

FARMINGTON CITY COUNCIL
REGULAR MEETING
February 15, 2010

A regular meeting of the Farmington City Council was held on Monday, February 15, 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.

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

ABSENT: None.

CITY ADMINISTRATION: Director Gushman, City Clerk Halberstadt, City Manager Pastue, Attorney Schultz, Interim Director Schulz and Treasurer Weber.

CONSENT AGENDA

02-10-019 MOTION by McShane, seconded by Wright, to approve the consent agenda as presented:

- A. Special Meeting Minutes of January 4, 2010
- B. Regular Meeting Minutes of January 19, 2010
- C. Special Meeting Minutes of February 1, 2010
- D. Special Meeting Minutes of February 6, 2010
- E. Approve Farmington Monthly Payments Report – January 2010
- F. Approve Monthly Public Safety Report – January 2010
- G. Approve City of Farmington Financial Report Quarter Ended December 31, 2009
- H. Approve City of Farmington Investment Report Quarter Ended December 31, 2009
- I. Approve 47th District Court Financial Report Quarter Ended December 31, 2009
- J. Approve Department of Public Works and Water/Sewer Department 2nd Quarter Report – October through December 2009
- K. Consideration to Renew Michigan Municipal League Membership

MOTION CARRIED UNANIMOUSLY.

02-10-020 MOTION Wright, seconded by McShane, to reconsider approval of the consent agenda. MOTION CARRIED UNANIMOUSLY.

02-10-021 MOTION by Wright, seconded by McShane, to approve the consent agenda with the exception of Item K, Consideration to Renew Michigan Municipal League Membership, which will be moved to the Regular Agenda, under New Business, as Item C. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF REGULAR AGENDA

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02-10-022 MOTION by McShane, seconded by Wiggins, to amend the agenda adding Item D, State Representative, Vicki Barnett – Legislative Update, under Presentations/Public Hearings. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS/PUBLIC HEARINGS

PROCLAMATION SCLERODERMA AWARENESS MONTH

02-10-023 MOTION by McShane, seconded by Knol, to proclaim June 2010 as Scleroderma Awareness Month in the City of Farmington. MOTION CARRIED UNANIMOUSLY.

SPECIAL EVENT PETITION – KNIGHTS OF COLUMBUS ANNUAL FUND DRIVE

02-10-024 MOTION by Knol, seconded by Wiggins, to approve the request of the Knights of Columbus, St. Francis Council No. 4401, to solicit for their annual fund drive on the weekend of March 26, 27 and 28, 2010 in the City of Farmington; except for soliciting in the streets. MOTION CARRIED UNANIMOUSLY.

FARMINGTON DOWNTOWN DEVELOPMENT AUTHORITY

Quarterly Update – Annette Knowles

DDA Executive Director Knowles provided an update and future activities under the core themes of the Mainstreet Program: Walkability, Downtown Promotion, and Commercial Employment.

2010 Event Calendar – Janet Bloom

DDA Events Planner, Janet Bloom, provided a review of the DDA's 2010 Community Calendar of Events.

Responding to a question from McShane, Bloom stated the official title of the festival is the "Downtown Farmington Founders Festival."

McShane asked how the festival will change without the inclusion of Art on the Grand. Bloom responded this change allows them the opportunity to raise the quality of the crafts and add a number of crafters as well.

McShane noted in earlier years the festival was viewed as a Heritage Celebration, relating to the strong history of Farmington. She stated this could add another dimension to the festival.

Wiggins referred to a previous discussion concerning closing Grand River rather than Farmington Road for the festival.

Bloom responded the DDA decided not to pursue approval from MDOT to close Grand River for *both* Art on the Grand and Founders Festival. She advised they

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would have needed to wait until after the Art on the Grand event to make a request to close Grand River for the festival. They will review the success of Art on the Grand and determine the optimal road closing for each event next year.

Wright noted the resolution before Council appears to request approval for all scheduled DDA events throughout the year, including liquor licenses. He further noted some of the events are open ended. He asked why Council would approve a temporary liquor license for an event that has not been finalized. He pointed out Council has typically approved on an event by event basis.

Pastue advised the dates of the 2010 events have been confirmed. He stated the only question may be the time frame for liquor licenses. He advised historically they have closed those operations at midnight. He pointed out there is merit to approving the events at the same time in terms of securing marketing and sponsorship opportunities; and for bidding out tents, chairs, tables, etc.

Council thanked Knowles and Bloom for their updates and expressed enthusiasm for the great activities planned throughout the year.

Buck noted the City is fortunate to have both Knowles and Bloom on the DDA team, as well as other DDA staff, and all the volunteers who do an incredible job for the downtown and the City.

Greg Cowley, DDA Chairman, thanked Council for their continued support. He stated this is the first year the DDA Board has been able to put together a single sponsorship package strategy. He noted it will allow the DDA to exceed last year's numbers even in these difficult economic times. He stated their intention is to upgrade every event where possible. He congratulated the DDA staff on the great job they are doing. He stated the Board is very pleased with what is happening in the downtown.

RESOLUTION 02-10-025 Motion by Wiggins, seconded by Knol, to adopt a resolution approving the Downtown Development Authority's 2010 Community Calendar of Events that include dates, times, locations, road closures, and authorization to apply for temporary liquor licenses. **[SEE ATTACHED RESOLUTION].** MOTION CARRIED UNANIMOUSLY.

STATE REPRESENTATIVE, VICKI BARNETT - LEGISLATIVE UPDATE

Representative Barnett provided an update on activities in the legislature. She advised several bills have come out of the Senate and are headed to the House for approval. She stated the Bills include changes to PA 312 and the Urban Cooperation Act. She expressed her strong support for local control.

Barnett advised the legislature will be looking at major restructuring in order to address the severe budget issues they are facing. In an example of the magnitude of the deficit, Barnett stated in 2002 the General Fund budget for the State of Michigan was approximately \$10 billion, however, this year they are looking at a budget of \$6.3 billion. She stated last year, with all the budget pain

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they experienced, it was a budget of \$8.7 billion. She advised legislature has seen a dramatic decrease of state revenues due to losing almost one million manufacturing jobs, plummeting housing values; and all the other factors related to a slow economy.

Barnett stated the legislature will do what is needed to ensure essential services are funded. She will continue to fight for revenue sharing. She believes there are two major priorities that must be funded: 1) education, and 2) communities, to keep them safe and strong.

Barnett identified the four committees on which she serves: 1) Urban Cooperation and Regional Government, 2) Urban Cooperation and Urban Policy, 3) Agriculture Committee, and 4) Tax Policy.

Responding to a question from McShane, Barnett stated there still could be additional cuts to revenue sharing, however, she is making every effort to see that doesn't happen.

McShane asked if the State would ask for wage decreases from both union and non-union employees. Barnett advised they have already received some concessions from the non-union group. She noted there is a contractual 3% pay increase coming up for union employees. She has gone on record that there should be a pay freeze. She noted these were agreements promised several years ago due to major concessions made by that group. She stated there was a year where the union group took a 20% across the board pay cut.

Barnett advised the legislature has lowered their salaries by 10% effective next election time. She stated legislators have cut their personal budgets significantly. She noted the state government workforce is now at 1974 levels. She discussed the increased workloads of those workers.

McShane stated there should be equity in the pay cuts the union and non-union groups are required to take. She pointed out the State is not addressing changes to salaries or benefit packages of government employees, yet they are making cuts in all other areas. She noted all of the school closings, but nothing is being done to address salaries and benefits of teachers.

Barnett stated she does not want to leave the impression that changes to wages and benefits of union employees is not happening. She advised a Bill has been introduced that would eliminate retirement healthcare benefits for legislators serving in the era of term limits. She stated the term "free lifetime healthcare benefits" is a misnomer because they have never been free and have not been lifetime.

Barnett further noted there have been many changes to the health and retirement benefits of public school employees. There have been changes to cost of co-pay and co-premium on their healthcare packages. She stated they have agreed to pay more into their retirement plans.

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Wiggins asked about the Governor's promise to award \$4,000 grants to students who have met certain requirements. He asked if there is any possibility the State will honor this promise.

Barnett stated she is hopeful there will be a discussion on dedicated funding for the promise grants, but is not optimistic. She questioned whether any legislator, in an election year, will take a serious look at funding them over making sure there are enough police officers on the street or that the homeless population doesn't increase.

Barnett discussed the strength of the bi-partisan freshman caucus, and expressed optimism that a plan will be developed to fund education, including the promise grant.

Barnett noted when the governor vetoed the 20-J money that meant a loss to the Farmington District and others of \$1,000 per pupil over a 3-year period.

Mayor Buck thanked Representative Barnett for her update. He cited a number of things Farmington is doing to stay strong and expressed appreciation for any assistance that can be provided from the State.

UNFINISHED BUSINESS

CONSIDERATION TO ADOPT ORDINANCE C-745-2010

02-10-026 MOTION by Wiggins, seconded by McShane, to adopt Ordinance C-745-2010 to amend Chapter 11, Article II, Section 11-28 of the City Code to have the Mayor serve as the Chief Executive Officer appointee to the Downtown Development Authority Board of Directors. **[SEE ATTACHED ORDINANCE].**

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE FOR IMPROVEMENTS TO NINE MILE ROAD

Responding to question from Wright, Pastue thought the Nine Mile Road Project would come in under budget.

RESOLUTION 02-10-027 MOTION by Wright, seconded by Knol, to approve a construction estimate payment to the City of Farmington Hills in the amount of \$282,558.42 for the City of Farmington's share of improvements to Nine Mile Road.

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ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

BOARD AND COMMISSION APPOINTMENTS

Brownfield Redevelopment Authority

02-10-028 MOTION by Knol, seconded by Wright, to reappoint and appoint Kevin Gushman and Annette Knowles, respectively, to three-year terms expiring February 28, 2013. MOTION CARRIED UNANIMOUSLY.

Civic Theatre Ad Hoc Committee

02-10-029 MOTION by McShane, seconded by Knol, to amend Resolution No. 12-09-256, establishing a Civic Theatre Ad Hoc Study Committee, increasing the committee from nine (9) to eleven (11) members; and to appoint the following eleven members to the Committee: Brian Belesky, Galen Chandler, Stephanie Janiunas, Brian Kantz, Erik Lindquist, Gary Luyben, Mary Morgan, Charles Paul, Brian Rich, Mara Topper, and James Wasiloff. MOTION CARRIED UNANIMOUSLY.

Buck expressed hope that all those who applied for the Civic Theatre Committee will become involved which may include serving on sub-committees. He recognized the incredible talent of all the applicants.

CONSIDERATION TO RENEW MICHIGAN MUNICIPAL LEAGUE (MML) MEMBERSHIP

McShane stated the MML membership fee is part of a larger picture in the City's effort to cut expenses, including asking employees to take pay cuts or reviewing how the City bids out services. She is looking at the MML fee collectively with other association fees. She stated the MML membership is an important one because of the crucial services they provide. She asked if it is possible to request a 10% decrease in their fee.

Knol agreed the City needs to scrutinize every single purchase it makes. She was in favor of ending the City's membership to the National League of Cities. She did not believe the City was receiving the value from that membership that a larger City receives. She noted Councilmembers and the City Manager have reduced their budgets for education. She expressed support for retaining the City's MML membership, but asked for a possible fee reduction. She discussed the many benefits of the MML and their strong advocacy for both small and large communities.

Buck stated he is all for asking the MML to reduce their membership fee. He pointed out the MML offers some very good education programs. He stated their

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programs offer a great opportunity to gather ideas from other communities. He advised the greatest value received from an organization is through active participation in its programs. He cited a number of programs in which he has participated. He supports continuing membership in MML.

Wiggins also expressed support for continuing membership in MML. He stated as part of the City's close scrutiny of expenses this is one cost of which he approves.

Wright stated when you have a pie and you try to split it up, something has got to give. He asked if not the MML membership, then what. He asked what is it that the City is not going to spend money on. He pointed out this expense is already in the current year budget. He stated a letter should accompany the renewal indicating next year the MML fee will be a line item that will be scrutinized and any financial relief from them would be beneficial in making a decision to continue membership.

Wright asked if the programs through MML would be available regardless of membership. He noted the possibility of discontinuing a voluntary portion of the membership which is the Legal Defense Fund.

Pastue stated the Defense Fund has been historically used for broad legal issues pertaining to cities across the state.

Schultz advised the MML Legal Defense regularly provides court assistance on municipal issues. He noted the cities receive excellent representation, they may not normally get, at a reasonable cost.

McShane expressed support for sending a letter to MML putting them on notice. She requested information regarding their budget.

Representative Barnett, a former President of MML, cited the importance of cases that have been undertaken by the MML Legal Defense Fund. She stated they provide a number of services, including excellent education programs. She noted the insurance pool they provide that reduces costs. She advised they have stepped up use of technology and streamlined its committee structure to better advocate in the legislature on behalf of local communities.

2-10-030 MOTION by Wright, seconded by Wiggins, to authorize payment in the amount of \$5,118 to continue membership in the Michigan Municipal League along with a letter expressing Council's concerns. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT

Hank Borgman, 34011 Grand River, questioned the wisdom of undertaking the Grand River Streetscape Project last year given the City's current budget crisis. He expressed concern over the number of promises previously made by the legislature that cannot be kept.

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Betty Borgman, 34011 Grand River, expressed appreciation to Council and staff for their time and effort in making Farmington a wonderful City. She expressed concern that Council speaks in a budgetary language that is not understandable to the general public. She would like to know how City funds, TIF, etc. translate into her property taxes. She asked how the average citizen can track the money. She asked about the funds for the Grove Street Project.

Buck stated he would encourage Council to use terms that are understandable and explain acronyms that may be used. He encouraged Mrs. Borgman to contact City staff with questions.

Pastue stated he will include in an upcoming tax bill a document showing how the City's funds are spent.

COUNCIL COMMENT

Wright suggested the Council, DDA and City Administration volunteer to author articles on topics such as TIF. In reference to Ms. Borgman's question, he advised the City did not borrow funds for the Grove Street project.

Buck mentioned he had written a guest editorial for the Observer concerning the SMART issue and its implications.

Knol announced the upcoming State of the Cities Address on February 22, 2010 sponsored by the Chamber of Commerce.

ADJOURNMENT

02-10-31 MOTION by McShane, seconded by Knol, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 8:55 p.m.

J.T. (Tom) Buck, Mayor

Susan K. Halberstadt, City Clerk

APPROVED: March 15, 2010