

FARMINGTON CITY COUNCIL
SPECIAL MEETING
March 1, 2010

A special meeting of the Farmington City Council was held on Monday, March 1, 2010, 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 Buck.

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

COUNCIL MEMBERS ABSENT: None.

CITY ADMINISTRATION: City Clerk Halberstadt, City Manager Pastue, Interim Director Schulz (left at 9:20 p.m.), and Attorney Schultz.

APPROVAL OF AGENDA

03-10-035 MOTION by Wiggins, seconded by Wright, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

CLOSED SESSION – UPDATE REGARDING COLLECTIVE BARGAINING PROCESS

03-10-036 MOTION by Wright, seconded by Wiggins, to enter into closed session to receive an update on the collective bargaining process.

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

Council entered closed session at 7:05 p.m.

03-10-037 MOTION by McShane, seconded by Knol, to return to open session. MOTION CARRIED UNANIMOUSLY.

Council returned to open session at 7:35 p.m.

PUBLIC SAFETY DEPARTMENT ITEMS

CONSIDERATION TO PURCHASE REPLACEMENT 9-1-1 TELEPHONE SYSTEM

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City Manager Pastue reviewed previous discussions held with neighboring agencies regarding a multi-jurisdictional 9-1-1 Center. He advised Novi will go their own way and work with jurisdictions in the western portion of the County. They are talking to Milford & Milford Twp. about sharing services where in the past they shared services with South Lyon and Walled Lake.

Pastue stated West Bloomfield decided not to continue discussion leaving shared services with Farmington Hills as the only possibility. He stated due to significant personnel turnover Chief Nebus is disappointed the process isn't further along, but he is unable to submit a proposal at this time.

Pastue stated most of the jurisdictions are going with the Plant CML Vesta Palas 911 System and the net cost to the City would be just over \$74,278. He noted the vendor is willing to extend their purchase price until March 15th and he hopes to receive a commitment from CLEMIS to extend their financial support as well.

Knol questioned how close Farmington Hills is to submitting a proposal.

Pastue felt Chief Nebus would not be able to have a proposal ready before March 15th.

McShane questioned the sincerity of Farmington Hills in their desire to join services.

Responding to a question from Wiggins, Pastue stated the purchase price is \$89,600 with a UPS option and vendor discounts. He explained funding from CLEMIS would reduce the price to approximately \$74, 278.

Discussion followed regarding the proposal from Farmington Hills and the timely response needed in order to allow the City time to review and respond.

McShane questioned the reliability of the City's current 911 equipment. Interim Director Schulz responded the computer is currently working, but AT&T can no longer guarantee replacement parts.

Wright explained as part of the budget process Council is hypersensitive to this type of transaction recognizing its long term effect on the City. He felt the March 3rd budget meeting would provide him a greater comfort level in making this decision. He advised the City of Farmington Hills should receive a letter from the City of Farmington detailing their interest and the timeline needed. He sensed that this issue is broader than eluded to earlier and there may be greater efficiencies in sharing services.

Wright recommended the City continue to use its present equipment and external back-up in order to allow additional time to consider other options.

McShane expressed concern regarding the City's continued use of an aging 911 System. She expressed interest in extending requests for proposals for shared services to additional communities.

Pastue explained many neighboring communities are already sharing services.

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Responding to a question from McShane, Pastue stated Livonia is sharing services with Canton Township.

Responding to a question from Buck, Schulz indicated there were no fees paid for repairs prior to October because the system was under a maintenance agreement.

Knol recommended contacting Farmington Hills explaining Farmington's urgent need to make a decision and request proposal numbers to consider as soon as possible.

Responding to a question from Knol, Schulz explained Farmington Hills would receive Farmington's calls should its 911 System fail. He stated if AT&T is aware of a problem they will automatically transfer calls to Farmington Hills, but if a problem occurs that AT&T doesn't recognize, the transfer may not take place until Farmington dispatch notices and manually sends the calls to Farmington Hills or contacts AT&T to transfer the calls.

Schulz questioned how long Farmington Hills would be willing to receive 911 calls for Farmington.

Council continued discussion regarding the age of the 911 System and the eight weeks needed to replace the system if the current one fails.

Discussion followed regarding the lack of response from Farmington Hills concerning the costs related to shared dispatch services.

Pastue advised Farmington Hills and Farmington dispatch are handled differently and there could be additional response time to Farmington calls due to procedural differences.

Wiggins noted the job differences between dispatch departments, noting if the cities combined services Farmington would no longer provide 24 hour desk service or house prisoners. He explained thirty years ago the comparison was apples to apples, but currently its apples to oranges.

Knol stated the City has no other option but to cut somewhere.

Schulz shared his discussion with Walled Lake regarding their consolidation with Oakland County Dispatch. He stated Walled Lake residents complained about the response time and the station being closed. He explained from an operational standpoint there could be additional overtime needed to cover staffing issues.

Pastue advised the City would require an operational analysis of combining services.

Wiggins recognized the potential loss of services as a result of combining dispatch. He stated knowing the related costs, shared dispatch services doesn't appear to be a viable option.

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Wright stated the City needs to decide how to operate on a lower budget. He expressed his frustration with reviewing one item at a time, rather than analyzing the entire budget with a strategy in mind.

Knol expressed frustration with making an uninformed decision regarding shared services.

Buck stated Farmington Hills has the numbers but doesn't appear interested in sharing services. He advised this is a very complicated scenario that may take three months to study but its time to make a decision.

Responding to a question from McShane, Pastue outlined what would be presented at next week's budget meeting.

McShane asked how Council can decide to purchase equipment without knowing if shared services with Farmington Hills is a viable option.

Pastue responded preliminary numbers suggest the savings may not be worth the change in service. He concurred with McShane that it is not an easy decision to make without knowing what the full impact on the community will be.

Knol commented residents have raised the shared services question before and without something in writing from Farmington Hills she doesn't have an answer for residents nor can she make an informed decision.

Mayor Buck felt shared services with Farmington Hills may compromise service for the City of Farmington.

Council continued discussion about adding a proposal deadline as part of the motion and how that would impact the City's decision to purchase a new 911 phone system.

Council continued discussion regarding the need for either a formal rejection or a written proposal from Farmington Hills by April 1, 2010.

Attorney Schultz advised City Council as to the verbiage used in the motion before them.

RESOLUTION 03-10-038 Motion by Wiggins, seconded by McShane, to authorize the purchase of a Plant CML Vesta Palas 911 System from Advanced Wireless Telecom in the amount of \$89,600.83; contingent upon receiving from Farmington Hills by April 1, 2010, either a formal rejection for shared dispatch services or a bona fide written proposal that after consideration and review is declined by Council.

ROLL CALL

Ayes: Knol, Wiggins, Wright.

Nays: Buck, McShane.

Absent: None.

MOTION PASSED.

DISCUSSION REGARDING ACCEPTANCE OF GRANT FOR NEW FIRE TRUCK

Pastue advised the City has received a grant from the Federal Government in the amount of \$275,000. He explained the amount of the grant would be \$261,250 (95%) and the City's share would be \$13,750.

Pastue stated the City would be replacing the current 1975 Pumper Fire Truck which has a current market value of \$2500. He explained that the truck would need to be delivered by January 21, 2011 as required by the grant. Pastue advised lead time is needed for the proposal process, purchase approval, and a 3-4 months delivery time.

City Manager Pastue commended Public Safety for attaining this grant and recommended Council accept the grant and authorize Public Safety to move forward with the purchase.

Pastue shared a past discussion with Interim Director Schulz regarding the purchase of a 28-foot extension ladder with an attached master stream water supply. He stated this would be at an additional cost and would replace the current aerial ladder.

Pastue noted this item could be addressed as an addendum to the proposal.

Responding to a question from Wiggins, Schulz stated one company quoted \$80,000 for the ladder.

Wright suggested the proposal should request an earlier deadline on the delivery date.

Council authorized Public Safety to proceed with soliciting proposals to purchase a New Class "A" Fire Pumper.

CONSIDERATION TO AMEND CITY FEE SCHEDULE – CHAPTER 6, SECTION 1

City Manager Pastue discussed amending the City fee schedule to raise the fee for accident reports from \$5.00 to \$10.00.

RESOLUTION 03-10-039 Motion by Knol, seconded by McShane, to amend the City fee Schedule Chapter 6, Section 1, to increase the price of accident reports from \$5.00 to \$10.00.

ROLL CALL

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

Nays: None.

Absent: None.

MOTION PASSED UNANIMOUSLY.

CONSIDERATION TO AUTHORIZE ALCOHOL TESTING FOR 47TH DISTRICT COURT

Pastue reviewed a request from the Public Safety Department to conduct alcohol testing for the 47th District Court during non-business hours at City Hall.

Schulz explained his department has capable staff available to conduct the test when needed. He explained on a regular basis individuals request to be tested after missing a scheduled appointment. He stated the fee collected would be a good source of additional City revenue. Schulz felt this additional service would not interfere with the City's 911 dispatch duties.

Responding to a question from Mayor Buck, Schulz stated financial impact on businesses offering the same service is difficult to project. He noted the District Court estimated Farmington could make up to \$90,000. He felt the level at which his department would be conducting the tests would not greatly impact other businesses performing the same service.

Responding to a question from Councilmember Knol, Schulz explained there are two locations conducting alcohol testing, the Judicial Alternative Management System (JAMS) and Alcohol Drug Administrative Monitoring System (ADAMS).

Schulz recommended dispatch begin on a small scale to monitor the time and effort involved.

RESOLUTION 03-10-040 Motion by McShane, seconded by Knol, to authorize the Public Safety Department to conduct alcohol testing for the 47th District Court during non-business hours at Farmington City Hall; and authorize the Department to conduct Preliminary Breath Tests (PBT) for all other individuals at a charge of \$10.00.

ROLL CALL

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

Nays: None.

Absent: None.

MOTION PASSED UNANIMOUSLY.

Responding to a question by Knol, Pastue explained other cities conduct periodic fire inspections for rental housing units and charge a fee for that inspection.

Wright remembered he paid a fee to have the sprinkling system certified at his office building in Farmington Hills. He wasn't sure who conducted the inspection.

Schulz commented all sprinkler systems are required to be checked annually by an outside agency to make sure they are in working order.

Buck thanked Public Safety for recommending increased fees for accident reports and implementing the alcohol testing program; both of which enhance revenues for the City.

REVIEW OF PROPOSED ZONING CODE AMENDMENTS

Pastue explained subsequent to adopting the new Master Plan last year the City has continued to work with LSL to amend the Zoning Code. He explained the text amendments incorporate the goals associated with the Master Plan, clarifies language, and addresses standards related to adult regulated businesses.

Pastue reviewed proposed changes:

Format and Editorial Changes

References to prior Zoning Acts has been replaced to refer to the new MI Zoning Enabling Act (P.A. 110 of 2006)

Article 2, General Provisions

- Commercial vehicles with outside brackets and ladder hooks may park in residential districts provided no equipment is on the vehicle.
- Section 35-43, Accessory Buildings and Structures, now refers to the Residential Building Code requiring fire-rated exterior walls for buildings located within 5 feet of a property line.

Article 5, Multiple Family Residential (Districts R2, R3, R4, R5, R6)

- Now allows senior housing in R3 Multiple-family Residential and R4 Multiple-family Residential (1 bedroom) districts and unit size requirements were added.
- Section 35-83, Lot and Yard Requirements, has been revised for multiple-family uses and now uses a “dwelling unit per acre” measure rather than number of bedrooms.
- The R4 district will be removed due to its limited one-bedroom allowance. The City does not want future development at that density unless it is part of a mixed land use.

Article 7, Commercial (Districts CBD, C21, C3)

- Will promote mixed use and a smaller-scale neighborhood uses in the C2 district and outdoor display, sales and storage are seen as special land use. Heavy commercial uses are not allowed in the CBD, and most auto repair and maintenance facilities would be a special land use.
- Residential uses are now permitted in the C3 district, as part of a PUD.

Outdoor Seating:

- Regulations now requires all temporary outdoor seating furniture be stored indoors between October 31st and April 15th
- Automatic renewal of permits is now allowed except where violations occur or if the building official sends a renewal to the Planning Commission.
- The building official can allow seating past October 31st when not in the right-of-way or on public land, weather permitting.

Building Design for CBD

- Upper story windows are given a minimum requirement of 30% of the upper floor wall area.
- Where previously buildings were held to a zero front setback, now the setback can be up to 3 feet.

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- Requirements for exterior building materials and window areas were clarified and corrected.
- CBD requirements state clearly that sites with any type of off-street parking must contain buildings that occupy at least 60% of the property frontage.

Added Standards for drive-through uses:

- Currently in the CBD, no drives through uses are allowed.
- In the C2, drive-through banks, restaurants, dry cleaners and pharmacies are allowed as special land uses only.
- In the C3, drive-through banks, restaurants and those accessory to retail uses are allowed as special land uses while those for dry cleaners and pharmacies are allowed by right.
- The generic drive-through line item in the table of uses was removed to avoid confusion.

Onsite Parking may be waived if other facilities are available within 500 feet of the site.

Article 10, Planned Unit Development

- Mixed-use, pedestrian-oriented amenities, development of Brownfield or Greyfield sites, or inclusion of LEED elements are added to the list of Recognized Benefits.
- Planning Commission can permit additional uses in a PUD in order to create mixed-use and pedestrian-oriented places.

Article 12, Special Uses

- The adult regulated usage list includes “adult motion picture theater” and “adult theater.”
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City Attorney Schultz explained an Adult Use Ordinance is already in place for the City of Farmington. Article 12 restricts these uses to the Industrial District, adds and clarifies operational and location regulations. He continued 8 Mile Road & a small part of 9 Mile Road meet the requirements.

Article 13, Site Plan Review

- A less detailed “architectural site plan” is now allowed if a fully detailed engineered plan is not needed in order to perform a proper site plan review.
- Plans are required to contain a boundary survey if improvements are proposed within 3 feet of a property line.
- Additional flexibility was added for information required for Site Plans and additional detail was added to Architectural Site Plans.
- Submittal of Engineering Plans was added as the final step in the approval process.
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After much discussion it was decided to add outdoor seating in Article 13 site plan review.

Article 14, Off Street Parking and Loading Standards and Access Design

- Parking Standards were updated to minimize any excessive parking requirements. The requirements now measure by gross leasable area rather than usable square feet. Calculations for restaurants was changed to a per seat calculation.
- Developments are required to provide extensions to non-motorized systems where such systems exist or are planned.
- Deferred Parking can not be located in required landscape areas.

Article 15, Landscape Standards

- Gateway and entrance features are required for properties within a gateway area identified in the Master plans.

Article 21, Definitions

- The following definitions were added to Article 21:
 - Animal Grooming and Training Establishment
 - Brownfield Sight
 - Greyfield Site
 - Personal Service Establishment
 - Quasi-Public Institution

Pastue suggested City Attorney Schultz draft an amended Zoning Ordinance to be introduced on March 15, 2010 and then adopted at the April 20, 2010 meeting.

Council discussed amending the ordinance to provide specific standards for the use of A-frame signs.

Pastue stated the City can require A-frame sign permits.

Knol suggested the use of chalkboard signs because they can be changed when needed and still look attractive.

Wiggins felt A-frame signs should have the same requirements as outdoor seating.

OTHER BUSINESS

City Manager Pastue reminded Council of the 2010 Census/MCMR outreach meeting scheduled for March 7, 2010 at 5:00 p.m.

Pastue noted during construction Grand Cleaners will have a temporary traffic control order stating “no left turn” or “right hand turn only” from this business. He advised Director Gushman or Ordinance Officer Koncsol can address any concerns regarding this matter in his absence.

PUBLIC COMMENT

No public comment was heard.

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COUNCIL COMMENT

Knol advised Council should visit ACO Hardware Store to look at the deterioration of the pillars holding up the façade.

Mayor Buck shared a conversation he had with a bank manager regarding property assessments. He stated the manager complimented City Assessor Sailer on a well written letter posted online clarifying the process for property assessments.

Buck then clarified his no vote regarding the new 911 System stating his no vote addressed the amendment not the request for the 911 system.

ADJOURNMENT

03-10-041 MOTION by Knol, seconded by McShane, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 10:40 p.m.

J.T. (Tom) Buck, Mayor

Susan K. Halberstadt, City Clerk

APPROVED: April 19, 2010