

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Tuesday, September 4, 2001 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 Hartsock.

PRESENT: Bush, Campbell, Hartsock, McShane, Mitchell.

ABSENT: None.

OTHERS PRESENT: Clerk/Treasurer Cantrell, City Attorney Donohue, Director Goss, Director Gushman, Assistant City Manager Richards.

APPROVAL OF AGENDA

09-01-519 MOTION by Bush, seconded by Campbell, to approve the agenda as amended. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

09-01-520 MOTION by McShane, seconded by Mitchell, to approve the minutes of the Special and Regular Meeting of August 6, 2001 and Special Study Session of August 21, 2001; and Special Joint Meeting of June 18, 2001 with Farmington/Farmington Hills Council. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

09-01-521 MOTION by Campbell, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

- Planning Commission minutes of August 13, 2001 and August 27, 2001.
- Farmington Employees Retirement System Board of Trustees minutes of August 8, 2001.
- Board of Zoning Appeals minutes of August 1, 2001.
- Traffic and Safety Board minutes of August 16, 2001.
- Commission on Children, Youth and Families minutes of June 7, 2001.
- Farmington Community Library Board of Trustees meeting of July 12, 2001.
- Governor Warner Mansion Committee minutes of July 31, 2001.

MOTION CARRIED UNANIMOUSLY.

**PROCLAMATION PRESENTATION: KAREN BOLSEN,
MULTICULTURAL/MULTIRACIAL CO-CHAIR, RE: WEEK OF SEPTEMBER
14-23, 2001 AS "HERITAGE WEEK".**

Karen Bolsen, Multicultural/Multiracial Council Co-Chair, provided the Council with a brief overview of the events to occur during "Heritage Week".

Mayor Hartsock presented Ms. Bolsen, as the representative of the Multicultural/Multiracial Council, with a proclamation stating the City of Farmington respects, nurtures and celebrates racial, religious, cultural and ethnic diversity in our community.

**PRESENTATION: OAKLAND SCHOOLS ELECTION FOR SEPTEMBER 25,
2001 – DR. ROBERT MAXFIELD, FARMINGTON PUBLIC SCHOOLS
SUPERINTENDENT.**

Dr. Robert Maxfield, Farmington Public Schools Superintendent and Cathy Webb, President of the School Board, were present to discuss the millage proposals on the ballot of the upcoming school election on September 25, 2001.

PETITIONS AND COMMUNICATIONS

DOWNTOWN DEVELOPMENT AUTHORITY REQUESTS PERMISSION FOR SIGN REPLACEMENT AND BANNER SIGNS FOR THE MASONIC HALL CORNER AT 23715 FARMINGTON ROAD. City Administration advised that both the Downtown Development Authority Board and the Mason's Board of Directors have approved a new sign to replace the ground sign on the Masonic Plaza and the addition of temporary fundraising signs. City Administration advised that the proposed ground sign will be more appropriate for the area and the temporary banners will provide more professional advertising of fundraising events for the Masons.

Ms. Judy Downey, Executive Director of the Downtown Development Authority, was present to answer questions. In response to a question, Director Downey indicated that the permanent sign would not be covered by temporary signs at any time and the temporary banners would be used only by the Masons and would be displayed for varying lengths of time depending on the events, but no longer than 4 days.

09-01-522 MOTION by Campbell, seconded by Bush, to approve the Farmington Downtown Development Authority's request to replace the permanent sign at the Masonic Hall corner at 23715 Farmington Road, to measure 48" x 60", mounted

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on 6x6 wooden posts with a Mason's logo and "Farmington Masonic Hall, a Fraternal Organization" in blue letters with a white background; and to approve the use of temporary sign banners, hung between temporary poles, for fundraising events and to be placed 3' behind the City sidewalks on the Masonic property along Farmington Road and Grand River; and as approved by the local Mason's Board of Directors. MOTION CARRIED UNANIMOUSLY.

DOWNTOWN DEVELOPMENT AUTHORITY REQUEST TO CLOSE GROVE STREET FOR ANNUAL HALLOWEEN EVENT ON SATURDAY, OCTOBER 27, 2001. City Administration advised that the Downtown Development Authority (DDA) would like Grove Street closed in order to stage special entertainment for children during the annual DDA Halloween event on Saturday, October 27, 2001. City Administration further advised that the Public Safety Department has reviewed the request and believes with proper barricades this road can be closed.

09-01-523 MOTION by McShane, seconded by Mitchell, to authorize the closing of Grove Street from Grand River to the driveway of the Downtown Center parking lot from 9:00 a.m. – 3:00 p.m. on Saturday, October 27, 2001 for the DDA Halloween event; and to instruct the Public Services Department to provide the appropriate barricades. MOTION CARRIED UNANIMOUSLY.

LETTER FROM TERRI RENSHAW, GENERAL CHAIRPERSON FOR "TAG DAYS" RE: FUNDRAISING EVENT.

09-01-524 MOTION by Bush, seconded by Campbell, to grant permission to the Farmington High Schools' Band and Orchestra Boosters to hold a "Tag Days" fund raising event Friday, September 7, 2001 from 3:00 p.m. to 9:00 p.m., and Saturday, September 8 from 9:00 a.m. to 6:00 p.m. at the entrances of local merchants with their permission. MOTION CARRIED UNANIMOUSLY.

LETTER FROM WILLIAM BREEZE, 23366 LIBERTY STREET, RE: BLOCK PARTY.

09-01-525 MOTION by Mitchell, seconded by McShane, to authorize the closing of Liberty Street between State and Alta Loma Streets on Saturday, September 29, 2001 from 11:00 a.m. to 4:00 p.m. for a neighborhood block party and to authorize the Department of Public Services to provide barricades for the event. MOTION CARRIED UNANIMOUSLY.

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LETTER FROM KATHY PENNYWITT, 23672 CASS, RE: BLOCK PARTY.

09-01-526 MOTION by Campbell, seconded by McShane, to grant permission to change the block party for residents of Cass and Macomb from the approved Saturday, September 8, 2001 date to Saturday, September 15, between 12:00 noon and 11:00 p.m and to authorize the Department of Public Services to provide barricades to block off this area. MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

09-01-527 MOTION by McShane, seconded by Mitchell, to accept the resignation of Dan Penning from the Governor Warner Mansion Committee and send a letter thanking him for his service to the City. MOTION CARRIED UNANIMOUSLY.

09-01-528 MOTION by Campbell, seconded by McShane, to appoint Jeffrey Edwards to the Planning Commission for a term to expire June 15, 2003. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION TO APPROVE RESOLUTION CALLING FOR THE NOVEMBER 6, 2001 ELECTION REGARDING SEWER IMPROVEMENT PROJECT. City administration advised that the City's sewage disposal system requires rehabilitation at an estimated cost of \$2.5 million. The City estimates that \$1.8 million will need to be borrowed after contributions from the Water and Sewer Fund and the Oakland County Water Infrastructure Fund. City Administration recommended City Council adopt a resolution calling an election and approving the proposed ballot language.

09-01-529 MOTION by Mitchell, seconded by Bush, to adopt a resolution placing a proposition to borrow \$1,800,000 for sewer improvements and issue general obligation bonds of the City on the November 6, 2001 ballot. MOTION CARRIED UNANIMOUSLY. [SEE ATTACHMENT].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

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CONSIDERATION OF LICENSE AGREEMENT WITH THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS (ASCAP).

City administration advised that the City Attorney has recommended that City Council approve a license agreement with the American Society of Composers, Authors and Publishers (ASCAP) that would release the City from any claims of copyright infringement.

09-01-530 MOTION by Campbell, seconded by Mitchell, to enter into a license agreement with the American Society of Composers, Authors and Publishers (ASCAP) and authorize the City Manager to sign the agreement on behalf of the City and remit an annual payment of \$250.00 for the license fee. [SEE ATTACHED AGREEMENT].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF MAINTENANCE AGREEMENT FOR FARMINGTON ROAD.

City Administration advised that the Road Commission for Oakland County has proposed continuance of the maintenance agreement with the City of Farmington for the maintenance of Farmington Road. City Administration further advised that the County has offered to compensate the City at a rate of \$10,204.44 per mile for a total annual compensation of \$17,347.56 resulting in a 1.5% increase from the previous year.

09-01-531 MOTION by Campbell, seconded by Mitchell, to accept the terms of a maintenance agreement, effective October 1, 2001, with the Road Commission for Oakland County for the maintenance of Farmington Road and authorize the City Manager and City Clerk to execute the contract on behalf of the City of Farmington. [SEE ATTACHMENT].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

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CONSIDERATION TO INTRODUCE ORDINANCE NO. C-686-2001 TO AMEND CHAPTER 28, SECTION 28-90 OF THE CITY CODE, TO AUTHORIZE DIRECT BILLING FOR THE COST OF SNOW REMOVAL FROM SIDEWALKS. City Administration advised that an ordinance amendment is needed allowing the City to immediately invoice property owners for cost of snow, ice and obstruction removal from City sidewalks.

City Manager Lauhoff added that the proposed direct billing is in addition to the violation citations and fines issued through court process.

In response to a question from Council, City Manager Lauhoff indicated that the procedure that is followed is to allow property owners 24 hours to remove obstructions, thereafter a violation citation is issued followed by the City's removal of the obstruction. He also stated that property owners are alerted each year regarding the City's requirement to keep sidewalks clear.

09-01-532 MOTION by McShane, seconded by Bush, to introduce Ordinance No. C-686-2001 to amend Chapter 28, Section 28-90, to authorize the direct billing of costs incurred by the City to remove ice, snow and other obstructions when the owner of the adjacent premises has failed to do so. [SEE ATTACHED ORDINANCE]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF CONSTRUCTION ESTIMATE NO. 3 FOR 2001 PAVING PROGRAM. City administration concurred with the City Engineer and Public Services Director and recommended payment of Construction Estimate No. 3 for work performed for the 2001 Paving Program in the Bel-Aire Subdivision for period ending August 3, 2001.

09-01-533 MOTION by Campbell, seconded by Mitchell, to approve Construction Estimate No. 3 for the 2001 Bel-Aire Paving Program and authorize payment to Detroit Concrete Products in the amount of \$166,604.92; funds provided in the fiscal year 2000-01 budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

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CONSIDERATION OF CLEMIS LIVESCAN AGREEMENT BETWEEN OAKLAND COUNTY AND THE FARMINGTON DEPARTMENT OF PUBLIC SAFETY. City administration concurred with the Public Safety Director and recommended the new service agreement plan for the Livescan fingerprint system now offered by Oakland County.

09-01-534 MOTION by Mitchell, seconded by Campbell, to authorize the CLEMIS Livescan agreement between Oakland County and the Farmington Department of Public Safety at a cost of \$4,250.00 annually and authorize the City Manager to sign the agreement on behalf of the City. [SEE ATTACHED AGREEMENT].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDER BID AWARD FOR TELEPHONE SYSTEM UPGRADE.

Administration advised that the bids for an upgrade to the mail messaging component of the city's telephone system have been reviewed and recommended award of the bid to the low bidder.

09-01-535 MOTION by Bush, seconded by McShane, to purchase an upgrade to the mail messaging component of the city's telephone system, including service maintenance, from AlterNet Communications Group in an amount not to exceed \$13,095.00; funds provided in the FY 2001-02 budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDER BID AWARD FOR TOW-BEHIND COMPRESSOR, DEPARTMENT OF PUBLIC SERVICES. Administration advised that the Public Services Department has reviewed bids for a tow-behind compressor and concurred with its recommendation to award the bid to the low bidder.

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09-01-536 MOTION by Campbell, seconded by Mitchell, to purchase a Sullivan, Model D185Q6W, tow-behind compressor, as specified, from Burke Equipment Company in the amount of \$10,395.00; funds provided in the FY2001-02 budget. MOTION CARRIED UNANIMOUSLY.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDER BID AWARD FOR ARROWBOARD TRAILER, DEPARTMENT OF PUBLIC SERVICES. Administration advised that the Public Services Department has reviewed the bids for an arrowboard trailer and concurred with its recommendation to award the bid to the low bidder.

09-01-537 MOTION by Mitchell, seconded by Campbell, to purchase a Ver-Mac solar-powered arrowboard trailer, including options to the low bidder, Michigan Barricading Equipment, Inc. in the amount of \$4,800.00; funds provided in the FY2001-02 budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDER BID AWARD FOR HYDRAULIC DRIVE SWEEPER AND CAB, DEPARTMENT OF PUBLIC SERVICES. Administration advised that the Public Services Department has reviewed the bids for a hydraulic drive sweeper and concurred with its recommendation to award the bid to the only qualified bidder.

09-01-538 MOTION by McShane, seconded by Bush, to purchase a Model A-H, hydraulic drive sweeper and a new All Steel ROPS Cab, as specified, both to fit Ford 4610 SU tractor from Wm. F. Sell Equipment, the only qualified bidder, in the amount of \$11,786.08; funds provided in the FY2001-02 budget.

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ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

ORDINANCE ADOPTION

CONSIDERATION TO ADOPT ORDINANCE NO. C-685-2001 RE: REZONING REQUEST AT 22700 LAKEWAY STREET.

09-01-539 MOTION by Mitchell, seconded by McShane, to adopt Ordinance No. C-685-2001, Amendment No. 27 to the Farmington Zoning Map, rezoning parcel no. 23-27-427-033 at 22700 Lakeway Street, from Residential (R-1) to Commercial (C-2). [SEE ATTACHED ORDINANCE].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Tracy Freeman, Farmington resident, read a letter from Brian Golden expressing support for "Café on the Porch" at the Governor Warner Mansion.

Cheryl Blau, Farmington resident, also spoke in support of "Café on the Porch".

Mark Peters, Farmington resident, asked the Council why the "Café on the Porch" was closed. Mayor Hartsock responded that this event was not necessarily closed permanently and could be reinstated at a future date. He further stated that there were many issues involved relative to closing "Café on the Porch" including concern about preservation of the Museum.

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Ellen Abdou stated the need to provide activities at the Mansion that generate public interest.

Valerie Knol, Farmington resident and member of the Governor Warner Mansion Committee, thanked everyone who was involved with "Café on the Porch" and also expressed strong support for this event. She also asked why the last scheduled day for this event was cancelled. Mayor Hartsock expressed regret to those who were inconvenienced by this early closing and stated it was due to miscommunication.

Frank Valencic, Farmington resident, expressed support for the ladies supporting "Café on the Porch".

Annabelle Gabel, Farmington resident, cited the many people who have been involved with the Mansion over the years and also expressed her support for "Café on the Porch" and the need for public involvement in the Mansion.

Council recognized the importance of volunteers and their valuable contribution to the City.

Jim McGlincy, Co-Chair of the Governor Warner Mansion Committee, stated that contrary to some newspaper articles, the Committee has made significant contributions to the Mansion over the last three or four years. He also stated the Committee is anxious to meet the potential candidate for the Director of the Mansion and to discuss goals of the Mansion.

Nancy Leonard, Farmington resident, noted the incorrect date of Halloween on the 2001 City calendar.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Council congratulated Assistant City Manager Bill Richards on his appointment to the Eastern University Master of Public Administration Advisory Board.

Council congratulated City of Farmington Controller, Beverly Walters, as one of 50 members of the Municipal Treasurers' Association of the United States and Canada who have successfully maintained their Certified Municipal Finance Administrator credential in 2000/2001.

PUBLIC SAFETY DEPARTMENT QUARTERLY OPERATIONS REPORT – SECOND QUARTER. Director Goss reviewed the highlights of the report.

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09-01-540 MOTION by Campbell, seconded by McShane, to receive and file the Public Safety Department Quarterly Operations Report for period ending 6-30-01. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PAYMENTS REPORT

09-01-541 MOTION by Campbell, seconded by Mitchell, to approve the Monthly Payments Report for August, 2001. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

09-01-542 MOTION by Campbell, seconded by McShane, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:37 p.m.

MAYOR WILLIAM S. HARTSOCK

PATSY K. CANTRELL, CITY CLERK/TREASURER

