

FARMINGTON CITY COUNCIL
SPECIAL MEETING

A special meeting of the Farmington City Council was held on Monday, October 18, 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 5:30 p.m. by Mayor Campbell.

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

COUNCIL MEMBERS ABSENT: None.

CITY ADMINISTRATION: Clerk/Treasurer Cantrell, Director Gushman, City Manager Pastue (conference call), Assistant City Manager Richards, Attorney Schultz.

CLOSED SESSION RE: PURCHASE OF REAL PROPERTY

Mayor Campbell opened the meeting with a request for a motion to enter into closed session.

10-04-231 MOTION by Bush, seconded by McShane, to enter into closed session to review an opinion from the City Attorney regarding potential litigation.

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

Council entered into closed session at 5:30 p.m. and returned to open session at 6:36 p.m.

DISCUSSION WITH SOUTHWESTERN OAKLAND CABLE COMMISSION (SWOCC)

Present: Caren Collins, Executive Director

Mayor Campbell asked SWOCC Director Collins to discuss a revised multi-jurisdictional agreement.

Before addressing the agreement, Collins cited a number of awards SWOCC received on behalf of the City, noting programs produced for Farmington.

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Collins discussed the benefits of a multi-jurisdictional agreement including economies of scale and regulatory issues. She stated that the SWOCC Board has reviewed ten documents that require updating as a result of the franchise renewal process. She stated that the multi-jurisdictional agreement created in 1982 needed to be updated in order to make it more administratively feasible.

Councilmember Mitchell advised that with this new multi-jurisdictional contract, the Cable Access Committee (CAC) would report to the SWOCC Board rather than function as a separate entity. He further advised that it makes good sense to place this committee in an advisory capacity to the SWOCC Board. He stated that the three cities could continue to make appointments as has been done previously.

Councilmember Knol asked about a guarantee under the new agreement that the CAC would continue to exist. McShane pointed out that under the new agreement, the CAC could be terminated by the SWOCC Board. Knol expressed concern regarding this provision. Collins noted that the SWOCC Board includes representation from each City.

Knol suggested keeping the CAC in the agreement, but reporting to the SWOCC Board. Collins responded that the Board is attempting to construct a long lasting agreement that provides flexibility. She further stated that with a flexible agreement, the Board has the opportunity to revisit the goals of its committees and make changes. She noted that goals established in 2000 could now be incorporated in the revised agreement.

Responding to a question, Collins stated that the Action Plan established for the CAC in 2001 is not effectively being accomplished.

McShane noted that under the new agreement, the CAC would be eliminated and that any committee under SWOCC could be disbanded by the Board. She further noted that there is no guarantee that SWOCC would follow through on a request from Council for the establishment of a committee.

Knol again expressed concern that under the new agreement there is no guarantee that the CAC would continue to exist.

Mitchell stated that he and City Manager Pastue have already advised SWOCC that they would like to see the CAC continue as a "standing committee" reporting to the Board.

Councilmember Bush asked for input from current CAC members, Tracy Thompson and Jeannie Liming.

Tracy Thompson stated that the CAC would lose authority if it reported to the SWOCC Board and would subsequently lose people and become a "watered down" committee. She stated that the current CAC provides balance to the SWOCC Board.

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Jeannie Liming stated that the CAC has been “beating their heads against the wall for a number of years”. She further stated that the Committee does not get the necessary support to meet their goals. She stated that SWOCC is not going in the right direction and that in a short time there will be no public access.

Bush clarified that the CAC is not getting information from SWOCC staff as well as the Board.

Responding to a question, Thompson stated that the original goals of the Committee were to make recommendations to SWOCC regarding the use of public access facilities, equipment, cable access channels and employee assignments. Liming stated that the Committee submitted policies to the SWOCC attorney over a year ago with no response.

McShane expressed the need for a committee that has specific goals. Knol again noted that there should be something in writing to guarantee the existence of the CAC.

Collins noted that Councilmember Mitchell and City Manager Pastue had already expressed the need for a standing committee that would meet the goals established for the CAC. She stated that the CAC would act as an advisory committee. She further noted that it takes “grass roots” involvement to encourage public access.

Mitchell discussed the historic role of the CAC and noted the difficulty the Committee has had in defining itself because it acts as an advocacy Board that tries to encourage public involvement. He recommended that the SWOCC Board meet with the CAC to discuss their concerns.

Mayor Campbell clarified that Mitchell supports continuing the CAC, but under the SWOCC Board authority. McShane clarified that the CAC is an advocate for both the cities and the public.

Mitchell recommended that the language in the new agreement should provide for a standing committee that could again be called the CAC or renamed to clarify their mission.

Discussion followed regarding previous meetings of the CAC and the SWOCC Board.

Mitchell again stated his support for the CAC as a “standing committee” under the SWOCC Board. He noted the need to put local programming on the cable channels.

Knol again expressed the need to change the language in the new agreement to guarantee the continued existence of the CAC. Mitchell stated that when it is appropriate, he and City Manager Pastue, as members of the SWOCC Board, would make a motion to amend the agreement accordingly.

McShane stated that she wants a cable advisory committee that is provided with structure and goals by the SWOCC Board.

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Attorney Schultz proposed that rather than amending the new agreement, the requirement for a "standing CAC" could be included in the by-laws, in order to avoid returning to Novi and Farmington Hills for amendment approval.

Council concurred to re-schedule a meeting with Collins concerning SWOCC programming and staff support.

DISCUSSION AND UPDATE WITH 47TH DISTRICT COURT

Present: Judge James Brady, Judge Marla Parker
Deputy Court Administrator Stacy Parke, Court Administrator David Walsh

Mayor Campbell asked Court Administrator Walsh to address the agenda items concerning revenue flow, caseload collection and new court facility status.

Walsh discussed how Court revenues from traffic fines, probation fees, civil filing fees are divided between the City and the State. He spoke about the building fund where both City Councils elected to set aside revenue received from each traffic ticket, currently at \$10.00 each, and apply it to the debt service on the bonds for the new court facility. Discussion followed regarding the high cost of traffic tickets. Walsh spoke about a study that was done to determine the cost of issuing a traffic ticket. Responding to a question, he stated that surrounding communities charge similar traffic fines.

Walsh discussed a chart showing the City of Farmington court-generated revenue for 2002-2004. He noted that under fines and forfeitures, monies applied to the General Fund, have remained relatively static over the last three years. He stated that he was initially surprised that the funds had not increased, especially given the fact that the Court has aggressively collected old debt on outstanding tickets. He noted, however, that the collections were counterbalanced by the decrease in traffic criminal filings. He further noted that traffic filings had decreased by 928 over the 2002-2004 period. Discussion followed regarding the lack of revenue from felonies and the decreasing revenue from the reduction of traffic fines.

Judge Parker noted that revenues have stayed fairly consistent because the Court has concluded more cases than were filed. Clerk/Treasurer Cantrell noted that circumstances such as a shortage of officers may impact traffic fines. Walsh also noted that the revenue numbers for the Community Work Program and Building Fund have also remained static.

Stacy Parke discussed the aggressive collections program implemented by the Court. She stated that the program involved implementing and setting up monthly show-cause dockets, which are orders issued by the Court for people to appear to explain why payment has not been made. She stated that they have set a goal of 10 to 65 such cases a month for the City of Farmington. She noted that over the last seventeen months they have targeted 499 cases resulting in a total collection-to-date of \$68,337. She further noted the additional monies that still need to be collected. Parke stated that 35% of the show-cause dockets are paid prior to the scheduled court date.

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Judge Parker discussed the Sobriety Court Project that includes a combination of jail time, court accountability and treatment. She stated that they have developed a list of goals in targeting drunk driving offenses. She discussed the development of a scientific study that will be used to determine the success of the project. She stated that representatives of the Court have gone through Federal training for this project as well. She discussed the various components of the project and noted the receipt of a \$40,000 grant from the State.

Responding to a question, Judge Parker stated that some of the grant money could be set aside for the cost of treatment for those who cannot afford to pay.

The meeting adjourned at 8:02 p.m.

ARNOLD T. CAMPBELL, Mayor

PATSY K. CANTRELL, City Clerk/Treasurer