



Regular City Council Meeting
7:00 p.m., Tuesday, September 4, 2018
Conference Room
23600 Liberty Street
Farmington, MI 48335

FINAL

REGULAR MEETING MINUTES

A regular meeting of the Farmington City Council was held on September 4, 2018, at 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:00 pm by Mayor Steve Schneemann.

1. Roll Call

Attendee Name	Title	Status	Arrived
Sara Bowman	Mayor Pro Tem	Present	
William Galvin	Councilmember	Present	
Joe LaRussa	Councilmember	Present	
Steve Schneemann	Mayor	Present	
Maria Taylor	Councilmember	Present	

City Administration Present

Superintendent Eudy
Director Demers
City Clerk Mullison
City Manager Murphy
City Attorney Schultz

2. Approval of Agenda

Move to approve the regular meeting agenda as amended, adding Item 4 Mayfield Drain Update, and moving all successive topics one item down.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Taylor, Councilmember
SECONDER:	LaRussa, Councilmember

3. Public Comment

Beth Martinez – 33363 Walnut Lane, Farmington Hills invited Council to upcoming “Voters Not Politicians” open house.

4. Update to Mayfield Drain Issues

Superintendent Eudy summarized the problem of flooding during a recent rain event near Mayfield and Manning streets and what actions had been taken by his department since the event to discover the cause of the issue.

Schneeman inquired as to Eudy's next actions and whether OHM will be contacted next to do an analysis. Eudy affirmed that OHM would be surveying and documenting the area and their recommendation would be reported to the Council as a next step.

5. Presentation: Oakland Water Resource Commissioner

Mike McMahon and Jeff Wilson, Oakland Water Resource, presented a report about the Caddell Drain and the need for emergency pipe repair for the drainage district of which Farmington is a participating community.

After the presentation, there was some concern about the accuracy of the cost estimate of Farmington's 11.9% portion which is based on contributing drainage. The Oakland Water Resource Commission will provide an invoice.

LaRussa inquired about how future assessments will impact our fiscal year, looking toward the discussed Spring assessment. Bowman questioned Mr. Wilson about the background of the Board and process to deciding how we are assessed. Mr. McMahon and Mr. Wilson explained that the Drainage Board recommends needed action, based on studies by firms such as OHM that are thoroughly vetted. Bowman also expressed concern about notifying the residents living adjacent to the work to be done. Mr. Wilson reported that some residents have already been reached out to, though no citywide information has been disseminated as yet.

Galvin asked, hypothetically, what would happen to the project if the Council did not approve payment. Mr. McMahon explained there were other payment possibilities and that they had bonded projects in the past. He reiterated that it was a necessary project and that it had come through the Drain Board as a project for public safety. Galvin asked City Manager Murphy to take up this question with the County and find out whether the city can come up with a strategy to pay for it over time.

Mr. LaRussa explored the idea of putting a mechanism in place that would set aside money for drains with City Attorney Schultz. Mr. Murphy will put together a report on the possible ramifications of doing that.

Mr. Wilson discussed other projects that will need to be addressed in the near future.

Schneemann indicated that since this will have significant impact on the City's future budgeting that more options be presented so that Council can fulfill their obligation in the most responsible way.

6. Consideration to Amend Fiscal Year 2018/19 Budget for Emergency Repair of the Caddell Drain

City Manager Murphy requested that Council consider amending the 2018/19 Budget to meet the needs of the Caddell Drain repair.

LaRussa asked if there was opportunity to move funds from elsewhere in the budget rather than increasing the budget, and Murphy responded there is no padding in the budget and that we only include real expenses in the budgeting process. He also stated that the reason to have a surplus in the fund balance was for just this reason: emergencies.

Move to adopt resolution amending Fiscal Year 2018/19 Budget.**

RESULT:	APPROVED [4-1]
MOVER:	Galvin, Councilmember
SECONDER:	Bowman, Mayor Pro Tem
AYES:	Bowman, Galvin, Schneemann, Taylor
NAYS:	LaRussa

7. Consideration to Approve Payment of Caddell Drain Special Assessment

Move to approve Payment of Caddell Drain Special Assessment.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Galvin, Councilmember
SECONDER:	Bowman, Mayor Pro Tem
ROLL CALL:	Galvin, LaRussa, Schneemann, Taylor, Bowman

8. First Reading of Proposed Ordinance to Amend the City of Farmington Code of Ordinances, Chapter 31, to Increase Fines for Repeat Parking Offenders

Director Demers summarized the proposed amendment to the existing ordinance.

Taylor indicated concern about repeat offenders never being able to expunge their record after a period of time with no offenses. Demers explained the record keeping difficulties of having a time limit variance to the process of issuing tickets in real time. He indicated that retrieving CLEMIS information and then having to process a threshold of time since their last offense was an impediment to the "good behavior clause" Taylor would like to see. She cannot support this amendment without a change taking away the lifetime punishment and wanted to see parking offense records expunged after three years.

Bowman asked if three hour parking enforcement has made a difference in how many offenders have repeated. Demers indicated that there has been no problem with people coming into and out of the city to shop. Bowman stated that the fines are intended as behavior modification and not as a money maker for the city. She has heard that the repeat violators are a very small group of offenders and that they are taking advantage of the system. She commended Director Demers for his work on this problem.

Galvin, as a member of the Parking Committee, explained the process they took to arrive at this proposed amendment. He stated that the goal of it was human behavior modification of scofflaws and that someone who mistakenly gets four parking tickets can still appeal in court. He explained that the overarching theme was that this is a typical, fair, and equitable way to not penalize the normal shoppers and it would support the business owners. He thanked Demers

for checking with the 47th District Court to see if this amendment would be within their abilities to process.

LaRussa asked about discretion in ticketing, and Demers replied that the magistrate can deem it unnecessary to pay the full fee if they are reformed scofflaws.

Schneemann asked about whether the ticket follows the vehicle or the person, and was informed that it goes with the vehicle. He made the point that it is sort of a reset then, as cars do not last forever. He asked City Attorney Schultz about fines and fees as the fees are raised in future. Schultz answered that whatever fees were in force at the time of the ticket would be the applicable fine.

Move to approve first reading of Amendment to Farmington City Code of Ordinances, Section 31-60 “Prohibited Parking”; increased fines for repeat parking offenders.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bowman, Mayor Pro Tem
SECONDER:	Galvin, Councilmember

9. First Reading of Proposed Ordinance to Amend the City of Farmington Code of Ordinances, Chapter 28, Requiring Motorists to Stop for Pedestrians at a Non-Signaled Crosswalk

Director Demers summarized the proposed amendment to the ordinance and passed out a handout about the suggested intersections with non-signalized crosswalks and the signage planned. The costs would depend upon the customization of the signage. He referred to compliance achieved by the City of Ann Arbor by making the sign say stop rather than yield within the crosswalk. Enforcement would also be an issue.

Bowman stated that Ann Arbor and Farmington cannot be compared because of size and use. She supports the change from yield to stop.

LaRussa initiated discussion about the wording in the ordinance, referring to the term “unmarked crosswalk”. City Attorney Schultz referred to the Uniform Traffic Code and suggested that his office should go back and rewrite for a second reading, making the wording clearer.

Galvin asked if this amendment goes far enough to protect our citizens. As written, the ordinance applies citywide, and he asked Director Demers to look at adding this type of mechanism at Drake and Halstead.

Taylor addressed enforcement issues. Demers says Public Safety is looking to establish “that atmosphere of compliance”. She requested that Demers review different alternatives and present the pros and cons of each to Council before the second reading.

Schneemann thinks this is a huge win for pedestrian safety and wants it to be enacted as soon as possible.

Move to approve first reading of ordinance to amend Chapter 28, “Streets, Sidewalks and Other Public Places,” Article III, “Streets,” to add a provision related to pedestrian crosswalks.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bowman, Mayor Pro Tem
SECONDER:	LaRussa, Councilmember

10. First Reading of Proposed Ordinance to Amend the City of Farmington Code of Ordinances, Chapter 20, to Include Vape and Electronic Cigarettes

Director Demers reminded Council about the proposed changes. He referred to the recent decoy operation held in the city. Discussion followed about raising the fine associated with the ordinance. Administration was tasked with revisiting the fines to make them more up to date.

Move to approve first reading of ordinance to amend the City of Farmington Code of Ordinances, Chapter 20, to include vape and electronic cigarettes.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	LaRussa, Councilmember
SECONDER:	Taylor, Councilmember

11. Consideration to Approve Amendment No. 3 to the Water Services Contract between the City of Farmington and Great Lakes Water Authority (GLWA)

Superintendent Eudy summarized the need to revise the current contract.

Move to approve Amendment No. 3 to the existing water services contract with the GLWA and authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	LaRussa, Councilmember
SECONDER:	Bowman, Mayor Pro Tem
ROLL CALL:	LaRussa, Schneemann, Taylor, Bowman, Galvin

12. Other Business

Taylor brought up the fact that one of the Council goals from January was to set up a committee on walkability. Schneemann referred to a recent email to him from Taylor on this topic, and City Attorney Schultz addressed the process of creating a committee. Schneemann opened the floor for Council comments on the subject.

Galvin suggested handing off the problem or task to the DDA.

Taylor suggested a temporary group like the Women's Park committee. She would also like to improve neighborhood walkability, not just downtown.

Bowman approves of the idea of a broader based ad hoc committee with representatives from different factions.

Schneemann asked City administration whether a committee like this must be formed as an official group of the Council. City Attorney Schultz suggested that administration could bring together a draft proposal forming the group, and it should be in a more formal advisory capacity.

Galvin and Taylor weighed in on the idea of requiring the Economic and Community Development Director to be integral in the group. LaRussa cautioned that the outcome should be defined and scoped, and recommends that the charge be considered carefully. Schneemann recognized that there should be a defined responsibility given as a charge to the committee. He suggested that Taylor should work with administration as the scope of the committee is defined. Schultz questioned the Master Plan consultant and how much their work overlaps with the work of this committee.

Schneemann requested that the City Manager define the scope with the help of Taylor and bring it back to Council for consideration.

13. Council Comment

Galvin commented on the agenda for this meeting. He would like to see the meeting on the first Monday of the month return to a true study session, rather than a regular action item meeting, using them to have dialog and build consensus. Murphy discussed the reasons that the first meeting of the month changed from a Special to a Regular meeting.

Schneemann instructed city administration to come back with a study/proposal to change first meeting back to a study session and add the topic as an agenda item on a future meeting.

Taylor reminded administration and Council that just because something had been done a certain way in the past doesn't mean that Council has to keep doing it a certain way and that they can do whatever they would like to do. She also inquired about whether Council meetings are broadcast live on cable television. Schneemann suggested that be another item for Council to discuss.

14. Adjournment

Move to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Taylor, Councilmember
SECONDER:	Bowman, Councilmember

The meeting adjourned at 9:03 p.m.

Steve Schneemann, Mayor

Mary Mullison, City Clerk

Approval Date: September 17, 2018

**To view approved documents, please see the Agenda Packet link that is relevant to this meeting at <http://farmgov.com/City-Services/Government/Agendas-and-Minutes/City-Council.aspx> or contact the City Clerk.