

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, December 2, 2002 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, Harrison, McShane, Mitchell.

ABSENT: Campbell

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

APPROVAL OF AGENDA

12-02-897 MOTION by Harrison, seconded by Bush, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

12-02-898 MOTION by McShane, seconded by Harrison, to approve the regular and special meeting minutes of November 18, 2002. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

12-02-899 MOTION by Bush, seconded by Harrison, to receive and file the minutes of following Boards and Commissions:

- Farmington Employees Retirement System Board of Trustees minutes of November 14, 2002.
- Board of Zoning Appeals minutes of November 6, 2002.
- Farmington area Commission on Aging minutes of October 22, 2002.
- Farmington Area Arts Commission minutes of October 17, 2002.

MOTION CARRIED UNANIMOUSLY.

PRESENTATION: HONORING JOHN M. DONOHUE

Council paid tribute to the late City Attorney, John Donohue, and presented a plaque to his wife, Nancy and other family members who were present, in recognition of his achievements as a civic leader. Mrs. Donohue thanked Council for the plaque and spoke about John's love of the City of Farmington and his work as City Attorney.

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The following agenda item was added by Mayor Mitchell with the consent of Council:

PRESENTATION: RECOGNITION OF CITY MANAGER LAUHOFF BY THE SOUTH FARMINGTON BASEBALL ORGANIZATION

Roxanne Fitzpatrick, representing the South Farmington Baseball organization, presented a plaque to City Manager Lauhoff in recognition of his commitment to the youth baseball program. Mr. Lauhoff expressed his appreciation for the award.

PETITIONS AND COMMUNICATIONS

LETTER FROM DOWNTOWN MERCHANTS ASSOCIATION OF FARMINGTON RE: SPECIAL DOWNTOWN ACTIVITIES. Administration advised that the Downtown Merchants Association (DMA) had requested permission to place holiday wreaths on City lampposts, advising that proper procedure was not followed in making this request. Administration recommended that if Council wished to grant the request, a specific time period for removal of wreaths should be designated and provide the DMA with specific procedure to follow when presenting event requests.

Barbara Goins and Marion Tobkin, representing the Downtown Merchants Association, were present to answer questions and provide samples of wreaths that would be displayed. Responding to a question by Council, Ms. Goins indicated that the wreaths would be checked regularly to ensure they remained in good condition throughout the display period. Responding to an additional question, Ms. Goins stated the wreaths would be fastened to the top of the lampposts and facing the street.

Council instructed the DMA on the proper procedures to follow when making a request concerning the downtown district.

12-02-900 MOTION by McShane, seconded by Harrison, to approve the request by the Downtown Merchants Association to hang decorated wreaths on City pedestrian lampposts with approval of the Downtown Development Authority Director on location and direction; and that the wreaths be maintained on a regular basis throughout the display period and removed promptly on January 3, 2003. MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

CONSIDERATION OF RESIGNATION FROM THE DOWNTOWN DEVELOPMENT AUTHORITY.

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12-02-901 MOTION by Harrison, seconded by Bush, to accept the resignation of Ronald Oglesby from the Downtown Development Authority and send a letter in recognition of his service to the City and the Downtown Development Authority. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF RESIGNATION FROM THE COMMISSION ON CHILDREN, YOUTH & FAMILIES.

12-02-902 MOTION by Bush, seconded by McShane, to accept the resignation of Julie Devine from the Commission on Children, Youth and Families and send a letter in recognition of her service to the City. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION OF CABLE FRANCHISE TRANSFER OF TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP TO TWEAN SUBSIDIARY L.L.C. Administration advised that the City's current cable operator, Time Warner Entertainment-Advance/Newhouse Partnership has requested approval to transfer the franchise to TWEAN Subsidiary, LLC. Administration further advised that City Attorney Schultz has reviewed the documents and has no objections. Administration concurred with the recommendation of the Southwestern Oakland Cable Commission (SWOCC) and recommended Council adopt a resolution to approve the transfer.

Caren Collins, SWOCC Executive Director, was present to answer questions.

12-02-903 MOTION by McShane, seconded by Bush, to adopt a resolution that would transfer the cable franchise from Time Warner Entertainment-Advance/Newhouse Partnership to TWEAN Subsidiary, LLC. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO INTRODUCE ORDINANCE NO. C-692-2002 TO AMEND CHAPTER 2, ADMINISTRATION, ARTICLE V, RE: RETIREE HEALTH CARE PLAN.

Administration advised that this proposed ordinance reflects the Public Employee Health Care Fund previously established by City Council in accordance with Public Act 149 of 1999. Administration further advised that this ordinance would secure the funds

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and would assure the City is prepared for its obligations in the future.

Michael VanOverbeke, an attorney specialist who provided assistance in drafting the ordinance, was present to respond to questions.

12-02-904 MOTION by Harrison, seconded by Bush, to introduce Ordinance No. C-692-2002 to amend Chapter 2, Administration, Article V, Employee Benefits of the City of Farmington code in order to establish a new provision entitled "Retiree Health Care Plan" in accordance with all applicable laws and regulations to be set forth in Division 3, Section 2-428 through 2-430 of the code. [SEE ATTACHED ORDINANCE]. MOTION CARRIED UNANIMOUSLY.

STATE MAINTENANCE CONTRACT PERMIT RESOLUTION. Administration advised that the State of Michigan requested that the City adopt a resolution indemnifying the State from any liability that is created by the City's workforce in the State trunkline right-of-way.

12-02-905 MOTION by McShane, seconded by Harrison, to adopt a resolution to indemnify the State of Michigan from liability created by City activities on the State trunkline right-of-way and to authorize the City Manager or Director of Public Services to make application for annual permits for the installation of banners and for work on State highways. [SEE ATTACHED RESOLUTION AND PERMIT]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF APPROVAL TO PURCHASE SPEED MONITORING RADAR TRAILER. Administration concurred with the recommendation by the Public Safety Department to purchase a Speed Monitoring Awareness Radar Trailer (SMART) from Kustom Signals.

Director Goss further spoke about the features of the SMART. Director Goss responded to questions from Council regarding use of the old SMART and additional ways in which traffic is monitored. He stated that the usage of SMART is scheduled, but that the department attempts to accommodate specific requests.

12-02-906 MOTION by Harrison, seconded by McShane, to purchase one (1) Speed Monitoring Radar Trailer (SMART) unit, including options and upgrades, in the total amount of \$13,385.00 from Kustom Signals; funds allocated in the 2002-2003 fiscal year budget.

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ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

No public comment was heard.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Council set a study session meeting for December 9, 2002 at 6:00 p.m.

Council member Bush distributed brochures provided by Tracy Finlayson, former Miss Farmington/Oakland County, regarding Alzheimer's disease.

Responding to a question from Council, City Manager Lauhoff stated that the City has expressed concern to our Legislative Representatives regarding reduction in revenue sharing.

Council member Harrison spoke about his continued recovery from surgery.

ANNUAL REPORT ON INVESTMENTS – FISCAL YEAR 2001-2002. City Clerk/Treasurer Cantrell stated that the significant decline in investment earnings was due to the precipitous drop in interest rates over the past year. She further stated the 2.25% rate of return on earnings was good in light of economic conditions over the past year.

12-02-907 MOTION by Bush, seconded by Harrison, to receive and file the City of Farmington annual investment report for FY 2001-2002. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PAYMENTS REPORT

12-02-908 MOTION by McShane, seconded by Harrison, to approve the monthly payments report for November, 2002. MOTION CARRIED UNANIMOUSLY.

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ADJOURNMENT

Council acknowledged that this was the last Council meeting for City Manager Lauhoff before his retirement.

12-02-909 MOTION by Harrison, seconded by McShane, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:09 p.m.

JAMES K. MITCHELL, MAYOR

PATSY K. CANTRELL, CITY CLERK/TREASURER