

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, August 4, 2003 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 Mitchell.

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

ABSENT: None.

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

APPROVAL OF AGENDA

08-03-191 MOTION by Campbell, seconded by Bush, to approve the agenda as amended, adding an additional report under Section 8, "Waive Bid Requirements for Warner Mansion Restoration Work". MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

08-03-192 MOTION by Harrison, seconded by McShane, to approve the regular meeting minutes of July 7, 2003. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

08-03-193 MOTION by McShane, seconded by Campbell, to receive and file the minutes from the following boards and commissions:

- Planning Commission special meeting minutes of July 1 and regular meeting minutes of July 14, 2003.
- Board of Review minutes of July 22, 2003.
- Board of Zoning Appeals minutes of July 2, 2003.
- Downtown Development Authority minutes of July 1, 2003.
- Historical Commission minutes of June 25, 2003.
- Commission on the Environment minutes of June 10, 2003.
- Farmington Community Library Board of Trustees minutes of May 8, 2003 and June 12, 2003.
- Farmington Area Arts Commission minutes of May 15, 2003.

INTRODUCTION/PROCLAMATION: MISS FARMINGTON/OAKLAND COUNTY 2003, SAMANTHA STECKLOFF

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August 4, 2003

Ms. Francesca Romeo, Executive Director, introduced Samantha Steckloff as the new Miss Farmington/Oakland County 2003.

Ms. Steckloff spoke about her platform, Youth Involvement in the Community, and thanked Council for their involvement and recognition of the Miss Farmington/Oakland County event.

Council presented Ms. Steckloff with a proclamation in recognition of her selection as Miss Farmington/Oakland County 2003.

PETITIONS AND COMMUNICATIONS

MICHIGAN MUNICIPAL LEAGUE WORKERS' COMPENSATION TRUSTEE ELECTION

City Administration recommended that City Council cast votes supporting five members to serve as Workers' Compensation Trustees for two-year terms beginning October 1, 2003, noting that each member is an official of a Fund Member and an incumbent trustee.

08-03-194 RESOLUTION Motion by Bush, seconded by Campbell, to vote for the following five members to represent the constituency of the Workers' Compensation Fund and direct the City Clerk to complete the ballot and return it to the League prior to August 27, 2003.

1. Gretchen Driskell, Mayor, City of Saline
2. Ralph L. Maccarone, III, Supervisor, Shelby Charter Township
3. Gerald R. Peterson, City Manager, City of Marquette
4. Carole Pettijohn, Mayor ProTem, City of Grandville
5. Karl S. Tomion, City Manager, City of Midland

Motion carried unanimously.
RESOLUTION DECLARED ADOPTED.

REQUEST FOR "TAG DAYS" – FUNDRAISING EVENT

08-03-195 RESOLUTION Motion by Harrison, seconded by McShane, to grant permission to the Farmington High Schools' Band and Orchestra Boosters to hold a "Tag Days" fund-raising event Friday, September 12, 2003 from 3:00 p.m. to 9:00 p.m. and Saturday, September 13, 2003 from 7:00 a.m. to 6:00 p.m. at the entrances of local merchants with their permission. Motion carried unanimously. RESOLUTION DECLARED ADOPTED.

REPORTS FROM CITY MANAGER

DOWNTOWN DEVELOPMENT AUTHORITY MASTER PLAN FUNDING

City Administration recommended that Council approve an advance to the Downtown Development Authority (DDA) in order to both expedite the development of the DDA Master Plan and meet critical deadlines. City administration also recommended that the source of the advance would be from Capital Improvement Funds.

Responding to a question from Council, City Manager Pastue indicated that there would be minimal impact to the Capital Improvement Fund as a result of this advance.

Responding to an additional question from Council, City Manager Pastue stated that the advance figure of \$40,000 was based on his prior experience in developing Master Plans and a recommendation made by the Main Street Program.

08-03-196 RESOLUTION Motion by Campbell, seconded by Harrison, to authorize an advance of up to \$40,000 from the Capital Improvement Fund to the Downtown Development Authority for the Master Plan Project, effective October 1, 2003, with the advance to be repaid within three years; funds provided in the Capital Improvement Fund.

ROLL CALL

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

NAYS: None.

ABSENT: None.

Motion carried unanimously.

RESOLUTION DECLARED ADOPTED.

MAINTENANCE AGREEMENT FOR FARMINGTON ROAD

City Administration advised that the Road Commission for Oakland County has proposed continuance of the agreement with the City of Farmington for the maintenance of Farmington Road. City Administration further advised that the County has offered to compensate the City at a rate of \$10,825.89 per mile for a total annual compensation of \$18,404.01 resulting in a 3.0% increase from the previous year.

08-03-197 RESOLUTION Motion by Harrison, seconded by McShane, to accept the terms of a maintenance agreement, for a one-year period beginning October 1, 2003, with the Road Commission for Oakland County for the maintenance of Farmington Road and authorize the City Manager and City Clerk to execute the contract on behalf of the City of Farmington. **[SEE ATTACHED AGREEMENT].**

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ROLL CALL

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

Motion carried unanimously.
RESOLUTION DECLARED ADOPTED.

CIVIC THEATRE ADMISSION FEE FOR CHILDREN

City Administration advised that as a result of a recent review of the City's Fee Schedule, it became apparent that there had not been a formal approval of the current \$1.50 charge for children at the Civic Theatre.

08-03-198 RESOLUTION Motion by Bush, seconded by Campbell, to amend Chapter One, Miscellaneous, of the City of Farmington Fee Schedule, to establish the Civic Theatre children's admission fee at \$1.50 effective July 1, 2003.

ROLL CALL

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

Motion carried unanimously.
RESOLUTION DECLARED ADOPTED.

CONSTRUCTION ESTIMATE NO. 3 – 2003 PAVING PROGRAM

City Administration concurred with the City Engineer and Public Services Director and recommended payment of construction estimate no. 3 for work performed as part of the 2003 Paving Program in the Alta Loma Subdivision. City Administration also advised that change order no. 1 was submitted reducing the total contract amount.

08-03-199 RESOLUTION Motion by McShane, seconded by Bush, to approve construction estimate no. 3 for the 2003 Paving Program and authorize payment to Thompson-McCully in the amount of \$22,448.26; and to approve change order no. 1 to reduce the 2003 Paving Program contract amount by \$17,284.27; funds provided in the 2002-03 fiscal year budget.

ROLL CALL

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

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Motion carried unanimously.
RESOLUTION DECLARED ADOPTED.

ADDITIONAL CITY REPRESENTATION ON THE COMMISSION ON AGING

City Administration advised that Farmington Hills Mayor Nancy Bates has informed the City of plans to incorporate the Farmington Hills Consumer Protection Committee into the Commission on Aging. City Administration further advised that as a result of this change, the City of Farmington would need to appoint an additional representative to the Commission on Aging. City Administration also advised that the initial appointment would be for a four-year term in order to continue to stagger appointments.

08-03-200 RESOLUTION Motion by Harrison, seconded by Campbell, to adopt a resolution to expand the City of Farmington's representation on the Commission on Aging from three to four members and to authorize a four-year term for the initial appointment ending June, 2007, followed by three-year terms thereafter. [SEE ATTACHED RESOLUTION] Motion carried unanimously. RESOLUTION DECLARED ADOPTED.

APPROVAL OF AGREEMENT FOR REMOVAL OF UNDERGROUND TANK FROM COURT FACILITY

City Administration advised that the State has required removal of an underground heating oil tank on the premises of the former location of the 47th District Court. City Administration further advised that AKT Peerless Environmental Services has prepared a proposal to perform this service. City Administration also advised that the City of Farmington Hills will share the costs and a formal agreement would be made at a later date clarifying the sharing of costs on the vacant court facility.

08-03-201 RESOLUTION Motion by Campbell, seconded by Harrison, to approve the professional services of AKT Peerless Environmental Services for the removal of an underground storage tank at 32795 West 10 Mile Road, at an estimated fee of \$15,250.

ROLL CALL

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

Motion carried unanimously.
RESOLUTION DECLARED ADOPTED.

WAIVER OF MESSAGE FACILITY AND MASSAGIST APPLICATION FEE

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City Administration recommended that as part of the process of implementing an ordinance amendment regulating massage facilities and massagist services, Council waive the application and license fees for those businesses applying before November 1, 2003 for 2003 licensing.

Administration noted that the intent of the ordinance change was to enhance the health, safety, and welfare of the community --- not to generate revenue.

08-03-202 RESOLUTION Motion by Bush, seconded by Campbell, to waive the Massage Facility and Massagist application and license fees through November 1, 2003 for 2003 licensing.

ROLL CALL

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

Motion carried unanimously.
RESOLUTION DECLARED ADOPTED.

AUTHORIZED SIGNERS, DEPOSITORY ACCOUNTS AND INVESTMENT INSTRUMENTS

City Administration recommended that Council adopt a resolution that would remove the mayor as a signer on depository accounts, thereby eliminating the requirement to complete multiple signature cards for all financial institutions related to City business each time a new mayor is appointed. City Administration further advised that there appeared to be no legal authority to have the mayor as a third authorized signer on City accounts.

08-03-203 RESOLUTION Motion by McShane, seconded by Bush, to adopt a resolution approving the City Treasurer and the City Manager as authorized signers on the City's depository accounts and investment instruments. **[SEE ATTACHED RESOLUTION]**

ROLL CALL

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

Motion carried unanimously.
RESOLUTION DECLARED ADOPTED.

WAIVE BID REQUIREMENTS FOR WARNER MANSION RESTORATION WORK

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City Administration advised that Susan Klingbeil, Governor Warner's descendent, has made arrangements with a contractor to perform restoration work on the Warner Museum and has committed to funding the work. Administration recommended that as a result of this arrangement Council waive the bid requirement for this work.

08-03-204 RESOLUTION Motion by Harrison, seconded by McShane, to waive the bid requirement for restoration work proposed by E & J Restoration of Bay City in the amount of \$10,390 for work at the Governor Warner Museum; funds provided through private donations.

ROLL CALL

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

Motion carried unanimously.
RESOLUTION DECLARED ADOPTED.

MISCELLANEOUS

PUBLIC COMMENTS

Dick Carvell, Farmington resident and Warner Museum volunteer, provided background information on a recent donation made to the Museum for restoration work.

COUNCIL COMMENTS

Mayor Mitchell expressed regret at the passing of Farmington Hills Council Member Jonathan Grant and recognized the significant contributions he made to the Community.

Council member Campbell also recognized Mr. Grant's contributions to the Community.

Council member Harrison recommended planning an official ceremony after the Museum restoration work is completed, in order to recognize Susan Klingbeil's contribution to that endeavor. Mayor Mitchell recommended that Dick Carvell contact the City Manager to make the appropriate arrangements.

Responding to a question from Council member McShane, City Manager Pastue stated that he would provide Council and the press with an update on City Boards and Commissions openings.

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Council member Bush expressed appreciation to the Departments of Public Safety and Public Services for their efforts during the Founders' Festival. She also recognized the success of the Festival.

Director Goss stated that the effective organization of this year's Founders' Festival resulted in very few complaints and congestion.

Council member Campbell recommended that a letter of explanation be sent to the scout group who recently painted the Museum porch regarding the circumstances of the Museum porch restoration.

Mayor Mitchell mentioned the recent photograph taken of the former mayors of the City of Farmington.

**DEPARTMENT OF PUBLIC WORKS AND WATER & SEWER DEPARTMENT
QUARTERLY REPORT – APRIL 1 THROUGH JUNE 30, 2003**

Responding to a question from Council, Director Gushman explained the increase in miscellaneous under the Parks account. Director Gushman also noted the increase in the Street Sweeping account due to work related to the Ash Borer disease.

08-03-205 MOTION by McShane, seconded by Campbell, to receive and file the Department of Public Works and Water & Sewer Department Quarterly Report for period ending June 30, 2003. MOTION CARRIED UNANIMOUSLY.

**BUILDING DEPARTMENT QUARTERLY REPORT – APRIL 1, 2003 THROUGH
JUNE 30, 2003**

08-03-206 MOTION by Campbell, seconded by Bush, to receive and file the Building Department Quarterly Report for period ending June 30, 2003. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PAYMENTS REPORT

08-03-207 MOTION by Harrison, seconded by Campbell, to approve the monthly payments report for July 2003. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

08-03-208 MOTION by McShane, seconded by Bush, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

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Meeting adjourned at 8:50 p.m.

JAMES K. MITCHELL, MAYOR

PATSY K. CANTRELL, CITY CLERK/TREASURER