

FARMINGTON CITY COUNCIL  
SPECIAL MEETING  
July 16, 2007

A special meeting of the Farmington City Council was held on Monday, July 16, 2007, 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 McShane.

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

**COUNCIL MEMBERS ABSENT:** None.

**CITY ADMINISTRATION:** City Clerk Halberstadt, City Manager Pastue (arrived 7:20 p.m.), Assistant City Manager Richards, Attorney Schultz (arrived 7:20 p.m.).

**APPROVAL OF AGENDA**

Councilmembers concurred to approve the agenda.

**BOARD AND COMMISSION INTERVIEW**

**Library Board of Directors – Gerald Bosler**

Council interviewed Gerald Bosler for a position on the Farmington Library Board of Directors.

**REVIEW OF PROPOSED CHARTER AMENDMENTS**

City Manager Pastue reviewed for Council eight Charter Amendment proposals submitted by the Charter Review Committee for placement on the November 6, 2007 ballot. He expressed concern regarding so many amendments on one ballot.

Pastue stated Charter Amendment Proposal One would eliminate references to specific administrative officers other than those whose duties are described in the Charter, while retaining Council authority to create by ordinance administrative departments and positions under the authority of the City Manager.

Pastue explained Amendment Proposal Two would eliminate a non-bargaining employee's ability to come before the Council within ten days to dispute his/her discharge. He felt this process may be better handled using alternative methods, however, the Charter should not be specific in those methods.

Responding to a question from Mayor McShane, Pastue stated to his knowledge an employee has never petitioned City Council for review of his/her discharge.

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Discussion followed regarding the City's current policy in the discharge of non-bargaining employees. Assistant City Manager Richards pointed out that the problem with making lists (policies and procedures) of any kind is that it may subject the City to a question that isn't listed.

City Attorney Schultz stated it is possible to eliminate the language, "discharge of department employees shall be in accordance with City personnel policies and procedures approved by Council", however, the Charter Review Committee believed there should be some guidance in a discharge. He questioned whether voters would approve an amendment whereby City Department heads could hire and discharge without a written formal process in place.

Mayor McShane pointed out that allowing discharged employees to petition Council may increase the City's liability.

Councilmember Wright noted that in any case there is nothing to prevent a discharged employee coming before Council.

Pastue advised Amendment Proposal Three would transfer responsibility for maintaining the City's financial accounts to the Treasurer which is the current practice.

Pastue advised Amendment Proposal Four represents the same concerns as Proposal Two regarding the discharge process. He recommended further review of Proposals Two & Four by the City's Labor Attorney before placing them before the electorate.

Pastue explained Amendment Proposal Five would allow for the option of *only* one Council member to serve on the Zoning Board of Appeals bringing it in line with state law.

Pastue advised Amendment Proposal Six would allow Councilmembers to serve on other boards and commissions reflecting current practice.

Attorney Schultz explained Amendment Proposal Seven provides broad authority to the City Council to establish by Ordinance the interest rates on special assessments, including unpaid installments and the collection of special assessments, including fees and penalties.

Attorney Shultz explained Amendment Proposal Eight removes a provision that had limitations on the appeal period that was inconsistent with the state statute. He stated verbiage has been rephrased to delete as unenforceable due to changes in state law and that the two filing limitations might confuse the public if they turn to the City's Charter instead of the correct state statute.

Discussion followed regarding the upcoming ballot and which amendment proposals should be placed on the 2007 November ballot. Council concurred that keeping the ballot unencumbered would allow for less confusion regarding the different Amendment Proposals. Mayor McShane and Council agreed to prioritize the proposed

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amendments, selecting those for the November 2007 ballot and allow for additional review of the remaining proposals for placement on a future City election ballot.

After discussion, Council concurred to place proposal amendments 3, 5, 7 & 8 on the November 6, 2007 ballot and renumber them as 1, 2, 3, & 4 and agreed to add the approval of these amendments to the following regular meeting agenda as item 7E.

**OTHER BUSINESS**

City Manager Pastue requested the addition of item 3G – “Michigan Municipal League Workers Compensation Trustee Election” & item 3H “Approval to Establish a Brokerage Account with Comerica Securities to Receive Stock Donations Associated with the Mansion’s Statue” under the Consent Agenda of the Regular Meeting Agenda.

**PUBLIC COMMENT**

None were heard.

**COUNCIL COMMENT**

Councilmember Knol announced that the Michigan Municipal League is holding work group meetings regarding PA312 concerning binding arbitration for Police and Fire.

Councilmember Buck, referring to recent information received from Farmington Hills concerning the consolidation study, expressed his belief that it is a conflict of interest for Plante Moran to conduct the study. He stated the restrictions on the study proposed by Farmington Hills are not in the best interests of Farmington’s residents. He expressed discomfort with Farmington Hills’ approach to the study.

City Manager Pastue stated he has a degree of comfort with Plante Moran conducting the study after meeting with them recently. He indicated he would be meeting with them again to discuss the scope of the project. Responding to a question from Councilmember Wright, Pastue stated the County chose Plante Moran because of their close working relationship.

Mayor McShane agreed with Councilmember Buck’s concern regarding Farmington Hills’ approach to the study, but expressed the importance of continued dialogue.

Councilmember Buck noted the narrowness of the study in that it considers only Farmington/Farmington Hills services and does not look at the broader regional area for possible shared activities.

City Manager Pastue advised that there will be additional information before the Council regarding this subject within the next few weeks.

Councilmember Wiggins requested copies of resolutions from both cities noting there were distinct differences.

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**ADJOURNMENT**

**07-07-130** MOTION by Wiggins, seconded by Knol, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 8:12 p.m.

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JoAnne M. McShane, Mayor

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Susan K. Halberstadt, City Clerk

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Susan Pohto, Recording Secretary

APPROVED: August 20, 2007