

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Tuesday, January 21, 2003 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 8:00 p.m. by Mayor Mitchell.

**PRESENT:** Bush, Campbell, Harrison, McShane, Mitchell.

**ABSENT:** None.

**OTHERS PRESENT:** Clerk/Treasurer Cantrell, Acting City Manager Costick, Director Goss, Director Gushman, Assistant City Manager Richards, Attorney Schultz.

### **APPROVAL OF AGENDA**

**01-03-018** MOTION by Campbell, seconded by Bush, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

### **MINUTES OF PREVIOUS MEETING**

**01-03-019** MOTION by Harrison, seconded by McShane, to approve the regular meeting minutes of January 6, 2003. MOTION CARRIED UNANIMOUSLY.

### **MINUTES OF OTHER BOARDS**

**01-03-020** MOTION by Bush, seconded by Harrison, to receive and file the minutes of the following Boards and Commissions:

- Downtown Development Authority minutes of January 7, 2003.
- Board of Zoning Appeals minutes of January 8, 2003.
- Historical Commission minutes of November 20, 2002.

MOTION CARRIED UNANIMOUSLY.

### **FARMINGTON/FARMINGTON HILLS CALL TO ACTION COALITION- DEVELOPMENTAL ASSETS AWARENESS EFFORT – MAYOR JAMES MITCHELL**

Mayor Mitchell advised that the Farmington/Farmington Hills Call to Action Coalition recently adopted the Search Institute's forty (40) developmental assets as important to the healthy development of young people in the community and have requested support of community groups and City Council in order to strengthen community awareness of these assets.

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Mayor Mitchell further advised that the Coalition has selected the asset of "Adult Role Models" for recognition during the first quarter of 2003.

Mayor Mitchell reviewed some of the recommendations outlined in the "Action Plan" of this asset.

**PETITIONS AND COMMUNICATIONS**

**LETTER FROM WALTER CHRISTENSEN, VETERANS MEMORIAL DAY PARADE CHAIRMAN, RE: PARADE PERMIT.** Administration advised that Walter Christensen has requested permission to use Grand River for the annual Memorial Day parade.

**01-03-021** MOTION by McShane, seconded by Campbell, to approve the use of Grand River for the Veteran's Memorial Day Parade on Monday, May 26, 2003 from 9:00 a.m. to 1:00 p.m.; that the State of Michigan, Department of Transportation, be held harmless from any liability resulting from the closing of Grand River and to authorize the Public Safety Department to file for the appropriate permits with the Michigan Department of Transportation. MOTION CARRIED UNANIMOUSLY.

**REQUEST FOR TEMPORARY BALLOON DISPLAY AT RE/MAX AFFILIATES 33104 GRAND RIVER.** Administration advised that David Cornwell, an owner of RE/MAX Affiliates, 33104 Grand River, has requested approval to display a 6' to 8' balloon next to their business sign located in the front yard of their office as part of a realtor open house. Administration further advised that Council would need to grant a variance in order to permit a temporary sign in the Central Business District. Administration also advised that Council should clearly indicate to the proponent that placement and location of the temporary sign should not constitute a vision obstruction for vehicles using driveways adjacent to this property.

Responding to a question from Council, Director Gushman stated that similar requests have been granted and have not created any issues.

Council member Bush stated that as one of the owners of RE/MAX Affiliates she would abstain from voting and she advised that the time period requested for the display of this balloon has changed from the week of January 27-31 to the week of February 17-21, 2003.

Joyce Cornwell, one of the owners of RE/MAX Affiliates, clarified that the proposed balloon sign is a trademark for RE/MAX and is a hot air balloon. Responding to a question, Ms. Cornwell stated the balloon would be placed between the RE/MAX sign and the building.

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**01-03-022** MOTION by Campbell, seconded by Harrison, to grant a request to display a 6' to 8' balloon next to the business sign located in the front yard of RE/MAX Affiliates, located at 33104 Grand River, during the week of February 17 – 21, 2003, with the stipulation that placement and location not obstruct vision of vehicles using driveways adjacent to the property. MOTION CARRIED, 4 AYES, 1 ABSENTION (Bush).

**REQUEST FROM KNIGHTS OF COLUMBUS RE: PERMISSION TO CONDUCT ANNUAL FUND DRIVE.** Administration recommended granting permission for this annual fundraising event.

Council member Campbell recommended that soliciting in the street be prohibited.

**01-03-023** MOTION by Campbell, seconded by McShane, to grant permission to the Knights of Columbus, St. Francis Council No. 4401, to solicit for their annual fund drive on April 11, 12 and 13, 2003 in the City of Farmington; street solicitation prohibited. MOTION CARRIED UNANIMOUSLY.

**REQUEST FOR PROCLAMATION: LETTER FROM THE AMERICAN RED CROSS REQUESTING CITY COUNCIL PROCLAIM JANUARY AS “VOLUNTEER BLOOD DONOR MONTH.”** Administration advised that the American Red Cross has requested Council proclaim January as “Volunteer Blood Donor Month” in order to encourage citizens of Farmington to give the gift of life to their neighbors in need.

**01-03-024** MOTION by Bush, seconded by Harrison, to proclaim January as “Volunteer Blood Donor Month”. MOTION CARRIED UNANIMOUSLY.

Mayor Mitchell, with Council concurrence, added newly elected Oakland County Commissioner Mike Rogers to the agenda as follows:

**INTRODUCTION FROM MIKE ROGERS, RECENTLY ELECTED OAKLAND COUNTY COMMISSIONER.** Commissioner Rogers introduced himself to Council and expressed his commitment to Council and the City of Farmington. He also spoke about a mini-grant offered by the office of Arts, Culture and Film.

Council confirmed with Commissioner Rogers the continuation of meeting once a year to discuss issues of importance to the City. Acting City Manager Costick stated his support for Commissioner Rogers and wished him well in his new position.

**BOARDS AND COMMISSIONS**

**CONSIDERATION OF REAPPOINTMENTS TO BOARDS AND COMMISSIONS.**

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**01-03-025** MOTION by Campbell, seconded by McShane, to reappoint David Mariner and William Ingalls to the Construction Board of Appeals, each for a two-year term, expiring February 2005. MOTION CARRIED UNANIMOUSLY.

**REPORTS FROM CITY MANAGER**

**CONSIDERATION OF RESOLUTION AUTHORIZING OAKLAND COUNTY TO REFUND THE OAKLAND COUNTY CADDELL DRAINAGE DISTRICT DRAIN (LTGO) BONDS, SERIES 1994, DATED SEPTEMBER 1, 1994.** Administration advised that market conditions are now favorable for refunding of drain bonds that were issued on September 1, 1994 by the Oakland County Caddell Drainage District to defray part of the cost of construction repairs to the Caddell Drain.

Acting City Manager Costick concurred with the City Treasurer in recommending approval of a resolution refunding referenced bonds.

**01-03-026** MOTION by McShane, seconded by Bush, to adopt a resolution authorizing Oakland County to refund the Oakland County Caddell Drainage District Drain (LTGO) Bonds, Series 1994, dated September 1, 1994. [SEE ATTACHED RESOLUTION].

**ROLL CALL**

AYES: Campbell, Harrison, McShane, Mitchell, Bush.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF BOND AUTHORIZING RESOLUTION FOR 2003 SEWER CAPITAL IMPROVEMENT BONDS.** Administration advised that bond counsel, Michael P. McGee of Miller, Canfield, Paddock and Stone, P.L.C., has advised that the bond authorizing resolution approve issuance of debt in an amount not to exceed \$900,000 in order to fund the balance of the cost of the Farmington Interceptor Sewer Rehabilitation Project.

Acting City Manager Costick concurred with the City Treasurer in recommending that Council approve the referenced bond resolution.

**01-03-027** MOTION by Campbell, seconded by Harrison, to adopt a resolution authorizing issuance of bonds in an amount not to exceed \$900,000 to fund the balance of the cost of the Farmington Interceptor Sewer Rehabilitation Project. [SEE ATTACHED RESOLUTION].

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**ROLL CALL**

AYES: Harrison, McShane, Mitchell, Bush, Campbell.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF CONSTRUCTION ESTIMATE NO. 1 FOR THE FARMINGTON SIPHON ACCESS CHAMBER.** Administration advised that both the City Engineers and Director of Public Services concurred in recommending payment on work completed on the Siphon Access Chamber.

**01-03-028** MOTION by Harrison, seconded by Bush, to authorize payment of Estimate No. 1 in the amount of \$179,715.30 to Lawrence M. Clarke, Inc. for work completed on the Farmington Siphon Access Chamber; funds provided in the 2002-03 Water and Sewer Fund.

**ROLL CALL**

AYES: McShane, Mitchell, Bush, Campbell, Harrison.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF ESTIMATE NO. 4 AND CHANGE ORDER NO. 1 FOR THE FARMINGTON INTERCEPTOR SEWER REHABILITATION.** Administration advised that both the City Engineers and the Director of Public Services concurred in recommending payment for work completed on the Farmington Interceptor Sewer Rehabilitation Project.

**01-03-029** MOTION by Campbell, seconded by Harrison, to authorize payment of Estimate No. 4 including Change Order No. 1 in the amount of \$410,914.23 to Insituform Technologies, USA, Inc. of Lemont, Illinois, for work completed on the Farmington Interceptor Sewer Rehabilitation Project; funds provided in the 2002-03 Water and Sewer Fund.

**ROLL CALL**

AYES: Mitchell, Bush, Campbell, Harrison, McShane.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

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**CONSIDERATION OF APPROVAL TO PURCHASE ADMINISTRATIVE VEHICLE.**

Administration advised that in accordance with the City's vehicle replacement schedule, the administrative vehicle assigned to the city manager is scheduled for replacement.

Council member Campbell requested that administration research the extended warranty option for this vehicle.

**01-03-030** MOTION by Campbell, seconded by Bush, to approve the purchase of one (1) 2003 Dodge Caravan, including optional equipment, in the total amount of \$21,023.40 from Bill Snethkamp – Fleet, Lansing, through the State of Michigan's Extended Purchasing Program and provide funds to cover an extended warranty, if justified; adjustment required to the FY 2002-03 budget.

**ROLL CALL**

AYES: Bush, Campbell, Harrison, McShane, Mitchell.

NAYS: None.

ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF TAXICAB LICENSE RENEWAL.** Administration advised that the Department of Public Safety has inspected the three ABC Cab Company vehicles for which license renewal has been requested, found them to be in acceptable condition and recommended that licenses be issued.

**01-03-031** MOTION by McShane, seconded by Harrison, to authorize the issuance of three (3) taxicab licenses to ABC Cab Company for 2003. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF APPOINTMENT OF CITY MANAGER AND APPROVAL OF EMPLOYMENT AGREEMENT**

Mayor Mitchell reviewed the process that led up to the hiring of Mr. Vincent Pastue as City Manager. He stated that Council, at the conclusion of the December 21, 2002 second interview session, voted unanimously to hire Mr. Pastue. Mayor Mitchell further stated that acting City Attorney Schultz and recruitment consultant Gerstenecker drafted an offer of employment that was signed by the Mayor and subsequently signed by Mr. Pastue. In conclusion, Mayor Mitchell stated that an employment agreement has been accepted by Mr. Pastue and recommended approval of said agreement by Council.

Mr. Frank Gerstenecker thanked Council for their participation in the recruitment process and he recognized the administrative staff for all their hard work.

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**01-03-032** MOTION by Campbell, seconded by Bush, to approve the hiring of Vincent Pastue as City Manager under the terms set forth in the Employment Agreement and authorize the Mayor to sign said agreement on behalf of the City of Farmington. [SEE ATTACHED AGREEMENT].

**ROLL CALL**

AYES: Campbell, Harrison, McShane, Mitchell, Bush.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

**MISCELLANEOUS**

**PUBLIC COMMENT.**

Nancy Leonard, Farmington resident, commented on the short length of the Council meeting in recognition of the longer meetings experienced by Acting City Manager Costick when he served as City Manager in Farmington Hills.

**COUNCIL COMMENTS AND ANNOUNCEMENTS.**

Council member Campbell informed Council of a free software program, Urban Forestry, provided by American City County Government, that categorizes tree types and where they are located in the Community which is important in light of the current number of tree diseases.

Council member McShane informed Council of a fax alert issued by the Michigan Municipal League regarding revenue sharing that encourages city officials to inform the new governor and legislature of the financial impact of current and proposed reductions.

Mayor Mitchell commented on the new seating in the City Hall lobby and recognized Executive Assistant Fournier for her significant efforts in making improvements to the lobby.

Responding to a comment from resident Nancy Leonard Council noted her displeasure in the removal of the City afghan from the lobby.

**CONSIDERATION OF RESOLUTION FOR OAKLAND COUNTY TO APPLY FOR USE OF A COMPUTERIZED TAX ROLL.** Administration advised that Public Act 505 of 2002 allows the County Treasurer to obtain permission for local governments to use a

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computerized tax roll and because the City of Farmington is a user of Oakland County's "Assessment and Tax Receivables Systems", the county is offering to make application to the State of Michigan, on behalf of the City of Farmington, to allow use of a computerized tax roll. Administration further advised that Council would need to adopt a resolution in order for the County to make application.

Responding to a question from Council, Treasurer Cantrell stated that use of a computerized tax roll saves time and the City is required to have official state approval to do so.

**01-03-033** MOTION by McShane, seconded by Campbell, to adopt a resolution authorizing Oakland County to make application with the State of Michigan for approval for the City to use a computerized tax roll as allowed by Public Act 505. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

**RECOMMENDATION OF ANNUAL CITY CONTRIBUTION TO THE FARMINGTON EMPLOYEES' RETIREMENT SYSTEM.** Administration advised that the Retirement System Board of Trustees received an actuarial valuation report for the fiscal year ending June 30, 2002; and certified the contribution to the Retirement System for the 2003-2004 fiscal year to be \$141,974.

**01-03-034** MOTION by Harrison, seconded by Bush, to receive and file the Farmington Employee's Retirement System Board of Trustee's certification of the required annual contribution to the Farmington Employees' Retirement System for the 2003-2004 fiscal year. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF RESOLUTION RE: MEMBERSHIP IN THE NORTHERN MICHIGAN LAW ENFORCEMENT TRAINING GROUP.** Public Safety Director Goss advised that a grant has been obtained to fund membership with the Northern Michigan Law Enforcement Training Group located at Camp Grayling and designed to provide cost-effective training for Michigan Law Enforcement Agencies. He further advised that a resolution is required from Council to accept membership in the Training Group.

Responding to a question, Director Goss stated this Training Group would provide a driving range along with rapid intervention and small arms fire training.

**01-03-035** MOTION by Campbell, seconded by McShane, to approve a resolution of acceptance of membership in the Interlocal Agreement forming the Northern Michigan Law Enforcement Training Group; and to direct the Mayor to sign the agreement on behalf of the City. [SEE ATTACHED AGREEMENT]. MOTION CARRIED UNANIMOUSLY.



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**BUILDING DEPARTMENT QUARTERLY REPORT – OCTOBER 1, 2002 THROUGH  
DECEMBER 31, 2002.**

**01-03-036** MOTION by Bush, seconded by Campbell, to receive and file the Building Department's report for quarter ending December 31, 2002. MOTION CARRIED UNANIMOUSLY.

**ADJOURNMENT**

**01-03-037** MOTION by McShane, seconded by Harrison, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

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JAMES K. MITCHELL, MAYOR

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PATSY K. CANTRELL, CITY CLERK/TREASURER