

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held Monday, May 06, 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:** Mary L. Bush, Arnold T. Campbell, Michael J. Harrison, JoAnne M. McShane, James K. Mitchell.

**ABSENT:** None.

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

### **APPROVAL OF AGENDA**

**05-02-730** MOTION by Bush, seconded by Campbell, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

### **OATH CEREMONY FOR NEWLY APPOINTED COUNCILMEMBER, MICHAEL J. HARRISON**

Michael J. Harrison took the ceremonial oath of office as a new member of the City Council. He thanked Council for the confidence they have shown in him. He also thanked friends who have wished him well and he expressed appreciation to his wife for her support. He stated his pride in the community and thanked former Council member William Hartsock for his outstanding service to the city over the past 28 years.

### **MINUTES OF PREVIOUS MEETING**

**05-02-731** MOTION by McShane, seconded by Harrison, to approve the minutes of the regular and special meetings of April 15, 2002. MOTION CARRIED UNANIMOUSLY.

### **MINUTES OF OTHER BOARDS**

**05-02-732** MOTION by Campbell, seconded by Bush, to receive and file the minutes of the following Boards and Commissions:

- Farmington Employees Retirement Board of Trustees minutes of April 11, 2002.
- Planning Commission Special Study Session minutes of April 22, 2002.
- Brownfield Redevelopment Authority minutes of April 16, 2002.

COUNCIL PROCEEDINGS -2-  
May 06, 2002

- Traffic and Safety Board minutes of April 18, 2002.
- Commission on the Environment minutes of April 9, 2002.
- Farmington Area Arts Commission minutes of March 21, 2002.
- Farmington Community Library Board of Trustees minutes of March 14, 2002.
- Farmington Area Commission on Aging minutes of March 26, 2002.

MOTION CARRIED UNANIMOUSLY.

**INTRODUCTION: PAMELA O'NEIL – WATERCOLORIST – EXHIBITING ARTIST**

Mayor Mitchell introduced Pamela O'Neil, watercolorist, whose artwork is currently on display in Farmington/Farmington Hills City Halls. Ms. O'Neil spoke about her artwork and expressed appreciation to Council for their acknowledgment of her work. Council presented a proclamation to Ms. O'Neil in recognition of her contribution to the art world.

**PETITIONS AND COMMUNICATIONS**

**REQUEST FOR FENCE VARIANCE AT 23060 MANNING BY PROPERTY OWNERS MARK WELLS AND LAURA EVEN-WELLS.**

Administration advised that property owners, Mark Wells and Laura Even-Wells, who live at 23060 Manning, have requested permission to construct a fence on their corner lot that would require a variance under Chapter 3, Section 8, Subsection (1)a. Administration further advised that to date, Council has only allowed replacement fences in similar situations.

Mr. Wells was present to explain his reasons for the request and to answer questions.

In response to a question from Council, Mr. Wells stated that there is enough room between the trunk of the trees and the property line to install a fence, however, the trees would need to be trimmed back. Responding to a question from Council, City Manager Lauhoff stated that the fence ordinance was designed to maintain open space areas. He further stated that there are areas in the City where it is difficult to strictly abide by this ordinance.

A motion was made to grant the variance request but died with lack of support.

A motion was made and seconded, then withdrawn, to deny the variance request.

Council member Campbell stated the proposed fence is in keeping with the character of the neighborhood. Council member McShane stated this type of decision is difficult because Council makes every effort to adhere to ordinances as written. Council member Bush also stated the need to adhere to City ordinance and she expressed concern regarding the survival of the trees on the property if they were trimmed back to accommodate the fence.

COUNCIL PROCEEDINGS -3-  
May 06, 2002

Discussion followed regarding the look and survival of the trees once they are trimmed back. Director Gushman recommended installation of the fence inside the tree line. Council member Harrison concurred with Director Gushman stating that this would be a viable option.

Mayor Mitchell noted that this request appears to be more for the convenience of the homeowner which is not necessarily a justification to grant a variance.

City Attorney Donohue suggested that Council work with the property owner to arrive at an alternate solution. City Manager Lauhoff proposed consulting with the City Planner.

**05-02-733** MOTION by McShane, seconded by Bush, to table the fence variance request at 23060 Manning until further study can be done. MOTION CARRIED UNANIMOUSLY.

**REQUEST FOR PROCLAMATION: LETTER FROM MARGO GORCHOW, ADMINISTRATOR, HOSPITAL AND COMMUNITY RELATIONS, BOTSFORD GENERAL HOSPITAL, REQUESTING CITY COUNCIL PROCLAIM THE WEEK OF MAY 12-18, 2002 AS "NATIONAL HOSPITAL WEEK".**

**05-02-734** MOTION by Campbell, seconded by McShane, to proclaim the week of May 12-18, 2002 as "National Hospital Week" encouraging residents of Farmington to express their gratitude for the contributions of devoted health professionals and Botsford General Hospital to our community's health. MOTION CARRIED UNANIMOUSLY.

**BOARDS AND COMMISSIONS**

**CONSIDERATION OF REAPPOINTMENTS TO BOARDS AND COMMISSIONS.**

**05-02-735** MOTION by Bush, seconded by Harrison, to make the following reappointments, each for a three-year term expiring June 2005: Alton Bennett to the Board of Zoning Appeals; Mary Anita McHugh to the Commission on Aging; and James Pogue and Alton Bennett to the Planning Commission. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF RESIGNATION FROM THE COMMISSION ON AGING.**

**05-02-736** MOTION by Harrison, seconded by Campbell, to accept the resignation of Elizabeth McConnell from the Commission on Aging and send a letter of appreciation in recognition of her service to the City. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -4-  
May 06, 2002

**REPORTS FROM CITY MANAGER**

**APPROVAL OF PUBLIC HEARING NOTICE FOR PROPOSED FY 2002-2003 BUDGET AND PROPERTY TAX RATE.** Administration advised that City Charter and state statutes require a public hearing to be held on the budget before it is adopted.

**05-02-737** MOTION by McShane, seconded by Bush, to establish a public hearing to review the FY 2002-2003 proposed budget and the proposed 2002 tax millage rate on Monday, June 3, 2002 and to authorize the City Clerk to publish a notice of the public hearing. [SEE ATTACHED PUBLIC HEARING NOTICE]. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE BUDGET AMENDMENT NO. 2, FY 2001-2002.**

**05-02-738** MOTION by Campbell, seconded by Harrison, to approve Budget Amendment No. 2 for the 2001-2002 fiscal year [SEE ATTACHED AMENDMENT].

**ROLL CALL**

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

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE REVISED ADMINISTRATIVE MANUAL.**

Administration advised that the revised manual includes several major pieces of Federal law enacted since the last revision; and in addition, the most frequently changing information related to benefits has been extracted and will be provided in a "benefit summary" for each employee group, one that can be easily updated. Administration further advised that the Department Heads have reviewed the revised manual and a significant amount of their input has been included.

**05-02-739** MOTION by Bush, seconded by McShane, to approve the revised Employee/Administrative Manual as submitted.

**ROLL CALL**

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

MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -5-  
May 06, 2002

**CONSIDERATION OF BY-LAWS FOR THE BROWNFIELD REDEVELOPMENT AUTHORITY.** Administration advised that the Brownfield Redevelopment Authority by-laws were developed by the City Attorney and approved by the Authority Board members at their organizational meeting held in April, 2002.

**05-02-740** MOTION by Harrison, seconded by Campbell, to approve the by-laws as adopted by the Farmington Brownfield Redevelopment Authority Board on April 16, 2002. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE BID AWARD, SMITHFIELD/CADDELL DRAIN GUARDRAIL.** Administration advised that the Public Services Department worked with Farmington Hills' staff to include within their recent request for bid, installation of a guardrail at the Smithfield/Caddell Drain. Administration further advised that the Public Services Department has reviewed the bids and recommended award of the bid to the lowest bidder.

Administration also advised that this project would be paid to the contractor by Farmington Hills and reimbursed by Farmington to Farmington Hills and subsequent reimbursement of 50% of the cost would be made by Oakland County to Farmington.

**05-02-741** MOTION by Campbell, seconded by McShane, to approve the bid submitted to Farmington Hills by Nationwide Fence and Supply Company, Chesterfield, Michigan, to install a guardrail at the Smithfield/Caddell Drain, in the amount of \$9,592.00; funds allocated in the FY 2001-02 budget.

**ROLL CALL**

AYES: McShane, Mitchell, Bush, Campbell, Harrison.

NAYS: None.

ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF SPECIAL ASSESSMENT ROLL FOR DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT.**

**05-02-742** MOTION by McShane, seconded by Bush, to adopt a resolution authorizing collection of the special assessment for the Special Assessment District No. 98-81 for FY 2002. [SEE ATTACHED RESOLUTION].

COUNCIL PROCEEDINGS -6-  
May 06, 2002

**ROLL CALL**

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

MOTION CARRIED UNANIMOUSLY.

**MISCELLANEOUS**

**PUBLIC COMMENT.**

Annabelle Gabel, Farmington resident, commented on the fence variance request at 23060 Manning and use of the City's equipment at a recent fire in Farmington Hills.

William Hartsock, former Council member, extended his best wishes to new Council member Harrison. He acknowledged the challenges faced by Council in the selection of a new Council member. He also commented on the fence variance request at 23060 Manning, citing its unique situation and reasons why the request might be granted.

**COUNCIL COMMENTS AND ANNOUNCEMENTS.**

Council member Campbell congratulated Assistant City Manager Richards and staff for their effective explanation of the water and sewer rate increase in the recent publication of the City newsletter. He also suggested that for further clarification someone from Council review this increase on cable TV. He also commented on the proposed budget for 2002-2003, stating his appreciation for the City's solid financial status.

In response to a question from Council member McShane, City Manager Lauhoff stated the City is currently working with Michigan Municipal Risk Management to determine the lowest natural gas price structure for the City.

**FINANCIAL REPORT: QUARTER ENDED MARCH 31, 2002.**

**05-02-743** MOTION by Bush, seconded by Harrison, to receive and file the Financial Report for quarter ended March 31, 2002. MOTION CARRIED UNANIMOUSLY.

**APPROVE MONTHLY PAYMENTS REPORT**

**05-02-744** MOTION by Campbell, seconded by McShane, to approve the Monthly Payments Report for April, 2002. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -7-  
May 06, 2002

**ADJOURNMENT**

**05-02-745** MOTION by Campbell, seconded by Harrison, to adjourn the meeting.  
MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:07 p.m.

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JAMES K. MITCHELL, MAYOR

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PATSY K. CANTRELL, CITY CLERK/TREASURER