

FARMINGTON CITY COUNCIL
REGULAR MEETING

A regular meeting of the Farmington City Council was held on Monday, July 17, 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 8:04 p.m. by Mayor McShane.

PRESENT: Buck, Knol, McShane, Sutherland, Wiggins.

ABSENT: None.

CITY ADMINISTRATION: Director Gushman, City Clerk Halberstadt,
Director Nebus, City Manager Pastue,
Assistant City Manager Richards, Attorney Schultz,
Treasurer Weber.

CONSENT AGENDA

Council approved the following items on the consent agenda:

- Special and Regular meeting minutes of June 19, 2006.
- Special meeting minutes of June 22, 2006.
- Monthly payments report for June 2006.
- Fourth quarter report: Building Department April 1, 2006 through June 30, 2006
- Approve monthly Public Safety report, June 2006.

07-06-133 MOTION by Wiggins, seconded by Sutherland, to approve all items on the consent agenda as presented. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF REGULAR AGENDA

07-06-134 MOTION by Knol, seconded by Buck, to approve the regular agenda as amended with the addition of item 7J – Purchase of Public Safety Dispatch Furniture. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS/PUBLIC HEARINGS

PUBLIC HEARING FOR MICHIGAN DEPARTMENT OF NATURAL RESOURCES (MDNR) GRANT APPLICATION

City Manager Pastue stated the City is requesting approval to apply for a grant from the MDNR to purchase approximately 6.23 acres of property located within the Shiawassee Park from the Farmington Public Schools and further that a local match would be provided from City funds.

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Mayor McShane opened the hearing for public comment.

Upon hearing no public comment, Mayor McShane requested a motion to close the hearing.

07-06-135 MOTION by Knol, seconded by Wiggins, to close the public hearing. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE RESOLUTION OF SUPPORT FOR MDNR GRANT APPLICATION

RESOLUTION 07-06-136 Motion by Knol, seconded by Sutherland, to adopt a resolution authorizing City Administration to apply for a Michigan Department of Natural Resources Trust Fund Land Acquisition Grant to purchase property from the Farmington Public Schools located in Shiawassee Park; and authorize local match of City general funds. [\[SEE ATTACHED RESOLUTION\]](#).

ROLL CALL

Ayes: Knol, McShane, Sutherland, Wiggins, Buck.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

RESOLUTION TO ADOPT PROPOSED INCREASES IN BUILDING PERMIT FEES

Administration recommended changes in the Building Permit Fee structure that would cover a greater percentage of costs associated with building department inspections and reviews.

RESOLUTION 07-06-137 Motion by Buck, seconded by Wiggins, to adopt a resolution amending the Building Permit Fees effective August 1, 2006. [\[SEE ATTACHED RESOLUTION AND BUILDING PERMIT FEE SCHEDULE\]](#).

ROLL CALL

Ayes: McShane, Sutherland, Wiggins, Buck, Knol.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

SIGN-VARIANCE REQUEST – ST. GERALD CATHOLIC CHURCH, 21300 FARMINGTON

Based on a review of state and federal legislation, Administration recommended approval of a sign variance request from St. Gerald's Church to permit a second ground sign with a setback requirement of 74 feet from the property line.

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07-06-138 MOTION by Sutherland, seconded by Wiggins, to approve a sign variance request from St. Gerald's Church to permit a second ground sign on the site, with the sign to be setback 74 feet from the property line. MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

BOARD AND COMMITTEE APPOINTMENTS – BOARD OF ZONING APPEALS, PLANNING COMMISSION AND TRAFFIC AND SAFETY BOARD

07-06-139 MOTION by Wiggins, seconded by Buck, to reappoint Jeffery Scott to the Board of Zoning Appeals for a three-year term ending June 30, 2009; reappoint Kevin Christiansen and Dan Penning to the Planning Commission for three-year terms ending June 30, 2009; and reappoint Kenneth Chiara and Duane Reynolds to the Traffic and Safety Board for three-year terms ending July 31, 2009. MOTION CARRIED UNANIMOUSLY.

CONSIDER APPROVAL OF PUBLIC SERVICES DEPARTMENT VEHICLES

Administration advised that according to the Public Services Department's fleet vehicle replacement schedule, two (2) vehicles were scheduled and budgeted for replacement.

RESOLUTION 07-06-140 Motion by Buck, seconded by Sutherland, to approve the Public Services Department purchase of one (1) 2007 GMC Savana Cargo Van, including optional equipment, in the amount of \$21,939.00 and one (1) 2007 GMC HD 2500 pick-up truck, including optional equipment, in the amount of \$29,365.00, through the Oakland County Cooperative Purchasing Program.

ROLL CALL

Ayes: Sutherland, Wiggins, Buck, Knol, McShane.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO SCHEDULE A PUBLIC HEARING TO VACATE BROOKDALE COURT

Administration recommended that City Council schedule a public hearing to consider vacating Brookdale Court. Administration further advised that Brookdale Court was identified as one of six City streets that serve exclusively apartment or condominium complexes and are not part of a platted subdivision or planned unit development.

07-06-141 MOTION by Knol, seconded by Wiggins, to adopt a resolution to schedule a public hearing for Monday, August 21, 2006 at 8:00 p.m. in the City Council Chambers to consider vacating Brookdale Court. **[SEE ATTACHED RESOLUTION]**. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CHATHAM HILLS FOOTING DRAIN DISCONNECT PROGRAM CONSTRUCTION ESTIMATE #10 AND APPROVAL OF CHANGE ORDER #5

Administration advised that construction estimate #10 and change order #5 represent work completed through June 29, 2006 for the Chatham Hills Footing Drain Disconnect Program. Administration further advised that the City's consulting engineers and the Public Services Director have reviewed and recommended approval of both the construction estimate and change order.

RESOLUTION 07-06-142 Motion by Sutherland, seconded by Knol, to approve payment of construction estimate #10 to Bidigare Contractors in the amount of \$34,344.40 for work completed on the Chatham Hills Footing Drain Disconnect project and change order #5 decreasing the contract amount by \$1,571.96.

ROLL CALL

Ayes: Wiggins, Buck, Knol, McShane, Sutherland.
Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE #8 FOR DOWNTOWN CENTER IMPROVEMENT PROJECT

Administration advised that the City's consulting engineers and the Public Services Director have reviewed construction estimate #8 for the Downtown Center Improvement Project and recommended its approval.

Councilmember Knol asked about installing a timer for the Downtown Center lights. Director Gushman expressed his belief that the timing of the lights had been resolved, however he would follow-up to confirm.

Responding to a question from Councilmember Wiggins, City Manager Pastue stated that the street skip striping in the Downtown Center Street would be completed by the City rather than ABC Paving due to their high cost.

RESOLUTION 07-06-143 Motion by Knol, seconded by Wiggins, to approve payment of construction estimate #8 to ABC Paving Company in the amount of \$126,521.00 for work completed on the Downtown Center Improvement Project.

ROLL CALL

Ayes: Buck, Knol, McShane, Sutherland, Wiggins.
Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AMEND CITY MANAGER EMPLOYMENT AGREEMENT

Mayor McShane stated that the City Council had completed a performance appraisal of City Manager Pastue. She noted his excellent performance evaluation and his value to the City. She stated that Council had authorized a 3% increase in compensation effective February 17, 2006.

RESOLUTION 07-06-144 Motion by Buck, seconded by Sutherland, to amend Section Five of the City Manager's Employment Agreement to increase the salary from \$94,010 to \$96,830 effective February 17, 2006, and authorize the Mayor and City Clerk to sign the agreement on behalf of the City. [SEE ATTACHED AGREEMENT].

ROLL CALL

Ayes: Knol, McShane, Sutherland, Wiggins, Buck.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADOPT CLERK AND TREASURER STARTING SALARIES

Administration advised that at the June 19, 2006 meeting a "soft" recommendation was made to the City Council regarding the starting salaries for the Clerk and Treasurer positions. Upon further consideration and justification, Administration recommended that the salaries be increased accordingly.

RESOLUTION 07-06-145 Motion by Wiggins, seconded by Knol, to formally establish the starting salary for the Finance Director/Treasurer position at \$72,983 and for the City Clerk position at \$63,000.

ROLL CALL

Ayes: McShane, Sutherland, Wiggins, Buck, Knol.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF RESOLUTION TO ACCEPT OAKLAND COUNTY WEST NILE GRANT

RESOLUTION 07-06-146 Motion by Sutherland, seconded by Buck, to adopt a resolution authorizing the City Manager to submit a reimbursement request to Oakland County in the amount of \$3,641.00 under the West Nile Virus Fund program. [SEE ATTACHED RESOLUTION].

ROLL CALL

Ayes: Sutherland, Wiggins, Buck, Knol, McShane.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE AGREEMENT TO COMMISSION SCULPTURE ON CITY HALL PROPERTY

Administration advised that the City received a \$25,000 donation from the family of John Dinan for the purpose of commissioning a sculpture to be placed on the grounds of City Hall.

RESOLUTION 07-06-147 Motion by Sutherland, seconded by Knol, to commission a sculpture by Janice Trimpe in the amount of \$25,000 to be located on the City Hall site, and authorize the Mayor and City Clerk to sign the agreement. [SEE ATTACHED AGREEMENT].

ROLL CALL

Ayes: Wiggins, Buck, Knol, McShane, Sutherland.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

PURCHASE OF NEW DISPATCH FURNITURE

Administration advised that new dispatch furniture is necessary in order to accommodate new communication equipment to complete Oakland County Wireless Integrated Network radio system. Administration further advised that funds would come from what was previously designated for replacement of in-car cameras.

RESOLUTION 07-06-148 Motion by Sutherland, seconded by Buck, to purchase new dispatch furniture from Wright Line in the amount of \$16,989.00.

ROLL CALL

Ayes: Buck, Knol, McShane, Sutherland, Wiggins.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT

Richard Tengler, 36491 Vicary, referring to a previous complaint regarding construction materials stored at a neighbor's home, asked if the City was prepared to issue a citation if the materials were not moved by the stated deadline. City Manager Pastue confirmed that based on past practices a citation would be issued.

William Lindblad, 32100 Nine Mile Road, discussed his concern regarding the historic preservation of his home. He noted that his home is located both in Farmington and Farmington Hills. He discussed the mandatory review process required by the Farmington Hills Historic District which provides greater protection of historic homes. He

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noted that he has never had a problem gaining approval from Farmington Hills for modifications made to his home. He stated his belief that we are caretakers of the historic fabric of our community.

COUNCIL COMMENT

Councilmember Wiggins made a request from Dick Tupper to Council for their participation in passing out water at the Founders Festival parade.

CLOSED SESSION – PENDING LITIGATION AND REVIEW OF CITY ATTORNEY’S CONFIDENTIAL COMMUNICATION

07-06-149 MOTION by Wiggins, seconded by Knol, to enter into closed session to discuss pending litigation and review a confidential communication from the City Attorney.

ROLL CALL

Ayes: Knol, McShane, Sutherland, Wiggins, Buck.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

Council entered into closed session at 8:55 p.m.

ADJOURNMENT

Council returned to open session and concurred to adjourn the meeting at 10:30 p.m.

JoAnne M. McShane, Mayor

Susan K. Halberstadt, City Clerk

APPROVED: August 21, 2006