

FARMINGTON CITY COUNCIL
SPECIAL MEETING

A special meeting of the Farmington City Council was held on Monday, October 2, 2006, in Council room A, 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 5:30 p.m. by Mayor McShane.

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

COUNCIL MEMBERS ABSENT: None.

CITY ADMINISTRATION: Director Gushman, City Clerk Halberstadt, City Manager Pastue, City Attorney Schultz (arrived 5:35 p.m.).

APPROVAL OF AGENDA

10-06-186 MOTION by Knol, seconded by Sutherland, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

REQUEST FOR SPECIAL EVENT: GRAND OPENING-ORCHARD DEVINO AT 22804 ORCHARD LAKE ROAD.

City Manager Pastue stated a special event request had been received from Orchard Devino at 22804 Orchard Lake Road to conduct a grand opening event October 6 and 7, 2006 from 12 noon to 10:00 p.m. He stated the City is recommending approval of this event.

Mayor McShane asked if there was a problem holding a two-day event. Pastue responded it is unusual and could be a problem as far as Public Safety was concerned. McShane questioned if the request followed ordinance criteria. Pastue replied that the request needed to be approved by City Council and the ordinance allows ten days for a temporary special event.

10-06-187 MOTION by Buck, seconded by Sutherland, to grant a request from Orchard Devino, 22804 Orchard Lake Road, to conduct a grand opening party on Friday, October 6th and Saturday, October 7th, 2006, from 12:00 – 10:00 p.m.; stipulating that no alcoholic beverages will be served; and in the event of inclement weather a tent will be erected in the next door parking lot with approval from the property owner, Peter Abbo. MOTION CARRIED UNANIMOUSLY.

CONSIDER PURCHASE APPROVAL, ROAD SALT, EARLY FILL-UP ON SEASONAL BACK-UP

Pastue stated the City participates annually in the State of Michigan Road Salt contract and requested approval for this fiscal year. Councilmember Knol noted the rate differential and asked if it was due to supply and demand. Director Gushman replied it was due to supply and demand and offered some examples.

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RESOLUTION 10-06-188 Motion by Sutherland, seconded by Wiggins, to approve the purchase of 200 tons of road salt at \$25.16 per ton and 1,100 tons (plus or minus 30%) at \$32.13 per ton from Morton International, Inc., Salt Division, through the State of Michigan Extended Purchasing Program (MiDEAL).

ROLL CALL

AYES: Knol, McShane, Sutherland, Wiggins, Buck.

NAYS: None.

ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

Mayor McShane recommended moving agenda item 6, Discussion on Enhanced Code Enforcement, on the bottom of the agenda following item 9, Council Comment.

Council concurred to return to City Hall following the bus tour for discussion of the Enhanced Code Enforcement and to adjourn.

OTHER BUSINESS

Pastue requested scheduling a special meeting on October 30, 2006 to discuss the Civic Theatre and to meet with Mr. Avanti from LSL Planning for a session on Economics of Redevelopment.

PUBLIC COMMENT

There were no public comments.

COUNCIL COMMENT

Mayor McShane commented on the progress being made on “branding” and asked Councilmember Buck for an update.

Councilmember Buck noted Farmington Hills issues proclamations to businesses for their longevity and suggested that the City of Farmington do the same to recognize our long term establishments.

Buck stated an informal group called the “Idea Project Team” has been established to address identity development. He stated the team designed a focus group process and are currently directing a focus group for the Main Street Economic Redevelopment committee and the Alta Loma Subdivision homeowners group. He noted many ideas were received relevant to what they are studying and the process. He stated they will pursue other homeowners associations for their focus group. He commented there will be workshops on October 10th and 17th and will be meeting on the 3rd with the DDA board. He stated they are gathering ideas and by October 30th they will start reviewing the ideas and identity.

Mayor McShane thanked Buck for his participation and his help with the DDA.

Sutherland commented on issues related to the Farmington Area Founders Festival (FAFF) raised by a Farmington resident, David Judge, in a letter to the newspaper. Discussion followed regarding the need for open communication from the Founders Festival Board. Knol suggested the Board provide an annual report to keep the public informed.

Responding to a question, Pastue stated the Council is scheduled to meet with the FAFF Board annually.

Discussion followed regarding the appropriateness of responding to editorials in the newspaper by the City.

Mayor McShane shared her experience at the Michigan Municipal League conference she recently attended. She discussed some of the programs she attended including a presentation on proposal five slated for the November ballot that would negatively impact revenue sharing; financial modeling establishing priorities versus goals; and Marquette Beautification and Restoration Committee. She suggested Council consider re-establishing the Beautification Committee. She discussed the program "Official Payments.com" that would set up a charge account through which residents could pay taxes at no cost to the City.

Wiggins stated the Eight Mile Boulevard Association gave an honorable mention to three businesses in Farmington: AAMCO, Maaco Auto Painting and Bodyworks, and the Mobil-Midland Oil Company. McShane suggested that these businesses be noted on the City's cable channel.

McShane stated there is a pending ballot proposal, titled "Stop Over Spending (S.O.S.)". She stated it is a multi-state attempt to control local and state spending. She advised the proposal in Michigan would require a referendum that any revenue not budgeted would have to go to a vote of the people.

STUDY SESSION ITEM

A. Enhanced Code Enforcement (Bus tour and Discussion afterward)

Pastue identified three fundamental questions for the Council to consider regarding enhanced code enforcement: (1) Is the enhanced enforcement directed toward improving the health, safety, and welfare of the community? (2) Is the primary focus of enhanced code enforcement to be directed toward improving community aesthetics? and (3) What would be your expectation of enhanced code enforcement? He stated these questions should be asked in the context of various property classifications: single-family residential, multi-family residential, and commercial. He noted that each classification has the various code problems that are commonly experienced, alternatives that have been used in other communities to address these problems, and

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issues related to their implementation and on-going operation. He noted the typical issues related to commercial, multi-family and single residential property.

Pastue stated that during the tour of the City he wanted Council to voice comments on items they want to address. He further stated he wants specific concerns to be noted in order to engage in additional code enforcement and to direct staff in the areas of concern.

Council boarded the bus at 6:20 p.m.

Council toured a number of areas in the City where possible code violations have occurred. City Manager Pastue, Director Gushman and Attorney Schultz were present to respond to questions and concerns expressed by Council.

Council returned to City Hall at 7:20 p.m. and resumed the meeting at 7:30 p.m.

Pastue identified some of the concerns expressed by Council on the tour including: the City needs to take a more hard line approach to code enforcement, conditions of parking lots, and housing rental conditions.

Discussion followed regarding the development of an ordinance to address maintenance and updating of rental properties. Knol cited the disrepair of several rental properties in the area. Attorney Schultz stated this is a hot issue right now that could be explored.

Wiggins commented on property maintenance of vacant homes and increased vandalism as a result. Responding to a question, Director Gushman indicated a home can only be vacant for a year if it is not currently on the market. Attorney Schultz advised these issues were being addressed.

Discussion followed regarding the increase in vacant homes and foreclosures and what the City can do to address this issue. Discussion continued regarding ways to find and contact owners of vacant property.

Knol cited a house where leaves are never raked and asked if there was an ordinance to address this problem. McShane suggested sending a letter to the homeowner.

Buck asked if there is a section in the sign ordinance regarding specific style and design of signs. Pastue responded that design standards can be specified. Attorney Schultz noted that courts have upheld aesthetic requirements that relate to a specific purpose.

Buck asked where the City might make use of overlay districts. Pastue replied a commercial overlay could be used in any commercial area that acknowledges the narrow nature of the lots and that it could be extended to multi-family areas as well. He noted that City Attorney Schultz and City Planner Purdy talked about a possible Planned Unit Development project that would allow for the Planning Commission and

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the City Council to look at future uses of redevelopments and how to apply to a multi-family site. Attorney Schultz stated it is easier for a property owner to know what can be approved in an overlay district. Buck stated it could be used as an incentive.

Knol stated the Planning Commission was charged to look at changing some apartment properties to mixed-use zoning. Pastue stated the intent was to allow more flexible use of the parcels. He stated this issue is currently on hold.

Responding to a concern expressed regarding outdoor seating at Luigi's Restaurant, Pastue stated they were cited in the Spring and subsequently the Planning Commission approved an outdoor seating plan for the Farmington Road side. He stated the courts typically give the property owner the benefit of the doubt in this type of situation. Gushman stated the courts deal mainly with criminal acts and that the Magistrates do not want to deal with the problems with property owners unless it is a serious situation.

Pastue noted Council comments from the bus tour included more active enforcement of existing code, reviewing the property maintenance code as it relates to parking lots and other site improvements, providing flexibility for redevelopment through overlay districts, and a review of the housing ordinance.

Mayor McShane noted that code enforcement is heavy on weeds, snow and signs.

McShane asked Council's view on taking a hard line approach to code enforcement. Sutherland noted that even if the City takes a hard line approach the Courts would not be supportive. Attorney Schultz stated the City will get results by writing the tickets. Sutherland felt a hard line approach is not the answer. She suggested the City develop a procedure that would show the courts that the City had taken action.

Knol would like the City to develop a property maintenance ordinance in order to have the ability to enforce maintenance of parking lots, strip malls and rental properties.

Wiggins stated the City needs to be vigilant in responding to property maintenance issues.

Buck stated the City needs to work with businesses in a cooperative manner. Pastue noted a previous problem with signage and how the City dealt with the problem in a cooperative manner.

McShane stated that based on their discussion, Council would like more effort put into communication, cooperation and some enhancement for code enforcement. She also noted that documentation was needed to show the court that previous action had been taken by the City. Pastue noted the City makes an effort to work in a cooperative manner.

Pastue stated he will work with Attorney Schultz on a revised ordinance and to continue to look at the Overlay District with the Planning Commission.

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McShane stated the intent is to make the City of Farmington attractive and well maintained.

ADJOURNMENT

10-06-189 MOTION by Knol, seconded by Wiggins, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 8:11 p.m.

JoAnne M. McShane, Mayor

Susan K. Halberstadt, City Clerk

APPROVED: OCTOBER 16, 2006