

FARMINGTON CITY COUNCIL
REGULAR MEETING
December 21, 2009

A regular meeting of the Farmington City Council was held on Monday, December 21, 2009, in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 8:03 p.m. by Mayor Buck.

PRESENT: Buck, Knol, McShane, Wiggins, Wright.

ABSENT: None.

CITY ADMINISTRATION: Director Gushman, City Clerk Halberstadt, Director Nebus, City Manager Pastue, Treasurer Weber.

CONSENT AGENDA

12-09-248 MOTION by McShane, seconded by Wiggins, to approve the consent agenda as presented:

- A. Special meeting minutes of November 2, 2009
- B. DDA Joint meeting minutes of November 14, 2009
- C. Special meeting minutes of November 16, 2009
- D. Regular meeting minutes of November 16, 2009
- E. Special meeting minutes of November 30, 2009
- F. Special meeting minutes of December 7, 2009
- G. Farmington Monthly Payments Report – November 2009
- H. Farmington Monthly Public Safety Report – November 2009

MOTION CARRIED UNANIMOUSLY.

APPROVAL OF REGULAR AGENDA

12-09-249 MOTION by Knol, seconded by Wright, to approve the agenda as presented. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS/PUBLIC HEARINGS

PUBLIC SAFETY TIP OF THE MONTH

Director Nebus, representing the Emergency Preparedness Commission, reminded everyone that one of the best gifts you can give your family is the gift of financial preparedness. He advised the Emergency Preparedness Committee has prepared a handbook that includes an entire section and a checklist on this subject.

UNFINISHED BUSINESS

CONSIDERATION TO APPROVE WATER AND SEWER RATE STUDY

RESOLUTION 12-09-250 Motion by Wiggins, seconded by McShane, to accept an engagement letter with Plante & Moran in an amount not to exceed \$12,500 to conduct a water and sewer rate study. **[SEE ATTACHED AGREEMENT].**

ROLL CALL

Ayes: Knol, McShane, Wiggins, Wright, Buck.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

CONSIDERATION TO AUTHORIZE THE PURCHASE OF TWO POLICE PATROL CARS

Wright asked how long the City keeps patrol cars. Nebus responded the department maintains six cars and purchases two new ones every year.

Wright asked about extending the length of time the City owns the vehicles, especially in light of current and future economic challenges to the budget.

Nebus responded the department is facing a unique circumstance whereby they will no longer be able to obtain Ford police cars after next year. He advised it can cost up to \$5K to equip a new model. He further responded increasing the time a patrol car is owned may cause the need for additional repairs.

Responding to an additional question from Wright, Nebus stated patrol cars typically have 100,000 miles when they are turned over.

Responding to a question from Knol, Nebus stated the City typically receives \$3K for used patrol cars.

Discussion followed regarding the availability and pricing of future patrol vehicle models.

Wiggins pointed out as part of the Oakland County bid process the City is getting the best possible price for its vehicles. He noted the City's purchasing requisition form is outdated.

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RESOLUTION 12-09-251 Motion by McShane, seconded by Knol, to approve the purchase of two police patrol vehicles from Gorno Ford, 22025 Allen Road, Woodhaven, in the total amount of \$41,720.

ROLL CALL

Ayes: McShane, Wiggins, Buck, Knol.

Nays: Wright.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE ESTIMATE NO. 7 AND CHANGE ORDER NO. 2 FOR THE GRAND RIVER STREETScape AND WATER MAIN IMPROVEMENT PROJECT

Knol requested an update on the status of the penalty charges incurred by the contractor for not meeting the project deadline.

Pastue stated the penalty charges or liquidated damages will be included as part of the final payout on the project. He noted there is a punch list remains for items to be addressed in the Spring of next year.

Wiggins asked about the extra costs associated with the change orders. Pastue responded additional work was requested by the DDA after bids were received for the project.

Pastue confirmed the total cost of the project is funded by the City and the DDA, \$500,000 and \$1,500,000 respectively. He further confirmed the project cost would likely require the full budgeted amount.

Discussion followed regarding what would be included in the punch list.

McShane would like the opportunity to review the punch list so that when the final payment is made she is assured all of the work has been completed according to contract. She cited some of the issues with the Sundquist Pavilion and the unexpected additional costs.

Wright asked about other costs in addition to the \$1.763 million contract. Pastue responded two other primary costs include engineering and issuance fees.

Wright confirmed the punch list is a detail of contractual items that still need to be completed. He noted there still may be work to be completed that was not anticipated in the contract.

Responding to a question from Knol, Pastue advised the retainage amount is 5% of the total project.

Discussion followed regarding the final reconciliation of the project and pending change orders.

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RESOLUTION 12-09-252 MOTION by Wright, seconded by Wiggins, to approve payment of Construction Estimate No. 7 and Change Order No. 2 to Peter A. Basile Sons, Inc. in the amount of \$234,516.81 for work completed on the Grand River Streetscape and Water Main Improvement Project.

ROLL CALL

Ayes: Wiggins, Wright, Buck, Knol, McShane.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE ESTIMATE NO. 4 FOR THE SLOCUM STREET RECONSTRUCTION AND WATER MAIN IMPROVEMENT PROJECT

RESOLUTION 12-09-253 MOTION by Knol, seconded by McShane, to approve payment of Construction Estimate No. 4 to FDM Contracting in the amount of \$121,994.66 for work completed on the Slocum Street Reconstruction and Water Main Improvement Project.

ROLL CALL

Ayes: Wright, Buck, Knol, McShane, Wiggins.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE FISCAL YEAR 2009-10 BUDGET AMENDMENTS

Responding to a question from Wright, Treasurer Weber stated once the amendments are applied the resulting budget deficit will be \$460K.

Pastue advised the City is taking a long term approach to resolving budget issues.

Discussion followed regarding reasons for the increase in fines and forfeitures.

RESOLUTION 12-09-254 Motion by Knol, seconded by Wiggins, to adopt a resolution amending the Fiscal Year 2009-10 General Fund Budget. **[SEE ATTACHED RESOLUTION]**.

ROLL CALL

Ayes: Buck, Knol, McShane, Wiggins, Wright.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO RATIFY WEBSITE DESIGN AWARD

RESOLUTION 12-09-255 Motion by Wiggins, seconded by McShane, to accept a proposal from Municipal Web Services for the redesign of the City Website and authorize the City Manager to sign an agreement for the design services and subsequent system maintenance.

ROLL CALL

Ayes: Knol, McShane, Wiggins, Wright, Buck.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF RESOLUTION TO ESTABLISH CIVIC THEATRE AD HOC COMMITTEE

Council discussed how many members should serve on the committee. It was recommended the committee include representatives from outside the community and from the arts and entertainment industry.

Wright pointed out that at a minimum the theatre should be self-supporting. He questioned whether a self-supporting theatre should be based on cash flow only or should also include a capital reserve for property maintenance. He advised it should be a profitable entity.

Buck stated two objectives for the theatre include profitability and engagement of the greater community.

Wright noted the objectives of the theatre should align with the DDA's Master Plan.

RESOLUTION 12-09-256 Motion by Wiggins, seconded by Knol, to adopt a resolution to establish a Civic Theatre Ad Hoc Study Committee that specifies the purpose of the committee, its structure and composition, and support they shall receive, *as amended*: adding under Section One, Purpose, Item "d" – "Achieve a self-sustaining operation" and Item "e" – "Maximize participation and engagement of the Farmington Community"; and under Section Three – Committee Structure and Composition, Item "a" insert "not to exceed nine members." **[SEE ATTACHED RESOLUTION]**. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF RESOLUTION TO ESTABLISH BEAUTIFICATION COMMITTEE

RESOLUTION 12-09-257 Motion by McShane, seconded by Wright, to adopt a resolution to establish a Beautification Committee as presented. **[SEE ATTACHED RESOLUTION]**. MOTION CARRIED UNANIMOUSLY.

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PUBLIC COMMENT

No public comment was heard.

COUNCIL COMMENT

Wright pointed out there is a significant economic benefit in using the City's website to communicate with residents. He stated the City's challenge will be to reach members of the community who do not use computers. He advised the City needs to educate that segment of the population on how to electronically access information. He noted the Farmington Library is an excellent computer resource.

Buck concurred an updated website will be a useful tool in communicating with residents.

McShane suggested City Administration print out calendars for those residents who do not use computers. She also noted more City information could be offered on cable.

McShane pointed out a recent Insurance Service Office (ISO) evaluation of the City's building services. She noted the City's rating has gone from 4 to 3 with 1 being the best possible rating. She stated this improved rating needs to be communicated to residents.

McShane asked about advertising openings on the Historic District, Beautification, and Theatre Committees.

Pastue responded the openings will be included on the City's website, but noted it's too late to include something with the water bill. He stated advertising will also be done on cable and in local newspapers.

Wiggins asked about the reasons for the change in the ISO rating. Pastue responded it is partly a result of timely updates on changes in the construction code and training.

Gushman pointed out no municipality in Michigan has received a 1 rating from the ISO. He stated a 3 rating is about the best a municipality can get, especially a small city.

Buck thanked the Public Safety Department for a new technology that is part of the Neighborhood Watch Program. It provides expanded communication of Public Safety information to residents. Residents can sign up to receive the neighborhood watch e-mails.

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Buck applauded the Public Safety Department's leadership in bringing this new technology to the community, further ensuring a safer environment. He also congratulated the Department of Public Works for the improved ISO rating.

ADJOURNMENT

12-09-258 MOTION by McShane, seconded by Knol, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:22 p.m.

Tom Buck, Mayor

Susan K. Halberstadt, City Clerk

APPROVED: January 19, 2010