

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, June 07, 2004 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 8:00 p.m. by Mayor Campbell.

PRESENT: Bush, Campbell, Knol, McShane, Mitchell.

ABSENT: None.

OTHERS PRESENT: Clerk/Treasurer Cantrell, Director Gushman, City Manager Pastue, Assistant City Manager Richards, Attorney Schultz, Interim Director Wiggins.

APPROVAL OF AGENDA

06-04-121 MOTION by Bush, seconded by McShane, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

06-04-122 MOTION by Mitchell, seconded by Knol, to approve the regular and special meeting minutes of May 17 and May 19, 2004; and jointly funded agencies budget meeting of May 4, 2004. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING

PROPOSED FY 2004-2005 BUDGET

At the request of Mayor Campbell, City Manager Pastue reviewed the proposed budget and tax rate for the 2004-2005 fiscal year. Following City Manager Pastue's review, Mayor Campbell opened the public hearing and invited comment. There being no public comment, Mayor Campbell called for a motion to close the public hearing.

06-04-123 MOTION by McShane, seconded by Mitchell, to close the public hearing. MOTION CARRIED UNANIMOUSLY.

2004 PRINCIPAL SHOPPING DISTRICT SPECIAL ASSESSMENT ROLL

At the request of Mayor Campbell, City Manager Pastue reviewed the proposed adoption of the 2004 Principal Shopping District Special Assessment Roll, citing Council's prior adoption of a "Resolution of Necessity" re-establishing the Principal Shopping District Special Assessment in the downtown for a three-year period.

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Following City Manager Pastue's presentation, Mayor Campbell opened the public hearing and invited comment. There being no public comment, Mayor Campbell called for a motion to close the hearing.

06-04-124 MOTION by Bush, seconded by Knol, to close the public hearing. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS

BOARD OF EDUCATION RE: BOND PROPOSAL

Farmington Public School Superintendent Robert Maxfield and Board Trustee Howard Wallach were present to discuss the school bond proposal to be placed on the August 2004 Primary ballot.

Responding to a question from Council, Superintendent Maxfield stated that the plans for the proposed outdoor school facilities have not been reviewed by either City's Planning Commission.

Council member McShane encouraged Superintendent Maxfield to share the proposed plans with the City of Farmington Planning Commission.

Council member Knol expressed her support for the proposed bond issue, however, she noted that even though the tax rates under this proposal would remain unchanged, it would actually be a tax increase because the tax rates was scheduled to decline beginning in 2004.

MR. BRIAN M. GOLDEN'S NEW BOOK, "*FARMINGTON: A PICTORIAL HISTORY PHOTOGRAPH COLLECTION*"

Brian Golden provided a brief overview of his new book, "*Farmington: A Pictorial History Photograph Collection*" and presented an autographed copy to the City.

PETITIONS AND COMMUNICATIONS

PETITION – FOUNDERS FESTIVAL REQUEST FOR WINE TENT

Administration advised that the City received a request from Founders Festival Director, Kristine Franko, to approve a wine tent at Liberty Park at the southwest corner of Oakland and Grand River.

Director Franko was present to discuss her request and respond to questions. She requested that Council approve the wine tent in the Downtown Center parking lot rather than Liberty Park, as originally requested.

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Responding to a question, Director Franko indicated that although several smaller tents were originally planned for Liberty Park, only one large tent would be used in the Downtown Center. She further stated that the proposed location change was due to the need for higher visibility.

Greg Cowley, member of the Founders Festival Committee, stated that not only would the Downtown Center location provide higher visibility, but it would also accommodate more people. He further stated that an additional reason for the proposed change was that the Committee intended to ask the Downtown Development Authority (DDA) Board to underwrite the event, making it necessary for the location to be in the Downtown District. He noted that during the day the tent would be used to display Main Street activities.

Responding to a question from Council, Mr. Cowley stated the event would be comprised of a group of vendors who would provide taste samples of their wines to the public. He noted that low-key entertainment would also be provided.

Responding to a question, Director Franko stated that the Founders Festival Board supports the concept of this event, however, a decision would not be made until after they have met with the DDA Board. She confirmed that the tent would occupy parking spaces that would normally be available during the event. She further confirmed that the first night of the event is a fundraiser for Main Street and that the proceeds from the other two nights would be applied to the cost of the event and Main Street.

Responding to an additional question, Mr. Cowley stated that the event would be closely monitored by staff and that I.D. would be required to participate in the wine tasting. He confirmed that the tent would only be open from 4:00 – 10:00 p.m. each evening for wine tasting.

Council member McShane expressed concern regarding both the location and an event that is solely dedicated to wine tasting. She suggested shortening the hours. Director Franko responded that given the costs, the tent should be fully utilized to ensure the event breaks even.

Council member Knol expressed support for this upscale event and its promotion of Main Street.

Responding to a question, Director Franko stated that there is sufficient time to obtain approval from the Liquor Control Commission. Public Safety Director Wiggins confirmed that he has been in communication with the Committee regarding this event. He stated that some of his concerns were parking related. He stated that the wine tasting tent would be monitored in the same way as the Founders Café. Director Wiggins confirmed that either location would be acceptable to Public Safety.

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Council member Bush expressed concern regarding the effect on the surrounding neighbors if the event were held at Liberty Park. Responding to a question, Mr. Cowley stated his fees for the event would be at cost only.

Council member Mitchell expressed concern that the wine tent would be located too close to the teen tent in the Downtown Center. He noted that the beer tent is in an area that is closed off and away from other festival activities.

Mayor Campbell expressed concern regarding the Liberty Park location in terms of parking and the ability to get approval from the surrounding neighbors.

RESOLUTION 06-04-125 Motion by Knol, seconded by Mitchell, to approve a request from the Farmington Area Founders Festival, Inc. for a wine tent to be located in the Downtown Center parking lot, with the exact location to be determined; open till 10:00 p.m. on the evenings of July 15, 16, and 17; subject to receiving a permit from the Liquor Control Commission and approval from City Administration. MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

RESIGNATION FROM COMMISSION ON CHILDREN, YOUTH & FAMILIES

06-04-126 Motion by Bush, seconded by Mitchell, to accept the resignation of Shirley Unger from the Commission on Children, Youth & Families, effective immediately, and send a letter thanking her for her service to the City. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

ADOPT FY 2004-2005 BUDGET AND ESTABLISH MILLAGE RATE

Administration recommended that Council approve a resolution to adopt the 2004-2005 fiscal year budget and establish the local tax millage rate for 2004.

RESOLUTION 06-04-127 Motion by McShane, seconded by Mitchell, to adopt the 2004-2005 fiscal year budget and establish the local property tax millage rate for 2004. [SEE ATTACHED RESOLUTION]

ROLL CALL

Ayes: Campbell, Knol, McShane, Mitchell, Bush.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING/CONSIDERATION TO ADOPT 2004 PRINCIPAL SHOPPING DISTRICT SPECIAL ASSESSMENT ROLL

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RESOLUTION 06-04-128 Motion by Bush, seconded by McShane, to adopt a resolution approving the 2004 Principal Shopping District Special Assessment Roll as presented. [SEE ATTACHED RESOLUTION]

ROLL CALL

Ayes: Knol, McShane, Mitchell, Bush, Campbell.
Nays: None.
Absent: None.
MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF PROFESSIONAL SERVICE PROPOSAL FOR ROOF REPLACEMENT AT THE CIVIC THEATRE

Administration recommended the approval of a proposal from the Avrie Group to administer the replacement of the Civic Theatre roof.

RESOLUTION 06-04-129 Motion by Mitchell, seconded by Knol, to accept a proposal from The Avrie Group, Inc. to administer the design, bidding process and project management of the Civic Theatre roof replacement at an estimated cost of \$9,660.00 and authorize the City Manager to sign the proposal on behalf of the City. [SEE ATTACHED AGREEMENT]

ROLL CALL

Ayes: McShane, Mitchell, Bush, Campbell, Knol.
Nays: None.
Absent: None.
MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ACCEPT GRANT AGREEMENT FOR REIMBURSEMENT OF EXPENSES ASSOCIATED WITH AUGUST 2003 POWER OUTAGE

City Administration advised that the City has applied for federal funds to be reimbursed for expenses associated with the August 2003 power outage. Administration further advised that reimbursement primarily covers overtime in the Public Safety and Public Services Departments. Administration stated that in order to receive reimbursement, it is necessary for the City to approve a Public Assistance Grant Agreement with the Michigan Department of State Police.

RESOLUTION 06-04-130 Motion by Bush, seconded by McShane, to approve a grant agreement with the Michigan Department of State Police for reimbursement in the amount of \$7,152.59 for expenses associated with the August 2003 power outage and authorize the City Manager to sign the agreement on behalf of the City. [SEE ATTACHED AGREEMENT] MOTION CARRIED UNANIMOUSLY.

BIDS FOR PUBLIC SAFETY GARAGE EXHAUST EXTRACTION SYSTEM

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Administration advised that the Public Safety Department received a grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency, to address air emission concerns in the Public Safety garage. Administration further advised that the grant would cover \$22,500 of the cost associated with discharging the exhaust directly out of the garage. Administration recommended the low bidder, Nederman, Inc.

RESOLUTION 06-04-131 Motion by McShane, seconded by Knol, to award the bid for a Public Safety ventilation system to the low bidder, Nederman, Inc., in the amount of \$26,548.00; funds provided through a \$22,500.00 grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency and FY 2003-04 budget.

ROLL CALL

Ayes: Mitchell, Bush, Campbell, Knol, McShane.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE BIDS FOR SECOND FLOOR BATHROOM AT GOVERNOR WARNER MANSION

Administration advised that the City solicited bids to finish the second floor bathroom at the Warner Mansion. Administration recommended the low bidder, Long Lake Building Company.

RESOLUTION 06-04-132 Motion by Knol, seconded by Mitchell, to award the bid for completion of second floor bathroom in the Warner Mansion to the low bidder, Long Lake Building Company, in the amount of \$12,675.00; funds provided from the Governor Warner Trust Fund.

ROLL CALL

Ayes: Bush, Campbell, Knol, McShane, Mitchell.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT

Mary Comer, representing Hastings Air Energy Control, Inc., requested a further review on the bid proposals submitted for the Public Safety ventilation system. The reasons on which she based her request included: option no. 3 of her bid proposal met the City's specifications and was below the bid amount submitted by Nederman, Inc.; and

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Nederman's bid does not capture 100% exhaust extraction as provided in her company's proposal.

Responding to a question from Council, Ms. Comer stated that here was no pre-commitment, based on the fact that she assisted the Public Safety in preparing a federal grant application, to receive the bid award.

City Manager Pastue stated he would follow up with a further review of the proposal.

Responding to a question from Council, City Attorney Schultz stated that it is Council's decision to either conduct a further investigation or leave the decision as it stands.

COUNCIL COMMENT

Council member Bush read for the record, *portions* of a letter sent by City Manager Pastue to the City of Farmington Hills concerning the City's paying its fair share of jointly funded programs and services, as follows:

"For the Farmington City Council and Administration, this comment that we were not paying our fair share was troubling for a number of reasons. First, the City of Farmington has enjoyed a great working relationship with Farmington Hills. We value the relationship not only for the high-quality and efficient services that you make available to Farmington residents, but the personal relationships that have existed with the two Councils over the years. We do not want to jeopardize this valued relationship. Second, it would be wrong for one party to take advantage of the other. Farmington should pay its fair share. Third, as both cities deal with tight budgets in the ensuing years, we need to work more closely together and examine other areas where services can be shared. We need to keep this cooperative relationship together and expand it.

I would like for the two cities to develop a formal understanding regarding the Joint Agency Funding and the Special Services Department. It would certainly help Farmington for long-term planning purposes.

In conclusion, it is our feeling that Farmington is paying its fair share for jointly funded programs and services. We are certainly open to further discussion regarding the methodology used in our analysis but more importantly looking to solidify the existing relationship both cities have enjoyed."

Council member Bush recognized the time and effort required by both City Manager Pastue and City Clerk/Treasurer Cantrell to analyze the cost of services and indicated her appreciation that the letter was sent.

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Council member Knol spoke about the clarity of the letter and thanked City Administration for their efforts. She also pointed out that not only does the letter state that the City is paying its fair share, but based on the FY 2004-05 budget, the City's per capita rate will be \$4.09 higher due to the fact that the City directly benefits from activities such as *Kids Day in the Park* and *Art on the Grand*. She recognized the importance of maintaining a good working relationship with Farmington Hills but at the same time representing the Farmington taxpayers well.

Mayor Campbell expressed the importance of a continued open dialogue with the City of Farmington Hills. He also thanked City Manager Pastue for taking the time to write a clear, concise letter of explanation that dispels any concerns that the City is not paying its fair share.

Council member Bush requested that Administration prepare a proclamation for Wally Christensen in recognition of his efforts every year to organize the Memorial Day parade. She also asked if the City of Farmington Hills had responded to Council's annual croquet challenge.

Council member McShane asked Director Gushman to investigate the air conditioning deficiency in the chambers. She requested that Council schedule a couple of work study sessions over the next couple of months to address goals established at their January retreat and other issues that have arisen.

Council member Knol also requested that a future study session include discussion regarding the future of the Warner Mansion.

Mayor Campbell referred a letter to City administration from the City of Southfield requesting a letter of endorsement for the construction of a field for the "Miracle League", a baseball league for mentally and physically disabled children.

Mayor Campbell spoke about the success of the recent Mayor Exchange Day with the City of Howell and he noted a complimentary letter received from that City.

Mayor Campbell noted an invitation from Oakland County Hazard Migration Plan.

Mayor Campbell read into the record a letter received by the City from Estralee Michaelson, Director of Safe Schools and Student Services, as follows:

"I wish to extend formal commendations to the Farmington Police Department and most especially to Acting Director Mike Wiggins and Commander Bob Schulz for their ongoing support of Longacre Elementary. The Seaman family tragedy has devastated the building's school community, thus the presence of your officers has been deeply appreciated.

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Acting Director Wiggins has been extremely compassionate and responsive when called upon. As I am sure that you are aware, media activity has often focused upon Longacre. Therefore, the presence of a marked car, when

necessary, has curtailed any inappropriate attempts to interview members of the school community. Additionally, both Acting Director Wiggins and Commander Schulz have personally visited the school to offer support and to assess needs. Their presence has been acknowledged, appreciatively, and many school community members have stated that the presence of the Farmington Police Department has made them feel "safer".

Again, as I often state, I could not do my job effectively without the ongoing collaboration that I receive from law enforcement/public safety. On behalf of Farmington Public Schools and particularly, the Longacre school community, please extend my gratitude to your Council."

Mayor Campbell noted the need to have a representative attend an upcoming annual meeting of SEMCOG.

Mayor Campbell noted that a letter was received from the Michigan Economic Development Corporation regarding a grant opportunity.

APPROVE MONTHLY PAYMENTS REPORT

06-04-133 Motion by Mitchell, seconded by McShane, to approve the monthly payments report for May 2004. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

06-04-134 Motion by Knol, seconded by Mitchell, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:54 p.m.

ARNOLD T. CAMPBELL, Mayor

PATSY K. CANTRELL, City Clerk/Treasurer

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