

Pat Boan, 6815 Park Dr., A.F.S.C.M.E. Local 369 member

Terry Clark, 9492 Spring Hollow Ct., Dexter, MI, A.F.S.C.M.E. Local 369 member

Nancy Sylvester, 6815 Park Dr., Vice President of A.F.S.C.M.E. Local 369

Karin Peterson, 2200 Fuller Ct., A.F.S.C.M.E. Local 369 member

Don Ratliff, 19939 Bush Rd., Chelsea, MI, President of A.F.S.C.M.E. Local 369

LIZ FANTA - TEAMSTERS

Liz Fanta, 1907 E. Stadium Blvd., Chief Steward of Teamsters Local 214, expressed concern with City Council’s rejection of the proposed Teamsters contract. She stated that the contract was fair and equitable and bargained in good faith, but that the plan to reject the contract was made in secret.

ERIC LIPSON – TRAFFIC CALMING

Eric Lipson, 1318 Rosewood St., representing Rosewood Street residents, objected to the voting system used to determine the residents’ desire for traffic calming measures. He expressed concern that the process is unfair and favors renters/absentee landlords rather than the permanent residents on the street.

PATRICIA STRIHO – ANN ARBOR CITIZENS FOR RESPONSIBLE GOVERNMENT

Patricia Striho, 2355 Delaware Dr., representing Ann Arbor Citizens for Responsible Government, spoke in opposition to the proposed hiring of three additional traffic officers and one parking enforcement officer. She expressed concern that the purpose of additional enforcement is to generate revenue.

PUBLIC HEARINGS

NORTHEAST AREA PARK REZONING (ORDINANCE NO. 14-02)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 51.0 acres from TWP (Township District) to PL (Public Land District), Northeast Area Park, northeast corner of Pontiac Trail and Dhu Varren Road. Notice of public hearing was published April 14, 2002.

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

MATERKA LAND DIVISION

A public hearing was conducted on the proposed Materka Land Division, 1.09 acres, 1521 Miller Avenue. Notice of public hearing was published April 28, 2002.

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

120-126 NORTH DIVISION STREET LAND DIVISION

A public hearing was conducted on the proposed 120-126 North Division Street Land Division, 0.61 acre. Notice of public hearing was published April 28, 2002.

The following people spoke in favor of the proposal, which they believe will preserve the historic nature and encourage individual ownership of the properties:

Eileen Tyler, petitioner

Christine Crocket, Old Fourth Ward President

Ray Detter, petitioner and Old Fourth Ward Vice President

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

MCI WORLDCOM NETWORK SERVICES, INC. APPLICATION

A public hearing was conducted on the proposed application of MCI WorldCom Network Services, Inc. for a right-of-way permit agreement for use of the public rights-of-way in the City of Ann Arbor to provide telecommunications services. Notice of public hearing was published April 27, 2002.

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

ENGINEERING DIVISION FY 2002-03 FEE CHANGES

A public hearing was conducted on the Public Services Department-Engineering Division proposed fiscal year 2002-2003 fee changes. Notice of public hearing was published May 5, 2002.

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

SOLID WASTE DEPARTMENT FY 2002-03 FEE CHANGES

A public hearing was conducted on the Solid Waste Department proposed fiscal year 2002-2003 fee changes. Notice of public hearing was published May 5, 2002.

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

BUILDING DEPARTMENT FY 2002-03 FEE CHANGES

A public hearing was conducted on the Building Department proposed fiscal year 2002-2003 fee changes. Notice of public hearing was published May 5, 2002.

The following people appeared in opposition to the proposed fees for Historic District Commission review:

Louisa Pieper, former Historic Preservation Coordinator

Christine Crockett, Old Fourth Ward President

Chris Drummer, Old Fourth Ward resident

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

2002-03 COMMUNITY DEVELOPMENT AND HOME PROGRAM ACTION PLAN

A public hearing was conducted on the proposed fiscal year 2002-2003 Community Development and HOME Program One-Year Action Plan for submission to the Department of Housing and Urban Development. Notice of public hearing was published April 28, 2002.

The following person appeared:

Jim Mogensen, 3780 Green Brier Blvd., expressed concern about the limited funding for human services.

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

2002-2003 RECOMMENDED BUDGET

A public hearing was conducted on the proposed City of Ann Arbor Budget for Fiscal Year 2002-2003. Notice of public hearing was published April 28 and May 1, 2002.

The following high school students requested an additional \$19,000.00 allocation for the Youth Empowerment Project:

Chloe Peak, Roberto Clemente High School student

David Boehnke, Pioneer High School student

Mike Kelly-Sell, Pioneer High School student

The following people requested that the funding for the Commission on Art in Public Places be reinstated in the proposed budget:

Bob Elton, Commission on Art in Public Places Chairperson

Marsha Chamberlin, Commission on Art in Public Places member

David Skovie, Ann Arbor resident

Joan Blos, Downtown Public Arts Committee member

Martha Keller, Commission on Art in Public Places member

Mark Hodesh, owner of Downtown Home and Garden

Ray Detter, DDA Citizen Advisory Council member

Dick Mitchell, Ann Arbor architect

Margaret Parker, Commission on Art in Public Places member

The following people also appeared:

Robert Klingler, Briarcrest Dr. resident, expressed concern that some funding mechanisms, such as grants, are not being fully explored or utilized. He suggested implementation of a non-resident income tax as a funding source.

Jim Mogensen, 3780 Green Brier, expressed concern that some businesses and organizations, such as Pfizer, Inc. and the University of Michigan, do not pay their fair share of taxes to cover basic services provided by the City.

David DeVarti, Downtown Development Authority member, spoke in opposition to the proposed hiring of three additional traffic enforcement officers and one parking enforcement officer. He requested that the City stick with its reduced staffing levels.

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

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

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

CONSENT AGENDA

Revise: Resolution to Approve the Fiscal Year 2002 One-Year Action Plan for Submission to the Department of Housing and Urban Development (\$2,183,000.00) (Community Development – Eileen Ryan, Director) **(Pgs. 14, 19, 23 & 35 of Draft Plan Revised)**

Revise: Resolution to Approve Amendment to Contract Between the City of Ann Arbor and ESI Acquisitions, Inc. (formerly CML Emergency Services, Inc.) for the Police Information Management System (reduction of [~~\$30,955.00~~] **\$37,675.00**) (Police – Chief Dan Oates)

MOTIONS AND RESOLUTION

Add: Resolution for Disbursement of Community Events Funds (Community Events Fund Committee: Councilmembers Easthope, Higgins, Upton, Woods)

CLERK'S REPORT

Add: Communication from Sarah Hashimoto, Project Grow Executive Director, transmitting petition in support of Project Grow – File.

On a voice vote the Mayor declared the motion carried.

APPROVAL OF COUNCIL MINUTES

MINUTES OF APRIL 15 APPROVED

Councilmember Higgins moved that the regular session minutes of April 15, 2002 be approved as presented.

On a voice vote the Mayor declared the motion carried.

The Mayor declared a recess at 9:25 p.m.

The Mayor again called the meeting to order at 9:31 p.m.

CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following items were removed from the Consent Agenda for consideration following approval of the Consent Agenda:

Resolution to Approve Private Development Fee Adjustments for Public Services Department-Engineering Division (Public Services – William Wheeler, Director)

Resolution to Approve Amendment to Contract Between the City of Ann Arbor and ESI Acquisitions, Inc. (formerly CML Emergency Services, Inc.) for the Police Information Management System (reduction of \$37,675.00) (Police – Chief Dan Oates)

Resolution to Approve the Closing of Main and Liberty Streets for the 2002 Rolling Sculpture Car Show (Building – Larry Pickel, Director)

Resolution to Approve Street Closings for the 2002 “Taste of Ann Arbor and The Rest of the World” Special Event (Building – Larry Pickel, Director)

Resolution to Approve Street Closings for the 2002 “Park ‘N Party” Annual Motorcycle Event (Building – Larry Pickel, Director)

CONSENT AGENDA ITEMS APPROVED

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

R-176-5-02 APPROVED

RESOLUTION TO APPROVE FISCAL YEAR 2002 ONE-YEAR ACTION PLAN FOR SUBMISSION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Whereas, The Community Development Department has prepared the FY 2002 One Year Action Plan for the period July 1, 2002 through June 30, 2003;

Whereas, Public hearings have been held to solicit the views of Ann Arbor residents interested in the city’s programs; and

Whereas, The CDBG Executive Committee and the Housing Policy Board have reviewed and endorsed the document and recommended its approval to City Council;

RESOLVED, That City Council approve the Fiscal Year 2002 One-Year Action Plan substantially in the form on file in the Office of the City Clerk for submission to the Department of Housing and Urban Development (HUD);

RESOLVED, That City Council authorize the Mayor and City Clerk to execute any required program documents and, upon approval by the Department of Housing and Urban Development, City Council accept the \$2,183,000 allocation, to be available until expended without regard to fiscal year; and

RESOLVED, That City Council approve the Community Development Block Grant and HOME funding allocations and authorize the Community Development Department to negotiate contractual agreements with subgrantees to be detailed for subsequent City Council review and approval.

R-177-5-02 APPROVED

RESOLUTION TO APPROVE HOUSING REHABILITATION AGREEMENT WITH ANN DODD FOR 2158 HEMLOCK DRIVE

Whereas, An application was received from Ann Dodd for rehabilitation assistance for her home located at 2158 Hemlock;

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

Whereas, Two bids were received on April 18, 2002 and Ms. Dodd will be executing an agreement with Michael P. McCarthy the lowest responsible bidder, who has Human Rights and Living Wage approval, to complete the rehabilitation work;

RESOLVED, That City Council approve the Housing Rehabilitation Agreement with Ann Dodd in the amount of \$27,236.00 as a deferred payment loan, and authorize the Mayor and City Clerk to execute the necessary documents substantially in the form on file in the office of the City Clerk with funds to be available without regard to fiscal year.

R-178-5-02 APPROVED

RESOLUTION TO APPROVE SERVICES AGREEMENT FOR

LAND APPLICATION OF MUNICIPAL WASTEWATER BIOSOLIDS –
RFP NO. 530

Whereas, In the winter the Wastewater Treatment Plant dewateres and landfills biosolids and during the rest of the year applies the biosolids to agricultural land;

Whereas, The Water Utilities Department issued RFP No. 530 for the land application of municipal wastewater biosolids to continue this beneficial and recycle use of biosolids;

Whereas, Synagro Midwest, Inc. submitted a proposal and after review Synagro Midwest, Inc. was judged qualified and the fee found to be comparable and reasonable; and

Whereas, On April 24, 2002, the Human Resources Department approved Synagro Midwest, Inc. to perform work for the City and Synagro Midwest, Inc. has signed the City's "Notice of Intent to Comply with Living Wage Ordinance";

RESOLVED, The Council approve the service agreement with Synagro Midwest, Inc. in the amount of \$0.026 per gallon for land application of municipal wastewater biosolids, and that, after the first year, annual price adjustments be made equal to 80% of the Detroit Region Consumer Price Index;

RESOLVED, That the service agreement with Synagro Midwest, Inc. be for three years with the option for two one-year renewals to be approved by the City Administrator;

RESOLVED, That the Mayor and the City Clerk be authorized to sign the service agreement approved as to form by the City Attorney; and

RESOLVED, That the services be funded from the approved fiscal year 2001/02 Operations and Maintenance Budget for the WWTP and that the remaining years' costs or renewal costs, if any, be included in future Operations and Maintenance Budgets for the WWTP.

R-179-5-02 APPROVED

RESOLUTION TO PLACE UNPAID UTILITIES CHARGES
ON THE 2002 TAX ROLL

Whereas, On April 1, 2002 the City Administrator reported to this Council that there were \$78,083.90 of unpaid charges for water, sanitary sewer and stormwater services

furnished to certain premises in the City which on March 31, 2002 had remained unpaid for a period of six months or more;

Whereas, In accordance with Michigan Public Act 94 of the Public Acts of 1933 and Ann Arbor City Ordinance Code, Chapter 13, Section 2:92; Chapter 29, Section 2:72 and Chapter 33, Section 2:206, collection notices have been sent by first class mail to the owners of such premises giving notice of the total amount due for such services, and that such amounts would be assessed with a 10% penalty by this Council on June 7, 2002, unless sooner paid, as a tax against said premises; and

Whereas, On April 2, 2002 such notices were sent by first class mail to the owners of the premises so served notifying them of the said Council meeting and of the assessment with the 10% penalty to be then placed against such property if the amount due is not paid by May 1, 2002;

RESOLVED, That such outstanding (over 6 months) delinquent utilities charges be levied against such owners and premises, that the City Assessor place the same with a 10% penalty on the next tax roll of the City, and that said charges so assessed be collected in the same manner as general City taxes; and

RESOLVED, That the Utilities Department and City Treasurer be permitted to accept payment for delinquent utilities charges up to 10 working days prior to the printing of the July 2002 tax notices.

R-180-5-02 APPROVED

RESOLUTION TO AUTHORIZE A CONTRACT WITH COACH'S
CATASTROPHE CLEANING & RESTORATION SERVICES FOR
CLEANING AND SANITATION SERVICES – BID NO. 3465

Whereas, The Water Utilities Department will enter into a contract for cleaning and sanitation services for sanitary sewer backups in single and multi-family dwellings;

Whereas, The Water Utilities Department does not have the resources to undertake training and licensing of their employees for catastrophe cleaning and sanitizing spaces after a sanitary sewer backup or surcharge;

Whereas, Coach's Catastrophe Cleaning & Restoration Services Ypsilanti, MI, is the sole bidder (Bid No. 3465); and

Whereas, Coach's Catastrophe Cleaning & Restoration Services, received Human

Rights approval on February 22, 2002 and meets Ann Arbor Living Wage Ordinance;

RESOLVED, That a contract be approved with Coach's Catastrophe Cleaning & Restoration Services for cleaning and sanitation services for sanitary sewer backups in single and multi-family dwellings;

RESOLVED, That the contract may be renewed for up to two one-year periods; and

RESOLVED, That an amount not to exceed \$46,000.00 be paid from the Fiscal Year 2002/03, Fiscal Year 2003/04 and Fiscal Year 2004/05 Sewage Disposal System Operations and Maintenance budgets.

R-181-5-02 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES
AGREEMENT WITH INSPECTION SERVICES COMPANY, INC. FOR
THE 2002 ANNUAL STREET RESURFACING PROGRAM

Whereas, It is necessary to employ a qualified construction testing firm to perform the required material testing for the 2002 Annual Street Resurfacing Program;

Whereas, Proposals for this testing were received and evaluated by the Engineering Division on the basis of qualifications and fees;

Whereas, Inspection Services Company, Incorporated has demonstrated the required experience, personnel and competitive fee schedule to perform the work;

Whereas, Inspection Services Company, Incorporated received Living Wage and Human Rights approval on April 18, 2002; and

Whereas, On April 1, 2002, Council adopted the budget for this project which includes sufficient funds for this agreement;

RESOLVED, That Council approve a professional services agreement with Inspection Services Company, Incorporated in the amount of \$90,000.00 for construction material testing for the 2002 Annual Street Resurfacing Program;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator; and

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

R-182-5-02 APPROVED

RESOLUTION AUTHORIZING A PURCHASE ORDER TO TRAFFIC SIGNAL, INC. FOR FIBER OPTIC CABLE – BID NO. 3546

Whereas, It is necessary to purchase fiber optic cable for the completion of the Plymouth Rd. signal and Glen/Fuller/Maiden Lane signal interconnection projects;

Whereas, Competitive bids were received by the Public Services Department staff and Traffic Signal, Inc. was the lowest responsible bidder at \$.844 a foot;

Whereas, Traffic Signal, Inc. received Human Rights approval on April 9, 2002; and

Whereas, Sufficient funds have been budgeted in the Public Services Department project budgets;

RESOLVED, That a purchase order to Traffic Signal, Inc. be authorized in the amount of \$45,154.00; and

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

R-183-5-02 APPROVED

RESOLUTION TO APPOINT ASSOCIATE FINANCE DIRECTOR, KAREN LANCASTER, AS INTERIM CITY TREASURER

Whereas, Karen Sanford will retire as City Treasurer on May 31, 2002;

Whereas, The Finance Department is in the recruitment and hiring process for a new City Treasurer;

Whereas, The position is expected to be filled by July 1, 2001; and

Whereas, The treasurer position is required to be fill according to the City Charter;

RESOLVED, That the Associate Finance Director, Karen Lancaster, be appointed as Interim City Treasurer for signing purposes only, and that Finance Director Brenda Smith manage the division until a permanent treasurer is hired.

R-184-5-02 APPROVED

RESOLUTION TO APPROVE STREET CLOSINGS FOR
THE TORTOISE AND HARE FOURTH OF JULY 5K RACE

Whereas, The City has received a request to hold Tortoise and Hare Fourth of July 5K Race on Thursday, July 4, 2002, prior to the Jaycees Fourth of July Parade;

Whereas, The sponsor is requesting the city provide the following services:

- 1) Closing the following streets from 8:00 - 9:00 a.m.
 - *E. Liberty from S. State to S. Ashley
 - *E. William from S. State to S. Ashley
 - *S. Main and S. Fourth Ave. from E. Washington to Packard
 - *Fifth Ave. and S. Division from E. Washington to E. Jefferson
 - *Hamilton Place from E. William to E. Jefferson
 - *Thompson and Maynard from E. Liberty to E. Jefferson
 - *Maynard from E. Jefferson to E. Liberty
 - *Jefferson from Maynard to Thompson
 - *S. State from E. Washington to E. Madison
 - *S. University from S. State to S. Forest
 - *Tappan from Monroe to S. University
 - *E. University from Willard to S. University
 - *Church from Willard to Washtenaw Ct.
 - *N. University from Washtenaw to S. State
 - *Fletcher from N. University to E. Huron
 - *E. Washington from Fletcher to S. Division

- 2) Closing the following street from 7:00 - 8:00 a.m. to provide a staging area for the participants:
 - *E. Liberty between S. Fourth Ave. and S. Fifth Ave.

- 3) Provide directional cones and barricades

- 4) Provide parking meter bags for the sponsor to place on the meters on the closed

streets Wednesday night and removed immediately after the event

- 5) Clean the streets prior to the race

Whereas, The sponsor has agreed to pay the costs associated with the event for Police Department and Transportation Department services;

Whereas, The sponsor agrees to defend and indemnify and save the city harmless against any claim arising from their sponsorship of this event;

Whereas, The sponsor will obtain the necessary permits and provide evidence of proper liability insurance; and

Whereas, The Main Street Area Association supports the event;

RESOLVED, That City Council approve the street closings as requested;

RESOLVED, That the sponsor reimburse the City for the following services:

Police	\$2,000.00 (est.)
Transportation	\$ 200.00 (est.)

R-185-5-02 APPROVED

RESOLUTION TO APPROVE THE 2002 ANN ARBOR JAYCEES CARNIVAL

Whereas, The Ann Arbor Jaycees have requested permission to hold a carnival at the Pioneer High School parking lot from July 3 - July 6,2002; and

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

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

- 1. Noise emitting from the operations of the carnival shall not exceed 80 decibels measured at any adjacent property line.
- 2. The carnival operate only between the hours indicated on the approved Special Events Permit.

3. The Police Department may require certain machines to cease operation if excessive noise complaints are received.
4. Evidence of proper liability insurance protection be submitted and approved by the City Attorney.
5. Vendors of food and/or beverage be properly licensed to insure sanitary conditions of products consumed by the public.
6. Proper fire lanes be maintained at all times.
7. Electrical connections be made by a licensed electrical contractor.

8. The event sponsors clear the parking lot and surrounding area of any debris resulting from the operation of the carnival upon completion of the event.
9. All other concerns be regulated by the City Administrator, the Chief of Police or their designee.

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

R-186-5-02 APPROVED

RESOLUTION TO APPROVE STREET CLOSINGS FOR THE 2002
ANN ARBOR JAYCEES FOURTH OF JULY PARADE

Whereas, The City has received a request from the Ann Arbor Jaycees to hold a parade in the City of Ann Arbor on Independence Day, Thursday, July 4, 2002;

Whereas, It will be necessary to close certain city streets from 8:00 a.m. to 1:00 p.m. to allow for adequate staging and cleanup time and other streets starting at 10:00 a.m. for the parade itself;

Whereas, The Ann Arbor Jaycees agree to obtain the necessary permits and comply with all procedures, rules, and regulations established to stage such an event; and

Whereas, The Ann Arbor Jaycees agrees to pay the costs associated with the event for Police Department services;

RESOLVED, That the Fourth of July Parade be hereby approved being routed along South State, Liberty, Main and William Streets beginning at 10:00 a.m.;

RESOLVED, That Maynard from E. Liberty to E. Jefferson be closed for the staging and cleanup of the parade from 8:00 a.m. to 1:00 p.m.;

RESOLVED, That the closing of certain streets along the route as needed from 10:00 a.m. to 1:00 p.m. on Thursday, July 4, 2002 be approved; and

RESOLVED, That the sponsor reimburse the City for the following services:

Police \$1,500.00

R-187-5-02 APPROVED

RESOLUTION TO APPROVE STREET CLOSINGS FOR
THE DEXTER-ANN ARBOR RUN, JUNE 2, 2002

Whereas, The Ann Arbor Track Club has requested that the annual Dexter-Ann Arbor Runs be held on Sunday, June 2, 2002 and use closed streets to facilitate the race finish area and post-race events;

Whereas, It has been requested that the following services be provided by the City:

- 1) Obtain a State permit for closing Main Street from 6:00 a.m. to 11:30 a.m.
- 2) Closing these streets from 6:00 a.m. to 1:00 p.m. on June 2, 2002:
 - *Main Street - Kingsley to Huron and partial closure from Huron River Drive to Kingsley
 - *Ann Street - Fourth to Ashley
 - *Catherine - Fourth to Ashley
 - *Ann at Main - Surface Parking Lot
 - *Beakes - Fourth to Main
 - *Kingsley - Ashley to Main
- 3) Provide directional cones (to be picked up and placed by the Track Club and picked up from road by the city along Main Street following the races at 12pm Noon following the races on June 2, 2002.
- 4) Obtain hoods for parking meters and provide to Track Club for them to place on the meters on Saturday night and remove on Sunday by 1:00 p.m.
 - *North Main from Huron to northern most meter on Main Street
 - *Surface Parking Lot at Ann and Main Street
 - *Other Closed Streets
- 5) Clean Main Street on Friday, May 31, 2002 from Huron River Drive to Huron Ave. and patch potholes as needed.
- 6) Place two Solid Waste dumpsters in the lot at Main and Ann Streets by Saturday evening after 6pm, June 1, 2002. Provide and place 100 refuse

containers (cardboard type) with a plastic liner bag including a spare bag in each container, on both sides of Main Street from Catherine to Huron on Saturday evening June 1, 2002 after 6pm. Remove the dumpsters and containers by 1:00 p.m. Sunday June 2, 2002, after the race activities conclude;

Whereas, The Track Club has agreed to pay the actual event costs for the Police supervision, Solid Waste Department, Transportation Division and DDA services;

Whereas, The Track Club will file all necessary street closure and banner permits and will comply with all liability insurance and other requirements (including maintaining fire lanes); and

Whereas, The Main Street Area Association supports the event;

RESOLVED, That the Mayor and Council authorize the following for the event:

- 1) All of the street closures and other provisions outlined in this resolution
- 2) Banner permit
- 3) Police, Solid Waste and Transportation service requests with costs reimbursed by the Ann Arbor Track Club; and

RESOLVED, That the Ann Arbor Track Club must:

- 1) Reimburse the City expenses incurred for the following requested City services:

ESTIMATE

Solid Waste	\$ 200.00	
Transportation/DDA	\$1,031.00	(\$510.00 Parking Meter Fees to DDA)
Police	<u>\$4,000.00</u>	
TOTAL	\$5,231.00	

- 2) Comply with all City permit requirements and State permits, including provision of liability insurance.
- 3) Provide written notification to all affected properties on North Main Street between Huron River Drive and Huron Street.

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

R-188-5-02 APPROVED

RESOLUTION TO APPROVE PRIVATE DEVELOPMENT FEE
ADJUSTMENTS FOR PUBLIC SERVICES DEPARTMENT-
ENGINEERING DIVISION

Whereas, The schedule of fees established for the Public Services Department-Engineering Division to recover the City's cost of providing services related to the construction of public improvements via private development projects was last updated on July 1, 1996;

Whereas, The services provided by the Private Development Team of the Public Services Department include plan review, field inspection, and other related work and are essential to the new developments within the City;

Whereas, The Public Services Department has reevaluated the services provided by its Private Development Team;

Whereas, It is determined that the fees established in 1996 do not compensate the City in full for the cost of its services related to the Private Development Projects; and

Whereas, The Public Services Department has created an adjusted fee schedule that includes an increase in some service fees and decrease in some others;

RESOLVED, That the attached Public Services Department-Engineering Division Schedule of Fees be approved for implementation effective May 1, 2002; and

RESOLVED, That City Council authorize the City Administrator to take the necessary administrative actions to implement this resolution.

**PUBLIC SERVICES DEPARTMENT
ENGINEERING DIVISION**

SCHEDULE OF FEES
May 1, 2002

<u>Fee Title</u>	<u>Unit of Measure</u>	<u>Effective July 1996</u>	<u>Effective May 1, 2002</u>
<u>PLAN REVIEW</u>			

Plan Application Fee (one time fee)	Each	N/A	\$300.00
Construction Plan Review – Streets (for three reviews)	Foot	\$0.30 (Minimum \$300)	\$0.75 (Minimum \$150)
Construction Plan Review - Sanitary Sewer (for three reviews)	Foot	\$0.28 (Minimum \$280)	\$0.55 (Minimum \$110)
Construction Plan Review - Storm Sewer (for three reviews)	Foot	\$0.28 (Minimum \$140)	\$0.30 (Minimum \$60)
Construction Plan Review - Water Main (for three reviews)	Foot	\$0.28 (Minimum \$280)	\$0.80 (Minimum \$160)

PUBLIC ROADS FIELD INSPECTION

Engineer	Hour	\$45.00	\$57.50
Technician	Hour	\$35.00	\$50.00
Technician Overtime	Hour	\$44.00	\$65.00

SANITARY SEWER FIELD INSPECTION

Sewer Pipe First 100 feet (Any Size)	Lump Sum	\$345.00	\$1,040.00
Sewer Pipe Size 8" to 12" - Next 300 feet	Station	\$225.00	\$335.00
Sewer Pipe Size 8" to 12" - Over 400 feet	Station	\$175.00	\$230.00
Sewer Pipe Size 15" and Over - Next 300 feet	Station	\$290.00	\$410.00
Sewer Pipe Size 15" and Over – Over 400 feet	Station	\$225.00	\$310.00
Manholes - (0-12' Deep)	Each	\$115.00	\$125.00
Manholes - (Over 12' Deep)	Each	\$175.00	\$225.00
Manholes - Constructed Over Existing Sewer	Each	\$175.00	\$250.00
Drop Connection Manholes	Each	\$175.00	\$250.00
Service Leads - 4" or 6" Pipe to R.O.W. Line	Each	\$45.00	\$115.00
Jacking, Boring, Concrete Cradle, Concrete Encasement - Any Size Pipe	Station	\$290.00	\$300.00
Additional Air or Mandrel Test (resulting from failure of initial test)	Each	\$85.00	\$125.00
Additional Video Inspection (resulting from failure of initial test)	Each	\$35.00	\$250.00
Contractor No-Show Fee	Each	\$115.00	\$200.00
Engineer	Hour	\$45.00	\$57.50
Technician Overtime	Hour	\$9.00	\$23.00

Fee Title	<u>Unit of Measure</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
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STORM SEWER FIELD INSPECTION

Sewer Pipe First 100 feet (Any Size)	Lump Sum	\$345.00	\$820.00
Sewer Pipe Size 12" to 24" - Next 300 feet	Station	\$175.00	\$335.00
Sewer Pipe Size 12" to 24" - Over 400 feet	Station	\$85.00	\$235.00
Sewer Pipe Size 30" and Over – Next 300 feet	Station	\$225.00	\$460.00

Sewer Pipe Size 30" and Over – Over 400 feet	Station	\$175.00	\$360.00
Drainage Structures: 2', 3', 4' Diameter Catch Basin, Inlet, or Double Inlet	Each	\$85.00	\$125.00
Manholes for Sewers to 24" Diameter	Each	\$85.00	\$100.00
Manholes for Sewers Over 24" Diameter	Each	\$225.00	\$150.00
Manholes Constructed Over Existing Sewer	Each	\$175.00	\$250.00
Drop Connection Manholes	Each	\$175.00	\$250.00
Service Leads – 4" or 6" Pipe to R.O.W. Line	Each	\$45.00	\$75.00
Edge Drains	Station	\$50.00	\$75.00
Headwalls for Sewers to 24" Diameter	Each	\$115.00	\$100.00
Headwalls for Sewers Over 24" Diameter	Each	\$225.00	\$150.00
Retention Pond Outlet Structures	Each	\$115.00	\$125.00
Jacking, Boring, Concrete Cradle, Concrete Encasement - Any Size Pipe	Station	\$290.00	\$300.00
Additional Mandrel Test (resulting from failure of initial test)	Each	\$85.00	\$150.00
Additional Video Inspection (resulting from failure of initial test)	Each	\$35.00	\$250.00
Contractor No-Show Fee	Each	\$115.00	\$200.00
Engineer	Hour	\$45.00	\$57.50
Technician Overtime	Hour	\$9.00	\$23.00

WATER MAIN FIELD INSPECTION

Water Main Pipe First 100 Feet (Any Size)	Lump Sum	\$225.00	\$1,020.00
Water Main Pipe Size 4" to 12" - Next 300 Feet	Station	\$115.00	\$440.00
Water Main Pipe Size 4" to 12" - Over 400 Feet	Station	\$115.00	\$310.00
Water Main Pipe Size Over 12" - Next 300 Feet	Station	\$175.00	\$465.00
Water Main Pipe Size Over 12" - Over 400 Feet	Station	\$175.00	\$335.00
Fittings (any size pipe) - Valves, Bends, Sleeves, Tees, Hydrants, Etc.	Each	\$85.00	\$75.00
Connection to Existing Main	Each	\$565.00	\$905.00
Manholes/Gate Well Structures	Each	\$115.00	\$75.00
Testing: Flush	Each	\$115.00	\$200.00
Testing: Chlorinate	Each	\$225.00	\$200.00
Testing: Pressure Test	Each	\$450.00	\$300.00
Testing: Water Sample	Each	\$115.00	\$100.00
Jacking, Boring - Any Size Pipe	Station	\$290.00	\$300.00
Additional Main Flush	Each	\$115.00	\$200.00
Additional Chlorination	Each	\$225.00	\$200.00
Additional Pressure Test	Each	\$450.00	\$300.00
Additional Water Sample	Each	\$115.00	\$100.00
Additional Public Notification of Shut-down	Each	\$225.00	\$200.00
Contractor No-Show Fee	Each	\$115.00	\$200.00
Engineer	Hour	\$45.00	\$57.50
Technician Overtime	Hour	\$9.00	\$23.00

POST CONSTRUCTION

Prepare Project Public Utilities As-Builts	Sheet	\$175.00	\$950.00
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Archive Miscellaneous Project Records

Sheet

N/A

\$70.00

Councilmember Woods moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-189-5-02 APPROVED

RESOLUTION TO APPROVE AMENDMENT TO CONTRACT
BETWEEN THE CITY OF ANN ARBOR AND ESI ACQUISITIONS, INC.
FOR THE POLICE INFORMATION MANAGEMENT SYSTEM

Whereas, City Council Resolution R-319-6-00 approved a contract between the City of Ann Arbor and ESI Acquisitions, Inc. (formerly CML Emergency Services, Inc.) (“ESI”) for the Police Information Management and established a Project Budget with a \$20,000 contingency to implement the System;

Whereas, The contract terms provided in the event of unanticipated circumstances encountered during performance not reasonably contemplated by the scope of work, that modifications to the agreement could be submitted by ESI;

Whereas, The Police Department has received and evaluated the modifications requested, which will delete the paperless reporting component of the contract and make adjustments to the work plan reducing the fixed price contract cost from \$1,447,405.00 to \$1,409,730.00;

Whereas, The Police Department requests that the funds previously committed to the ESI contract be transferred to the contingency on the contract; and

Whereas, ESI pays its employees a living wage and received Human Rights approval on May 6, 2002;

RESOLVED, That amendment to the contract between the City of Ann Arbor and ESI Acquisitions, Inc. be approved;

RESOLVED, That the Mayor and City Clerk be authorized to sign the amendment after approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That the \$37,675.00 previously appropriated for payment of ESI Acquisitions, Inc. fixed price contract be transferred to contingency on the contract and be available for the life of the project without regard to fiscal year; and

RESOLVED, That the City Administrator be authorized to take all necessary administrative actions to implement this contract as amended.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-190-5-02 APPROVED AS AMENDED

RESOLUTION TO APPROVE THE CLOSING OF MAIN AND LIBERTY STREETS FOR THE 2002 ROLLING SCULPTURE CAR SHOW

A resolution to approve the closing of Main and Liberty Streets for the 2002 Rolling Sculpture Car Show was considered.

Councilmember Easthope moved that the resolution be adopted.

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

RESOLVED, That Council [~~approve~~] **DENY** the temporary revocation of sidewalk occupancy permits and peddlers licenses on July 12, 2002 as requested.

On roll call the vote was as follows:

Yeas, Councilmembers Higgins, Woods, Robinson, Johnson, Reid, Herrell, Mayor Hieftje, 7;

Nays, Councilmembers Easthope, Upton, Carlberg, 3.

The Mayor declared the motion carried.

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

Yeas, Councilmembers Higgins, Easthope, Robinson, Johnson, Reid, Carlberg, Herrell, Mayor Hieftje, 8;

Nays, Councilmembers Woods, Upton, 2.

The Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-190-5-02

RESOLUTION TO APPROVE THE CLOSING OF MAIN AND LIBERTY
STREETS FOR THE 2002 ROLLING SCULPTURE CAR SHOW

Whereas, The City has received a request from the Main Street Area Association to sponsor a special event on Friday, July 12, 2002 from 3:00 - 11:00 p.m.;

Whereas, This event is intended to promote and attract people to the Main Street business area;

Whereas, The staging of this event will require the closing of E. Liberty between S. Ashley and S. Fourth Avenue, Fourth Avenue between E. Liberty and Huron and Washington between Ashley and Fifth Avenue at 3:00 p.m. and Main Street between Huron and William at 5:00 p.m.;

Whereas, The sponsor will provide evidence of proper liability insurance, comply with all procedures, rules and regulations for holding these events and pay all fees associated with their sponsorship of this event; and

Whereas, The sponsor is asking City Council to temporarily revoke and make invalid all sidewalk occupancy permits and peddlers licenses on all closed streets and within a one-block area beyond the requested street closures on July 12, 2002; and

RESOLVED, That the closing of streets as requested be approved; and

RESOLVED, That Council deny the temporary revocation of sidewalk occupancy permits and peddlers licenses on July 12, 2002 as requested.

R-191-5-02 APPROVED AMENDED

RESOLUTION TO APPROVE STREET CLOSINGS FOR THE 2002
“TASTE OF ANN ARBOR AND THE REST OF THE WORLD” EVENT

A resolution to approve the street closings for the 2002 “Taste of Ann Arbor and the Rest of the World” event was considered.

Councilmember Herrell moved that the resolution be adopted.

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

RESOLVED, That Council [~~approve~~] **DENY** the temporary revocation of sidewalk occupancy permits and peddlers licenses on June 2, 2002 as requested.

On roll call the vote was as follows:

Yeas, Councilmembers Higgins, Woods, Robinson, Johnson, Reid, Herrell, Mayor Hieftje, 7;

Nays, Councilmembers Easthope, Upton, Carlberg, 3.

The Mayor declared the motion carried.

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

Yeas, Councilmembers Higgins, Easthope, Woods, Robinson, Johnson, Reid, Carlberg, Herrell, Mayor Hieftje, 9;

Nays, Councilmember Upton, 1.

The Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-191-5-02

RESOLUTION TO APPROVE STREET CLOSINGS FOR THE 2002
“TASTE OF ANN ARBOR AND THE REST OF THE WORLD” EVENT

Whereas, The Main Street Area Association will be sponsoring the "Taste of Ann Arbor and the Rest of the World" event on Sunday, June 2, 2002;

Whereas, It is necessary to close certain City streets to facilitate a successful event;

Whereas, The street closures will be signed and barricaded by the Main Street Area Association and properly supervised by both 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 and to pay all costs and fees required by the City and the State to stage such an event;

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;

Whereas, The sponsor will provide written notice to all affected religious institutions not less than 15 days prior to the event; and

Whereas, The sponsor is asking City Council to temporarily revoke and make invalid all sidewalk occupancy permits and peddler licenses on all closed streets and within a one-block area beyond the requested street closures on June 2, 2002;

RESOLVED, That City Council authorize the closing of South Main Street from William Street to Huron Street, and Liberty Street from Ashley Street to Fourth Avenue between the hours of 7:00 a.m. and 7:00 p.m. on Sunday, June 2, 2002 for the "Taste of Ann Arbor and the Rest of the World" event; and

RESOLVED, That Council deny the temporary revocation of sidewalk occupancy permits and peddlers licenses on June 2, 2002 as requested.

R-192-5-02 APPROVED AS AMENDED

RESOLUTION TO APPROVE STREET CLOSINGS FOR THE 2002
“PARK ‘N PARTY” ANNUAL MOTORCYCLE EVENT

A resolution to approve the street closings for the 2002 “Park ‘N Party” annual motorcycle event was considered.

Councilmember Herrell moved that the resolution be adopted.

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

RESOLVED, That Council [~~approve~~] **DENY** the temporary revocation of sidewalk occupancy permits and peddlers licenses on June 15, 2002 as requested.

On roll call the vote was as follows:

Yeas, Councilmembers Higgins, Woods, Robinson, Johnson, Reid, Herrell, Mayor Hieftje, 7;

Nays, Councilmembers Easthope, Upton, Carlberg, 3.

The Mayor declared the motion carried.

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

Yeas, Councilmembers Higgins, Easthope, Woods, Robinson, Johnson, Reid, Carlberg, Herrell, Mayor Hieftje, 9;

Nays, Councilmember Upton, 1.

The Mayor declared the motion carried.

The resolution as adopted reads as follows:

R-192-5-02

RESOLUTION TO APPROVE STREET CLOSINGS FOR THE 2002
“PARK ‘N PARTY” ANNUAL MOTORCYCLE EVENT

Whereas, The City has received a request from the South University Area Association to close City streets to facilitate the staging of the 2002 “Park ‘N Party” Annual Motorcycle Event on Saturday, June 15, 2002 from 7:00 a.m. to 7:00 p.m.;

Whereas, This event is intended to promote and attract people to the South University business district;

Whereas, The staging of this event will require the closing of South University between Washtenaw and East University, Church Street between Willard and the entrance to the University of Michigan Parking Structure and the Alley between Forest and Church Street;

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

Whereas, The Sponsor is asking City Council to temporarily revoke and make invalid all sidewalk occupancy permits and peddlers licenses on all closed streets and within a one-block area beyond the requested street closures on June 15, 2002; and

Whereas, The South University Area Association will obtain the necessary permits, provide evidence of proper liability insurance and pay the following costs associated with their sponsorship of this event:

Lost Meter Revenue	\$560.00
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RESOLVED, That the closing of streets as requested be approved; and

RESOLVED, That Council deny the temporary revocation of sidewalk occupancy permits and peddlers licenses on June 15, 2002 as requested.

ORDINANCES - SECOND READING

14-02 APPROVED

NORTHEAST AREA PARK 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 51.0 acres, located at the northeast corner of Pontiac Trail and Dhu Varren Road, from TWP (Township District) to PL (Public Land District). (The complete text of Ordinance 14-02 is on file in the City Clerk's Office).

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

On a voice vote the Mayor declared the motion carried.

ORDINANCES - FIRST READING

17-02 APPROVED

IMPOUNDED ANIMAL FEE

An Ordinance to Amend Section 9:49 of Chapter 107 of Title IX of the Code of the City of Ann Arbor

(The complete text of Ordinance 17-02 is on file in the City Clerk's Office).

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

Councilmember Reid moved that paragraph (3) a. be amended as follows:

- (3) Animals impounded pursuant to this chapter may be released to the owners, after any required confinement period, upon the following conditions:

- a. Payment to the city of a fee of [~~\$25.00~~] **\$65.00**....

On roll call the vote was as follows:

Yeas, Councilmembers Higgins, Woods, Upton, Reid, 4;

Nays, Councilmembers Easthope, Robinson, Johnson, Carlberg, Herrell, Mayor Hieftje, 6.

The Mayor declared the motion defeated.

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

18-02 APPROVED

CONFINED ANIMAL INSPECTION FEE

An Ordinance to Amend Section 9:50 of Chapter 107 of Title IX
of the Code of the City of Ann Arbor

(The complete text of Ordinance 18-02 is on file in the City Clerk's Office).

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

On a voice vote the Mayor declared the motion carried.

19-02 APPROVED AS AMENDED

ALARM CONNECTION PERMIT FEE

An Ordinance to Amend Section 7:33 of Chapter 77 of Title VII of the Code of the City of Ann Arbor

(The complete text of Ordinance 19-02 is on file in the City Clerk’s Office).

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

Councilmember Reid moved that the ordinance be amended as follows:

Alarm connections:

Annual fee (alarm connection permit) [~~\$9.00~~] **\$36.00**

On a voice vote the Mayor declared the motion carried.

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

20-02 APPROVED AS AMENDED

FALSE ALARM FEE

An Ordinance to Amend Section 7:404 of Chapter 93 of Title VII of the Code of the City of Ann Arbor

(The complete text of Ordinance 20-02 is on file in the City Clerk’s Office).

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

Councilmember Reid moved that the ordinance be amended as follows:

7:404. False alarms.

...Whenever the police or fire department responds to a false alarm, the person whose property is served by the alarm system shall pay [~~\$60.00~~] **\$80.00** for each false alarm....

On a voice vote the Mayor declared the motion carried.

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

MOTIONS AND RESOLUTIONS

R-193-5-02 APPROVED

**RESOLUTION APPOINTING LOWER TOWN
HISTORIC DISTRICT STUDY COMMITTEE**

Whereas, On February 21, 2002, the Council established the Lower Town Historic District Study Committee;

Whereas, The members of this Committee are to be appointed by the City Council, including at least three members who reside in the study area;

RESOLVED, That the Council appoint the following to the Lower Town Historic District Study Committee:

- Eunice Burns, 1614 Harbal Dr., Ann Arbor, MI
- Sabra Briere, 1418 Broadway St., Ann Arbor, MI
- Frances Wright, 455 Hilldale Dr., Ann Arbor, MI
- Susan Wineberg, 712 E. Ann St., Ann Arbor, MI
- Thomas M. Stulberg, 1202 Traver Rd., Ann Arbor, MI
- Rosemarion A. Blake, 840 Wickfield Ct., Ann Arbor, MI
- Norm Kerr, 1509 Broadway St., Ann Arbor, MI

Councilmember Johnson moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-194-5-02 APPROVED

RESOLUTION TO APPROVE FERENCZY ANNEXATION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Ferenczy Annexation, 0.34 acre, lots 31 and 37 of Westover Hills Subdivision, Ferry Street and Porter Avenue.

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, Ted Ferenczy is the purchaser and Charles Koethen Trust is the owner of said property; and

Whereas, It is the desire of Ted Ferenczy and Charles Koethen Trust 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:

Lots 31 and 37 of Westover Hills, Scio Township, Washtenaw County, Michigan.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-195-5-02 APPROVED

RESOLUTION TO APPROVE MATERKA LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Materka Land Division, 1.09 acres, 1521 Miller Avenue.

Whereas, Patricia R. Materka has requested land division approval in order to divide the property at 1521 Miller Avenue (Assessor's Code No. 09-19-414-042) into three separate parcels; and

Whereas, The Ann Arbor City Planning Commission, on January 15, 2002, recommended approval of said request;

RESOLVED, That City Council approve the Materka Land Division, as described below:

Parcel A

Commencing at the Northwest corner of Arbor View Subdivision as recorded in Liber 5 of Plats, page 33, Washtenaw County Records, City of Ann Arbor, Washtenaw County, Michigan; thence N 60°43'30" W 118.52 feet along the centerline of Miller Avenue (66 feet wide) for a PLACE OF BEGINNING; thence S 29°16'30" W 105.89 feet along the Westerly right-of-way line of Newport Place (variable width); thence N 60°43'30" E 160.39 feet along said centerline of the Place of Beginning, being a part of Lots 23 and 24 of Plat of Southeast Quarter of Section 19 as recorded in Liber M of Deeds, page 274, Washtenaw County Records, containing 0.39 acres of land, more or less, being subject to the rights of the public over the Northerly 33 feet thereof for said Miller Avenue, and being subject to easements and restrictions of record, if any.

Parcel B

Commencing at the Northwest corner of Arbor View Subdivision as recorded in Liber 5 of Plats, page 33, Washtenaw County Records, City of Ann Arbor, Washtenaw County, Michigan; thence N 60°43'30" W 118.52 feet along the centerline of Miller Avenue (66 feet wide); thence S 29°16'30" W 105.89 feet along the Westerly right-of-way line of Newport Place (variable width) for a PLACE OF BEGINNING; thence continuing S 29°16'30" W 22.23 feet along said Westerly right-of-way line of Newport Place; thence 79.66 feet along the arc of a circular curve to the left having a radius of 659.20 feet with chord bearing S 25°49'14" W 79.62 feet; thence N 67°06'14" W 77.42 feet; thence N 81°32'03" W 20.72 feet; thence N 68°39'58" W 69.55 feet; thence N 29°16'30" E 127.27 feet; thence S 60°43'30" E 160.39 feet to the Place of Beginning, being a part of Lots 23 and 24 of said Plat of Southeast Quarter of Section 19; containing 0.42 acres of land, more or less, and being subject to easements and restrictions of record, if any.

Parcel C

Commencing at the Northwest corner of Arbor View Subdivision as recorded in Liber 5 of Plats, page 33, Washtenaw County Records, City of Ann Arbor, Washtenaw County, Michigan; thence N 60°43'30" W 118.52 feet along the

centerline of Miller Avenue (66 feet wide); thence along the Westerly right-of-way line of Newport Place (variable width) the following two courses: S 29°16'30" W 128.12 feet and 79.66 feet along the arc of a circular curve to the left having a radius 659.20 feet with chord bearing S 25°49'14" W 79.62 feet for a PLACE OF BEGINNING; thence continuing along said Westerly right-of-way line of Newport Place 30.00 feet along the arc of a circular curve to the left having a radius of 659.20 feet with chord bearing S 21°03'17" W 30.00; thence N 88°19'00" W 183.07 feet along the Northerly line of Revena Heights Subdivision as recorded in Liber 11 of Plats, page 7, Washtenaw County Records; thence N 00°30'00" E 101.44 feet along the West line of Lot 24, according to the Plat of the Southeast Quarter of Section 19 as recorded in Liber M of Deeds, page 274, Washtenaw County Records; thence S 60°43'30" E 41.60 feet; thence S 68°39'58" E 69.55 feet; thence S 81°32'03" E 20.72 feet; thence S 67°06'14" E 77.42 feet to the Place of Beginning, being a part of Lots 23 and 24 of said Plat of Southeast Quarter of Section 19, containing 0.28 acres of land, more or less, and being subject to easements and restrictions of record, if any.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-196-5-02 APPROVED

RESOLUTION TO APPROVE 120-126 NORTH
DIVISION STREET LAND DIVISION

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed 120-126 North Division Street Land Division, 0.61 acre.

Whereas, Ilene and Norman Tyler have requested land division approval in order to divide the property at 120-126 North Division Street (Assessor's Code No. 09-29-106-001) into two separate parcels; and

Whereas, The Ann Arbor City Planning Commission, on April 23, 2002, recommended approval of said request;

RESOLVED, That City Council approve the 120-126 North Division Street Land Division, as described below:

Parcel A

Beginning at the Northwest corner of Lot 1, "Assessor's Plat No. 8 in the City of Ann Arbor," as recorded in Liber 4 of Plats, page 38, Washtenaw County Records, Washtenaw County, Michigan; thence S 85°47'20" E 214.35 feet (previously recorded as 213.87 feet), along the North line of Lot 1 of said Assessor's Plat No. 8; thence S 04°10'40" W 124.21 feet (previously recorded as 124.20 feet), along the East line of Lot 1 of said Assessor's Plat No. 8; thence N 85°47'20" W 37.29 feet, along the South line of Lot 1 of said Assessor's Plat No. 8; thence N 04°10'40" E 63.57 feet; thence N 85°47'20" W 177.06 feet, to a point on the West line of Lot 1 of said Assessor's Plat No. 8; thence N 04°10'40" E 60.64 feet along the West line of Lot 1 of said Assessor's Plat No. 8 to the Point of Beginning, being a part of Lot 1, "Assessor's Plat No. 8 in the City of Ann Arbor," as recorded in Liber 4 of Plats, page 38, Washtenaw County Records, Washtenaw County, Michigan, containing 15,368.64 square feet of land, more or less, being subject to easements and restrictions of record, if any.

Parcel B

Commencing at the Northwest corner of Lot 1, "Assessor's Plat No. 8 in the City of Ann Arbor," as recorded in Liber 4 of Plats, page 38, Washtenaw County Records, Washtenaw County, Michigan; thence S 04°10'40" W 60.64 feet, along the West line of Lot 1 of said Assessor's Plat No. 8 to the POINT OF BEGINNING; thence S 85°47'20" E 177.06 feet, thence S 04°10'40" W 63.57 feet, to a point on the South line of Lot 1 of said Assessor's Plat No. 8; thence N 85°47'20" W 177.06 feet, along the South line of Lot 1 of said Assessor's Plat No. 8; thence N 04°10'40" E 63.57 feet, along the West line of Lot 1 of said Assessor's Plat No. 8 to the Point of Beginning, being a part of Lot 1, "Assessor's Plat No. 8 in the City of Ann Arbor," as recorded in Liber 4 of Plats, page 38, Washtenaw County Records, Washtenaw County, Michigan, containing 11,255.90 square feet of land, more or less, being subject to easements and restrictions of record, if any.

Councilmember Herrell moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-197-5-02 APPROVED

RESOLUTION TO ACCEPT AND APPROPRIATE A DONATION FROM PFIZER, INC. FOR THE PURCHASE OF A BOMB DETECTION DOG, TRAINING FOR A POLICE OFFICER/HANDLER, A VEHICLE TO TRANSPORT THE DOG, AND SUPPLIES

Whereas, The Ann Arbor Police Department has an active dog patrol involving 2 current dogs; and

Whereas, The addition of one dog trained to search for explosives devices/materials will allow for better police services to the community;

Whereas, Pfizer, Inc. has approved the donation of \$50,000 to the City of Ann Arbor Police Department;

Whereas, The purchase of a dog and selection of a handler must be done in order for the dog to be ready for patrol operations; and

Whereas, a designated vehicle and equipment will be needed for the dog to be used in responses to bomb threat or bomb scene calls for service;

RESOLVED, That Council approve and accept the donation of \$50,000.00 from Pfizer, Inc. and appropriate the funds to the Police Department budget to be used for the purposes identified by Pfizer, Inc. for a bomb detection dog, appropriate equipment, and selection and training of a handler; and that the funds be available for expenditure until expended without regard to fiscal year.

Councilmember Woods moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-198-5-02 APPROVED

RESOLUTION TO APPROVE A LEASE AGREEMENT WITH

AIRPORT BOULEVARD ASSOCIATES FOR SECURE STORAGE
SPACE FOR THE POLICE DEPARTMENT

Whereas, The Police Department requires approximately 3,200 square feet of secure storage;

Whereas, The City of Ann Arbor has leased secure storage space from Airport Boulevard Associates since 1996 that uniquely fits the needs of the Police Department;

Whereas, The Police Department wishes to continue to lease the property from Airport Boulevard Associates and significant costs would be incurred by moving to a new location; and

Whereas, Airport Boulevard Associates received Human Rights and Living Wage approval on April 12, 2002;

RESOLVED, That City Council approve a lease agreement with Airport Boulevard Associates in the amount of \$33,044.04 for the period from July 1, 2002 to June 30, 2003, with the option for the City Administrator to renew the lease for one year on the same terms and conditions with a 3% in the monthly rent for the additional term if it is in the best interest of the City to do so; and

RESOLVED, That the Mayor and City Clerk be authorized to sign the lease with Airport Boulevard Associates after approval as to substance by the City Administrator and approval as to form by the City Attorney.

Councilmember Carlberg moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-199-5-02 APPROVED

RESOLUTION TO CARRY OVER FUNDS TO PAY FOR
PROMOTIONAL EXAMINATIONS

Whereas, The Police Department conducts annual promotional and in-service examinations;

Whereas, The these examinations are contracted with an independent vendor;

Whereas, This year the Police Department has a contract with Empco, Inc. to

conduct these examinations;

Whereas, The examinations are not scheduled to be completed until after the end of the current fiscal year; and

Whereas, The Police Department has funds allocated for the completion of these examinations;

RESOLVED, That the unexpended funds from this contract be carried over to the 2002/2003 fiscal year.

Councilmember Easthope moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

R-200-5-02 APPROVED

RESOLUTION TO APPROVE PERMIT AGREEMENT #2002-1 FOR MCI WORLDCOM NETWORK SERVICES, INC. TO USE PUBLIC RIGHTS-OF-WAY TO PROVIDE TELECOMMUNICATIONS SERVICES

Whereas, MCI WorldCom Network Services, Inc., has applied for a permit to install and operate telecommunications facilities in public rights-of-way in the City of Ann Arbor; and

Whereas, The application of MCI WorldCom Network Services, Inc., for this permit was reviewed and recommended for approval by staff in the Building Department, Public Services Department and City Attorney's Office;

RESOLVED, That City Council approve and authorize the Mayor and City Clerk to execute Telecommunications Permit Agreement #2002-1 for MCI WorldCom Network Services, Inc., subject to approval as to form by the City Attorney, to use public rights-of-way in the City to provide telecommunication services for a term which ends December 31, 2012.

Councilmember Higgins moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

TABLED

RESOLUTION OF INTENT TO SET A PUBLIC HEARING DATE
TO CONSIDER RENEWAL OF THE ANN ARBOR DOWNTOWN
DEVELOPMENT AUTHORITY

Whereas, The Ann Arbor Downtown Development Authority was created by the City of Ann Arbor in 1982 under State of Michigan Public Acts 197 of 1975 as a vehicle for urban renewal with the mission to: “undertake public improvements that have the greatest impact in strengthening the downtown area and attracting new private investments”;

Whereas, The Ann Arbor DDA is now in its 20th year, with its expiration scheduled for 2012 and there are compelling reasons for renewing the DDA with a second 30-Year Plan before its expiration, including programmatic continuity, continuing payment of long-term debt, and continuing work shepherding the downtown toward economic and social vitality;

Whereas, The DDA has put forward a 2002-2032 DDA/TIF Plan which would guide its efforts upon renewal; and

Whereas, The first step in the State-proscribed process of renewal is City Council approval of a resolution of intent to set the date of a public hearing to consider the renewal of the development authority;

RESOLVED, That the City of Ann Arbor intends to hold a public hearing on the renewal of the Ann Arbor Downtown Development Authority district, to be held on Monday, June 3, 2002, at 7:30 p.m., at the Ann Arbor City Hall Council Chamber, 100 North Fifth Avenue, Ann Arbor, MI 48107, for the purpose of taking public comment on the renewal of this district.

Councilmember Easthope moved that the resolution be adopted.

Councilmember Easthope moved that the resolution be tabled indefinitely for further discussions and to determine an educational process for the public.

On roll call the vote was as follows:

Yeas, Councilmembers Easthope, Woods, Robinson, Johnson, Carlberg, Herrell, Mayor Hieftje, 7;

Nays, Councilmembers Higgins, Upton, Reid, 3.

The Mayor declared the motion carried.

R-201-5-02 APPROVED

RESOLUTION FOR DISBURSEMENT OF COMMUNITY EVENTS FUNDS

Whereas, The Council Community Events Fund Committee met and reviewed funding requests from community groups;

Whereas, The Ann Arbor City Council wishes to support activities that promote or bring the community together to celebrate its richness;

RESOLVED, That the Ann Arbor City Council approve the following allocations from the 2001-2002 Community Events Fund:

1. \$3,500.00 – African American Festival to cover various operational costs of the Festival held on May 31 and June 1, 2002

2. Superball 8 to cover various operational costs of the tournament that will be held on May 18 and 19, 2002; and

RESOLVED, That the City Administrator initiate the necessary contracts to disburse these funding allocations.

Councilmember Robinson moved that the resolution be adopted.

On a voice vote the Mayor declared the motion carried.

REPORTS FROM COUNCIL COMMITTEES

None.

COUNCIL PROPOSED BUSINESS

COUNCILMEMBER EASTHOPE

Councilmember Easthope requested that Council review the commercial recycling recommendations in the agenda packet under Communications from the City Administrator.

COMMUNICATIONS FROM THE MAYOR

ANNOUNCEMENTS

- X Downtown Cleanup Day will be held on Saturday, May 11, beginning at 8:00 a.m. in front of City Hall.
- X The Mayor invited residents to join him for lunch at Liberty Plaza on Mondays at noon during the month of May.

NOMINATIONS PLACED ON TABLE

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

Community Development Waiver and Review Board

Michael Martin (reappointment to a third term)
1719 Green Rd. 48105

Term: 5/20/02 – 5/19/05

Lelahni Wessinger (reappointment to a fourth term)
2216 Melrose Ave. 48104
Term: 5/20/02 – 5/19/05

Individual Historic Properties Historic District Study Committee

Louisa Pieper (reappointment to a second term)
408 Awixa Rd. 48104
Term: 5/20/02 - 5/19/05

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the April 15, 2001 regular session of Council:

Commission on Art in Public Places

Kathleen Armstrong Letts, at large representative (reappointment)
1814 Hermitage Rd. 48104
Term: 5/6/02 - 12/31/05

Robert Elton, at large representative (reappointment)
860 Edward St. 48103
5/6/02 – 12/31/05

Jan Onder, downtown business owner representative (reappointment)
2671 Apple Way 48104
Term: 5/6/02 – 12/31/05

Margaret Parker, DDA Citizens Advisory Council representative (reappointment)
1218 Olivia Ave. 48104
Term: 5/6/02 – 12/31/05

Ann Arbor Summer Festival, Inc. Board

John Clark, City of Ann Arbor representative (reappointment)
Parke Davis Pharmaceutical Research
2800 Plymouth Rd. 48105
Term: 5/6/02 – 11/1/05

Deanna Dorner, City of Ann Arbor representative (reappointment)
Judy Dow Associates
505 E. Huron St., Ste. 301 48104
Term: 5/6/02 – 11/1/05

Rosalie Edwards, City of Ann Arbor representative (reappointment)
2215 Devonshire Rd. 48104
Term: 5/6/02 – 11/1/05

Bettye Elkins, City of Ann Arbor representative (reappointment)
Dykema Gossett
101 N. Main St., 7th Floor 48104
Term: 5/6/02 – 11/1/05

John K. Lawrence, City of Ann Arbor representative (reappointment)
500 Woodward Ave., #4000
Detroit, MI 48226
Term: 5/6/02 – 11/1/05

Bruce Moyer, City of Ann Arbor representative (reappointment)
Directions Marketing
505 Green Rd. 48105
Term: 5/6/02 – 11/1/05

Anne K. Rubin, Vice-President, City of Ann Arbor representative (reappointment)
2105 Tuomy Rd. 48104
Term: 5/6/02 – 11/1/05

Ingrid Sheldon (to fill a vacancy left by Alan Mandel)
1416 Folkstone Ct. 48105
Term: 5/6/02 – 11/1/05

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

On a voice vote the Mayor declared the motion carried.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

REPORTS SUBMITTED

City Administrator Roger Fraser submitted the following reports:

1. Proposed Solid Waste Rate Increases for Fiscal 2002-03
2. Commercial Recycling Recommendations
3. Proposed Building Department Fee Increases
4. 3rd Quarter – Quarterly Report

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

COMMUNICATIONS FROM THE CITY ATTORNEY

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HIGGINS

Councilmember Higgins inquired about the status of the letter to be mailed to Rosewood Street residents addressing their concerns with the voting system for traffic calming measures.

COUNCILMEMBER REID

Councilmember Reid inquired whether there were ongoing discussions with DTE Energy about the feasibility of burying power lines in the City.

The Mayor responded that a formal report has not been requested, but that such an infrastructure improvement would be extremely costly and have detrimental effects on the

plant life in the City.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Resolution from Washtenaw County Board of Commissioners Establishing and Appointing a Space Plan Committee, adopted April 17, 2002 – File.
2. Annual Report of the Airport Advisory Committee for the Year 2001 – File.
3. Communication from Robert Bliss, Chair of the Washtenaw Area Transportation Study Policy Committee, transmitting Resolution Supporting the Retention of Access to M-14/US-23, adopted April 17, 2002 – File.
4. Communication from Sarah Hashimoto, Project Grow Executive Director, transmitting petition in support of Project Grow – File

The following minutes were received for file:

1. Ann Arbor Transportation Authority – March 26, 2002
2. Human Rights Commission – November 20, 2001, February 19 and March 20, 2002
3. Taxicab Board – January 31 and February 28, 2002
4. Employees' Retirement System Board – March 21, 2002
5. Retiree Health Care Board – March 21, 2002
6. Energy Commission – April 3, 2002
7. Downtown Development Authority – April 10, 2002
8. Planning Commission – March 5 and March 19, 2002

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

On a voice vote the Mayor declared the motion carried.

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

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

On a voice vote the Mayor declared the motion carried and the meeting adjourned at 11:50 p.m.

Yvonne Carl
Interim Clerk of the Council

Janet L. Chapin
Recording Secretary