

FARMINGTON CITY COUNCIL
REGULAR MEETING

A regular meeting of the Farmington City Council was held on Monday, March 20, 2006 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 McShane.

PRESENT: Knol, McShane, Sutherland, Wiggins.

ABSENT: Buck.

CITY ADMINISTRATION: Clerk/Treasurer Cantrell, Director Gushman, Deputy Clerk Halberstadt, Director Nebus, City Manager Pastue, Assistant City Manager Richards (left at 8:45 p.m.).

CONSENT AGENDA

Council approved the following items on the consent agenda:

- Special Meeting minutes of March 6, 2006.
- Regular and Special Meeting minutes of February 20, 2006.
- Authorization to Apply to the State of Michigan for Permission to Use a Computerized Tax Roll [SEE ATTACHED RESOLUTION]
- Consideration to Approve Farmington Community Arts Council – Request for Banners Across Grand River Avenue
- Approve Monthly Public Safety Report for February 2006
- Consideration to Approve City of Farmington Monthly Payments Report
- Resignation from Planning Commission.

03-06-045 MOTION by Knol, seconded by Sutherland, to approve all items on the consent agenda as presented. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF REGULAR AGENDA

03-06-046 MOTION by Sutherland, seconded by Wiggins, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS/PUBLIC HEARINGS

PUBLIC HEARING MDNR GRANT APPLICATION AND CONSIDERATION TO APPROVE RESOLUTION FOR MDNR GRANT APPLICATION

Assistant City Manager Richards reviewed from the City's Master Recreation Plan six improvement projects in Shiawassee Park for inclusion in the City's application for a Michigan Department of Natural Resources (MDNR) Recreation Trust Fund grant.

COUNCIL PROCEEDINGS -2-
March 20, 2006

Mayor McShane opened the hearing for public comment.

Hank Borgman, 34011 Grand River, expressed concern regarding the proposed switchback ramp and paved path in Shiawassee Park. He questioned the need for both projects and cited potential hazards and negative environmental impact.

Charles Bridges, 23986 Colchester, expressed concern regarding the proposed paved path. He noted that the stone path is preferred by both pedestrians and runners. He further noted that the cross country track teams from the High Schools regularly use the park because it is one of the few places that provide a cushioned surface for running. He recommended keeping the park natural.

Robert Moss, 33353 Kingslane Court, stated that the switchback ramp and paved path are unnecessary and a waste of money.

Dave Peterson, 22561 Power Road, expressed support for keeping the stone path. He stated that a paved path would attract more bicyclists and skateboarders, posing a potential hazard to walkers, strollers, etc.

Gretchen Perkins, 33353 Kingslane Court, expressed opposition to the switchback ramp and paved path.

Keith Button, 25900 Hunt Club Blvd., expressed opposition to the paved path.

Nancy Leonard, 33309 Shiawassee, expressed opposition to the proposed switchback ramp and paved path and noted the potential negative impact of both projects on the environment.

Chris Inch, 23522 Longacre, stated that the stone path is excellent for running and preserves the natural environment of the park.

Betty Borgman, 34011 Grand River, confirmed how the proposed projects would be funded.

Richard Button, 25900 Hunt Club Blvd., expressed opposition to the switchback ramp and paved path.

Linda DiMichel, 33353 Kingslane, expressed opposition to the paved path and switchback ramp.

Jeff McGowan, 21052 Larkspur, expressed opposition to the paved path and switchback ramp.

Kim Peterson, 22561 Power Road, expressed opposition to the paved path, noting the risk to pedestrians and children from bicyclists and skateboarders. She noted the low maintenance of a stone path.

COUNCIL PROCEEDINGS -3-
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Mayor McShane announced that a copy of the City's Recreation Master Plan, architectural drawings and descriptions of the proposed projects are available in the City Manager's office for public review.

City Manager Pastue offered comments on the proposed projects. He stated that the switchback ramp would provide a connection to the downtown and would not negatively impact the environment of the Park. He advised that this project would further promote Farmington's goal of a pedestrian friendly community. He noted that federal and state funding could be used to accomplish six of the fourteen projects identified in the Recreation Master Plan.

Pastue acknowledged the appeal of the stone path, but pointed out that ADA compliancy is part of securing grant funding. He stated that the City would try to maintain the current path, however, some modifications would need to be made to meet ADA standards.

Charles Bridges asked that he have the opportunity to consult with the City regarding ADA compliance in the Park.

03-06-047 MOTION by Wiggins, seconded by Knol, to close the public hearing. MOTION CARRIED UNANIMOUSLY.

Discussion followed regarding modification of the grant application in order to retain the stone path.

Councilmember Wiggins questioned whether the grant could be "tweaked" once it is approved by Council. Pastue responded that in order to retain most of the stone path the language of the grant application would have to be changed to read "developing a hard surface for ADA purpose" and linear footage of the hard surface would need to be changed. He stated that it would be impractical to have parallel paths in the park.

Councilmember Knol asked about removing the reference to linear feet from the application. Pastue responded that administration would have to make that determination.

Knol stated that she could support the grant application provided that the linear footage is removed. She expressed opposition to dual paths.

Councilmember Sutherland expressed concern regarding the grant application due to public lack of support for the projects. She noted that the feedback on the paved path and switchback ramp has been all negative and questioned for whom the projects are being done.

Knol noted a visioning process that took place in the late 90's that included the goal of connecting Shiawassee Park to the downtown. She further noted that the Recreation Plan proposed the switchback ramp as a way to tie the park to the downtown. She pointed out that in both cases, the committees were comprised of community representatives.

COUNCIL PROCEEDINGS -4-
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Sutherland expressed support for the proposed projects, but indicated that she would still like to hear more support from the community.

Wiggins suggested a hard surface from the parking lot to the playscape and switchback ramp and leave the remaining path as stone. He agreed that parallel paths would not be feasible.

Mayor McShane suggested that a decision could be delayed until the March 27th meeting in order to allow for input from Councilmember Buck.

Knol stated that she was prepared to approve the application provided the amount of linear feet is removed and language is modified to read “developing hard surface for ADA compliancy.”

Sutherland stated that she was prepared to vote on the application provided the linear footage issue is addressed and the language modification is made. She expressed support for the switchback ramp, but would like to keep a hard surface path to a minimum.

RESOLUTION 03-06-048 Motion by Knol, seconded by Wiggins, to adopt a resolution authorizing City Administration to submit a grant application to the Michigan Department of Natural Resources (MDNR) for Shiawassee Park improvements with the following modifications to the application: change language on page one to read “developing hard surface for ADA compliancy”, reduce linear footage on page 5, to reflect installation of a hard, ADA compliant surface, from the foot of the bridge along the trail back to the parking lot along Raphael Street and amend the site plan accordingly. **[SEE ATTACHED RESOLUTION]**. MOTION CARRIED UNANIMOUSLY.

**OAKLAND COUNTY COMMISSION PRESENTATION – MICHAEL ROGERS,
OAKLAND COUNTY COMMISSIONER**

Oakland County Commissioner Mike Rogers gave a presentation on the many different services provided by Oakland County.

**SOUTHWESTERN OAKLAND CABLE COMMISSION (SWOCC) PRESENTATION –
CAREN COLLINS**

SWOCC Executive Director Caren Collins discussed a campaign that opposes legislation that would take away local government cable franchising, franchise fees and local authority. She discussed the impact of proposed federal and state legislation that would remove local government authority. Collins asked Council and community members to join in a letter writing campaign opposing this legislation.

Mayor McShane indicated that a delegation from Farmington was recently in Washington D.C. and lobbied to retain local authority over cable franchising.

NEW BUSINESS

CONSIDERATION TO APPROVE 2006 DOWNTOWN DEVELOPMENT AUTHORITY (DDA) SPECIAL EVENTS CALENDAR

Administration reviewed 2006 events planned for the downtown by the DDA.

Mayor McShane asked why donations were not solicited to support the evening concerts. Pastue responded that this year the DDA is focusing on sponsorships for the Farmers Market. Mayor McShane noted that donations for the concert series are available for the asking.

RESOLUTION 03-06-049 Motion by Knol, seconded by Sutherland, to approve the 2006 Downtown Development Authority Special Events Schedule as presented. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE #7 FOR DOWNTOWN CENTER IMPROVEMENT PROJECT

Administration advised that construction estimate no. 7 for the Downtown Improvement Project covers work completed through February 22, 2006. Administration further advised that construction estimate no. 7 has been reviewed and approved by both Public Services Director Gushman and the City's consulting engineers.

RESOLUTION 03-06-050 Motion by Wiggins, seconded by Knol, to approve payment of construction estimate no. 7 in the amount of \$51,962.53 to ABC Paving Company for work completed on the Downtown Center Improvement Project.

ROLL CALL

Ayes: McShane, Sutherland, Wiggins, Knol.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CHATHAM HILLS FOOTING DRAIN DISCONNECT PROGRAM CONSTRUCTION ESTIMATE #6 AND APPROVAL OF CHANGE ORDER #2

Administration advised that construction estimate no. 6 for the Chatham Hills Footing Drain Disconnect Program covers work completed through March 1, 2006. Administration further advised that change order no. 2 increases the contract amount as a result of interior and exterior restoration work that was beyond what was specified in the original contract. Administration advised that construction estimate no. 6 has been reviewed and approved by both Public Services Director Gushman and the City's consulting engineers.

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RESOLUTION 03-06-051 Motion by Knol, seconded by Sutherland, to approve payment of construction estimate no. 6 in the amount of \$90,644.35 to Bidigare Contractors for the Chatham Hills Footing Drain Disconnect Program; and to approve change order no. 2 increasing the contract amount by \$22,316.10.

ROLL CALL

Ayes: Sutherland, Wiggins, Knol, McShane.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE TOWER SUBLEASE AT 33760 W. NINE MILE ROAD

Administration advised that the City entered into an agreement with AT&T in 1996 allowing for the construction of a communications tower on the Public Works site on Nine Mile Road. Administration further advised that this agreement was subsequently assigned to Cingular Wireless who has requested that the City authorize the sublease of this tower to Metro PCS to allow them to use the tower.

Administration noted that the City receives a base payment from Cingular Wireless in the amount of \$13,200. Administration further noted that the City receives 25% of the sublease tower rental and combined with two other sub-leases, provides an additional \$10,000 per year, in addition, the City would also receive 25% of the rents from Metro PCS.

Responding to a question from Mayor McShane, Pastue confirmed that the original lease agreement was for twenty years.

RESOLUTION 03-06-052 Motion by Sutherland, seconded by Wiggins, to approve a request from Cingular Wireless to sublease a portion of the communications tower located on the site of the Department of Public Works, 33760 W. Nine Mile Road, subject to final review and approval by the City Attorney. [SEE ATTACHED SUBLEASE].

ROLL CALL

Ayes: Wiggins, Knol, McShane, Sutherland.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPOINT TWO MEMBERS TO THE HISTORICAL COMMISSION

03-06-053 MOTION by Knol, seconded by Wiggins, to reappoint James Atkinson and Joseph Mosey to the Historical Commission for three-year terms expiring March 31, 2009. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -7-
March 20, 2006

**CONSIDERATION TO APPOINT THREE MEMBERS TO THE DOWNTOWN
DEVELOPMENT AUTHORITY**

Appointments of Downtown Development Authority members were made at a meeting held on March 17, 2006. No action was taken.

PUBLIC COMMENT

No public comment was heard.

COUNCIL COMMENT

Mayor McShane indicated that a report would be forthcoming regarding the City's recent attendance at the National League of Cities conference in Washington D.C.

ADJOURNMENT

03-06-054 MOTION by Knol, seconded by Wiggins, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:50 p.m.

JoAnne M. McShane, Mayor

Patsy K. Cantrell, City Clerk/Treasurer

Susan K. Halberstadt, Recording Secretary

APPROVED: April 17, 2006