

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, June 04, 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: Bush, Campbell, Hartsock, McShane, Mitchell.

ABSENT: None.

OTHERS PRESENT: City Attorney Donohue, Recording Secretary Fournier, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

APPROVAL OF AGENDA

06-01-455 MOTION by Campbell, seconded by McShane, to approve the agenda, as amended, adding under "Reports From City Manager", Consideration to Approve Agreement for Settlement of Civil Lawsuit Regarding the Kleinow Property at 32235 Loomis Road. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

06-01-456 MOTION by Bush, seconded by Mitchell, to approve the minutes of the Special and Regular meetings of May 21, 2001 and Budget Study Session of May 8, 2001. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

06-01-457 MOTION by McShane, seconded by Campbell, to receive and file the minutes of the following Boards and Commissions:

- Farmington Employees' Retirement System Board of Trustees minutes of May 10, 2001.
- Board of Zoning Appeals minutes of May 2, 2001.
- Farmington Area Arts Commission minutes of March 15, 2001.
- Farmington Community Library Board of Trustees minutes of April 12, 2001.
- Commission on Children, Youth and Families minutes of May 3, 2001.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING: PROPOSED FY 2001-2002 BUDGET

Mayor Hartsock opened the public hearing and requested that City Manager Lauhoff present the proposed budget. City Manager Lauhoff reviewed the proposed budget and tax rate for the 2001-2002 Fiscal Year.

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Mayor Hartsock invited public comment.

Bill Liba, 33640 Hillcrest, stated that he thoroughly reviewed the budget and commended the City Manager and administration for their excellent work in keeping the City "in good shape."

06-01-458 MOTION by Mitchell, seconded by Bush, to close the public hearing.
MOTION CARRIED UNANIMOUSLY.

Discussion followed regarding state revenue sharing and the decreased revenue it has provided over the years to the City of Farmington making it a greater challenge to balance the budget.

QUARTERLY UPDATES

QUARTERLY REPORT FROM COUNTY COMMISSIONER TERRY SEVER.

County Commissioner Terry Sever was present to provide an update regarding ongoing issues in the County. Commissioner Sever first addressed the issue of reapportionment and discussed the proposed divisions for the County. He assured City Council that the City of Farmington would not be split. He next discussed the development of a golf course in Lyon Township on land purchased by the County. Commissioner Sever also informed the City Council that the County has implemented a Senior Prescription Program that would save seniors approximately 10-20% off prescription drugs. He also mentioned that the Sheriff's Aviation program would be in effect in the near future.

Commissioner Sever stated he would work to ensure the City of Farmington receives the full five-year allotment from the infrastructure funds. He also discussed the possibility of a reporting change with regard to the Community Development Block Grant Program.

Commissioner Sever responded to questions regarding Court Equity Funding and Farmington road construction. In response to a question, City Manager Lauhoff indicated that the Farmington road construction between 8 and 9 Mile Roads would start in July, 2001 and end in November, 2001.

Mayor Hartsock thanked Commissioner Sever for his presentation.

DOWNTOWN DEVELOPMENT AUTHORITY EXECUTIVE DIRECTOR JUDY DOWNEY. Executive Director Downey informed Council that an application has been made for a National Main Street Grant and notification of grant awards would be made in late September. Ms. Downey indicated that the evening concerts would begin on

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Friday, June 8, 2001 and the Summer Fun Series will begin on Wednesday, June 13, 2001. Executive Director Downey stated that she is actively pursuing participation in the American Towns Network, a service that provides a calendar of events for cities and free advertising for merchants. In conclusion, she stated that there are two new businesses in Farmington: "Simply Yoga" and "Malina Hair Salon."

Council thanked Executive Director Downey for her presentation.

PETITIONS AND COMMUNICATIONS

LETTER FROM MS. LORI CLAIRE, SALEM UNITED CHURCH OF CHRIST, RE: USE OF MEMORIAL PARK. Administration recommended approval of the request for an Ice Cream Social and Band Concert in Memorial Park.

Mr. Murphy from Salem United Church of Christ was present to answer questions.

06-01-459 MOTION by Campbell, seconded by Bush, to allow Salem United Church of Christ to use Memorial Park for their annual Ice Cream Social and Band Concert on Sunday, July 15, 2001 between the hours of 2:00 – 5:00 p.m. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF SIGN VARIANCES: KMART CORPORATION – 37175 GRAND RIVER. Administration advised a sign variance application was received from Intercity Neon representing Kmart Corporation and the Kmart store at 37175 Grand River. Administration indicated the request for sign variances pertains to two individual signing locations: the first is the "permanent" installation of six banner signs affixed near the top of the existing light poles closest to the front of the Kmart building; and the second are display signs attached to the parking lot shopping cart corrals, signs which are not recognized by current City Ordinances. Administration further advised that both these signs would require a variance to City Ordinance.

Roy Schafer from Intercity Neon Sign Company was present to describe the proposed signs and answer questions. Mr. Schafer responded to a question regarding the material used for the banners.

City Manager Lauhoff, in response to a question, indicated that banners similar to those proposed by Kmart have not been allowed in the City on a permanent basis.

Discussion followed regarding the reason for the change in signs and the possibility of the signs being temporary rather than permanent. In response to a question from Council, Mr. Schafer indicated he did not know how long the signs have been on the cart corrals.

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Council continued to question the permanency of the signs, the quality of the materials used and the use of the signs on cart corrals and discussed the possibility of allowing the signs on a temporary basis. Mr. Schafer, in response to a question from Council, indicated that in order for the signs to be effective on a temporary basis, Kmart would need to display the signs for a minimum of three months.

06-01-460 MOTION by Campbell, seconded by Bush, to deny a variance to Section 25-4(6) of the City Sign Ordinance, as requested by Intercity Neon representing Kmart Corporation and the Kmart store at 37175 Grand River, for the installation of six banner signs affixed to light poles on a permanent basis. MOTION CARRIED UNANIMOUSLY.

06-01-461 MOTION by McShane, seconded by Mitchell, to deny a variance to Section 25-13(6) of the City Sign Ordinance, as requested by Intercity Neon representing Kmart Corporation and the Kmart store at 37175 Grand River, for the display of signs measuring 4' x 2' attached to the parking lot shopping cart corrals. MOTION CARRIED UNANIMOUSLY.

In response to a question from Council, City Manager Lauhoff indicated that arrangements would be made for the removal of the signs on the cart corrals at the Kmart store in Farmington that are presently in violation of the City Sign Ordinance.

LETTER FROM JANET FISCHER, 34467 ARUNDEL, RE: BLOCK PARTY

Administration recommended approval of the request for a block party on Arundel Street.

06-01-462 MOTION by Bush, seconded by McShane, to authorize closing of Arundel Street between Gill and Wesley, from 4:00 p.m. to 10:00 p.m. on Saturday, June 9, 2001, for a block party and to authorize the Department of Public Services to provide barricades for the event. MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

CONSIDERATION OF REAPPOINTMENTS TO TRAFFIC AND SAFETY BOARD.

06-01-463 MOTION by Campbell, seconded by Mitchell, to reappoint Norbert Leppanen and Lloyd Wepman to the Traffic and Safety Board for three-year terms, expiring July, 2004. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF RESIGNATION LETTER RE: GOVERNOR WARNER MANSION COMMITTEE.

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06-01-464 MOTION by McShane, seconded by Mitchell, to accept the resignation of Penny Lehto from the Governor Warner Mansion Committee and to send a letter thanking her for her service to the City. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

ADOPT FY 2001-2002 BUDGET AND ESTABLISH MILLAGE RATE. Administration recommended that Council approve a resolution to adopt the 2001-2002 Fiscal Year Budget and to establish the local property tax millage rate for 2001.

06-01-465 MOTION by Campbell, seconded by Bush, to adopt the 2001-2002 Fiscal Year Budget and establish the local property tax millage rate for 2001. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

INTERCEPTOR OUTFALL SEWER REHABILITATION RECOMMENDATION.

Administration advised that the City recently commissioned the Inland Waters Pollution Control Company to conduct a complete analysis of the primary interceptor sewer connecting Farmington to the City of Detroit, originally built in 1957. Administration further stated that results of this analysis show pipe sections that have serious deterioration problems. Administration advised that given the age of the pipes it is likely their condition will worsen resulting in failures of the systems requiring more expensive corrective action.

Administration informed City Council that the City Engineer recommended rehabilitation of the sewer interceptor using a "cured in place" method. This method reduces disruption to the residents and provides the improvement at a cost nearly 70% less than digging up and replacing the entire interceptor.

Administration recommended that if City Council wishes to proceed with this project, funds could be available in the amount of \$500,000 from the City's Water and Sewer Fund and \$200,000 from the Oakland County Environmental Infrastructure Fund Program. The City would continue to work with federal representatives on potential grants for water infrastructure repairs. However, even with federal assistance, part of this project rehabilitation cost, approximately 1.8 million, will need to be borne by residents of the City. These costs could be assessed over a 20-year period either through increased water rates or property taxes.

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Administration further advised that if City Council wishes to move forward with this project, a resolution authorizing administration to begin the formal process for this project must be approved by Council.

Administration also advised of the additional cost, under continued investigation, of repairing the interceptor siphon.

Discussion followed regarding funding the project through increased property taxes or water rates.

06-01-466 MOTION by Mitchell, seconded by Bush, to approve a resolution authorizing the City Manager to begin the formal process for the Interceptor Outfall Sewer Rehabilitation Project and to place the question of funding that portion of the cost not provided through local funds, county funds and federal assistance or grants, before the voters in November, 2001. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

NAYS: None.

ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AMEND MEMBERSHIP NUMBER OF THE BOARD OF ZONING APPEALS. Administration advised that the City Planner, Mr. Brad Strader, has made a recommendation to City Council that the number on the Board of Zoning Appeals be reduced from its current membership of 8 to a membership number of 5. Administration recommended that if Council accepts the recommendation of the City Planner then City Council should not consider reappointments for 3 positions on the Board that are expiring effective June 30, 2001.

Mayor Hartsock stated that he had spoken with each of the members who will not be reappointed and also concurred with the move to a 5-member board.

06-01-467 MOTION by Campbell, seconded by Mitchell, to amend the current membership for the Board of Zoning Appeals from 8 to 5 members effective July 1, 2001 and as a result not consider reappointments to fill three positions that are expiring June 30, 2001. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF TELECOMMUNICATIONS PERMIT AGREEMENT WITH TCG DETROIT. Administration, upon review of the telecommunications permit agreement and in agreement with the City Attorney, recommended issuance of the permit.

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06-01-468 MOTION by McShane, seconded by Mitchell, to issue a telecommunications permit to TCG Detroit, a Michigan General Partnership, located at 1000 Town Center, Southfield, Michigan for the installation of fiber optic cables within the City of Farmington and authorize the City Manager and City Clerk to sign the agreement on behalf of the City. [SEE ATTACHED AGREEMENT].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE AGREEMENT FOR SETTLEMENT OF CIVIL LAWSUIT REGARDING KLEINOW PROPERTY AT 32235 LOOMIS ROAD. City Attorney Donohue requested Council's approval of an agreement for settlement of the civil lawsuit re the Kleinow property.

06-01-469 MOTION by Campbell, seconded by Mitchell, to approve an agreement for settlement of a civil lawsuit regarding the Kleinow Property at 32235 Loomis Road as finalized in closed executive session. MOTION CARRIED UNANIMOUSLY.

ORDINANCE ADOPTION

CONSIDERATION TO ADOPT ORDINANCE NO. C-684-2001 TO AMEND THE EMPLOYEES' RETIREMENT SYSTEM ORDINANCE.

06-01-470 MOTION by Mitchell, seconded by Bush, to adopt Ordinance No. C-684-2001 to amend the City Code of the City of Farmington, Chapter 2, Administration, to provide for employer pick-up of member contribution to the Employees' Retirement System pursuant to Section 414(n) of the United States Internal Revenue Code and to provide for required distributions pursuant to Section 401(a)(9) of the United States Internal Revenue Code. [SEE ATTACHED ORDINANCE].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

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MISCELLANEOUS

PUBLIC COMMENT.

There were no public comments.

COUNCIL COMMENTS.

Mayor Hartsock read a letter from a Farmington resident recognizing City Manager Lauhoff's assistance and immediate response in helping her resolve a matter of concern.

Mayor Hartsock asked Director Goss to comment on the recent 2001 Tobacco Sting Operation. Director Goss stated that 18 businesses were targeted and none sold tobacco products to the decoy. In response to a question by Council member Bush, Director Goss stated that businesses are not usually recognized in the form of a plaque or otherwise, when they are in compliance with the law. He further stated that he would like to see businesses rewarded that have been in compliance over a period of time, not just one year.

APPROVE MONTHLY PAYMENTS REPORT

06-01-471 MOTION by Campbell, seconded by McShane, to approve the Monthly Payments Report for May, 2001. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

06-01-472 MOTION by Bush, seconded by Mitchell, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:10 p.m.

WILLIAM S. HARTSOCK, MAYOR

PATSY K. CANTRELL, CITY CLERK/TREASURER

