



FINAL

REGULAR MEETING MINUTES

A Regular meeting of the Farmington City Council was held on February 4, 2013, in City Council Chambers, 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:04 PM by Mayor J.T. Buck.

1. CALL TO ORDER

Attendee Name	Title	Status	Arrived
J.T. Buck	Mayor	Present	
Greg Cowley	Councilmember	Present	
William Galvin	Mayor Pro Tem	Present	
Kristin Kuiken	Councilmember	Present	
JoAnne McShane	Councilmember	Present	

City Administration Present

Superintendent Eudy
Director Christiansen
City Clerk Halberstadt
City Manager Pastue
Attorney Schultz
Director Schulz
Treasurer Weber

2. PLEDGE OF ALLEGIANCE

Director Eudy led the Pledge of Allegiance.

3. APPROVAL OF ITEMS ON CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kristin Kuiken, Councilmember
SECONDER:	JoAnne McShane, Councilmember
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

A. Minutes of the City Council - Special Study Session - Jan 22, 2013 6:00 PM

B. Minutes of the City Council - Regular - Jan 22, 2013 7:00 PM

C. Minutes of the City Council - Special - Jan 30, 2013 6:30 PM

D. Approve Public Works and Water Sewer Department 2Nd Quarter Report, October 1, 2012-December 31, 2012

4. APPROVAL OF REGULAR AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

5. PUBLIC COMMENT

Bill Dwyer, Oakland County Commissioner, was present to provide an update on County activities. He noted Public Safety Director Schulz is now the Vice President of the Farmington/Farmington Hills Police/Fire Benevolent Association. He spoke about the longevity and accomplishments of the association.

6. PRESENTATION/PUBLIC HEARINGS

A. Legislative Update - Vicki Barnett, State Representative

State Representative Barnett provided an update on the activities of the State Legislature and discussed the impact of recently passed bills on local government.

B. PUBLIC HEARING - GROVE STREET ASSESSMENT DISTRICT

Pastue advised the City Council accepted the preliminary assessment roll and scheduled a public hearing for the Grove Street Special Assessment District. He further advised City Administration is requesting that the City Council hold the public hearing and accept comment from the property owner within the district.

1. Motion to Open the Public Hearing.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kristin Kuiken, Councilmember
SECONDER:	JoAnne McShane, Councilmember
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

Charles Kuhn of Manifold Ventures was present.

Hearing no public comment, Mayor Buck requested a motion to close the public hearing.

2. Motion to close the Public Hearing

RESULT:	APPROVED [UNANIMOUS]
MOVER:	JoAnne McShane, Councilmember
SECONDER:	Kristin Kuiken, Councilmember
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

C. Proclamation - the Farmington Genealogical Society

Pastue read a proclamation recognizing February as "Genealogy and Family History Month" in Farmington.

7. UNFINISHED BUSINESS

A. Consideration to Adopt Resolution #5 Establishing Grove Street Special Assessment

Pastue requested the Assessor's certification and preliminary assessment roll be attached to the resolution.

Move to adopt Resolution #5 approving the Assessment Roll to establish the Grove Street Special Assessment District including the attachment of the Assessor's certification and preliminary assessment roll. [SEE ATTACHED RESOLUTION NO. 01-13-004]

The votes were taken in the following order: Cowley, Galvin, Kuiken, McShane, Buck.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	JoAnne McShane, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

8. NEW BUSINESS

A. Consideration to Approve Agreement for Conveyance of Land for Grove Street with the Groves Center, L.L.C.

Pastue reviewed the highlights of the Agreement for Conveyance of Land which gives the city ownership of the parking lot that runs the length of the existing building and a portion of the larger parking lot to the south. Director Christiansen reviewed the proposed site plan for The Groves Center.

Discussion followed regarding making the site plans available to the public.

Galvin thanked Manifold Ventures for their significant investment in the City.

Cowley stated this is a perfect example of a private/public partnership that is working for the betterment of the entire city and its residents. He complimented City Manager Pastue and his staff and the investors for this major achievement. He recognized the sizable investment in this project from both the city and investors.

Kuiken praised the proposed project and how it will improve walkability in the downtown, as well as creating additional gathering spaces. She stated it will do a lot to contribute to a sense of place in Farmington. She thanked the investors for investing in Farmington.

McShane questioned if there is a problem approving the agreements when the paperwork has not been finalized and signed. Attorney Schultz responded that

conceptually this situation is similar to buying a house where the agreement is signed and then the paperwork is completed after the fact. He stated the requested action by Council is a motion that approves the agreement subject to the final form being resolved by the City Manager, City Attorney and Manifold Ventures, and subject to approval of all other agreements.

McShane stated that as part of her consideration for approval of the project she asked herself if it served a public purpose. She asked will the public be served by these improvements, is the money well spent, and is the money well directed. She stated Council is seizing opportunities, using new solutions, alternative methods and innovations to create economic viability. She recognized there are risks and tradeoffs involved, but that is true for the investors as well. She stated the city is fortunate to have this type of partnership.

McShane spoke about the benefits of the project to the city including: increase tax base, bring more businesses to town, more people and foot traffic, will add a nice connection to Riley Park and the Sundquist Pavilion, additional gatherings spaces, and it will add more jobs.

McShane stated that with this project the city is fostering a rebirth of the downtown. She believes it will be a great project for the city.

Buck is looking forward to the refreshed look the project will bring to the downtown. He believes it will provide the stimulus for a fresh new look and energy in the downtown and beyond. He hopes it will motivate other building owners to look at what is possible. He is looking forward to new businesses and additional jobs in the downtown. He recognized the expectations of both the city and investors are very high in making this a fabulous project.

Responding to a question from Buck, Pastue advised the project will produce a net parking of 20-25 spaces.

Responding to an additional question from Buck, Schultz advised there have been no substantive changes to the documents since their review by Council at the last meeting.

Pastue confirmed there have been no changes to the geographics surrounding the center since Council's last review of the plan.

Schultz discussed elements of the proposed motion.

Move to approve "Agreement for Conveyance of Land" with The Groves Center, L.L.C. and to authorize the Mayor and City Clerk to sign the Agreement, and also to sign all agreements referred to therein, subject to final administrative review and approval of all final terms and conditions, including necessary corrections and amendments for minor and non-substantive matters, by the City Manager and City Attorney, after (1) approval of the "Agreement for the Financing of Street and Utility Improvements and Creation of Special

Assessment on Property" with The Groves Center, L.L.C. by the City; (2) approval of the "Agreement Regarding Facade Grant and Declaration of Covenants" and "Agreement for Conveyance of Open Space Easement and Undertaking of Facade Improvements" with The Groves Center, L.L.C. by the Downtown Development Authority; and (3) signature by The Groves Center, L.L.C. [SEE ATTACHED AGREEMENTS].

The votes were taken in the following order: Galvin, Kuiken, McShane, Buck, Cowley.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Galvin, Mayor Pro Tem
SECONDER:	JoAnne McShane, Councilmember
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

B. Consideration to Approve Special Assessment District (SAD) Financing Agreement with the Groves, L.L.C.

Pastue discussed provisions of the special assessment agreement that provides \$600,000 to the project.

Move to approve "Agreement for the Financing of Street and Utility Improvements and Creation of Special Assessment on Property" with The Groves Center, L.L.C. and to authorize the Mayor and Clerk to sign the agreement, subject to final administrative review and approval of all final terms and conditions, including necessary corrections and amendments for minor and non-substantive matters, by the City Manager and City Attorney, after (1) approval of the "Agreement for Conveyance of Land" by the City; (2) approval of the "Agreement Regarding Facade Grant and Declaration of Covenants" and Agreement for Conveyance of Open Space Easements and Undertaking of Facade Improvements" with The Groves Center, L.L.C. by the Downtown Development Authority and (3) signature by The Groves Center, L.L.C. [SEE ATTACHED AGREEMENT].

The votes were taken in the following order: Kuiken, McShane, Buck, Cowley, Galvin.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	JoAnne McShane, Councilmember
SECONDER:	Greg Cowley, Councilmember
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

C. Consideration of Partial Approval of Proposed DDA Budget Amendment for Portion Relating to Grove Street Facade Improvements

Pastue discussed proposed facade improvements to "The Groves" and related funding.

Move to approve portion of proposed budget amendment to Downtown Development Authority budget as requested in the amount of \$160,000, in

order to allow the DDA to enter into, and contingent upon the DDA's entry into, with The Groves, Center, L.L.C., the "Agreement Regarding Facade Grant and Declaration of Covenants" and the "Agreement for Conveyance of Open Space Easement and Undertaking of Facade Improvements." [SEE ATTACHED AGREEMENT].

The votes were taken in the following order: McShane, Buck, Cowley, Galvin, Kuiken.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kristin Kuiken, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

D. Consideration of Bond Authorization Resolution for 2013 Capital Improvement Bonds

Pastue reviewed provisions of the resolution prepared by the city's bond counsel: Miller, Canfield, Paddock and Stone. He advised the bid opening for the issuance of the bonds is scheduled for March 18th.

Move to adopt a resolution authorizing the issuance of 2013 City of Farmington Capital Improvement Bonds in the amount of \$1,300,000. [SEE ATTACHED RESOLUTION NO. 01-13-005].

The votes were taken in the following order: Buck, Cowley, Galvin, Kuiken, McShane.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	Kristin Kuiken, Councilmember
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

E. Consideration to Authorize Purchase of Backup Generator for Public Works Facility and Transfer from General Fund Contingency Line Item

Pastue advised the back-up generator for the public works facility is no longer operable and is essential in the event of a power failure. He stated proposals were solicited with the low bid submitted by Bridgewater Cummings in the amount of \$16,770.

Move to approve purchase of backup generator for Public Works facility with Bridgewater Cummings in the amount of \$16,770, along with a transfer from the General Fund Contingency line item in the amount of \$18,740 to cover the purchase and installation.

The votes were taken in the following order: Cowley, Galvin, Kuiken, McShane, Buck.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

F. Consideration to Approve Agreement with the Michigan Department of Transportation for the Drake Road Resurfacing Project

Pastue advised the city received federal grant funds toward the resurfacing of Drake Road from Freedom to Grand River. The grant covers 80% of the eligible construction cost. The estimated cost of the construction work is \$627,500 of which the city will contribute \$123,100.

Move to approve an agreement with the Michigan Department of Transportation regarding the acceptance of grant funds for the Drake Road Resurfacing Project and administration of the project. [SEE ATTACHED AGREEMENT].

The votes were taken in the following order: Galvin, Kuiken, McShane, Buck, Cowley.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	JoAnne McShane, Councilmember
SECONDER:	Kristin Kuiken, Councilmember
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

G. Consideration to Adopt Resolution Approving Budget Amendment #3

Pastue advised the City is requesting City Council adopt Budget Amendment #3 which amends the budget appropriations for the General Fund, Major Street, Capital Improvements, and Water and Sewer Funds.

Move to adopt a resolution approving Budget Amendment No. 3 as presented involving the General Fund, Major Street Fund, Capital Improvements Fund, and Water and Sewer Fund. [SEE ATTACHED RESOLUTION NO. 01-13-006]

The votes were taken in the following order: Kuiken, McShane, Buck, Cowley, Galvin.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristin Kuiken, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

H. Consideration to Cancel February 18 Regular Meeting and Schedule Special Meeting to Initiate Community Visioning Program

Move to cancel the February 18, 2013 regular meeting and schedule a special meeting to kick-off the Community Visioning Program for February 18, 2013 at 6:30 p.m. in the Farmington High School Cafeteria.

The votes were taken in the following order: McShane, Buck, Cowley, Galvin, Kuiken.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	JoAnne McShane, Councilmember
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

I. Board and Committee Appointments

Move to make the following re-appointments: Annette Knowles to the Brownfield Redevelopment Authority for a 3-year term ending 2/28/2016; William Ingall and David Mariner to the Construction Board of Appeals for 2-year terms ending 2/28/2015; Melissa Andrade to the Downtown Development Authority for a 4-year term ending 2/28/17; Keith Grattan, Jane Gundlach, and Marilyn Weimar to the Historical Commission for 3-year terms ending 3/31/2016; James McLaughlin to the Library Board for a 4-year term ending 3/31/2017; and appoint Les Key to the Downtown Development Authority for a 4-year term ending 2/28/2017.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	JoAnne McShane, Councilmember
SECONDER:	Greg Cowley, Councilmember
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

9. DEPARTMENT HEAD COMMENTS

Schulz announced contributions to the 9/11 Memorial Fund can now be made through the city's website. He further announced a meeting on suicide prevention has been scheduled for February 13th at 7pm at Farmington Hills City Hall.

Eudy thanked Council for approval of the generator.

Christiansen advised the Planning Commission will consider Manifold Ventures site plan next Monday evening and the Design Committee will review the plans on Thursday.

Christiansen noted the Planning Commission will also consider the lot split for Dimitris. He discussed a recent visioning session of the Grand River Corridor which was well attended. He stated consultants are putting a plan together for the corridor as a result of the information gathered at the meeting. He stated another public meeting is being planned in the near future.

10. COUNCIL COMMENT

Galvin read the following comments:

Tonight marks a significant step forward for Farmington. It shows what we can accomplish with leadership, cooperation and most importantly - funding.

On February 18th our community will begin setting its Vision for the future. This will allow everyone an opportunity to take a leadership role and contribute to the vision for Farmington's future.

Farmington and other communities are facing a financial future that will be significantly different than our pasts. The state has cut back statutory revenue sharing. The personal property tax is being eliminated. Proposal A limits inflationary increases on our property tax revenue. At the same time, salaries, benefits, water, fuel and equipment for city services continue to escalate. Our current budget projections include a 1% annual increase in revenue and 3-10% annual increases in various costs over the next several years.

I want to emphasize this is not a problem unique to Farmington. Every community faces these same financial pressures.

With regards to our Visioning Plan I believe the best ideas will be those that include a way to pay for them.

My fellow members of Council and City Administration have heard my comments in study sessions on our Capital Improvements Fund. The City has several funds such as a General Fund, a Roads Fund, the Civic Theatre Fund and more.

Our Capital Improvement Fund provides money for things like building repairs and improvements. It pays for the sidewalks and parking lots that we use every day. And it also pays for equipment like snow plows and trucks which are necessary to keep our city running.

Historically, deposits to the Capital Improvement Fund were made with discretionary excess revenue. Without that excess revenue over the past several years, it has become a spending account. This is like a savings account that only has withdrawals.

It will surely take money to accomplish many of the ideas we all have for the future vision of Farmington. At the top of my list of visionary ideas will be a dedicated, permanent funding source for our Capital Improvement Fund to help pay for our future - without raising taxes. We can accomplish this through the second part of my vision which I am calling Re-Farmington. It involves the repurposing, redeveloping and redeploying of assets and liabilities.

I look forward to seeing you on February 18th at 630pm at Farmington High School.

Cowley pointed out investors are coming back into the market place which bodes well for both businesses and residential. He noted no dollars from the General Fund are being used to fund these projects. He stated the City is trying to stimulate revenue. He discussed the 3,000-4,000 visitors to the Farmers Market each week and the related parking issue. He stated it is incumbent on the City Council and staff to address this issue. He noted a

previous parking study that called for a short and long term strategy. He expressed the need for a parking authority to address the issue.

Kuiken reminded everyone to visit the F2h Fit Challenge website and enroll in the program. She discussed the problems of obesity in Michigan. She stated collectively we can meet the fitness goal of 1,000,000 miles of exercise in our community.

McShane thanked Kuiken for raising the attention of the F2h fit challenge. She believes our community does not necessarily have a parking problem, but rather a walking problem. She stated we can all walk a few blocks to where we need to go. She encouraged everyone to sign up and contribute to the good health of the whole community.

Buck stated this is another great day for Farmington with the approval of The Groves Project.

11. ADJOURNMENT

1. Motion to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Galvin, Mayor Pro Tem
SECONDER:	Greg Cowley, Councilmember
AYES:	Buck, Cowley, Galvin, Kuiken, McShane

Meeting adjourned at 9:20 p.m.

Mayor J.T. Buck

Susan K. Halberstadt, City Clerk

Approval Date: _____