

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held Monday, July 1, 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: Bush, Campbell, Harrison, McShane, 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

07-02-779 MOTION by Campbell, seconded by Bush, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

07-02-780 MOTION by McShane, seconded by Harrison, to approve the Regular and Special meeting minutes of June 17, 2002. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

07-02-781 MOTION by Harrison, seconded by Bush, to receive and file the minutes of the following Boards and Commissions:

- Board of Zoning Appeals minutes of June 5, 2002.
- Historical Commission minutes of May 15, 2002.
- Traffic & Safety Board minutes of May 16, 2002.
- Farmington Area Commission on Aging minutes of April 23, 2002.
- Brownfield Redevelopment Authority minutes of June 11, 2002.

MOTION CARRIED UNANIMOUSLY.

PRESENTATION OF GOVERNOR WARNER MANSION PAINTING BY FARMINGTON HILLS' CITY OFFICIALS

Farmington Hills' City Officials, Mayor Nancy Bates and City Manager Steve Brock, presented a painting of the Governor Warner Mansion to City Council.

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ANNUAL REPORT: MEMBERS OF THE MAYOR'S YOUTH COUNCIL.

Members of the Mayor's Youth Council, Josh Rabinowitz, Courtney Crites, Sarah Guillou, Kelly Refilo, Samantha Steckloff and Greg Wright were present to provide a year-end report regarding the activities of the Council over the past year and plans for the coming year. They thanked Council for their continued support. Todd Lipa, Farmington Hills Youth Program Supervisor, spoke about the opportunities the Mayor's Youth Council has provided to youth, making a difference in our community. He also thanked the Council and Public Safety Director Goss for their support of this program.

In response to a question from Council, Courtney Crites stated that students only become aware of the Mayor's Youth Council through the events the Youth Council sponsors.

PETITIONS AND COMMUNICATIONS

REQUEST FOR FENCE VARIANCE AT 22405 SHERWOOD STREET BY PROPERTY OWNER BAJRAM SHEKAJ. Administration advised that Mr. Bajram Shekaj submitted a request for a fence variance in order to install a 4' chain link fence across the front of his property. Administration further stated that this home is unusual in that it is located at the very rear of the property with no back yard. Administration recommended that if Council wishes to consider this variance request, a setback of 25' consistent with minimum front yard requirements should be required in case an adjacent property was to be developed. Administration further advised that Council would need to grant a variance to Section 13-8(1)(a) to approve this request.

Discussion followed regarding the required setback, alternative fencing, and potential landscaping requirements.

City Manager Lauhoff proposed that administration discuss with the homeowner the need to place plantings next to the fence on 3-4 foot centers as required by City Code and regarding the proposed 25' setback. This variance request then would be put back on the agenda for the next meeting.

07-02-782 MOTION by Bush, seconded by Campbell, to table a decision on the request for a fence variance at 22405 Sherwood until the next Council meeting on August 5, 2002. MOTION CARRIED UNANIMOUSLY.

REQUEST FOR FENCE VARIANCE AT 23890 WESLEY STREET BY PROPERTY OWNER KEN CONGDON. Administration advised that Mr. and Mrs. Kenneth Congdon, property owners at 23890 Wesley, submitted a fence variance request to

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erect a 6' fence immediately adjacent to the 4' chain link fence at the rear of their property. Administration further advised that the Congdons made this request in order to screen unattractive items located in the adjacent yard. Administration advised that Council would need to grant a variance to Section 13-8(1)(b) to approve this request.

Mr. Congdon was present to respond to questions from Council.

Discussion followed regarding the status of the existing chain link fence and the responsibility for its removal should the opportunity arise. City Attorney Donohue advised that a future date for review of the chain link fence should be established and any responsibility for its removal would lie with the petitioner.

07-02-783 MOTION by Campbell, seconded by McShane, to grant a fence variance to Section 13-8(1)(a), and approve the installation of a 6' white vinyl fence immediately adjacent to the 4' chain link fence at the rear of property located at 23890 Wesley Drive; and direct the administration to review the status of the chain link fence after a period of five years and recommend any action which should be taken at that time. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION OF BID AWARD FOR SEWER INTERCEPTOR LINING.

Administration advised that due to the complexity and cost of the sewer interceptor lining project, a detailed bid specification using a "Qualifications-Based Selection" (QBS) process was issued by the City's consulting engineering firm, Orchard, Hiltz and McCliment(OH&M). Administration further advised that Insituform Technologies received a higher rating than the lowest bid proposal using the QBS evaluation process. Administration concurred with the Public Services Department's recommendation to award the bid to Insituform Technologies based on their higher QBS rating and experience.

Mr. John Hiltz of OH&M was present to respond to questions from Council. He discussed the importance of this project, the evaluation process and the fact that an EPA grant was secured resulting in a cost savings.

Council commended Mr. Hiltz for the comprehensive bid specification report submitted by OH&M. Council concurred that the Qualifications-Based Selection process is an effective evaluation tool.

In response to questions from Council, Mr. Hiltz discussed further the pricing and materials submitted in the bid specifications. Council member McShane requested that

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Mr. Hilz report back to Council on what corrective measures Insituform Technologies would use if a Cured-In Place Pipe (CIPP) defect should occur.

07-02-784 MOTION by Bush, seconded by McShane, to award the bid, as determined by a Qualifications Based Selection process, for the Sewer Interceptor Lining Project to Insituform Technologies, Lemont, Illinois in the amount of \$1,594,446.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO SET PUBLIC HEARING DATE FOR BROWNFIELD

REDEVELOPMENT PLAN. Administration advised that the Brownfield Redevelopment Authority has approved the Brownfield Redevelopment Plan submitted by Orchard Lake Road, L.L.C., located at 22725 Orchard Lake Road and recommended its approval to City Council.

Mr. Tony Anthony, owner of the property, was present to answer questions. He spoke about the limited and contained contamination on the property and the low risk that it poses.

Council expressed their support for the development of this property.

07-02-785 MOTION by Campbell, seconded by Harrison, to set a public hearing date for Monday, August 5, 2002 at 8:00 p.m. for the Brownfield Redevelopment Plan submitted by Orchard Lake Road, L.L.C. and direct the City Clerk to arrange the necessary publications. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF REPAIR TO CIVIC THEATRE ROOF. Administration advised that a leak in the ceiling of the upper-level theatre was recently discovered and that the City's roofing consultant, The Avery Group, proposed several repairs including patching, flashing and other minor alterations to the existing roof.

07-02-786 MOTION by McShane, seconded by Harrison, to approve a professional services agreement with The Avrie Group for roof repairs to the Civic Theatre in an amount not to exceed \$4,750.

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ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF CONSTRUCTION ESTIMATE NO. 2 FOR THE 2002 PAVING PROGRAM. Administration concurred with the City Engineer and Public Services Director and recommended payment of Construction Estimate No. 2 for the 2002 Paving Program.

07-02-787 MOTION by Bush, seconded by Harrison, to approve Construction Estimate No. 2 for the 2002 Paving Program and authorize payment in the amount of \$88,588.92 to Summit Transport, Inc. of Brighton, Michigan; funds provided in the FY 2001-2002 Budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF FINAL CONSTRUCTION ESTIMATE NO. 4 AND CHANGE ORDER NO. 2 FOR THE 2001 PAVING PROGRAM, BEL-AIRE HILLS SUBDIVISION. Administration advised that all work was completed on the 2001 Paving Program and the final cost is \$74,414.05 less than the original contract amount. Administration concurred with the Director of Public Services and the City Engineer and recommended final payment.

07-02-788 MOTION by Bush, seconded by Harrison, to approve Final Construction Estimate No. 4 and Change Order No. 2 for final payment to Detroit Concrete Products Co., Milford, Michigan for the 2001 Paving Program, in the amount of \$18,840.10; available funds for this payment have been accrued.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO INTRODUCE ORDINANCE C-690-002 TO AMEND TRAFFIC CONTROL ORDERS FOR SCHOOL STREET. Administration advised that Mr. Mark Heppard of Mutual Financial Services located at 33004 Grand River, appeared before the Traffic and Safety Board requesting on-street parking along School Street.

Administration further advised that the matter was tabled by the Board until further investigation was done by the Director of Public Safety and the Traffic Engineer, Mr. DeCorte. The Traffic and Safety Board and Administration concurred in their recommendation to allow on-street parking on the west side of School Street, and post the east side of the street as a fire route.

Administration advised that upon approval of this recommendation, Council would need to introduce Ordinance C-690-002, amending the Traffic Control Orders, Sec. 5.19 – “Prohibited Parking”.

Public Safety Director Goss reviewed the recommendation by the Traffic and Safety Board stating that the safety of the Farmington Place residents was a top priority. He assured Council that emergency vehicles would continue to have access to the area.

Council Member Bush stated her lack of support for this proposed ordinance. She stated that management for Mutual Financial Services should have provided for parking in their expansion plans and she could not support any parking on School Street.

Council Member Harrison also expressed his concern regarding parking on School Street and stated that he could not support this proposed ordinance.

Public Safety Director Goss stated that the City Traffic Engineer, Mr. DeCorte, has offered his services to reorganize the parking lot of Mutual Financial Services.

Council Member McShane cited additional public parking available across the street from Mutual Financial Services.

Council Member Bush expressed her displeasure that Mr. Heppard of Mutual Financial Services was not present at the meeting.

07-02-789 MOTION by Bush, seconded by Harrison, to deny introduction of Ordinance C-690-002, amending the Traffic Control Orders, Sec. 5.19 – “Prohibited Parking”.
MOTION CARRIED UNANIMOUSLY.

CITY ATTORNEY REPORT RE: PROPOSED OAKLAND COUNTY CHAPTER 20 DRAINAGE DISTRICT PLAN

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City Attorney Donohue provided a background of the City of Farmington's considerable involvement and expense in addressing pollution impact on the Rouge River. He discussed the drawbacks to the proposed Oakland County Chapter 20 Drainage District Plan that would oversee the Rouge River Watershed. He recommended that Council send a letter to Commissioner Palmer requesting further clarification of this proposal, addressing the areas of financing, integration of existing municipal plans and designation of authority; and to delay any action until these issues have been addressed.

07-02-790 MOTION by Campbell, seconded by McShane, to direct City Attorney Donohue to send a letter to Oakland County Commissioner Charles Palmer requesting further clarification of proposed Oakland County Chapter 20 Drainage District Plan and exploration of alternative solutions before any action is taken. MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

No public comments were heard.

COUNCIL COMMENT.

Council Member Harrison announced that he would be holding discussion on the history of Farmington at Borders Book Store on Orchard Lake Road, on July 11, 2002 at 7:00 p.m.

In response to a question from Council Member Bush, Public Services Director Gushman stated that the permit obtained by Mutual Financial Services to remodel the lower level of the building at 33004 Grand River did not include parking requirements.

APPROVE MONTHLY PAYMENTS REPORT

07-02-791 MOTION by Campbell, seconded by McShane, to approve the Monthly Payments Report for June, 2002. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

07-02-792 MOTION by McShane, seconded by Harrison, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 10:00 p.m.

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JAMES K. MITCHELL, MAYOR

PATSY K. CANTRELL, CITY CLERK/TREASURER