

FARMINGTON CITY COUNCIL  
REGULAR MEETING  
JUNE 21, 2010

A regular meeting of the Farmington City Council was held on Monday, June 21, 2010, 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 7:00 p.m. by Mayor Buck.

**PRESENT:** Buck, Knol, McShane, Wiggins, Wright.

**ABSENT:** None.None.

**CITY ADMINISTRATION:** Director Gushman, City Manager Pastue, City Clerk Halberstadt, Director Schulz, Treasurer Weber.

**CONSENT AGENDA**

**06-10-124** MOTION by Knol, seconded by Wright, to approve the consent agenda as presented:

- A. Special meeting minutes of May 15, 2010
- B. Special meeting minutes of May 20, 2010
- C. Special meeting minutes of June 5, 2010
- D. Approve Monthly Public Safety Report, May 2010
- E. Approve Farmington Monthly Payments Report, May 2010
- F. Consideration to Approve Eight Mile Blvd Association Annual Membership
- G. Special Event Request - Our Lady of Sorrows Annual Church Picnic
- H. Special Event Request - Walk for Values USA

MOTION CARRIED UNANIMOUSLY.

**APPROVAL OF REGULAR AGENDA**

Pastue requested that Item D be dropped under unfinished business dealing with consideration to approve Resolution #2 for River Glen Special Assessment District.

**06-10-125** MOTION by Wiggins, seconded by Wright, to approve the agenda as amended, removing Item No. 6D – Consideration to Approve Resolution No. 2 for River Glen Road Improvements Special Assessment. MOTION CARRIED UNANIMOUSLY

**PRESENTATIONS/PUBLIC HEARINGS**

**MICHIGAN COMMUNITY FOR A LIFETIME CERTIFICATE OF RECOGNITION  
- JAN DOLAN**

Jan Dolan, former Farmington Hills Mayor, presented Council with a "Michigan Community for a Lifetime Certificate of Recognition." This award recognized Farmington for completing an Elder-Friendly Community Improvement for 2010 through the efforts of the Farmington Area Commission on Aging.

Mayor Buck accepted the award on behalf of the City.

**OAKLAND COUNTY PARKS AND RECREATION COMMISSION  
PRESENTATION**

Shannon Kenny, Oakland County Parks and Recreation Business Development Representative, gave a power point presentation entitled "Community Connection Initiative" highlighting the ongoing programs and projects of Oakland County Parks.

Wright inquired about an upcoming millage proposal. Kenny responded it was not an increase, but a renewal. She advised it represents 60 percent of revenue with the remaining 40 percent comprised of fees and charges.

Wright expressed concern regarding a balance between private and public owned recreation facilities. Kenny responded they have a strategic plan in place to look at all services provided and cost benefit analysis of same. Further discussion was held on topic.

McShane asked if any thought had been given to adding a park at the southern end of Oakland County. Kenny responded that they are in midst of an Urban Recreational Initiative which addresses some of those issues in order to engage all communities.

McShane commended Oakland County on their park and maintenance service, and stressed the importance of parks and libraries to communities.

Pastue indicated that City is in contact with Oakland County Parks for possible collaboration.

**RRRASOC ANNUAL REPORT**

Mike Csapo, General Manager for Resource Recovery and Recycling Authority of Southwest Oakland County (RRRASOC), presented the 2009 Annual Report. He once again indicated Farmington is one of the top recycling communities serviced by RRRASOC as well as the nation. Last year Farmington recycled 49% of its solid waste, up from 46% in 2008, with the average being 37%. He

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indicated more than 4,000 residents participated in the five special recycling events (hazardous waste) last year.

Csapo discussed updates and changes in outreach and education, noting added use of Facebook and a new start-up website that provides specific information on how to dispose, reuse and recycle.

Csapo noted recently receiving the Michigan Recycling Coalition Certified Recycler designation, one of only ten in State receiving this recognition. He advised revenue sharing from the sale of recyclables increased 3.4% over last year.

Csapo discussed possible collaborations with FCR Recycling, Waste Management and Duncan Disposal in looking at opportunities to recycle in a more efficient and economic way. He indicated they are hoping to incorporate an incentive program with the goal of being more efficient and economically inclined.

Responding to a question from McShane, Csapo stated an annual budget is provided to RRRASOC Board of Directors in April of each year. He advised each community pays a per capita fee with Farmington paying \$13,000 for FY 2010/2011. He noted as much as possible revenue for the sale of recyclables is returned to the communities.

McShane commented that she would like to see the numbers in order to determine how the City can save money and inquired if there was a competitive bid process for those that do waste collection. Csapo responded in the affirmative.

Responding to a question from Knol, Csapo advised under current incentive programs the incentive mechanism goes to the homeowner. He further described the Rewards for Recycling Program in Davison, Michigan which provides coupons for businesses and other awards that are passed along to homeowners based on recycling participation.

In response to a question from Wiggins, Csapo stated the volume of recycling has dropped due to a down economy where there is less disposable income and people buy less stuff. He noted the largest drop in 2009 was due to cutbacks of home delivery by the Free Press and Detroit News.

Wright indicated that the size of the recycling bin is the biggest deterrent to recycling and inquired if homeowners could be provided with two bins. Csapo responded that they are in discussion with waste haulers about utilizing larger bins on wheels. Single stream collection was also discussed.

Mayor Buck noted the RRRASOC Board of Directors is chaired by City Manager Pastue.

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**PUBLIC SAFETY TIP OF THE MONTH**

Interim Director Schulz, representing the Emergency Preparedness Commission, urged all businesses to have an emergency preparedness plan in place for their individual workplaces.

**2009 PUBLIC SAFETY ANNUAL REPORT**

Interim Director Robert Schulz reported that Part A Crimes were down for the third consecutive year. Some of the highlighted crime reduction areas included robberies, assaults and break-ins. He credited the Neighborhood Watch Program and aggressive patrolling by officers for the decreasing numbers. Other areas of crime whose numbers were down included vehicle theft, counterfeiting, and weapons violations. He provided detail on some of the significant cases that were solved in 2009.

He advised the Patrol Division responded to approximately 6,800 service calls during 2009; 911 arrests; 4,100 traffic violations were issued; responded to approximately 330 traffic crashes; and 183 drunk driving arrests were made.

He stated the Special Operations Division investigated 204 crimes and obtained 109 warrants. He noted twelve juvenile petitions were issued, five liquor license and two massage license investigations were conducted. He pointed out most of the work was conducted by one detective.

Schulz further reported there were no officers seriously injured or killed in the line of duty, no fatal car accidents, and no fatal fires or serious injuries as a result of fire.

Schulz discussed a number of promotions that occurred during 2009.

Schulz indicated supplemental grants and funding sources obtained included: Energizer Battery granting 96 batteries; COPS grant providing funding for patrol officer for three years, Homeland Security Grant, Neighborhood Watch video for crime prevention, and access to \$15,000 plus to help purchase 9-1-1 phone system.

Community Policing Program added two new programs: Apartment Watch and E-Crash, and revised crime alerts to include NIXEL which has been updated to include texting.

Schulz stated Fire Service responded to eight structure fires, eight miscellaneous fires (grass, dumpster), 41 smoke/odor investigations, 6 vehicle fires and 716 medical runs (injured/ill people).

Schulz noted the estimated property loss at a little over \$200,000 for 2009 which is the lowest in years.

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Schulz discussed a number of safety programs that have been implemented as well as enhancements to technology.

Discussion followed regarding apartment and homeowner inspections.

Pastue indicated there had been discussion regarding housing rental inspection programs which are very involved and can be costly.

Wiggins commented that he liked the 5 year comparison that was included in the report.

Responding to a question from McShane, Schulz stated drug and alcohol testing will begin July 1<sup>st</sup>. He stated the \$90,000 a year projection may be high, but he will know more by end of August, noting most of the business being directed by the Court.

McShane also commended Schulz on his report and the details involved in it and the advancements made in many areas highlighted. The current concerns and challenges of the internet were discussed as well as the certification of Officer Madeline for child safety seat inspection.

Knol thanked Schulz for the report but expressed concern regarding continued occurrences of crime in the High School. She further expressed concern that budget cuts may result in a reduction of programs further impacting crime rate. She emphasized the need for a "safe environment" in our schools.

Discussion followed regarding the responsibility of youth to secure their valuables at school.

Mayor Buck thanked the entire team for their hard work and was glad to hear that Andy Moche is back from active duty and on the force again.

### **UNFINISHED BUSINESS**

#### **CONSIDERATION TO PURCHASE REPLACEMENT 9-1-1 TELEPHONE SYSTEM**

Wiggins questioned pricing of the phone system. Schulz responded that if purchased and installed as part of the 911 server system, it would save a later fee of \$10,000.

Knol asked for clarification on compatibility with Farmington Hills phone system and radio system. Schulz responded there are different technologies involved in the radio frequency and phone system that are separate and distinct.

Wright questioned the benefit of the compatibility of the overall City phone

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system as it pertains to 911. Schulz responded the new system would be a one vendor source and would provide better maintenance.

Pastue indicated that in the event of an emergency the system would provide additional lines to administration that would be connected as part of the back-up system for the 911 dispatch. He stated there is merit to installing them at the same time.

**RESOLUTION 06-10-126** Motion by McShane, seconded by Wiggins, to authorize the purchase of a Plant CML Vesta Palas 911 System in the amount of \$90,466 and to authorize the purchase of a Pallas PBX Administrative Digital Phone System in the amount of \$33,078.30.

**ROLL CALL**

Ayes: Knol, McShane, Wiggins, Buck.

Nays: Wright.

Absent: None

MOTION PASSED.

**CONSIDERATION TO ACCEPT PROPOSALS FOR A NEW FIRE TRUCK AND AUTHORIZE PURCHASE**

Responding to a question from Wright, Schulz stated HME Ahrens-Fox was not the lowest bidder, but offered more options as part of their standard package. He advised the bids were within \$1,000 of each other. Pastue added this was the highest value for grant funds available.

**RESOLUTION 06-10-127** MOTION by Knol, seconded by Wright, to accept proposals for a new fire truck and authorize the Public Safety Department to purchase a new fire truck from HME Ahrens-Fox in an amount not to exceed \$275,000.00; 95% funding provided through a grant received from the US Department of Homeland Security with the City's local match of \$13,500.

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO ADOPT ORDINANCE #C-747-2010 AMENDING CITY PENSION SYSTEM**

Pastue requested a change to Section 2-410, b(3), placing a period after expenses and eliminating the remainder of the sentence.

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**RESOLUTION 06-10-128** MOTION BY Knol, seconded by Wright, to adopt Ordinance #C-747-2010 to amend and restate Chapter 2, "Administration," Article V, "Employee Benefits," Division 2, "Retirement System" of the City of Farmington Code of Ordinances as to transfer administration of the City's Retirement System to the Municipal Employees' Retirement System, (MERS); with an additional amendment to Section 2-410, b (3), placing a period after the word expenses. [\[SEE ATTACHED ORDINANCE\]](#).

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS**

**CONSIDERATION TO AMEND CITY FEE SCHEDULE - CHAPTER 14, CIVIC THEATRE AUDITORIUM RENTAL**

Responding to a question from Wright, Pastue stated the proposed fee schedule reflects current rates.

Responding to a question from McShane, Pastue stated formalized contracts for theatre rentals would be forthcoming.

Wright questioned whether insurance indemnification will be developed as well and suggested that existing coverage be checked.

**RESOLUTION 06-10-129** Motion by Wiggins, seconded by Wright, to amend Chapter 14 of the City Fee Schedule regarding Civic Theatre Auditorium rentals. [\[SEE ATTACHED FEE SCHEDULE\]](#).

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO ADOPT RESOLUTION AMENDING THE CITY ADMINISTRATIVE MANUAL REGARDING EMPLOYEE BENEFITS AND NON-UNION PAY PLAN**

Pastue explained the resolution involving non-union employee benefits which was similar to the package ratified for the bargaining units.

Buck expressed appreciation to employees for their participation.

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**RESOLUTION 06-10-130** Motion by McShane, seconded by Wiggins, to adopt a resolution amending the Non-Union Employee Pay Plan and amend the benefits section of the Employee Administrative Manual effective July 1, 2010. [\[SEE ATTACHED PAY PLAN\]](#).

**ROLL CALL**

Ayes: Buck, Knol, McShane, Wiggins.  
Nays: Wright.  
Absent: None.  
MOTION CARRIED.

**CONSIDERATION TO APPROVE COMPREHENSIVE AMENDMENT TO FISCAL YEAR 2009-10 BUDGET**

Pastue explained that each year City Administration requests City Council to adopt a year-end budget amendment which is based on estimates provided by the departments during budget process. He further described a number of significant inter-fund transfers that are part of the City Budget transformation for the next five to seven years.

Discussion followed regarding the budget amendments and compliancy with the Michigan Budget Act.

Knol inquired about overage in the Major Street Fund and Operation and Maintenance. Gushman responded he would look into the numbers and get back to Council.

**RESOLUTION 06-10-131** MOTION by Knol, seconded by Wiggins, to adopt resolution approving comprehensive amendment to the Fiscal Year 2009-10 Budget. [\[SEE ATTACHED RESOLUTION\]](#).

**ROLL CALL:**

Ayes: Knol, McShane, Wiggins, Wright, Buck.  
Nays: None.  
Absent: None.  
MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE MEMORANDUM OF UNDERSTANDING WITH SECREST WARDLE FOR LEGAL SERVICE**

**RESOLUTION 06-10-132** MOTION by Wiggins, seconded by Knol, to move to approve memorandum of understanding with Secrest Wardle to provide legal services and authorize the Mayor to sign on behalf of the City. [\[SEE ATTACHED MEMORANDUM OF UNDERSTANDING\]](#).



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ROLL CALL:

Ayes: McShane, Wiggins, Buck, Knol.

Nays: Wright.

Absent: None.

MOTION CARRIED.

**CONSIDERATION TO AUTHORIZE THE USE OF RECEIVING BOARD(S) FOR ALL FUTURE ELECTIONS.**

City Clerk Halberstadt indicated that in order to utilize the Electronic Poll Book (EPB), the State requires the implementation of a Receiving Board. The EPB enables the poll book to be printed at City Hall and it will ensure accuracy along with the other election documents.

**RESOLUTION 06-10-133** MOTION by Wright, seconded by Wiggins, to adopt a resolution to authorize the use of "Receiving Board(s)" for all future elections beginning with the August 2010 Primary Election. [\[SEE ATTACHED RESOLUTION\]](#).  
MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE AGREEMENT WITH OAKLAND COUNTY EQUALIZATION DIVISION TO PROVIDE ASSESSING SERVICES**

Pastue indicated that with the untimely and unfortunate passing of long-time City Assessor John Sailer, the City needs to find a replacement for this statutorily mandated service. He stated that City already utilizes Oakland County services for personal property tax administration at a cost of \$71,000 per year.

Pastue explained how the appeal process will work with the changeover to the County.

Knol commented that she heard good feedback from realtors regarding kiosks that will be provided by the County for accessing property information.

**RESOLUTION 06-10-134** MOTION by McShane, seconded by Wiggins, to approve a two-year agreement with the Oakland County Equalization Division to provide City Assessing Services for both real and personal property and authorize the Mayor and Clerk to sign the agreement on behalf of the City.

ROLL CALL:

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO ACCEPT RESIGNATION OF JAMES KUIKEN FROM THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD OF DIRECTORS**

Pastue regrettably informed Council the resignation of James Kuiken from the Downtown Development Authority Board of Directors.

Mayor Buck commended Mr. Kuiken for his volunteered time and efforts.

**RESOLUTION 06-10-135** MOTION by Wiggins, seconded by Wright, to accept the resignation of James Kuiken from the Downtown Development Authority Board of Directors. MOTION CARRIED UNANIMOUSLY.

**DISCUSSION - RESOLUTION TO ESTABLISH POLICY TO SOLICIT PROPOSALS FOR PROFESSIONAL SERVICES ON AN ONGOING BASIS**

Pastue commented that throughout the last couple of years it has been mentioned by Council that the City should periodically solicit proposals for professional services. He offered a proposed resolution establishing policy and practice for soliciting proposals for these services.

Wright commented that he'd like to see a requirement on any contracts that are in excess of a certain dollar amount per year and deferred to City Administration for a recommended amount.

Responding to a question from Buck, Pastue responded there is a \$10,000 purchasing goods and services in place.

Wright noted evaluations of ongoing contracts do not necessarily take place.

McShane asked if this evaluation process would include Parks and Recreation budget & SMART millage. Wright responded those items do not involve a Council vote. He stated to gain the greatest economic value for services is through the competitive bid process.

McShane stated there should be an analysis on cost per unit for services such as funds spent on Parks and Recreation and SMART millage. She noted there are no benchmarks set to monitor cost versus benefit.

Knol expressed support for the resolution, but noted vendors must be closely monitored to ensure they remain competitive.

Mayor Buck advised no action needed to be taken tonight, but clarified with Pastue that future action would be necessary. He also commended Councilmember Wright for pushing for a greater consciousness towards ways to reduce costs on behalf of the City.

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**DISCUSSION - SMART MILLAGE**

Pastue advised at the last meeting Council requested placement of the SMART millage on the next agenda.

Buck advised residents will be asked to vote on renewal of SMART millage along with other Oakland County communities at the August Primary election. He pointed out earlier discussions on the low ridership issue.

Wright stated that although low ridership may be apparent, there may be some that depend on SMART as their only means of transportation. He stated there are some issues with Park & Ride and that he has a problem with citizens subsidizing other citizens' transportation to and from work. He indicated those are two different events that need to be looked at separately. He also noted in regards to the vote, Farmington's impact on outcome will not be significant, but it should be communicated that the issue will come up for a vote again in two years.

Wiggins concurred with Wright in regards to Primary Election vote. He stated the electorate can send Council a message with their vote. He recommended educating voters on the facts regarding SMART.

McShane pointed out that when Council voted in January to opt-in, there was no alternative system in place to offer residents. She stated voters are not sufficiently informed to make an educated opinion and that cost per unit should be established and publicized. Deficiencies should be identified by all cities and the projected need for such service. She stated changes to the system are not being made and noted that people utilizing Park & Ride come from opt-out cities such as Novi and ride to work for free. The issues related to SMART continue to remain and no changes appear to be forthcoming.

Knol indicated Council needs to show leadership and if they are not happy with SMART, they should opt-out at the next vote. She also feels the need to educate voters, but is doubtful the impact will resonate a year and a half down the road.

Buck stated the importance of mass transit, however, the system in southeastern Michigan is deficient. He noted the boundaries aren't very effective in serving our city both coming and going. He stated it costs approximately \$1,000 per rider based on 40 daily riders. He encouraged the electorate through their vote to let Council know how they feel about SMART.

**PUBLIC COMMENT**

Hank and Betty Borgman, 34011 Grand River, spoke about public transportation, smoke alarms and budgets.

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**COUNCIL COMMENT**

Knol commented on the upcoming Duck Race and solicited Council contributions.

Wright spoke about his no votes cast this evening. He believes the phone system is not necessary and can be purchased in a year for less money.

Wiggins commented on the many contributions made to the community by recently deceased City Assessor, John Sailer. He noted Mr. Sailer's 35-year history with the City, his excellent reputation throughout Oakland County, and that he will be missed.

McShane pointed out that the light at Drake & Freedom is not working. She further noted the poor condition of the Drakeshire Mall and requested a directive be sent to management. She also inquired as to the guidelines involved in not closing parks too many times for non-profit agencies. Pastue responded that he will take a look at the policy. She would like to know if non-profit events are costing City, i.e. police, public services.

McShane also noted a resident's recent letter to the editor expressing concern regarding a lack of signage and information related to the Art on the Grand event. She state Council should respond to her concerns.

Pastue indicated that with first-time events it is a learning process and that hopefully that issue will not arise in the future.

Wright clarified that same letter indicated there were "No Parking" signs on Oakland Street on the other side of Grand River. He clarified those signs were utilized for Warner Mansion prom picture traffic and not the event itself.

Mayor Buck indicated the need for getting the Code Enforcement tour back on the schedule and a planning session as well. He also asked for commitment of members available for the July meeting to establish if a quorum would be present. The City Manager's office will provide alternative meeting dates to Council.

An acknowledgement was made to the volunteers present at Council meetings, Ken Murray, Gerald Goldberg, Brian Goldberg and Brian Belesky.

**ADJOURNMENT**

**06-10-136** MOTION by McShane, seconded by Wiggins, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 10:20 p.m.

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J. T. (Tom) Buck, Mayor

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Susan K. Halberstadt, City Clerk

APPROVED: July 12, 2010