

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held Monday, November 19, 2001 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 Hartsock.

PRESENT: Mary L. Bush, Arnold T. Campbell, William S. Hartsock, JoAnne M. McShane, James K. Mitchell.

ABSENT: None.

OTHERS PRESENT: Clerk/Treasurer Cantrell, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

APPROVAL OF AGENDA

11-01-591 MOTION by Campbell, seconded by Bush, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

ORGANIZATION OF COUNCIL

OATH OF OFFICE FOR NEWLY ELECTED COUNCILMEMBERS

Clerk/Treasurer Cantrell administered the Oath of Office to newly elected Councilpersons Mary L. Bush, Arnold T. Campbell and James K. Mitchell.

COMMENTS BY MAYOR

Outgoing Mayor Hartsock conveyed the privilege of serving as Mayor for a fourth term and the honor of representing our Community. He stated he enjoyed the many aspects of serving as Mayor including talking with students about not only the mechanics of local government, but the commitment and future in terms of their involvement in our community. He also expressed the fulfillment he has experienced in serving on Boards and Committees with dedicated volunteers. He stated his gratification in being able to recognize and honor residents who have made a difference in our Community, helping people in need and offering words of encouragement, particularly during the last few months. He stated he has served in order to give back to the Community. He expressed that his desire to continue to serve is due to the reward of sharing talents with other elected officials who have made this Council successful. He further stated that he and his fellow Council members continue to serve because they enjoy serving a Community of people who are very generous with their time and talents and have a genuine commitment to the Community. He stated these people are not only those serving on Boards and Commissions, but he recognized the talent and dedication of the City's administration including City Manager Lauhoff, Clerk/Treasurer Cantrell, Public Safety Director Goss, Public Services Director Gushman and Assistant City Manager

COUNCIL PROCEEDINGS -2-
November 19, 2001

Richards and other department heads and employees of the City. In conclusion, he stated he was honored to turn his gavel over to the next Mayor, James K. Mitchell, who will do an excellent job over the next two years. Mayor Hartsock thanked the residents, Council and the City for the opportunity to have served as Mayor.

Mayor Hartsock called for the reorganization of Council.

APPOINTMENT OF TEMPORARY CHAIRMAN

11-01-592 MOTION by Campbell, seconded by McShane, to appoint City Manager Lauhoff to act as temporary chairman for the organization of Council. MOTION CARRIED UNANIMOUSLY.

ELECTION OF MAYOR

City Manager Lauhoff called for nominations for the Office of Mayor.

11-01-593 MOTION by Hartsock, seconded by Bush, to nominate and elect James K. Mitchell for the Office of Mayor. MOTION CARRIED UNANIMOUSLY.

ELECTION OF MAYOR PRO TEM

City Manager Lauhoff called for nominations for the Office of Mayor Pro Tem.

11-01-594 MOTION by Mitchell, seconded by McShane, to nominate and elect Arnold T. Campbell for the Office of Mayor Pro Tem. MOTION CARRIED UNANIMOUSLY.

Mayor Mitchell, on behalf of City Council, City Administration and Farmington residents, presented former Mayor Hartsock with a gavel in recognition of his dedicated service to the City over the past two years.

Mayor Mitchell thanked his family for their support and the residents of Farmington for putting their faith and trust in this Council.

MINUTES OF PREVIOUS MEETING

11-01-595 MOTION by Bush, seconded by Campbell, to approve the minutes of the Special and Regular Meetings of November 5, 2001. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -3-
November 19, 2001

MINUTES OF OTHER BOARDS

11-01-596 MOTION by McShane, seconded by Hartsock, to receive and file the minutes of the following Boards and Commissions:

- Board of Canvassers minutes of November 7, 2001.
- Downtown Development Authority minutes of November 7, 2001.
- Board of Zoning Appeals minutes of November 7, 2001.
- Planning Commission Study Session minutes of October 29, 2001.
- Historical Commission minutes of October 17, 2001.
- Farmington Area Commission on Aging minutes of September 25, 2001.
- Farmington Area Arts Commission minutes of October 18, 2001.
- Farmington Community Library Board of Trustees minutes of October 10, 2001.

MOTION CARRIED UNANIMOUSLY.

PRESENTATION: MISS FARMINGTON/OAKLAND COUNTY TRACEY FINLAYSON AND BOB HEINRICH OF METROBANK PRESENTED A FUNDRAISING CHECK TO THE AMERICAN RED CROSS

Miss Farmington/Oakland County Tracey Finlayson and Bob Heinrich of Metrobank presented a check to the American Red Cross in the amount of \$506.87, funds collected from young children of the community for the disaster relief effort.

Mike Maslyn, Chief Development Officer for the American Red Cross, thanked the Community, recognized this contribution as one more outstanding example of America's love and support for victims of the September 11 disaster and assured that it would go towards that relief effort.

STATE REPRESENTATIVE ANDREW RACZKOWSKI QUARTERLY REPORT.

Representative Raczkowski gave an update on land control legislation, the status of revenue sharing and discussed the ongoing salt shortage.

In response to a question from Council, Representative Raczkowski indicated that he does not have an answer to the salt shortage, however, he encouraged City Administration to continue issuing salt bid requests. Representative Raczkowski responded to a question from Council stating that he is against Senate Bill 759 that would suppress powers of speech by local government and indicated it was unlikely to pass in the House of Representatives. He indicated he would keep Council apprised of the progress of the bill.

COUNCIL PROCEEDINGS -4-
November 19, 2001

Representative Raczkowski responded to a question from Council, stating that the bill to consolidate school elections is likely to pass and will probably take effect in 2003. He also indicated that there is proposed legislation in the House to eliminate straight party voting.

In response to a question from Council, Representative Raczkowski stated his continued support for term limits and cited the many positive results. Council member Hartsock expressed concern that term limits not only do not allow voters to retain effective representatives, but do not eliminate "career politicians" as intended, rather politicians continue to run for other offices when their terms are up.

Discussion followed regarding revenue sharing with Representative Raczkowski stating that the percentage cut to revenue sharing for cities will be the same as the cut experienced by the State.

Based on a question from Council, Representative Raczkowski indicated he was unfamiliar with the telecommunication franchise fees and right-of-way issue.

REPORT FROM GIRLS STATE REPRESENTATIVES: RANDIN BROWN AND JULIE KIMMEL

Randin Brown and Julie Kimmel were present to discuss their experience at Girls State, which offers an opportunity for youths to study state government. They reviewed their involvement in the program, stated the experience was invaluable and thanked Council and the American Legion for the opportunity.

Council thanked Ms. Brown and Ms. Kimmel for their presentation.

PRESENTATION: AUDIT REPORT – PLANT & MORAN – GORDON KRATER

Gordon Krater, Michelle Watterworth and Chris Weber were present to review the audit report for fiscal year 2000-01. Mr. Krater discussed the various reasons for the upcoming reduction in revenue sharing. He further stated that the City's financial report had an "unqualified opinion" which is the highest level of assurance that the statement is in conformance with generally accepted accounting principles. Mr. Krater complimented Clerk/Treasurer Cantrell and her staff on their excellent work. He stated the City remains in strong financial position.

Mr. Weber reviewed graphs of revenues and expenditures of the General Fund. Council noted that the interest income on investments had increased despite the lagging economy.

COUNCIL PROCEEDINGS -5-
November 19, 2001

Ms. Watterworth discussed several financial issues including revenue sharing, Act 51 distributions, the revised Municipal Finance Act, Public Act 493 (audit extension bill and budget act modifications), and new technology with regard to accounting software and automatic bill/credit card payments.

Council questioned whether the revision concerning the sale of authorized securities at a competitive sale under the Municipal Finance Act would be beneficial to our Community. Clerk/Treasurer Cantrell responded that it would give us more options in the issuance of debt.

Ms. Watterworth thanked the City staff for their assistance and cooperation.

11-01-597 MOTION by Hartsock, seconded by Bush, to accept the 2000-01 Audit Report as presented by Plante & Moran, LLP. MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

REQUEST FOR SIGN VARIANCE AT 23629 FARMINGTON ROAD, HERSHEY'S ICE CREAM. Administration advised that Mr. Mihaslovski, owner of Baskins-Robbins, is in the process of changing the business to Hershey's Ice Cream. As a result, he has requested to change the ground sign to the new name, however, this change becomes an issue because the sign is non-conforming due to height. Administration further advised that in these types of situations City Council has required the removal of ground signs in the Central Business District.

Mr. Bill Riley from the sign company was present to discuss Mr. Mihaslovski's reasons for the business and sign change.

Council indicated that in order for the sign to conform it would need to be lowered, however, at a lower height the sign would be redundant with the one on the building and therefore unnecessary.

Mr. Mihaslovski expressed concern about the trees blocking the sign on the building. City Manager Lauhoff stated that he would ensure the trees would be thinned out.

11-01-598 MOTION by Bush, seconded by McShane, to deny the request for a sign variance at 23629 Farmington Road in the Central Business District. MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

11-01-599 MOTION by Campbell, seconded by Hartsock, to appoint William Liba and Margaret Yagerlener to the Board of Canvassers for a four-year term ending December, 2005; Shirley Unger to the Farmington/Farmington Hills Commission on Children, Youth & Families for a three-year term ending December, 2004; and Larry Davis to the Board of Review for a three-year term ending December, 2004. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION OF STORMWATER POLLUTION PREVENTION INITIATIVE.

Administration advised that required as part of the Voluntary General Stormwater Permit that the City of Farmington entered into in May of 1999, is a plan for a Stormwater Pollution Prevention Initiative. Administration further advised that the City of Farmington, with its consulting engineers, has worked closely with member communities of the Rouge River Upper Subwatershed to develop a Subwatershed Management Plan.

City Administration recommended that City Council approve the proposed Stormwater Pollution Prevention Initiative.

Mr. John Kramer of Orchard, Hiltz & McCliment, Inc. provided a short presentation on the Stormwater Pollution Prevention Initiative (SWPPI).

11-01-600 MOTION by Campbell, seconded by Bush, to approve the City of Farmington Stormwater Pollution Prevention Initiative (SWPPI). [SEE ATTACHMENT]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF RESOLUTION RE: ROAD SALT BID IRREGULARITIES.

Administration advised that the City of Farmington has received no bids for road salt for the coming winter season. Administration further advised that the City regularly participates in the tri-county purchasing cooperative made up of over 17 cities and that this year the cooperative received no bids for winter salt purchase; individual cities received bid prices in excess of 200% over last year.

Administration advised that the City has notified both the Michigan Department of Transportation (MDOT) regarding Grand River Avenue and the Road Commission for Oakland County (RCOC) regarding Farmington Road that the City will not be able to honor contracts with them to clear snow and ice. Administration further stated

COUNCIL PROCEEDINGS -7-
November 19, 2001

that the City Attorney has drafted a letter, on behalf of the City of Farmington and other communities faced with this situation, to the State Attorney General requesting a review for possible market manipulation by suppliers.

Administration also requested that Council approve the attached resolution prepared to address this concern.

11-01-601 MOTION by McShane, seconded by Hartsock, to adopt a resolution requesting that the Attorney General of the State of Michigan and the Attorney General of the United States conduct an investigation into the causes of the alleged scarcity of road salt in southeastern Michigan including the possible occurrences of collusion and price gouging by suppliers. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF BID AWARD FOR WALL FURNACE FOR WARNER MANSION CARRIAGE HOUSE. Administration advised that the Public Services Department has reviewed the one bid received to install a wall furnace at the Governor Warner Mansion Carriage House and recommends award of the bid to that bidder. Administration further advised that this bidder, Diversified Heating & Cooling, also installed the boiler in the Governor Warner Mansion.

11-01-602 MOTION by Campbell, seconded by Bush, to award the bid to furnish and install a wall furnace at the Governor Warner Mansion Carriage House, as specified in the bid documents, to Diversified Heating & Cooling in the amount of \$6,209.00; funds provided in the FY2001-02 budget.

ROLL CALL

AYES: Campbell, Hartsock, McShane, Mitchell, Bush.

NAYS: None.

ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

UPDATE: MR. KEVIN GUSHMAN, DIRECTOR OF PUBLIC SERVICES, RE: WINTER SALT SITUATION

Mr. Kevin Gushman, Director of Public Services, provided a brief update on what the salt shortage will mean to City services. He stated the City would be unable to provide winter maintenance to both Grand River and Farmington Roads until salt can be obtained. Mr. Gushman stated that both the State and County have indicated they have scheduled these roads as part of their normal route for winter maintenance. He

COUNCIL PROCEEDINGS -8-
November 19, 2001

further stated there would continue to be on-call personnel to respond to winter emergencies on all major roads. He indicated that with a normal winter the City would be able to spot salt side roads, including subdivisions and bus routes. Finally, he stated that residents would not notice a change in winter maintenance of roads under the City's jurisdiction.

ORDINANCE ADOPTION

11-01-603 MOTION by Campbell, seconded by McShane, to adopt Ordinance No. C-688-2001 to amend Chapter 34 of the Farmington City Code to incorporate amendments to federal regulations regarding discharges into wastewater collection and treatment systems. [SEE ATTACHMENT].

ROLL CALL

AYES: Hartsock, McShane, Mitchell, Bush, Campbell.
NAYS: None.
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

No public comments were heard.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

No Council comments were heard.

CONSIDERATION TO APPROVE BUDGET AMENDMENT NO. 1, FIRST QUARTER, FOR FISCAL YEAR 2001-2002. Administration advised that an amendment proposed to the 2001-2002 budget includes transfers to fund increases in accrued liabilities in the Employee Accrued Benefit Fund and to fund reserves in the Capital Improvement Fund to cover long term advances to the Farmington Community Theatre Fund; provide funds for paving the City parking lot and the North parking lot; provide \$400,000 for renovation of the Downtown Center and \$350,000 for the purchase of a new fire truck.

11-01-604 MOTION by Hartsock, seconded by Bush, to approve Budget Amendment No. 1 for the 2001-2002 fiscal year. [SEE ATTACHED RESOLUTION].

COUNCIL PROCEEDINGS -9-
November 19, 2001

ROLL CALL

AYES: McShane, Mitchell, Bush, Campbell, Hartsock.
NAYS: None.
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY DEPARTMENT OPERATIONS REPORT – THIRD QUARTER.

Public Safety Director Goss stated that crimes have increased about 6 ½ % largely due to larceny. He also noted juvenile complaints were up significantly with motor vehicle accidents down.

11-01-605 MOTION by Campbell, seconded by McShane, to receive and file the Public Safety Operations Report for third quarter, 2001. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

11-01-606 MOTION by Hartsock, seconded by Bush, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:49 p.m.

JAMES K. MITCHELL, MAYOR

PATSY K. CANTRELL, CITY CLERK/TREASURER

