

FARMINGTON CITY COUNCIL
REGULAR MEETING

A regular meeting of the Farmington City Council was held on Monday, May 15, 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 8:00 p.m. by Mayor McShane.

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

ABSENT: None.

CITY ADMINISTRATION: Clerk/Treasurer Cantrell, Director Gushman, Director Nebus, City Manager Pastue, Assistant City Manager Richards, Attorney Schultz, Deputy Director Schulz.

CONSENT AGENDA

Council approved the following items on the consent agenda:

- Joint meeting with school board minutes of March 28, 2006.
- Special and regular meeting minutes of April 17, 2006.
- Special budget meeting minutes of May 1, 2006.
- Monthly payments report for April 2006.
- Department of Public Works and Water and Sewer Department Second Quarter Report: January 1, 2006 through March 31, 2006.
- Consideration to approve City of Farmington financial report/quarter ended March 31, 2006.
- Approve monthly public safety report for April 2006.

05-06-084 MOTION by Knol, seconded by Sutherland, to approve all items on the consent agenda as presented. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF REGULAR AGENDA

05-06-085 MOTION by Wiggins, seconded by Buck, to approve the regular agenda as submitted. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS/PUBLIC HEARINGS

FARMINGTON FESTIVAL THEATRE – “EVERYTHING I NEED TO KNOW I LEARNED IN KINDERGARTEN”

Katie Lynch was present to highlight the Farmington Festival Theatre’s presentation of “Everything I Need to Know I Learned in Kindergarten.” She announced an encore show on Saturday, June 10, 2006 at 7:00 p.m. at Farmington High School. She stated that the

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school was one of twelve in the country selected to perform at the Thespian Festival in Nebraska. She introduced other Theatre members, Michael Lipinski, April Gardner and Corey Wilson, who discussed their experience in the production.

COMMUNITY-WIDE DUCK DAY

Beverly Yuhas, Executive Director of the Farmington Hills/Farmington Community Foundation, was present to discuss "Duck Day", a city-wide casual day scheduled for Friday, May 19th, as a kick off for the 2nd Annual Rubber Duck Race to be held July 23rd during the Founders Festival.

PROCLAMATION – MAY/MENTAL HEALTH MONTH 2006

05-06-086 MOTION by Knol, seconded by Wiggins, to proclaim May 2006 as "Mental Health Month" in the City of Farmington. MOTION CARRIED UNANIMOUSLY.

DEPARTMENT OF PUBLIC SAFETY ANNUAL REPORT

Director Chuck Nebus presented the 2005 annual Public Safety report. He stated that that Part "A" serious crime decreased by an unprecedented 9.5%. He noted that the department solved nearly all of its major crime cases.

Nebus discussed department changes and additions that ended the year with a full staff. He discussed several new technologies added to the department and expansion of community policing and programs.

Nebus thanked Council for their support and involvement in the Public Safety Department.

Councilmember Buck congratulated Director Nebus on the success of the department.

Responding to a question from Councilmember Knol, Nebus stated that the increase in calls received by the dispatchers included: requests for medicals assists, peace complaints, accidents, etc., however, they did not affect the crime rate.

Mayor McShane commended Director Nebus on the quality and comprehensiveness of the department's report. She stated that it is an important tool that can be used by other agencies.

MISS OAKLAND COUNTY, MISS OAKLAND COUNTY TEEN, AND THE 2006 CONTESTANTS

Contestants for Miss Oakland County 2006 were present to introduce themselves and discuss their platforms. Lindsey Tycholiz was also present to discuss her experiences over the last year as Miss Oakland County 2005.

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Responding to a question from Mayor McShane, Miss Tycholiz stated the 2006 pageant would take place in the Smith Theatre at the Oakland Community College, Orchard Ridge Campus, on July 8, 2006.

NEW BUSINESS

CONSIDERATION TO APPROVE SPECIAL EVENT REQUEST – MOSLEM SHRINERS

Administration recommended granting permission for this annual fundraising event to benefit Shriners Hospitals for Children.

RESOLUTION 05-06-087 Motion by Knol, seconded by Buck, to grant permission to the Moslem Shrine Temple to conduct their annual fundraising drive as presented on June 15, 16, and 17, 2006 in the City of Farmington; solicitations prohibited in the intersections. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE SPECIAL EVENT REQUEST AND “POPPY DAYS” PROCLAMATION – AMERICAN LEGION

Administration recommended granting permission for this annual fundraising event.

Leonard Kawecki, American Legion Post 346, was present to discuss how donations from the “Poppy Days” drive would be distributed and to answer questions from Council.

Council presented a proclamation urging all citizens to join in wearing the memorial flower in remembrance of the sacrifices of so many in the defense of our freedom.

RESOLUTION 05-06-088 Motion by Buck, seconded by Sutherland, to grant permission to the American Legion Groves-Walker Post #346, to conduct their annual Poppy Days sale on May 18, 19, and 20, 2006 as presented; solicitations prohibited in the intersections; and to proclaim these dates as “Poppy Days” in the City of Farmington. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE FARMINGTON AREA FOUNDERS FESTIVAL (FAFF) SPECIAL EVENT REQUEST

Administration recommended that Council approve a request from the FAFF Committee to conduct the Founders Festival from July 20 through July 23, 2006.

RESOLUTION 05-06-089 Motion by Sutherland, seconded by Wiggins, to grant a Special Event Permit for the Farmington Area Founders Festival for the dates of July 20-23, 2006; and further:

- Authorize the closing of Shiawassee between Power Road and Farmington Road (east) between 10:00 a.m. and 5:00 p.m. for Kids Day in the Park.

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- Authorize the Department of Public Safety to apply for the permit necessary to close Grand River Avenue from 8:00 a.m. until 1:00 p.m. on Saturday, July 22 for the purpose of conducting parade activities and the Fun Run.
- Adopt a resolution holding the State of Michigan Department of Transportation harmless for liability, which may result in the closing of Grand River and authorize City departments to provide the service required for the Farmington Area Founders Festival.
- Authorize submitting temporary liquor license application to the Liquor Control Commission for the Founders Cafe that would run July 20 (Thursday) thru July 22 (Saturday), possibly July 23 (Sunday).

MOTION CARRIED UNANIMOUSLY.

CERTIFICATION OF 2006 DELINQUENT INVOICES, AND WATER AND SEWER BILLS

Administration noted a significant increase in delinquent water and sewer bills over the last several years.

Responding to a question from Mayor McShane, Clerk/Treasurer Cantrell explained the special circumstances related to one extremely high delinquent water and sewer bill.

RESOLUTION 05-06-090 Motion by Knol, seconded by Wiggins, to place delinquent invoices and delinquent water and sewer bills, in the amount of \$91,773.34 on the 2006 City of Farmington tax roll. [\[SEE ATTACHED LISTING\]](#).

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE BUDGET AMENDMENT NO. 12, FISCAL YEAR 2005-06

Administration advised that as part of the annual budget process, City Departments evaluate estimated expenditures for the remainder of the fiscal year. Administration further advised that the budget amendment incorporates those expenditures that are deemed reasonable and some of those are related to utility costs, costs associated with the 47th District Court and street lighting. Administration noted reductions in Street Funds and changes in the Capital Improvement Fund.

RESOLUTION 05-06-091 Motion by Wiggins, seconded by Sutherland, to adopt a resolution approving Budget Amendment No. 12 for the fiscal year 2005-2006 budget. [\[SEE ATTACHED RESOLUTION\]](#).

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ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO RENEW OAKLAND COUNTY PERSONAL PROPERTY ASSESSMENT AGREEMENT

Administration recommended a two-year renewal of the Oakland County Personal Property Assessment Agreement which assists the City Assessor in processing all changes on the personal property roll ensuring accuracy of appraisals on all taxable personal property. Administration further advised that both City Assessor Sailer and Attorney Schultz have reviewed the agreement and recommend its approval.

RESOLUTION 05-06-092 Motion by Sutherland, seconded by Knol, to approve a two-year renewal of the Oakland County Personal Property Assessment Agreement and authorize the Mayor and City Clerk to sign the agreement on behalf of the City. **[SEE ATTACHED AGREEMENT].**

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE PUBLIC HEARING NOTICE FOR PROPOSED FY 2006/07 BUDGET AND PROPERTY TAX RATE

Administration recommended maintaining the current millage rate at 14.4163 and reflect as such in the public hearing notice for the proposed FY 2006/07 budget and property tax rate.

RESOLUTION 05-06-093 Motion by Knol, seconded by Sutherland, to schedule a public hearing to review the FY 2006-07 proposed budget and proposed 2006 tax millage rate, on Monday, June 5, 2006 at 7:00 p.m. and authorize the City Clerk to publish a notice of the public hearing. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO CONTINUE GENERAL ACCOUNTING SERVICES FOR SWOCC

Administration recommended approval of continued general accounting services for SWOCC for a one-year period.

Responding to a question from Mayor McShane, Pastue stated that the City is closer to using the full amount allotted for in-kind services than the previous year, however, there

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still may be funds left over at the end of this fiscal year. He further responded that remaining funds do not roll over into the next fiscal year. He assured Council that every effort would be made to use all the funds.

RESOLUTION 05-06-094 Motion by Buck, seconded by Knol, to authorize continuation of general accounting services for SWOCC for a one-year period beginning July 1, 2006, with compensation set at \$14,060 in cash, and in-kind production services equivalent to \$5,258.

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

INTRODUCE ORDINANCE C-716-2006 TO AMEND TRAFFIC CONTROL ORDERS ALONG PROSPECT STREET

Administration advised that the Traffic and Safety Board, at the request of Farmington High School, has reviewed and recommended allowing permit parking on the east side of Prospect Street, from Shiawassee to Loomis, on school days from 9:00 a.m. to 2:00 p.m.

05-06-095 MOTION by Wiggins, seconded by Sutherland, to introduce Ordinance C-716-2006 to amend traffic control orders on the east side of Prospect between Shiawassee and Loomis. **[SEE ATTACHED ORDINANCE]**. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ABC CAB COMPANY TAXI LICENSE RENEWAL

Administration advised that the Department of Public Safety has inspected the three ABC Cab Company vehicles for which license renewal has been requested, found them to be in acceptable condition, and recommended that licenses be issued.

RESOLUTION 05-06-096 Motion by Sutherland, seconded by Knol, to authorize the issuance of three (3) taxicab licenses to ABC Cab Company for 2006. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CHATHAM HILLS FOOTING DRAIN DISCONNECT PROGRAM CONSTRUCTION ESTIMATE #8 AND APPROVAL OF CHANGE ORDER #3

Administration advised that construction estimate #8 represents work completed through April 30, 2006 and change order #3 increases the contract amount for interior and exterior restoration work beyond what was specified in the original contract.

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RESOLUTION 05-06-097 Motion by Knol, seconded by Wiggins, to approve payment of construction estimate #8 to Bidigare Contractors in the amount of \$47,774.66 for the Chatham Hills Footing Drain Disconnect Project and change order #3 increasing the contract amount by \$8,495.12.

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE PROPOSED CHARTER AMENDMENT
RESOLUTION #1**

Clerk Cantrell provided a resolution adopted by the Charter Amendment Committee recommending placing a proposed charter amendment on the August 2006 Primary ballot that would eliminate Chapters 15 and 16 of the City Charter and any references to provisions in these chapters. Attorney Schultz provided a resolution regarding ballot language to amend the City Charter as recommended. He stated these chapters relate to positions and representation that are now obsolete. He advised that language of the resolution could be modified, if necessary, as a result of review and approval by the offices of the Attorney General and Governor.

RESOLUTION 05-06-098 Motion by Buck, seconded by Wiggins, to adopt a resolution placing a charter amendment proposal on the August 2006 ballot, eliminating chapters 15 and 16 of the City Charter and further eliminating any reference or provision in the Charter relating to the eliminated chapters. **[SEE ATTACHED RESOLUTION]**. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO REAPPOINT GERALD WASEN TO THE FARMINGTON
EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES**

05-06-099 MOTION by Wiggins, seconded by Buck, to reappoint Gerald Wasen to the Farmington Employees' Retirement System Board of Trustees for a three-year term expiring June 30, 2009. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT

No public comments were heard.

COUNCIL COMMENT

Councilmember Knol discussed her experience as a judge and representative of the City in the South Farmington Baseball parade. At the end of the parade, she noted the heavy traffic on the stairway leading from Shiawassee Park to the Downtown and the inconvenience of parents lugging strollers and children up the stairs. She pointed out

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that the proposed switchback ramp would alleviate the congestion and difficulty of the stairway.

Mayor McShane asked about signage during the Founders Festival, especially due to planned road closings. Pastue responded that the Festival committee is looking at the parking and transportation issues and options. He assured Council that additional signage would be in place.

CLOSED SESSION – REVIEW OF CITY ATTORNEY’S OPINION

05-06-100 MOTION by Knol, seconded by Wiggins, to enter into closed session to review City Attorney’s opinion and pending litigation.

ROLL CALL

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

ADJOURNMENT

Council returned to open session and concurred to adjourn the meeting at 10:55 p.m.

JoAnne M. McShane, Mayor

Patsy K. Cantrell, City Clerk/Treasurer

Susan K. Halberstadt, Recording Secretary

APPROVED: June 19, 2006