



**City Council Meeting**  
**7:00 p.m., Monday, April 3, 2017**  
**Conference Room**  
**23600 Liberty Street**  
**Farmington, MI 48335**

**FINAL**

**REGULAR MEETING MINUTES**

A regular meeting of the Farmington City Council was held on April 3, 2017, at 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:00 PM by Mayor William Galvin.

**1. ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Sara Bowman	Councilmember	Present	
Greg Cowley	Councilmember	Present	
William Galvin	Mayor	Present	
Steve Schneemann	Mayor Pro Tem	Present	
Jeff Scott	Councilmember	Present	

**City Administration Present**

Director Christiansen  
 City Clerk Halberstadt  
 City Manager Murphy  
 Attorney Schultz

**2. APPROVAL OF AGENDA**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Cowley, Councilmember
<b>SECONDER:</b>	Schneemann, Mayor Pro Tem
<b>AYES:</b>	Bowman, Cowley, Galvin, Schneemann, Scott

**3. PUBLIC COMMENT**

Chris Schroer, 23620 Warner, stated last year he and his neighbors were informed they would be part of a legal proceeding to amend the plat relative to the Maxfield Training Center (MTC) property. He stated they were told it was necessary to vacate the unimproved parts of Third and Cass Streets to facilitate the sale and redevelopment of the MTC property. They were assured in writing by the law firm of Miller Canfield that this action would not affect the mortgage or title to their property.

Schroer stated that assertion is not necessarily correct. He was in the process of securing a home equity line of credit and in the title search it was discovered there is a pending legal action of which his property is a part of along with all of his neighbors. The bank will not move forward

with his application until a discharge is generated. He wants to know who to contact to get a release or discharge.

Schultz advised that the attorney for the Farmington Public Schools indicated this issue was taken care of, however, he will follow-up with her to ensure they will do what is necessary to achieve a resolution.

#### **4. CITY OF FARMINGTON BOARD AND COMMISSION RESIGNATIONS**

- a. Accept the resignation of Elizabeth Turton from the Parking Advisory Committee**
- b. Accept the resignation of Cathi Waun from the Farmington Area Arts Commission**

Bowman asked City Administration if the volunteers are contacted when they resign.

Galvin advised the City Manager's office sends a thank-you letter when a volunteer resigns.

**Move to accept the resignation of Elizabeth Turton from the Parking Advisory Committee and Cathi Waun from the Farmington Area Arts Commission.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Cowley, Councilmember
<b>SECONDER:</b>	Schneemann, Mayor Pro Tem
<b>AYES:</b>	Bowman, Cowley, Galvin, Schneemann, Scott

#### **5. CITY OF FARMINGTON BOARD AND COMMISSION INTERVIEWS**

- a. Interview James White for vacancy on Library Board**
- b. Interview Cheryl Blau for vacancy on Library Board**

Council interviewed James White and Cheryl Blau for a vacancy on Library Board.

**Move to discuss candidates for the Library Board at the April 17<sup>th</sup> special meeting.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bowman, Councilmember
<b>SECONDER:</b>	Schneemann, Mayor Pro Tem
<b>AYES:</b>	Bowman, Cowley, Galvin, Schneemann, Scott

#### **6. SPECIAL EVENT APPLICATIONS**

- a. "I Paid My Fair Share" Tax Day Assembly**

Present: Faye Schuett

Faye Schuett discussed the purpose of the proposed Tax Day Rally. The assembly will be presented by Indivisible Michigan-11<sup>th</sup> District to celebrate Tax Day and to talk about what taxes do for the community. Members from the community have been invited to speak on behalf of Senate and House Bills pertaining to the disclosure of tax records of those seeking public office.

Responding to Scott's concern regarding security, Murphy advised the Director of Public Safety has been made aware of the event and more patrol cars may be put on the road. Schuett stated the group is planning a very positive event and doesn't think security will be needed.

Schneemann expressed concern regarding the possibility of angry protesters showing up at the event. He expressed a desire to limit political events in the downtown.

Schultz answered that political events cannot be limited and public rallies cannot be expected to pay for security. There is no way to prohibit any group from gathering in Riley Park.

Responding to a question by Schneemann, Schuett stated that none of businesses that were contacted have agreed to participate.

Responding to Schneemann, Murphy advised city administration is satisfied that the requirements of the application have been met.

Bowman asked about set up, presentations, music, and how the rally is being promoted. She also inquired about the tenor of speakers and if other districts are planning similar rallies.

Schuett explained that there will be a band and public speakers using a sound system. The event will be promoted on social media and through other Indivisible groups. The speakers will talk about the merits of taxes and discuss the House and Senate bills mentioned earlier. She thinks there is a rally being planned in Detroit that will be similar to this one.

Cowley expressed concern regarding parking and the security of the event.

Schuett stated they will ask participants to park in the Village Commons parking lot or behind the Fresh Thyme market. In regards to the safety issue, she has not experienced violence at other similar rallies.

Cowley believes that Shiawassee Park would be a better location for the event due to parking issues downtown on a Saturday.

Schuett would like the event at the Riley Park due to its location and beauty.

Galvin stated that the city has not had experience with this type of event. He discussed the original purpose of Riley Park: a farmer's market, a community epicenter, a gathering place. He believes residents may be concerned this rally is an unintended byproduct of what Riley Park and Sundquist Pavilion were intended to be used for. He recommended approaching the management of the Village Commons regarding use of their parking since it is a private lot. He wondered if customers will be driven away by the message of the rally. He would like to speak

with Downtown Development Authority (DDA) regarding this paradigm shift of the use of Riley Park.

Scott inquired about the capacity of Riley Park and if there is a plan in place should events like this one spill out beyond the boundaries.

Schultz explained that Director Demers may need to be part of the planning process for anticipated larger events. He suggested using this rally as a test case and if the crowds are larger than can be accommodated in Riley Park, it may be within Council's right to require future rallies be held at Shiawassee Park or Drake Park.

Schuett promised to contact Demers and work with him to ensure a positive and safe rally.

Schneemann suggested Council consider incorporating further limits to the events policy.

Discussion followed regarding making Riley Park a limited public forum.

Galvin would like the DDA to be involved in making revisions to the special events policy.

Scott expressed concern about infrastructure and bathroom facilities for rally participants.

**Move to approve the special event request from Indivisible Michigan – 11<sup>th</sup> District, to hold an “I Paid My Fair Share” Tax Day Assembly at Riley Park on Saturday, April 15, 2017 from noon until 4pm.**

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Bowman, Councilmember
<b>SECONDER:</b>	Scott, Councilmember
<b>AYES:</b>	Bowman, Galvin, Schneemann, Scott
<b>NAYES:</b>	Cowley

**b. Community Get-Together Benefiting Freedom House**

Present: Becky Burns and Rosie Burns-Pavlik

Becky Burns, owner of the Sunflour Bakehaus, and her daughter, Rosie Burns-Pavlik, spoke about the purpose of the Freedom House, a nonprofit shelter that supports people seeking political, social, and economic refuge in the United States. Freedom House receives HUD funding, but it is uncertain whether those funds will continue. The purpose of event is to raise money and awareness throughout the community about Freedom House. The event is sponsored by Sunflour Bakehaus, Hope Lutheran Church, First Presbyterian Church, Birmingham Temple, Tawheed Center, Muslim Community Mosque, and Secular Humanists of Southeastern Michigan. Burns is looking for additional sponsorships from local businesses as well. Food will not be offered at the event, but gatherers will be encouraged to eat at local establishments.

Bowman asked how the fundraising will be handled and about clean-up.

Burns stated that volunteers will have canisters to collect money during the event. Each sponsor will contribute \$100. The organizers can bring in extra garbage cans and will clean up after the event.

Responding to a question by Cowley, Burns believes the restroom facilities in Riley Park are adequate for both the swing dancing and farmer's market events, so should be adequate for this event as well. She will look into renting portable bathrooms if needed. Scott expressed concern about security.

Responding to Scott's concerns regarding security, Burns stated that Public Safety will be aware of the event and there will be volunteer security as well.

Schneemann noted that the applicant did not comply with deadline of application.

Murphy discussed the catch-22 of meeting the deadline: vendors can't be asked to come in without a date, and a date cannot be set until Council approves it.

Schneemann stated that Council needs to address the catch-22 in the application and would like to discuss setting a limit on number of people that can attend an event.

Responding to a question by Schneemann, Murphy advised DPW has not expressed any concerns regarding use of the toilets at Riley Park at large events.

Galvin requested Burns to touch base with Director Demers for security and parking.

**Move to approve the special event application for a Community gathering to benefit the Freedom House at Riley Park on June 25, 2017 from 1-6pm.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bowman, Councilmember
<b>SECONDER:</b>	Scott, Councilmember
<b>AYES:</b>	Bowman, Cowley, Galvin, Schneemann, Scott

**7. CONSIDERATION TO APPROVE UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT WITH WIDOPENWEST MICHIGAN, LLC**

Present: Keith Kirby, WOW

Murphy advised Council has no choice in approving the contract as a result of the Franchise Law.

Discussion followed regarding how WOW cables would be installed and that Farmington will have more options for cable service.

Kirby advised that WOW will be sending out flyers regarding tree trimming.

Responding to a question by Scott, Kirby spoke about the need to attach cable to poles and bury it in the ground. He stated residents will receive an email and contact information from the

project manager in case there is damage to sprinkler lines, dog fences, etc. WOW crews are able to mend sprinkler lines and dog fences that are damaged.

**Move to adopt a resolution approving the Uniform Video Service Local Franchise Agreement with WideOpenWest Michigan, LLC as presented. [SEE ATTACHED RESOLUTION].**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Cowley, Councilmember
<b>SECONDER:</b>	Scott, Councilmember
<b>AYES:</b>	Bowman, Cowley, Galvin, Schneemann, Scott

**8. CONSIDERATION TO ACCEPT BID FOR THE 2017 FARMINGTON ROADS HMA (ASPHALT ROADS) MAINTENANCE PROJECT**

**Present: Matt Parks, OHM**

Parks discussed the bid process for the Farmington Roads maintenance project. OHM vetted the low bidder, Pro-Line Asphalt Paving Corporation and determined the package was complete. The project will affect a total of five roads: Heritage, Cloverdale, Prospect, Hayden, and Warner. The roads were chosen by the ad-hoc roads committee. OHM recommends that Pro-Line be awarded the bid.

Schneemann asked why Oakland Street between Farmington Road and Grand River is not on the schedule.

Murphy concluded that it is due to the involvement of a water main.

Galvin advised that other streets chosen did not contain water mains. The roads committee is trying to tie projects together to use similar funds.

Parks said that the upcoming Grand River mill and overlay was also a factor in not doing Oakland Street.

Discussion followed regarding the condition of Oakland Street, options for repair, and the challenge of prioritizing roads that need repair.

Parks mentioned that work on the designated roads will probably start at the end of April.

Galvin spoke about a media release for the road projects.

**Move to award the 2017 Farmington Roads HMA (Asphalt Roads) Maintenance project to Pro-line Asphalt Paving Corporation, Washington Twp., in the amount of \$421,396.20, and include a \$41,603.80 contingency budget for a total construction budget of \$465,000.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Cowley, Councilmember
<b>SECONDER:</b>	Bowman, Councilmember
<b>AYES:</b>	Bowman, Cowley, Galvin, Schneemann, Scott

Roll Call: Cowley, Galvin, Schneemann, Scott, Bowman

**9. REVISED CONSTRUCTION ESTIMATE NO.2 (FINAL) CHANGE ORDER NO.1 (BALANCING) FOR THE RAPID FLASHING BEACON AT FARMINGTON ROAD & STATE STREET**

Murphy provided background on the revision: Finance Director Weber noticed a discrepancy between Construction Estimate No.1 and Construction Estimate No.2 of the retainage held in the amount of about \$150.00

**Move to approve the revised Construction Estimate No. 2 (Final) and Change Order No. 1 (balancing) with J. Ranck Electric, Inc. as presented.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Cowley, Councilmember
<b>SECONDER:</b>	Scott, Councilmember
<b>AYES:</b>	Bowman, Cowley, Galvin, Schneemann, Scott

**10. RECOGNITION OF HOUSE RESOLUTION NO. 44 DECLARING APRIL 2017 AS MICHIGAN STUDENT ATHLETE CARDIAC AWARENESS MONTH IN THE STATE OF MICHIGAN**

**Move to support House Resolution No. 44 declaring April 2017 as Michigan Student Athlete Cardiac Awareness Month in the State of Michigan.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Cowley, Councilmember
<b>SECONDER:</b>	Bowman, Councilmember
<b>AYES:</b>	Bowman, Cowley, Galvin, Schneemann, Scott

**11. OTHER BUSINESS**

No other business was heard.

**12. COUNCIL COMMENT**

Schneemann spoke about the seriousness of the encumbrance on homes surrounding the MTC property as described by Chris Schroer during Public Comment. He would like more information about what Council can do to remedy the situation. He is concerned the city could have liability.

Schultz advised the school district sent notice identifying surrounding properties that are affected by the litigation. It seems the bank in Schroer's case needs a note terminating the notice. He sent an email to School District attorney to resolve issue. A judge has signed the consent judgement.

Schneemann stated the city made a commitment that there would be no impact on residential property surrounding MTC and should communicate with schools to get this resolved.

Schultz will contact the attorney for Farmington Public Schools in morning to make sure this issue will be resolved.

Schneemann believes that the City owes the homeowners an apology.

**13. ADJOURNMENT**

**Move to adjourn the meeting.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Scott, Councilmember
<b>SECONDER:</b>	Bowman, Councilmember
<b>AYES:</b>	Bowman, Cowley, Galvin, Schneemann, Scott

The meeting adjourned at 9:15 p.m.

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William E. Galvin, Mayor

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Susan K. Halberstadt, City Clerk

Approval Date: April 17, 2017