



Special/Study Session Meeting
6:00 p.m., Monday, February 20, 2018
Conference Room
23600 Liberty Street
Farmington, MI 48335

FINAL

STUDY SESSION AGENDA

A special meeting of the Farmington City Council was held on February 20, 2018, in Farmington City Hall, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 6:00 p.m. by Mayor Steve Schneemann.

1. ROLL CALL

Attendee Name	Title	Status	Arrived
Sara Bowman	Mayor Pro Tem	Absent	
William Galvin	Councilmember	Present	
Joe LaRussa	Councilmember	Present	
Steve Schneemann	Mayor	Present	
Maria Taylor	Councilmember	Present	

City Administration Present

City Clerk Halberstadt
City Manager Murphy
City Attorney Schultz
Superintendent Eudy

2. APPROVAL OF AGENDA

Move to approve the agenda as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Galvin, Councilmember
SECONDER:	Taylor, Councilmember

3. PUBLIC COMMENT

No public comment was heard.

4. PRESENT UPDATED OAKWOOD CEMETERY RULES AND REGULATIONS

Eudy discussed proposed updates to the Oakwood Cemetery Rules and Regulations. He identified three significant changes that included: 1) permit a veterans marker to be placed on a lot in addition to a flat marker or monument; 2) permit installation of an aboveground crypt in a designated area of the cemetery; and 3) designate spring and fall clean-up dates.

LaRussa suggested the City ensure the proposed materials and foundation for crypts meet the standards and guidelines of the National Cemetery Association or similar organization.

Responding to Schneemann, Attorney Schultz stated it would be unnecessary for the Building Department to get involved in the construction of crypts.

Schneemann concurred with LaRussa that it would be important to include in the cemetery rules the type of materials that can be used in the construction of crypts.

Responding to Schneemann, Eudy stated 44 gravesites or 11 crypt sites will be available in the proposed cemetery expansion.

Eudy stated the initial plan is to reserve the sites for crypts, but if there is no interest after a few years the City can start selling them as gravesites.

Eudy confirmed there is more work to be done in terms of surveying and probing the proposed expanded area. He further confirmed that all of the costs related to the crypt would be borne by the purchaser.

5. REVIEW FARMINGTON CITY COUNCIL RULES AND PROCEDURES

Murphy advised that with the addition of two new Councilmembers, City Administration determined it was time to move forward with the adoption of Council Rules of Procedure. He indicated Clerk Halberstadt developed a draft that has been reviewed by himself and the City Attorney.

LaRussa suggested under Closed Session of the rules, there should be a reference to the Open Meetings Act rather than providing specific points of the Act.

LaRussa asked about what constitutes an "adverse comment" as noted on Page 6, Item 4H under Debate and Decorum.

Discussion followed regarding examples of how a Councilmember could adversely comment on a prior act of Council. Schultz pointed out that this section is under Debate and Decorum, in other words, how does Council want to treat each other. He further pointed out these rules are guidelines only.

In referring to Guidelines of Conduct, LaRussa asked what mechanism is in place to address transgression of the rules of procedures. He noted the City does not have an ethics committee. Schultz advised that an ethics committee is not typical of a smaller community.

Schneemann pointed out there should be no back and forth argument between Councilmembers if Roberts Rules of Order are being followed.

Responding to LaRussa, Schultz advised some of the rules are directly from the Charter and others are more aspirational. If there are violations, the Mayor can cut off a speaker by calling for "Point of Order". Repeated violations of aspirational parts of the rules would need to be addressed by Council. He discussed a number of ways this could be done.

In referring to the Duty to Vote section of the rules, LaRussa asked if a member is absent from a meeting have they abstained from voting.

Schultz responded an absence is not an abstention from voting.

Noting that the section on Duty to Vote is straight from the Charter, LaRussa questioned whether the language regarding a member who refuses to vote is too harsh and suggested a review by the Charter Review Committee for possible revision.

Schultz advised the Charter language is standard among many municipalities. He discussed ways in which an abstention can be used to manipulate a vote or protect a member from adverse public opinion. He pointed out a member can be excused from voting by the unanimous consent of the remaining members present.

LaRussa suggested changing the language from unanimous to majority consent.

Schultz advised most cities require unanimous vote to allow a member to abstain.

Taylor concurred with LaRussa regarding the rule that “no Council member may comment adversely on any prior act of Council that is not pending.” She suggested substituting the word “may” with “should” in the sentence. She noted that under the section on Cable TV Video and Recording Policy, the City does not currently live stream on cable as indicated.

Galvin expressed his concerns regarding the rule allowing individual Councilmembers to attend Board and Commission meetings. He noted the legal advice Council had received on this issue does not mesh with this rule. He stated the City Attorney had cautioned Council about attending Board and Commission meetings where their presence may have undue influence on the proceedings. Schultz advised that any participation in a decision that is not Council’s to make is inappropriate.

Schneemann stated he hoped Council adopts the rules and never has to use them.

6. OTHER BUSINESS

No other business was heard.

7. COUNCIL COMMENT

Galvin point out adopting the Rules of Procedure is the responsible thing to do, but it is not any different from how Council already conducts business.

8. Adjournment

Move to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Galvin, Councilmember
SECONDER:	LaRussa, Councilmember

The meeting adjourned at 6:58 pm.

Steve Schneemann, Mayor

Susan K. Halberstadt, City Clerk

Approval Date: March 19, 2018