

FARMINGTON CITY COUNCIL  
REGULAR MEETING  
July 18, 2011

A regular meeting of the Farmington City Council was held on Monday, July 18, 2011, 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 7:04 p.m. by Mayor Buck.

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

**COUNCIL MEMBERS ABSENT:** None.

**CITY ADMINISTRATION:** City Manager Pastue, Director Gushman, City Clerk Halberstadt, Director Schulz, Treasurer Weber.

**PLEDGE OF ALLEGIANCE:** Kelly Oles, 2011 Miss Oakland County, led the Pledge of Allegiance.

**CONSENT AGENDA**

**07-11-118** MOTION by Knol, seconded by McShane, to approve the consent agenda as presented:

- A. Regular Meeting Minutes of June 6, 2011
- B. Farmington Monthly Payments Report, June 2011
- C. Monthly Public Safety Report, May 2011
- D. Monthly Public Safety Report, June 2011
- E. Building Department 4<sup>th</sup> Quarter Report April 1, 2011 through June 30, 2011
- F. Eight Mile Boulevard Association Annual Membership
- G. Participate in the Election of the Governing Board of MML Workers' Compensation Fund
- H. Special Event Request – 3-Day Cancer Walk

MOTION CARRIED UNANIMOUSLY.

**APPROVAL OF REGULAR AGENDA**

**07-11-119** MOTION by Wiggins, seconded by Wright, to approve the regular agenda as presented. MOTION CARRIED UNANIMOUSLY.

**PRESENTATIONS AND PUBLIC HEARINGS**

**A RESOLUTION IN SUPPORT OF PROVIDING CPR AND AED INSTRUCTION AS A HIGH SCHOOL GRADUATION REQUIREMENT – KEN MASSEY**

Ken Massey was present to request Council support for a resolution that would require all high school students complete CPR and AED instruction prior to

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graduation. He discussed the higher success rate of a cardiac event when CPR and/or AED are applied. He noted this instruction is a part of high school curriculum in other states.

Massey pointed out the Farmington Hills Fire Department has offered to provide assistance in training and Botsford Hospital has offered to assist in purchasing equipment for the schools.

Buck noted the average emergency response time in Farmington is under 2 minutes. He stated, however, this does not negate the need for CPR and AED training.

Responding to a request from Buck, Massey introduced fellow members of the Emergency Preparedness Committee who were present including: Ken Murray and Director Schulz.

Responding to a question from McShane, Massey stated he is requesting this instruction be mandated for all public school students. He further responded instruction for AED and CPR requires only 4 hours of training.

McShane asked if this training would be a financial challenge to the schools. Massey advised the necessary equipment is minimal and pointed out Botsford Hospital has offered to subsidize the cost. He noted there are a number of grants available.

Knol applauded Massey's persistence and dedication to this issue. She noted emergency training is an important life skill.

Wiggins pointed out most of the City of Farmington employees recently received both AED and CPR training. He is a firm supporter of this training and recognizes its benefits.

Wright stated mandated training in high school is a good idea that is long overdue. He pointed out Massey has been working on this issue for years and questioned why there continues to be resistance.

Massey stated the school board has questioned how this mandate would be funded. He again discussed possible funding sources. He stated it may not be appropriate to mandate training, but rather strongly encourage its implementation.

Responding to an additional question from Wright, Massey stated he is unaware of any other schools in Michigan that require this training, however, he would like Farmington Schools to be the first.

Wright suggested Farmington and Farmington Hills may want to consider earmarking an economic incentive in next year's budgets if this initiative is unsuccessful.

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Buck pointed out the resolution does not mandate the training, but rather encourages School Administration to consider its implementation as a high school requirement.

**RESOLUTION 07-11-120** Motion by McShane, seconded by Knol, to adopt a resolution in support of providing CPR and AED instruction as a high school graduation requirement. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

**SPECIAL EVENT REQUEST – SWINGINFUSION, LLC**

Alexander Steward, Manager of Swinginfusion, was present to discuss their proposed live band event scheduled for August 18, 2011 at the Sundquist Pavilion. He discussed the history, purpose and success of the club.

Wright asked if there is an insurance requirement for these types of events. Pastue responded the City requires most special events provide an indemnification agreement. He stated given the size of this group and limited risk assessment he may put it on as a rider with the City's existing carrier.

Steward pointed out his organization is a limited liability company so insurance does exist for the group.

McShane suggested Steward contact the City Manager's office regarding the possibility of cable casting the event; check with the Chamber of Commerce and newspapers for further promotion of the event. She further suggested this could be an annual event.

Steward is seeking sponsorships for this event in order to reduce or eliminate the admission fee. He stated Swinginfusion is looking for a place in Farmington to bring the weekly event indoors when it becomes necessary.

Knol praised this weekly event and expressed how much she has enjoyed watching the dancing on Thursday evenings. She recognized the entrepreneurship of Steward and the positive story of the teens who participate.

**07-11-121** MOTION by Wright, seconded by Wiggins, to approve a special event request from Swinginfusion LLC to host a swing dance event featuring a live band at the Sundquist Pavilion on Thursday, August 18, 2011, 8:30 – 11:05 p.m. MOTION CARRIED UNANIMOUSLY.

**2011 MISS OAKLAND COUNTY, KELLY OLES**

Kelly Oles spoke about her involvement in the Miss America organization and reviewed the four points of the crown: style, success, scholarship and service. She is representing Miss Oakland County at the State pageant. Her platform is "healthy living for kids". She thanked the many local businesses who sponsored

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the Miss Oakland County event including: Farmington Lodge, Page's Food and Spirits, Papa John's Pizzeria, Knight's Inn, Focal Point and Tom Holzer Ford.

Francesca Tuzzolino, Executive Director of Miss Oakland County, thanked Council for their continued support.

**FARMINGTON AREA CHAMBER OF COMMERCE EVENT REQUEST – MARY ENGELMAN**

Mary Engelman, Executive Director for the Chamber of Commerce, was present to discuss the Chamber's proposed One Stop-Two Cities event.

**RESOLUTION 07-11-122** Motion by Wright, seconded by Knol, to adopt a resolution approving a request from the Greater Farmington Area Chamber of Commerce to hold a special event, One Stop-Two Cities, at the Riley Park/ Sundquist Pavilion on Wednesday, September 7, 2011, 5:30 p.m. – 9:00 p.m. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

**COUNCILMEMBER JOANNE MCSHANE – DICK TUPPER AND RALPH YODER TRIBUTES**

McShane recognized the presence of Donna Tupper, wife of Dick Tupper, in the audience.

McShane spoke about the characteristics and qualities that make a great Council person. She stated Dick Tupper and Ralph Yoder personified what makes an excellent Councilperson.

McShane stated they always put the City first with no ulterior motives. They were never in it for themselves. They always listened well and did their homework. They always sought out public opinion before making a decision in order to ensure fairness.

McShane noted they both had good, solid ethics and honesty was a part of who they were. They cared deeply about City employees and their families. They had great respect for others and never governed by intimidation. She cited their ability to dispel a tense moment with their wonderful sense of humor.

McShane pointed out that between them they gave 42 years of service to the City of Farmington while working hard at their jobs and raising their families. She remarked they were everyday good people.

McShane stated with the help of former Mayor and Councilmember John Richardson and the City of Farmington they were able to obtain enough donations from friends of Dick and Ralph to purchase two trees. These trees along with memorial plaques were planted on the north side of City Hall. She invited the public to stop by and take a look at them.

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McShane thanked John Richardson, Steinkopf Nursery, the City of Farmington and all of the donors for their part in this memorial. She thanked Donna Tupper for sharing her husband with the City for 42 years.

Donna Tupper thanked McShane and everyone who contributed to this memorial.

Mayor Buck thanked McShane for her work in bringing these memorials to fruition.

**UNFINISHED BUSINESS**

None was heard.

**NEW BUSINESS**

**CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE #1 FOR THE 2011 FARMINGTON PAVING AND WATER MAIN IMPROVEMENTS PROGRAM**

**RESOLUTION 07-11-123** Motion by McShane, seconded by Knol, to approve payment of Construction Estimate #1 to Sole Construction in the amount of \$200,694.04 for work completed on the 2011 Farmington Paving and Water Main Improvements Program.

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE #1 FOR THE FLORAL PARK SUBDIVISION SANITARY SEWER TELEVISIONING PROJECT**

Responding to a question from Wiggins, Director Gushman stated there were no major surprises found underground.

**RESOLUTION 07-11-124** Motion by Wright, seconded by Wiggins, to approve payment of Construction Estimate #1 to Advance Underground in the amount of \$18,364.67 for work completed on the Floral Park Subdivision Sanitary Sewer Televisioning Project.

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO ACCEPT OAKLAND COUNTY CDBG COOPERATIVE AGREEMENT RESOLUTION FOR THE PROGRAM YEARS 2012-14**

Responding to a question from McShane, Pastue confirmed this is the program the City would need to forego in order to qualify for the State CDBG program. He advised that in foregoing the County program City residents in the short run would lose access to the Home Improvement Program. Due to Federal cutbacks, he is unsure of the future of CDBG programs in general.

Wright pointed out there are communities who opted out of the County program and received substantial grants through the state making the \$24K the City would receive from the County a pittance in comparison.

Responding to a question from Wright, Pastue confirmed that if Council approves the County CDBG program it would preclude an opportunity for the City to seek a State grant until 2014.

Wright asked if City Administration was aware of any projects that may qualify for the State grant. Pastue stated there are none eligible at this time.

Pastue reiterated that if the City foregoes the County grant it would mean a loss of \$24K a year in addition to a number of County programs offered to residents.

Wright asked if the proposed changes on Farmington Road and Grove Street would qualify under the State grant program. Pastue responded any project that qualifies has to be tied to job creation.

Responding to an additional question from Wright, Pastue confirmed there is money available through the State program.

Wright asked what the City has done to determine if there are potential projects in the City that would qualify for the State program. Pastue responded the only action taken by the City has been to arrange the presentation from the State. He noted City staff has met with Oakland County to better understand what they provide. He pointed out the County is now open to looking at projects that are job related rather than only funding senior and housing programs.

Pastue clarified both the County and State grants are both funded by the federal government.

Buck asked if there is a timeframe in which the Council must make a decision regarding participation in the County CDBG program. Pastue advised the County sent their request right after the June 6<sup>th</sup> meeting and set a response deadline for July 1, 2011.

Buck asked if the City would lose the CDBG funding if the Council does not act prior to the August 15, 2011 meeting. Pastue stated he is unsure whether waiting another month would impact the City's ability to receive the funds.

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McShane asked if the CDBG issue could be tabled to allow for further discussion and brought back at the August meeting. Pastue replied in the affirmative.

Knol advised the City can table this issue for further discussion, but pointed out the State will not indicate in advance whether the City would be eligible for funding. She stated it is a guessing game as to whether the City has a project that would be eligible. She noted it is a long process before the State makes a decision. She noted the State is receiving requests from communities all across the State.

Knol expressed her concern that with all of the cities in Michigan vying for these limited dollars, the State would give more weight to communities that have lower income than Farmington. She pointed out the State is looking at projects that create jobs.

Wright stated this is an important issue that should not be tabled, but should be discussed now. He pointed out in the past this issue has been bounced around with no conclusion. He noted the City of Brighton received significant grant money through the State program to support the establishment of a restaurant which created jobs. He remarked that this does not sound like a difficult process.

Wright noted he is not recommending that Council *not* participate in the County CDBG tonight because there is inadequate information to make a decision regarding the State program. He would like to know what action the City will take to prepare for a decision when this decision comes up again in 2014. He stated having a meeting or two was inadequate.

Wright pointed out that those who don't give up end up winning, but those who never start never win. He noted the City never started. He understood the "bird in the hand" appeal of the County program, but pointed out those dollars are simply passed on to Farmington Hills for their programs. He recognized Farmington residents benefit from those programs as well, however, the City has no control over how they are run.

Pastue pointed out for this fiscal year senior programming will come out of the General Fund. Therefore if the City foregoes CDBG funding those funds are already covered. He stated the risk is to find an additional \$28K for the following year.

Buck asked regarding the possibility of withdrawing from the County program prior to the end of its 3-year term.

Pastue responded this is a commitment to Oakland County, however, if the City were to opt out earlier he is unaware of any penalties. He confirmed the grant opportunity from the State is much larger than that offered by the County, however, there could be years where there is zero money.

McShane expressed disappointment that the City did not investigate the grant funding opportunity with the State. She noted projects coming up that may qualify.

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She stated her willingness to risk the County funding for a potentially greater opportunity with the State.

Discussion followed regarding potential projects that would create jobs.

Wright reiterated that if Council thinks this is an important opportunity then steps should be taken now in preparation for a decision in 2014 when the County contract expires.

Knol expressed her unwillingness to forego the County CDBG funds. She stated it would force the City to find \$25K in the General Fund for the next two years in order to support the senior program unless of course the City wants to forego the program. She noted the City does not currently have a project that would qualify for the State program. She expressed concern regarding continued funding at the State level.

Buck concurred that the City is probably at least a year away from writing a grant to request State funding. He stated substantial development needs to appear on the horizon for this to occur. He agreed with McShane that he would be willing to take a risk in order to realize a greater opportunity with the State.

McShane stated she could support the County CDBG program but she would like to know that the City will take steps to take advantage of State funding.

Responding to a question from Wiggins, Pastue confirmed the City signs a contract every year for the County program.

Wright asked regarding the actions the City should be taking to take advantage of State funds in 2014.

In terms of potential projects, Pastue pointed out that the DDA would like to increase the number of restaurants in the downtown along with making improvements in municipal parking.

**RESOLUTION 07-11-125** Motion by Knol, seconded by Wiggins, to adopt a resolution to continue participation in Oakland County's Urban County Community Development Block Grant (CDBG) programs for the program years 2012-14. **[SEE ATTACHED RESOLUTION].**

**ROLL CALL**

Ayes: Wiggins, Buck, Knol.

Nays: McShane, Wright.

Absent: None.

MOTION CARRIED UNANIMOUSLY.



**CONSIDERATION TO ADOPT RESOLUTION TO PLACE CHARTER  
AMENDMENTS ON THE NOVEMBER 2011 BALLOT**

**RESOLUTION 07-11-126** Motion by McShane, seconded by Wright, to adopt a resolution to place charter amendment proposals on the November 2011 ballot as recommended by the Charter Review Committee. [SEE ATTACHED RESOLUTION].

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**BOARD/COMMITTEE APPOINTMENT**

**07-11-127** MOTION by Knol, seconded by Wright, to appoint Tim Miller to the Beautification Committee to complete an unexpired term ending June 30, 2012. MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENT**

Hank Borgman, 34011 Grand River, expressed concern regarding proposed construction on south Farmington Road. He would like to know who is going to pay the bill and requested the opportunity for public input. He noted the lack of public input for Grand River Streetscape Project.

Buck pointed out that when these projects come up they are discussed at both Council and DDA meetings. He is sure there will be several meetings where the Farmington Road project will be open for discussion with both the public and stakeholders.

Pastue advised there is no confirmed Farmington Road project at this time.

**COUNCIL COMMENT**

Wiggins read into record the following statement:

Dear Mayor Tom Buck and fellow Councilmembers:

It is with deep regret that I offer my resignation from Council to you this evening. I have an opportunity to teach Criminal Justice at the university level at Ferris State. This employment will involve commuting to southeast Michigan satellite campuses as well as teaching during the evening hours. In fact, beginning in August, I will be teaching a Monday evening course.

I anticipate additional opportunities of employment with Ferris State in the future and all of them would conflict with my

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responsibilities on Council. It is for these reasons that I offer my resignation for your consideration and acceptance.

With your acceptance, my last Council meeting would be on Tuesday, September 6, 2011.

Wiggins went on to say he considered every option in order to try to make the two opportunities meld, but could not. He stated this is an opportunity for others who want to volunteer and serve on Council. He encouraged those interested to pursue seeking office.

Buck noted Wiggins started his service to the City in the Public Safety Department and extended that service as a member of City Council. He stated Wiggins' resignation is a loss to the City.

McShane noted Wiggins has all of the traits and characteristics of a great Councilmember she spoke about earlier.

Knol expressed her desire that Wiggins remain on Council, but recognized the opportunity he has to move forward in his career. She wished him all the best.

McShane, on behalf of the City Council, thanked all the volunteers who made the Founders Festival a success. She recognized the Departments of Public Safety and Public Works for their excellent job during the festival.

Buck noted every department of the City was involved in making sure the festival was a success. He stated it was a fabulous weekend for Farmington.

Knol announced she will not seek re-election to the City Council in November. She stated this was a very difficult decision because she cares deeply about Farmington and its future. She is proud of the many initiatives that have been accomplished over the past 8 years she has served on Council.

Knol believes there is much more to do in Farmington to see it reach its full potential. She has enjoyed working with Councilmembers, City Administration and getting to know Farmington residents and for these reasons she would have liked to continue serving on City Council.

Knol pointed out she works for the Speaker Pro Tem of the Michigan House of Representatives. Her boss was elected to that position this year and that has added to her work responsibilities. In addition, she has a wonderful baby daughter who she would like to spend more time with. She noted her husband travels out-of-state for work which limits family time. She thought long and hard about this difficult decision, but due to her time constraints she has decided not to seek re-election.

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Knol stated she is making this announcement tonight because she wants to encourage others to run who want to play a role in Farmington's future. She commented serving on Council has been an incredible opportunity. She has learned so much about City government and this community.

Knol encouraged residents to get involved whether it is serving on Council or a Board or Commission.

Knol will remain involved with the City and suggested when circumstances are different she may increase her involvement at a higher level again. She will continue to help the wonderful organizations in Farmington that make it such a great place.

Buck acknowledged that Knol's decision is yet another loss for Council and the City. He pointed out she is one of the two most experienced Councilmembers and served as past Mayor. He stated the experience and passion she has brought to the Council has been a great benefit to the City. He commented her knowledge and experience at the State level has been invaluable and will be missed.

Wiggins stated he has always marveled at the schedule Knol has maintained particularly with the addition of her daughter Natalie. He recognized what a difficult decision it is to leave City Council.

**ADJOURNMENT**

**07-11-127** MOTION by Knol, seconded by Wright, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 8:53 p.m.

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J. T. (Tom) Buck, Mayor

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Susan K. Halberstadt, City Clerk

APPROVED: August 15, 2011