

FARMINGTON CITY COUNCIL  
REGULAR MEETING

A regular meeting of the Farmington City Council was held on Monday, October 15, 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 8:10 p.m. by Mayor McShane.

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

**ABSENT:** None.

**CITY ADMINISTRATION:** Director Gushman, City Clerk Halberstadt, Director Nebus, City Manager Pastue, Attorney Schultz, Treasurer Weber.

**CONSENT AGENDA**

**10-07-173** MOTION by Wiggins, seconded by Buck, to approve the following items on the consent agenda:

- Special and Regular Meeting Minutes of September 17, 2007
- Special Meeting Minutes of October 1, 2007
- Farmington Monthly Payments Report – September 2007
- Monthly Public Safety Report – September 2007
- First Quarter Report: Department of Public Works and Water and Sewer Department – July 1, 2007 through September 30, 2007
- Financial Report: Quarter Ended June 2007
- Financial Report 47<sup>th</sup> District Court: Quarter Ended June 2007
- First Quarter Report: Farmington Building Department – July 1, 2007 through September 30, 2007

MOTION CARRIED UNANIMOUSLY.

**APPROVAL OF REGULAR AGENDA**

**10-07-174** MOTION by Knol, seconded by Wiggins, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

**PRESENTATIONS/PUBLIC HEARINGS**

**PROCLAMATION FOR COMMISSION ON AGING**

Council presented a proclamation to Lew Cantor, Chairman of the Farmington Area Commission on Aging, and Mary DiManno, Senior Division liaison, in

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recognition of the Commission's contributions to the community over the past 35 years.

**PROCLAMATION FOR FAMILY CAREGIVER MONTH NOVEMBER 2007**

Council proclaimed November 2007 as National Family Caregivers Month in the City of Farmington. Jane Cortez, representing the National Family Caregivers Association, thanked Council for their recognition of this important work.

**COMMUNITY DEVELOPMENT BLOCK GRANT – PROGRAM YEAR 2008 APPLICATION**

Administration reported on the 2008 Community Development Block Grant application. Administration indicated that the funding for PY2008 is estimated by Oakland County to be \$27,711. Administration proposed allocating \$11,064 for senior services and \$16,647 for the senior center.

**Public Hearing**

Mayor McShane opened the hearing for public comment.

Upon hearing no public comment, Mayor McShane requested a motion to close the public hearing.

**10-07-175** MOTION by Buck, seconded by Knol, to close the public hearing. MOTION CARRIED UNANIMOUSLY.

**Consideration to Approve Community Development Block Grant Application**

**RESOLUTION 10-07-176** Motion by Knol, seconded by Wiggins, to approve a resolution authorizing the Mayor to submit an application for participation in the 2008 Community Development Block Grant Program. [SEE ATTACHED RESOLUTION].

**ROLL CALL**

Ayes: Knol, McShane, Sutherland, Wiggins, Buck

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**UNFINISHED BUSINESS**

**CONSIDERATION TO ADOPT ORDINANCE C-725-2007 TO AMEND CHAPTER 14, FIRE PREVENTION CODE**

City Manager Pastue indicated propane patio warmers are covered under the International Fire Code and therefore were not addressed separately in the proposed ordinance.

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Responding to a question, City Attorney Schultz confirmed the propane patio warmers would be allowed for both business and residential.

**RESOLUTION 10-07-177** Motion by Wright, seconded by Buck, to adopt Ordinance C-725-2007 to amend Chapter 14 of the City Code, to adopt the International Fire Code, 2006 Edition, by reference. [SEE ATTACHED ORDINANCE].

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS**

**CONSIDERATION TO INTRODUCE ORDINANCE C-727-2007, TO AMEND CHAPTER 28, DEALING WITH MANAGEMENT OF THE PUBLIC RIGHT-OF-WAY**

Administration recommended change to the City Code for two reasons: 1) regulating placement of equipment boxes in the public right-of-way and 2) regulating the quality and timeliness of restoration in the public right-of-way.

Administration noted the City Attorney has addressed some of the concerns expressed by AT&T regarding the proposed ordinance.

City Attorney Schultz stated a reasonable effort was made to address and incorporate as many of the recommended changes as possible. He noted a variance process was added to allow administrative leeway to address specific issues cited by AT&T.

Shannon Price, representing AT&T, was present to voice concerns related to the proposed ordinance.

**10-07-178** MOTION by Knol, seconded by Wiggins, to introduce Ordinance C-727-2007 to amend Chapter 28 of the City Code regarding the management of the public right-of-way. [SEE ATTACHED ORDINANCE]. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO INTRODUCE ORDINANCE C-726-2007 TO AMEND TRAFFIC CONTROL ORDERS REGARDING PARKING ALONG SCHOOL STREET**

Administration advised the Public Safety Department received a request from Mutual Mortgage to allow parking on either School or Thomas Street to accommodate additional employees that have recently been hired.

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Administration further advised the Traffic and Safety Board has recommended expansion of on-street parking by allowing it on the east side of School Street from Grand River to Thomas Street.

**10-07-179** MOTION by Buck, seconded by Knol, to introduce Ordinance C-726-2007 to amend traffic control orders to allow on-street parking on the east side of School Street from Grand River to Thomas Street. [SEE ATTACHED ORDINANCE]. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO ADOPT RESOLUTION AND MEMORANDUM OF UNDERSTANDING REGARDING PARTICIPATION IN THE MICHIGAN SUBURBAN ALLIANCE'S COMMUNITY REDEVELOPMENT READY PROGRAM**

Administration advised the City has applied to participate in the Michigan Suburban Alliance's *Community Redevelopment Ready* Program. Administration noted during previous discussions, Council had agreed that the program principles were critical in pursuing the redevelopment of older commercial and multi-family developments in Farmington.

**RESOLUTION 10-07-180** Motion by Wiggins, seconded by Knol, to adopt a resolution and approve a memorandum of understanding to participate in the Michigan Suburban Alliance's Community Redevelopment Program and authorize the City Manager to sign the memorandum of understanding on behalf of the City. [SEE ATTACHED RESOLUTION AND MEMORANDUM OF UNDERSTANDING]. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF INTERLOCAL AGREEMENT FOR ANIMAL CARE SERVICES**

Administration recommended renewal of an Interlocal Agreement with Oakland County for animal care services for a three-year period beginning October 1, 2007.

**RESOLUTION 10-07-181** Motion by Wright, seconded by Buck, to renew an Interlocal Agreement with Oakland County for Animal Care Services for a three-year period beginning October 1, 2007.

**ROLL CALL**

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

**CONSIDERATION TO APPROVE INTERLOCAL AGREEMENT FOR ELECTION PROGRAMMING SERVICES**

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City Clerk Halberstadt advised the County has undertaken the responsibility of ballot layout and programming for all elections and as a result the cost will be lowered significantly with more reliable service.

**RESOLUTION 10-07-182** Motion by Wright, seconded by Buck, to approve an Interlocal Agreement for Ballot Layout and Coding Services with Oakland County for all elections as presented and authorize the City Clerk to sign the agreement on behalf of the City. [SEE ATTACHED RESOLUTION AND AGREEMENT].

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO AUTHORIZE CITY CLERK TO PURCHASE FOUR PRECINCT BALLOT TABULATORS**

Administration advised four election tabulators stored in the basement of the 47<sup>th</sup> District Courthouse sustained water damage as a result of an overhead leak. Administration further advised that an insurance claim had been submitted to the Michigan Municipal Risk Management to cover the cost of equipment replacement.

**RESOLUTION 10-07-183** Motion by Knol, seconded by Wiggins, to authorize the City Clerk to purchase four election ballot tabulating machines from Election Systems and Software (ES&S) in the amount of \$17,968.00.

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE NO. 6 FOR THE SHIAWASSEE ROAD CONSTRUCTION AND CHANGE ORDER NO. 1**

**RESOLUTION 10-07-184** Motion by Wiggins, seconded by Buck, to approve payment of Construction Estimate No. 6 to Peter A. Basile Sons in the amount of \$199,795.27 for the Shiawassee Road Project and approve Change Order No. 1 to increase the road portion of the contract by \$8,799.26.

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE NO. 4 FOR THE SHIAWASSEE ROAD WATER SYSTEM IMPROVEMENTS AND CHANGE ORDER NO. 1**

**RESOLUTION 10-07-185** Motion by Knol, seconded by Wiggins, to approve payment of Construction Estimate No. 4 to Peter A. Basile Sons in the amount of \$54,206.05 for the Shiawassee Road water system improvements and approve Change Order No. 1 to increase the water system portion of the contract by \$58,784.40.

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE NO. 1 AND CHANGE ORDER NO. 1 FOR NINE MILE ROAD CONSTRUCTION PROJECT**

**RESOLUTION 10-07-186** Motion by Wright, seconded by Buck, to approve payment of Construction Estimate No. 1 to Cadillac Asphalt, LLC in the amount of \$51,531.06 and approve Change Order No. 1 to reduce the contract amount by \$4,469.98.

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENT**

Hank Borgman, 34011 Grand River, expressed concern regarding the proposed changes on Grand River including bump-outs and lane modifications.

City Manager Pastue stated the primary goal is to make downtown Farmington pedestrian-friendly while accommodating motorists traveling through the community. He noted there would be an opportunity for public input concerning the proposed changes.

Councilmember Knol noted the public forum will be an important meeting to provide a visual representation of the proposed changes.

Mayor McShane noted the significant traffic pattern changes that have occurred over the past decades and the potential safety issues that have developed as a result.

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Betty Borgman, 34011 Grand River, also expressed concern regarding the proposed Grand River streetscape. She discussed parking issues in the downtown.

**COUNCIL COMMENT**

Councilmember Knol commented on the success of the Oakland County Mayors' dinner recently held in Farmington. She thanked Councilmember Buck for providing the guest speaker and Mayor McShane for planning the event.

Mayor McShane commented on events that have recently taken place in Farmington and the countless volunteers that supported them. She requested ideas on how these volunteers can be recognized.

Mayor McShane noted she received a letter from a resident expressing opposition to a merger with Farmington Hills.

Mayor McShane congratulated the Public Safety Department on a newspaper insert they recently developed.

Responding to a question raised by Mayor McShane regarding updating the City's Dog Ordinance, Councilmember Wiggins stated other cities are in the process of revising their ordinances to include a leash law that is currently in Farmington ordinance.

Councilmember Wiggins thanked Karen Buck for creating Council's contribution to the scarecrow contest.

**ADJOURNMENT**

**10-07-187** Motion by Knol, seconded by Wiggins, to adjourn the meeting.  
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:15 p.m.

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JoAnne M. McShane, Mayor

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Susan K. Halberstadt, City Clerk

APPROVED: November 19, 2007