

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, January 3, 1983, 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 by Mayor Bennett at 8:00 p.m.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, Attorney Kelly, G. Horner, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

1-83-001

Motion by Councilman Yoder, supported by Councilman Tupper, to approve the minutes of the previous meeting of December 20, 1982, as printed. Motion carried, all ayes.

### PUBLIC HEARING

#### TO REVIEW PREVIOUS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS

Manager Deadman stated that the Community Development Funds have helped Farmington develop a recently completed Sidewalk Program on Grand River from Halsted to Gill Road. It was determined that over 50% of the people living in apartments in that area are senior citizens who had no safe walking route.

Some local roads have been paved in areas where 50% of the residents are of low or moderate income. Mr. Deadman further pointed out that Farmington's Housing Rehabilitation and Loan Program has benefited from these funds as well.

He introduced Harold Martin, Chief of Operations for the Oakland County Community Development, who advised that hopes for this type of program are strong for the future. He pointed out that for the first time, we are using the 1980 Census data, and consequently, the City of Farmington has gained some extra dollars as a result. Mr. Martin stated that the County represents 48 local jurisdictions, about 53% of the total population of the County, and 50,000 people were included in their proposal.

Council was advised that as of today, the new amount that the City will receive, based on the 1980 Census data, is \$57,500.00 rather than the \$39,500.00 originally reported. As in the past, this amount will be concentrated in areas where at least 51% of the population are of low and moderate income. Mr. Horner advised that 44% of the households in Farmington qualify as low or moderate income households.

As there was no public comment when the audience was asked for input,

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the City Manager stated that a further report would be submitted to Council at the next regular meeting, and that another Public Hearing will be held on next year's programs.

1-83-002

Motion by Councilman Hartsock, supported by Councilman Yoder, to close the Public Hearing. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

1-83-003

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and/or file the minutes of the following boards:

Farmington Community Library minutes of December 9, 1982;  
Board of Education minutes of December 7, 1982.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FROM ALAN M. GOTTLIEB, GREAT GET-  
AWAY, INC., RE: ARCADE LICENSING FEES

Manager Deadman submitted to Council a brief list of arcade type game license fees, and pointed out that these fees affect similar games installed in numerous businesses throughout the city as well as the Great Getaway.

Mr. Gottlieb, who was present in the audience, advised that the video game industry has changed dramatically in the past six months so that previous dollars are no longer available. He, therefore, requested that Council consider a different fee structure, as his arcade licensing fee is so much higher under the fee scheduled adopted by Council last July.

Council advised that when the ordinance in question was considered for adoption, they had thought of instituting even higher fees, but compromised in an effort to be as fair as possible while still trying to cover all the costs involved in enforcing the ordinance. Council felt that six months was too short a period to arrive at a fair estimate of how the ordinance is working, further indicating that another six months is necessary before they would reconsider an adjustment of the present fee schedule.

RESOLUTION FROM CITY OF OAK PARK RE: NON-  
ELECTED TRANSPORTATION AUTHORITY

The Resolution from Oak Park opposes Substitute House Bills 6148, 6149 and 6151 which would provide for a non-elected transportation authority to levy up to 5 mills in property tax and an unlimited excise tax on residents' incomes within the particular transportation authority region.

Council declined to take a position on the matter until seeing the Bills in question.

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1-83-004

Motion by Councilman Yoder, supported by Councilman Mitchell, to table a decision relative to a non-elected transportation authority until Council receives copies of Substitute House Bills 6148, 6149 and 6151. Motion carried, all ayes.

The Mayor requested that the City Manager obtain copies of the House Bills pertaining to the non-elected transportation authority.

REPORTS FROM CITY MANAGER

PROPOSED RULES: RESIDENTIAL PARKING  
PERMIT SYSTEM

The City Manager submitted to Council proposed Administrative Rules for Residential Permit Parking as requested at the meeting of December 20, 1982. These rules set forth procedures for designating a particular residential district for parking controlled by permit, and designate eligibility requirements for acquiring these permits as well as temporary permits.

The fee schedule for the original Residential Parking Permit, per household, is to be \$7.50. A second permit for the same household would be \$5.00, and a Visitor's Permit would be \$2.50. A \$3.00 permit renewal charge was set after the initial year.

The Mayor asked if Section 1.3 would cause Council to give up its power. Manager Deadman stated that this was only a recommendation which Council could change before adopting the Rules.

Mayor Bennett questioned the use of the word "legal" resident in Section 2.1 of the Rules, suggesting that perhaps the word "eligible" would be better.

Councilman Hartsock questioned the 65% signature requirement in Section 1.2 (c).

1-83-005

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the Administrative Rules for the Residential Parking System as provided for in Section 8.27 (2) of the Uniform Traffic Code for Cities, Townships and Villages and Ordinance No. C-482-81 as amended by Ordinance No. C-499-82.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JANUARY 3, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

PROPOSED ORDINANCE TO CONTROL LICENSED  
LIQUOR ESTABLISHMENTS

Manager Deadman submitted to City Council a proposed liquor control ordinance setting forth Council's authority to approve or deny new or renewal licenses, controlling the sale or possession of alcohol to minors, establishing acceptable conduct on licensed premises and setting forth a procedure for reviewing new licenses. Under this ordinance, Council may file a notice of non-renewal with the Liquor Control Commission if a particular licensed establishment violates the statutes.

Councilman Hartsock commented on certain sections of the proposed ordinance. Certain changes were suggested which Manager Deadman promised would be inserted in the proposal for the next Council meeting. The words "talking, laughing," were removed from Section 9.504, line 3; on page 2.

1-83-006

Motion by Councilman Yoder, supported by Councilman Mitchell, to introduce Ordinance C-501-83, which would establish a new Chapter 94, Alcoholic Liquor, Title IX - Police Regulations, and delete Section 9.155, Subsections (1) through (4) of Chapter 90, Disorderly Conduct in the Code of the City of Farmington. Motion carried, all ayes.

AMENDMENT TO 1982 SIDEWALK SPECIAL  
ASSESSMENT ROLL

Manager Deadman advised that as a result of Public Hearings held on the 1982 Sidewalk Special Assessment Roll, the individual assessments of six property owners were amended. This would require an adjustment of the Special Assessment Roll.

To adequately address the concerns of William Dobes, 23366 Liberty, Mr. Deadman reviewed the matter further with Building Inspector Harrison and discovered that substandard flags had to be removed at that address to enable abutting new flags which had to be installed. Therefore, in remeasuring the sidewalk installed at Mr. Dobes' residence, a slight variation of an additional \$2.83 was found in the amount for which he was billed. The sidewalk on Liberty Street is extremely old and was probably installed without inspection. It was pointed out that if Mr. Dobes had elected to replace the sidewalk himself, he would have found the same problem which was discovered by the city contractor. Samples of the substandard flags were presented for Council's inspection.

1-83-007

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, the Farmington City Council has confirmed the 1982 Sidewalk Repair Program Special Assessment Roll in the amount of \$27,502.38 by Resolution No. 12-82-317 adopted December 6, 1982; and

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WHEREAS, it has become necessary to make some adjustments to the Assessment Roll as confirmed;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby confirms the attached Amended Special Assessment Roll dated January 3, 1983, in the amount of \$27,334.39.

ROLL CALL

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JANUARY 3, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

PROPOSED STREET LIGHTING: FARMINGTON ROAD

The City Manager reported that according to Council's request, he contacted the City of Farmington Hills relative to sharing the cost of providing street lighting on Farmington Road from Eight Mile north to Nine Mile and on Grand River near Nine Mile Road. The Farmington Hills' Council reviewed the request and determined that they do not wish to participate in either case.

Depending on which system Council would authorize, the annual cost, based on current Detroit Edison rates, would be either \$2,476.68 for fixtures mounted on wooden poles or \$5,283.36 for fixtures mounted on ornamental poles.

1-83-008

Motion by Councilman Yoder, supported by Councilman Tupper, to table proposed street lighting for Farmington Road with instructions to the City Manager to investigate the possibility of lighting just the intersections, and to arrange a meeting between the City Managers and the Mayors (of the two cities), to further discuss the matter. Motion carried, all ayes.

BIDS FOR STREET SWEEPING SERVICES

Manager Deadman advised that the City went out for bids on street sweeping services to see if the level of service could be reduced, and if savings could be realized by using an outside contractor. Two bids were opened on December 16, 1982 in the City Clerk's Office from G & M Enterprises of Southfield, Michigan in the amount of \$14,269.44, and Sanisweep, Inc. of Marne, Michigan in the amount of \$15,247.20. Both bids reflect costs for eight complete sweeps of the city's major streets and four complete sweeps of local streets.

Projecting the costs bid to the present number of thirty-two complete sweepings provided by Public Services crews per eight month season would cost \$79,069.44 annually for the same service provided by an outside contractor. The City Manager, therefore, suggested that it would be in the City's best interest to have the

Public Services Department continue providing the street sweeping service.

In evaluating our street sweeping schedule, we found that no other city provides more than one sweep per month, while Farmington totals 32 complete sweeps throughout the eight-month sweeping season. Cost reductions could probably be realized by reducing the number of sweepings per year without eliminating any additional sweepings of city streets as necessary due to added debris from weather, civic functions or disasters.

1-83-009

Motion by Councilman Hartsock, supported by Councilman Tupper, to reject all bids for street sweeping services as being in the best interest of the City. Motion carried, all ayes.

PROPOSED WATER AND SEWER WHOLESALE RATE INCREASE

Council was advised that the City of Detroit will increase wholesale water rates July 1, 1983. As a result, Farmington's wholesale water rate will increase from \$2.59 per thousand cubic feet (MCF) to \$3.06. This represents an increase of 18.1%, or \$35,500.00.

Manager Deadman explained that to develop wholesale water rates, a maximum demand factor (MDF) and a peak hour demand factor (PHDF) are used. Farmington's average MDF increased from 1.5 to 1.6; the PHDF from 1.9 to 2.2, resulting in the increased wholesale water rate.

The wholesale sewerage treatment rate charged Farmington by the City of Detroit increased from \$3.34 per MCF to \$3.58 per MCF, increasing Farmington's sewage treatment costs approximately \$21,000.00.

The City Manager pointed out that in spite of these increases, Farmington's wholesale water rates will still be considerably lower than most communities in Oakland County except for those in the southeast quadrant of the county.

Adjustments in local rates will be proposed prior to July 1 after analyzing the effect of the wholesale rate increase on Farmington's retail water and sewer rates.

1-83-010

Motion by Councilman Hartsock, supported by Councilman Mitchell, to receive and file the notice of proposed water and sewer wholesale rate increases. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Darlene Thompson of Brookdale Street wanted to know if she would be allowed to lend her Visitor's Parking Permit to her neighbor. Mr. Deadman advised that she could do so at her discretion.

Mrs. Thompson also commented on how well the Great Getaway is managed.

She also thanked Council for their help and consideration in bringing about the Permit Parking District on Brookdale.

DEPARTMENT OF PUBLIC SAFETY  
THIRD QUARTER OPERATIONS REPORT

Council questioned Director Seifert relative to various sections of his Quarterly Report. Concerning where calls on certain problems any business establishment would be reflected in the report, he advised that it depends on the nature and classification of the calls.

1-83-011

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and file the Department of Public Safety Third Quarterly Report. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

1-83-012

Motion by Councilman Mitchell, supported by Councilman Hartsock, to adopt the following ordinance:

ORDINANCE NO. C-499-82

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON BY ADDING A NEW SECTION, SECTION 8.27 AND SUBSECTIONS THERETO, TO THE UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS AND VILLAGES, ADOPTED BY REFERENCE BY ORDINANCE NO. C-482-81.

THE CITY OF FARMINGTON ORDAINS:

Section 8.27. Residential Permit Parking

This ordinance is deemed necessary in specific residential districts, designated by Traffic Control Ordinance to regulate on-street parking within said residential districts insofar as on-street parking is planned for use by the occupants and in conjunction with such use of the adjacent residential structures. Non-residential parking uses cause additional traffic volume, congestion, hazards, noise and/or litter within such residential districts. Such non-residential uses are deemed not to be compatible or desirable within residential districts. The control of non-residential parking, therefore, is deemed essential for the safety and quality of life within residential districts.

Regulations as follow, of on-street parking by a permit system, in combination with existing parking regulations, will provide the control of on-street parking in residential districts.

(1) Designation of Residential Permit Parking Districts

City Council shall establish by Traffic Control Ordinance Residential Permit Parking Districts. Regulatory signing in such districts as may be designated by City

Council shall be posted in accordance with provisions of the Michigan Manual of Uniform Traffic Control Devices. Enforcement of this Section and the Administrative Rules hereafter adopted to implement this ordinance shall be by the Department of Public Safety.

(2) Administrative Rules and Fees

Administrative procedures, rules and fees to implement and administer Residential Permit Parking shall be recommended by the City Manager and approved by City Council resolution.

Upon adoption the Administrative Rules shall be deemed incorporated as part of this ordinance, and a copy of the Administrative Rules shall be provided each permit holder at such time as any permit is issued.

Said Administrative Rules shall contain provision for:

- a. Permit eligibility and application procedures.
- b. The number and term of such permit(s), issuance of permits, and fee collection.
- c. Permit renewal; revocation; non-renewal procedures.
- d. "Visitor" and/or Temporary Permit eligibility and terms.
- e. Location and manner of display of permits.
- f. Such other regulations as developed and adopted as may be necessary to the administration of Residential Permit Parking.

(3) Falsifications of Application; Forged or Altered Permits

Any person who shall make any false statement, entry and/or representation on any application for a Residential Parking Permit or who shall duplicate, forge or alter any Residential Parking Permit, or display such duplicated, forged or altered permit shall be guilty of a misdemeanor.

(4) Residential Parking Permit Required

Any person who shall park any motor vehicle in a designated Residential Permit Parking District without having a valid permit properly displayed shall be responsible for a civil infraction.

(5) Evidentiary Presumption

The standards of evidentiary presumption provided in



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Sections 8.23, 8.23a and 8.23b of this ordinance shall apply in violations of this Section.

(6) Relationship to Other Ordinances

Any permit issued under this Section shall grant the holder the privilege to park only within the specific Residential Permit Parking District and in accordance with the regulations of that District for which the permit is issued.

Nothing in this Section shall be construed to permit parking at any time or place where otherwise forbidden by any other Section of any ordinance or provisions of law.

(7) Penalty

Any person who shall violate any provision of this Section or any Administrative Rule adopted thereto shall be responsible for a civil infraction except as otherwise provided herein.

This ordinance was introduced at a Regular Meeting of the Farmington City Council on December 20, 1982, was adopted and enacted at the next Regular Meeting on January 3, 1983, and will become effective ten days after publication.

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: None.

1-83-013

Motion by Councilman Hartsock, supported by Councilman Mitchell, to adopt the following ordinance:

ORDINANCE NO. C-500-82

AN ORDINANCE TO ADD TRAFFIC CONTROL ORDER

THE CITY OF FARMINGTON ORDAINS:

Pursuant to Section 2.53 of the Uniform Traffic Code for Cities, Townships and Villages, a new Chapter 13 titled "Residential Permit Parking" is, hereby, added to the Traffic Control Orders regulating such parking as may be approved henceforth as provided in Section 8.27, Residential Permit Parking.

Further, pursuant to Section 2.53, Section 13.1 is hereby added to Chapter 13:

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Chapter 13 "Residential Permit Parking" - add the following:

Section 13.1

Brookdale

- (a) East and west side of Brookdale, from a point 100 feet south of Grand River to a point 30 feet north of 9 Mile Road; Residential Permit Parking 6:00 p.m. to 6:00 a.m.

This ordinance was introduced at a Regular Meeting of the Farmington City Council on December 20, 1982, was adopted and enacted at the Regular Meeting on January 3, 1983, and will become effective ten days after publication.

AYES: Yoder, Bennett, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: None.

1-83-014

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following ordinance:

ORDINANCE NO. C-498-82

AN ORDINANCE TO AMEND ORDINANCE C-486-82

THE CITY OF FARMINGTON ORDAINS:

That Ordinance No. C-486-82, adopted and enacted on May 17, 1982, and effective June 7, 1982, is hereby amended by adding a new Section 30, and existing Sections 30 through 36 shall be renumbered as Sections 31 through 37, and a new Subsection (h) shall be added to the renumbered Section 31 as follows:

Section 30. Landlord and Tenant Relationship

- a. The City hereby declares that this ordinance has as one of its principal objectives, the lawful public purpose of rapidly developing and maximizing the educational, community service, cultural and public safety potential of cable television in order to benefit all of the residents of the City. The City further finds that the public interest and necessity require that no owner of any multiple unit residential dwelling (nor his agent or representative) be permitted to directly or indirectly prevent any resident of such dwelling from receiving Cable Communications Service installation, maintenance, and services from a Grantee operating under a valid franchise issued by the City.

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- b. In order to provide the opportunity for the residents of any multiple unit residential dwelling to obtain service from a Grantee, such Grantee may negotiate an agreement with the owner of that dwelling or, failing agreement, may request that the City exercise its power of eminent domain for the necessary public purpose of enabling the Grantee to serve residents of that multiple unit residential dwelling. Upon request of such Grantee, the city may commence condemnation proceedings in accordance with applicable law. In the event of such proceeding, in preparing its good faith offer of just compensation, the City may consider:
- (1) The amount and fair market value of space occupied by the Grantee's cable and related facilities. The fair market value of the space shall be assessed in light of the prior use, if any, of that space, together with any evidence of non-speculative alternative uses;
  - (2) The present value of any funds that the owner will reasonably expend over time in ensuring that the Grantee conforms to all laws, regulations and reasonable conditions necessary to assure the safety, convenient functioning, and appearance of the multiple unit residential dwelling;
  - (3) The continued physical availability of other space on the premises for the installation of alternative modes of television program reception or delivery;
  - (4) As an offset to the amounts set forth in paragraphs (1) and (2) hereof, any increase in the fair market value of the multiple unit residential dwelling attributable to the availability of the Grantee's service to the property's tenants; and
  - (5) Any other reasonable, non-speculative factors which the city may find relevant.
- c. The requesting Grantee shall indemnify the city for all expenses and costs incurred by the city in the condemnation proceedings as well as for the full amount of the condemnation award made to the owner if such condemnation proceedings are completed.
- d. Notwithstanding anything to the contrary set forth in this Ordinance or the Franchise Agreement, Grantee shall be permitted to charge each resident of a multiple unit residential dwelling an additional charge, above and beyond the service rate for a single family dwelling as

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specified in the Franchise Agreement, solely to defray the exact additional per resident cost to the Grantee of compensating the owner for access to the multiple unit residential dwelling. Such additional charge shall not be included in the computation of franchise fees due to the city pursuant to this Ordinance or the Franchise Agreement.

- e. Notwithstanding any other language in this Section or elsewhere in this Ordinance, the Grantee shall not be obligated to provide service to any multiple unit residential dwelling so long as the owner of that dwelling demands compensation from the Grantee in an amount that is unreasonable or imposes financial or other conditions that would, in the Grantee's reasonable business judgment, render provision of service to that dwelling uneconomic. The Grantee shall not be obligated, in such circumstances, to request the City to institute condemnation proceedings.
- f. Neither the owner of any multiple unit residential dwelling nor his agent or representative shall penalize, charge, or surcharge a tenant or resident or forfeit or threaten to forfeit any right of such tenant or resident or discriminate in any way against such tenant or resident who requests or receives Cable Communications Service from a company operating under a valid and existing cable communication franchise issued by the city. Any person convicted of violating any provision of this Section is subject to a fine of not more than \$300.00 for each offense.
- g. No person shall resell, without the express written consent of both the Grantee and the city, any cable service, program or signal transmitted by a Grantee operating under a franchise issued by the city.
- h. Nothing in this Section shall prohibit a person from requiring that Cable Communications System facilities conform to laws and regulations and reasonable conditions necessary to protect safety, functioning and appearance.
- i. Nothing in this Article shall prohibit a person from requiring a Grantee from agreeing to indemnify the owner, or his agents or representatives, for damages or for liability for physical damages caused by installation, operation, maintenance, or removal of cable television facilities.

Section 31. Violations

h. In addition to the provisions of Paragraph (g) of this Section, any person, firm, corporation or other entity of any type of description who violates any provision of this Section of this Ordinance shall be subject to each of the following:

- (1) A civil action, enjoining them pendente lite and permanently from operating a cable television system in the city.
- (2) A demand by the city to remove all wires, cable, antennas, lines, towers, waveguides or other conductors, equipment or facilities designed and constructed for use as a part of a cable television system and if such removal is not made within 30 days thereafter, then the city shall have the right to remove the same and the person, firm, corporation, or other entity of any type or description shall be liable for the amount of expense incurred in making such removal, to be collected in an action of assumpsit, or assessed upon the property of such person, persons, firm or corporation and collected in the same manner as other taxes are assessed and collected.
- (3) Any other remedy available as law or in equity arising out of this violation.

This ordinance was introduced at a Regular Meeting of the Farmington City Council on December 20, 1982, was adopted and enacted at the next Regular Meeting on January 3, 1983, and will become effective ten days after publication.

AYES: Bennett, Hartsock, Mitchell, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

WARRANT LIST

1-83-015

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$50,614.09; Water & Sewer Fund \$18,990.51.

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

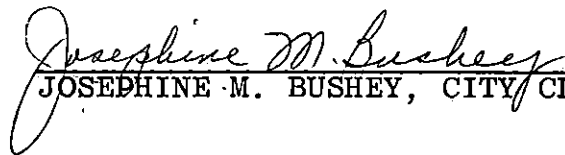
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ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:30 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## ADMINISTRATIVE RULES

### RESIDENTIAL PERMIT PARKING

As provided in Section 8.27 (2) of the Uniform Traffic Code for Cities, Townships and Villages, adopted by reference by Ordinance No. C-482-81, and amended by Ordinance No. C-499-82 to provide Residential Permit Parking, the Administrative Rules promulgated, hereby, shall serve to implement, establish, regulate and administer Residential Permit Parking in the City of Farmington.

#### 1. Designation of Residential Permit Parking Districts

The process whereby Residential Permit Parking District may be designated, modified or rescinded.

- 1.1 City Council shall receive and review public petitions and/or administrative proposals for designation, modification, or to rescind Residential Permit Parking District.
- 1.2 Any such public petition submitted for City Council consideration shall contain:
  - (a) A statement as to the need(s) for such action as is proposed.
  - (b) A clearly defined geographical description of the District and/or proposed District of a residential use area of not less than one (1) full block.
  - (c) Signatures of not less than sixty-five percent (65%) of the recorded property owners, tenants or occupants within the District/Proposed District.
- 1.3 City Council, prior to consideration of any such public petition, shall refer the matter for administrative review, study and recommendation.
- 1.4 City Council, prior to designating a Residential Permit Parking District as a result of any such public petition or administrative recommendation; may hold such public hearing(s) as may be deemed necessary.

#### 2. Eligibility for Residential Parking Permit

Residential Permit Parking will be available to the following persons:

- 2.1 An eligible resident of the Residential Permit Parking District who has a motor vehicle, except as prohibited from on-street parking by Title V, Chapter 39, Section 5.91, registered in their name or who has a motor vehicle for their exclusive use and under their control.
- 2.2 A person who owns or leases commercial property and actively engages in business activity within a Residential Permit Parking District, provided, however, that not more than one permit may be issued for each such commercial establishment.

2.3 Status as to resident eligibility shall be determined by one (1) of the following methods:

- (a) Property tax rolls of the City.
- (b) Voter registration files of the City.
- (c) Public utility account records.
- (d) Presentation of a valid lease, land contract or renters agreement.
- (e) Such other records of any unit of government or public body which may be deemed sufficient to confirm eligibility.

2.4 Status as to motor vehicle eligibility shall be determined by one (1) of the following methods:

- (a) Valid Michigan motor vehicle registration showing an address within the District.
- (b) Presentation of a valid lease agreement indicating the leasee's address within the District.
- (c) Notarized letter from a corporate officer, on corporate letterhead, confirming assignment of said vehicle described to a legal resident of the District.

### 3. Application for Residential Permit Parking

3.1 Separate application, on the form(s) provided, shall be made in person or by mail to the City Treasurer, and fees paid prior to the issuance of a Residential Parking Permit for each eligible motor vehicle to be parked within the District.

3.2 The City Treasurer shall issue no permit until resident and motor vehicle eligibility has been determined.

3.3 Any challenge as to eligibility shall be referred and/or forwarded, with all pertinent information, to the Department of Public Safety for investigation. The findings of the Department of Public Safety shall be forwarded to the City Manager who shall, in his sole and final judgment, determine eligibility and approve or deny any application.

3.4 Temporary permits may be issued as provided herein.

### 4. Permit

4.1 Residential Parking Permits shall be of the style and type provided by the City of Farmington.

4.2 Each Permit shall be serially numbered and records maintained as to the resident and motor vehicle that each such permit is issued.



- 4.3 Each Permit is issued to an eligible resident for display only on the vehicle to which it is issued.
- 4.4 The valid Permit shall be displayed, utilizing the adhesive provided on the decal, in the extreme, inside, lower left corner of the rear window in such a manner as to not obstruct the drivers vision to the rear.
- 4.5 Residential Parking Permits shall be issued on a calendar year basis. Each permit shall expire on midnight, December 31 of the year in which it is issued.
- 4.6 Only one (1) Permit may be displayed on any eligible motor vehicle. Upon expiration, the expired permit shall be completely removed prior to affixing the valid permit.
- 4.7 A valid Permit shall entitle the holder to park only within the designated Residential Permit Parking District for which it is issued, and then provided only insofar as the vehicle is parked in an otherwise lawful manner.

5. Visitor Permits

- 5.1 Visitor Permits may be issued to any person eligible for a permanent Permit within the Residential Permit Parking District for temporary use of visitors and guests of residents of the area.
- 5.2 Visitor Permits shall be of the style and type authorized by the City Manager.
- 5.3 Visitor Permits shall be issued by the City Treasurer upon completion of application and eligibility as required for a permanent Permit in Section 2 and Section 3 herein, and payment of fees. Visitor Permits shall be serially numbered and records shall be maintained as to the eligible resident to whom each permit is issued. The number of Visitor Permits issued to any single household shall not exceed the number of eligible persons within the household.
- 5.4 Visitor Permits shall be issued on a calendar year basis. Each Visitor Permit shall expire on midnight, December 31 of each year for which it is issued.
- 5.5 Visitor Permits shall be displayed and be clearly visible, from the exterior, on the drivers side (left) dashboard.
- 5.6 A valid Visitors Permit shall entitle the holder to park only within the designated Residential Permit Parking District for which it is issued, and then provided only insofar as the vehicle is parked in an otherwise lawful manner.
- 5.7 The eligible resident of the Residential Permit Parking District shall retain the valid Visitors Permit for use, in his discretion, by persons on a temporary basis within the District.

- 5.8 Damaged Visitors Permits will be replaced upon presentation of the damaged Permit at no charge. Lost or stolen Visitor Permits will be replaced only upon re-application and payment of fees equal to the original.
- 5.9 Visitor Permits reported lost or stolen will be confiscated, and any vehicle displaying any such permit ticketed. Persons possessing confirmed stolen permits will be prosecuted.
- 5.10 The Director of Public Safety may order that enforcement of the Residential Permit Parking be suspended for a period not to exceed twenty-four (24) hours to accommodate special neighborhood events and individual household requests within the District of a nature which may occur infrequently. Any such request must be received in writing not less than seventy-two (72) hours prior to the event setting forth the rationale for such request. The decision of the Director of Public Safety shall be final, and requests for waiver of enforcement concerning individual vehicles will not be considered.

6. Replacement or Transfer of Permit

- 6.1 The holder of a valid permanent Permit may obtain a replacement or may transfer the permit to another eligible motor vehicle upon presentation of evidence, such as the pieces of the decal removed, that the original valid Permit has been destroyed, and by making application for replacement or transfer.
- 6.2 Permits may be transferred due to the sale or reassignment of the motor vehicle to which it was issued.
- 6.3 Permits may not be transferred from one eligible resident to any other person.
- 6.4 Application for replacement or transfer shall be made on the form(s) provided and fees paid prior to issuance, either in person or by mail, and procedures for replacement or transfer shall be the same as for the issuance of the original Permit as provided herein as may apply.

7. Fees

7.1 The following fee schedule shall be implemented:

- (a) The first Residential Parking Permit per household: \$7.50
- (b) Second or subsequent Residential Parking Permit per household, each: \$5.00
- (c) Visitors Permit, without permanent Permit, each: \$7.50
- (d) Visitors Permit, purchased in conjunction with, or subsequent to permanent Permit, each: \$2.50

- (e) Transfer or replacement: \$1.50
- (f) Renewal, permanent Permit or Visitors Permit: \$3.00
- (g) Renewal, Visitor Permit in conjunction with or subsequent to permanent Permit, each: \$1.50

7.2 The City Manager may waive the collection of any such fee as he deems appropriate in any instance whereby the imposition of the fee may cause financial hardship.

8. Revocation/Non-Renewal

8.1 Residential Parking Permits shall be revoked, and/or Permits shall not be renewed, if any of the following occurs:

- (a) Any Permit is improperly issued.
- (b) Any Permit is displayed on any vehicle other than that to which it is issued.
- (c) Any Permit is displayed on any vehicle owned by any person other than the person to whom the Permit was issued.
- (d) Repeated violation of any parking regulation within the Residential Permit Parking District.
- (e) Violation of any provision of Section 8.27 (3).
- (f) Any unpaid parking violation(s).
- (g) Any false report of lost or stolen Permit.

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, January 17, 1983, 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 by Mayor Bennett at 8:00 p.m.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, Attorney Kelly, G. Horner, City Clerk Bushey

### MINUTES OF PREVIOUS MEETING

#### 1-83-016

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the previous meeting of January 3, 1983, as printed. Motion carried, all ayes.

### PUBLIC HEARING

#### TO REVIEW PROPOSED 1983-84 COMMUNITY DEVELOPMENT PROGRAM

City Manager Deadman reviewed the Community Development Program proposed for the 1983-84 fiscal year advising that the City would receive \$57,800 to fund the program year. He suggested that the paving project for Sherwood and Shaw Streets be included in the program.

Future programs suggested include a parking study in the Central Business District, additional landscaping and aesthetic treatment in the CBD, including sidewalk, median areas, and city-owned parking lots; the continuation of barrier-free requirements for handicapped persons, and sidewalk construction along the city's major thoroughfares. This comprehensive program for the use of Community Development funds was developed by the Planning Commission.

Mayor Bennett opened the meeting for public comment. Approximately fifteen people were present at the hearing.

Marguerite Kowaleski, 36680 Brittany, representing the League of Women Voters, asked about the home improvement and rehabilitation program for low and moderate income families. Manager Deadman stated that even though the city has identified all homes built prior to 1950 and certain homeowners have been visited in relation to home improvements, very few applications have resulted.

Councilman Mitchell asked if possibly surplus funds, if any, could be used for city residents who may require food assistance. Manager Deadman advised that currently there are several programs in process, through other agencies to help alleviate food requirements for those expressing a need.

COUNCIL PROCEEDINGS -2-  
January 17, 1983

1-83-017

Motion by Councilman Hartsock, supported by Councilman Mitchell, to close the Public Hearing. Motion carried, all ayes.

1-83-018

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council approve the 1983-84 Community Development Program as presented, thereby allocating the funds in the amount of \$57,800.00 for the paving of Sherwood and Shaw Streets.

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JANUARY 17, 1983.

MINUTES OF OTHER BOARDS

1-83-019

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and/or file the minutes of the following boards:

Farmington Historical Commission minutes of December 15, 1982,  
Farmington Area Arts Commission minutes of December 14, 1982,  
Board of Education minutes of December 21, 1982.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR SIGN VARIANCE: SPEED LUBE  
CENTER, 32686 GRAND RIVER

Manager Deadman explained that to install the proposed sign as requested for Speed Lube Center would require a 13 ft. variance to the Sign Ordinance, as the new ground sign would have an overall height of 28 ft. and would be 8 ft. wide. The City Manager pointed out that this requested variance is difficult to support as it violates the very premise on which the sign ordinance was constructed, which is to reduce the height, size and scope of outdoor signage in Farmington.

Councilmen Mitchell and Yoder felt that to support this request would be inconsistent with their past action relative to similar requests. Councilman Mitchell felt that if the height of the proposed sign could be reduced to the height of the building, he could support the requested variance.

Mr. Walter was present in the audience, and stated that since he applied for the variance, Pennzoil had come out with a new sign which was considerably smaller than the original model. He advised that the overall height of the new sign was 22 ft., thus requiring a lesser variance.

COUNCIL PROCEEDINGS -3-  
January 17, 1983

1-83-020

Motion by Councilman Yoder, supported by Councilman Hartsock, to table a decision relative to the requested variance for Speed Lube Center until the next regular meeting. Motion carried, all ayes.

LETTER FROM LOUIS BASHARA, BIG BOY RESTAURANT  
20788 FARMINGTON ROAD RE: ORDINANCE REQUIRING  
1:00 A.M. CLOSING

Mr. Bashara, who was present in the audience, requested City Council to consider some provision to allow his restaurant to remain open after 1:00 a.m. on Friday and Saturday nights. He stated that his late night business is mainly comprised of older residents who participate in square dancing or bowling, and come into his establishment on weekends after these activities.

Mr. Bashara explained that although he is not concerned about losing trade to other restaurants, he is concerned about permanently losing some of this clientele to other competing Big Boy Restaurants in the area.

Councilman Yoder suggested that he would like to have the letter from Mr. Dave Cornwell read at this time.

Mr. Cornwell, owner of Parkview Apartments, 32450 Grand River, stated that his apartment unit is directly across from the Ram's Horn Restaurant. He wished to go on record as objecting to any change in the city ordinance which would permit restaurants to operate late at night. He further stated that contrary to what others claim, the conduct of late night clientele, particularly after 2:00 a.m., is noticeably different from that of the daytime, family clientele. Mr. Cornwell definitely objects to the operation of the restaurant after 1:00 a.m. as an infringement on the rights of his tenants to the peaceful enjoyment of their homes.

After considerable discussion, it was the general consensus of Council that allowing restaurants to remain open an extra hour on weekends would be feasible.

1-83-021

Motion by Councilman Yoder, supported by Councilman Hartsock, to amend the ordinance controlling the closing of restaurants to allow them to remain open until 2:00 a.m. on Fridays and Saturdays. Motion carried, all ayes.

In the next three weeks, until the ordinance is properly prepared for introduction, Council instructed the Public Safety Department not to enforce the 1:00 a.m. closing for restaurants in the old ordinance, on Fridays and Saturdays.

The City Manager pointed out that the ordinance controlling restaurant closings is not the only one which sets time restraints. Construction hours, picking up dumpsters, and other activities that create nighttime disturbances are also controlled by ordinance.

RESOLUTION FROM CITY OF BIRMINGHAM  
RE: HOUSE BILL 5685

The City Manager advised that House Bill 5685 attempts to strengthen Michigan's anti-obscenity legislation and provide stiffer penalties for violations.

1-83-022

Motion by Councilman Mitchell, supported by Councilman Tupper, to support House Bill 5685 which attempts to strengthen Michigan's current anti-obscenity legislation. Motion carried, 4 ayes, 1 nay (Hartsock).

RESOLUTION FROM PONTIAC TOWNSHIP RE:  
IMPLEMENTATION OF OAKLAND COUNTY  
SOLID WASTE PLAN

Council took no action on Pontiac Township's resolution opposing the implementation of the Oakland County Solid Waste Plan.

Manager Deadman expressed concern over the implementation schedule proposed in the Plan. He stated that he will meet in the near future with county representatives in an effort to determine if modifications can be made in the implementation schedule which make the plan acceptable. The result of this meeting will be reported to Council. As soon as 68% of the communities in the county approve the Plan, it will be submitted to the State. If less than the required percentage of communities approve the Plan, the State will assume responsibility of developing a plan for the county.

RESOLUTION FROM VILLAGE OF LAKE ORION  
RE: DETROIT'S INCREASES FOR SEWAGE  
TREATMENT.

Council concurred with the Village of Lake Orion's resolution requesting that the Detroit Sewage System be taken over by a regional board responsible to all governmental units serviced by the system.

1-83-023

Motion by Councilman Yoder, supported by Councilman Mitchell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby requests that the Detroit Water and Sewer System be administered by a Regional Board responsible to all governmental units which are serviced by the System, and

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to our State Senator and Representative.

RESOLUTION UNANIMOUSLY ADOPTED JANUARY 17, 1983.

COUNCIL PROCEEDINGS -5-  
January 17, 1983

MICHIGAN MUNICIPAL LEAGUE REGION IV MEETING

Council was advised that the Michigan Municipal League Region IV meeting for all municipal officials of that Region will take place on February 10, 1983 in Grand Blanc. The City Manager advised that reservations for Council members who wish to attend will be made by his office.

REQUESTS FOR PROCLAMATIONS

1-83-024

Motion by Councilman Hartsock, supported by Councilman Yoder, to issue the following proclamations:

JUNIOR ACHIEVEMENT WEEK - January 22-28, 1983,  
PATRIOTISM WEEK - February 21-27, 1983.

Motion carried, all ayes.

The Junior Achievement proclamation was requested by William A. Raymond, President, Junior Achievement of Southeastern Michigan; the proclamation for Patriotism Week was requested by Joseph A. Heyman, State Chairman for the Benevolent and Protective Order of Elks.

REPORTS FROM CITY MANAGER

PROPOSED ORDINANCE TO REGULATE ALCOHOLIC LIQUOR

Since this is the first time in many years that City Council has considered adopting a local ordinance to regulate alcoholic liquor, Manager Deadman advised that all current Class "C" license holders in the city were provided with a copy of the proposed ordinance. They have also been informed that City Council would be considering the adoption of this ordinance at this meeting.

A new draft of the proposed ordinance was presented to Council, as the City Attorney and staff made several changes to clarify some of the proposed regulations.

Only one proprietor of a Class "C" licensed establishment was present and he did not object to the proposed ordinance.

Manager Deadman stated that he received a call from manager of Dunleavey's who has not objected to the ordinance.

There was considerable discussion relative to certain changes in the proposed ordinance. Councilman Mitchell suggested minor changes on page 4, items (8) thru (11), Section 9.511. Councilman Hartsock asked to have "neighborhood" clarified in Section 9.515, second last paragraph.

Final alterations requested by Council were as follows:



COUNCIL PROCEEDINGS -6-  
January 17, 1983

Sub-

Page 4, Section(8), line 2: Change "no" to "any";  
Sub -Section(9), Insert: "No such license shall be  
issued to operate on premises:"  
and renumber Sections (9) thru (12) as (1) thru (4).

Page 3; Section 9.515, paragraph 2: Change "in the neighborhood" to "within 300 feet of the property".

Attorney Kelly suggested that sub-sections (1) thru (8) in Section 9.511 be separated from sub-sections (9) thru (12) to clarify the restrictions on issuance of licenses.

1-83-025

Motion by Councilman Mitchell, supported by Councilman Yoder, to adopt the following ordinance, as amended at this meeting.

ORDINANCE NO. C-501-83

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON BY ADDING A NEW CHAPTER, WHICH NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER 94, ALCOHOLIC LIQUOR, TITLE IX - POLICE REGULATIONS, AND BY DELETING SECTION 9.155, SUBSECTIONS (1) THROUGH (4) OF CHAPTER 90, DISORDERLY CONDUCT, OF SAID CODE.

THE CITY OF FARMINGTON ORDAINS:

9.501. State License. No person shall engage in the business of selling alcoholic liquor, beer, wine or spirits for consumption in the City of Farmington without first obtaining a license therefor, as required by the statutes of the State of Michigan.

9.502. Council Approval. No person shall sell alcoholic liquor, beer, wine or spirits for consumption on the premises within the City of Farmington without having obtained the approval of the Council of said city of application for a license so to sell, as required by the statutes of the State of Michigan.

9.503. Minors; Alcoholic Liquor. No person under the age of twenty-one (21) years shall, in the city, do any of the following:

- (1) Purchase, offer or attempt to purchase, have in his possession or consume any alcoholic beverage in a licensed premises. A person who violates this subsection is responsible for a civil infraction.
- (2) Furnish any false information or make any false representation as to his age to any law enforcement officer, or to any person in charge of, or employed in an establishment licensed to sell alcoholic beverages, for the purpose of obtaining a sale of any alcoholic beverage to himself.

- (3) Knowingly possess, transport or have under his control in any motor vehicle any alcoholic beverage unless that person is employed by a licensee under the Michigan Liquor Control Act and is possessing, transporting or having such alcoholic beverage in a motor vehicle under his control during regular working hours in the course of his employment.

9.504. Sale to Minors. It shall be unlawful for any person to well, assist in the procurement of, or provide, give or furnish to any minor under the age of twenty-one (21) years, any alcoholic beverage, except upon authority of and pursuant to a prescription of a duly licensed physician.

9.505. Conduct on Premises. No person having the management, ownership or control of any premises in the City of Farmington, wherein alcoholic liquors are sold for consumption on said premises, shall permit by loud music, loud entertainment, boisterous conduct, or in any other manner, the disturbance of the peace and good order of the neighborhood; nor shall any person or persons frequenting such premises, wherein alcoholic liquors are sold for consumption on the premises, make or assist in making any noise, disturbance or improper diversion by which the peace and good order of the neighborhood is disturbed.

9.506. Consumption in Public. No alcoholic liquor shall be consumed on the public streets, or in public parks, or in any store or establishment doing business with the public in the City of Farmington not licensed to sell such alcoholic liquor for consumption on the premises.

9.507. Number of Establishments Permitted. The City Council shall establish by resolution the number of establishments within the city in which the sale or consumption of alcoholic liquor, beer, wine or spirits shall be permitted. The number of such establishments may be less, but in no case greater than the number of such establishments permitted by law of this state.

9.508. Approval of City Departments. Before the approval of the City Council is given of the issuance, renewal or transfer of a liquor license, the application for such issuance, renewal or transfer shall be referred to the following City Departments: Department of Building, Public Safety and Treasurer. The written report of all such departments certifying compliance with all applicable laws and regulations shall be received by the City Manager before such application shall be approved by the City Council.

9.509. Payment of Obligations to City. All personal property taxes and all real property taxes and all other obligations due and payable to the city shall be paid which relate to any premises

COUNCIL PROCEEDINGS -8-  
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for which liquor license is sought to be transferred before the City Council shall approve the issuance, transfer or renewal of such license.

9.510. Application for License. In addition to such application(s) as may be required by the Michigan Liquor Control Commission for licensing by the State of Michigan, application shall be made to the City Council to sell alcoholic liquor, beer, wine or spirits.

Said separate application shall be filed in writing and forwarded to the Department of Public Safety; signed by the applicant, if an individual; or by a duly authorized agent thereof, if a partnership or corporation; verified by oath or affidavit; and shall contain the following statements and information:

- (1) The name, age and address of the applicant in the case of an individual; or in the case of a co-partnership, the persons entitled to share in the profits thereof; in the case of a corporation, the objects for which organized, the names and addresses of the officers and directors; and if a majority interest in the stock of such corporation is owned by one person or his nominee, the name and address of such person.
- (2) The citizenship of the applicant; his place of birth; and, if a naturalized citizen, the time and place of his naturalization.
- (3) The character of business of the applicant; and in the case of a corporation, the object for which it was formed.
- (4) The length of time said applicant has been in business of that character; or in the case of a corporation, the date when its Charter was issued.
- (5) The location and description of the premises or place of business which is to be operated under such license.
- (6) A statement whether applicant has operated or made application for a similar or another license on any premises other than described in this application, and the disposition of such license or application.
- (7) A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this ordinance or the laws of the State of Michigan.
- (8) A statement that the applicant will not violate any of the laws of the State of Michigan or of the United States or any ordinances of the City of Farmington or the

administrative rules of any regulatory agency in the conduct of its business.

- (9) The application shall be accompanied by building and plat plans showing the entire structure and premises, and in particular the specific areas where the license is to be utilized. The plans shall demonstrate adequate off-street parking, lighting, refuse disposal facilities, and where appropriate, adequate plans for sound barriers and noise control.

9.511. Restrictions on Licenses. No such license shall be issued to:

- (1) A person whose license has been revoked for cause.
- (2) A person who, at the time of application or renewal of any license issued hereunder, would not be eligible for such license upon a first application.
- (3) A co-partnership, unless all of the members of such co-partnership shall qualify to obtain a license.
- (4) A corporation, if any officer, manager or director thereof, or a stock owner or stockholders owning in the aggregate more than five percent (5%) of the stock of such corporation would not be eligible to receive a license hereunder for any reason.
- (5) A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses qualifications similar to those required of the licensee.
- (6) A person who has been convicted or found responsible for a violation of any federal or state law or Administrative Rules of the Michigan Liquor Control Commission concerning the manufacture, possession or sale of alcoholic liquor.
- (7) A person who does not own the premises for which a license is sought or does not have a lease therefor for the full period for which the license is issued.
- (8) Any law enforcement official or any member of the City Council, and no such official having interest in any way either directly or indirectly in the manufacture, sale or distribution of alcoholic liquor.

9.512. Restrictions on Licenses. No such license shall be issued to operate on premises:

- (1) Where there exists a violation of the applicable Building,

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Electrical, Mechanical, Plumbing or Fire Codes, applicable Zoning Regulations, or applicable Public Health Regulations.

- (2) Unless the sale of beer, wine or spirits is shown to be compatible with other permitted business uses upon the site such as, but not limited to, food sales, motel operations or recreational activities.
- (3) Where it is determined by a majority of the Council that the premises do not, or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, noise or nuisance control, or such new construction or remodeling as proposed would not be completed.
- (4) Where Council determines by majority vote that the location proposed for a licensed liquor establishment will have an adverse effect on the community, with consideration given to traffic safety conditions, accessibility to major streets or highways, distance from public or private schools, impact on adjacent residential districts, zoning classifications and the availability of parking.

9.513. Term of License. Approval of a license shall be for a period of one year subject to annual renewal by the City Council upon continued compliance with the regulations of this ordinance. Approval of a license shall be with the understanding that any necessary remodeling or new construction for the use of the license shall be completed within six months of the action of the City Council or the Michigan Liquor Control Commission approving such license, whichever last occurs. Any unusual delay in the completion of such remodeling or construction may subject the license to revocation.

9.514. Annual License Review. At the time of the annual review by City Council of Class C licenses for purposes of making recommendations to the Michigan Liquor Control Commission regarding renewal of said licenses, Council shall consider whether a licensed establishment has been operated during the existing license year in a manner consistent with the provisions of this ordinance and all other applicable laws and regulations; whether continued operation of the licensed establishment is reasonably likely to affect adversely investment in real property in the neighborhood of the establishment, and this consideration shall include, inter alia, entertainment, events or promotions; and whether impact upon the neighborhood is otherwise contrary to the peace, order and tranquility of the community.

9.515. Revocation of License. Each establishment within the city for which a license is granted for the consumption of alcoholic liquor upon the premises shall be operated and maintained in accordance with all applicable laws and regulations, and in a clean and sanitary manner meeting the approval of the Health Department. Upon any violation of this Section or any Section of this Chapter, the City Council may, after notice and hearing, request the Liquor Control Commission to revoke such license.

9.516. Procedure for Recommendation of Non-Renewal or Revocation. Before filing any objection to renewal or request for revocation of a license with the Michigan Liquor Control Commission, the City Council shall serve the licensee by First Class Mail, mailed not less than seven (7) days prior to hearing with notice of hearing, which notice shall contain the following:

- (1) Notice of proposed action.
- (2) Reasons for the proposed action.
- (3) Date, time and place of hearing.
- (4) A statement that the licensee may present evidence and testimony and confront adverse witnesses.

Said hearing shall be open to the public, and notice of said public hearing shall be mailed by First Class Mail to each residence within 300 feet of the property of the licensed establishment.

Following hearing, the City Council shall submit to the license holder and the Commission a written statement of its findings and determination.

9.517. Criteria for Non-Renewal or Revocation. The City Council may recommend non-renewal or revocation of a license to the Michigan Liquor Control Commission upon a determination by it that based upon a preponderance of evidence presented at public hearing any of the following exist:

- (1) Violation of any of the restrictions on licenses set forth in Section 9.511 and/or 9.512, or any other provision of this Ordinance or any other law, ordinance or statute and the Administrative Rules or provisions of the Michigan Liquor Control Act.
- (2) Maintenance of a nuisance upon the premises, including, but not limited to, any of the following:
  - (a) Existing violations of Building, Zoning, Health, Fire or Regulatory Codes.

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- (b) A pattern of patron conduct in the neighborhood of the licensed establishment which is in violation of the law and/or disturbs the peace, order and tranquility of the neighborhood.
- (c) Failure to maintain the grounds and exterior of the licensed establishment, including litter, debris, refuse blowing or being deposited on adjoining properties.
- (d) Entertainment without a permit and/or entertainment which disturbs the peace, order and tranquility of the neighborhood.
- (e) Any advertising, promotion or activity which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinances, or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed establishment.

9.518. Severability. Should any section of this ordinance be declared unconstitutional, such declaration shall not affect the validity of the remaining sections of this ordinance.

This ordinance was introduced at a Regular Meeting of the Farmington City Council on January 3, 1983, was adopted and enacted at the next Regular Meeting on January 17, 1983, and will become effective ten days after publication.

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.

Councilman Mitchell asked that the City Manager prepare for the next Council meeting a list of the city's licensed liquor establishments showing any violations that might indicate any cause for non-renewal.

TABLED DECISION RE: SUBSTITUTE HOUSE BILLS  
6148, 6149 and House Bill 6151

The City of Oak Park requested other communities to oppose these House Bills which would establish a Regional Transportation Authority with areawide taxing powers if approved by the majority of the voting electorate in the region. Their basic objection was that if the tax to support the transportation system failed to pass in an individual county but passed in the region, the county whose electorate rejected the tax proposal would also be taxed. If passed, the legislation would allow the Authority to levy up to five mills against real property to support a public transportation system for the area covered by the Authority.

Oak Park further feels that in view of the State's economy, citizens do not need another tax authority to further drain

COUNCIL PROCEEDINGS -13-  
January 17, 1983

revenues away from local governments, school systems and counties.

The City Manager advised that Federal legislation will provide some money for improvements in mass transit, as will the State's 2¢ increase in gas tax. Although the Federal Government will invest money for capital improvements, it will not spend any money on the actual operation of such a system. Consequently SEMTA will be 10% to 15% short of money necessary to merely operate their current system without some sort of local support from those communities that benefit from using the SEMTA system.

1-83-026

Motion by Councilman Mitchell, supported by Councilman Tupper, to support Oak Park's objection to these bills. Motion carried, all ayes.

RENEWAL: MAINTENANCE CONTRACT WITH  
OAKLAND COUNTY ROAD COMMISSION FOR  
FARMINGTON ROAD

Council considered the Oakland County Road Commission's request for renewal of the existing contract for the maintenance of Farmington Road from Eight Mile north to Grand River, a distance of 1.7 miles. Reimbursement is to be \$6,485 per mile.

Although the reimbursement amount offered by the county is far less than the actual cost of maintenance, Manager Deadman pointed out that the maintenance of this road is critical to the appearance and viability of the Central Business District as well as other facilities along Farmington Road. He further advised that \$17,495 has been budgeted for the maintenance of Farmington, including catch basin cleaning, pothole repair, snow and ice removal, striping, and under terms of the county contract, the City will be reimbursed \$11,024.50 for this work.

The City Manager continues to believe that city crews can provide a better level of maintenance, and that partial reimbursement is better than none at all.

1-83-027

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council authorizes the City Manager to sign the contract with the Board of County Road Commissioners of Oakland County for the maintenance of Farmington Road from Eight Mile north to Grand River, a distance of 1.7 miles, and

BE IT FURTHER RESOLVED that the contract shall continue for the calendar year 1983 and expire on December 31, 1983.

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.

NAYS: None.

RESOLUTION DECLARED ADOPTED JANUARY 17, 1983.



EMPLOYEE PAY PLAN

Manager Deadman stated that when City Council froze the salaries of the General Employee group in July, 1982, it was determined that wages would remain frozen until new contracts could be negotiated with other employee groups. Since City Council recently ratified a contract with the Public Safety Command Officers, he suggested that it was timely to consider increases for the General Employee group.

As the result of a wage comparison of various employee classifications to those of neighboring communities, the City Manager suggested adjusting some classifications to remove present inequities in some areas. He submitted to Council a classification adjustment plan and salary schedule which would provide increases to general employees, effective January 1, 1983.

1-83-028

Motion by Councilman Tupper, supported by Councilman Mitchell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the salary schedule as presented to be effective January 1, 1983.

AYES: Yoder, Bennett, Hartsock, Mitchell, Tupper.

NAYS: None.

RESOLUTION DECLARED ADOPTED JANUARY 17, 1983.

AMENDMENT: CITY MANAGER'S AGREEMENT

As a result of adjustments to the general employees salaries, City Council indicated that adjustment shall also be made to the City Manager's salary; also that the Severance Pay section of the agreement be amended.

The proposed Severance Pay amendment states that severance pay will be paid on the formula that the Manager shall be entitled to one month aggregate salary for each year of employment, with a maximum of six months aggregate salary upon termination of employment.

1-83-029

Motion by Councilman Hartsock, supported by Councilman Mitchell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby amends Paragraph 1 of the Agreement between the City and the City Manager to read that the City agrees to pay the Manager at a bi-weekly rate of \$1,777.69 (expressed as an annual rate of \$46,200.00 for budget purposes), as compensation for rendering services as the City Manager; or such other compensation thereafter as the parties may from time to time agree upon.

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Page 2 of the Agreement, Severance Pay Section, line 8, shall be amended as follows:

. . . payment equal to one month aggregate salary for each year of employment, to a maximum of six months aggregate salary, and accrued unused vacation time.

Effective Date: January 1, 1983.

ROLL CALL

AYES: Bennett, Hartsock, Mitchell, Tupper, Yoder.  
NAYS: None.

RESOLUTION DECLARED ADOPTED JANUARY 17, 1983.

MISCELLANEOUS

PUBLIC COMMENT

There was a brief discussion concerning Council members' compensation.

It was pointed out that three buildings in the Downtown Center have changed ownership.

BOARD OF ZONING APPEALS MEMBER REPLACEMENT

Bayard Tupper announced his resignation from the Board of Zoning Appeals after 43 years of service on this Board.

1-83-030

Motion by Councilman Yoder, supported by Councilman Hartsock, to accept with extreme regret the resignation of Bayard Tupper from the Board of Zoning Appeals, and express appreciation for his many years of service. Motion carried, all ayes.

It was suggested that an ad be placed in the local newspaper stating that Council is seeking candidates for the present opening on the Board of Zoning Appeals.

Manager Deadman advised that two appointments to the Public Access Committee for Cable Television are necessary also. He suggested that this notice be included with the Board of Zoning Appeals notice for members. He stated that Bill Conroy and Jim Mitchell have expressed an interest in the Cable Television Committee. Candidates for these openings must have lived in the community for three years prior to appointment.

BUILDING DEPARTMENT: SECOND QUARTERLY REPORT

1-83-031

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and file the second Quarterly Report (October thru December 1982) of the Building Department. Motion carried, all ayes.

COUNCIL PROCEEDINGS -16-  
January 17, 1983

WARRANT LIST

1-83-032

Motion by Councilman Mitchell, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$24,429.71; Water & Sewer \$54,122.48.

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.

NAYS: None.

MOTION CARRIED, All ayes.

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Mitchell, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 10:10 p.m.



ALTON L. BENNETT, MAYOR



JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, February 7, 1983, 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 by Mayor Pro-tem Yoder at 8:00 p.m.

### ROLL CALL

PRESENT: Councilmen Hartsock, Mitchell, Tupper, Yoder.

ABSENT: Mayor Bennett.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

2-83-033

Motion by Councilman Mitchell, supported by Councilman Tupper, to approve the minutes of the previous meeting of January 17, 1983, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

2-83-034

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and/or file the minutes of the following boards:

Board of Zoning Appeals minutes of January 5, 1983,  
Farmington Historical Commission minutes of January 19, 1983,  
Beautification Committee minutes of September 9, 1982 and  
January 13, 1983,  
Farmington Area Arts Commission minutes of January 20, 1983,  
Farmington Community Library minutes of January 6, 1983,  
Board of Education minutes of January 11 and January 18, 1983.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### LETTER FROM DIRECTOR OF FARMINGTON COMMUNITY LIBRARY RE: SECURITY SYSTEM AND BALLOT PROPOSAL

Library Director G. Gordon Lewis advised Council that the book security system will be installed this month. He further advised that in addition to the security system, the library proposes the establishment of an ordinance prohibiting book thefts or damage to library materials and failure to return overdue books. He will be sending Council sample ordinances for consideration in the near future.

Mr. Lewis also stated that the Library Board is interested to know what progress has been made relative to the ballot proposal discussed at the Council meeting of September 7, 1982, as they are anxious to avoid addressing the issue close to the election.

COUNCIL PROCEEDINGS -2-  
February 7, 1983

Manager Deadman advised that the two city attorneys are still working on this matter. He suggested that both Councils meet to discuss the question so there is no serious difference of opinion on whether or not it should be placed on the November ballot.

Attorney Kelly stated that the Farmington Hills attorney still has not gotten some opinions from the Attorney General concerning the legality of allowing this type of library to levi taxes although the statute seems to allow it.

Council decided they should meet with the Farmington Hills Council and would take no action until they hear from the city attorneys.

RESOLUTIONS FROM THE CITIES OF NORTHVILLE  
AND NOVI RE: LEGISLATORS' RECENT INCREASES

Both the City of Northville and the City of Novi indicated their objection to the recent 15% pay raises accorded the United States Legislators at a time when a downturn in the economy has affected the Detroit metropolitan area so adversely.

2-83-035

Motion by Councilman Hartsock, supported by Councilman Mitchell, to receive the Northville and Novi resolutions concerning the U.S. Legislators recent pay increases. Motion carried, all ayes.

REQUEST FOR CARNIVAL PERMIT: ST. GERALD'S

Father Decker, Pastor of St. Gerald's Church, again requested Council's permission to hold the Annual Family A-Fair on May 20 through May 22, 1983 on the church grounds.

2-83-036

Motion by Councilman Tupper, supported by Councilman Hartsock, to grant permission to St. Gerald's Church, 21300 Farmington Road, to hold their Seventh Annual Family A-Fair on the Parish grounds, on May 20, 21 and 22, 1983. Motion carried, all ayes.

REQUEST FOR PROCLAMATION: JAYCETTE WEEK

Farmington Area Jaycee President Thomas W. Brown requested a proclamation for JAYCETTE WEEK, February 13 - 19, 1983.

2-83-037

Motion by Councilman Mitchell, supported by Councilman Tupper, to issue a proclamation designating the week of February 13 thru 19, 1983, as JAYCETTE WEEK in the City of Farmington. Motion carried, all ayes.

ENGINEERING CONTRACT: SANITARY SEWER  
TESTING - BEL AIRE SUBDIVISION

Since there have been an unusual number of sewer backups in the Bel Aire Subdivision during storm periods in the past two years, the city finds it necessary to assure that infiltration into the system is carefully controlled.

COUNCIL PROCEEDINGS -3-  
February 7, 1983

Manager Deadman advised that in discussing the problem of deterioration within the system with the City Engineers, they pointed out that a similar problem in Livonia was identified by smoke-testing the system. Successful location of deterioration in the system is accomplished by placing smoke devices into the sealed sanitary system. The smoke then can be observed escaping wherever the system has cracks.

The City Manager suggested that this type of testing, with follow-up maintenance, would be cost-effective, because it would quickly identify problems in the system. Whether the city would contract for the required maintenance or assign city crews to do it would depend on the extent of the problem.

The City Engineers estimate that there are approximately 15,000 lineal feet of sanitary sewer and 75 manholes in the Bel Aire Subdivision. They propose to charge 20¢ per lineal foot of sanitary sewer smoke tested and \$25.00 for each manhole inspected. A report providing sufficient data to bid the work required to correct the problem would cost an additional \$1,125.00, for a total cost of \$6,000.00.

2-83-038

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, the Bel Aire Subdivision has excessive infiltration into its sanitary sewer system,

BE IT RESOLVED that to identify the amount of excessive infiltration, the Farmington City Council hereby approves a contract with the engineering firm of Orchard, Papke, Hiltz & McCliment, Inc., to smoke-test the sanitary sewer system in accordance with their proposal; and

BE IT FURTHER RESOLVED that funds for this project in the amount of \$6,000.00 be provided from the Water & Sewer Fund.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder.  
NAYS: None.  
ABSENT: Bennett.

RESOLUTION DECLARED ADOPTED, FEBRUARY 7, 1983.

RENEWAL OF 1983 TAXICAB LICENSES

The City Manager advised that the Suburban Checker Cab and Yellow & Red Cabs have requested renewal of their taxicab licenses: six for Suburban and five for Yellow & Red.

Certificates of Insurance are in order for their vehicles. The City of Livonia has assumed the obligation of checking cab meters for accuracy and the vehicles for compliance with required safety equipment. Their compliance report indicates that the cabs comply

COUNCIL PROCEEDINGS -4-  
February 7, 1983

with the necessary requirements.

2-83-039

Motion by Councilman Tupper, supported by Councilman Mitchell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the issuance of six (6) licenses for 1983 Taxicab Service in the City of Farmington to SUBURBAN CHECKER CAB, INC., and five (5) licenses for 1983 Taxicab Service in the City of Farmington to YELLOW & RED CABS, both of 31376 Industrial Road, Livonia, Michigan 58150; Mr. Thomas M. Peterson, General Manager.

ROLL CALL

AYES: Mitchell, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: Bennett.

RESOLUTION DECLARED ADOPTED FEBRUARY 7, 1983.

REPORT ON POLICE INCIDENT ACTIVITIES  
CLASS "C" LIQUOR LICENSES 1982

Manager Deadman submitted to Council a Public Safety Department report relative to the number of police incidents that have occurred during the past year at each of the seven Class "C" licensed establishments in the city. Public Safety records indicate that a total of 129 calls for service of all types were received in 1982 which involved Class "C" licensed locations. Sixty-eight of the 129 calls involved incidents which occurred at the Bootleggers Bar.

A further breakdown of the types of incidents reported indicate that 65 out of 87 reports of crimes or regulation violations involved the Bootleggers Bar. In this category, only the Bootleggers Bar was involved in incidents (16 out of 34) in which the suspect was either the licensees themselves or their employees.

Out of 33 noise complaints, one was at Bel Aire Lanes, 31 at the Bootleggers and one at the Rustic Pub. Although all three of these liquor establishments have parking lots which are contiguous to residential subdivisions, 94% of these complaints were received as a result of noise at the Bootleggers Bar.

Because of the number of incidents involving the Bootleggers, the Department provided statistical data relative to the number of incidents occurring at this establishment under the current and the previous three owners, dating back to 1979. A total of 20 incidents were reported during these three years. After the present owners took ownership in 1981, the number of reported incidents increased to 91 through 1982.

COUNCIL PROCEEDINGS -5-  
February 7, 1982

Due to the number of Public Safety incidents which have occurred at the Bootleggers, it was suggested that perhaps Council should meet with the owners, either formally or informally, to discuss the matter.

Council decided to arrange an informal meeting with the owners of the Bootleggers Bar.

ESTABLISHMENT OF NUMBER OF CLASS "C"  
LICENSES FOR FARMINGTON

Manager Deadman suggested that even though, according to a recently enacted ordinance, no additional Class "C" licenses can be issued in the community, Council should establish by resolution the number of these licenses permitted.

2-83-040

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby establishes that there shall be a maximum of seven (7) Class "C" Liquor Licenses issued within the city.

ROLL CALL

AYES: Tupper, Yoder, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: Bennett.

RESOLUTION DECLARED ADOPTED FEBRUARY 7, 1983.

FINAL PAYMENT: 1982 SIDEWALK PROGRAM

The City Manager reported that A. G. & Sons Cement Company, Inc., submitted their request for final payment for completing the 1982 Sidewalk repair. Their work has been reviewed by Director Billing who found it to be in substantial compliance with city specifications. The final payment of \$4,107.32 is, therefore, recommended by Mr. Billing.

2-83-041

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes final payment to A. G. & Sons Cement Company, of Milford, Michigan, in the amount of \$4,107.32 for work completed on the 1982 Sidewalk Program, and

BE IT FURTHER RESOLVED that funds be provided from the 1982 Sidewalk Special Assessment District, the Community Development Grant Program, and the General Fund Sidewalk Account.



COUNCIL PROCEEDINGS -6-  
February 7, 1983

ROLL CALL

AYES: Yoder, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: Bennett.

RESOLUTION DECLARED ADOPTED FEBRUARY 7, 1983.

SUMMER TAX COLLECTION FOR OAKLAND SCHOOLS

Manager Deadman advised that the Oakland Schools Board of Education has passed a resolution to levy one-half of the eligible property tax beginning in July. Pursuant to State Statute, their administration is authorized to negotiate an agreement with each local taxing agency to collect summer taxes.

Due to a 1% fee which compensates the city for operating the taxing system for agencies outside local jurisdiction, the City of Farmington would be in a position to aid Oakland Schools without charging an additional cost for the collection of one-half of their taxes in the summer.

At present, the Oakland Schools tax rate is 1.75 mills. The city anticipates that .875 mill will be collected in the summer and again in the winter. Because of this small millage rate, the City Manager does not anticipate that the collection of the summer tax would create a financial hardship for local taxpayers.

2-83-042

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Clerk to notify Oakland Schools that Farmington will collect one-half of the district's taxes in the summer, effective July 1983, and one-half in the winter; and

BE IT FURTHER RESOLVED that Council authorizes the City Treasurer to make such collection.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder.  
NAYS: None.  
ABSENT: Bennett.

RESOLUTION DECLARED ADOPTED FEBRUARY 7, 1983.

AUTHORIZATION TO TRANSFER PARCEL OF CITY-OWNED PROPERTY TO BORLACE INVESTMENTS, INC.

As reported to City Council in September, 1982, this is the small parcel near the northwest corner of Nine Mile and Farmington Road which separates two portions of property owned by Borlace Investments, Inc. Mr. Borlace asked the city to acquire the property, as it would not have become available to him until sometime next year. As this parcel was declared surplus by the State of Michigan,

COUNCIL PROCEEDINGS -7-  
February 7, 1983

Council authorized the City Manager to acquire it from the State. The city incurred no expense in acquiring the land other than some minor administrative expenses.

2-83-043

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to sign a Deed on behalf of the City transferring to Borlace Investments, Inc., a parcel of City-owned property near the northwest corner of Nine Mile and Farmington Roads, which parcel is approximately 20 ft. wide by 195 ft. long, and described as Lot 21, Assessor's Plat No. 1, and

BE IT FURTHER RESOLVED that the Deed will contain a restriction that Borlace Investments may not have ingress or egress to the property from Nine Mile Road.

ROLL CALL

AYES: Mitchell, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: Bennett.

RESOLUTION DECLARED ADOPTED FEBRUARY 7, 1983.

REPLACEMENT OF FRONT FENCING: OAKWOOD CEMETERY

According to previous discussions with City Council, Manager Deadman stated that four alternatives have been reviewed to repair or replace the decorative fencing along the Grand River frontage of Oakwood Cemetery. He advised that consideration was given to the historical significance of the existing fencing, the aesthetic appeal of the decorative wrought iron and other practical aspects.

Under the first alternative, existing fencing would be removed, and the present decorative gate posts and identification sign would be reset; also, a four foot black vinyl chainlink fence would be installed between the fence posts, and new pole gates would be installed. Approximate cost of this work would be \$4,000.00.

Alternative #2 would be the same as Alternative #1, except that in place of the black vinyl fence, chain (painted black) would be installed between fence posts. Estimated cost: \$3,000.00.

Alternative #3: The existing gate posts and fencing would be repaired and new pole-type gates installed. A recent bid price on this work was \$8,300.00.

Alternative #4: Existing gate posts would be repaired and new

COUNCIL PROCEEDINGS -8-  
February 7, 1983

pole-type gate and decorative picket-type wrought iron fencing would be installed according to the sample displayed for Council's comment. Recent bid on this Alternate was \$4,740.00.

The following bids were opened in the City Clerk's office at 11:00 a.m. on January 26, 1983:

	<u>Proposal.</u> <u>Repair</u>	<u>Alternate</u> <u>New</u>
McHugh Iron & Steel Corp. Detroit, Michigan		\$10,800.00
House of Iron Detroit, Michigan		4,740.00
Nelson Iron Works Detroit, Michigan	Gate Only	7,925.00 650.00
Addison Iron Works Detroit, Michigan	\$8,300.00	7,185.00

The proposal to repair the existing fence stipulated that the bidder would not be able to match the present material in all cases.

The low bidder, House of Iron, proposed to use hollow one inch piping on the ends of each fence section. The city requested that they submit an alternate proposal which would include one inch bar stock instead of hollow iron in order to add years to the life of the fence. This additional specification would cost \$300.00 as indicated in their letter of February 2, 1983.

Although the replacement of the Oakwood Cemetery fencing was not a budgeted item, the City Manager stated that there are sufficient funds in the city's Unappropriated Fund Balance to cover this expenditure.

Manager Deadman advised that the House of Iron has furnished the following references:

Botsford Hospital, Heeney Sundquist Funeral Home and Vladmir's Catering in the City of Farmington/Farmington Hills area; Brother Rice School, Birmingham; Don Massey Cadillac, Plymouth; City of Livonia; Henry Ford Hospital and Freuhauf Trailer in Detroit. They have also done work for the Farmington Historical Museum.

2-83-044

Motion by Councilman Mitchell, supported by Councilman Hartsock, to adopt the following resolution:

COUNCIL PROCEEDINGS -9-  
February 7, 1983

BE IT RESOLVED that the Farmington City Council hereby accepts the low bid of House of Iron, 15752 Telegraph Road, Detroit, Michigan, to replace the front fencing of Oakwood Cemetery in the amount of \$5,040.00, including additional specification to improve the longevity of the fence, and

BE IT FURTHER RESOLVED that funds be provided for this project by a transfer from the Unappropriated Fund Balance to the General Fund/Cemetery Account.

ROLL CALL

AYES: Tupper, Yoder, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: Bennett.

RESOLUTION DECLARED ADOPTED FEBRUARY 7, 1983.

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard commented on the flooding of the Shiawassee ice rink.

The City Manager reported that Mayor Bennett has met with the Mayor of Farmington Hills relative to the proposed street lighting along Farmington Road, and the matter will be returned to their agenda.

FINANCIAL REPORTS: PERIOD ENDED  
DECEMBER 31, 1982

2-83-045

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and file the following reports:

Financial Reports General Fund and 47th District Court - 6 months ended December 31, 1982;

Financial Report, Water & Sewer Funds - Quarter ended December 31, 1982.

Motion carried, all ayes.

Manager Deadman stated that the biggest unknown this year is what the State shared revenue picture will look like by the end of the year.

Councilman Hartsock asked the City Manager if the city could get through the budget year if no state shared revenues were received. Manager Deadman stated that there probably would be a cash flow problem if this occurred. He commented that about 10% of the budget is based upon these revenues and that the Sales Tax is constitutionally protected.

COUNCIL PROCEEDINGS -10-  
February 7, 1983

DEPARTMENT OF PUBLIC SERVICES  
QUARTERLY REPORT

It was pointed out that this quarter contained the Leaf Pickup Program which totally amounted to \$32,000.00. Director Billing stated that this total included \$16,000.00 labor cost and \$11,000 for the use of the city's dump trucks.

It was also noted that the use of sick time was down considerably in this quarter due to the retirement of the employee whose illness required that he retire.

2-83-046

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the Department of Public Services Quarterly Report for October 1 through December 31, 1982. Motion carried, all ayes.

WARRANT LIST

2-83-047

Motion by Councilman Hartsock, supported by Councilman Mitchell, to approve the monthly bills as submitted: General Fund \$45,694.66; Water & Sewer Fund \$20,559.98.

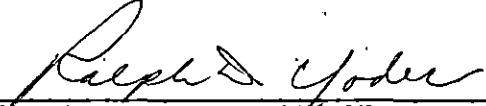
AYES: Yoder, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: Bennett.

MOTION CARRIED, all ayes.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Mitchell, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:55 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR PRO-TEM

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, February 21, 1983, 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 by Mayor Bennett at 8:00 p.m.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: Director Billing, Director Seifert, G. Horner, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

2-83-048

Motion by Councilman Mitchell, supported by Councilman Hartsock, to approve the minutes of the previous meeting of February 7, 1983, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

2-83-049

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of February 14, 1983;  
Board of Education minutes of January 25, 1983.

Motion carried, all ayes.

PRESENTATION: FARMINGTON YOUTH ASSISTANCE SEMI-ANNUAL REPORT

In the absence of Madelyn Ryan, the Farmington Youth Assistance Semi-Annual Report for July through December, 1982, was presented to Council by John Pinkerman. He noted that there were many internal organizational changes during the second half of last year, mainly, the relocation of their office to the Shiawassee School. He summarized the volunteer commitment and service to the community through the Children's Challenge classes, the Pre-School Committee, Health Education, Family Life Cycle workshop and Public Relations.

Mr. Pinkerman stated that the highlight for their next program year will be their 25th Anniversary which will be celebrated at the Annual Dinner on February 23, to which all Council members are invited. He indicated that one of the top priorities for the coming year will be an endeavor to recruit membership from local business and industrial areas.

Mr. Pinkerman stated that the Latch Key program is progressing very well. He also indicated that the substantial increase in the number of clients came from school referrals.

COUNCIL PROCEEDINGS -2-  
February 21, 1983

PETITIONS AND COMMUNICATIONS

MICHIGAN MUNICIPAL LEAGUE NOTICE RE:  
ANNUAL LEGISLATIVE CONFERENCE

Both Senator Faxon and Representative Brotherton expect to be available to meet with members of City Council on Tuesday evening, March 22, 1983, prior to the conference. All Councilmen stated that they will attend except Mr. Tupper who will be out of town.

CORRESPONDENCE FROM CITY OF WARREN RE:  
GOVERNOR'S JOB TRAINING PARTNERSHIP ACT

The City of Warren Council objects to Governor Blanchard's timetable for establishing the new Job Training Partnership Act (JTPA), stating that the February deadline is impossible to meet. Council noted that Warren's concerns have no impact on our community.

2-83-050

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and file the City of Warren's letter relative to the Job Training Partnership Act. Motion carried, all ayes.

CITY OF BERKLEY'S RESOLUTION RE: INCREASE  
IN COUNTY-OWNED RECREATION FACILITIES

The Berkley Council requests that the County locate and acquire sufficient recreational sites in south Oakland County to satisfy the needs of the people in this area. They suggest that funds for such facilities be provided through user fees, part of a quarter mill tax revenue, or through funds from other governmental entities.

2-83-051

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and file the City of Berkley's resolution relative to increasing county-owned recreational facilities in southern Oakland County. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

REQUIRED HARD-SURFACED PARKING LOT  
FARMINGTON DISTRIBUTION CENTER (OLD WINERY)

John S. White, owner of the Farmington Distribution Center at 31505 Grand River, was present and stated that although the building was close to being 90% filled last fall, it is presently only about 60% occupied due to the economy. He, therefore, requested an additional extension for building a hard-surfaced parking lot until the economy improves.

Mayor Bennett asked Mr. White if he could construct the parking if the building were 80% occupied. Mr. White stated that he would be able to do so if this were so.

2-83-052

After considerable discussion, there was a motion by Councilman Yoder, supported by Councilman Tupper, to grant Mr. White a six-month extension for the construction of a hard-surfaced parking lot at 31505 Grand River; said extension to expire August 22, 1983. Motion carried, all ayes.

PENDING LEGISLATION TO ESTABLISH METRO  
AREA WATER AND SEWER AUTHORITY

The Senate has responded to the continuing concern of suburban water and sewer users by introducing legislation which establishes a water and sewer authority in southeastern Michigan. According to Senate Bill 363, the system would be operated by a 15-member board appointed by the County Board of Commissioners and SEMCOG through vote of the General Assembly. The authority would have the power to issue revenue bonds or to establish special assessments or such charges as necessary to operate the system.

House Bill 4196 would require charges for systems serving a population of 1,500,000 or more to come under the review and approval of the Michigan Public Service Commission.

The City Manager's report suggested that if the water and sewer department servicing southeastern Michigan were controlled by an authority, it is doubtful that further review would be necessary when establishing rates. Under the current system, however, the Manager's report stated that it may be advantageous to have the Public Service Commission review proposed rates prior to their implementation.

2-83-053

Motion by Councilman Tupper, supported by Councilman Hartsock, to support Senate Bill 363 and House Bill 4196, advising Senator Faxon and Representative Brotherson of such support. Motion carried, all ayes.

PROPOSED ORDINANCE AMENDING CONTROL OF  
HOURS OF RESTAURANT OPERATIONS

According to Council's request, Manager Deadman prepared an ordinance to amend the Farmington City Code relative to allowing restaurants to remain open an additional hour on Fridays and Saturdays. The City Manager's report stated that there have been no particular problems resulting from the additional hour of operation during the time period in which Council allowed the restaurants to operate under the extension of weekend hours.

2-83-054

After considerable discussion, there was a motion by Councilman Yoder, supported by Councilman Hartsock, to introduce Ordinance C-502-83 which would allow restaurants within 150 feet of residential or multi-family district uses to remain open until 2:00 a.m. Saturdays and Sundays. Motion carried, all ayes.

SIX-YEAR CAPITAL IMPROVEMENT PLAN 1983-88

Manager Deadman's report stated that the Six-Year Capital Improvement for 1983-88 includes several projects in the planning stages as well as improvements to streets, roads, sewers and the solid waste system. As the adoption of this program is the responsibility of the Planning Commission, Council is not required to accept or reject it.



COUNCIL PROCEEDINGS -4-  
February 21, 1983

In answer to Mayor Bennett's question concerning the status of the 911 Communications System, Director Seifert advised that since the telephone company will be unable to provide the equipment for about eighteen months, the three communities that will jointly participate in this system are presently studying some other services.

2-83-055

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the six-year Capital Improvement Program, 1983-88 adopted by the Planning Commission on February 14, 1983. Motion carried, all ayes.

AUTHORIZATION TO PURCHASE TWO  
POLICE VEHICLES

Council was advised that the State of Michigan Purchasing Department has informed us of the results of their most recent bids on police vehicles. This year's low bidder for a 4-door mid-sized, police equipped vehicle was the Chrysler Motor Car Company, Plymouth Division; low bidder for the station wagon was Ford Motor. Current model vehicles must be ordered before March 1 to be furnished at the price in the State bid.

2-83-056

Motion by Councilman Hartsock, supported by Councilman Mitchell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the purchase of two police vehicles: one 4-door mid-size police equipped vehicle at \$8,000.00 and one station wagon at \$9,393.00 (State of Michigan current bid prices), for a total cost of \$17,393.00.

BE IT FURTHER RESOLVED that funds for these purchases be provided from the 1982-83 General Fund, Public Safety Capital Equipment Account.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 21, 1983.

MISCELLANEOUS

PUBLIC COMMENT

Councilman Hartsock brought Council up to date relative to cable television. He stated that the Committee is in the process of interviewing candidates for the position of Director of Public Access; they are still searching. Everything is on schedule as

COUNCIL PROCEEDINGS -5-  
February 21, 1983

far as cable installation is concerned. Mr. Hartsock stated that the first subscribers were on line about a month ago near 12 Mile and Drake Road. The provider is continuing to lay cable along the telephone lines and has been notified by Michigan Bell that the cost per pole has been revised from the \$3 originally quoted to \$6 or \$7.

APPOINTMENTS: CONSTRUCTION BOARD OF APPEALS

Since the terms of Frank Papke and William Ingalls on the Construction Board of Appeals expired this month, Council was advised that two openings on this Board exist. Mr. Papke will not be available for another term as he has retired, but Mr. Ingalls will serve again, if appointed by Council. John Hiltz of Orchard, Papke, Hiltz & McCliment, Inc., also would be willing to serve if appointed.

2-83-057

Motion by Councilman Tupper, supported by Councilman Yoder, to appoint William T. Ingalls, 33455 Alta Loma, Farmington to another two-year term and John Hiltz, Orchard, Papke, Hiltz & McCliment, Inc., Livonia, Michigan, to a new two-year term on the Construction Board of Appeals. Motion carried, all ayes.

BEAUTIFICATION COMMITTEE 14TH ANNUAL  
AWARDS PROGRAM REPORT

2-83-058

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the Beautification Committee 14th Annual Awards Program Report. Motion carried, all ayes.

FINANCIAL REPORTS: PERIOD ENDING  
JANUARY 31, 1983

2-83-059

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the General Fund and 47th District Court Financial Reports for the seven months ended January 31, 1983. Motion carried, all ayes.

The City Manager's report indicated that budget adjustments will probably occur in three areas before year end: the City Attorney's account for professional services, the Public Safety account for labor attorney's services, and Buildings and Grounds account for the Department of Public Services roof.

In answer to Councilman Mitchell's question, Director Seifert stated that the new fire truck will probably be received by the middle of March.

WARRANT LIST

2-83-060

Motion by Councilman Hartsock, supported by Councilman Yoder, to approve the monthly bills as submitted: General Fund \$30,104.40; Water & Sewer Fund \$1,738.75.

COUNCIL PROCEEDINGS -6-  
February 21, 1983

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED, all ayes.

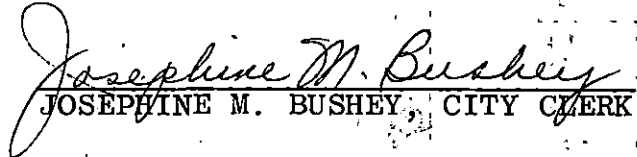
ADJOURNMENT

Motion by Councilman Mitchell, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

The meeting adjourned at 8:50 p.m.



ALTON L. BENNETT, MAYOR



JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, March 7, 1983, 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 8:05 p.m. by Mayor Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper.

ABSENT: Councilman Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 3-83-060

Motion by Councilman Mitchell, supported by Councilman Hartsock, to approve the minutes of the previous meeting of February 21, 1983 as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

Mayor Bennett asked the City Manager about the status of the house to be built on Grand River at the corner of Cass since the Farmington Historical Commission minutes of February 16, 1983, indicate that the sketches have not been approved.

Manager Deadman will check into the matter and advise Council.

#### 3-83-061

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Farmington Historical Commission minutes of February 16, 1983;  
Farmington Community Library minutes of February 3, 1983.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR SIGN VARIANCE: BURGER CHEF

Douglas Randall of Randall Sign Erection, Inc., presented a request for sign variance for the Burger Chef restaurant at 33200 Grand River, indicating that the Burger Chef Restaurants have been acquired by Hardee's and will, therefore, require sign changes.

The proposed ground sign would be 12 ft. high; its face would be 5 ft. 5 in. high and 11 ft. 8 in. wide, somewhat shorter than the existing sign.

Mr. Randall further indicated that he has asked permission of the Building Department also to change the sign on the building's side wall. This would also be reduced in size.

COUNCIL PROCEEDINGS -2-  
March 7, 1983

Councilman Mitchell stated that the intent of the Sign Ordinance is to rid the Central Business District ultimately of all ground signs; he is not persuaded that there should be any variance in this case.

Mr. Randall presented several alternatives to the proposed sign at the request of Councilman Hartsock.

Council pointed out that it was their practice to bring signing more into conformity with the existing ordinance each time a major change is proposed.

3-83-062

After considerable discussion, there was a motion by Councilman Hartsock, supported by Councilman Tupper, to grant a variance to incorporate a 3 ft. x 6 ft. sign, not to exceed a height of 8 ft. Motion carried, 3 ayes, 1 nay (Mitchell).

Council's change in the proposed sign dimensions require that Mr. Randall must resubmit his proposal to the Building Department prior to receiving a permit. He was advised accordingly before he left the meeting.

RESOLUTION FROM CITY OF NOVI RE: THE  
POW/MIA EFFORT

The City of Novi resolution urges the Governor to join with the President in his dedication to resolve this issue by declaring that the year of 1983 be dedicated to resolving the POW/MIA issue through public awareness.

3-83-063

Motion by Councilman Hartsock, supported by Councilman Tupper, to support Novi's position by adopting a similar resolution relative to the POW/MIA issue and forwarding this resolution to Governor Blanchard, Senator Faxon and Representative Brotherton. Motion carried, all ayes.

RESOLUTION FROM CITY OF BERKLEY OPPOSING  
INCREASE IN STATE INCOME TAX

The City of Berkley opposes a permanent increase in the State Income Tax from 4.6% to 6.1% and an additional .25% to stabilize Michigan's budgetary problems. Berkley feels that the Governor's proposal would provide for a 38% tax increase, causing the State's income tax to be the highest flat rate in the nation.

Although Council is anxious to get their message of support to the Governor relative to his proposal to reduce the state's short-term debt, they postponed action on this item until they are able to review the pending House Bill. They hope to discuss the matter with Senator Faxon and Representative Brotherton in the near future.

REQUESTS FOR PROCLAMATIONS

3-83-064

Motion by Councilman Hartsock, supported by Councilman Tupper, issue the following proclamations:

NATIONAL AMERICAN ASSOCIATION OF  
UNIVERSITY WOMEN WEEK  
MICHIGAN TORNADO SAFETY WEEK

March 13 - 19, 1983

March 20 - 26, 1983

Motion carried, all ayes.

REPORTS FROM CITY MANAGER

APPROVAL: ACT 641 COUNTY SOLID WASTE  
MANAGEMENT PLAN

Manager Deadman submitted to Council information provided by the county explaining various aspects of the Solid Waste Management Plan. He stated that the County Plan is well thought out and will probably be implemented.

So as to provide the necessary assurances relative to the concerns expressed by various communities, the community administrators developed their own resolution stating that the county shall honor the terms and conditions of all existing contracts of municipalities between local waste haulers and local landfill operators. The county, in turn, has agreed to such a resolution.

3-83-065

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

WHEREAS, there exists in the County of Oakland, for reasons of public health and because of the requirements of State law, a pressing need to adopt a county-wide plan to provide for the collection and disposal of nonhazardous solid waste generated in the county; and

WHEREAS, as required by Act No. 641 of Michigan Public Acts of 1978, as amended ("Act 641"), the County of Oakland has undertaken the development of a Solid Waste Management Plan (the "Act 641 Plan") providing for the disposal of the county's nonhazardous solid waste for the next twenty (20) years; and

WHEREAS, the Act 641 Plan calls for the disposal of such solid waste, the conversion of a portion of such solid waste to energy and the recovery and reuse of a portion of such solid waste in the county, using a combination of sanitary landfills, transfer stations and resource recovery processing centers (the "facilities"); and

WHEREAS, the Act 641 Plan has been completed in accordance with Act 641, and after request of several cities having contracts for solid waste disposal in landfills outside the county, was approved by the Board of Commissioners of the County with the stipulation

COUNCIL PROCEEDINGS -4-  
March 7, 1983

that a detailed implementation schedule of the Solid Waste Management Plan, which considers existing disposal arrangements of municipalities, shall be reviewed by the municipalities and the Solid Waste Planning Committee prior to submitting it to the Board of Commissioners for approval; and

WHEREAS, a plan is now submitted to all municipalities within the county, and if approved by 67% thereof, and thereafter by the Director of the Michigan Department of Natural Resources, it shall be final and binding on all municipalities; and

WHEREAS, it appears desirable for the county to develop and to implement the Act 641 Plan as finally approved in accordance with Act 641.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of Farmington, as follows:

This body recognizes and approves the need for the development and implementation by the County of the Act 641 Plan, as cited above, and hereby approves the Act 641 Plan approved and submitted by the County, as required by Act 641, with the stipulations that a detailed implementation schedule of the Solid Waste Management Plan, which considers existing disposal arrangements of municipalities, shall be reviewed by the municipalities and the Solid Waste Planning Committee prior to submitting it to the Board of Commissioners for approval, and that the County shall honor the terms and conditions of all existing contracts between municipalities within the county and solid waste removal contractors, solid waste landfill operators or owners, or other solid waste disposal site operators which are licensed by the State of Michigan for the collection and/or disposal of solid waste.

AYES: Hartsock, Mitchell, Tupper, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED MARCH 7, 1983.

AUTHORIZATION TO CONTRACT WITH  
OAKLAND COUNTY ANIMAL CARE CENTER

Manager Deadman advised that since the Julian Veterinary Hospital is unwilling to dispose of unclaimed, injured or diseased animals picked up by the Public Safety Department, arrangements have been made with the Oakland County Animal Care Center to take care of these dispositions. The charge for this service will be \$5.05 per animal delivered to them live and \$4.57 for the disposal of dead animals.

Director Seifert recommended that entering into an agreement with Oakland County Animal Care Center would insure uninterrupted delivery of animal control services by the city.

COUNCIL PROCEEDINGS -5-  
March 7, 1983

3-83-066

Motion by Councilman Mitchell, supported by Councilman Tupper, to authorize the City Manager and the City Clerk to enter into a contract with the Oakland County Animal Care Center for the disposal of animals collected by the Department of Public Safety. Motion carried, all ayes.

FINAL PAYMENT: 1982 ROAD IMPROVEMENT PROGRAM

Manager Deadman advised that Detroit Concrete Products Corporation submitted their request for final payment for work completed on the 1982 Road Improvement Program. This work includes road improvements to Grace and Adams Streets and repairs to Drake Road.

The City Engineers' review indicates that the work was in compliance with city specifications, and the contractor has provided the necessary contractor's declaration, affidavit, waiver of lien and letter of guarantee.

3-83-067

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes final payment for the 1982 Road Improvement Program to Detroit Concrete Products Corporation of Novi, Michigan, in the amount of \$17,580.29.

BE IT FURTHER RESOLVED that funds be provided from the Community Development Account and the Major Road Fund.

AYES: Mitchell, Tupper, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED MARCH 7, 1983.

REQUEST FOR SDM BEER AND WINE LICENSE:  
SUBU'S PIZZA, 20772 FARMINGTON ROAD

The City Manager advised that John Subu of 6144 Cronin, Dearborn Heights has filed application with the Liquor Control Commission for a SDM License to be located at Subu's Pizza, 20772 Farmington Road. This license allows the retail sale of beer and wine for consumption off-premises.

According to the background investigation of the Public Safety Department, there is no basis for objection to issuing the license.

No Council action is necessary unless they wish to deny the license be issued.



COUNCIL PROCEEDINGS -6-  
March 7, 1983

MISCELLANEOUS

PUBLIC COMMENT

Lad Guest of Maple Street was present to express his opposition to the adoption of Ordinance No. C-502-83 relative to hours of operation for restaurants. He feels that this ordinance negates the intent of the original ordinance in allowing restaurants within 150 feet of residences to remain open an extra hour on weekends.

ESTABLISHMENT - PUBLIC HEARING: USE OF  
FEDERAL REVENUE SHARING FUNDS

Since Federal Revenue Sharing Guidelines require that the Administrator who prepared the budget hold a Public Hearing prior to submitting the community's budget to the legislative body, the City Manager recommended that this hearing be established for April 4, 1983.

In the past, Council has permitted this Public Hearing to be held as part of a regular Council meeting so as to receive whatever public input occurs as a result of the Hearing.

3-83-068

Motion by Councilman Hartsock, supported by Councilman Tupper, to establish a Public Hearing on April 4, 1983, at 8:00 p.m., to receive public comment on the proposed use of Federal Revenue Sharing Funds during the 1983-84 fiscal year. Motion carried, all ayes.

APPOINTMENTS: BOARDS AND COMMISSIONS

Manager Deadman advised that as a result of a recent newspaper article, a number of applications for openings on the Cable Access Committee and the Board of Zoning Appeals were received. Copies of these applications were submitted to Council for review.

Council considered James K. Mitchell, William Conroy and James E. Pogue for two openings on the Cable Access Committee, as these individuals have been involved in past service to the community which indicates a willingness to work on behalf of the community.

3-83-069

Motion by Councilman Hartsock, supported by Councilman Tupper, to appoint James K. Mitchell of 23211 Floral, Farmington, Mi., to a one-year term on the Cable Access Committee. Motion carried, all ayes.

3-83-070

Motion by Councilman Mitchell, supported by Councilman Tupper, to appoint William Conroy, 33701 Grand River, Farmington, Mi. to a three-year term on the Cable Access Committee. Motion carried, all ayes.

COUNCIL PROCEEDINGS -7-  
March 7, 1983

The City Manager pointed out that the first appointments to this committee shall be one member for a one-year term and one member for a three-year term. Thereafter, all appointments shall be for three-year terms.

Since none of the members of Council know either of the persons who applied to serve on the Board of Zoning Appeals, Council decided to interview these candidates prior to making an appointment.

3-83-071

Motion by Councilman Mitchell, supported by Councilman Hartsock, to interview all prospective candidates for the Board of Zoning Appeals on April 4, 1983, prior to the regular Council Meeting. Motion carried, all ayes.

The Mayor asked Council to consider at that time the appointment of a second Alternate to the Board.

RESOLUTIONS AND ORDINANCES

3-83-072

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following ordinance:

ORDINANCE NO. C-502-83

AN ORDINANCE TO AMEND SECTION 9.71, SUBSECTION (15) OF CHAPTER 88 OF TITLE IX OF THE CODE OF THE CITY OF FARMINGTON

THE CITY OF FARMINGTON ORDAINS:

9.71.

(15) Restaurants and Ready-to-Serve Food Establishments:

The operation of restaurants, ready-to-serve food establishments, drive-in restaurants and other similar businesses whose parking facilities are located within 150 feet of residential or multi-family district uses, except between the hours of 5 o'clock a.m. and 1 o'clock a.m. on Monday through Friday, and 5 o'clock a.m. and 2 o'clock a.m. on Saturday and Sunday.

This ordinance was introduced at a regular meeting of the Farmington City Council on February 21, 1983, was adopted and enacted at a regular meeting on March 7, 1983, and will become effective ten (10) days after publication.

AYES: Tupper, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: Yoder.

COUNCIL PROCEEDINGS -8-  
March 7, 1983

WARRANT LIST

3-83-073

Motion by Councilman Hartsock, supported by Councilman Mitchell, to approve the monthly bills as submitted: General Fund \$9,205.16; Water & Sewer Fund \$2,506.16.

AYES: Bennett, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: Yoder.

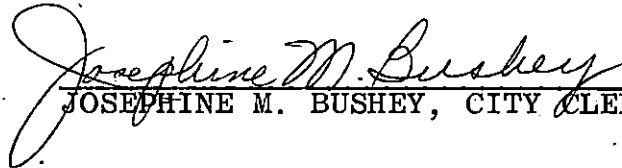
MOTION CARRIED, all ayes.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Mitchell, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:25 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS

Special Meeting

March 21, 1983

A special meeting of the Farmington City Council was called to order by Mayor Bennett at 7:03 p.m. in Conference Room "A" in the Farmington City Hall, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Act 267-1976, Public Acts of Michigan.

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Yoder.

ABSENT: Councilman Tupper.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Seifert, City Clerk Bushey.

ALSO PRESENT: Joseph Ascione, Owner of The Bootleggers Lounge, his partner, and Attorney Thomas.

This meeting was arranged at Council's request to review the inordinate number of police incidents and citizen complaints resulting from activities in and around the bar. The City Manager submitted to Council a copy of Public Safety report (originally brought to Council earlier this year), which provided data on the number and type of incidents occurring in all of the bars in the community.

Mayor Bennett pointed out that Council has a responsibility to provide a proper community climate for residents including businesses, schools and the private sector to live together in harmony. He stated that it is Council's intent to see that this is done. He indicated that the current situation existing at The Bootleggers' Lounge could lead to more serious problems for the community and for the bar operators.

The purpose of this meeting was to be very frank and to let the bar owners know exactly how Council feels. He advised the owners that if the city ordinances are not complied with, Council is prepared to go to the Liquor Control Commission concerning their establishment. The Mayor stated that this is not an easy stand to take, because Council wants businesses to operate in this community. They believe, however, that the city ordinance to control liquor establishments is in the best interest of the people of the community.

Councilman Mitchell stated that the Mayor's objective is indeed shared by the full Council. They do not wish to close down the business, but to work as they have in the past in an effort to get the establishment to change the manner in which they conduct their business so that more serious steps need not be taken. He reminded the owners that since the meeting last July, the situation has not improved to any great extent.

Attorney Thomas stated that he needed more details and would like to know the exact nature of the problem without a lot of statistics.

COUNCIL PROCEEDINGS -2-  
Special Meeting March 21, 1983

Mayor Bennett reminded Mr. Thomas that statistics are what Council would operate from.

Referring to the Director's statistical report, Attorney Thomas again asked that someone tell him what the problem is.

Councilman Mitchell stated that the Council is being deluged with complaints from nearby citizens, which was not the case when previous owners occupied this location. He noted from the Director's report that 65 out of the 68 Public Safety runs to The Bootleggers in 1982 concerned violations of the Liquor Control Act.

Director Seifert pointed out violations pending against the Bootleggers' license include several counts of serving minors. The owners objected to this allegation. Although some of the calls have come from former employees and there were many nuisance type complaints relative to the parking lot, the Director suggested that the establishment's security guard has contributed to the problem in many cases. He pointed out that it is his department's responsibility to respond to all calls.

Attorney Thomas asked how many other bars in the city are next to residential areas. He was advised that Dunleavys and the Rustic Pub abut residential dwellings, and there are very few complaints from those areas.

It was noted that a considerable number of assaults have occurred at The Bootleggers involving employees and the bar owners; also that arrests have been made of people who have come out of that establishment.

Attorney Thomas asked what Council had in mind concerning suggestions to improve the situation.

The Mayor stated he had no suggestions; that whatever the owners have to do to function within the spirit and the letter of the ordinances is their problem.

Attorney Thomas stated that he had no problem in working with the city as represented by Council to adhere to at least the spirit if not the letter of the law. He said he could not form an opinion as far as the noise complaints are concerned, and suggested that in a close-knit community such as Farmington, for some reason certain subdivisions are more sensitive than others.

Councilman Mitchell acknowledged that while this could be the case in some areas, it certainly is not the case here. He suggested that the establishment is doing something different than former owners to draw the type of clientele which is generating the problems noted.

COUNCIL PROCEEDINGS -3-  
Special Meeting March 21, 1983

Manager Deadman stated that although there have been other types of complaints, 31 noise complaints have resulted from the Bootleggers' operation.

In answer to Attorney Thomas's question of whether the noise was in the parking lot or inside the bar, the City Manager stated that it was a combination of both. He cited several instances of noise from inside the bar being heard by residents even though the doors were closed. He indicated that although 28 of the 31 noise complaints recorded occurred outside, ~~three were inside the bar.~~ The owners indicated that this probably occurred last summer when the air conditioner broke down and the doors were opened.

Manager Deadman pointed out that the city has had to deal with a parking problem resulting from complaints generated by activities at the bar. He stated that measures were taken to assist the residents of the surrounding area by setting up a Permit Parking System, whereby residents are actually paying to park in front of their own houses, which should prove that these are not just idle complaints.

Councilman Hartsock questioned Attorney Thomas relative to a letter sent to the City Manager by Attorney Farhat in which he requested that further enforcement be withheld pending the outcome of this meeting.

Councilman Hartsock categorized the complaints against The Bootleggers into three main areas: noise, disorderly persons and serving minors. He reminded those present that all Class "C" liquor licensees are operating under the same ordinance. He posed as basic the question of whether or not the owners feel the reported incidents are unfair in the sense that they feel they are being harrassed, or if they think the reported incidents are just normal in the course of the type of business they operate.

Attorney Thomas, answering for his clients, felt it is a combination of both. He indicated that there seems to be a substantial amount of cruising activity by Police in the area, in fact, more than average.

Councilman Mitchell informed Mr. Thomas that at the July meeting when these same problems were previously discussed, the owners of the establishment request ed the presence of police vehicles in and around their parking lot to assist them in better controlling existing problems.

When Attorney Thomas suggested that there might be a correlation between the number of patrons served and the incidents reported, the City Manager suggested that the Bootleggers' All-you-can-Drink policy is attracting their varied clientele. He pointed out that the patrons come from all over as a result of a considerable amount of radio advertising of this policy, and this seems to have generated many of the problems. Councilman Yoder agreed.

COUNCIL PROCEEDINGS -4-  
Special Meeting March 21, 1983

The Mayor stated that Council wished to have sufficient time elapse after enacting the Alcoholic Liquor Ordinance before having a meeting. He warned that during the summer months ahead Council will not allow the residents to endure the conditions that existed at this establishment last summer.

Attorney Thomas stated that they can only assure that assault and battery incidents, fighting between owners and employees and serving minors will be controlled.

Relative to complaints that patrons were seen drinking beer in the parking lot and that bottles were thrown against some residents' houses, Attorney Thomas was reminded by Mr. Ascione to advise Council that his establishment does not sell beer by the bottle.

Councilman Hartsock stated that serving minors should never happen given the method of checking at the door which the owners advise they use. Concerning the noise complaints, he suggested that the owners make a serious effort to solve this and any other problems that arise.

In reference to the ordinance enacted earlier this year, the Mayor pointed out that Council has been able to live with the Liquor Control regulations up to this point, but now they feel they have to deal with local enforcement.

Councilman Mitchell suggested that the Bootleggers' method of operation be changed so that several months from now they do not have a more serious problem before them. He suggested that a follow-up meeting would be appropriate to review whether or not any progress has been made by the owners to better control the activities in and around their establishment. *The owners of the Bootleggers were specifically requested to return to Council with a plan of what they are going to do differently to improve the conduct of their business.* }  
Meeting adjourned at 7:55 p.m.

*corrected  
4/4/83*

*Alton L. Bennett*  
ALTON L. BENNETT, MAYOR

*Josephine M. Bushey*  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, March 21, 1983, 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 8:05 p.m. by Mayor Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Yoder.

ABSENT: Councilman Tupper.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

3-83-074

Motion by Councilman Mitchell, supported by Councilman Yoder, to approve the minutes of the previous meeting of March 7, 1983, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

3-83-075

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of March 14, 1983;  
Farmington Area Arts Commission minutes of February 24, 1983;  
Board of Education minutes of February 8 and March 1, 1983.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

TABLED REQUEST: SUPPORT OF HOUSE BILL 4092  
and HOUSE BILL 4093, STATE INCOME TAX INCREASE

Manager Deadman submitted to Council copies of Substitute House Bill 4092 and House Bill 4093 relative to a proposed increase in State Income Tax.

After considerable discussion, it was the consensus of Council that the Governor's proposal for a 38% tax increase would give Michigan the highest flat-rate income tax in the country. Councilman Mitchell expressed concern that it would stifle business in the State, and place a further burden on Michigan taxpayers. Although Council acknowledged that State Shared Revenue payments are important to local government, they favor a tax increase that is more moderate and temporary. They expect to bring their position personally to the Governor, State Senator and Representative at the forthcoming Legislative Conference to be held in Lansing this week.



3-83-076

Motion by Councilman Mitchell, supported by Councilman Yoder, to adopt the following resolution:

WHEREAS, Governor Blanchard has called for a permanent increase in the State Income Tax from 4.6 percent to 6.1 percent, and in addition a .25 percent temporary increase, as his principal program for stabilizing Michigan's budgetary problems; and

WHEREAS, the Governor's proposal for a 38 percent tax increase would reportedly give Michigan the highest flat-rate income tax in the Nation; and

WHEREAS, Michigan taxpayers are already assuming one of the nation's highest overall tax burdens; and

WHEREAS, the Governor's proposed permanent income tax increase would only further erode Michigan citizens of their disposable income and further block true economic recovery in our state; and

WHEREAS, the State Legislature should be aware that nearly all previous State budget reductions initiated by Executive Order have been in the area of local governments, schools and higher education; and such reductions have, in fact, had a significant impact on the delivery of local basic services and, therefore, when further budget reductions are made, they should occur in other areas of the State budget;

NOW, THEREFORE, THE CITY OF FARMINGTON RESOLVES:

1. That Governor Blanchard is asked to reconsider and to set aside his call for such an unproductive and clearly excessive permanent income tax increase, and that the State Legislature be strongly urged to defeat this proposal.
2. That the Governor, his administrators, and the State Legislators are urged to work together to set a comprehensive agenda of priorities to guide all future State spending.
3. That only after such a comprehensive agenda has been developed should a need for additional revenues be required that such necessary tax increase be clearly moderate and temporary and not exceed one year.
4. That the City Clerk is hereby directed to send copies of this resolution to Governor James Blanchard, Senator Jack Faxon and Representative Wilbur Brotherton.

RESOLUTION ADOPTED UNANIMOUSLY MARCH 21, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

CITY OF FERNDALE RESOLUTION RE: SEMTA  
IMPROVED TRANSPORTATION PLAN

The City of Ferndale believes that due to the recently passed increase in gas and weight taxes, it is time to begin implementing the SEMTA Improved Transportation Plan for the region. They request support of their resolution encouraging the Oakland County Board of Commissioners to support the Plan.

3-83-077

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Ferndale resolution supporting the SEMTA Improved Transportation Plan. Motion carried, all ayes.

REQUEST FROM FARMINGTON VETERANS COUNCIL  
MEMORIAL DAY PARADE

Walter Christensen, representing the veterans organizations of Farmington, requested a parade permit for the Memorial Day Parade on May 30, 1983. The parade is to begin at 10:00 a.m. at the Farmington Plaza and terminate at the Memorial Monument on Oakland and Grand River. This year the U. S. Army will be honored.

3-83-078

Motion by Councilman Hartsock, supported by Councilman Yoder, to authorize the Department of Public Safety to apply to the State of Michigan for a permit to close Grand River Avenue on May 30, 1983, from 9:00 a.m. until 1:00 p.m. for the Memorial Day Parade. Motion carried, all ayes.

REQUEST FROM MARCH TIRE COMPANY RE:  
ANNIVERSARY SALE

March Tire Company requested permission to put up a tent and banners for their Anniversary Sale to be held from March 28 through March 31, 1983. Council has permitted this sale in the past at 33014 Grand River.

3-83-079

Motion by Councilman Yoder, supported by Councilman Hartsock, to permit the erection of a tent and banners at March Tire Company, 33014 Grand River for their Anniversary Sale from March 28 through March 31, 1983. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSAL TO PROVIDE ADVANCED LIFE  
SUPPORT AND TRANSPORTATION SERVICE

Manager Deadman submitted to Council an Ad Hoc Committee Evaluation and Recommendation Report of Ambulance Proposals for Farmington, Northville, Novi and Northville Township. Bids were received on January 27, 1983, and were firm for a 90-day period from that date.

In reviewing the bid proposals, the committee established an evaluation criteria giving consideration to the level of service to

be provided, the rate schedule proposed, the program for the in-service training of company personnel, arrangements with sponsoring hospital, insurance and facilities for the training of municipal employees who are also Emergency Medical Technicians.

Proposals were received from Fleet Ambulance Service, Community Emergency Medical Services, Inc., and Novi Ambulance Service. The Fleet Ambulance Service proposal was rejected because the company failed to meet specifications and offered their service to Novi only.

The Ad Hoc Committee's goal was to secure the services of a competent, private emergency medical service provider at a reasonable cost, to receive assurances of stable rates for a minimum of two years, and to receive further assurances that the provider would agree to cooperate with the Ad Hoc Committee in the resolution of disputes. Both Community Emergency Medical and Novi Ambulance agreed to the dispute resolution process and offered to guarantee their base rate for two years.

It was the consensus of the Ad Hoc Committee in evaluating the proposals that the services offered by Community Emergency Medical Services were superior to those offered by the other supplier. They will also supply three Advanced Life Support Units versus two from Novi Ambulance. The committee also found their proposal for ongoing training of personnel superior, as it is to be provided at a local hospital. They also carry two million dollars liability insurance, one-half million more than Novi Ambulance. Further, the committee believed that the difference in the rate structure proposed is more than offset by the higher level of service being offered by Community Emergency Medical Services.

The Ad Hoc Committee recommended that all communities participating in this cooperative proposal to provide Advance Life Support and transportation accept the proposal of Community Emergency Medical Services.

Allen C. Ingle, Attorney, representing Novi Ambulance was present and pointed out that the rate structure showed that Novi was considerably below the Community Emergency rates. He stated that Novi Ambulance was able to lower its rates because all of its equipment is paid for. Mr. Ingle objected to the committee's choice of provider stating that Novi Ambulance has served Farmington for the past eight years.

3-83-080

Motion by Councilman Mitchell, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager and the City Clerk to enter into a contract with Community Emergency Medical Service, Inc., of Farmington, Michigan,

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in accordance with bid specifications and their proposal to provide Advanced Life Support and Transportation Service.

ROLL CALL

AYES: Hartsock, Mitchell, Yoder, Bennett.  
NAYS: None.  
ABSENT: Tupper.

RESOLUTION DECLARED ADOPTED MARCH 21, 1983.

ESTABLISH PUBLIC HEARING TO REVIEW  
SPECIAL ASSESSMENT ROLL, OLD TOWN DRAIN

Manager Deadman advised that the City Engineers have completed the engineering design and cost estimates for the Old Town Drain Project. He, therefore, recommended that City Council establish a Public Hearing to review the Special Assessment Roll on the project at 8:00 p.m. on April 18, 1983.

Bids on the project will be received prior to the Public Hearing. If there is a substantial change as a result of these bids, the Assessment Roll will be adjusted to reflect the change.

The City Manager suggested that timing on this project is important, as Federal law requires the registration of municipal bonds after July 1. The bonding attorney has advised that non-registered bonds may be more attractive to purchasers, and therefore, could be reflected by a low interest rate.

3-83-081

Motion by Councilman Yoder, supported by Councilman Mitchell, to adopt the following resolution:

RESOLUTION NO. 4

WHEREAS; the City Council of the City of Farmington has deemed it necessary to acquire and construct a storm drainage improvement for a land area contained within the following described property:

Beginning at the S.E. corner of lot 42 of Assessor's Hatton Gardens Sub., thence westerly to the S.W. corner of lot 52 of said sub., thence northerly to the N.W. corner of said lot 52, thence N.W. to the S.E. corner of lot 157 of Alta Loma Park Sub. No. 4, thence westerly to the S.W. corner of lot 150 of said sub., thence northerly to the N.W. corner of said lot 150, thence westerly to the N.E. corner of lot 149 of said sub., thence northerly to the S.E. corner of lot 5 of Assessor's Plat No. 8, thence westerly to the S.W. corner of said lot 5, thence northerly along the rear line of lots 5 thru 1 of said plat and that line extended to the rear line of lot 11 of Perkins and Cowans Sub., thence westerly to the east side of Gill Road, thence northerly along the east side of Gill Road to the S.W. corner of lot 8 of Banfield Sub., thence along the rear line of lots 8 thru 4 of said sub. and that line extended

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to the south side of Grand River Avenue, thence southeasterly to the south side of Shiawassee, thence southeasterly along the south side of Shiawassee to the east side of Farmington Road, thence southerly along the east side of Farmington Road to a point due east of the S.E. corner of lot 42 of Assessor's Hatton Gardens Sub., thence west to the point of beginning:

AND WHEREAS, the City Council has ordered the Assessor to make a special assessment roll of all lots and parcels of land within the designated district benefited by the proposed improvement and assess to each lot or parcel of land the amount benefited thereby;

AND WHEREAS, the Assessor has completed said special assessment roll and has filed the same with the City Clerk and the City Clerk has presented the same to the City Council for review and certification.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said Special Assessment Roll shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council shall meet to review said special assessment roll on April 18th at 8:00 p.m. Eastern Standard Time at the City Hall in said City.
3. The City Clerk is directed to cause notice of said meeting to be published in the Farmington Observer, a newspaper published in the City, at least once not less than ten (10) days before the date of said meeting and shall further cause notice of said meeting to be sent by first class mail to all property owners in the proposed special assessment district, as shown by the current assessment roll of the City, at least ten (10) days before the date of the meeting.
4. The notice of said meeting as published and mailed shall be in substantially the following form:

NOTICE OF MEETING OF CITY COUNCIL  
TO REVIEW SPECIAL ASSESSMENT ROLL

TO THE OWNERS OF THE FOLLOWING DESCRIBED LANDS:

- 23-28-203-014 thru -017, -020 thru -023, -025, -027, -028, -033 thru  
-037
- 23-28-204-004 thru -010; -014, -015, -019 thru -024; -027 thru -034,  
-037 thru -042
- 23-28-205-001, -002, -004 thru -008, -010, -012, -014, -016 thru -023
- 23-28-228-001 thru -004, -006 thru -008, -011, -012, -015, -016,  
-020 thru -027

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23-28-229-001 thru -009;  
23-28-230-001 thru -006;  
23-28-231-001 thru -008, -010, -011, -014 thru -023;  
23-28-251-003 thru -007, -009 thru -013, -016, -028 thru -031,  
-033 thru -035, -037, -040 thru -042  
23-28-252-001 thru -020; 23-28-254-001 thru -019; 23-28-256-001 thru  
-016;  
23-28-258-001 thru -004, -006 thru -009;  
23-28-276-001 thru -011, -014 thru -021;  
23-28-277-001 thru -003, -009;  
23-28-278-002, -004 thru -006, -012 thru -018;  
23-28-279-001 thru -021; 23-28-280-001 thru -014; 23-28-428-002 thru  
-012.

PLEASE TAKE NOTICE that the City Council of the City of Farmington, Oakland County, Michigan, has caused to be prepared a Special Assessment Roll to defray the cost of constructing storm drainage improvements on the following described property:

Beginning at the S.E. corner of lot 42 of Assessor's Hatton Gardens Sub., thence westerly to the S.W. corner of lot 52 of said sub., thence northerly to the N.W. corner of said lot 52, thence N.W. to the S.E. corner of lot 157 of Alta Loma Park Sub. No. 4, thence westerly to the S.W. corner of lot 150 of said sub., thence northerly to the N.W. corner of said lot 150, thence westerly to the N.E. corner of lot 149 of said sub., thence northerly to the S.E. corner of lot 5 of Assessor's Plat No. 8, thence westerly to the S.W. corner of said lot 5, thence northerly along the rear line of lots 5 thru 1 of said plat and that line extended to the rear line of lot 11 of Perkins and Cowans Sub., thence westerly to the east side of Gill Road, thence northerly along the east side of Gill Road to the S.W. corner of lot 8 of Banfield Sub., thence along the rear line of lots 8 thru 4 of said sub. and that line extended to the south side of Grand River Avenue, thence southeasterly to the south side of Shiawassee, thence southeasterly along the south side of Shiawassee to the east side of Farmington Road, thence southerly along the east side of Farmington Road to a point due east of the S.E. corner of lot 42 of Assessor's Hatton Gardens Sub., thence west to the point of beginning.

Said Special Assessment Roll is on file with the City Clerk and is available for public examination.

TAKE FURTHER NOTICE that the City Council of the City of Farmington will meet at the City Hall in said City at 8:00 o'clock p.m., Eastern Standard Time, on April 18, 1983, for the purpose of reviewing said Special Assessment Roll and giving all interested persons an opportunity to be heard in connection therewith.

JOSEPHINE M. BUSHEY, CITY CLERK

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ROLL CALL:

AYES: Mitchell, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Tupper.

RESOLUTION DECLARED ADOPTED MARCH 21, 1983.

Council decided that the Public Hearing of April 18, 1983, will be held in Council Chambers at City Hall.

3-83-082

Motion by Councilman Mitchell, supported by Councilman Yoder, to schedule a work session for 7:00 p.m. on April 4, 1983, to review the final design for the Drainage District, and to move the meeting for the review of candidates for the Board of Zoning Appeals to 7:00 p.m. on April 18, 1983. Motion carried, all ayes.

AMENDMENT TO CITY TRAFFIC CODE

Since the State Legislature recently amended the Michigan Traffic Laws and the new provision becomes effective March 30, 1983, the City Attorney modified a model ordinance provided by the Michigan State Police Traffic Services Division so that the ordinance will meet the City Code requirements.

This new ordinance to regulate drunk driving provides for major changes which allow for mandatory sentencing, fines of \$100 to \$500 and loss of driver's license of six months to two years. There are also provisions for restrictive licenses under the new law, permitting the person to drive to and from place of employment, place of education, or location for substance abuse treatment.

The adoption of this ordinance will keep the City Code in compliance with the new State Statute by amending the Uniform Traffic Code for Michigan Cities, Townships and Villages, Sections 5.15, Subsections 5.15a through 5.15e and adding new Subsections 5.15f through 5.15h.

Director Seifert suggested that since the State law becomes effective on March 30, 1983, the proposed City Ordinance should be given emergency effect by being introduced, adopted and enacted at this meeting.

3-83-083

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following ordinance:

ORDINANCE NO. C-503-83

AN ORDINANCE TO AMEND THE UNIFORM TRAFFIC CODE FOR MICHIGAN CITIES, TOWNSHIPS AND VILLAGES.

THE CITY OF FARMINGTON ORDAINS:

The following sections and subsections of the Uniform Traffic Code for Cities, Townships and Villages, adopted by reference by Ordinance No. C-482-81, and amended by Ordinance No. C-493-82, are hereby amended or deleted as set forth and additional sections and subsections are added as indicated.

Section 5.15 and Subsections 5.15a through 5.15e are hereby amended, and subsections 5.15f through 5.15h are added, to read as follows:

Section 5.15. Operating or Allowing to Operate a Vehicle Under Influence of Intoxicating Liquor or Controlled Substance; Operating with 0.10 Percent Blood Alcohol Weight; Penalties.

- (1) A person, whether licensed or not, who is under the influence of intoxicating liquor or a controlled substance, or a combination of intoxicating liquor and a controlled substance, shall not operate a vehicle upon a highway or other place open to the general public, including an area designated for the parking of vehicles, within the City of Farmington. A peace officer may, without a warrant, arrest a person when the peace officer has reasonable cause to believe that the person was, at the time of an accident, the driver of a vehicle involved in the accident and was operating the vehicle upon a public highway or other place open to the general public, including an area designated for the parking of vehicles, while in violation of this subsection or of Subsection (2).
- (2) A person, whether licensed or not, whose blood contains 0.10% or more by weight of alcohol, shall not operate a vehicle upon a highway or other place open to the general public, including an area designated for the parking of vehicles, within the City of Farmington.
- (3) The owner of a vehicle or a person in charge or in control of a vehicle shall not authorize or knowingly permit the vehicle to be operated upon a highway or other place open to the general public, including an area designated for the parking of motor vehicles, within the City of Farmington, by a person who is under the influence of intoxicating liquor or a controlled substance, or a combination of intoxicating liquor and a controlled substance.
- (4) Except as otherwise provided in this section, a person who is convicted of a violation of Subsection (1), (2), or (3) is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not less than \$100.00 nor more than \$500.00, or both, together with costs of the prosecution.



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As part of the sentence for a violation of Subsection (1) or (2), the court shall order the Secretary of State to suspend the operator's or chauffeur's license of the person for a period of not less than 6 months nor more than 2 years. The court may order the Secretary of State to issue to the person a restricted license permitting the person during all or a specified portion of the period of suspension to drive only to and from the person's residence and work location; in the course of the person's employment or occupation; to and from an alcohol or drug education program or treatment program as ordered by the court; to and from the person's residence and an educational institution at which the person is enrolled as a student; or pursuant to a combination of these restrictions. The court shall not order the Secretary of State to issue a restricted chauffeur's license which would permit a person to operate a truck or truck tractor, including a trailer, which hauls hazardous material. The court shall not order the Secretary of State to issue a restricted license unless the person states under oath and the court finds that the person is unable to take public transportation to and from his or her work location, place of alcohol or drug education or treatment, or educational institution, and does not have any family members or others able to provide transportation. The court order and license shall indicate the person's work location and the approved route or routes and permitted times of travel. For purposes of this subsection, "work location" includes, as applicable, either or both of the following:

- (i) The specific place or places of employment.
  - (ii) The territory or territories regularly visited by the person in pursuance of the person's occupation.
- (5) As part of the sentence for a violation of Subsection (1) or (2), the court may order the person to perform service to the community, as designated by the court, without compensation, for a period not to exceed 12 days. The person shall reimburse the City for the cost of insurance incurred by the City of Farmington as a result of the person's activities under this subsection.
- (6) Before imposing sentence for a violation of Subsection (1) or (2), the court shall order the person to undergo screening and assessment by a person or agency designated by the Office of Substance Abuse Services, to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs. As part of the sentence, the court may order the person to participate in and successfully complete one or more appropriate rehabilitative programs. The person shall pay for the costs of the screening, assessment, and rehabilitative services.
- (7) Before accepting a plea of guilty under this section, the court shall advise the accused of the statutory consequences possible as the result of a plea of guilty in respect to suspension or revocation of an operator's or chauffeur's license, the penalty imposed for violation of this section, and the limitation on the right of appeal.

- (8) The operator's or chauffeur's license of a person found guilty of violating Subsection (1) or (2) shall be surrendered to the court in which the person was convicted, and the court shall immediately forward the surrendered license and an abstract of conviction to the Secretary of State. The abstract of conviction shall indicate the sentence imposed. Upon receipt of, and pursuant to the abstract of conviction, the Secretary of State shall suspend or revoke the person's license, and if ordered by the court and the person is otherwise eligible for a license, issue to the person a restricted license stating the limited driving privileges indicated on the abstract. If the license is not forwarded to the Secretary of State, an explanation of the reason why the license is absent shall be attached. If the conviction is appealed to Circuit Court, that court may, ex parte, order the Secretary of State to rescind the suspension, revocation, or restricted license issued pursuant to this section.

Section 5.15a. Chemical Tests; Admissibility; Presumptions; Liability; Refusals; Other Evidence.

- (1) The amount of alcohol or presence of a controlled substance or both in the driver's blood at the time alleged as shown by chemical analysis of the person's blood, urine, or breath shall be admissible into evidence in a criminal prosecution for any of the following:
- (a) A violation of Subsection 5.15 (1), (2) or (3) or 5.15b.
- (2) If a test is given, the results of the test shall be made available to the person charged or the person's attorney upon written request to the prosecution, with a copy of the request filed with the court. The prosecution shall furnish the report at least 2 days before the day of the trial and the results shall be offered as evidence by the prosecution in a criminal proceeding. Failure to fully comply with the request shall bar the admission of the results into evidence by the prosecution.
- (3) Except in a prosecution relating solely to a violation of Subsection 5.15 (2), the amount of alcohol in the driver's blood at the time alleged as shown by chemical analysis of the person's blood, urine, or breath, shall give rise to the following presumptions:
- (a) If there was at the time 0.07% or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor.
- (b) If there was at the time in excess of 0.07% but less than 0.10% by weight of alcohol in the defendant's blood, it shall be presumed that the defendant's ability to operate a vehicle was impaired within the provisions of Subsection 5.15b due to the consumption of intoxicating liquor.
- (c) If there was at the time 0.10% or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor.

- (4) A sample or specimen of urine or breath shall be taken and collected in a reasonable manner. Only a licensed physician, or a licensed nurse or medical technician under the direction of a licensed physician and qualified to withdraw blood, acting in a medical environment, at the request of a peace officer, may withdraw blood for the purpose of determining the amount of alcohol or presence of a controlled substance or both in the person's blood, as provided in this act. Liability for a crime or civil damages predicated on the act of withdrawing blood and related procedures shall not attach to a qualified person who withdraws blood or assists in the withdrawal in accordance with this act unless the withdrawal is performed in a negligent manner.
- (5) The tests shall be administered at the request of a peace officer having reasonable grounds to believe the person has committed a crime described in Subsection (1). A person who takes a chemical test administered at the request of a peace officer, as provided in this section, shall be given a reasonable opportunity to have a person of his or her own choosing administer one of the chemical tests described in this section within a reasonable time after his or her detention, and the results of the test shall be admissible and shall be considered with other competent evidence in determining the innocence or guilt of the defendant. If the person charged is administered a chemical test by a person of his or her own choosing, the person charged shall be responsible for obtaining a chemical analysis of the test sample. The person charged shall be informed that he or she has the right to demand that a person of his or her choosing administer one of the tests provided for in Subsection (1), that the results of the test shall be admissible and shall be considered with other competent evidence in determining the innocence or guilt of the defendant, and that the person charged shall be responsible for obtaining a chemical analysis of the test sample.
- (6) The person charged shall be advised that if the person refuses the request of a peace officer to take a test described in this section, a test shall not be given without a court order. The person charged shall also be advised that the person's refusal of the request of a peace officer to take a test described in this section shall result in the suspension of his or her operator's or chauffeur's license or operating privilege, and the addition of 6 points to his or her driver records.
- (7) This section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether or not the person was impaired by or under the influence of intoxicating liquor or a controlled substance, or a combination of intoxicating liquor and a controlled substance, or whether the person had a blood alcohol content of 0.10% or more by weight of alcohol.
- (8) If a jury instruction regarding a defendant's refusal to submit to a chemical test under this section is requested by the prosecution or the defendant, the jury instruction shall be given as follows:

"Evidence was admitted in this case which, if believed by the jury, could prove that the defendant had exercised his or her right to refuse a chemical test. You are instructed that such a refusal is within the statutory rights of the defendant and is not evidence of his guilt. You are not to consider such a refusal in determining the guilt or innocence of the defendant."

- (9) If after an accident the driver of a vehicle involved in the accident is transported to a medical facility and a sample of the driver's blood is withdrawn at that time for the purpose of medical treatment, the results of a chemical analysis of that sample shall be admissible in a criminal prosecution for a crime described in Subsection (1) to show the amount of alcohol or presence of a controlled substance, or both, in the person's blood at the time alleged, regardless of whether the person had been offered or had refused a chemical test. The medical facility or person performing the chemical analysis shall disclose the results of the analysis to a prosecuting attorney who requests the results for use in a criminal prosecution as provided in this subsection. A medical facility or person disclosing information in compliance with this subsection shall not be civilly or criminally liable for making the disclosure.
- (10) If after a highway accident the driver of a vehicle involved in the accident is deceased, a sample of the decedent's blood shall be withdrawn in a manner directed by the medical examiner for the purpose of determining blood alcohol content or presence of a controlled substance, or both.

Section 5.15b. Operating a Vehicle While Ability Impaired; Penalty.

- (1) A person shall not operate a vehicle upon a highway or other place open to the general public, including an area designated for the parking of vehicles, within the City of Farmington, when, due to the consumption of an intoxicating liquor, a controlled substance, or a combination of an intoxicating liquor and a controlled substance, the person has visibly impaired his or her ability to operate the vehicle. If a person is charged with violating Subsection 5.15 (1) or (2), a finding of guilty is permissible under this section.
- (2) Except as otherwise provided in this section, a person convicted of a violation of this section is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$300.00, or both, together with costs of the prosecution. As part of the sentence, the court shall order the Secretary of State to suspend the operator's or chauffeur's license of the person for a period of not less than 90 days nor more than 1 year. The court may order the Secretary of State to issue to the person a restricted license permitting the person during all or a specified portion of the period of suspension to drive only to and from the person's residence and work location; in the course of the person's employment or occupation; to and from an alcohol or drug education program or treatment program as ordered by the court; to and from the person's residence and an education institution at which the person is enrolled as a

student, or pursuant to a combination of these restrictions. The court shall not order the Secretary of State to issue a restricted chauffeur's license which would permit a person to operate a truck or truck tractor, including a trailer, which hauls hazardous material. The court shall not order the Secretary of State to issue a restricted license unless the person states under oath and the court finds that the person is unable to take public transportation to and from his or her work location, place of alcohol or drug education or treatment, or educational institution, and does not have any family members or others able to provide transportation. The court order and license shall indicate the person's work location and the approved route or routes and permitted times of travel. For purposes of this subsection "work location" includes, as applicable, either or both of the following:

- (i) The specific place or places of employment.
  - (ii) The territory or territories regularly visited by the person in pursuance of the person's occupation.
- (3) As part of the sentence for a violation of this section, the court may order the person to perform service to the community, as designated by the court, without compensation, for a period not to exceed 12 days. The person shall reimburse the City of Farmington for the cost of insurance incurred by the City as a result of the person's activities under this subsection.
  - (4) Before imposing sentence for a violation of this section, the court shall order the person to undergo screening and assessment by a person or agency designated by the Office of Substance Abuse Services, to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs. As part of the sentence, the court may order the person to participate in and successfully complete one or more appropriate rehabilitative programs. The person shall pay for the costs of the screening, assessment and rehabilitative services.
  - (5) Before accepting a plea of guilty under this section, the court shall advise the accused of the statutory consequences possible as a result of a plea of guilty in respect to suspension or revocation of an operator's or chauffeur's license, the penalty imposed for violation of this section, and the limitation on the right of appeal.
  - (6) The operator's or chauffeur's license of a person found guilty of violating this section shall be surrendered to the court in which the person was convicted. The court shall immediately forward the surrendered license and an abstract of conviction to the Secretary of State. The abstract of conviction shall indicate the sentence imposed. Upon receipt of and pursuant to the abstract of conviction, the Secretary of State shall suspend or revoke the person's license and, if ordered by the court and the person is otherwise eligible for a license, issue to the person a restricted license stating the limited driving privilege indicated on the abstract. If the license is not forwarded to the Secretary of State, an explanation of the

reason why the license is absent shall be attached. If the conviction is appealed to the Circuit Court, that court may, ex parte, order the Secretary of State foreseind the suspension, revocation, or restricted license issued pursuant to this section.

Section 5.15c. Implied Consent; Exceptions; Grounds; Deceased Drivers.

- (1) A person who operates a vehicle upon a public highway or other place open to the general public, including an area designated for the parking of vehicles, within the City of Farmington is considered to have given consent to chemical tests of his or her blood, breath, or urine for the purpose of determining the amount of alcohol or presence of a controlled substance, or both in his or her blood if:
  - (a) The person is arrested for a violation of Subsections 5.15 (1) or (2), or 5.15b.
- (2) A person who is afflicted with hemophilia, diabetes, or a condition requiring the use of an anticoagulant under the direction of a physician shall not be considered to have given consent to the withdrawal of blood.
- (3) The tests shall be administered as provided in Subsection 5.15a.

Section 5.15d. Right to Refuse Chemical Tests.

If a person refuses the request of a peace officer to submit to a chemical test offered pursuant to Subsection 5.15a, a test shall not be given without a court order. A written report shall be forwarded to the Secretary of State by the peace officer. The report shall state that the officer had reasonable grounds to believe that the person had committed a crime described in Subsection 5.15c (1), and that the person had refused to submit to the test upon the request of the peace officer and had been advised of the consequences of the refusal. The form of the report shall be prescribed and furnished by the Secretary of State.

Section 5.15e. Notice of Receipt of Sworn Statement.

- (1) Upon receipt of the report made pursuant to Subsection 5.15d, the Secretary of State shall immediately notify the person in writing, mailed to his or her address, that the report has been received and that within 14 days of the date of the notice the person may request a hearing as provided in Subsection 5.15f.
- (2) The notice shall specifically state that failure to request a hearing within 14 days will result in the suspension of the person's license or permit to drive. The notice shall also state that there is not a requirement that the person retain counsel for the hearing, though counsel would be permitted to represent the person at the hearing.

Section 5.15f. Hearing; Failure to Request; Suspension of Revocation.

- (1) If the person who refuses to submit to a chemical test pursuant to Subsection 5.15d does not request a hearing within 14 days of the date of notice pursuant to Subsection 5.15e, the Secretary of State shall suspend the person's operator's or chauffeur's license or permit to drive, or nonresident operating privilege, for a period of 6 months, or for a second or subsequent refusal within a period of 7 years, for 1 year. If the person is a resident without a license or permit to operate a vehicle in the state, the Secretary shall deny to the person the issuance of a license or permit for a period of 6 months, or for a second or subsequent refusal within a period of 7 years, for 1 year.
- (2) If a hearing is requested, the Secretary of State shall hold the hearing in the same manner and under the same conditions as provided in Section 322 of the Motor Vehicle Code. At least ten days notice of the hearing shall be mailed to the person requesting the hearing, the peace officer who filed the report under Subsection 5.15d, and if the prosecuting attorney requests receipt of the notice, to the prosecuting attorney of the county where the arrest was made. The hearing officer shall be authorized to administer oaths, issue subpoenas for the attendance of necessary witnesses, and may grant a reasonable request for an adjournment. The hearing shall cover only the following issues:
  - (a) Whether the peace officer had reasonable grounds to believe that the person had committed a crime described in Subsection 5.15c (1).
  - (b) Whether the person was placed under arrest for a crime described in Subsection 5.15c (1).
  - (c) Whether the person reasonably refused to submit to the test upon the request of the officer.
  - (d) Whether the person was advised of the rights under Subsection 5.15a and 5.15c.
- (3) The hearing officer shall make a record of proceedings held pursuant to Subsection (2). The record shall be prepared and transcribed in accordance with Section 86 of the Administrative Procedures Act of 1969, Act No. 306 of the Public Acts of 1969, being Section 24.286 of the Michigan Compiled Laws. Upon notification of the filing of a petition of judicial review pursuant to Section 323, the hearing officer shall transmit to the court in which the petition was filed, not less than 10 days before the matter is set for review, the original or a certified copy of the official record of the proceedings. Proceedings at which evidence was presented need not be transcribed and transmitted if the sole reason for the review is to determine whether or not the court will order the issuance of a restricted license. The parties to the proceedings for judicial review may stipulate that the record be shortened. A party unreasonably refusing to stipulate to a shortened record may be taxed by the court in which the petition is filed for the additional costs. The court may permit subsequent corrections to the record.

- (4) After the hearing, the Secretary of State may suspend or deny issuance of a license or driving permit or a nonresident operating privilege of the person involved for a period of 6 months, or for a second or subsequent refusal within 7 years, for 1 year. If the person involved is a resident without a license or permit to operate a vehicle in the state, the Secretary of State may deny to the person the issuance of a license or permit for a period of 6 months, or for a second or subsequent refusal within 7 years, for 1 year. The person involved may file a petition in the Circuit Court of the county in which the arrest was made to review the suspension or denial as provided in Section 323 of the Motor Vehicle Code.
- (5) When it has been finally determined that a nonresident's privilege to operate a vehicle in the state has been suspended or denied, the department shall give notice in writing of the action taken to the Motor Vehicle Administrator of the state of the person's residence and of each state in which he or she has a license to operate a motor vehicle.

Section 5.15g. Preliminary Chemical-Breath Analysis; Refusal; Civil Infraction.

- (1) A peace officer who has reasonable cause to believe that a person was operating a vehicle upon a public highway or other place open to the general public, including an area designated for the parking of vehicles, in the City of Farmington, and that the person by the consumption of intoxicating liquor may have affected his or her ability to operate a vehicle, may require the person to submit to a preliminary chemical breath analysis.
- (2) A peace officer may arrest a person based in whole or in part upon the results of a preliminary chemical breath analysis.
- (3) The results of a preliminary chemical breath analysis shall be admissible in a criminal prosecution for a crime enumerated in Subsection 5.15 (1) or in an administrative hearing under Subsection 5.15f, solely to assist the court or hearing officer in determining a challenge to the validity of an arrest. This subsection does not limit the introduction of other competent evidence offered to establish the validity of an arrest.
- (4) A person who submits to a preliminary chemical breath analysis shall remain subject to the requirements of Subsections 5.15a, 5.15c, 5.15d, 5.15e and 5.15f for the purposes of chemical tests described in those subsections.
- (5) A person who refuses to submit to a preliminary chemical breath analysis upon a lawful request by a peace officer is responsible for a civil infraction.

Section 5.15h. Savings Clause.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this amendatory ordinance takes effect are saved and may be consummated according to the ordinance



COUNCIL PROCEEDINGS -18-  
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in force when they are commenced. This amendatory ordinance shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory ordinance, or initiated after the effective date of this amendatory ordinance for an offense committed before that effective date.

This ordinance is declared to be an emergency ordinance which is immediately necessary for the preservation of the public peace, health and safety.

This ordinance was introduced, adopted and enacted at a regular meeting of the Farmington City Council on March 21, 1983, and will become effective March 30, 1983.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: Tupper.

BIDS: COMMUNITY DEVELOPMENT HOUSING  
REHABILITATION  
23915 FARMINGTON ROAD

Manager Deadman advised that bids for the rehabilitation of a house at 23915 Farmington Road were received by the City Clerk on March 7, 1983 at 10:00 a.m., resulting as follows:

Nancy Newman Farmington Hills, Mi.	\$6,150
Robert E. Green Building Co. Livonia, Mi.	6,573
AMS Custom Homes Farmington Hills, Mi.	7,146
Maple Construction Co. Farmington Hills, Mi.	7,244
Fatih Tanrisever Farmington Hills, Mi.	7,500
B. L. Horner Co. Ferndale, Mi.	10,112

The low bidder, Nancy Newman of Farmington Hills, is approved by the Oakland County Department of Community Development for this type of work.

COUNCIL PROCEEDINGS -19-  
March 21, 1983

Bids included rewiring and insulation of the entire house, roof repair and reshingling. Under the guidelines established by the Oakland County Housing Rehabilitation Program, this particular project will be covered under the Loan Program wherein the homeowner will receive a low-interest loan in the amount of the low bid. The city's Community Development Loans and Grants Committee has reviewed this project and recommends approval.

3-83-084

Motion by Councilman Yoder, supported by Councilman Mitchell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby accepts the low bid of contractor Nancy Newman of Farmington Hills in the amount of \$6,150.00 for the rehabilitation of the single family home at 23915 Farmington Road.

BE IT FURTHER RESOLVED that the funding for this project be provided by the Oakland County Community Development Housing Rehabilitation Loan Program.

ROLL CALL

AYES: Bennett, Hartsock, Mitchell, Yoder.  
NAYS: None.  
ABSENT: Tupper.

RESOLUTION DECLARED ADOPTED MARCH 21, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard questioned whether or not it is permissible for the public to take down dead trees on city property.

Councilman Yoder advised that the city has been complimented on the revised brush pickup program.

ESTABLISHMENT OF JOINT MEETING WITH  
CITY OF FARMINGTON HILLS COUNCIL

Manager Deadman advised that he has communicated with the City of Farmington Hills in an effort to determine an acceptable meeting date for the two Councils to review the proposed budgets of jointly funded agencies. He proposed that a joint meeting be established for Wednesday, April 6, 1983 at 7:00 p.m. in the Farmington Hills City Council Chambers.

City Council agreed that a meeting be established for the above-mentioned date to review the budgets of the Farmington Community Library, the 47th District Court, the Farmington Area Advisory Council, Farmington Youth Assistance, the Farmington Area Commission on Aging and the Farmington Area Arts Commission.

COUNCIL PROCEEDINGS -20-  
March 21, 1983

APPOINTMENT: OAKLAND COUNTY FEDERAL AID  
URBAN SYSTEM TRANSPORTATION FUNDING COMMITTEE

The City Manager advised that the City of Farmington was elected recently as an alternate member of the Funding Committee of the Oakland County Federal Aid Urban System Transportation Task Force. The Farmington representative will serve as an alternate to the City of Huntington Woods, which is one of two cities representing communities with less than 20,000 population in Oakland County.

Manager Deadman stated that this committee serves an important function, as it approves all federal transportation grants awarded within the County by the Federal Government from Urban System funds. He noted that the City of Farmington is a past recipient of these funds which were used for the Farmington Road/Shiawassee Bridge Project.

3-83-085

Motion by Councilman Yoder, supported by Councilman Mitchell, to appoint the City Manager to represent the City of Farmington as the Alternate member on the Funding Committee of the Oakland County Federal Aid Urban System Transportation Task Force. Motion carried, all ayes.

FINANCIAL REPORTS: EIGHT MONTHS  
ENDED FEBRUARY 28, 1983

3-83-086

Motion by Councilman Mitchell, supported by Councilman Hartsock, to receive and file the Financial Reports of the General Fund and the 47th District Court for the eight months ended February 28, 1983. Motion carried, all ayes.

WARRANT LIST

3-83-087

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$14,841.75; Water & Sewer Fund \$648.62.

AYES: Hartsock, Mitchell, Yoder, Bennett.  
NAYS: None.  
ABSENT: Tupper.

MOTION CARRIED, all ayes.

Mayor Bennett asked the City Manager if there were any further developments relative to the proposed street lighting on Farmington Road. Manager Deadman stated that the Edison street lighting designer was presently on a month's vacation, so there was nothing new to report.

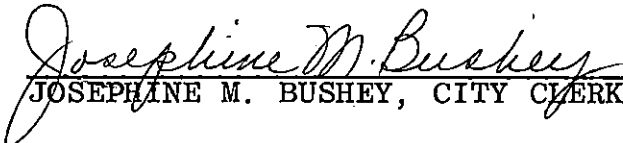
COUNCIL PROCEEDINGS -21-  
March 21, 1983

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:20 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, April 4, 1983, 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 8:03 p.m. by Mayor Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder..

CITY OFFICIALS PRESENT: City Manager Deadman, Deputy Director Lauhoff, Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

Councilman Mitchell called for an addition to the last paragraph of the minutes of the Special Meeting of March 21, 1983, indicating that the owners of The Bootleggers were specifically requested to return to Council with a plan of what they are going to do differently to improve the conduct of their business.

### 4-83-088

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the Special Meeting of March 21, 1983, as corrected; also to approve the minutes of the Regular Meeting of March 21, 1983, as printed. Motion carried, all ayes.

### PUBLIC HEARING: PROPOSED USE OF 1983-84 FEDERAL REVENUE SHARING FUNDS

Prior to the development of the 1983-84 budget, Federal regulations require that the administrator charged with the budget preparation hold a Public Hearing to receive input on the projected use of Federal Revenue Sharing Funds. Council elected to allow the administration to hold this Hearing as part of the regular Council meeting.

Manager Deadman stated that the current Federal Revenue Sharing law will expire at the end of September. He believes that Congress will enact the necessary legislation to continue the program, although it is doubtful that additional appropriations will be forthcoming. He advised that the City of Farmington expects to receive approximately \$56,000.00 during the 1983-84 fiscal year. He further stated that as in the past, the city has allocated the Federal Revenue Sharing Funds to pay Public Safety Officers' salaries.

The Public Hearing was opened to the audience of four persons for suggestions of other proposed uses of these funds. The City Manager answered affirmatively when Bill Liba of 33640 Hillcrest asked if these funds could be used for road repair.

### 4-83-089

Motion by Councilman Hartsock, supported by Councilman Tupper, to close the Public Hearing. Motion carried, all ayes.

April 4, 1983

MINUTES OF OTHER BOARDS

4-83-090

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Farmington Historical Commission minutes of March 16, 1983;  
Beautification Committee minutes of March 10, 1983.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FROM JEF FARLAND RE: KID'S DAY

Recreation Superintendent Jef Farland's letter advised that the Kid's Day Committee requests that Raphael and Shiawassee Streets be closed for their annual celebration to be held on Saturday, July 9, 1983. They ask that these streets be closed from 7:30 a.m. until 8:30 p.m. They will also contact the Public Safety Director relative to traffic control and parking coordination arrangements.

4-83-091

Motion by Councilman Mitchell, supported by Councilman Hartsock, to close Raphael Street from Shiawassee north to Ten Mile Road and to close Shiawassee from Farmington Road east to Power Road on Saturday, July 9, 1983, from 7:30 a.m. until 8:30 p.m. for the annual Kid's Day celebration. Motion carried, all ayes.

MAYORS EXCHANGE DAY

Manager Deadman stated that the Mayors Exchange Day Committee of Michigan has informed Farmington that their exchange city this year is Sterling Heights, Michigan. His office has already contacted the City Manager of Sterling Heights to begin planning for this event. They will attempt to schedule the day so as not to interfere with Council meetings. Mr. Deadman pointed out two alternatives. Both cities will either exchange on the same day, or each will select a different day to visit the other community. He indicated that Sterling Heights seems to prefer two days so that the full Councils can participate in this exchange.

REQUESTS FOR PROCLAMATIONS

Proclamations were requested by The American Legion for Poppy Month and Poppy Days and by the Muscular Dystrophy Association for Muscular Dystrophy Month.

4-83-092

Motion by Councilman Mitchell, supported by Councilman Yoder, to issue the following proclamations:

POPPY MONTH and	-	Month of May
POPPY DAYS	-	May 19, 20, 21, 1983
MUSCULAR DYSTROPHY MONTH	-	May 15 - June 15, 1983

Motion carried, all ayes.

April 4, 1983

RATIFICATION OF TWO-YEAR WORK AGREEMENT  
PUBLIC SAFETY OFFICERS

The City Manager advised that the negotiated two-year work agreement with the Public Safety Officers has been ratified by the Union and was being presented to City Council for ratification. He highlighted the major items addressed in the new agreement.

Mr. Deadman noted that the city will begin to provide health insurance for retired employees effective July 1, 1983, based on a formula taking into consideration years of employment at retirement. Other economic benefits include a transfer of the optical program from an outside provider to a city-controlled program similar to the dental program. Longevity benefits have also been increased.

4-83-093

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby ratifies the two-year work agreement with the Public Safety Officers Unit of the Teamsters Law Enforcement Local No. 129, beginning July 1, 1982 through June 30, 1984, as proposed, and

BE IT FURTHER RESOLVED that Council authorize the City Manager to sign the agreement on behalf of the City.

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.

NAYS: None.

RESOLUTION DECLARED ADOPTED APRIL 4, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

PROPOSED ORDINANCE NO. C-504-83: USE OF  
CLAW OR SPRING TYPE ANIMAL TRAPS

Director Seifert has requested this ordinance controlling the use of animal traps in densely populated areas such as the City because of the inherent danger that such traps present to persons, especially children, and domestic animals.

4-83-094

Motion by Councilman Mitchell, supported by Councilman Hartsock, to introduce Ordinance C-504-83 relative to the use of claw or spring type animal traps, which ordinance would add a new Section 9.106 to Chapter 89, Animals, of the Farmington City Code. Motion carried, all ayes.

CONSIDERATION OF TRANSFER OF SDM PACKAGE  
BEER AND WINE LICENSE: GRAND Q PARTY STORE

Manager Deadman advised that as a result of the death of Saad Qarana, the Probate Court has awarded his surviving widow, Riwaida Sh Qarana, the business at 32330 Grand River, which is the Grand Q Party Store. Mrs. Qarana has petitioned the Liquor Control Commission for transfer

of the license from her deceased husband to herself. The Public Safety investigation revealed no reason to deny this transfer.

No Council action is, therefore, required.

ATTORNEY'S REPORT: PROPOSED REORGANIZATION OF FARMINGTON COMMUNITY LIBRARY

Manager Deadman submitted to Council Attorney Paul Bibeau's report on the questions raised by the two City Councils relative to whether or not to place a reorganizational question for the Farmington Community Library on the November ballot. In his report, the attorney raised several serious questions as to whether the reorganization of the library, as proposed by the Library Board of Trustees, would provide anything other than an opportunity for the Board to place millage questions before the electorate.

It is apparent that Attorney Bibeau is convinced that the difference between the Public Acts of 1955 and 1978 relative to District Libraries, did little to clarify the status of a Library Authority other than to shift control, allowing greater autonomy to the Board of Trustees. Even with this autonomy, municipalities still are obliged to provide finances necessary for the continuation of the District Library. The attorney points out that there are many problems yet to be resolved as a result of the poor construction of both the 1955 and the 1978 Public Acts.

Attorney Bibeau states that the status of District Library Boards as 'Authorities' is very unclear in Michigan. Also, the State Librarian's Office has indicated that the District Library, as an Authority is being challenged by numerous municipalities throughout the State as well as by various departments of the State of Michigan itself.

He further states: "Since it is very unclear as to the status of the District Library as an Authority, it would perhaps be unwise to change the Farmington Community Library until the State Legislature, the State bureaucracy, or the courts have had an opportunity to clarify this situation."

Manager Deadman pointed out that although our local Library Board of Trustees has stated that the new legislation would provide them the necessary clarity in their status to improve their operation, this is certainly not the case according to the attorney's report.

Council advised that perhaps this matter could be further discussed with the Farmington Hills Council at the April 6th budget meeting. If this is not feasible, the City Manager was instructed to arrange another meeting date for this purpose.

City resident Bill Liba asked if the Library gets its funds from the City budget. He was advised that the City allocates to the Library a bottom line figure, about 9/10 of a mill, which they may apply in any way they wish. Mr. Liba suggested that perhaps the Library should remain as is.



PROPOSED ORDINANCE NO. C-505-83: TO CONTROL  
DAMAGE AND THEFT OF LIBRARY BOOKS

The City Manager advised that Gordon Lewis, Library Director, has indicated that today the cost of one library book is in excess of \$20.00. He also estimates that between 5% and 10% of the book collection is lost yearly through outright theft or failure of patrons to return books. It was suggested that the proposed ordinance will provide the library administration the tools necessary to reduce theft and failure to return materials.

4-83-095

Motion by Councilman Yoder, supported by Councilman Mitchell, to introduce Ordinance C-505-83 to control theft and failure to return library books, thereby adding new sections 9.144 and 9.145 to Chapter 90 of the Farmington City Code. Motion carried, all ayes.

Manager Deadman pointed out that the proposed ordinance is written for "Public Libraries" rather than designating the Farmington Community Library alone, so that if necessary it could be applied to school libraries and/or the Oakland Community College Library as well.

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard and Manager Deadman brought Council up to date relative to a project that will affect the Farmington Museum. The Fendt Builder's Supply Company will donate to the Museum enough paving blocks (samples of which were viewed by Council) to cover the approach off of Grand River and the driveway next to the building if the City will provide the labor to install the blocks. Mr. Deadman advised that the city is presently in the process of trying to arrange for city employees to do this work. He stated that if the blocks are easily placed, he may request Council approve installing these paving blocks in the whole area.

APPOINTMENTS TO FARMINGTON HISTORICAL  
COMMISSION

Since the terms of Margaret Walker and Donald Munter on the Farmington Historical Commission expired last month, they were asked to serve another three-year term, if so appointed by Council. Manager Deadman pointed out that they have both been hard working members of the Commission.

4-83-096

Motion by Councilman Hartsock, supported by Councilman Tupper, to reappoint Margaret Walker and Donald Munter for another three-year term on the Farmington Historical Commission; said term to end in March 1986. Motion carried, all ayes.

AUDIT REPORT: 47th DISTRICT COURT  
YEAR ENDED DECEMBER 31, 1982

Councilman Mitchell called attention to the auditors recommendations, suggesting that they should be raised at the budget meeting on April 6

COUNCIL PROCEEDINGS -6-  
April 4, 1983

to make sure that those recommendations are incorporated into the office procedures of the departments affected..

4-83-097

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and file the Plante & Moran Audit Report of the 47th District Court for the year ended December 31, 1982. Motion carried, all ayes.

WARRANT LIST

4-83-098

Motion by Councilman Mitchell, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$45,799.32; Water and Sewer Fund \$20,454.31.

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.

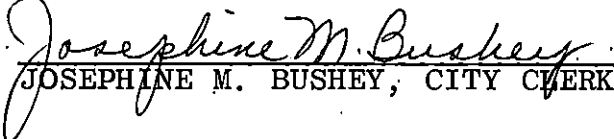
MOTION CARRIED, ALL AYES.

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Yoder, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:40 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, April 18, 1983, 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 Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Deputy Director Lauhoff, Engineer Mariner, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

4-83-099

Motion by Councilman Mitchell, supported by Councilman Yoder, to approve the minutes of the meeting of April 4, 1983, as submitted. Motion carried, all ayes.

### PUBLIC HEARING: TO REVIEW OLD TOWN DRAIN, SPECIAL ASSESSMENT DISTRICT 82-72

The City Manager advised that as part of the Special Assessment procedure, Council is required to hold a Public Hearing to review the Special Assessment Roll prepared by the City Assessor. All interested property owners have an opportunity at this meeting to present their position relative to the Special Assessment Roll.

Manager Deadman explained that the Special Assessment District has been divided into sections: Section "A" comprised of those properties which will receive immediate benefit from the proposed improvement, and Section "B" made up of those properties which will receive future benefit. Costs have been allocated to the two Districts in proportion to engineering estimates of the size of system necessary to service each District. The engineers have determined that the additional pipe size to be installed to serve the future needs of District "B" has added 25% to the cost of the project. Therefore, the Special Assessments of District "A" will cover 75% of the Special Assessment portion of the project cost while District "B" will cover 25% of the cost.

Due to favorable bids received for this project, the City has been able to reduce the estimated Special Assessments from 16.50¢ per sq. ft. of property owned to 13.86¢ in District "A". In District "B" Special Assessment costs have been reduced from 5.5¢ per sq. ft. of property owned to 4.23¢. Commercial property is to be assessed in each District at twice the amount of residential property.

Manager Deadman advised that based on current estimates, the total cost of the project will be \$737,000.00. The city-at-large will

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fund \$398,935.00, or 54% of these costs. Special Assessment Districts will fund \$338,065.00, or 46% of the cost of the project. It is anticipated that bonds for this project will be sold at approximately 10% interest. The payment schedule will be over a 15 year period, with the first payment due on August 1, 1983. All payments thereafter will be due on July 1 of each year.

The City Manager advised that the new federal law dealing with the registration of governmental bonds goes into effect June 30, 1983, and the City is attempting to sell bonds for this project prior to this date. The City's Bonding Attorney believes that nonregistered bonds may be more desirable than registered bonds; also that bonds marketed before June 30th may carry a slightly lower interest rate.

The City Manager called on David Mariner, Engineer, to describe the extent of the project to those present, as the final draft of the engineering portion of the project is now complete.

Mr. Mariner described the basic problem relative to basement flooding occurring during large storm events. He used diagrams and drawings to show the results of a survey which identified the homes with flooding problems, indicating that presently the storm water and sanitary flow go through the same pipe in a combined system. Since the system was built in the early 1930's, the design standard of that time permitted this. Mr. Mariner pointed out that current standards do not allow storm water and sanitary flow to be conveyed in the same pipe.

The engineer explained that the pipe in the proposed system has been oversized so that it can be expanded and extended up into the system to take care of similar problems in the northern half of District "A". New pipe will run down Slocum to Grand River to alleviate a current bottleneck in the area.

He indicated that final engineering plans were about \$140,000.00 less than originally anticipated due to favorable bids.

Mr. Mariner advised that two fringe areas where water flowed into the system have been taken care of: the Cortland/State Street area and the Alta Loma intersection.

The City Manager submitted a letter from Louis C. Doyle, 33936 Schulte Street, objecting to the assessment on his property in District "A". The City Engineer has looked at his property and determined that it is rightfully listed in District "A".

Mayor Bennett opened the public hearing for comments of those present, asking that questions first be asked concerning engineering; then matters pertaining directly to individual assessments.

The following residents spoke to the issue:

COUNCIL PROCEEDINGS -3-  
April 18, 1983

David Smith, 33611 Oakland, wanted to know if this system would help alleviate the flooding problem in a 3 ft. area below Oakland between Cass and Liberty which floods annually to a depth of 5 in. to 2 ft., depending upon the time of year. The engineer advised this would not alleviate the problem, although it would provide an outlet should a pipe be required to drain that area.

Rosemary Knighton, 33920 State Street, wanted to know if opening up the drains is going to keep the water west of Wil marth and north of Schulte. She noted that although water usually flows from a higher to a lower level, she has watched it bypass the manhole and flow north on Wil marth. The engineer stated that there is no design that would keep all of the water out of the system, although the current design standard is set up for 10 year storm capacity. He indicated that with the repairs outlined and by redoing the actured pavement section, the water will be forced into the catch basin, thereby preventing it from running around the corner.

Mrs. Knighton also wanted to know why the people west of Wil marth and south of Schulte are not paying a certain percentage for the new system, as some of their water is contributing to the problem. Manager Deadman pointed out that these people already have a separated system in place through which their water is picked up and carried west to Gill Road. Although there are about ten parcels of property in that section, it doesn't make sense to include them in the District as the small amount of water involved would make their total assessment amount only approximately \$1,000.00. Mr. Deadman further indicated that one of the reasons the city-at-large is picking up such a large portion of the contribution is that we realize that there will be some small differences in fringe areas.

John Randolph, 23354 Cass, was interested in the projected time element. Manager Deadman advised that it is hoped that the bonds will be sold sometime in the latter part of June. Once they are sold and the City has the money for the project, the project will be given to the contractor. Barring any unforeseen problems, the work should be completed in one construction year, by the winter of 1983.

Mr. Randolph wanted to know if some of the streets would be completely closed during certain periods. The City Manager stated that during the construction day, the particular street would be shut down for the movement of heavy equipment in and out. At the end of the day, however, residents would have access on one side of the street, except for those streets like Slocum which have to be put back in concrete. It will take four to five days for the pavement to cure properly. There will, however, be temporary stone driveways put in by the contractor to allow access for residents while pavement is being replaced.

The City Manager advised that there is a possibility that in areas where there is lead service or galvanized service, it is the City's intent to replace these with copper which will necessitate taking out pavement in such areas as they go through the districts.

COUNCIL PROCEEDINGS -4-  
April 18, 1983

Mike Petrus, 33904 Schulte, asked what the risk would be during the construction period of having additional basement flooding should there be any large storms. The engineer stated that nothing will be removed from the existing system and tied into the new one until the new system is ready to accept the new lines.

Gladys Sikora, 33479 Alta Loma, asked for the exact boundaries of District "A" by streets. Engineer Mariner said that these boundaries extend from the corner of Cass down to Farmington Road on both sides of the street, (on Alta Loma).

Mrs. Sikora mentioned that there are two parcels east of Farmington Road on Orchard Street that flood every time the other areas flood. She stated that at the last public hearing it was noted that some of the water from the parking lot in the Downtown Shopping Center empties into this system. Engineer Mariner explained that the outlet for Mrs. Sikora's system is a 33" and a 36" pipe which eventually gets up to a 42" pipe and a 48" pipe before it enters into the river, but that water does not contribute to her problem. He indicated that those people may have an independent problem because of a lateral sewer, and their problem is not as severe as the problems in the Old Town area.

Mrs. Sikora pointed that about ten homes on Cass Avenue south of Alta Loma flood, but are not in this assessment district. The engineer explained that these homes have separate sanitary and storm lines.

Mrs. Sikora stated she is willing to pay her share, but she does not think it is fair for people who do not have a flooding problem, without basements, to be assessed at the high District "A" rate, when people who will be getting a direct benefit from this project are not assessed at all. She wished to to on record as voicing a complaint about the manner in which the boundaries were drawn. She does not think that all the people involved were totally taken into consideration.

Joan Lorenz, 33744 Schulte, has contracted to put in a new driveway this summer and wanted to know if she should wait. The engineer advised that the only disturbance will be at the intersection of Schulte and Cass; the first set of driveways on Schulte will not be involved in the construction.

Mrs. Lorenz asked if it were conceivable that this project when completed would have such a long reaching effect that it would benefit those in the area of Grand River and Middlebelt. Manager Deadman stated that the effect of this project is that we will be moving water faster to the Upper Branch of the Rouge River.

Mike Fortuna, 36355 Grand River, asked what this new drainage system would do for his property as the sewer is presently 75 ft. away from his parcel. Manager Deadman advised Mr. Fortuna that his is a sanitary problem, and the new system is to alleviate storm problems only.

COUNCIL PROCEEDINGS -5-  
April 18, 1983

Mr. Fortuna was advised that his assessment will be for the capacity necessary to serve his property in the future for storm water.

Doris Lenz, 24000 Pickett, could not understand why the storm sewers cannot be extended on Pickett inasmuch as the residents are going to be assessed and get no immediate benefit. The City Manager advised that to extend the storm sewer into District "B" would cost the residents approximately 75% more than the present assessments, and it didn't seem fair to burden the whole district with the additional cost to solve a problem that could be taken care of at a lesser cost.

David Smith of Oakland Street (parcel 23-28-276-004) pointed out that his assessment is the highest in the area even though he has had no basement flooding, but has land flooding that will not be alleviated by this project. The City Manager asked that Mr. Smith leave his name and address before leaving as he will come out to take a look at Mr. Smith's property.

Louis C. Doyle, 33936 Schulte, stated that Council has failed to convince him that this project is going to do him any good. In fact, he feels that it will harm his situation because immediately upon the assessment going into effect his property will drop some \$2,250.00 in value. He gets no benefit from the project. His house is on a slab on top of a hill where he feels he is helping the system by absorbing a lot of water into the ground. He feels that if he sells his house he will take a loss. He asked if the Assessor is going to separate District "A" residents from the rest of the people. He wants Mr. Sailer to take into account that his property has a lien against it, and wants his assessment reduced accordingly.

Mayor Bennett pointed out to Mr. Doyle that his property is not less valuable because of the assessment, because the value on which his assessment is made remains constant. The investment Mr. Doyle has made in his property may be greater, but that does not change the value of the property.

Manager Deadman reminded Mr. Doyle that the situation he described exists everywhere storm drainage or sanitary sewer waters are put into the ground. He further reminded Mr. Doyle that the State has determined how property is assessed, not Mr. Sailer.

Councilman Mitchell told Mr. Doyle that there is a certain logic in what he said, but he pointed out that the City has a professional assessor in Mr. Sailer who will consider this input which Council will give him. He advised Mr. Doyle that if at that time he still is not satisfied in the way he has been treated, he has the right to go to the Board of Review to appeal his case when the new assessments are available.

Jesse and William Corliss, 23440 Wilmarth, questioned the engineer relative to the removal of the restrictive catch basin covers.

COUNCIL PROCEEDINGS -6-  
April 18, 1983

Mrs. Corliss asked where that water is going to run. She was advised that it is running totally in the opposite direction from her house. Mr. Mariner stated that the water runs through a storm sewer system which takes it down and out to Gill Road; then it goes south across the expressway.

Mr. Corliss asked if there is any way to determine the amount of water that was coming in before the restrictive catch basin covers were removed, and he wanted to know if this would have contributed to a large part of the problem. The engineer answered negatively, stating that probably only about 2 1/2 acres of land contributed in through that area, while the present area affected is around 98 acres.

Cora Myers, 33601 Shiawassee, in "B" District protested her large assessment, stating that she has almost an acre of land with 3/4 of an acre in garden, fruit trees and grapes. She does not feel that the rainfall on that area is contributing to the problem at the same rate as other areas.

Manager Deadman advised Ms. Myers that the City finds itself in the same situation with its parklands in the district and the Governor Warner Mansion consisting of extensive lawn areas. He indicated that no effort has been made at any sort of separation of districts other than to distinguish between residential and commercial properties, primarily because it has been the acceptable way to assess storm drainage improvements which has been historically acceptable to courts. He pointed out that it is impossible to cover all of the variables. He recognized that Ms. Myers has an unusually large parcel, and asked if the property has any potential of being divided into smaller parcels or of being split off at the rear as others have already been split.

Ms. Myers stated the property could not be divided or split off at the rear, indicating that it was platted in the 30's, that it was originally four lots and is now two lots.

Mr. Deadman stated that since Ms. Myers' parcel is unusually large and does, in fact, contribute water to the district, the City would have to build enough capacity in the system to handle it in the future. He pointed out that there has been no effort to separate large parcels from small parcels in the assessment districts.

A State Street resident asked what the Detroit Water Board truck was doing recently on Cass and State Street, and if their presence was in relation to a dye test. The City Manager had no idea why the Water Board truck was in the area unless it was that they were looking for high strength pollutants, although he could not understand why they would be doing so in a residential area.

Bill Liba, 33640 Hillcrest, who is outside the drainage district pointed out that the rest of the city residents will be picking up their portion of the 54% of the costs of this improvement, while those in the problem areas are assuming the lesser portion, or 46%.



COUNCIL PROCEEDINGS -7-  
April 18, 1983

4-83-100

Motion by Councilman Hartsock, supported by Councilman Mitchell, to close the Public Hearing. Motion carried, all ayes.

The Mayor declared a four minute recess at 8:40 p.m. Approximately forty people attended the Public Hearing.

The meeting was called to order again at 9:00 p.m. to continue with the agenda items.

MINUTES OF OTHER BOARDS

4-83-101

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and/or file the minutes of the following Boards:

Farmington Area Commission on Aging minutes of January 25 and March 22, 1983;

Farmington Area Arts Commission minutes of March 17, 1983;

Farmington Community Library minutes of March 3, 1983.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR PERMISSION FOR ANNUAL LITTLE LEAGUE OPENING DAY PARADE: SOUTH FARMINGTON BASEBALL, INC.

J. J. Casaroll, South Farmington Baseball, Inc., requested permission for the annual Little League Opening Day Parade beginning at the Farmington Municipal Building and ending at the City Park via Grand River to Warner, then to Shiawassee, and finally to Diamond #2, on Saturday, May 7, 1983.

4-83-102

Motion by Councilman Yoder, supported by Councilman Tupper, to grant permission for the annual Little League Opening Day Parade on May 7, 1983, beginning at 10:00 a.m. from the Farmington Municipal Building to the City Park on Shiawassee. Motion carried, all ayes.

REQUEST FROM DAVID WHITLOCK TO PAINT HOME ADDRESSES ON CURB SECTIONS

In a letter from Ann Arbor, U of M student David K. Whitlock asked Council's permission to paint address numbers on residential curb sections during the coming summer months to help with his college expenses. He has promised to obtain prior approval of each resident.

4-83-103

Motion by Councilman Yoder, supported by Councilman Mitchell, to permit U of M student David K. Whitlock to paint home address numbers on residential curb sections during the coming summer after obtaining prior approval of each resident. Motion carried, all ayes.

COUNCIL PROCEEDINGS -8-  
April 18, 1983

CITY OF OAK PARK RESOLUTION RE: RENEWAL  
OF GENERAL REVENUE SHARING ACT

The City of Oak Park requested support of House Bill 1930 which would renew the General Revenue Sharing Act. They ask that Congress continue to provide payments to local governments on an entitlement basis in accordance with House Bill 1930, which is currently in the Government Operations Committee. This House Bill would extend the Revenue Sharing Program through 1988 and would restore the State's share of entitlement at a level of \$2.65 billion dollars annually while increasing the local government share from 4.6 billion to 5.3 billion dollars annually.

Manager Deadman advised that Farmington has traditionally used the Federal Revenue Sharing funds for Public Safety services and senior citizen programs. If the program is continued, the city anticipates receiving approximately \$55,000.00.

4-83-104

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and file the City of Oak Park resolution relative to supporting House Bill 1930. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

4-83-105

Motion by Councilman Tupper, supported by Councilman Mitchell, to issue the following proclamations:

NATIONAL MUSIC WEEK	- May 1 - 8, 1983
MOSLEM SHRINE HOSPITAL NEWSPAPER SALE DAYS	- June 10, 11, 1983
PROFESSIONAL SECRETARIES WEEK	- April 24 - 30, 1983
BIKE-TO-WORK DAY	- May 11, 1983
NATIONAL CONSUMERS RABIES AWARENESS WEEK	- April 24, - 30, 1983

Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PRESENTATION: ANNUAL FISCAL YEAR BUDGET  
FOR 1983-84

Manager Deadman submitted to Council the 1983-84 fiscal year budget recommendations. He indicated a problem of dropping revenues at just about every level in the State. Mr. Deadman advised that all other city revenues, with the exception of local property taxes, will be going up a little over 1% in the coming year. He advised that state revenue sharing, at best, is anticipated to be flat, and the only other source of revenues for the city is the local tax base. Assessed valuations throughout the community will drop approximately 2% on an overall average, and will average 4% on residential properties.

COUNCIL PROCEEDINGS -9-  
April 18, 1983

The City Manager anticipates using a major portion of the city's surplus to balance the coming year's budget, and to increase the local taxes as follows: 6/10 of a mill to pay debt service for the two drainage projects (the Caddell Drain and the Old Town Drainage District), and slightly over 3/10 of a mill for operation.

In compliance with the Opening Meeting Act, Manager Deadman suggested that Council establish several meeting dates for budget review sessions prior to the deadline for budget adoption the first week in June.

Council agreed to set the following budget review sessions at 7:00 p.m. on Tuesday, April 26; Tuesday, May 3; Thursday, May 5 and Thursday, May 12, 1983. The Clerk will post these dates in compliance with the Opening Meeting Act.

RECOMMENDATION TO PERMIT OAKLAND COUNTY TO  
COLLECT DELINQUENT PERSONAL PROPERTY TAXES

The City Manager advised that Treasurer Woods has recommended that the city turn over to the County Treasurer the collection of delinquent property taxes as permitted in recently adopted Public Act 206 of 1983, which allows local governments to transfer this responsibility. In payment for these services, the county will keep a "sale fee" interest penalty which may be derived from these collections. The county will also collect whatever costs, fees or expenses that may be allowed by a court if a court remedy is pursued as part of the collection process.

The present system of collections is costly in terms of staff time. It appears that the county may be more effective in the collection process as they will be better able to develop personnel with special expertise to deal with problems associated with the collection of these taxes.

4-83-106

Motion by Councilman Hartsock, supported by Councilman Tupper, to authorize the City Manager to enter into an agreement with the County of Oakland which provides that the County Treasurer shall collect delinquent personal property taxes for the years 1983 through 1985. Motion carried, all ayes.

INCREASE IN WHOLESALE SEWER RATES  
FOR OAKLAND COUNTY

Manager Deadman stated that the city has been placed on notice by the Oakland County Department of Public Works that effective June 1, 1983, the wholesale sewerage disposal rates for the Farmington-Evergreen sewer system will increase. The wholesale sewer rate for this system has been increased by the City of Detroit 24¢ per thousand cubic feet of sewerage treated.

To offset the increased costs for the new rates of Oakland County and the City of Detroit, as well as increased expenses in the city's

COUNCIL PROCEEDINGS -10-  
April 18, 1983

Water and Sewer Department operation; Mr. Deadman advised that it will be necessary to raise local water and sewer rates, recommending an increase of 7¢ per thousand gallons of water used and a 75¢ increase on the minimum customer bill.

The City Manager indicated that Council will have an opportunity to review the financial impact of the new wholesale water rate increases as part of the budget review process.

PROPOSED IMPROVEMENT: FARMINGTON/FREEDOM  
ROAD INTERSECTION

Stating that the Farmington Road/Freedom Road intersection has been added to the Oakland County Road Commission's 1983 Road Rehabilitation and Safety Projects, Manager Deadman advised that the Road Commission proposes to widen Farmington Road to five lanes with a center left-turn lane.

The project will continue the Farmington/Nine Mile Road Improvement project through the Freedom Road intersection, and the sidewalk on Farmington Road will be relocated behind the bridge supports on the east side of Farmington Road.

Construction is scheduled for the summer of 1983 for this project which will be partially funded from the Federal Highway Aid System. The remaining portion will be funded by the Oakland County Road Commission.

Relocation of street lighting on Farmington Road will be necessary to facilitate this project at a cost of between \$3,000.00 and \$4,000.00.

4-83-107

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes the City Manager to enter into a contract with Detroit Edison to relocate street lighting involved in the Farmington Road/Freedom Road intersection improvement, and

BE IT FURTHER RESOLVED That funds for the street lighting relocation be provided through the Major Street Highway Funds.

ROLL CALL:

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 18, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS -11-  
April 18, 1983

BIDS: OLD TOWN DRAIN AND  
WATER IMPROVEMENT

Manager Deadman advised that bids for the Old Town Storm Drain Improvement Project were received on April 12, 1983, at 10:00 a.m. Out of twenty bids received, M. D. Taddie & Company, Inc., of Ypsilanti, Michigan, was the low bidder in the amount of \$623,856.40.

The City Engineer's review has determined that M. D. Taddie & Company have the equipment and experience to complete the job as bid, and therefore, recommends that the city award the bid to this company.

The City Manager advised that in an effort to obtain competitive bids, a portion of the Water Improvement Program was added to this project as follows:

Old Town Storm Drainage Project	\$599,014.90
Water Improvement Project	<u>24,841.50</u>
TOTAL:	\$623,856.40

It is believed that the very competitive bids received will allow the city to reduce the special assessment costs of the Old Town Drain from the engineering estimates.

4-83-108

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes the City Manager and the City Clerk to enter into a contract with M. D. Taddie & Company, Inc., of Ypsilanti, Michigan, in the amount of \$623,856.40 for the Old Town Drain and Water Improvement Project, and

BE IT FURTHER RESOLVED That funds for this project be provided from the sale of General Obligation, Water and Sewer and Special Assessment Bonds.

ROLL CALL:

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 18, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

MISCELLANEOUS

PUBLIC COMMENT

Manager Deadman brought Council up to date on the Farmington Road Street Lighting. He stated that the Detroit Edison engineer has returned from vacation and is in the process of redesigning the system in an effort to meet some of the criteria set down by the City of Farmington Hills relating to the spacing of these lights. A meeting in the next week or so will enable representatives from both cities to see the newly designed system.

Nancy Leonard questioned how street lights can go out during a storm without home lighting being affected. She was advised that each type of lighting is on different circuits.

In answer to her question concerning the new fencing at Oakwood Cemetery, Mrs. Leonard was advised that it would be installed sometime this year.

Concerning the Library question, Mrs. Leonard was advised that it will probably be dealt with in the next month.

APPOINTMENT: BOARD OF ZONING APPEALS

At an early meeting this evening, City Council interviewed two candidates for appointment to the Board of Zoning Appeals for the opening created by the resignation of Bayard Tupper.

4-83-109

Motion by Councilman Mitchell, supported by Councilman Tupper, to appoint Paul J. McKeough, 33815 State Street, to the Board of Zoning Appeals for the unexpired term of Bayard Tupper; said two-month period to terminate in mid-June, 1983. Motion carried, all ayes.

It was suggested that Arnold Campbell's resumé be kept on file for future reference.

RESOLUTIONS AND ORDINANCES

Relative to Resolution No. 5 of the Special Assessment procedure, Mayor Bennett asked the City Manager if anything that came up during the Public Hearing would change the Assessment Roll. No changes were noted.

4-83-110

Motion by Councilman Yoder, supported by Councilman Mitchell, to adopt the following resolution:

RESOLUTION NO. 5

WHEREAS, the City Council has met after due and legal notice and reviewed the special assessment roll prepared for the purpose of defraying the Special Assessment District's share of storm drain improvements to be located within Special Assessment District 82-72, all of the above being located in the City of Farmington; and

COUNCIL PROCEEDINGS -13-  
April 18, 1983

WHEREAS, after hearing all persons interested therein and after carefully reviewing said special assessment roll, the City Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon are in proportion to benefits received;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$369,344.23 is hereby confirmed and shall be known as Special Assessment Roll No. 82-72.
2. Said special assessment roll shall be divided into fifteen (15) equal annual installments, the first of which shall be due and payable on August 1, 1983, the second on July 1, 1984, and the subsequent installments shall be due on July 1st of each and every year thereafter.
3. Interest shall be charged on the unpaid balance of said special assessment roll at the rate of eight per cent (8%) per annum from August 1, 1983; provided, however, after the issuance of bonds to be issued in anticipation of the collection of the unpaid assessments of said Special Assessment Roll, the City Treasurer be and is hereby directed to adjust said rate of interest to a rate which is not more than one (1) percentage point in excess of the average rate borne by said bonds.
4. Said Special Assessment Roll No. 82-72 shall be placed on file in the Office of the City Clerk, and the City Clerk is hereby directed to attach her warrant to a certified copy of the aforesaid special assessment roll within ten (10) days commanding the Assessor to spread the various sums and amounts appearing thereon on the Special Assessment Roll in the annual installments as directed by the City Council. The City Clerk is hereby directed to endorse the date of the adoption of this Resolution on said roll.
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.

RESOLUTION DECLARED ADOPTED APRIL 18, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

4-83-111

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following Resolution:

NOTICE OF INTENT RESOLUTION

WHEREAS, the City Council of the City of Farmington (the "City"), intends to authorize the issuance of special assessment bonds for the purpose of defraying the special assessment district's share of the cost in connection with certain storm sewer improvements and general obligation bonds of the City for the purpose of paying the City's share of the cost of said improvements in the City; and

WHEREAS, notice of intent to issue bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in the OBSERVER of Farmington, Michigan, a newspaper of general circulation in the City.

2. Said notice of intent so published shall be in substantially the following form:

NOTICE TO ELECTORS AND TAXPAYERS  
OF THE CITY OF FARMINGTON  
OF INTENT TO ISSUE BONDS  
SECURED BY THE CITY'S TAXING POWER  
AND RIGHT OF REFERENDUM

---

PLEASE TAKE NOTICE that the City Council of the City of Farmington may authorize the issuance and sale of Limited Tax General Obligation Bonds of the City in the principal amount of not to exceed in total Three Hundred Sixty-nine Thousand Dollars (\$369,000), for the purpose of paying the City's share of the cost of certain storm sewers improvements in the City, and Special Assessment Bonds of the City, in the principal amount of not to exceed Three Hundred Sixty-nine Thousand Dollars (\$369,000), for the purpose of paying the special assessment district's share of the cost of public improvements consisting of storm sewer, drainage and related similar improvements in Special Assessment District No. 82-72 in the City.

SOURCE OF PAYMENT

OF SPECIAL ASSESSMENT BONDS

THE PRINCIPAL AND INTEREST OF SAID SPECIAL ASSESSMENT BONDS shall be payable primarily from collections of an equal amount of special assessments and the bonds shall also pledge the limited tax full faith and credit of the City of Farmington.



In case of the insufficiency of said special assessments the principal and interest on said bonds shall be payable from the general funds of the City or, if necessary, from ad valorem taxes levied upon all taxable property in the City. Such tax levy shall be subject to applicable constitutional and statutory limitations.

SOURCE OF PAYMENT  
OF GENERAL OBLIGATION BONDS

THE PRINCIPAL AND INTEREST OF SAID GENERAL OBLIGATION BONDS shall be payable from the general funds of the City and the City is required by law to levy sufficient ad valorem taxes, if necessary, for the payment thereof upon all taxable property in the City. Such tax levy shall be limited to applicable constitutional and statutory limitations.

BOND TERMS

Said bonds will be payable in not to exceed 20 annual installments and will be offered for sale at a rate not to exceed the maximum rate of interest permitted by state law.

RIGHT OF REFERENDUM

THE SPECIAL ASSESSMENT AND GENERAL OBLIGATION BONDS will be issued without vote of the electors unless a petition signed by not less than 10% of the registered electors of the City is filed with the City Council within forty-five (45) days after publication of this Notice by depositing same in the office of the City Clerk. Petitions for referendum may be filed for either the Special Assessment or the General Obligation Bonds, or both. If such a petition is filed, the bonds against which said petition is filed may not be issued unless approved by a majority vote of the electors of the City voting on the question of their issuance.

THIS NOTICE is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended.

Additional information may be obtained from the offices of the City Clerk.

*Josephine M. Bushey*  
City Clerk

COUNCIL PROCEEDINGS -17-  
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3. The City Council does hereby determine that the foregoing form of notice of intent to issue bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the bonds, the purpose of the bond issues, the security for the bonds, and the right of referendum of the electors with respect thereto under all of the circumstances, and that the provision of forty-five (45) days within which to file a referendum petition is necessary and adequate to insure that the City's electors may exercise their right of referendum with respect to the bonds.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Councilmen Yoder, Bennett, Hartsock, Mitchell, Tupper.

NAYS: Councilmen None

RESOLUTION DECLARED ADOPTED APRIL 18, 1983.

*Josephine M. Bushey*  
City Clerk

4-83-112

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following Resolution:

SPECIAL ASSESSMENT AND GENERAL OBLIGATION BOND RESOLUTION

City of Farmington  
County of Oakland

WHEREAS, Special Assessment Roll No. 82-72 for the construction of public improvements in said Special Assessment District in the City have been prepared, reviewed and confirmed by the City Council; and

WHEREAS, the City Council deems it necessary to borrow money and issue bonds (i) in anticipation of the collection of said special assessments to defray part of the cost of said public improvements, and (ii) to defray the City's portion of the cost of said public improvements, all in accordance with law;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The estimated period of usefulness of said public improvements is not less than twenty (20) years.

2. Bonds of the City be issued in the amount of Three Hundred Sixty-Nine Thousand Dollars (\$369,000) in anticipation of the collection of an equal amount of the unpaid installments of special assessments on Special Assessment Roll No. 82-72. In addition to the special assessments primarily pledged as aforesaid, the City's full faith, credit and resources shall be pledged secondarily for the prompt payment of the principal and interest on said bonds as the same become due, which secondary pledge shall include the City's limited tax obligation, within applicable constitutional, statutory and charter limits, and its general fund. The City shall provide as a first budget obligation that if the pledged special assessments are not collected in amounts sufficient to pay the principal of and interest on said bonds as the same become due, the City will promptly advance from its general funds including collections of ad valorem taxes sufficient moneys to pay that principal and interest. The bonds shall be designated 1983 SPECIAL ASSESSMENT LIMITED TAX BONDS, shall consist of four (4) bonds of the denomination of \$1,000 each and seventy-three (73) bonds of the denomination of \$5,000 each, numbered consecutively in direct order of maturity from 1 upwards, dated June 15, 1983, and shall be payable serially, with option of prior redemption as set forth in Section 6 hereof, on September 1 of the years as follows:

\$29,000	1984
25,000	1985 and 1986;
30,000	1987;
25,000	1988 and 1989;
30,000	1990;
25,000	1991 and 1992;
30,000	1993;
25,000	1994 through 1997, inclusive.

COUNCIL PROCEEDINGS -19-  
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3. Bonds of the City be issued in the amount of Three Hundred Sixty-Nine Thousand Dollars (\$369,000) to defray the City's portion of the cost of public improvements in said Special Assessment District. The City's limited full faith, credit and resources is hereby pledged for the prompt payment of the principal and interest on said bonds as the same become due, which pledge shall include the City's obligation to levy taxes as a first budget obligation within applicable constitutional, statutory and charter limits, and its general fund. The bonds shall be designated 1983 GENERAL OBLIGATION LIMITED TAX BONDS, shall consist of four (4) bonds of the denomination of \$1,000 each and seventy-three (73) bonds of the denomination of \$5,000 each, numbered consecutively in direct order of maturity from 1 upwards, dated June 15, 1983, and shall be payable serially with option of prior redemption as set forth in section 6 hereof, on September 1 of the years as follows:

\$29,000	1984;
25,000	1985 and 1986;
30,000	1987;
25,000	1988 and 1989;
30,000	1990;
25,000	1991 and 1992;
30,000	1993;
25,000	1994 through 1997, inclusive.

4. The aforesaid bonds shall be coupon bonds, bearing interest at a rate or rates not exceeding fourteen percent (14%) per annum, payable on March 1, 1984, and semiannually thereafter. Both principal of and interest on said bonds shall be payable at a bank or trust company to be designated by the original purchaser of the bonds, with the approval of the City Clerk. The bonds shall be signed in the name of the City by the Mayor and countersigned by the City Clerk and shall bear the City seal, and the interest coupons annexed thereto shall bear the facsimile signatures of the Mayor and City Clerk. The bonds, when executed, shall be delivered to the City Treasurer and be delivered by the Treasurer to the purchaser thereof upon payment of the purchase price thereof in accordance with the bid therefor when accepted. The officers authorized to execute and deliver the aforesaid Bonds may execute and deliver a temporary bond or bonds to the purchaser, exchangeable for final printed bonds when available. The temporary bond or bonds shall be substantially in the form approved in the proceedings authorizing the Bonds with such changes as are necessary and approved by bond counsel to the City and shall aggregate the full principal amount of the Bonds herein authorized.

5. There shall be established and maintained a fund to be designated "1983 Special Assessment Limited Tax Bond Debt Retirement Fund." Into said fund there shall be placed the accrued interest and premium, if any, received at the time of delivery of said bonds and bond proceeds equal to 3.87 months interest. In addition, there shall be paid into said fund that part of the collection of principal

and interest on Special Assessment Roll 82-72 in anticipation of the collection of which the special assessment bonds authorized by the provisions of this resolution have been issued. If at any time said fund is insufficient to pay the principal of and interest on said bonds as the same become due, the City shall advance from its general funds a sufficient amount to pay said principal and interest, or levy ad valorem taxes on all taxable property within the boundaries of the City to pay said principal and interest, within existing charter, statutory and constitutional limitations.

There shall also be established and maintained a fund to be designated "Limited Tax Bond Debt Retirement Fund" which shall be used solely to pay principal and interest on the Bonds and on other limited tax general obligation bonds hereafter issued by the City as first budget obligations, not primarily payable from another source. Commencing with the next tax levy, the City shall provide in its budget each year until the Bonds are paid a sum sufficient to pay the principal and interest on the Bonds and any other bonds payable from the fund coming due prior to the following year's collection of taxes. The City shall set that sum aside each year from the first collection of ad valorem taxes, not limited by law to other purposes, and pay the sum into the fund. The City in calculating the sum to be budgeted and set aside may take credit for any surplus remaining in the fund from prior years.

The Treasurer shall credit the accrued interest and premium, if any, received upon delivery of the respective Bonds and allocable thereto to the respective Debt Retirement Funds. The Treasurer shall credit the balance of the proceeds to a Construction Fund for the public improvements, which the Treasurer shall establish. Money in the Construction Fund shall be used solely for payment of costs of the public improvements, including the costs of the issuance of the bonds, as the costs become due and payable.

6. Said bonds and the attached coupons shall be in substantially the following form:

SEE FOLLOWING PAGES

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF FARMINGTON  
1983 SPECIAL ASSESSMENT LIMITED TAX BOND

No. \_\_\_\_\_

\$\_\_\_\_,000

The CITY OF FARMINGTON, County of Oakland, State of Michigan, acknowledges itself to owe and for value received hereby promises to pay to the bearer hereof the sum of

\_\_\_\_\_ THOUSAND DOLLARS

lawful money of the United States of America, on the first day of September, A.D., 19\_\_\_\_, with interest thereon from the date hereof until paid at the rate of \_\_\_\_\_ percent (\_\_\_\_%) per annum, payable on March 1, 1984, and semiannually thereafter on the first day of September and March of each year upon presentation and surrender of the annexed interest coupons as they severally become due. Both principal of and interest on the bonds are payable at the principal office of \_\_\_\_\_, and for the prompt payment of this bond, both principal and interest, the limited full faith, credit and resources of the City of Farmington are hereby irrevocably pledged.

This bond is one of a series of seventy-seven (77) bonds of even date and like tenor, except as to denomination, rate of interest and date of maturity, aggregating the principal sum of \$369,000, issued in anticipation of the collection of special assessments in Special Assessment District No. 82-72 in the City for the purpose of paying part of the cost of constructing certain public improvements and is issued in accordance with a duly adopted resolution of the City Council.

Bonds maturing in the years 1992 to 1997, inclusive, shall be subject to redemption prior to maturity, at the option of the City, in direct order of maturity, on any interest payment date on or after September 1, 1991. Bonds called for redemption shall be redeemed at par and accrued interest to the date fixed for redemption, plus a premium expressed in percentage of par value as follows:

COUNCIL PROCEEDINGS -22-  
April 18, 1983

- 3% of the principal amount of each bond redeemed on or after September 1, 1991, but prior to September 1, 1993;
- 2% of the principal amount of each bond redeemed on or after September 1, 1993, but prior to September 1, 1995;
- 1% of the principal amount of each bond redeemed on or after September 1, 1995, but prior to maturity.

Thirty days notice of the call of any bonds for redemption shall be given by publication in a paper circulated in the State of Michigan which carries, as part of its regular service, notices of sale of municipal bonds. No further interest payable on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption with the paying agent.

This bond is payable out of special assessments to be collected on special assessment roll no. 82-72, or in the case of insufficiency of said special assessments collections, this bond is payable as a first budget obligation out of the general funds of the City, including collections of ad valorem taxes which the City may levy on all taxable property within the City, within applicable constitutional, statutory and charter limitations. It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done, exist and have happened in regular and due time and form as required by law, and that the total indebtedness of said City, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

IN WITNESS WHEREOF, the CITY OF FARMINGTON, County of Oakland, State of Michigan, by its City Council, has caused this bond to be signed by its Mayor and to be countersigned by its City Clerk and its corporate seal to be hereunto affixed, and has caused the annexed interest coupons to be executed with the facsimile signatures of its Mayor and City Clerk, all as of the fifteenth day of June, A.D., 1983.

CITY OF FARMINGTON

By \_\_\_\_\_  
Mayor

(SEAL)

Countersigned

\_\_\_\_\_  
City Clerk



COUNCIL PROCEEDINGS -23-  
April 18, 1983

(Form of Coupon)

No. \_\_\_\_\_

\$ \_\_\_\_\_

On the first day of \_\_\_\_\_, A.D., 19\_\_\_\_, the CITY OF FARMINGTON, County of Oakland, State of Michigan, will pay to the bearer hereof the sum shown hereon, at the principal office of \_\_\_\_\_, being the interest due that date on its 1983 Special Assessment Limited Tax Bond dated June 15, 1983.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF FARMINGTON  
1983 GENERAL OBLIGATION LIMITED TAX BOND

No. \_\_\_\_\_

\$ \_\_,000

The CITY OF FARMINGTON, County of Oakland, State of Michigan, acknowledges itself to owe and for value received hereby promises to pay to the bearer hereof the sum of

\_\_\_\_\_ THOUSAND DOLLARS

lawful money of the United States of America, on the first day of September, A.D., 19\_\_, with interest thereon from the date hereof until paid at the rate of \_\_\_\_\_ percent (\_\_\_\_%) per annum, payable on March 1, 1984, and semiannually thereafter on the first day of September and March of each year upon presentation and surrender of the annexed interest coupons as they severally become due. Both principal of and interest on the bonds are payable at the principal office of \_\_\_\_\_, and for the prompt payment of this bond, both principal and interest, the limited full faith, credit and resources of the City of Farmington are hereby irrevocably pledged.

This bond is one of a series of seventy-seven (77) bonds of even date and like tenor, except as to denomination, rate of interest and date of maturity, aggregating the principal sum of \$369,000, issued for the purpose of paying the City's portion of the cost of constructing certain public improvements in Special Assessment District 82-72 in the City and is issued in accordance with a duly adopted resolution of the City Council.

Bonds maturing in the years 1992 to 1997, inclusive, shall be subject to redemption prior to maturity, at the option of the City, in inverse order of maturity, on any interest payment date on or after September 1, 1991. Bonds called for redemption shall be redeemed at par and accrued interest to the date fixed for redemption, plus a premium expressed in percentage of par value as follows:

- 3% of the principal amount of each bond redeemed on or after September 1, 1991, but prior to September 1, 1993;
- 2% of the principal amount of each bond redeemed on or after September 1, 1993, but prior to September 1, 1995;
- 1% of the principal amount of each bond redeemed on or after September 1, 1995, but prior to maturity.

COUNCIL PROCEEDINGS -25-  
April 18, 1983

Thirty days notice of the call of any bonds for redemption shall be given by publication in a paper circulated in the State of Michigan which carries, as part of its regular service, notices of sale of municipal bonds. No further interest payable on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption with the paying agent.

This bond is a first budget obligation of the City payable out of the general funds of the City, including collections of ad valorem taxes which the City may levy on all taxable property within the City, within applicable constitutional, statutory and charter limitations. The City has pledged to set aside the first collections of taxes each year, not limited by law to other purposes, for the payment of this bond and other limited tax general obligation bonds of the City.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done, exist and have happened in regular and due time and form as required by law, and that the total indebtedness of said City, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

-- IN WITNESS WHEREOF, the CITY OF FARMINGTON, County of Oakland, State of Michigan, by its City Council, has caused this Bond to be signed by its Mayor and to be countersigned by its City Clerk and its corporate seal to be hereunto affixed, and has caused the annexed interest coupons to be executed with the facsimile signatures of its Mayor and City Clerk, all as of the fifteenth day of June, A.D., 1983.

CITY OF FARMINGTON

By \_\_\_\_\_

Mayor

(SEAL)

Countersigned

\_\_\_\_\_  
City Clerk

COUNCIL PROCEEDINGS : -26-  
April 18, 1983

(Form of Coupon)

No. \_\_\_\_\_

\$ \_\_\_\_\_

On the first day of \_\_\_\_\_, A.D., 19\_\_\_\_, the CITY OF FARMINGTON, County of Oakland, State of Michigan, will pay to the bearer hereof the sum shown hereon, at the principal office of \_\_\_\_\_, being the interest due that date on its 1983 General Obligation Limited Tax Bond, dated June 15, 1983.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

7. The City Clerk shall file a Notice of Intent to issue an obligation to the Municipal Finance Commission (the "MFC") and upon receipt of an approval from the MFC, the City Clerk shall fix a date for sale of the bonds and cause notice of sale of the bonds to be published in either the Daily Bond Buyer or the Michigan Investor, at least seven (7) full days before the date fixed for sale of the bonds. The City Clerk shall cause to be paid to the Michigan Department of Treasury the appropriate filing fee upon filing the aforesaid Notice of Intent.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members Bennett, Hartsock, Mitchell, Tupper, Yoder.

NAYS: Members None.

RESOLUTION DECLARED ADOPTED.

*Josephine M. Bushey*  
City Clerk

4-83-113

Motion by Councilman Tupper, supported by Councilman Mitchell, to adopt the following Resolution:

SPECIAL ASSESSMENT BONDS  
AND GENERAL OBLIGATION BONDS  
NOTICE OF SALE RESOLUTION

City of Farmington, County of Oakland

WHEREAS, the City Council has authorized its \$369,000 1983 Special Assessment Limited Tax Bonds and its \$369,000 1983 General Obligation Limited Tax Bonds; and

WHEREAS, it is necessary to provide a form of notice of sale for those bonds:

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The official notice of sale for the bonds referred to in the preamble to this resolution shall be substantially as follows:

OFFICIAL NOTICE OF SALE

\$738,000

CITY OF FARMINGTON

COUNTY OF OAKLAND, STATE OF MICHIGAN

\$369,000 1983 SPECIAL ASSESSMENT LIMITED TAX BONDS

\$369,000 1983 GENERAL OBLIGATION LIMITED TAX BONDS

SEALED BIDS for the purchase of the above bonds will be received by the undersigned in the Clerk's office at the City Hall located at 23600 Liberty Street, Farmington, Michigan 48024, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 1983, until \_\_\_\_\_ o'clock \_\_\_\_\_ m., Eastern \_\_\_\_\_ Time, at which time and place said bids will be publicly opened and read. Sealed bids will also be received on the same date and until the same time by an agent of the undersigned at the office of the Municipal Advisory Council, 1158 First National Building, Detroit, Michigan 48226, where they will be publicly opened and read. The bonds will be awarded to the successful bidder no later than \_\_\_\_\_ p.m. on that date.

BOND DETAILS: Bonds of both series will be coupon bonds, of the denomination of \$1,000 and \$5,000 each, dated June 15, 1983, numbered in direct order of maturity from 1 upwards and will bear interest from their date payable, on March 1, 1984 and semiannually thereafter.

Said bonds will mature on the 1st day of September, as follows:

<u>Year</u>	<u>Special Assessment Bonds</u>	<u>General Obligation Bonds</u>	<u>Total</u>
1984	29,000	29,000	58,000
1985	25,000	25,000	50,000
1986	25,000	25,000	50,000
1987	30,000	30,000	60,000
1988	25,000	25,000	50,000
1989	25,000	25,000	50,000
1990	30,000	30,000	60,000
1991	25,000	25,000	50,000
1992	25,000	25,000	50,000
1993	30,000	30,000	60,000
1994	25,000	25,000	50,000
1995	25,000	25,000	50,000
1996	25,000	25,000	50,000
1997	25,000	25,000	50,000

April 18, 1983

PRIOR REDEMPTION: Bonds maturing in the years 1984 to 1991, inclusive, shall not be subject to redemption prior to maturity.

Bonds maturing in the years 1992 to 1997, inclusive, shall be subject to redemption prior to maturity, at the option of the City, in direct order of maturity, on any interest payment date on or after September 1, 1991. Bonds called for redemption shall be redeemed at par and accrued interest to the date fixed for redemption, plus a premium expressed in percentage of par value as follows:

- 3% of the principal amount of each bond redeemed on or after September 1, 1991, but prior to September 1, 1993;
- 2% of the principal amount of each bond redeemed on or after September 1, 1993, but prior to September 1, 1995;
- 1% of the principal amount of each bond redeemed on or after September 1, 1995, but prior to maturity.

Thirty days notice of the call of any bonds for redemption shall be given by publication in a paper circulated in the State of Michigan which carries, as part of its regular service, notices of sale of municipal bonds. No further interest payable on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption with the paying agent.

INTEREST RATE AND BIDDING DETAILS: Both issues of bonds shall bear interest at a rate or rates not exceeding 14% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only, all bonds of any series maturing in any one year must carry the same interest rate and each coupon period shall be represented by one interest coupon. The difference between the highest and lowest interest rate on the bonds shall not exceed two percent (2%) per annum. No proposal for the purchase of less than all of the bonds or at a price less than 100% of their par value will be considered.

PAYING AGENT: Both principal and interest shall be payable at a bank or trust company located in Michigan qualified to act as paying agent under State or United States law, to be designated by the original purchaser of the bonds, who may also designate a co-paying agent, which may be located outside of Michigan, qualified to act as paying agent under the law of the State in which located or of the United States, both of which shall be subject to approval of the undersigned.

PURPOSE AND SECURITY: The Special Assessment Bonds are being issued in anticipation of the collection of special assessments for public improvements in a certain special assessment district in the City as set forth in the bond authorizing resolution. The special assessments and interest pledged for the Special Assessment Bonds are sufficient to pay the principal and interest on the said Bonds as when due. The Special Assessment Bonds will pledge the full faith and credit of the City as additional security for payment of the principal and interest thereon, and pursuant to such pledge, should funds

primarily pledged be insufficient for payment, the City is obligated to make such payment as a first budget obligation from general funds including collections of ad valorem taxes which it may levy within applicable constitutional, statutory or charter limitations.

The General Obligation Limited Tax Bonds will be a first budget obligation of the City, payable from ad valorem taxes subject to applicable charter, statutory and constitutional limitations or from any other general funds of the City. The City has pledged to budget and set aside each year from the first collection of taxes, not limited by law to other purposes, a sum sufficient to pay the principal and interest on all limited tax general obligation bonds coming due prior to the next collection of taxes.

The rights or remedies of bondholders may be affected by bankruptcy laws or other creditor's rights legislation now existing or hereafter enacted.

GOOD FAITH: A certified or cashier's check in the amount of \$14,760, drawn upon an incorporated bank or trust company and payable to the order of the Treasurer of the City must accompany each bid as guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the bonds. No interest shall be allowed on the good faith checks and checks of the unsuccessful bidders will be promptly returned to each bidder's representative or by registered mail.

AWARDS OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest interest cost computed by determining, at the rate or rates specified in the bid, the total dollar value of all interest on the bonds from \_\_\_\_\_, 1983, to their maturity and deducting therefrom any premium.

LEGAL OPINION: Bids shall be conditioned upon the unqualified approving opinions of Miller, Canfield, Paddock and Stone, attorneys of Detroit, Michigan, copies of which opinions will be printed on the reverse side of each bond, and the originals of which will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone for services rendered in connection with such approving opinions are expected to be paid from bond proceeds. Except to the extent necessary to issue their unqualified approving opinions as to validity of the above bonds, Miller, Canfield, Paddock and Stone has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser at Detroit, Michigan, Chicago, Illinois or any other place to be mutually agreed upon. The usual closing documents, including certificates that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of the delivery of the bonds. If the bonds are not tendered for delivery by



twelve o'clock noon, Eastern \_\_\_\_\_ Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw his proposal by serving notice of cancellation, in writing, on the undersigned in which event the City shall promptly return the good faith deposit. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery and payment for the bonds must be made in immediately available funds.

CUSIP NUMBERS: CUSIP identification numbers will be printed on the bonds, at the City's expense, except payment of the charge for assignment of the numbers which will be the purchaser's responsibility. Neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for said bonds in accordance with the terms of the purchase contract.

TEMPORARY BOND: The City may require the purchaser to accept delivery no later than June 30, 1983, of a temporary fully registered bond for the full amount of the issue. The temporary bond will be exchanged for final printed bonds no later than 45 days after the date of sale, or the first business day thereafter if the 45th day is not a business day. Final printed bonds are expected to be available on or about \_\_\_\_\_, 1983.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for Special Assessment and General Obligation Bonds."

\_\_\_\_\_  
Clerk, City of Farmington

APPROVED: \_\_\_\_\_  
STATE OF MICHIGAN  
MUNICIPAL FINANCE COMMISSION

COUNCIL PROCEEDINGS -32-  
April 18, 1983

2: All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED.

JOSEPHINE M. BUSHEY, CITY CLERK

4-83-114

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following ordinance:

ORDINANCE NO. C-504-83

See Attached Ordinance

4-83-115

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following ordinance:

ORDINANCE NO. C-505-83

See Attached Ordinance

WARRANT LIST

Manager Deadman called attention to an expense item of \$810.00 for capital outlay equipment purchased from Intoximeters, Inc., stating that this was for the purchase of the City's first two alcohol determining devices necessitated by the recent legislation on driving while under the influence.

4-83-116

Motion by Councilman Hartsock, supported by Councilman Tupper, to approve the monthly bills as presented: General Fund \$11,367.24; Water & Sewer Fund \$43,483.34.

ROLL CALL:

AYES: Yoder, Bennett, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.


ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Yoder, to adjourn the meeting. Motion carried, all ayes.

COUNCIL PROCEEDINGS -33-  
April 18, 1983

The meeting was adjourned at 9:40 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

ORDINANCE NO. C-504-83

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON BY ADDING A NEW SECTION WHICH NEW SECTION SHALL BE DESIGNATED AS SECTION 9.106 OF CHAPTER 89, ANIMALS, OF TITLE IX OF SAID CODE

THE CITY OF FARMINGTON ORDAINS:

Section 9.106. Trapping, confiscation, exception. It shall be unlawful for any person, at any time, to trap, ensnare or to set out to make use of any kind or type of trap or ensnaring device for the purpose of trapping or ensnaring any animals, birds, or fowl, whether domestic or wild, within the City limits; provided, however, that nothing contained in this ordinance shall prohibit otherwise lawful methods of pest and rodent control within the interior portion of any building.

- (1) Any traps, ensnaring devices or other apparatus used in prohibited trapping shall be seized and disposed of by the Order of the Court in which such violation is prosecuted. In the event that there exists no Court Order for the disposition of such seized property, such property shall be returned to the owner or person entitled to possession thereof, provided that such seized property is so identified by the person or persons' name and address, attached or affixed upon the seized property; and if such person or persons are not known or cannot be determined, then such seized property shall be disposed of in the same manner provided for disposition of abandoned property.
- (2) This Section, however, shall not prohibit the owner or occupant of any property from trapping any rodents by use of a live trap, or any animal thereon for the purpose of live release thereafter of any such trapped animal as permitted by and in accordance with the Department of Public Safety, Animal Control Department, or the Department of Natural Resources Rules and Regulations.

Any other ordinance, Section or Subsection thereof, in conflict with this ordinance is hereby amended to such extent as may be necessary to the enforcement of this ordinance.

This ordinance was introduced at a regular meeting of the Farmington City Council on April 4, 1983, was adopted and enacted at a regular meeting on April 18, 1983, and will become effective ten days after publication.

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock  
NAYS: None.  
ABSENT: None.

ORDINANCE NO. C-505-83

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON BY ADDING NEW SECTIONS, WHICH NEW SECTIONS SHALL BE DESIGNATED AS SECTION 9.144 AND 9.145 OF CHAPTER 90 OF TITLE IX OF SAID CODE

THE CITY OF FARMINGTON ORDAINS:

Public Libraries

Section 9.144. Any person who accepts the privilege of the use of any publicly funded, supported or subsidized library located in the City of Farmington is deemed to have agreed as a condition of such privilege to abide by such Administrative Rules as may be adopted by the appropriate public unit of government or governing body of such library. Library privileges of persons who fail or refuse to abide by such Administrative Rules may be denied or revoked.

Section 9.145. It shall be unlawful for any person to:

- (1) Willfully or negligently remove or attempt to remove or possess any book, magazine, pamphlet, map, manuscript, picture, microfilm, film, cassette, phonograph record, clipping or other material or property belonging to or loaned to such publicly funded, supported or subsidized library without first having said property charged out as required or provided by the Administrative Rules of said library.
- (2) Willfully or negligently retain; fail or refuse to return, convert to his/her own use or possess any book, magazine, pamphlet, map, manuscript, picture, microfilm, film, cassette, phonograph record, clipping or other material or property belonging to or loaned to such publicly funded, supported or subsidized library, or pay the reasonable replacement value thereof, within twenty (20) calendar days from the date of the posting by First Class U.S. mail a demand for payment of such value addressed to such person at the last address furnished the library, and which notice may be given at any time after the date on which such person, under Administrative Rules of the library, should have returned the property charged out or loaned.
- (3) Willfully, maliciously or wantonly, tear, deface, mutilate, write upon, or by any other means damage, deface or destroy any book, magazine, pamphlet, map, manuscript, picture, microfilm, film, cassette, phonograph record, clipping or other material or property belonging to or loaned to such publicly funded, supported or subsidized library.

This ordinance was introduced at a regular meeting of the Farmington City Council on April 4, 1983, was adopted and enacted at a regular meeting on April 18, 1983, and will become effective ten days after publication.

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, May 2, 1983, 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 Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 5-83-117

Motion by Councilman Hartsock, supported by Councilman Tupper, to approve the minutes of the meeting of April 18, 1983, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 5-83-118

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Board of Zoning Appeals minutes of February 2, 1983;  
Farmington Historical Commission minutes of April 20, 1983;  
Board of Education minutes of March 15 and March 17, 1983.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR FENCE VARIANCE: MR. VAN RANTERGHEN 24032 EARL COURT, FARMINGTON, MI.

The VanRanterghens of 24032 Earl Court requested Council's permission to install a 6 ft. high stockade fence sixteen feet into their side yard setback on Gill Road. They would like to screen the activities of the Oak Hill Nursing Home which is located immediately north of their property.

The City Manager pointed out that actually three variances would be required to erect this fence: one to locate the fence, one for a screening type fence to be installed into the sideyard setback area, and a third variance permitting the height of the fence to be 6 ft. instead of the 4 ft. height required by the Fence Ordinance.

Although the drawing submitted with the request indicates that the fence would extend from the north wall of the garage, Mr. Van Ranterghen stated this is in error, as he proposes that the stockade fence is to be on the lot line, running parallel with the existing cyclone fence.

COUNCIL PROCEEDINGS -2-  
May 2, 1983

5-83-119

Motion by Councilman Hartsock, supported by Councilman Yoder, to grant the variances necessary to allow the construction of two 8 ft. sections of stockade fencing 6 ft. high as requested. Motion carried, all ayes.

REQUEST FOR BLOCK PARTY: HAYDEN STREET

The Maddisons of 23057 Hayden Street requested Council's permission to close Hayden at the Slocum and Cloverdale intersections for a Block Party on July 30, 1983, between 2:00 p.m. and 10:00 p.m.

5-83-120

Motion by Councilman Yoder, supported by Councilman Mitchell, to grant permission for the July 30th Hayden Street Block Party as requested. Motion carried, all ayes.

City of Novi RESOLUTION RE: HOUSE BILL  
4194 ESTABLISHING REGIONAL BOARD FOR  
DETROIT WATER AND SEWER DEPARTMENT

The City of Novi supports House Bill 4194 as it is Novi's position that the current Board managing the System does not adequately represent suburban users.

The Farmington City Council has gone on record many times in support of the concept of better suburban representation on the Detroit Water and Sewer Board.

5-83-121

Motion by Councilman Hartsock, supported by Councilman Tupper, to support House Bill 4194, advising the Governor, State Senator and Representative of this support. Motion carried, all ayes.

City of Oak Park RESOLUTION RE: RELEASE OF  
MICHIGAN DEPARTMENT OF TREASURY FUNDING  
TO LIBRARIES

The City of Oak Park urges the Michigan Department of Treasury to release the remaining 40%, or 20% per capita, of library state aid funds as soon as possible.

The City Manager pointed out that all other units of local government are in the same position relative to their funding needs.

5-83-122

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and file the Oak Park resolution requesting release of Department of Treasury funding to libraries. Motion carried, all ayes.

5-83-123

REQUESTS FOR PROCLAMATIONS

Motion by Councilman Yoder, supported by Councilman Hartsock, to issue the following proclamations:

Founders Festival Week	-	July 24 - 30, 1983
Small Business Week	-	May 8 - 14, 1983
Municipal Clerk's Week	-	May 8 - 14, 1983
Day of Prayer	-	May 5, 1983

Motion carried, all ayes.

The City Manager pointed out that the request for May 5th goes beyond just proclaiming a Day of Prayer. Religious organizations are asking that public assembly be allowed on City Hall grounds between the hours of 9:00 a.m. and 5:00 p.m. to show loyalty and support for local, state and federal government.

5-83-124

Motion by Councilman Hartsock, supported by Councilman Tupper, to allow the use of city grounds and/or park areas to be arranged by the City Manager for public assembly on Prayer Day, May 5, 1983. Motion carried, all ayes.

REQUEST FROM EXECUTIVE OFFICE SUPPLY, INC.  
FOR OUTDOOR ANNIVERSARY SALE

Bob Christ, President of Executive Office Supply, Inc., asked that Council grant permission for an outdoor sale to be held on the front porch area of his establishment. He would like the sale to mark the 15th Anniversary of being in business in Farmington. The week of May 9th has been set aside for this sale.

5-83-125

Motion by Councilman Tupper, supported by Councilman Hartsock, to grant permission for an outdoor Anniversary Sale to Executive Office Supply, Inc., to be held the full week of May 9, 1983, as requested. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED ROAD IMPROVEMENT: HILLCREST ST.

Manager Deadman advised that the City Administration and City Engineers met recently with Hillcrest property owners to discuss the feasibility of improving the Street. After two types of paving specifications were presented by the engineers and discussed by those present all twenty property owners attending the meeting indicated that they wish to have the street improved using the base stabilizer with two inches of bituminous added for a wearing course. Only one Hillcrest property owner was absent.

The City Manager stated that he has contacted the City of Farmington Hills to determine if they would share some of this project's cost. Two property owners in Farmington Hills access their property off of Hillcrest Street. A representative of Farmington Hills indicated they would participate on the same basis as other property owners on Hillcrest.

Manager Deadman advised that after reviewing the configuration of Hillcrest Street, it was determined that the fairest way to special assess property for the proposed improvement would be on a per lot basis. Using a front foot assessment method would not allow the City to special assess those properties located in the City of



COUNCIL PROCEEDINGS -4-  
May 2, 1983

Farmington Hills that do not have frontage on Hillcrest. There are also some properties on Hillcrest which are very unusually shaped, and because of the shape, their frontage is exaggerated. Although the per lot basis of assessment deviates from the city's normal special assessment method, there seemed to be no objections to the use of this method.

Manager Deadman indicated that the city-at-large would assume 20% of the local road improvement, as it benefits in several ways. The city's cost for maintaining the road would be reduced, and paved surface generally improves the safety characteristics of the city's road system.

Total Construction and Engineering Costs		\$41,250.00
City of Farmington's Share	\$ 8,250.00	
Property Owners' Share thru Special Assessment	<u>33,000.00</u>	\$41,250.00

The cost per property owner will be \$1,500.00 per lot. Properties facing Shiawassee and not using Hillcrest to service their garages will be assessed on a one-half lot basis, or \$750.00.

The City Manager advised that this project will be added to the City of Farmington Hills' 1983 Paving Program. This should bring about very competitive bids, as the City of Farmington Hills normally paves about nine miles of roadway annually.

To get this project under way, it was suggested that Council adopt Resolution Nos. 1 and 2 of the Special Assessment Procedure.

5-83-126

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following Resolution:

RESOLUTION NO. 1

WHEREAS, the Council deems it necessary to acquire and construct 22 ft. wide road improvements with base stabilization and 2 inch bituminous wearing course, with open ditches.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager is hereby directed and ordered to cause to be prepared plans and specifications for said road improvements and a detailed estimate of the cost thereof.
2. The City Manager is directed to file the same, together with his recommendations as to what part of the cost thereof should be paid by special assessment and what part should be paid by the City-at-large, and the lands which should be included in

COUNCIL PROCEEDINGS -5-  
May 2, 1983

the Special Assessment District, and his findings as to the necessity of the improvement and the life thereof, with the City Clerk for her examination.

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 2, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

5-83-127

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following Resolution:

RESOLUTION NO. 2

WHEREAS, the City Council has directed and ordered the City Manager to cause to be prepared plans and specifications and estimates of cost and other information concerning road improvements on Hillcrest Street in the City of Farmington; and

WHEREAS, the City Manager has caused the same to be prepared and has filed the same with the City Clerk;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and specifications and estimate of cost and the recommendations and findings of the City Manager shall be filed with the City Clerk and shall be available for public examination.
2. The City Council deems it necessary to acquire and construct 22 ft. wide road improvements with base stabilization and 2 inch bituminous wearing course, with open ditches.
3. The City Council determines that \$33,000.00 of the cost thereof shall be defrayed by special assessment against the property benefited thereby, and the balance of the cost shall be paid by the City, and determines that the assessments shall be made on a front foot basis.
4. The following described lots and parcels of land shall make the special assessment district:  

23-28-226-013, 014, 015, 016, 018, 019, 010, 021,  
022, 023, 024, 025, 026, 036.  
23-28-227-001, 002, 003, 004, 005, 007, 010.
5. The City Council shall hold a Public Hearing on May 24, 1983, at 8:30 o'clock p.m., at the City Hall in the City of Farmington, Michigan, at which hearing any person affected by the

COUNCIL PROCEEDINGS -6-  
May 2, 1983

said proposed improvements may be heard.

6. The City Clerk shall cause notice of said hearing to be published in the FARMINGTON OBSERVER, Farmington, Michigan, at least once not less than ten (10) full days before the date of said hearing, and shall cause notice of said hearing to be mailed by first class mail not less than ten (10) full days prior to the date of hearing, to each owner of property subject to assessment.
7. Said notice so published and mailed shall be in substantially the following form:

NOTICE OF HEARING

TAKE NOTICE THAT the City Council of the City of Farmington, Michigan, proposed to acquire and construct road improvements consisting of 22 ft. wide road improvements with base stabilization and 2 inch bituminous wearing course, with open ditches.

The City Council further proposes to specially assess a part or all of the cost of said improvements against the following described lots and parcels of land:

23-28-226-013, 014, 015, 016, 018, 019, 020, 021, 022, 023,  
024, 025, 026, 036.  
23-28-227-001, 002, 003, 004, 005, 007, 010.

The Council has caused the City Manager to have prepared plans and specifications and an estimate of cost of said improvement, and the same, together with the City Manager's recommendations and findings concerning said improvement, are on file with the City Clerk and are available for public examination.

TAKE FURTHER NOTICE that the City Council will meet in the Council Chambers in City Hall on Tuesday, May 24, 1983, at 8:30 p.m. o'clock for the purpose of hearing all persons affected by said road improvement.

JOSEPHINE M. BUSHEY, CITY CLERK

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 2, 1983.

PROPOSED AMENDMENT TO ALCOHOLIC  
LIQUOR ORDINANCE:

When Chief G. Robert Seifert submitted the City's Alcoholic Control Ordinance to the Michigan Liquor Control Commission for review and comment, the state's Assistant Attorney General assigned to the

COUNCIL PROCEEDINGS -7-  
May 2, 1983

Commission suggested several changes in our local ordinance to make it more in keeping with current State laws and Commission regulations. The suggested changes advise using the same definitions to describe words as used in the Michigan Liquor Control Act. Other minor housekeeping type changes were recommended to eliminate possible defense tactics pursuant to enforcement action taken by the Public Safety Department under the ordinance.

Proposed Ordinance No. C-506-83 would add a new section and amend several sections of the Liquor Control Ordinance.

5-83-128

Motion by Councilman Tupper, supported by Councilman Hartsock, to introduce Ordinance C-506-83, which would amend the Code of the City of Farmington by adding new Section 9.500 and amend Sections 9.501, 9.503, 9.504 and 9.516, Chapter 94. Motion carried, all ayes.

PROPOSED CHANGE OF MAY 16 COUNCIL MEETING

Because representatives from the City of Sterling Heights have indicated they would like the Mayor to visit their community on Monday, May 16 for Mayor Exchange Day, and because the public hearing on the budget is normally held at the second Council meeting in May, the City Manager suggested rescheduling the meeting to May 24, 1983 (Tuesday).

5-83-129

Motion by Councilman Mitchell, supported by Councilman Tupper, to change the regular Council Meeting of May 16, 1983, to 8:00 p.m. on Tuesday, May 24, 1983. Motion carried. all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Mrs. Aneda, 31565 Lee Lane, stated that in the last five years, the frequency of her basement flooding after rains has been increasing. She asked that something be done about the situation.

Manager Deadman advised that her most recent problem was probably caused by the rain dislodging a large mass of tree roots from somewhere in the system which plugged the relief sewer at the corner of Lee Lane and Marblehead. He stated that the City engineering crew is presently in that Subdivision studying the infiltration problem. He indicated that all of the catch basins and manholes are taking water at a very high rate, stating that the manholes which are not designed for so much water should be sealed. Mr. Deadman promised Mrs. Aneda that as soon as the engineers complete their work in the area, the city plans to finance a rather large repair program to take care of these problems.

Mrs. Leddy, 31620 Lee Lane, advised Council that it seems that her basement has been flooding a lot more since the new curbs were installed in her area. She wanted to know if somehow this installation could have caused the increased frequency of this flooding.

COUNCIL PROCEEDINGS -8-  
May 2, 1983

Manager Deadman said he would have someone check into this to see if perhaps some concrete may have fallen into the area when the old catch basins were torn up during the curb installations..

ESTABLISHMENT OF PUBLIC HEARINGS TO REVIEW  
ANNUAL BUDGET, ESTABLISH MILLAGE RATE AND  
REVIEW USE OF FEDERAL REVENUE SHARING FUNDS

Manager Deadman pointed out that as a result of recent changes in State Statutes, the city is required to hold a Special Public Hearing to review millage rates whenever increases are proposed. He also indicated that the Federal Revenue Sharing Guidelines require that a Public Hearing be held prior to adoption of the budget; further, that the City Charter requires a Public Hearing prior to adopting the budget.

To comply with all of these regulations, the City Manager proposed that City Council establish a public hearing at the second Council meeting in May to review the local millage rate for the coming year, to review the 1983-84 proposed budget and the use of Federal Revenue Sharing Funds.

He advised Council that to comply with the provisions of Public Act 5 of 1982, it will be necessary for Council to establish, by resolution, the additional millage rate that is proposed for 1983.

5-83-130

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following Resolution:

WHEREAS, the City Council has reviewed the 1983-84 Proposed City Budget, and

WHEREAS, as the result of this review Council has determined that to continue basic city services, it will be necessary to increase the local millage rate by .955 mills (.955 cents per \$1,000.00 of State Equalized Value).

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Clerk is directed to publish the official Notice of the Proposed Millage Rate Increase and such Notice shall be as follows:

# CITY OF FARMINGTON

## NOTICE OF PUBLIC HEARING ON INCREASING PROPERTY TAXES AND TO REVIEW 1983-84 PROPOSED BUDGET

The City Council of the City of Farmington will hold a public hearing at 8:00 p.m. on Tuesday, May 24, 1983 in the council chambers in City Hall, 23600 Liberty Street, on the proposed 1983 city tax levy and on the proposed 1983-84 city budget. Council will receive testimony and discuss proposed additional 1983 city operating and debt service millage rates.

Last year (1982) the city levied 10.105 mills (\$10.105 per \$1,000 SEV) for city operation and .68 mills (\$.68 per \$1,000 SEV) for city debt service. This combined operation and debt service levy was a reduction from the previous year's millage levy. State Law Act 5 of 1982 provides that notice of public hearing be given when higher millage rates are proposed.

The city will be required to increase its debt service payment during 1983 to meet the city's debt obligation for the Caddell and Old Town Storm Drainage Districts. State Equalized Values of existing property in the city are estimated to decrease in 1983, thereby reducing the amount of revenue produced from the 1982 millage rate. Other city and State shared revenues will not increase in a sufficient amount to offset these reduced revenues. The city operation expenses for 1983 are estimated to increase by 5.1% and debt service by 77.3% for a total increase in operation and debt service expenditures of 7.7% over the previous year.

For these and other reasons, in order to fund the city's proposed 1983-84 budget and to maintain essential services, the city finds it necessary to increase its operating tax levy an additional .395 mills (\$.395 per \$1,000 SEV) above the 1982 base operating millage rate. Further, the city proposes to increase the debt service levy an additional .56 mills (\$.56 per \$1,000 SEV) above the 1982 base debt service rate. All or part of this debt service millage rate increase may be charged against the city's authorized charter millage rate. The combination of the operating and debt service millage rate increases will provide an estimated increase of 6.9% in property tax revenues. The city has the authority to establish the number of mills proposed to be levied from within its authorized millage rate.

All interested citizens, groups, senior citizens, or organizations representing the interest of senior citizens, are encouraged to attend and submit written or oral comments. The entire proposed budget, including proposed use of Federal Revenue Sharing Funds, is available for inspection by the public during regular business hours, Monday - Friday, 8:30 a.m. to 5:00 p.m., at the Farmington City Hall.

Summary of Proposed 1983-84 FY Budget follows:

COUNCIL PROCEEDINGS -10-  
May 2, 1983

GENERAL FUND REVENUES

Local Taxes	\$1,773,775	
Intergovernment Revenues	299,620	
State Shared Revenues	476,000	
Federal Shared Revenues	113,000	
Transfers from Other Funds	366,005	
Appropriation from Unappropriated Funds	<u>146,690</u>	
Total General Fund Revenues:		\$3,175,090

WATER & SEWER FUND REVENUES

Water & Sewer Sales	\$1,137,200	
Service Fees	16,085	
Miscellaneous Revenues	3,630	
Appropriation From Unappropriated Funds	<u>52,500</u>	
Total Water & Sewer Fund Revenues:		\$1,209,415

HIGHWAY FUND REVENUES

Gas & Weight Taxes	\$ 234,500	
Contracts & Grants	94,920	
Transfers & Assessments	<u>117,060</u>	
Total Highway Fund Revenues:		\$ 446,480
TOTAL REVENUES ALL FUNDS:		\$4,830,985

GENERAL FUND EXPENDITURES

General Government	\$ 601,735	
Public Safety	946,230	
FEDERAL REVENUE SHARING:		
Public Safety Officers	55,200	
Public Services	542,420	
Parks & Recreation	94,990	
Library	140,000	
Miscellaneous	107,445	
Insurance & Fixed Costs	472,150	
Inter-Fund & Debt Service Transfers	<u>214,920</u>	
Total General Fund Expenditures:		\$3,175,090

WATER & SEWER FUND EXPENDITURES

Operating & Maintenance	\$1,093,410	
Capital Improvements	75,330	
Debt Service	<u>40,675</u>	
Total Water & Sewer Fund Expenditures		\$1,209,415

HIGHWAY FUND EXPENDITURES

Construction	\$ 112,800	
Operating & Maintenance	281,480	
Debt Service	<u>52,200</u>	
Total Highway Fund Expenditures:		\$ 446,480
TOTAL EXPENDITURES ALL FUNDS:		\$4,830,985

JOSEPHINE M. BUSHEY, City Clerk

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 2, 1983.

FINANCIAL REPORTS: PERIOD ENDED  
MARCH 31, 1983

Manager Deadman advised that the budget adjustments referred to in his report this evening will be submitted to Council at the next regular meeting.

5-83-131

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and file the following reports:

Financial Reports, 9 months ended March 31, 1983: General Fund and 47th District Court;

Financial Report, Quarter ended March 31, 1983: Water & Sewer Funds.

Motion carried, all ayes.

DEPARTMENT OF PUBLIC SERVICES  
QUARTERLY REPORT

Councilman Yoder stated that the new fencing at Oakwood Cemetery looks good.

In answer to the Mayor's question relative to the condition of the park areas, Director Billing stated that they were pretty well cleaned up until the flooding occurred during the recent rain storm.

5-83-132

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and file the Department of Public Services Quarterly Report for January 1 through March 31, 1983. Motion carried, all ayes.

BUILDING DEPARTMENT: THIRD  
QUARTERLY REPORT

The City Manager pointed out that this has been the best month in several years for this department. Although not indicated in this report he advised that four house permits were taken out this month, which is a good sign.

5-83-133

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Building Department's Third Quarterly Report, January through March, 1983. Motion carried, all ayes.

WARRANT LIST

Councilman Yoder asked who the Schreiber Corporation is for each account showing \$250.00 for Professional and Contractual Services. Manager Deadman advised that this is the company which installed the roofing on the Department of Public Services facility.

5-83-134

Motion by Councilman Hartsock, supported by Councilman Tupper, to approve payment of the monthly bills as submitted: General Fund \$9,139.79; Water & Sewer Fund \$13,274.47.

AYES: Yoder, Bennett, Hartsock, Mitchell, Tupper.

NAYS: None.

MOTION CARRIED.



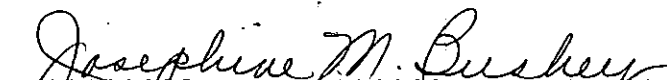
COUNCIL PROCEEDINGS -12-  
May 2, 1983

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:52 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Tuesday, May 24, 1983, 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 by Mayor Bennett at 8:03 p.m.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

Relative to the third paragraph of the April 6, 1983, minutes of the meeting of the two City Councils, Councilman Yoder noted that Farmington Hills Council members Charles Williams and Don Wolf were, in fact, present; only William Lange was absent.

### 5-83-135

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the Special Joint Council meeting of April 6, 1983, as corrected, and to approve the minutes of the regular May 2, 1983, meeting of the Farmington City Council as submitted. Motion carried, all ayes.

### PUBLIC HEARING ON NECESSITY HILLCREST STREET PAVING

At their meeting with Hillcrest Street property owners, the City Administration and the City Engineers discussed two alternatives for improving the street. The improvement selected was a base stabilization and a two inch bituminous wearing course, with open ditches. Depth of concrete would be six inches. Driveway approaches to the roadway would be asphalted to the property lines.

Manager Deadman pointed out that due to the configuration of Hillcrest Street, the per lot assessment basis seems to be the fairest method in this case.

Project improvement costs of \$41,250.00 include engineering, construction and contingencies. The property owners' share will be \$33,000.00; City-at-Large share, \$8,250.00. The per lot cost will be \$1,500.00, except for those properties which face Shiawassee, which will be assessed on a one-half lot basis, or \$750.00.

The City Manager advised that this project will be added to the Farmington Hills paving program for 1983, as that city will be bidding several miles of roadway this summer, using specifications similar to those proposed for the Hillcrest Street improvement.

COUNCIL PROCEEDINGS -2-  
May 24, 1983

Mayor Bennett opened the Public Hearing to the audience.

Francis Sheehan, 33704 Shiawassee, wanted to know how the city arrived at the one-half lot assessment. As far as he is concerned, he would like to see the street remain unpaved.

Manager Deadman replied that the conclusion was reached based on Council's normal policy of assessing corner lots, which is usually one-half the depth of the corner lot usually on a front foot basis. In this case, however, in using the per lot assessment method, the same policy was carried out by proposing that the half lot assessment would be paid for this particular lot.

Mrs. Sheehan suggested that this is unfair, and even though they get all the dust on that corner, she prefers that the street remain unpaved.

Bill Liba, 33640 Hillcrest, asked when the project would begin. Manager Deadman advised that no time schedule is available at this time, although the work will be done during this construction season, after Farmington Hills receives their bids on their paving program.

5-83-136

Motion by Councilman Yoder, supported by Councilman Mitchell, to close the Public Hearing. Motion carried, all ayes.

Mayor Bennett pointed out that although Council realizes corner lots are a concern, it has been Council's policy that over 50% of the affected property owners must agree to the proposed improvement. He reminded everyone that at the meeting with the Hillcrest Street property owners, all but one of the residents were present, and no one objected to the street improvement.

Manager Deadman advised that when this project is completed, there will be no more unpaved streets in the city.

5-83-137

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt Resolution Nos. 3 and 4 of the Special Assessment procedure for the improvement of Hillcrest Street.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

COUNCIL PROCEEDINGS -3-  
May 24, 1983

PUBLIC HEARING: TO REVIEW PROPOSED 1983-84  
FISCAL YEAR BUDGET; TO REVIEW PROPOSED IN-  
CREASE IN PROPERTY TAXES AND THE PROPOSED  
USE OF FEDERAL REVENUE SHARING FUNDS

Manager Deadman advised that the proposed expenditures submitted in the proposed 1983-84 Budget for the city's General Fund, Water and Sewer Fund, Highway Fund, Federal Revenue Sharing Fund and Debt Service Fund were expected to continue the current level of service in Farmington. He stated that for the past several years Council has reduced local millage to offset partially at least the impact of increased assessed property valuations. He pointed out that since the assessed valuations on property decreased by about 2% this year, the tax dollars generated from last year's tax rate will also be decreased.

Two major drain projects to which the City is committed will necessitate additional bonded debt service in the coming year. It will therefore be necessary to raise the local debt service millage rate from .68 mill to 1.25 mills.

To fund other General Fund expenditures, it will be necessary to raise the local operating millage rate from 10.105 mills to 10.50 mills. The total millage rate increase for bond obligations and debt service will, therefore, be .955 mill.

Even with the additional millage increase, Council proposes to use \$140,745.00 from the General Fund fund equity to balance this year's budget. Manager Deadman pointed out that the City of Farmington operates at one of the lowest millage rates of any city in the Detroit metropolitan area.

The budget for the 1983-84 fiscal year is scheduled for adoption by Council at the meeting of June 6, 1983.

Mayor Bennett opened the Public Hearing for comments from those present.

G. Gordon Lewis, Director of the Farmington Community Library, advised that the City of Farmington Hills Council has amended the Library Budget to prevent an anticipated short-fall of approximately \$18,000.00. He asked if the City of Farmington had yet considered a similar budget amendment. Farmington's share proportionately would be \$3,000.00.

Manager Deadman advised Mr. Lewis that he has discussed this matter informally with Council, and that it is his recommendation that the City of Farmington amend its budget accordingly. He indicated that the problem was in revenue calculations, as state shared revenues affect libraries differently than other agencies. Mr. Deadman also stated that the proposed amendment was not reflected in the corrected budget pages submitted to Council.

COUNCIL PROCEEDINGS -4-  
May 24, 1983

Ted Rykala, 33247 Cloverdale, asked if copies of particular budget accounts or the complete budget were available for inspection. He was advised that a copy of the budget is available either through his office or the City Clerk's office.

Mr. Rykala further asked what the Cable Television Commission, Director's salary, etc., is costing the citizens in terms of tax dollars.

Manager Deadman advised that the actual cost is being borne by the revenues coming from local cable television. Councilman Hartsock pointed out that 2% of the general revenue from cable, generated by the cities involved in the cable franchise agreement is to cover the administrative costs. Therefore, there should be no tax burden on the community.

5-83-138

Motion by Councilman Hartsock, supported by Councilman Yoder, to close the public hearing and to establish the date of June 6, 1983, for the adoption of the 1983-84 fiscal year budget. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

Concerning the Farmington Planning Commission minutes, Councilman Hartsock asked for clarification of the authorization for the Oakland Farmers Market to hold outside sales.

It was pointed out that the authorization was for a three-week period with another week added if the sales area was kept orderly. Yearly, the City Manager is to make a determination concerning whether or not the permit will be reissued.

5-83-139

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of May 9, 1983;  
Farmington Employees Retirement System Board of Trustees minutes of March 30, 1983;  
Southwestern Oakland Cable Commission minutes of April 25, 1983;  
Beautification Committee minutes of April 14, 1983;  
Farmington Area Arts Commission minutes of April 21, 1983;  
Farmington Community Library minutes of April 7, 1983;  
Board of Education regular minutes of April 19 and May 3 and Special minutes of May 3, 1983.

Motion carried, all ayes.

Mayor Bennett asked the City Manager to check into whether or not the Oakland Farmers Market is keeping to their site plan relative to their present outdoor flower sale, as they seem to be using some of their neighbor's sidewalk area.

PETITIONS AND COMMUNICATIONS

REQUEST FOR OUTDOOR TENT SALE  
MARCH TIRE CO., 33014 GRAND RIVER

Rick Kelly, Manager of March Tire, 33014 Grand River, requested Council's permission to set up a 20' x 20' open canopy type tent for an outdoor tire sale to be held the week of May 23 - 29, 1983.

Councilman Hartsock asked what the difference is between this permit and the one granted to the Oakland Farmer's Market.

Manager Deadman explained that permanent outdoor sales can be allowed only in areas designated as C-3 zoning (General Commercial), and require the site plan approval of the Planning Commission. Since the Oakland Farmer's Market is located in a C-3 district, the Planning Commission's approval was required.

March Tire is located in the Central Business District where temporary permits for outdoor sales may be authorized by the City Council only.

5-83-140

Motion by Councilman Mitchell, supported by Councilman Tupper, to grant permission to March Tire, 33014 Grand River, to erect an open canopy type tent for an outdoor tire sale the week of May 23 - 29, 1983. Motion carried, all ayes.

RESOLUTION FROM CITY OF BIRMINGHAM RE:  
HOUSE BILL 4062 CONCERNING SCHOOL  
PROPERTY ZONING

Although the City of Birmingham supports the concept of House Bill 4062, they feel that further clarification of this proposed legislation is necessary.

Manager Deadman stated that apparently the House Bill is an attempt to cause school districts to comply with zoning ordinances when their buildings are used commercially. Since many school districts have experienced school closings, there is apparently a question whether or not these closed buildings can be rented or leased for non-academic purposes and be exempt from compliance with local zoning ordinances.

By virtue of his employment with the Farmington School District, Mayor Bennett asked Council's permission (according to Charter) to refrain from voting on this issue. Council agreed unanimously to grant his request.

5-83-141

After considerable discussion, there was a motion by Councilman Mitchell, supported by Councilman Yoder, to support the concept of House Bill 4062 with further clarification relative to the compliance of school districts with local zoning ordinances. Motion carried, 4 ayes, 1 abstention (Bennett).

COUNCIL PROCEEDINGS -6-  
May 24, 1983

At this point in the meeting, a group of Hillcrest Street residents arrived. Their spokesperson stated that the notices they received indicated that the Public Hearing on the paving of Hillcrest would be at 8:30 p.m. He further stated that they had arrived promptly, and noted that the agenda item had already been dealt with.

Manager Deadman verified that the legal notice of the Public Hearing did, in fact, state the hearing was scheduled for 8:30 p.m. He further suggested that these residents should be allowed to speak to the issue.

Mayor Bennett then brought these individuals up to date concerning what transpired before they arrived, stating that the City Manager had explained the proposed costs of the project and how these costs would be distributed. The Mayor then re-opened the Public Hearing for this group's comments.

Henrietta Detrich, 33623 Hillcrest, asked if it would be possible to have the driveway paved by arrangement with the city contractor who does the work.

Manager Deadman stated that this is sometimes possible if the particular contractor is willing to make arrangements with the individual property owner. He advised that as part of this contract a portion of the driveway from the street to the property line will be paved. The property owners will be notified when the work will begin and whether or not such arrangements can be made as soon as the projected schedule is available.

Mignon Speelman, 33605 Hillcrest, wanted to know why Hillcrest is already staked. Manager Deadman advised that the area was staked by the engineering crew to determine property lines and road elevation.

Dick Lancaster, 33618 Hillcrest, asked if this automatically raises taxes again. The Mayor pointed out that this project has nothing to do with taxes, as this is totally a one-time special assessment project.

Mr. Detrich asked if the \$1,500.00 assessment is firm. The City Manager stated that it is the best engineering estimate until we actually get into the project. The Mayor pointed out that based on the history of engineering estimates, he feels it is very close to what actual costs will be.

Councilman Hartsock suggested that since the official notice set the Public Hearing on Hillcrest Street for 8:30 p.m., what happened before 8:30 p.m. be reenacted.

The Mayor agreed, and instructed the Clerk that since there was a legal notice announcing the time of the hearing the record should show the time of the official action taken as approximately 8:42 p.m. He then called for a new motion and roll call vote to adopt

COUNCIL PROCEEDINGS -7-  
May 24, 1983

Resolution Nos. 3 and 4 of the Special Assessment procedure relative to the Hillcrest Street paving project, stating that the City Assessor be instructed to develop a Special Assessment Roll, and to establish a Public Hearing to review the Roll on June 6, 1983, at 8:00 p.m.

5-83-142

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

RESOLUTION NO. 3

WHEREAS, the City Council of the City of Farmington has deemed it necessary to acquire and construct 22 ft. wide road improvements with base stabilization and 2 in. bituminous wearing course, with open ditches on the following described street: Hillcrest Street in the City of Farmington, and

WHEREAS, plans and specifications and estimate of cost and other information concerning said road improvement have been prepared, and

WHEREAS, the City Council has met after due and legal notice and has heard all persons interested in said improvement;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council determines to proceed with the improvement described in the preamble hereto.

2. Plans and specifications and estimate of cost hertofore prepared are hereby approved.

3. The Special Assessment District shall consist of the following lots and parcels of land:

23-28-226-013, 014, 015, 016, 018, 019, 020, 021, 022, 023,  
-024, 025, 026 and 036.  
23-28-227-001, 002, 003, 004, 005, 007, 010.

4. The City Assessor is hereby directed to prepare a Special Assessment Roll in accordance with the resolution duly and regularly adopted by the City Council, wherein he shall assess per lot that part of the cost to be borne by private property against the property set forth in paragraph #3 above.

5. As soon as the Assessor shall have prepared such assessment roll, he shall report the same to the City Council for confirmation.

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.

NAYS: None.

ABSENT: None.

RESOLUTION DECOARED ADOPTED MAY 24, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK



COUNCIL PROCEEDINGS -8-  
May 24, 1983

5-83-143

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

RESOLUTION NO. 4

WHEREAS, the City Council of the City of Farmington has deemed it necessary to acquire and construct improvements in the City consisting of 22 ft. wide road improvements with base stabilization and 2 in. bituminous wearing course, with open ditches on the following described street: Hillcrest Street in the City of Farmington, and

WHEREAS, the City Council has ordered the Assessor to make a special assessment roll of all lots and parcels of land within the designated district benefited by the proposed improvement and assess to each lot or parcel of land the amount benefited thereby; and

WHEREAS, the Assessor has completed said special assessment roll and has filed the same with the City Clerk and the City Clerk has presented the same to the City Council for review and certification.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said Special Assessment Roll shall be filed in the office of the City Clerk and shall be available for public examination.

2. The City Council shall meet to review said special assessment roll on Monday, June 6, 1983, at 8:00 o'clock p.m., Daylight Saving Time at the City Hall in said City.

3. The City Clerk is directed to cause notice of said meeting to be published in the FARMINGTON OBSERVER, a newspaper published in the City, at least once not less than ten (10) days before the date of said meeting and shall further cause notice of said meeting to be sent by first class mail to all property owners in the proposed special assessment district, as shown by the current assessment roll of the City, at least ten (10) days before the date of the meeting.

4. The notice of said meeting as published and mailed shall be in substantially the following form:

NOTICE OF MEETING OF CITY COUNCIL  
TO REVIEW SPECIAL ASSESSMENT ROLL

TO THE OWNERS OF THE FOLLOWING DESCRIBED LANDS:

23-28-226-013, 014, 015, 016, 018, 019, 020, 021, 022,  
023, 024, 025, 026, 036.

23-28-227-001, 002, 003, 004, 005, 007, 010.

COUNCIL PROCEEDINGS -9-  
May 24, 1983

PLEASE TAKE NOTICE that the City Council of the City of Farmington, Oakland County, Michigan, has caused to be prepared a Special Assessment Roll to defray the cost of constructing 22 ft. wide road improvements with base stabilization and 2 in. bituminous wearing course, with open ditches on the following described street:

Hillcrest Street in the City of Farmington.

Said Special Assessment Roll is on file with the City Clerk and is available for public examination.

TAKE FURTHER NOTICE that the City Council of the City of Farmington will meet at the City Hall in said City at 8:00 o'clock p.m., Daylight Saving Time on Monday, June 6, 1983, for the purpose of reviewing said Special Assessment Roll and giving all interested persons an opportunity to be heard in connection therewith.

AYES: Mitchell, Tupper, Yoder, Bennet, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 24, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

REQUESTS FOR PROCLAMATIONS

Denise Albrecht, Farmington Kid's Day Committee, and Liza Lapidés, Weight Watchers, requested proclamations.

5-83-144

Motion by Councilman Yoder, supported by Councilman Tupper, to issue the following proclamations:

KID'S DAY	-	July 9, 1983
WEIGHT WATCHERS' WEEK	-	July 9 - 16, 1983

Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED USE: FEDERAL EMERGENCY  
JOBS BILL FUNDING

Manager Deadman stated that part of the Jobs Bill funds will be used for the Community Development Program. He advised that under the recently passed Federal Emergency Jobs Bill, Oakland County will receive \$2.1 million, which will be allocated to two separate funds: a Local Community Allocations Fund and a Special Activity Fund. He indicated that out of the Local Allocations Fund, the City of Farmington will receive approximately \$23,100.00 that can be expended in any legitimate Community Development Block Grant Program.

The City Manager pointed out that national objectives have been established relative to how these funds should be used, and the

COUNCIL PROCEEDINGS -10-  
May 24, 1983

City has attempted to meet those national objectives in formulating its proposal. The County requests that a program be selected by the City Council by May 25 of this year on how we propose to spend those funds, as the County is required to hold public hearings during June in order to submit their final proposed program to the Federal Government by July 1, 1983.

Manager Deadman stated that one of the priority items on the City's 5-year Community Development Plan is the construction of a sidewalk along Drake Road to give walking access to Drake Road Park and to allow the Baptist Manor Senior Citizen Complex residents in Farmington Hills to have access to the shopping area on Grand River.

Estimated cost of this sidewalk is approximately \$30,000.00, and whether or not the City of Farmington Hills administration agrees to participate in this project, the City Manager feels there is sufficient need for the sidewalk on Drake Road to construct it with Farmington's Community Development Funds. He indicated that there will be sufficient balance in the City's Community Development Account to complete the project during the next fiscal year.

Councilman Yoder asked how far into the City of Farmington Hills this sidewalk would run. Although the proposed sidewalk would extend across the entire front of the property in the City of Farmington Hills, the City of Farmington would pick it up at the City Limits and take it through to Grand River.

Councilman Mitchell stated that although he is certainly in accord with the proposed installation of sidewalk along Drake Road north to Grand River, he could not in conscience vote for this project because of his strong opposition to the use of federal funds. He, therefore, asked Council's permission to abstain from voting on this issue.

Councilman Yoder suggested that this was not a valid reason for abstaining, and asked for the City Attorney's opinion. Attorney Kelly agreed that Councilman Mitchell could not validly abstain on this issue. It was suggested that Mr. Mitchell could, in fact, request that his reason for a negative vote be recorded in these minutes. Councilman Mitchell so requested.

Councilman Hartsock indicated that even though Council were to take a symbolic stand against federal funding, he would have to look at the situation in terms of money available and whether or not the particular project was truly worth expending the funds.

Mr. McKee, 22940 Farmington Road, asked if the installation of sidewalks isn't the responsibility of the property owners.

Manager Deadman stated that the western portion of the city presents a unique situation, because when it was annexed to the city in 1968, the City Council at that time promised that sidewalks would not have to be installed at the residents' expense. To charge them now would not be honoring that promise.

COUNCIL PROCEEDINGS -11-  
May 24, 1983

The Mayor pointed out that federal funding was expended similarly about eighteen months ago when sidewalks were installed along Grand River, without cost to the residents. On the proposed Drake Road sidewalk project also, the funds will not come out of the City's taxing unit.

5-83-145

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby approves the use of \$23,100.00 in Federal Emergency Jobs Bill funding for the construction of a 5-foot wide sidewalk along the east right-of-way of Drake from Freedom Road north to Grand River Avenue.

ROLL CALL

AYES: Tupper, Yoder, Bennett, Hartsock.  
NAYS: Mitchell.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 24, 1983.

Councilman Mitchell voted "Nay" on the Drake Road Sidewalk Program because of his opposition to federal funding although he is not opposed to the project.

FINAL PAYMENT: 47TH DISTRICT COURT ROOF

The City Manager presented to Council the contractor's request for final payment for reroofing the 47th District Court facility as follows:

Work Completed to Date	\$65,144.00
Less Previous Payments	<u>(57,459.42)</u>
Approved Final Payment	\$ 7,684.58

Manager Deadman reminded Council that during the construction period, a heavy rain storm caused water damage to the carpeting, ceilings and wall textures, which have been repaired to the satisfaction of the District Court Judges.

The Director of Public Services, Earl Billing, has inspected the work and recommends that the final payment be submitted to AMRCO Corporation.

5-83-146

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes final payment in the amount of \$7,684.58 to Amrco Corporation of Sterling Heights, Michigan, for reroofing the 47th District Court.

COUNCIL PROCEEDINGS -12-  
May 24, 1983

BE IT FURTHER RESOLVED That funds be provided by the City of Farmington Hills and the City of Farmington General Fund.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 24, 1983.

PROPOSED BUDGET ADJUSTMENTS  
FISCAL YEAR 1982-83

Manager Deadman provided Council with a rather lengthy report on proposed budget adjustments for the current year's budget, stating that he would answer any questions Council might have. He advised that no budget adjustment is required to meet the State Code or State Budgetary Act, but that good accounting practices and good administrative procedures indicate that adjustments should be made. He, therefore, gave Council a list of the reasons for adjustments for the General Fund, Water & Sewer Fund and the Highway Fund.

5-83-147

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby amends the 1982-83 budget as shown in the budget document on Page 7; and

BE IT FURTHER RESOLVED that the following sums are hereby appropriated as the amended budget for the operation of the City of Farmington for fiscal year 1982-83, beginning July 1, 1982 and ending June 30, 1983:

GENERAL FUND EXPENDITURES:

General Government	\$610,200	
Public Safety	917,155	
Federal Revenue Sharing:		
Public Safety Officers	60,900	
Public Services	486,610	
Parks & Recreation	76,780	
Library	134,690	
Miscellaneous	98,390	
Insurance & Fixed Costs	455,645	
Inter-Fund & Debt Service Transfers	131,595	
TOTAL GENERAL FUND EXPENDITURES:		\$2,971,965

WATER & SEWER FUND EXPENDITURES

Operating & Maintenance	\$927,595	
Capital Improvements	46,280	
Debt Service	16,950	
TOTAL WATER & SEWER FUND EXPENDITURES		\$ 990,825

COUNCIL PROCEEDINGS -13-  
May 24, 1983

HIGHWAY FUND EXPENDITURES:

Construction	\$ 60,800	
Operating & Maintenance	241,705	
Debt Service	55,260	
TOTAL HIGHWAY FUND EXPENDITURES:		<u>\$ 357,765</u>

TOTAL EXPENDITURES ALL FUNDS: \$4,320,555

BE IT FURTHER RESOLVED that the City Treasurer is hereby authorized to pay all claims and accounts properly chargeable to the foregoing appropriations provided that the said claims and accounts have been lawfully incurred and approved by Council, Board, Commission or other officer authorized to make such expenditures.

BE IT FURTHER RESOLVED that the City Treasurer shall report to the Council quarterly the status of the amounts as shown in the budget document on Pages 2 through 7.

ROLL CALL

AYES: Bennett, Hartsock, Mitchell, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 24, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

FINAL PAYMENT: FACADE REPAIR MUNICIPAL BLDG.

Manager Deadman reported that Chuck Miller Contracting Company has submitted a request for final payment for the aggregate facing installed on the overhang on the east side of the building and around the window areas. The work has been inspected and found to be in substantial compliance with the bid specifications.

5-83-148

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes final payment in the amount of \$1,225.12 to Chuck Miller Contracting Company of Livonia, Michigan, for the Municipal Building Facade Repair, and

BE IT FURTHER RESOLVED that funds be provided from the General Fund Account.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 24, 1983.

COUNCIL PROCEEDINGS -14-  
May 24, 1983

ESTABLISH SPECIAL COUNCIL MEETING  
SALE OF BONDS : OLD TOWN DRAIN

Manager Deadman referred to the Federal Statute requiring that all tax exempt bonds issued after June 30 of this year will have to be registered. He stated there is an opportunity to save interest if the Old Town Drain Project bonds can be marketed prior to that date.

The City's Bonding Attorney believes that if the bonds can be sold on June 13 and a low bidder selected that day, the bonds can actually be marketed before June 30. It will, therefore, be necessary to establish a Special Council Meeting to award the bid.

The City Manager advised that the bids will be opened at 3:00 p.m. on June 13, 1983, and he suggested that Council set the Special meeting that evening at 7:00 p.m.

5-83-149

Motion by Councilman Yoder, supported by Councilman Tupper, to schedule a Special Council meeting at 7:00 p.m. on Monday, June 13, 1983, to award the bid for the Old Town Drain bonds. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Betty McKee, 22940 Farmington Road, asked who is responsible for the upkeep of the sidewalk under the viaduct at Nine Mile and Freedom Roads. She walks that route frequently and requested that the debris be removed.

The City Manager advised that although this is a County Road, the City is responsible for its maintenance by agreement with the County. Mrs. McKee was assured that the area beneath the overpass would be cleaned.

It was pointed out that this area will be torn up in the near future to widen the roadway.

Mrs. Mistretta, 22960 Farmington Road, stated there a problem of dogs being walked along Farmington Road, and asked if something could be done to have the owners clean up after their animals. She was informed that presently the City has no ordinance to curb dogs or force their owners to clean up after them.

Roger Hutchinson, 23791 Longacre, stated that he was in agreement with Councilman Mitchell's statement on federal funding. He appreciates the new trash pickup, and commended the City of Farmington as being a very nice place to live.

Councilman Mitchell advised Council that the Boron Station at Drake Road and Grand River has come before the Planning Commission with a request to install a canopy. He asked if the new sidewalk could be terminated at the driveway of the gas station so as not to divide the planting area shown in their landscape plan.

The City Manager stated he would like to see the site plan before making a statement. He said that if the sidewalk were not terminated, perhaps it might be moved.

Councilman Mitchell said he needed an answer rather quickly, as the owner is having an architect-engineer look at the area on Thursday. He wondered if Council could give the Planning Commission the authority to terminate the sidewalk by motion tonight.

5-83-150

Motion by Councilman Mitchell, supported by Councilman Tupper, to authorize the Planning Commission to terminate the new sidewalk in the area of the landscape plan at the Boron Station at Drake Road and River when the site plan for the installation of the canopy is approved. Motion carried, all ayes.

Councilman Yoder asked the City Manager to check the Charter to clarify an apparent difference of opinion relative to abstentions.

Council had no objection to Councilman Yoder's suggestion that the City Manager make a study of what it would cost to pave the drive at Oakwood Cemetery.

Mayor Bennett stated that he had received a telephone call relative to the condition of the southwest lot at Grand River and Drake Road. Director Billing advised that the owner has been notified that he has until June 1 to take care of the weed growth.

Councilman Hartsock advised he received a telephone call relative to problems of drivers and pedestrians due to the configuration of the corner of Alta Loma and Farmington Road. Left turns from Alta Loma and Orchard onto Farmington Road are difficult. He asked the Director of Public Safety if the problem can be assessed, and if there is a problem, can it be solved?

Manager Deadman pointed out that the County looked at this area about two years ago and decided everything was all right. He said he would have the County update this study.

PROPOSAL TO ESTABLISH JOINT COUNCIL MEETING  
TO REVIEW LIBRARY BALLOT QUESTION

Manager Deadman advised that the City of Farmington Hills has suggested that the two City Councils meet with the Library Board to discuss placing the Library Authority question on the November ballot. No decision has yet been reached to allow the question to come before the voters.

5-83-151

Motion by Councilman Hartsock, supported by Councilman Yoder to schedule a special meeting with the Farmington Hills Council at 7:30 p.m. on Wednesday, June 15, 1983, in the Farmington Council Chambers for a final review of placing the Library Authority question on the November 1983 ballot. Motion carried, all ayes.



FINANCIAL REPORTS: GENERAL FUND AND  
47TH DISTRICT COURT (10 months ended  
April 30, 1983)

Manager Deadman stated that the impact of the Financial Reports was covered in the Budget Adjustment Report given earlier this evening.

5-83-152

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and file the General Fund and 47th District Court Financial Reports for the 10 months ended April 30, 1983. Motion carried, all ayes.

DEPARTMENT OF PUBLIC SAFETY ANNUAL REPORT

Director Seifert advised that the lateness of this year-end report was due to the county-wide system having been off line for about eight months last year, causing him to receive the February reports in late November. He hopes to have the first quarterly report available for Council at the next regular meeting.

Council commented on the report relative to fleet mileage and clearances and complimented the Director on the thoroughness of the presentation.

5-83-153

Motion by Councilman Mitchell, supported by Councilman Hartsock, to receive and file the Department of Public Safety Annual Report for 1982. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

5-83-154

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following ordinance:

ORDINANCE NO. C-506-83

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON BY ADDING A NEW SECTION, WHICH SECTION SHALL BE DESIGNATED AS SECTION 9.500, AND TO AMEND SECTIONS 9.501, 9.503, 9.504 and 9.516, CHAPTER 94, TITLE IX OF SAID CODE.

THE CITY OF FARMINGTON ORDAINS:

Section 9.500. Definitions. That the definitions contained in the Michigan Liquor Control Act, Act 8, P.A. of 1933, as amended, and in the Administrative Rules of the Michigan Liquor Control Commission are hereby adopted by reference.

Section 9.501. State License. No person shall engage in the business of selling alcoholic liquor, beer, wine or spirits for consumption in the City of Farmington or elsewhere without first

obtaining a liquor license therefor, as required by the statutes of the State of Michigan.

Section 9.503. Minors; Alcoholic Liquor. No person under the age of twenty-one (21) years shall, in the city, do any of the following:

- (1) Purchase, offer or attempt to purchase, have in his possession or consume any alcoholic liquor in a licensed premises. A person who violates this subsection is responsible for a civil infraction..
- (2) Furnish any false information or make any false representation as to his age to any law enforcement officer, or to any person in charge of, or employed in any establishment licensed to sell alcoholic liquor, for the purpose of obtaining a sale of any alcoholic liquor to himself.
- (3) Knowingly possess, transport or have under his control in any motor vehicle any alcoholic liquor unless that person is employed by a licensee under the Michigan Liquor Control Act and is possessing, transporting or having such alcoholic liquor in a motor vehicle under his control during regular working hours in the course of his employment.

Section 9.504. Sale to Minors. It shall be unlawful for any person to sell, assist in the procurement of, or provide, give or furnish to any minor person under the age of twenty-one (21) years, any alcoholic liquor, except upon authority of and pursuant to prescription of a duly licensed physician.

Section 9.516. Procedure for Recommendation of Non-Renewal or Revocation. Before filing any objection to renewal or request for revocation of a license with the Michigan Liquor Control Commission, the City Council shall serve the licensee by first class mail, mailed not less than seven (7) days prior to hearing with notice of a hearing, which notice shall contain the following:

- (1) Notice of proposed action.
- (2) Reasons for the proposed action.
- (3) Date, time and place of hearing.
- (4) A statement that the licensee may present evidence, any testimony, and confront adverse witnesses.

Said hearing shall be open to the public and notice of said public hearing shall be mailed by first class mail to each residence within 300 feet of the property of the licensed establishment, and shall

COUNCIL PROCEEDINGS -18-  
May 24, 1983

be published in a newspaper of general circulation in the City of Farmington.

Following hearing, the City Council shall submit to the license holder and the Commission a written statement of its findings and determination.

This ordinance was introduced at a regular meeting of the Farmington City Council on May 2, 1983, was adopted and enacted at the next regular meeting on May 24, 1983, and will become effective ten (10) days after publication..

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

WARRANT LIST  
5-83-155

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$29,345.02; Water & Sewer Fund \$12,000.69.

ROLL CALL

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: None.

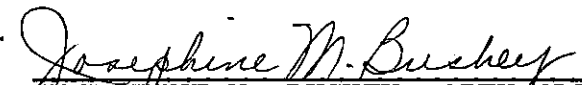
Motion carried.

ADJOURNMENT

Motion by Councilman Mitchell, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:27 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, June 6, 1983, 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 Bennett.

ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Seifert, Attorney Kelly, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

6-83-156

Motion by Councilman Mitchell, supported by Councilman Yoder, to approve the minutes of the meeting of May 24, 1983, as printed. Motion carried, all ayes.

PUBLIC HEARING: TO REVIEW SPECIAL ASSESSMENT ROLL - HILLCREST STREET IMPROVEMENTS

Manager Deadman stated that the Public Hearing has been advertised in accordance with the City Charter and City Ordinance provisions which apply to the establishment of Special Assessment Districts. Previous hearings resulted in City Council declaring the necessity of improving Hillcrest Street by applying a stabilizer to six inches of base material with a two inch asphaltic wearing course and open drainage ditches.

The Special Assessment Roll for this project was developed on a per-lot basis, except for those lots on Shiawassee with sideyards facing Hillcrest and having no private driveways off Hillcrest. These will be assessed one-half the per-lot assessment or \$750.00.

The City-at-Large will share 20% of the cost of the project, and the City of Farmington Hills will assume responsibility for the assessment of two lots which use Hillcrest Street to access their property but have no frontage on the street.

The City Manager indicated the total construction cost at \$41,250.00 with the cost-sharing formula as follows:

Property Owners Special Assessment Share	\$30,000
City of Farmington Hills Share	3,000
City of Farmington-at-Large Share	<u>8,250</u>
TOTAL SPECIAL ASSESSMENT AND GENERAL OBLIGATION	\$41,250

Special Assessment payments will be divided into ten equal installments, with the first becoming due on September 1, 1983, at 10% interest per annum.

COUNCIL PROCEEDINGS -2-  
June, 6, 1983

Manager Deadman advised that the City of Farmington Hills engineers have agreed to add this project to their 1983 paving program which is scheduled for construction between July and September of this year. A firm date will not be available until after bids are received in late June.

Mayor Bennett called for questions from the Council members: There being none, he opened the Public Hearing to the audience.

Mr. Clifford, 33630 Hillcrest, wanted to know when the detailed plans for the project would be available, as he is interested in knowing what will happen opposite his property. The City Manager promised to call Mr. Clifford as soon as the plans are available sometime this month.

Theresa Migliore, 33615 Hillcrest, asked how long it would take to pave Hillcrest, and if the residents will be able to leave and return to their homes while construction is in progress.

The City Manager advised that except for the time possibly that heavy equipment is in the area, residents will most likely be able to drive through the area during construction. Otherwise, temporary parking will be provided on Glenview or Locust.

6-83-157

Motion by Councilman Yoder, supported by Councilman Hartsock, to close the Public Hearing. Motion carried, all ayes.

6-83-158

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

RESOLUTION NO. 5

WHEREAS, the City Council has met after due and legal notice and reviewed the special assessment roll prepared for the purpose of defraying the Special Assessment District's share of road improvements to be located on Hillcrest Street, all of the above being located in the City of Farmington, and

WHEREAS, after hearing all persons interested therein, and after carefully reviewing said special assessment roll, the City Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon are in proportion to benefits received;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$30,000.00 is hereby confirmed and shall be known as Special Assessment Roll No. 83-73.

2. Said special assessment roll shall be divided into Ten ( 10 ) equal annual installments, the first of which shall be due and payable on September 1, 1983, the second on July 1, 1984, and the subsequent installments shall be due on July 1st of each and every year thereafter.

3. Interest shall be charged on the unpaid balance of said special assessment roll at the rate of Ten per cent (10) per annum, from October 31, 1983; Provided, however, after the issuance of bonds to be issued in anticipation of the collection of the unpaid assessments of said Special Assessment Roll, the City Treasurer be and is hereby directed to adjust said rate of interest to a rate which is not more than one (1%) percentage point in excess of the average rate borne by said bonds.

4. Said Special Assessment Roll No. 83-73 shall be placed on file in the office of the City Clerk and the City Clerk is hereby directed to attach her warrant to a certified copy of the aforesaid special assessment roll within ten (10) days commanding the Assessor to spread the various sums and amounts appearing thereon on the Special Assessment Roll in the annual installments as directed by the City Council. The City Clerk is hereby directed to endorse the date of the adoption of this Resolution on said roll.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

YES: Hartsock, Mitchell, Tupper, Yoder, Bennett.

NAYS: None.

RESOLUTION DECLARED ADOPTED JUNE 6, 1983.

JOSEPHINE M. BUSHEY  
CITY CLERK

MINUTES OF OTHER BOARDS

6-83-159

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Board of Zoning Appeals minutes of May 4, 1983;  
Planning Commission minutes of May 23, 1983;  
Southwestern Oakland Cable Commission minutes of May 18, 1983;  
Beautification Committee minutes of May 12, 1983;  
Farmington Area Arts Commission minutes of May 19, 1983;  
Farmington Community Library minutes of May 5, 1983.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR SIGN VARIANCE:  
GRAND RIVER/HALSTED PLAZA

The Grand River/Halsted Plaza, represented by Barnett Dickman, requested Council to grant a sign variance permitting the installation of a new identifying sign at the Grand River right-of-way west of the Kroger Store. Overall height of the proposed sign would be 18 ft. with a supporting structure 13 ft. high including a masthead 5 ft. high and 10 ft. long, containing 50 sq. ft. of advertisement on each side.

The sign variance was requested because Kmart will not allow any advertising but their own on their present sign, which is the only sign at the shopping center. It was noted that Kmart's lease agreement apparently included a request for a separate ground sign.

Councilman Mitchell opposed the variance, suggesting that Council continue to support the Sign Ordinance, making exceptions only where they are clearly warranted and necessary.

6-83-160

Motion by Councilman Mitchell, supported by Councilman Hartsock, to deny the request for sign variance at the Grand River/Halsted Plaza. Motion carried, all ayes.

HISTORICAL COMMISSION'S REQUEST FOR HISTORIC  
DISTRICT DESIGNATION ON CITY MAPS AND  
ENTRANCEWAY SIGNS

The Farmington Historical Commission, represented by Chairman Howard Aldrich, requested that the Historic District be designated on city maps and that the city's entrance signs note that this is the community where a former governor lived.

The City Manager concurred with the Commission's request relative to future printings of city maps, but he indicated that to add new wording to the entranceway signs would require a major reworking of the signs and their supporting structures.

6-83-161

Motion by Councilman Hartsock, supported by Councilman Tupper, to instruct the City Manager to further review the possibility of including the identification of Governor Warner on the city's entrance signs. Motion carried, all ayes.

It was noted that four or five of these entrance signs presently exist at the city's borders.

LETTER FROM DR. JOSEPH GADBAW TERMINATING  
MEMBERSHIP ON THE FARMINGTON AREA COM-  
MISSION ON AGING

Manager Deadman advised that due to numerous commitments, Dr. Gadbow is unable to serve another term on the Farmington Area Commission on Aging.

Mr. Deadman stated that he has received a similar letter from Sr. Clare who does not wish to renew her appointment to the Commission.

6-83-162

Motion by Councilman Yoder, supported by Councilman Hartsock, to accept Dr. Gadbow's resignation from the Farmington Area Commission on Aging with regret, and send him a letter recognizing his service to the community. Motion carried, all ayes.

Councilman Yoder asked Bill Liba, who was present in the audience, if he would be interested in serving on the Commission. Mr. Liba declined.

REQUEST FROM FARMINGTON COMMUNITY LIBRARY  
TO WAIVE OLD TOWN DRAIN SPECIAL ASSESSMENT

A letter from Lois Carey, Secretary, Farmington Community Library Board of Trustees, states that in view of the desire for harmony between Council and the Board, the dire financial straits of the library, and the tax exempt status of the library, the Board requests that the library's Special Assessment for the Old Town Drainage Project be waived.

Manager Deadman pointed out that although the library received proper legal notice of all hearings held during the Special Assessment process, they raised no objections at any of these hearings relative to the assessment.

He stated that this special assessment is the library's proportionate share of the Project, and similar assessments have been levied against all properties within the District without exception and without consideration of tax status. He pointed out that these properties include other units of local government, churches, civic organizations and other agencies which may also enjoy special tax status.



COUNCIL PROCEEDINGS -6-  
June 6, 1983

As for the most part the Community Library is funded by contributions from the Cities of Farmington and Farmington Hills, it will derive the majority of the funding for the Special Assessment payment from the City of Farmington Hills.

The City Manager advised that there are no provisions in the city's Special Assessment procedure to grant exception to certain classes of property, as any exceptions granted would increase the cost to all other property owners in the District.

He further stated that City Council will provide Farmington's proportionate share of this Special Assessment when it comes due, as the library did not include the cost in their budget projections for the coming year.

After considerable discussion, it was Council's consensus that no waiver be granted relative to the Library's Special Assessment.

6-83-163

Motion by Councilman Yoder, supported by Councilman Mitchell, to receive and file the Farmington Community Library's request for waiver, and that the City Manager send a letter to the Library Board explaining Council's action. Motion carried, all ayes.

REQUEST FROM NOVI AMBULANCE, INC., TO  
LOCATE MOTOR HOME IN DOWNTOWN CENTER  
PARKING LOT

In order to conduct free blood pressure and Electrocardiogram tests, the Advance Life Support Director of Novi Ambulance requested permission to locate a motor home in the Downtown Parking Center lot, during this week and possibly next. The checkups are to be given by trained Emergency Medical Technicians and Paramedics.

The City Manager stated that although Novi Ambulance is no longer the primary provider of ALS services in Farmington, they still operate in the community providing transportation to medical facilities on an on-call basis.

Since the request stated that the free blood pressure and EKG tests would be conducted for anyone wishing to see them demonstrated, City Council expressed some concern relative to how Novi Ambulance proposes to use the information derived from these tests.

Director Seifert indicated that in the case of the EKG test conducted at the Center parking lot, the individual being tested is given a strip result which can be included with their Vial-of-Life for possible future transport should any emergency ever occur. He suggested that providing this type of result could be beneficial.

6-83-164

Motion by Councilman Mitchell, supported by Councilman Yoder, to grant permission to Novi Ambulance to park a motor home in the

COUNCIL PROCEEDINGS -7-  
June 6, 1983

Downtown Center parking lot during the week of June 6 - 11, 1983, to conduct free blood pressure and EKG tests, with no opinion given on the test results. Motion carried, all ayes.

REQUEST FOR ANNUAL TENT SALE  
FARMINGTON PLAZA MERCHANTS

On behalf of the Merchants of Farmington Plaza, Edward Winnicki of Modern Men's Shop, requested Council's permission to hold their Annual Tent Sale during the week of June 20 - 25, 1983. Four or five tents would be erected along the service drive in front of the stores from Cambridge Drugs to the Sveden House, requiring barricades at both ends and at the center access to the drive.

6-83-165

Motion by Councilman Yoder, supported by Councilman Mitchell, to grant permission for the Farmington Plaza Merchants' Annual Tent Sale during the week of June 20 - 25, 1983, as requested. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

ADOPTION OF 1983-84 CITY BUDGET AND  
ESTABLISHING LOCAL MILLAGE TAX RATE

Manager Deadman advised that as a result of a recent Public Hearing on the General Fund Budget, City Council adjusted the city's contribution to the Farmington Community Library. An additional \$21,000.00 has been provided to the library system: approximately \$18,445.00 from Farmington Hills and \$2,555.00 from Farmington. This adjustment was necessary because revenue projections were over-optimistic in the area of state shared revenues, grants and memorial funds.

Adjustments were also necessary in some of the expenditure accounts of the library if current programming is to continue.

6-83-166

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby adopts the 1983-84 budget as shown in the budget document on Page 5; and

BE IT FURTHER RESOLVED that the following sums are hereby appropriated as the budget for the operation of the City of Farmington for fiscal year 1983-84, beginning July 1, 1983, and ending June 30, 1984:

GENERAL FUND EXPENDITURES:

General Government	\$593,555
Public Safety	946,230
Federal Revenue Sharing:	
Public Safety Officers	55,200
Public Services	542,420
Parks & Recreation	92,990

COUNCIL PROCEEDINGS -8-  
June 6, 1983

Library	\$142,555	
Miscellaneous	107,800	
Insurance & Fixed Costs	476,030	
Inter-Fund & Debt Service Transfers	214,920	
TOTAL GENERAL FUND EXPENDITURES		\$3,171,700
<u>WATER &amp; SEWER FUND EXPENDITURES:</u>		
Operating & Maintenance	\$1,093,410	
Capital Improvements	75,330	
Debt Service	40,675	
TOTAL WATER & SEWER FUND EXPENDITURES:		\$1,209,415
<u>HIGHWAY FUND EXPENDITURES:</u>		
Construction	\$112,800	
Operating & Maintenance	281,480	
Debt Service	52,200	
TOTAL HIGHWAY FUND EXPENDITURES:		\$ 446,480
TOTAL EXPENDITURES ALL FUNDS:		\$4,827,595

BE IT FURTHER RESOLVED that the City Treasurer is hereby authorized to pay all claims and accounts properly chargeable to the foregoing appropriations provided that the said claims and accounts have been lawfully incurred and approved by Council, Board, Commission or other officer authorized to make such expenditures.

BE IT FURTHER RESOLVED that the City Treasurer shall report to the Council quarterly the status of the amounts as shown in the budget document on Pages 7 through 11.

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 6, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

6-83-167

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, the City Manager has presented to the Council a Proposed Budget for Fiscal Year beginning July 1, 1983, in accordance with the provisions of the City Charter; and

WHEREAS, the City Council has held Public Hearings in accordance with the provisions of the Federal Revenue Sharing Act, the State Statutes and the City Charter; and

WHEREAS, the City of Farmington Council in accordance with provisions of Public Act 5, of 1982, has advertised that the millage rates will be higher, and

COUNCIL PROCEEDINGS -9-  
June 6, 1983

WHEREAS, the City of Farmington will be required to raise its Debt Service millage rate to fund the cost of additional bonded debt, and all or part of this increased Debt Service millage rate may be charged against the City's Authorized Charter Rate.

THEREFORE, BE IT RESOLVED, that the Budget for Fiscal Year beginning July 1, 1983, in the amount of \$3,171,700.00 as prepared by the City Manager, is hereby approved and adopted; and

BE IT FURTHER RESOLVED, that to meet the portion of the General Fund Budget cost, the City Treasurer is hereby directed to spread taxes on Real and Personal Property in the amount of Ten Dollars and Fifty Cents (\$10.50) per thousand of State Equalized Assessed Valuation, and

BE IT THEREFORE RESOLVED, that to meet portions of the Debt Service cost, the City Treasurer is hereby directed to spread taxes on Real and Personal Property in the amount of One Dollar and Twenty-Four Cents (\$1.24) per thousand of State Equalized Assessed Valuation.

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 6, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

AUTHORIZATION TO PARTICIPATE IN MICHIGAN  
MUNICIPAL MANAGEMENT AUTHORITY  
STOP-LOSS PROGRAM

Manager Deadman explained that in an effort to respond to the concerns of smaller member communities, the Board of Trustees of the Michigan Municipal Management Authority approved the implementation of an "Aggregate Stop-Loss Program," which basically would limit the amount of loss a city could suffer in any one year to \$75,000.00. Any remaining loss would be paid out of the new Stop-Loss Program by taking 5% of the liability insurance premiums presently being paid by the city and putting this amount into the Stop-Loss pool.

The City Manager noted the slight risk of such loss occurring more than once a year by pointing out that out of the 26 member communities, during the first three years of membership in the Authority only one city has paid out more than \$50,000.00. Although the risks are relatively small, such losses would place a severe financial hardship on a small unit of government like Farmington.

Hypothetical loss models developed by the Authority's Risk Management indicate that the 5% contribution by each member city should be more than enough to fund potential losses of over \$75,000.00. After three or four years, accumulated surpluses will be returned to the cities either on a reduced premium or rebate basis.

The City manager stated that his office is also looking into the possibility of self-funding employees' life insurance programs. Based on an actuarial study of various cities over the last 20 years, he believes the city's cost for employee life insurance can possibly be reduced considerably.

6-83-168

Motion by Councilman Mitchell, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to enter into the Michigan Municipal Risk Management Authority Aggregate Stop-Loss Program on behalf of the city, and

BE IT FURTHER RESOLVED that the Risk Management Authority may take 5% of the City of Farmington's liability<sup>insurance</sup> premium and place this amount into the pool for the Stop-Loss Program.

RESOLUTION ADOPTED UNANIMOUSLY JUNE 6, 1983.

EMERGENCY TRAFFIC CONTROL ORDINANCE:  
YIELD SIGNS AT ADAMS STREET.

6-83-169

Motion by Councilman Hartsock, supported by Councilman Yoder, to introduce, adopt and enact the following emergency ordinance, making "Yield Right-of-Ways" Adams Street at Grace; Adams Street at Cass:

ORDINANCE NO. C-507-83  
AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Chief of Police of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 2, Section 2.8 as provided for in Section 2.53 of the Uniform Traffic Code for Cities, Townships and Villages.

CHAPTER 2 "YIELD RIGHT-OF-WAY STREETS"- Add the following:

SECTION 2.8            ADAMS STREET AT GRACE

ADAMS STREET (WESTBOUND) AT CASS

This ordinance is declared to be an emergency ordinance which is immediately necessary for the preservation of the public peace, health and safety.

This ordinance was introduced, adopted and enacted at a regular meeting of the Farmington City Council on June 6, 1983, and will become effective immediately.

AYES:            Yoder, Bennett, Hartsock, Mitchell, Tupper.  
NAYS:            None.  
ABSENT:          None.

COUNCIL PROCEEDINGS -11-  
June 6, 1983

MISCELLANEOUS

There were no Public Comments.

DEPARTMENT OF PUBLIC SAFETY QUARTERLY  
REPORT: JANUARY - MARCH 1983

Mr. Clifford, Hillcrest Street, asked Director Seifert if the Federal Government is still financing crime prevention programs as they have done in recent years.

The Director stated that there is presently no federal direct assistance for this type of program. He did indicate, however, that the National Institute for Justice, in cooperation with a national organization of retired professional people, is funding programs primarily in Jr. Colleges, to teach crime prevention.

6-83-170

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Public Safety Quarterly Report of January thru March 1983. Motion carried, all ayes..

RESOLUTIONS AND ORDINANCES

CERTIFICATION OF DELINQUENT AMOUNTS TO  
BE PLACED ON THE 1983 CITY TAX ROLL

6-83-171

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby directs that the Delinquent Special Assessment payments and Unpaid Service Invoices, as certified by the City Treasurer in the amount of \$25,089.20, be placed on the 1983 City Tax Roll; and

BE IT FURTHER RESOLVED that the attached list be made a part of this resolution.

ROLL CALL

AYES: Bennett, Hartsock, Mitchell, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 6, 1983.

(List of Delinquent amounts is attached to Official minutes)

WARRANT LIST

6-83-172

Motion by Councilman Hartsock, supported by Councilman Yoder, to approve the monthly bills as submitted: General Fund \$24,547.10; Water & Sewer Fund \$832.52.

COUNCIL PROCEEDINGS -12-  
June 6, 1983

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

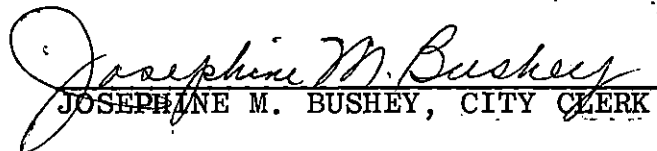
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Mitchell, supported by Councilman Tupper,  
to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:57 p.m.

  
ALTON, L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## CITY OF FARMINGTON

## CERTIFICATION OF DELINQUENT SPECIAL ASSESSMENT PAYMENTS, INVOICES &amp; WATER BILLS

JUNE 6, 1983

I, Winona Woods, Treasurer for the City of Farmington, Oakland County, Michigan, do hereby certify that as of May 1, 1983, the following Special Assessment invoices, City service invoices and water bills were delinquent and should be placed on the 1983 City of Farmington tax roll in accordance with the Farmington City Code, Chapter 7, Section 1.188; and I further certify that the property owners have been notified of this action.

<u>PARCEL NO.</u>	<u>ACCOUNT NAME</u>	<u>ROLL NO.</u>	<u>AMOUNT DUE</u>
23 26 304 017	Carol Stablein	73-53	\$ 73.01
23 26 304 018	S. Davis	73-53	74.88
23 26 304 019	William R. Browning	73-53	68.64
23 26 304 021	Jack J. Shelton	73-53	36.50
23 27 377 018	Kathleen A. Henrikson	73-54	112.95
23 27 451 008	David Bruce	73-54	80.68
23 27 451 016	William Ely	73-54	80.68
23 27 451 040	Charles Martell	75-63	135.75
23 27 451 063	Stewart Meredith	75-63	135.75
23 27 403 024	Elmer H. LaFevre	76-66	170.34
23 27 329 025	Richard Hamrick	76-67	215.97
23 27 330 027	Harold E. Bassman	76-67	148.26
23 26 354 015	Medford B. Nance	78-70	861.24
23 26 359 024	Robert C. Tinker	78-70	265.57
23 26 359 031	Kenneth Luark	78-70	515.08
23 26 377 003	William Magee	78-70	353.55
23 26 377 005	Murray Goodrich	78-70	352.66
23 27 102 003	Robert J. Carlson	1980 Sidewalk	308.24
23 28 280 009	Janice Schweizer	1980 Sidewalk	268.73
23 28 402 003	Carl F. Geistler Jr.	1980 Sidewalk	170.30
23 26 303 036	Dennis J. Verbanic	1981 Sidewalk	162.24
23 26 352 012	Helen Kellogg	1981 Sidewalk	208.42
23 27 203 027	Forad Hider	1981 Sidewalk	189.13
23 27 228 001	Joseph Lewandowski	1981 Sidewalk	134.22
23 27 301 013	Glenn Moody	1981 Sidewalk	166.19
23 27 330 055	Glass Onion (Ram's Horn)	1981 Sidewalk	201.72
23 27 402 005	Michael Sanderson	1981 Sidewalk	160.58
23 27 427 026	Sam Tukul	1981 Sidewalk	280.40
23 26 304 033	Richard & Marie Lapham	1982 Sidewalk	51.58
23 27 103 010	Richard L. Bowden	1982 Sidewalk	40.30
23 27 228 011	Charlene E. O'Brien	1982 Sidewalk	36.28
23 27 276 028	Deo Galbraith	1982 Sidewalk	20.16
23 27 301 001	Albert P. Herzog	1982 Sidewalk	220.58
23 27 301 002	Lewis W. Harp	1982 Sidewalk	187.83
23 27 376 005	Richard L. Donner Jr.	1982 Sidewalk	126.10
23 27 402 005	Michael Sanderson	1982 Sidewalk	109.62
23 27 402 023	David L. Huettman	1982 Sidewalk	36.40
23 27 452 014	Samuel J. Graham	1982 Sidewalk	51.58
23 27 477 002	Edward L. Cleland	1982 Sidewalk	80.60
23 28 226 002	William McShane	1982 Sidewalk	22.76



CERTIFICATION OF DELINQUENT SPECIAL ASSESSMENT PAYMENTS, INVOICES & WATER BILLS

JUNE 6, 1983 (CONTINUED)

<u>PARCEL NO.</u>	<u>ACCOUNT NAME</u>	<u>ROLL NO.</u>	<u>AMOUNT DUE</u>
23 28 252 012	George Kobel	1982 Sidewalk	\$ 83.82
23 28 256 008	William Corliss	1982 Sidewalk	40.30
23 28 258 006	Albert P. Herzog Jr.	1982 Sidewalk	76.58
23 28 280 005	William J. Dobes Jr.	1982 Sidewalk	186.30
23 34 326 007	Ronald E. Yageman	1982 Sidewalk	40.30
23 34 326 011	Michael Willihnganz	1982 Sidewalk	40.30
23 34 329 007	Kenneth & Bonny Moore	1982 Sidewalk	40.30
		<u>INVOICE NO.</u>	
23 27 326 009	Charles Hannan	5012	26.40
23 27 326 009	Charles Hannan	5213	26.40
23 28 428 053	Professional Medical Health Centers Development Company	5019	26.40
23 28 428 053	Professional Medical Health Centers Development Company	5218	26.40
23 29 253 019	Hillview Sub., Trinity Land	5023	132.00
23 29 253 019	Hillview Sub., Trinity Land	5221	132.00
23 21 454 002	P. Hickey	5398	10.00
23 26 301 006	Hanaway Enterprises	5400	10.00
23 26 301 043	L. Vaughan	5200	10.00
23 26 302 027	W. White	5088	10.00
23 26 351 017	C. Williams	5401	10.00
23 27 151 014	G. Harrington	5312	15.00
23 27 151 014	G. Harrington	5437	10.00
23 27 201 014	J. Brown	5441	40.00
23 27 203 018	D. Schmid	5062	10.00
23 27 252 001	C. Cazorla	5297	20.00
23 27 276 028	D. Galbraith	5247	10.00
23 27 276 029	L. Boston	5356	10.00
23 27 451 025	J. Fouts	5040	30.00
23 28 228 027	L. Mayer	4961	10.00
23 34 326 007	R. Yageman	5374	10.00
23 34 353 015	R. McGuigan	4930	20.00

Total Special Assessments and Invoices \$ 8,027.97

CITY OF FARMINGTON  
1983 DELINQUENT WATER ACCOUNTS

PARCEL NO	RESIDENT'S NAME	SERVICE ADDRESS	AMOUNT
23-28-280-005	WILLIAM DOBES	23366 LIBERTY	\$ 171.82
23-28-256-006	GAIL KAREN YASTIC	33725 STATE	\$ 223.80
23-28-204-019	WILLIAM RADOWICK	23925 WILMARTH	\$ 170.23
23-28-230-005	HOWARD W TIRAKIAN	33615 17 ADAMS	\$ 138.71
23-27-254-011	DANIEL A STONE	31925 SHIAWASSEE	\$ 186.73
23-27-452-021	JAMES T POWERS	22418 BROOKDALE	\$ 199.49
23-27-330-038	MRS WAYNE ALDRICH	22827 POWER	\$ 168.08
23-27-451-025	RAYMOND SKINNER	22628 POWER	\$ 117.70
23-27-451-016	WILLIAM ELY	22800 POWER	\$ 343.48
23-27-451-014	MARK BERGER	22810 POWER	\$ 213.57
23-27-128-005	CRAIG GRISSDM	23800 POWER	\$ 183.92
23-27-128-002	JAMES M MAY	23916 POWER	\$ 249.92
23-28-231-020	JOSEPH L SKWIERCZ	23903 FARMINGTON	\$ 82.28
23-27-302-015	JOSEPH MOSKAL	22840 FARMINGTON	\$ 105.66
23-27-302-004	FRED C NELSON	23100 FARMINGTON	\$ 297.88
23-27-301-013	GLEN MOODY	33109 ORCHARD	\$ 303.66
23-27-151-014	GERALD HARRINGTON	23617 WARNER	\$ 124.14
23-28-128-030	COZY CAFE	34637 GRAND RIVER	\$ 311.76
23-28-231-011	LAWRENCE MAYER FLORIST	33604 GRAND RIVER	\$ 269.69
23-28-230-005	HOWARD W TIRAKIAN	33614 GRAND RIVER	\$ 165.44
23-28-223-025	CORRINE MAYER	33718 GRAND RIVER	\$ 133.10
23-28-228-016	LAWRENCE MAYER	33728 GRAND RIVER	\$ 266.20
23-28-228-002	DOROTHY CASSELL	34002 GRAND RIVER	\$ 206.64
23-27-403-024	ELMER H LA FEVRE	22933 LAKEWAY	\$ 164.56
23-27-402-005	MICHAEL SANDERSON	32048 VALLEYVIEW	\$ 112.04
23-28-204-042	DONALD MC DONALD	34016 OAKLAND	\$ 656.21
23-26-357-013	RAY MAWHORTER	22547 LILAC	\$ 77.77
23-26-358-007	LAWRENCE CONNER	22500 LILAC	\$ 321.42
23-26-358-005	JOYCE FRIZZELL	22520 LILAC	\$ 99.55
23-26-303-014	LYNDA J FRANKA	23072 LILAC	\$ 187.11
23-26-303-003	MARK WRIGHT	23168 LILAC	\$ 159.72
23-26-353-015	JAMES L DE VINE	22785 FLORAL	\$ 163.30
23-26-359-010	WALTER CHRISTENSON	22408 FLORAL	\$ 270.05
23-26-304-017	CAROL STABLEIN	23277 HAWTHORNE	\$ 216.43
23-26-359-031	KENNETH LUARK	22445 HAWTHORNE	\$ 261.80
23-26-359-024	ROBERT TINKER	22427 HAWTHORNE	\$ 292.00
23-27-226-034	LITTLE TONY'S BAKERY	24101 ORCHARD LAKE	\$ 333.02
23-27-428-010	GROUP TEN	22821 ORCHARD LAKE	\$ 66.50
23-26-301-019	THOMAS DE HETRE	23038 ORCHARD LAKE	\$ 123.86
23-26-301-005	BLAINE MARSTON	23230 ORCHARD LAKE	\$ 191.13
23-26-301-001	CLARENCE WILLIS	23272 ORCHARD LAKE	\$ 170.39
23-26-301-045	DANIEL CONNDRS (T)	23007 VIOLET	\$ 231.61
23-27-376-005	RICHARD L DOMNER JR	32765 CLOVERDALE	\$ 172.92
23-27-304-023	LYNN T MORGAN	23037 FREDERICK	\$ 79.86
23-27-303-031	DONALD E PIGGINS	22843 HAYDEN	\$ 366.08
23-27-251-018	EDWARD G HARKINS	23550 BICKING CT	\$ 343.09
23-27-228-006	ROBIN J BLUMBERG	21759 FOLKSTONE	\$ 145.70
23-27-226-013	ROGER TROST	31743 FOLKSTONE	\$ 183.92

CITY OF FARMINGTON  
1983 DELINQUENT WATER ACCOUNTS

PARCEL NO	RESIDENT'S NAME	SERVICE ADDRESS		AMOUNT
23-27-230-006	DOUGLAS WENDRICK	23863	BEACON	\$ 219.21
23-28-402-003	CARL F GEISTLER JR	34124	MOORE	\$ 237.16
23-34-151-028	JOHN G O'NIEL	21411	CHESTNUT LANE	\$ 374.66
23-34-152-014	ANNE LAW	21424	CHESTNUT LANE	\$ 221.10
23-34-354-009	WARREN T WOOD	33155	MEADOWLARK	\$ 80.00
23-34-354-013	DOMINIC A ROTI	33107	MEADOWLARK	\$ 389.24
23-34-354-015	THEODORE L BYRNE	33041	MEADOWLARK	\$ 547.75
23-34-329-015	JOHN J BURNS	21119	MEADOWLARK	\$ 188.19
23-34-328-023	TERRY PETERSON	21009	LAURELWOOD	\$ 639.60
23-34-329-008	DONALD DORSCH	21018	LAURELWOOD	\$ 367.84
23-34-328-011	DONALD L HOLMES	20942	ROBINWOOD	\$ 119.40
23-34-326-011	MICHAEL WILLIHNGANZ	21252	ROBINWOOD	\$ 499.40
23-34-352-012	DALE F NELMARK	21073	BIRCHWOOD	\$ 422.62
23-34-303-004	DONALD FERRY	21310	BIRCHWOOD	\$ 348.48
23-28-179-013	ALFRED W ORLANDO	23371	GILL	\$ 318.51
23-29-127-012	EVELYN PALINKO	36619	VICARY LANE	\$ 94.38
23-29-177-015	NEIL FLYNN	36612	LANSBURY	\$ 510.62
23-29-154-007	JAMES A MARSHALL	36772	LANSBURY	\$ 331.54
23-29-254-012	DENNIS HUG	35930	SMITHFIELD	\$ 75.02
23-29-203-013	PENELOPE DAUM	35836	SMITHFIELD CT	\$ 749.42
23-29-203-002	JAMES FERNQUIST	35826	BRIAR RIDGE L	\$ 59.87
23-28-153-012	ROBERT I BELL	23674	DAKLAND RD	\$ 243.21

TOTAL DELINQUENT WATER AMT. \$ 17,061.27

GRAND TOTAL ALL DELINQUENT AMOUNTS \$ 25,089.20

## COUNCIL PROCEEDINGS

A Special Meeting of the Farmington City Council was held on Monday, June 13, 1983, 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 7:04 p.m. by Mayor Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Attorney Kelly, City Clerk Bushey.

The purpose of this meeting was to award the bid for the sale of \$369,000.00 in 1983 General Obligation Limited Tax Bonds and \$369,000.00 in 1983 Special Assessment Limited Tax Bonds for the Old Town Drain Project.

Manager Deadman advised that bids were opened at 3:00 p.m. today in his office by conference telephone with the downtown Detroit office of bonding attorneys Miller, Canfield, Paddock and Stone. Bonding attorney Joel Piell was present for the opening together with the City Manager and the City Clerk.

The bids received were as follows:

	<u>Net Interest Cost</u>	<u>Net Interest Rate</u>
Manley, Bennett and McDonald 100 Renaissance Center Detroit, Mi. 48243	\$494,959.98	8.8527%
Merrill Lynch White Weld Capital Group 200 Renaissance Center Detroit, Mi. 48243	507,393.98	9.0751%
National Bank of Detroit Detroit, Mi. 48232	471,211.68	8.4280%

The City Manager recommended that Council accept the low bid of the National Bank of Detroit with the interest rate of 8.428%.

Councilman Mitchell asked if the NBD bid was the low interest rate by any standards. Manager Deadman stated that it was the lowest by every standard. It was pointed out that there were no contingencies connected with any of the bids, as all three were according to specifications.

### 6-83-173

Motion by Councilman Tupper, supported by Councilman Yoder, to adopt the following resolution:

COUNCIL PROCEEDINGS -2-  
June 13, 1983

WHEREAS, June 13, 1983, at 3:00 o'clock p.m., Eastern Daylight Time, has been set as the date and time for opening bids for the purchase of \$369,000 1983 Special Assessment Limited Tax Bonds and \$369,000 1983 General Obligation Limited Tax Bonds of the City of Farmington, County of Oakland, Michigan; and

WHEREAS, said bids have been publicly opened and read; and

WHEREAS, the following bids have been received:

<u>Bidder</u>	<u>Maturity</u>	<u>Interest Rate</u>	<u>Premium</u>	<u>Average Interest Rate</u>	<u>Net Interest Cost</u>
Manley, Bennett and McDonald	1984-86 1987	9.50 9.30			
100 Renaissance Center, Detroit Mi. 48243	1988 1989 1990 1991 1992 1993 1994 1995 1996-97	7.50 7.75 8.00 8.25 8.50 8.75 9.00 9.25 9.50			
			97.52	8.8527	\$494,959.98
Merrill Lynch White Weld Capital Grp.	1984-87 1988 1989	10.00 9.50 8.00			
200 Renaissance Center, Detroit Mi. 48243	1990 1991 1992 1993 1994 1995 1996 1997	8.25 8.50 8.75 9.00 9.10 9.20 9.30 9.40			
			18.52	9.0751	507,393.98
National Bank of Detroit Detroit, Mi. 48232	1984-85 1986 1987-92 1993 1994 1995 1996-97	10.00 9.50 8.00 8.20 8.40 8.60 8.80			
			-0-	8.428	471,211.68

AND WHEREAS, the bid of the National Bank of Detroit has been determined to produce the lowest interest cost to the City.

COUNCIL PROCEEDINGS -3-  
June 13, 1983

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bid of the National Bank of Detroit as above stated, be and the same is hereby accepted.

2. Checks of the unsuccessful bidders be returned to each bidder's representative or by registered mail.

3. The issuer will not invest, reinvest, or accumulate any moneys deemed to be proceeds of the Bonds pursuant to 103(c) of the Internal Revenue Code of 1954, as amended, and the applicable regulations thereunder, in such a manner as to cause the Bonds to be "arbitrage bonds" within the meaning of said 103(c) and the applicable regulations thereunder.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 13, 1983.


JOSEPHINE M. BUSHEY, CITY CLERK

There were no public comments.

Motion by Councilman Yoder, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 7:15 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

JOINT MEETING OF THE CITY COUNCILS  
OF  
FARMINGTON AND FARMINGTON HILLS

WEDNESDAY, JUNE 15, 1983 - 7:30 p.m.

FARMINGTON COUNCIL CHAMBERS - 23600 LIBERTY STREET

The meeting was called to order at 7:47 p.m. with Mayor Bennett of Farmington presiding.

ROLL CALL - FARMINGTON HILLS: Present: Mayor Hughes, Council Members Burwell, Dolan, Wolf.

Absent: Council Members Lange, Soronen, Williams.

ROLL CALL - FARMINGTON: Present: Mayor Bennett, Council Members Hartsock, Mitchell, Yoder.

Absent: Council Member Tupper.

ALSO PRESENT: Lawrence C. Savage, City Manager of Farmington Hills  
William Costick, Assistant City Manager, Farmington Hills  
Paul H. Bibeau, Attorney, Farmington Hills  
Robert F. Deadman, City Manager of Farmington  
G. Gordon Lewis, Director, Farmington Community Library  
Beverly Papai, Branch Head, Farmington Community Library

Mayor Bennett stated the purpose of the meeting was to review the Library Ballot Proposal previously submitted to the City Councils by the Library Board of Trustees. He called on Attorney Bibeau to discuss the response of the Library Board to his opinion concerning this question.

Mr. Bibeau distributed a revised page 4 to be inserted in his memo of March 18, thereby correcting Sections 4A and 5 (3) of the Library Act as amended in 1978.

A letter from Library Board Attorney Ebel mentioned the apparent emphasis Mr. Bibeau placed on the Jackson District Library problem. Mr. Bibeau stated that his only reason for mentioning this in his memo was to call the City Councils' attention to the statute's vagueness and that there is litigation pending relative to the statutory language.

Library Director Lewis stated that the Jackson District Library case does not really pertain to the particular statute under discussion, but more to the peculiar taxing situation in Jackson brought about by the city's geographical location in the county. This prompted the County to take the position that county-wide millage was involved rather than millage for two separate jurisdictions.

Farmington Hills Mayor Hughes felt that the issue concerning the Jackson Library was very similar to the situation in Farmington and reflects the same kind of conflict between the governmental bodies

concerning a Library Authority. He felt that continued cooperation between the government and the library to assure the best possible services is more important than Authority or autonomy.

Mr. Lewis stated that the question of legal status of the library is difficult to identify, as it has many ramifications within the law. He pointed out that because of the way the District Library Law was originally written in 1955, the District Library has no legal status under the law. He stated that attempts are being made to resolve the issue of legal ambiguity, indicating that one major change has been that the law allows the library to place a question on the ballot relating to the level of support or millage.

He pointed out that as long as the District Library remains on an appropriation basis, the funding and everything related to its financial situation is still a function of the cities. He stated that in future, it may be advantageous for both the Library and the City Councils to have the Library funded under separate millage.

Mr. Lewis further stated that an Authority could place a library issue on the ballot across the district, but if the millage question were placed on the ballot by each municipality, as would presently be the case, this would present a problem if the question were passed in only one city.

Councilman Yoder commented that if the Library became an Authority and a millage vote were defeated, the same situation would exist.

Councilman Mitchell asked Attorney Bibeau who would be responsible for the library's debts if an Authority were formed, succeeded in getting one mill passed, then fell short incurring debts over and above revenues received?

Mr. Bibeau stated that if they were operating under the statute of Authority, the cities could take the position that they were no longer responsible for library debts. He indicated, however, that a different position could possibly be taken because of the history of the statute and past relationships, but that was not the intent of the legislation. He suggested that the possibility of the cities being sued if the library could not pay the judgment in a court case would be a consideration.

Farmington Hills Mayor Hughes stated that the legal definitions and the ambiguity about the library status are really transparent to the community. He felt it significant to note that this is a funding issue. He did not favor creating the library as an Authority with its own funding ability, because it imposes another level of governmental operation. Although he was not opposed to allowing the public to react to the issue, he felt it should be placed on the ballot with the stipulation that it is a taxing authority. He favored a combined proposal.

Councilman Wolf agreed that the two issues are intertwined. He stated that he could be persuaded to put the question on the ballot, further stating that he would work hard to defeat it, as it would create another taxing authority.



Mr. Lewis indicated that the Board has discussed the issue, and expressed concern that if it is going to be a funding question only, it should be placed on the 1984 ballot, when a larger voter turnout for the Presidential Election will give a better cross-section of electors.

Mr. Lewis advised that the Library is not interested in having a Special Election, as they experienced a fair amount of voter resentment several years ago when a similar question was defeated.

Councilman Hartsock stated that he had heard nothing that would convince him the library would be better than it is now if it were operating as an Authority.

Attorney Bibeau pointed out that under the present system, it is worthy to note that there are fourteen individuals watching the library. He stated that two City Managers now scrutinize the budget, whereas if the library were an autonomous body, there would be a nine-member board comprising another layer of government with its own staff. He felt that the system has worked well as far as the two cities are concerned, as we presently have a very good quality library.

Mayor Bennett asked if the Councils were ready to take action at this meeting or at a later date, indicating that both Councils had a quorum present.

Councilman Mitchell felt that the Library Board was entitled to an answer; Mayor Hughes agreed.

Both Mayor Bennett and Councilman Mitchell agreed that the cities have a good library now, and they do not see how an Authority would better it.

Mr. Lewis stated that the library has a serious problem, as there is a need for a fixed level of funding to keep its operation thriving. He advised that for the past several years book publishers have been publishing short runs to keep their taxes on inventories down. Consequently, the library is unable to acquire out-of-print books as publishers no longer carry these inventories. Therefore, what they are unable to acquire for their collection is lost forever according to Mr. Lewis. He stated that the quality of service is, therefore, affected, and the Board feels that level funding will address this problem.

Mr. Lewis said that if the system were reorganized and one mill could be levied for operating expenses, the library would receive an additional \$30,000. Manager Deadman stated that an additional \$30,000 or \$40,000 would not solve the problems indicated by Mr. Lewis.

Mayor Bennett called for a motion on the question, indicating that in order to establish an Authority, both cities would have to agree to place the question on the ballot.

Councilman Mitchell felt there is no reason to establish an Authority without the appropriate funding. He indicated that he would like to see a combined question placed on the 1984 ballot, as he felt that by that time some clarity would have been brought into the law.

Mayor Hughes asked Mr. Lewis (assuming that the Councils deem the two issues inseperable), if he would rather defer both issues until 1984. He also asked if it has been determined that a one mill levy is what the library would petition for, and if so, if they would be willing to put that on the 1983 ballot in combination with the Authority issue?

Mr. Lewis stated that the time frame is insufficient to include the issue on the 1983 ballot; he also felt there would be a lack of a significant cross-section of voters in 1983 in order to be successful. He indicated that if the two issues should be combined by the Councils, he would ask that the question be referred back to the Library Board for reissuance in 1984.

6-83-174

Motion by Councilman Mitchell, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby denies the request of the Library Board to place the Library Authority question on the November 1983 ballot.

ROLL CALL

AYES: Hartsock, Mitchell, Yoder, Bennett.  
NAYS: None.  
ABSENT: Tupper.

RESOLUTION DECLARED ADOPTED JUNE 15, 1983.

Motion by Councilman Burwell, supported by Councilman Wolf, to adopt the following resolution:

BE IT RESOLVED that the Farmington Hills City Council hereby denies the request of the Library Board to place the Library Authority question on the November 1983 ballot.

ROLL CALL

AYES: Dolan, Hughes, Wolf, Burwell.  
NAYS: None.  
ABSENT: Soronen, Williams, Lange.

RESOLUTION DECLARED ADOPTED JUNE 15, 1983.

Mayor Bennett expressed his concern that no one from the Library Board was present at the meeting. Relative to the Library Board returning in 1984 with this ballot question, Mr. Bennett stated that he is not in favor of going to a Library Authority, and nothing he heard this evening has changed his opinion. He indicated that the only way he


would agree to the ballot question is that it be a combined issue of the Authority and millage.

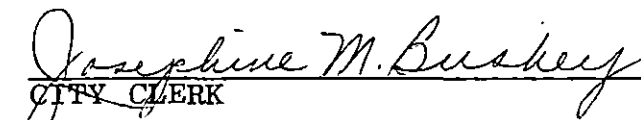
Mr. Lewis thanked the Councils for their time and consideration.

The Councils were advised that the Library Board will be sending a request to both cities for proportionate shares to finance the library's special assessment for the Old Town Drain Project, as this was not included in their budget.

Motion by Councilman Wolf, supported by Mayor Hughes, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:10 p.m.

  
MAYOR

  
CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, June 20, 1983, 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 8:04 p.m. by Mayor Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilman Hartsock (arrived at 8:15), Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

#### 6-83-175

Motion by Councilman Yoder, supported by Councilman Tupper, to approve the minutes of the regular meeting of June 6 and the Special meeting of June 13, 1983, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 6-83-176

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Board of Review minutes of March 1, 7, 9 and 14, 1983;  
Board of Education minutes of May 17, 1983;  
Farmington Area Commission on Aging minutes of May 24, 1983;  
Southwestern Oakland Cable Commission minutes of June 7, 1983;  
Planning Commission minutes of June 13, 1983.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR SIGN VARIANCE: GRAND RIVER/ HALSTED PLAZA

Manager Deadman advised that due to a misunderstanding on the part of Barnett Dickman, Standard Construction Company was not represented at the Council meeting of June 6th to present their position regarding a requested sign variance at the Grand River/Halsted Shopping Center. Standard Construction, therefore, requested that Council reconsider their application for sign variance.

The City Manager explained that reconsideration of Council action is possible under Robert's Rules under which Council meetings are conducted if a motion to reconsider is made by a member who voted in the majority on the previous question.

#### 6-83-177

Motion by Councilman Mitchell, supported by Councilman Tupper, to reconsider Standard Construction Company's request for a sign variance to install a second ground sign at the Grand River/Halsted Plaza. Motion carried, all ayes.

COUNCIL PROCEEDINGS -2-  
June 20, 1983

Bruce Polozker of Standard Construction Company stated that they would like to install a ground sign, identifying the Plaza, along the Grand River right-of-way west of the Kroger store, as KMart will not allow any addition to their sign, nor will they allow the KMart name to be used to identify the shopping center. Consequently, the other merchants have difficulty advertising their locations.

The proposed sign would be 18 ft. high with a 5 ft. high masthead by 10 ft. wide, containing 50 sq. ft. of advertising on each side. Mr. Polozker stated that such a sign would help tremendously to identify the various merchants in the Plaza.

Councilman Mitchell stressed that Council has historically supported the Sign Ordinance. He further suggested that the City contact KMart relative to the signage and possibly reach a compromise of some sort.

6-83-178

Motion by Councilman Mitchell, supported by Councilman Yoder, to table Standard Construction Company's request for a sign variance. Motion carried, all ayes.

6-83-179

Motion by Councilman Yoder, supported by Councilman Hartsock, that the City Manager contact the KMart Corporation regarding the signage at the Grand River/Halsted shopping center, expressing City Council's concern over this matter. Motion carried, all ayes.

REQUEST FOR PROPERTY SPLIT: DR. BERNARD  
J. MASSON, 32423 GRAND RIVER

Thomas A. Duke, Jr., representing Dr. Bernard J. Masson, requested Council's approval of a lot split for the property at 32423 Grand River. Dr. Masson owns a one-story office building (1,470 sq. ft.) at the front of his property, and a one-story office building (1,884 sq. ft. plus basement) at the rear of the property. In order to sell the front building, it is necessary to split the property.

In reviewing the request, City Assessor Sailer and Building Inspector Harrison found that the proposed split meets the requirements of the City's Subdivision Control Ordinance and the Zoning Ordinance; also that both parcels, independent of one another, comply with the Zoning Ordinance requirements for parking spaces provided.

6-83-180

Motion by Councilman Tupper, supported by Councilman Yoder, to adopt the following resolution:

WHEREAS, a request to split the property at 32423 Grand River, Lot 29, Assessor's Plat No. 3, known as Parcel Nos. 23-27-330-004 and 23-27-330-056, has been reviewed by City Council; and

COUNCIL PROCEEDINGS -3-  
June 20, 1983

BE IT RESOLVED that the Farmington City Council hereby authorizes the splitting of Parcel Nos. 23-27-330-004 and 23-27-330-056 by the present owner, Dr. Bernard J. Masson, into Parcel "A" and Parcel "B" as shown on the attached map and parcel descriptions which are made a part of this resolution.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 20, 1983.

REQUEST FOR FENCE VARIANCE: MR. AND MRS.  
RALPH KING, 23878 COLCHESTER

Mr. King presented for Council's review photographs of the rustic wooden rail fence he installed in the front yard setback of his home on Colchester. He stated that he installed the fence in an effort to protect his rose bushes and cars from children playing in the adjoining yard.

Manager Deadman stated that if Council wishes to grant the fence variance, it will be necessary to grant a variance to Title 9, Chapter 85, Section 8.203 of the Fence Ordinance which prohibits lot line fences in front yard setbacks.

6-83-181

Motion by Councilman Mitchell, supported by Councilman Tupper, to grant Mr. and Mrs. Ralph King, 23878 Colchester, the requested variance for the construction of a wooden split-rail fence in the front yard setback of their home on Colchester, as long as it is maintained in good condition and replaced only with like construction. Motion carried, all ayes.

REQUEST FOR PARADE PERMIT:  
FARMINGTON FOUNDERS FESTIVAL

Manager Deadman advised that if Council grants permission to the Farmington Festival Committee for the parade permit, the Department of Public Safety will secure the permit from the Michigan Department of Highways and Transportation.

6-83-182

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby grants permission to the Founders Festival Committee to conduct the Founders Festival Parade along the traditional Grand River route, and further, to apply for a State of Michigan Department of Transportation permit indemnifying the State Department against claims

COUNCIL PROCEEDINGS -4-  
June 20, 1983

arising from the closing of Grand River from 10:00 a.m. to 1:00 p.m. on July 30, 1983.

ROLL CALL

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 20, 1983.

RESOLUTION FROM CITY OF BERKLEY RE:  
SENATE BILL 240 TO REPEAL PRESIDENTIAL  
PRIMARY ELECTION

The City Manager advised that the City of Berkley has gone on record in support of Senate Bill 240 which proposes to repeal Michigan's Presidential Primary. If held in 1984, this election would cost the State approximately \$5 million to reimburse local units of government for conducting the election. The Governor has indicated that he would approve a repeal bill if the legislature passes it.

6-83-183

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and file the resolution from Berkley relative to Senate Bill 240 which would propose to repeal the Presidential Primary Election in Michigan. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

RECOMMENDATION TO ESTABLISH AN  
ECONOMIC DEVELOPMENT CORPORATION

Manager Deadman submitted for Council's review proposed Articles of Incorporation and application for permission to incorporate an Economic Development Corporation for the City of Farmington. The application was filed by Harry Lapham, Jr., John K. Cotton and John E. Gilin, all Farmington residents. The Articles of Incorporation were drafted by the city's Bonding Attorney, Joel L. Piell of Miller, Canfield, Paddock & Stone.

The City Manager stated that Weatherford-Walker Development Corporation and Borman Foods have indicated that they wish to use EDC Bonds to finance their proposed shopping center at Nine Mile and Farmington Road. The establishment of a local Economic Development Corporation will, therefore, be necessary if the city is to allow the use of EDC Bonds to finance this project. Prior to the establishment of such a corporation, a Public Hearing must be held.

As a result of reviewing the proposed establishment of an Economic Development Corporation with the City's Bonding Attorney, Manager Deadman stated that an EDC would be in the best interest of the city.

COUNCIL PROCEEDINGS -5-  
June 20, 1983

He advised that the city could use this program to finance the private redevelopment of some older facilities in the community as well as the construction of new facilities.

Manager Deadman pointed out that the the city has had available to it all along the use of the County Economic Development Corporation, but this is very costly unless a very large project is involved.

6-83-184

Motion by Councilman Hartsock, supported by Councilman Mitchell, to adopt the following resolution:

WHEREAS, there exists in the City of Farmington, County of Oakland, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises to strengthen and revitalize the City's economy; and

WHEREAS, it is therefore necessary to provide the means and methods for the encouragement and assistance of industrial and commercial enterprises in locating and expanding in the City, to more conveniently provide needed services and facilities of such enterprises to the City and its residents; and

WHEREAS, Act No. 338 of the Public Acts of Michigan of 1974, as amended, provides for the incorporation of an economic development corporation for the City to accomplish such purposes; and

WHEREAS, an application has been filed pursuant to Act No. 338 of the Public Acts of Michigan of 1974, as amended, for permission to incorporate an economic development corporation for the City.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. Pursuant to the aforesaid Act No. 338, the City Council shall meet at 8:00 o'clock p.m. on July 18, 1983, at which time it shall conduct a public hearing on the application and any competing application as may be filed.

2. The Clerk be and is hereby directed to give notice of such public hearing by publishing a notice thereof in the FARMINGTON OBSERVER, a newspaper of general circulation in the City in accordance with Section 17(1) of the aforesaid Act 338.

3. Said Notice so published shall be in substantially the following form:



OFFICIAL NOTICE TO THE CITIZENS OF THE  
CITY OF FARMINGTON OF PUBLIC HEARING TO  
CONSIDER AN APPLICATION TO INCORPORATE THE ECONOMIC  
DEVELOPMENT CORPORATION OF THE CITY OF FARMINGTON

---

PLEASE TAKE NOTICE that pursuant to Act No. 338 of the Public Acts of Michigan of 1974, as amended, an application has been filed to incorporate the Economic Development Corporation of the City of Farmington.

The City Council will meet at 8 o'clock p.m. Eastern Daylight Time, the 18th day of July, 1983 at City Hall located at Farmington, Michigan and will conduct a public hearing on the application and any competing application.

Said Act No. 338 of the Public Acts of Michigan of 1974, as amended, provides that (1) An Economic Development Corporation may be incorporated and that such corporation have the power to acquire, finance and lease commercial and industrial enterprises by several means including the issuance of tax exempt revenue bonds; (2) Such corporations may request the City of Farmington to undertake eminent domain proceedings; (3) The property of such corporations may be exempt from ad valorem taxation; (4) ONLY ONE SUCH ECONOMIC DEVELOPMENT CORPORATION MAY BE INCORPORATED BY THE CITY OF FARMINGTON.

THIS NOTICE is given pursuant to the requirements of Section 4(1) of Act No. 338, Public Acts of Michigan, 1974, as amended. Further information concerning the matters set out in this notice may be secured from the City Clerk's office.

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City Clerk

4. The City Council does hereby determine that the foregoing form of notice and the manner of publication directed is adequate notice to the citizens of the City and is well calculated to inform them of the intention of the City Council to hold a public hearing, the purpose of the public hearing and the right to file a competing application to incorporate an Economic Development Corporation.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 20, 1983.

CITY FLOAT: FARMINGTON FESTIVAL PARADE

Manager Deadman advised that a group of city employees has requested that consideration be given to entering a community float in the Farmington Festival Parade. The employees will donate the necessary time and labor to construct the float which will depict the history of Farmington from its Indian beginnings to the present, featuring past and present City mayors. They will, however, need Council's approval to use the city's equipment trailer as a float platform, including a truck to pull the float, as well as some monies to cover expenses.

The City Manager stated that this project would serve two important purposes, indicating the city's support of the Festival and the employees' willingness to become involved in the community in which they work.

6-83-185

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby allocates up to the sum of \$200.00 for the purchase of materials and costume rental for the City float to be entered in this year's Farmington Festival Parade, and

BE IT FURTHER RESOLVED that one of the city's equipment trailers may be used as the float platform together with a city truck or tractor to pull the float.

AYES: Yoder, Bennett, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 20, 1983.

APPOINTMENT OF COUNCIL MEMBERS  
TO BOARDS AND COMMISSIONS

As a result of a review requested by Councilman Mitchell, Manager Deadman reported that current council member appointments show that Councilmen presently serve on at least a dozen boards and/or commissions. He advised that the appointments to the following are required by ordinance: Planning Commission, Board of Zoning Appeals, Employees' Retirement System and Special Assessment Deferred Payment Committee. He further indicated that the following require Council membership as a condition of the city's membership in the particular organization: SEMCOG, the Oakland County Regional Transportation System Planning Commission, the Southwestern Oakland Cable Commission and the Emergency Medical Services Review Committee.

Those agencies served by a Council member as well as a city staff member are the Farmington Area Advisory Council, Farmington Youth Assistance and the Farmington Beautification Committee. The City Manager suggested that these agencies would be adequately served

COUNCIL PROCEEDINGS -8-  
June 20, 1983

by city staff members if Council wishes to reduce the number of Boards and Commissions on which its members serve.

6-83-186

Motion by Councilman Hartsock, supported by Councilman Yoder, that City Council inform the Farmington Area Advisory Council, Farmington Youth Assistance and the Farmington Beautification Committee that the Council representatives on these boards entrust their responsibilities to the city staff members presently serving these boards, namely, Director G. Robert Seifert, Deputy Director Frank Lauhoff and Director Earl Billing. Motion carried, all ayes.

Council granted the City Manager's request to add another report to the Agenda relative to the recent denial by Oakland County Community Development of over 70 projects because these projects do not provide permanent employment according to federal guidelines. Farmington's Drake Road Sidewalk Project was among these projects.

Manager Deadman advised that one of the projects that is being passed is the City of Novi's realignment of the westbound entrance-way off of Novi Road onto 696 with the off ramp. If this is done, the Sheraton Corporation plans to build a convention center in that area, which will fulfill the federal guideline of providing permanent employment.

Mr. Deadman stated that the city has applied to use some of the State's temporary summer employees to work on an erosion control project on the Upper Branch of the Rouge River directly behind the tennis courts. He advised that he will be shortly requesting monies to purchase materials to reinforce the banks to keep the river from changing course. He further advised that similar reinforcement will be needed for the bridge abutment that is beginning to wash away, although this is a State Highway responsibility for which they may provide the materials.

MISCELLANEOUS

There were no public comments.

Councilman Mitchell inquired about the situation concerning Hardee's spotlight. Manager Deadman advised that Inspector Harrison has written the management and has not yet received a reply.

Councilman Hartsock asked for a progress report regarding the proposed traffic signal on Farmington Road. Director Seifert advised that he is awaiting a letter from the Oakland County Traffic Engineer.

FINANCIAL REPORTS: ELEVEN MONTHS  
ENDING MAY 31, 1983

Projecting that the City will complete this fiscal year in a positive position, the City Manager stated that the eleven month

COUNCIL PROCEEDINGS -9-  
June 20, 1983

Financial Report includes all of the adjustments previously approved by City Council.

6-83-187

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and file the Financial Reports for the General Fund and the 47th District Court for the period ended May 31, 1983. Motion carried, all ayes.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Manager Deadman submitted to Council a list of those board, committee and commission members whose terms expire this month, stating that all would accept reappointments if Council wishes. He reminded Council also that Dr. Gadbow and Sister Clare Nicolai, whose terms on the Commission on Aging expired in May do not wish to be reappointed.

Council was advised that Paul J. McKeough's term on the Board of Zoning Appeals should be extended to 1984, as he was to fill the unexpired term (ending in June 1984) of Bayard Tupper who resigned.

Councilmen Yoder and Mitchell stated that they would like to see an attorney on the Planning Commission.

Manager Deadman advised that although Al Freude had stated that he would be willing to serve another term on the Planning Commission, if Council wished to appoint someone in his place, he would be willing to serve on the Economic Development Corporation.

Mr. Deadman stated he has contacted Harry Lapham, Jr., relative to serving on a board or commission. Mr. Lapham advised that he would be willing to serve in any capacity Council would appoint.

Council was advised that when incorporated, the Economic Development Corporation will require a nine member board.

The City Manager stated that the Beautification Committee is short two or three members.

6-83-188

Motion by Councilman Yoder, supported by Councilman Hartsock, that Jacqueline Steuer, Barnett Dickman, Stewart Meredith and Carol Hoerle be reappointed to the Beautification Committee for a two-year term to expire in June, 1985. Motion carried, all ayes.

6-83-189

Motion by Councilman Yoder, supported by Councilman Hartsock, to reappoint William T. Ingalls to the Farmington Building Authority for a three-year term expiring in June, 1986. Motion carried, all ayes.

COUNCIL PROCEEDINGS -10-  
June 20, 1983

6-83-190

Motion by Councilman Yoder, supported by Councilman Hartsock, that William Burke, William Ingalls, and Harry Lapham, Jr., be appointed to the Planning Commission for a three-year term expiring in June, 1986. Motion carried, all ayes.

In answer to Councilman Mitchell, Manager Deadman gave a short background sketch on attorney Lapham.

6-83-191

Motion by Councilman Tupper, supported by Councilman Hartsock, to appoint Thomas Carr and John Washburn to the Board of Zoning Appeals for another three-year term expiring in June, 1986. Motion carried, all ayes.

6-83-192

Motion by Councilman Mitchell, supported by Councilman Tupper, to extend Paul J. McKeough's term for one year on the Board of Zoning Appeals to expire in June 1984, thus filling the unexpired term of Bayard Tupper who resigned earlier this year. Motion carried, all ayes.

WARRANT LIST

6-83-193

Motion by Councilman Hartsock, supported by Councilman Mitchell, to approve the monthly bills as submitted: General Fund \$28,477.30; Water & Sewer Fund \$3,371.58.

ROLL CALL

AYES: Bennett, Hartsock, Mitchell, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Yoder, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:08 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK



N. 89° 47' 00" W

PARCEL A

All that part of Lot 29 "Assessor's Plat No. 3", a Subdivision of part of Section 27, T. 1 N., R. 9 E., City of Farmington, Oakland County, Michigan, as recorded in Liber 54 of Plats, page 7, Oakland County Records, more particularly described as: Beginning at a point on the NE'ly line of said lot 29, being also the SW'ly line of Grand River Ave., 120 ft. wide, which point is distant S.57°14'10"E. 240.30 ft., from the N.W. corner of said lot 29, thence continuing S.57°14'10"E. 80.00 ft.; thence S.32°45'50"W. 72.00 ft.; thence N.57°14'10"W. 80.00 ft.; thence N.32°45'50"E. 72.00 ft. to the point of beginning, containing 5760 square feet of land. Subject to an easement for ingress and egress over the NW'ly 40 ft. and to all other easements or rights of record, if any.

PARCEL B

All that part of Lot 29 "Assessor's Plat No. 3", a Subdivision of part of Section 27, T. 1 N., R. 9 E., City of Farmington, Oakland County, Michigan, as recorded in Liber 54 of Plats, page 7, Oakland County Records, more particularly described as: Beginning at a point which is distant S.57°14'10"E. 240.30 ft. along the NE'ly line of said lot 29 and S.32°45'50"W. 72.00 ft. from the N.W. corner of said lot 29, thence S.57°14'10"E. 80.00 ft.; thence S.32°45'50"W. 133.77 ft.; thence N.89°47'00"W. 159.96 ft.; thence N.0°19'30"E. 101.62 ft.; thence S.57°14'10"E. 109.35 ft.; thence N.32°45'50"E. 134.07 ft. to the point of beginning, containing 18,824.43 square feet of land. Subject to or together with all easements or rights of record, including the rights of ingress and egress to Grand River Ave. over a 40 ft. wide easement described as: Beginning at a pt. on the NE'ly line of said lot 29, which point is distant along said line S.57°14'10"E. 240.30 ft. from the NW corner of said lot 29; thence continuing S.57°14'10"E. 40.00 ft.; thence S.32°45'50"W. 72.00 ft.; thence N.57°14'10"W. 40.00 ft.; thence N.32°45'50"E. 72.00 ft. to the point of beginning.

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Tuesday, July 5, 1983, 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 8:05 p.m. by Mayor Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilman Hartsock (arrived at 8:07), Councilmen Tupper and Yoder.

ABSENT: Councilman Mitchell.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

7-83-194

Motion by Councilman Yoder, supported by Councilman Tupper, to approve the minutes of the meeting of June 20, 1983, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

7-83-195

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and/or file the minutes of the following Boards:

Employees' Retirement System Board of Trustees minutes of June 15, 1983;

Farmington Historical Commission minutes of May 18 and June 15, 1983;

Farmington Area Commission on Aging minutes of June 28, 1983.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

REQUEST FOR SIGN VARIANCE: THE GREAT GETAWAY  
Manager Deadman submitted to Council an application for sign variance from Sheldon Korn, owner/operator of The Great Getaway arcade in the Farmington Plaza. Mr. Korn requested a 90-day temporary permit to install an A-frame type sign on the sidewalk in front of his business to inform the public of various promotions that will be coming up during the Founders Festival and beyond.

As Council has historically denied the use of A-frame signs except to advertise events during Founders Festival Week and until a new ground sign can be installed for a new building, it was the consensus of Council that a lesser period than the 90 days requested would be more appropriate.

In answer to Council members' questions, Mr. Korn stated that the proposed sign would not be very large. His application stated it would be 3 ft.-10 in. high and 1 ft.-2 in. long. He proposed the



COUNCIL PROCEEDINGS -2-  
July 5, 1983

use of hot air balloons to advertise special sales, free popcorn and specials of the type that would basically be a help to the Plaza merchants.

Rather than grant the temporary variance for a period of more than thirty days, Council advised Mr. Korn to return at a later date if future promotions were necessary at the Plaza.

7-83-196

Motion by Councilman Hartsock, supported by Councilman Yoder, to grant the requested sign variance for the A-frame sign to be installed in front of the Great Getaway at the Farmington Plaza for a thirty-day period effective July 6 through August 4, 1983. Motion carried, all ayes.

CITY OF BIRMINGHAM RESOLUTION RE: HOUSE  
BILL 5685 TO STRENGTHEN ANTI-OBSCENITY  
LEGISLATION

Although Council supports stronger legislation to control obscenity, they prefer to see a copy of the House Bill before supporting the deletion of Sections 8, 9 and 10 as proposed by the City of Birmingham.

7-83-197

Motion by Councilman Yoder, supported by Councilman Hartsock, to table a decision relative to Birmingham's resolution until they have had an opportunity to review House Bill 5685. Motion carried, all ayes.

CITY OF HAZEL PARK RESOLUTION SUPPORTING  
HOUSE BILL FOR REIMBURSEMENT OF STATE-  
MANDATED EXPENSES

Council considered a resolution from the City of Hazel Park supporting Representative McGee's proposed House Bill which would provide monies to reimburse local governmental units for compensation they were required to give firefighters as a result of an hours-per-workweek reduction. Public Act 604 of 1978 reduced the normal workweek for firefighters from 56 to 54, and the Headlee Amendment provided for reimbursement from the State for this type of state-mandated expense.

Although Hazel Park is affected by the expenses incurred as a result of the reduction in the firefighters' workweek, they do not wish to see local revenue sharing funds diverted to this reimbursement.

7-83-198

Motion by Councilman Yoder, supported by Councilman Tupper, to support the City of Hazel Park's stand against using local revenue sharing funds being used to reimburse the state-mandated expense relative to the firefighters workweek. Motion carried, all ayes.

COUNCIL PROCEEDINGS -3-  
July 5, 1983

RESOLUTION FROM NORTHVILLE RE: AMENDMENT  
OF ELECTION LAW TO ABOLISH INACTIVE VOTER FILE

Since the inactive voter files are a costly and time-consuming item to maintain, and it is evident that most electors who have not voted within four years cannot be reached at their last known address, the City of Northville supports legislation to abolish the Inactive Voter file.

Council was advised that the County Municipal Clerks Associations and the Township Clerks Association have been working to amend the Election Law to abolish this file and urging the legislature to adopt appropriate legislation.

To answer Mayor Bennett's question on what effect the abolishment of this file would have on the Jury Selection process, he was advised that the inactive voter file does not usually offer current information, as most people who have not voted in four years have actually changed residences.

To alleviate Councilman Hartsock's concern relative to removing people from the active voter list, he was advised that being in the inactive file does not impair a person's right to vote as would be the case if that person were cancelled.

7-83-199

Motion by Councilman Hartsock, supported by Councilman Tupper, to support the City of Northville's resolution to amend the Election Law to abolish the Inactive Voter file, informing our State Legislators, the Governor and the Secretary of State of this position. Motion carried, all ayes.

REQUEST FROM DOUGLAS BRECKENRIDGE RE: PER-  
MISSION TO PAINT HOME ADDRESSES ON CURBS

The City Manager submitted to Council a request from a Farmington Hills college student, Douglas J. Breckenridge, 30198 South Stockton Drive, to paint the curbs of each respective house with their street address. Mr. Breckenridge stated that this would help both the police and fire departments to locate houses much quicker in emergencies.

Manager Deadman suggested that Mr. Breckenridge be advised that he ask permission of each property owner before proceeding with painting the street numbers and agree on a fee beforehand.

7-83-200

Motion by Councilman Yoder, supported by Councilman Hartsock, to grant permission to Douglas J. Breckenridge, 30198 South Stockton, Farmington Hills, to paint house numbers on curbs in the residential areas of Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

REQUEST TO CONNECT TO FARMINGTON  
INTERCEPTOR SEWER

Manager Deadman advised that the Lindblad Construction Company has requested permission to connect a new building at 23201 Eight Mile Road, Detroit, to the City of Farmington interceptor sewer, as there is no other sewer facility available. Before Farmington can take action, however, Lindblad Construction will have to receive permission from the City of Detroit, and Detroit would be required to give Farmington additional sewer capacity to accommodate this connection.

Since the property next door to the new building site is presently connected to the Farmington system, the City Manager recommended that Council authorize this connection. An agreement to allow the connection would require timely payments on all sewerage bills, and set forth how the city's charges will be calculated for the use of the sewer system.

7-83-201

Motion by Councilman Tupper, supported by Councilman Yoder, to allow the connection of the Lindblad Construction Company's new building at 23201 Eight Mile Road, Detroit, to the City of Farmington Interceptor Sewer, and to authorize the City Manager to sign an agreement with the property owner requesting the connection. Motion carried, all ayes.

APPROVAL: TITLE RETAINING CONTRACT  
FOR FIRE APPARATUS

City Manager Deadman advised that the fire apparatus purchased from Pierce Manufacturing, Inc., of Appleton, Wisconsin will be ready for delivery sometime this month. Arrangements will be made with the Metropolitan National Bank of Farmington for a Title Retaining Contract to finance this purchase.

The City Manager stated that since the authorization of purchase was granted in March of 1982, the City requested a loan proposal from both the National Bank of Detroit and the Metropolitan Bank of Farmington. Based on the proposals from both banks, the fixed interest rate offered by Metropolitan National Bank of Farmington on the 5-year Title Retaining Contract loan in the amount of 6.75% interest was the lower proposal.

7-83-202

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, pursuant to Act No. 205 of the Michigan Public Acts of 1964 the City of Farmington (hereinafter referred to as the "Municipality") wishes to acquire by Title Retaining Contract fire trucks and/or fire fighting apparatus and equipment (hereinafter referred to as "Collateral") for use by said municipality; and

WHEREAS, Pierce Manufacturing, Inc., a Wisconsin corporation, (hereinafter referred to as the "Seller") is willing to provide said Equipment under a Title Retaining Contract, a copy of which is appended hereto; and

WHEREAS, the municipality has fully reviewed said Title Retaining Contract and is willing to authorize its execution;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That this municipality purchase the "Collateral" from Pierce Manufacturing, Inc., a Wisconsin corporation, (hereinafter referred to as the "Seller") on Title Retaining Contract for delivery by July 22, 1983.

2. The total price for the Collateral is to be \$143,616.35; a down payment is hereby authorized in the amount of \$43,616.35; the City Manager, Robert F. Deadman, and City Clerk, Josephine M. Bushey (both persons and titles must be named), officers of this municipality are hereby authorized and directed to execute for and in behalf of said municipality a Title Retaining Contract in the form annexed hereto, expressly approved hereby and by this reference made a part hereof, covering the purchase of Collateral from the Seller; providing for the payment of the sum of \$100,000.00 (being the unpaid balance after crediting said down payment of \$43,616.35) together with interest at the rate of 6.75% per annum in the following manner:

Ten (10) semi-annual payments of \$10,000.00 commencing January 1st, 1984 and a like sum on each July 1st thereafter until the said unpaid balance of the purchase price is paid in full and in addition to said principal payments, interest at the rate of 6.75% per annum upon the same dates as said principal payments. All payments shall be payable at the Metropolitan National Bank of Farmington, a national banking association, at any of its offices in the State of Michigan.

3. Said Title Retaining Contract when signed by the said City Manager and City Clerk on behalf of this municipality shall constitute a binding and valid contract of the municipality and shall be fully enforceable according to its terms and conditions.

4. The municipality will budget and set aside in each year sufficient funds from its general funds, which this municipality has already estimated are and will become available for such purposes, for the payments of principal and interest as above provided for as the same shall become due.

July 5, 1983

5. A copy of the form of said Title Retaining Contract shall be attached hereto, is approved hereby as to form and substance and shall be a part of this Resolution. In order to facilitate the handling of said transaction, the said City Manager and City Clerk of this municipality may, if they so desire, use a copy of said Title Retaining Contract included as a part of a certified copy of the Resolution of this Board for purposes of execution.

AYES: Hartsock, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: Mitchell.

RESOLUTION DECLARED ADOPTED JULY 5, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

PROPOSED CHARTER AMENDMENT: EMPLOYEE  
PENSION PLAN

Manager Deadman advised that in discussing increasing benefits to retired employees, the Actuaries informed him that many cities have changed their Charter requirements to allow most of the provisions of their employee retirement system to be controlled by local ordinance. Therefore, if future Councils agree to contracts or other considerations which change the level of retirement benefits, they can also adjust the retirement plan by amending the local ordinance.

A proposed resolution was submitted for Council's review, which if adopted, would place a question before the Electorate to amend the City Charter, Chapter 5, by repealing Section 5.11 B, subsections (a) through (l), and adding a new Section 5.11 B and new Subsections (a) through (f) to the Charter.

The City Manager explained that the new Charter language proposes that Council shall have the power to create and establish by ordinance a retirement system for city employees and he pointed out what the ordinance provisions would contain. He indicated that Section (b) would require that contributions to the retirement system be made at such a level that it will not unduly burden future retirees, and that these contributions yearly must be sufficient to cover the cost of the benefit plan commitments and to fund the unfunded liability over a reasonable period of years.

7-83-203

After considerable discussion, there was a motion by Councilman Tupper, supported by Councilman Hartsock, to table action on the proposed ballot question relative to the Employees Retirement System until the next regular meeting of Council. Motion carried, all ayes.

AUTHORIZATION TO PURCHASE EROSION  
CONTROL MATERIALS

Manager Deadman advised that Michigan Job Corps manpower would be used on the two projects in Farmington for erosion control at the Upper Branch of the Rouge River.

The City Park erosion control project will require 1,680 lineal feet of 3 ft. x 3 ft. wire baskets and 840 tons of fill stone at an approximate cost of \$21,000.00

The Grand River Bridge Project will require 377 lineal feet of 3 ft. x 1 ft. wire baskets, 1,140 lineal feet of 3 ft. x 3 ft. wire baskets and 400 tons of fill stone plus miscellaneous supplies at a cost of approximately \$14,000.00.

The City Manager stated that since the Grand River/Rouge River bridge comes under the State's jurisdiction, the State Highway Department has been requested to reimburse the city for the cost of the material used at the bridge. The city would provide all labor through the Jobs Program to complete the work involved.

7-83-204

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby determines it is in the best interest of the city to waive the bid process, and authorizes the City Manager to purchase from the Maccaferri Gabions Company, Ohio Office, wire basket material in the amount of \$16,562.00 for the City Park erosion control project; and

BE IT RESOLVED That the Farmington City Council hereby authorizes the City Manager to secure price proposals on fill stone material from the low quotation in an amount not to exceed \$17,608.00, with the stipulation that materials for the erosion control at the Grand River/Rouge River Bridge will not be purchased until the State of Michigan Department of Transportation agrees to reimburse the city for the cost of the materials; and

BE IT FURTHER REVOLVED That City Council hereby authorizes the transfer of \$22,397.00 from the Unappropriated Surplus Fund to the General Fund, Account 501-930 of the 1983-84 fiscal year budget for these projects.

AYES: Tupper, Yoder, Bennett; Hartsock.  
NAYS: None.  
ABSENT: Mitchell.

RESOLUTION DECLARED ADOPTED JULY 5, 1983.

PEDESTRIAN SIGNALIZATION:  
FARMINGTON ROAD AT ALTA LOMA

Manager Deadman advised that as a result of a recent report developed by the Public Safety Department describing the accident history of the last 3 1/2 years and the pedestrian usage of the intersection of Farmington Road/Alta Loma/ Orchard Street, the Oakland County Road Commission will include this intersection in their 1984 Federal Aid Traffic Signal Program. Pedestrian signals on all legs of the intersection will be installed at no cost to the city. As soon as the County receives approval for the project, they will notify the city of the estimated completion date.

TRAFFIC CONTROL ORDINANCE: CHESLEY DRIVE

Manager Deadman advised that a parking problem on Chesley Drive east of Farmington Road, where commercial vehicles park on the shoulder of the road in violation of current "No Parking" signs has prompted the Public Safety Department to propose an ordinance amendment, which would designate this area as a "TOW-AWAY Zone".

Neighbors are objecting to idling diesels, the large trucks have caused considerable damage to the existing signage and the erosion of the shoulder of the road caused by the illegal parking has brought about a constant maintenance problem for the road crews.

7-83-205

Motion by Councilman Yoder, supported by Councilman Hartsock, to introduce and adopt the following ordinance giving it immediate emergency effect:

ORDINANCE NO. C-508-83

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Chief of Police of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 5, Section 5.25, as provided for in Section 2.53 of the Uniform Traffic Code for Cities, Townships and Villages.

CHAPTER 5 "PROHIBITED PARKING" - Amend the following:

Section 5.25 - Chesley Drive

- (a) Both sides from Farmington Road to Eight Mile Road, "TOW-AWAY ZONE".

This ordinance is declared to be an emergency ordinance which is immediately necessary for the preservation of the public peace, health and safety.

COUNCIL PROCEEDINGS -9-  
July 5, 1983

This ordinance was introduced, adopted and enacted at a regular meeting of the Farmington City Council on July 5, 1983, and will become effective immediately.

AYES: Yoder, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: Mitchell.

MISCELLANEOUS

Councilman Yoder suggested that the City Manager investigate the possibility of better signing to alleviate undesirable parking situations by the ball diamond on Orchard Lake Road and on Drake Road near the park.

APPOINTMENTS TO FARMINGTON AREA  
COMMISSION ON AGING

The City Manager announced that there were two openings on the Farmington Area Commission on Aging as a result of the expiration of the terms of Dr. Gadbaw and Sr. Clare Nicolai. In an effort to fill these openings, recommendations were requested from the Director of the Senior Citizen Program, who indicated that Mrs. Young and Geraldine Dielhenhein have both been active in senior programs for some time.

7-83-206

Motion by Councilman Hartsock, supported by Councilman Yoder, to appoint Nellie M. Young, 23141 Violet and Geraldine A. Dielhenhein, 33551 Shiawasse to three-year terms on the Farmington Area Commission on Aging, which terms will expire in June of 1986. Motion carried, all ayes.

REQUEST FOR EARLY MEETING  
TO INTERVIEW PLANNING CONSULTANTS

Council was informed that with the termination of Jack Driker as the city's Planning Consultant, two firms that could possibly act as a replacement would have resumes to present to City Council for review on July 18, 1983.

Council agreed to establish an early meeting at 7:00 p.m. prior to the next regular meeting on July 18, 1983, to interview these prospective candidates.

RESOLUTIONS AND ORDINANCES

RESOLUTION DESIGNATING PAYING AGENT FOR  
GENERAL OBLIGATION AND SPECIAL ASSESSMENT  
BONDS - OLD TOWN DRAIN PROJECT

Since the National Bank of Detroit was the low bidder in the purchase of \$738,000 in Special Assessment and General Obligation Bonds for the Old Town Drain Project, the City Manager submitted for Council's consideration a resolution proposing to appoint the National Bank of Detroit as Paying Agent for these bonds.



COUNCIL PROCEEDINGS -10-  
July 5, 1983

7-83-207

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the resolution designating the National Bank of Detroit as Paying Agent for \$369,000 Special Assessment Limited Tax Bonds and \$369,000 General Obligation Limited Tax Bonds recently sold to the National Bank of Detroit for SAD 82-72, Old Town Drain Project.

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Yoder.  
NAYS: None.  
ABSENT: Mitchell.

RESOLUTION DECLARED ADOPTED JULY 5, 1983.

Mayor Bennett advised that he received a letter from Mr. Wibby expressing regret that he was not present at Council's special meeting of June 15, and stating that he is definitely interested in matters pertaining to the Library.

WARRANT LIST

7-83-208

Motion by Councilman Yoder, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$9,552.41; Water & Sewer Fund \$21,844.96.

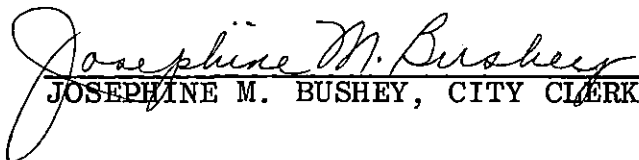
AYES: Hartsock, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: Mitchell.

MOTION CARRIED, ALL AYES.

Motion by Yoder, supported by Tupper, to adjourn the meeting.  
Motion carried, all ayes.

The meeting was adjourned at 9:10 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, July 18, 1983, 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 Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Engineer Mariner, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

7-83-209

Motion by Councilman Yoder, supported by Councilman Tupper, to approve the minutes of the previous meeting of July 5, 1983, as printed. Motion carried, all ayes.

### PUBLIC HEARING: TO ESTABLISH ECONOMIC DEVELOPMENT CORPORATION

The Mayor called on the City Manager to give background information relative to economic development corporations. Manager Deadman presented for Council consideration several documents describing the proposed organization of the Economic Development Corporation in Farmington. He advised that the EDC would provide a vehicle for financing economic expansion in the community, stating that the corporation's principal objective is to attract and retain businesses which are compatible with the city's planning goals. It will also give emphasis to those businesses or commercial enterprises which create employment in the community and intends to incorporate high quality structures of durable nature which meet the community's planning and building codes.

The City Manager emphasized that neither the City nor the Corporation is responsible for debt obligations incurred by any developer who uses EDC bonds to finance a project, and that the property owner must arrange his own financing. The city merely provides a vehicle whereby the interest earned by the bond purchaser is not subject to State or Federal income tax.

Mr. Deadman indicated that there is presently a developer who wishes to use the Economic Development Corporation to build a shopping center in Farmington which could add between 70 and 100 full-time jobs to the community. This would also add considerable tax base to the community, help support local government and the school system.

The Mayor opened the Public Hearing to the audience for comments or questions. Hearing none, he called for a motion to close the Public Hearing.

COUNCIL PROCEEDINGS -2-  
July 18, 1983

7-83-210

Motion by Councilman Yoder, supported by Councilman Hartsock, to close the Public Hearing. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

7-83-211

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Southwestern Oakland Cable Commission minutes of July 12, 1983;  
Farmington Community Library minutes of June 9, 1983;  
Board of Education minutes of June 21, 1983.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

MICHIGAN MUNICIPAL LEAGUE RE: FORMATION OF  
LEGAL DEFENSE FUND

Council was informed that the Michigan Municipal League's Board of Trustees has approved the formation of a Legal Defense Fund, governed by a 7-member Board, to monitor municipal litigation in Michigan to determine what pending cases may have a substantial impact on the rules of municipal law; also to provide supportive assistance to member cities in cases which have significant state-wide impact as determined by the Fund's Board of Directors.

According to the fee structure established by the League Trustees, the proposed dues for the City of Farmington would be \$300 annually.

The City Manager stated that it would be in the best interest of the city to participate in the proposed Legal Defense Fund, as the result of entering any possible litigation alone could result in long-lasting impact to the city.

7-83-212

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the appropriation of \$300 for the proposed dues for the City of Farmington to join the Michigan Municipal League Legal Defense Fund.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 18, 1983.

MICHIGAN MUNICIPAL LEAGUE ANNUAL CONFERENCE

Council was informed that the Michigan Municipal League will hold the 85th Annual Convention in Grand Rapids, with the business meeting scheduled for September 29, 1983.

COUNCIL PROCEEDINGS -3-  
July 18, 1983

The League requested that the city designate a member of Council as official representative and another official as alternate.

7-83-213

Motion by Councilman Yoder, supported by Councilman Hartsock, to designate the Mayor as the Official Representative and the City Manager as the Alternate to represent the City at the Michigan Municipal League annual business meeting in September, 1983. Motion carried, all ayes.

LETTER FROM FOUNDERS FESTIVAL COMMITTEE  
RE: COUNCIL PARTICIPATION IN PARADE

Manager Deadman advised that he would arrange transportation for those Council members who would not be riding on the float being entered in the parade this year by the City. All former Mayors will be on the City float along with Mayor Bennett.

REQUESTED PROPERTY SPLIT: MRS. JOSEPHINE  
FINK, 33435 SHIAWASSEE

In order for Mrs. Fink to sell the rear five feet of her property to her neighbor so that he will have additional parking area, Mrs. Fink requested that City Council approve the split. Due to the narrow width of Grace and Adams Streets, Mrs. Fink's neighbor to the south finds parking in the immediate area at a premium.

City Assessor John Sailer has reviewed the proposed division, and finds that it conforms to all current zoning ordinance requirements. He, therefore, recommended approval of the proposed split.

7-83-214

Motion by Councilman Tupper, supported by Councilman Yoder, to adopt the following resolution:

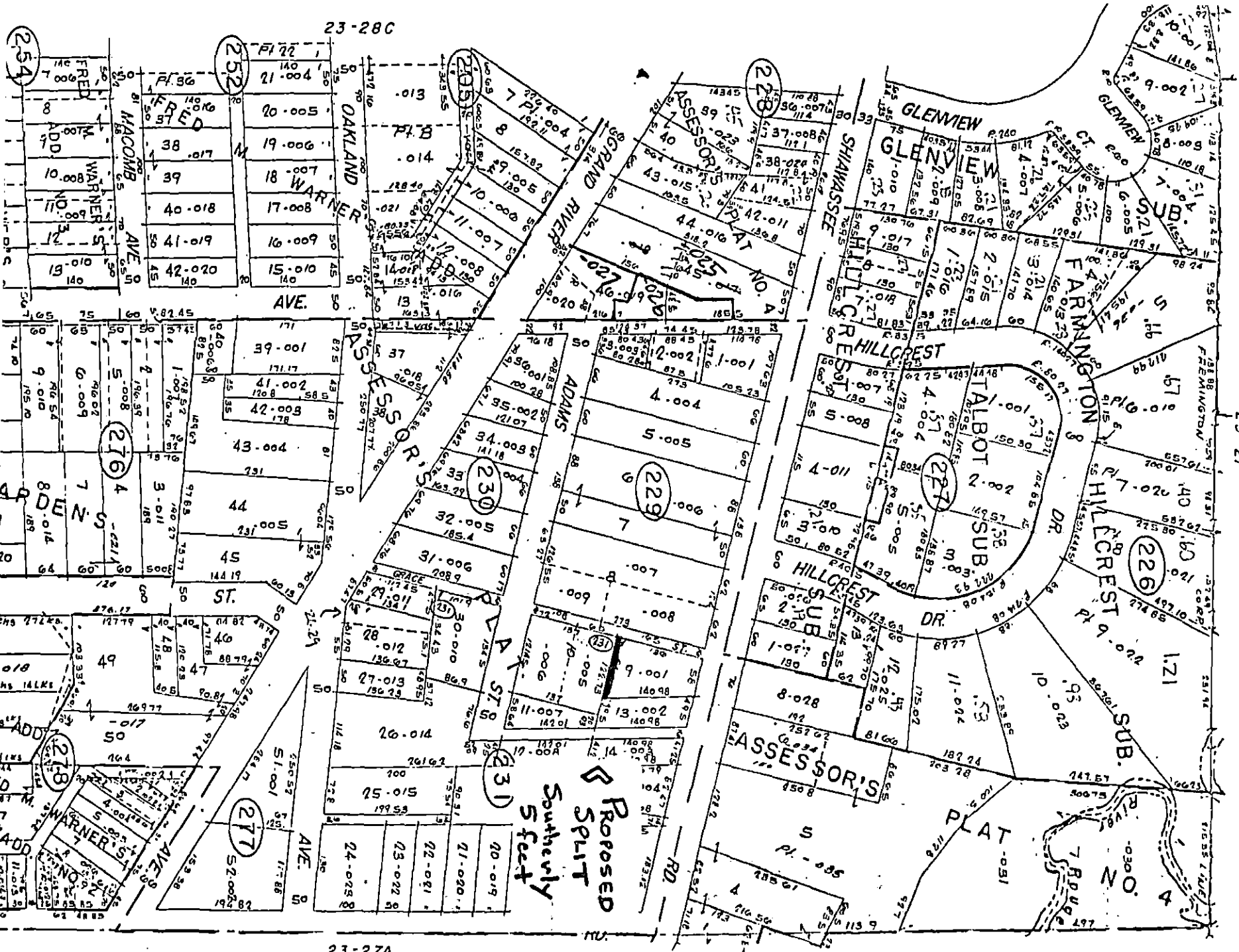
WHEREAS, a request to split Lot 9, Assessor's Plat No. 7, known as Parcel No. 23-28-231-001, has been reviewed by City Council;

BE IT RESOLVED that the Farmington City Council hereby authorizes the splitting of Parcel No. 23-28-231-001 by the present owner Mrs. Josephine Fink, 33435 Shiawassee, to allow her to sell the southerly 5 feet of Lot 9, Assessor's Plat No. 7, as shown on the attached map which shall be made part of this resolution.

RESOLUTION DECLARED ADOPTED UNANIMOUSLY JULY 18, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

(SEE MAP ON PAGE 4)



23-28C

23-21

23-27A

Proposed Split  
 Southernly  
 5 feet

FERNINGTON  
 MILLER ST SUD

REPORT FROM CITY ENGINEER

PRESENTATION: BEL AIRE SANITARY SEWER STUDY

Engineer David Mariner presented to Council photos taken during the smoke test conducted on the city's manholes to locate sources of stormwater inflow into the sanitary sewer system. A report on this test was part of the study prepared to define the scope of the sewer rehabilitation program which will remove excessive storm water inflow from the sanitary sewer system serving the Bel-Aire Subdivision.

The study indicated that over the past several years, the sanitary system has experienced an unusual number of backups during spring and summer storms; also that the absence of any new development in the area supports a conclusion that higher flows in the system are due to increased storm water inflow through deteriorating pipe joints and manholes.

The smoke test showed that out of 75 manhole structures in the system, about 25 displayed smoke leaks, indicating that if the smoke can get out of the manhole, when it rains, then water will enter the sanitary manholes through those same areas. Another 26 manholes were found to be in need of restoration. Possible pipe joint failures were discovered and roof leaders and downspouts from a majority of the homes in the study area do not effectively carry water away from foundation walls.

The engineer's report recommended that a rehabilitation program to correct deficiencies found during testing should begin as soon as possible to minimize the possibility of future basement flooding in the system. The overall program should include a structural rehabilitation program, implementation of a comprehensive annual maintenance procedure for the system, and development of a voluntary downspout extension program involving all homeowners in the study area.

The City Manager and the City Engineer advised Council that there is a person on staff in the Department of Public Services who is very capable of doing the manhole construction work as well as any contractor. Mr. Deadman stated that up to 30% of the cost of the work can be saved by having this employee do the work.

7-83-215

Motion by Councilman Hartsock, supported by Councilman Tupper, to accept the City Engineer's report on the Bel Aire Sanitary Sewer Study, and have the City Manager continue with a program to implement the recommendations contained in the report. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED AMENDMENT TO CITY CHARTER:  
EMPLOYEES RETIREMENT SYSTEM

Manager Deadman submitted to Council a proposed resolution he and City Attorney Kelly have reworked which would place an amendment to the City Charter before the Electorate in November. The amendment would permit City Council to establish the level of benefits pro-

COUNCIL PROCEEDINGS -6-  
July 18, 1983

vided under the city's Employees Retirement System by adopting or amending a city ordinance.

The City Manager pointed out that as previously reported; court rulings now state that employees have the right to bargain for retirement benefits which may be different than those stated in the City Charter. He stated that the city's current retirement system is operating differently than the City Charter requirements as a result of negotiating contracts with the various employee bargaining units representing city employees.

As current Charter provisions governing the employee retirement system will become more obsolete as years go by, the city Actuaries, Gabriel, Roeder and Smith have advised that many communities have changed their charter requirements recently, recognizing that court decisions have made there requirements obsolete.

The Charter amendment, therefore, proposes that the new charter provisions would continue to recognize that the city has a retirement system for employees, and that the system will be administered by a Board of Trustees. Further, the retirement system would be financed by the city in combination with the employee, depending on current provisions of labor contracts. Charter provisions would further require that the system remain actuarially sound and that the assets of the system would be invested in accordance with the laws of the State of Michigan.

The amount of benefit provided by the system would be determined by the City Council through the establishment of appropriate city ordinances or amendments thereto.

7-83-216

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following Resolution:

R E S O L U T I O N

A Resolution to place a Question on the Ballot of the Regular City General Election, November 8, 1983, which proposes to amend the Farmington City Charter, Chapter 5, Section 5.11B.

WHEREAS, the present pension plan for employees of the City of Farmington is set forth at length in the City Charter; and

WHEREAS, amendments to the pension plan require amendments to the Charter, which is administratively burdensome; and

WHEREAS, amendments to the pension plan may result from employee contracts which may differ from Charter provisions; and

WHEREAS, the pension plan would be equally as effective and more easily administered and amended if the principal provisions thereof were set out in ordinance form rather than in the Charter.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Farmington, by a unanimous vote of its members elect, pursuant to the authority granted by Act No. 279 of the Public Acts of 1909, as amended, proposes that Chapter 5, providing for an Employees Retirement System, Section 5.11B, Subsections a - m, both exclusive, be repealed; and

BE IT FURTHER RESOLVED that it is proposed that Chapter 5 be amended by the addition of one new Section 5.11B and new Subsections a - f, both exclusive, to read as follows:

Section 5.11B

The Council shall have the power to create and establish, by ordinance, a retirement system for the administrative officers and employees of the city. Said ordinance shall contain such provisions as the Council shall deem necessary to provide for the retirement of administrative officers and employees who become superannuated because of age or total and permanent disability; to provide actuarially equated joint and survivor pensions; to provide for a Board of Trustees to administer the retirement system; to provide for contributions to be made to the system by the city, together with contributions which may be made by the covered officers and employees; and to provide for investments of the retirement system reserve fund: Provided that the retirement system ordinance, or any amendment thereto, shall not diminish the accrued benefits of any member at the time of adoption of the retirement system ordinance or amendment, as the case may be.

Section (a) Board of Trustees

Said system shall be administered by a Board of Trustees consisting of:

- (1) A member of Council to be selected by the Council to serve at the pleasure of the Council.
- (2) A citizen who is a taxpayer of the city and who is neither a member, retirant, nor beneficiary of the retirement system, to be appointed by the Mayor, by and with the consent of the Council.
- (3) The City Manager to serve by virtue of his position; the Mayor to serve as an alternate to the City Manager and serve on the Board in his absence.
- (4) Two (2) members of the retirement system to be elected by the members of the retirement system in accordance with such rules and regulations as the



Board of Trustees shall from time to time adopt to govern such elections; Provided that no more than one (1) such member trustee shall be from any one (1) city department.

Section (b) City Contributions

The financial objective of the retirement system shall be to establish and receive contributions which, expressed as percents of active employee payroll, will remain approximately level from year to year and will not have to be increased for future generations of citizens. More specifically, contributions received each year shall be sufficient both (i) to fully cover the costs of plan benefit commitments being made to employees for service likely to be rendered in the future and (ii) to make a level payment which if paid annually over a reasonable period of future years will fully cover the unfunded portion of plan benefit commitments for service previously rendered. The Board of Trustees shall annually certify to the City Council the contributions determined in accordance with this section, and the Council shall appropriate and pay to the retirement system, during the next fiscal year, the contributions so certified.

Section (c) Investment of Assets

The Board of Trustees shall be the Trustee of the monies and assets of the retirement system. The Board of Trustees shall have the full power and authority to invest and reinvest such monies and assets, subject to all of the terms, limitations and restrictions imposed by the State of Michigan on the investments of public employees retirement systems. The Board of Trustees may employ outside investment counsel and/or banking institutions to advise the Board of Trustees in the making and dispensing of investments. All monies and assets of the retirement system shall be held for the sole purpose of making disbursements authorized in accordance with the provisions of this Charter and shall be used for no other purposes.

Section (d) Amount of Benefits

The City Council shall establish the amount of retirement benefits to be paid pursuant to the retirement plan by the adoption of appropriate city ordinances or amendments to previously established ordinances.

Section (e) Contractual Nature of the Pension Plan

The accrued financial benefits of the retirement system shall be a contractual obligation of the city and shall not be diminished or impaired by the city. The terms of this chapter shall constitute the only basis in which each such contractual obligation shall arise and accrue, and no benefit shall arise and accrue to any participant or retiree except those specifi-

cally provided for in this chapter, and in accordance with the terms thereof.

Section (f) Employee Contributions

Provision shall be made that each member of the retirement system shall contribute to the system, by payroll deductions, not less than three percent (3%) of the first \$4,800 of his annual compensations paid him by the city plus not less than five percent (5%) of the portion, if any, of his annual compensations which are in excess of \$4,800, unless this provision is modified by contract between the city and its administrative officers and/or employees.

BE IT FURTHER RESOLVED that said proposed amendment be printed upon the ballot to read as follows:

PROPOSAL TO AMEND CHAPTER 5, SECTION 5.11B, SUBSECTIONS A - F, OF THE CHARTER OF THE CITY OF FARMINGTON

Shall Chapter 5, Section 5.11B, of the Charter of the City of Farmington be amended to provide that the provisions of the retirement system for city employees be set out in detail by City Ordinance in order to allow for changes in benefits and other necessary amendments without the necessity of amending the Charter?

The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor of the State of Michigan for his approval, and transmit a copy of the foregoing statement of purpose of such proposed amendment to the Attorney General of the State of Michigan for his approval, as required by law.

The proposed charter amendment shall be, and the same is hereby ordered to be, submitted to the qualified electors of this city at the Regular City Election to be held in the City on the 8th day of November, 1983, and the City Clerk is hereby directed to give notice of the election and notice of registration therefor in the manner prescribed by law and to do all things and to provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law.

The proposed amendment shall be submitted to the electors in the following form, to wit:

PROPOSAL TO AMEND CHAPTER 5, SECTION 5.11B, SUBSECTIONS A - F,  
OF THE CHARTER OF THE CITY OF FARMINGTON

Shall Chapter 5, Section 5.11B, of the Charter of the City of Farmington be amended to provide that the provisions of the retirement system for city employees be set out in detail by City Ordinance in order to allow for changes in benefits and other necessary amendments without the necessity of amending the Charter?

YES

NO

The canvass and determination of the votes on said question shall be made in accordance with the laws of the State of Michigan and the Charter of the City of Farmington.

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 18, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

PROPOSED AMENDMENT TO CITY  
NOISE CONTROL ORDINANCE

Council was advised that when the State of Michigan preempted the City's Building Code requirements, it was discovered that many of the requirements of the local Building Code were not contained in the new State Building Code. One of those requirements was that all home air conditioning unit compressors were required to be located in the rear yards in order to eliminate the noise nuisance that often results from the installation of outdoor air conditioning compressor units.

At that time, Council elected to relocate the city provisions on the location of air conditioning units to the Nuisance/Noise Control Ordinance. Although this change has worked reasonably well, the nuisance control ordinances are police ordinances and not zoning ordinances; there are no provisions for appeal.

Manager Deadman advised that there are situations on cul-de-sacs and corner lots where it may not be advantageous to locate air conditioning compressor units in a sideyard setback. He stated that historically, when such situations arise, property owners could appeal to the Board of Zoning Appeals for a variance.

The City Attorney has indicated that City Council could provide the mechanism for such an appeal if the current ordinance was amended to allow the right of appeal.

7-83-217

Motion by Councilman Hartsock, supported by Councilman Mitchell, to introduce Ordinance C-509-83 which would reinstitute the appeal process for the location of air conditioning compressor units. Motion carried, all ayes.

PROJECT APPROVAL FEDERAL JOBS BILL:  
SIDEWALK PROGRAM

Council was advised that Oakland County erred when it previously informed the city that the funds for the Drake Road Sidewalk construction had been denied. Farmington's proposed use of funds to construct the sidewalk along Drake Road to serve the needs of the new senior citizen complex at Drake and Freedom Roads does meet the guidelines for the Community Development Grants Program. As Oakland County expects to receive federal approval sometime in August, it may be possible to construct the sidewalk yet this year.

TRANSFER OF SDM LICENSE:  
GRAND Q PARTY STORE, 32330 GRAND RIVER

Manager Deadman advised that the Michigan Liquor Control Commission has received an application from M. Louis Sabatini to acquire an SDM License from the Samir Y. Qarana Estate and Rifat Ayyar and Riwaida Sh Qarana for the operation of the party store at 32330 Grand River.

As this license was transferred some months ago to the wife of the deceased owner as a result of the estate settlement, the estate now wishes to transfer this license to the new owner of the Grand Q Party Store.

Council did not object to this transfer.

INTERIM POLICY: BORROWING EMERGENCY  
EQUIPMENT

The City Manager advised that since it is inconceivable that a community would have sufficient equipment to handle a major disaster, he recommended that Council authorize him to enter into a Memo of Understanding with Oakland County for borrowing county equipment in such emergencies. He stated that Public Act 390 of 1976 provides for the efficient utilization of county resources during emergency and disaster periods.

As Oakland County presently does not have a formal policy to permit loaning their equipment to other agencies in the county, they have

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adopted an "Interim Policy" permitting the loan of their equipment to those communities which file a "Memo of Understanding" with the county prior to an emergency situation. Two filing alternatives are provided: one, the Memo can be filed now, or it could be filed with the county at the time the loan of the equipment is requested. Certain guidelines also must be met by the borrowing agencies.

7-83-218

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to enter into a Memo of Understanding with Oakland County to borrow County equipment in emergency and disaster situations.

ROLL CALL

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 18, 1983.

MICHIGAN TAX TRIBUNAL DECISION  
LOCAL TAX APPEALS

Council was advised that the City Assessor and special attorney Leo Goldstein have negotiated settlement of the property assessment appeals before the Michigan Tax Tribunal, including Farmington Place Associates, Jamestown Apartments, Farmington West Apartments and Drakeshire Apartments. The Assessor's report described in detail the result of each of these negotiated settlements.

Relative to the Farmington Place Associates, the city agreed to reduce the assessed valuation for 1981 and 1982. As part of this settlement, Farmington Place Associates agreed to accept a higher assessed valuation than established by the Assessor for 1983. This settlement resulted in a refund of \$59,610.95 in past taxes, with the City of Farmington owing \$12,552.35 of this amount.

The assessments on the Drakeshire and Farmington West Apartments remained firm, but the Assessor agreed that the city would lower the assessment on the Jamestown Apartments, owned and operated by the Standard Construction Company. This resulted in the city owing Standard Construction approximately \$3,305.25 plus interest at the rate of 6% on all monies due prior to April 1, 1982, and 12% on all monies due after March 31, 1982.

Council was further notified that the county has completed its presentation on the tax tribunal appeal of the Xerox Corporation, and a decision by the Tribunal is expected before December of this year.

The Manager stated that the city was somewhat sympathetic in adjusting the assessment of Farmington Place, as many of these properties throughout the state are totally tax exempt. It was apparent that

COUNCIL PROCEEDINGS -13-  
July 18, 1983

they were attempting in their appeal to test the new criteria for establishing assessed valuations for this type of project. The city did not feel it was in our best interest to allow the Tax Tribunal to change the current case law.

In answer to Councilman Hartsock's question on why we are paying interest to Standard Construction Company, the City Manager advised that we were able to negotiate a no interest situation with one and not with the other.

7-83-219

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that as a result of the Michigan Tax Tribunal's decision on local tax appeals, the Farmington City Council hereby authorizes the following refunds to

Farmington Place Associates  
in the amount of..... \$13,552.35

Jamestown Apartments (Standard Construction Company)  
in the amount of..... \$ 3,305.25 plus interest,  
and

BE IT FURTHER RESOLVED that City Council authorizes payment to Attorney Leo Goldstein in the amount of \$2,625.00, 50% of which is to be reimbursed by the Farmington School District, and

BE IT FURTHER RESOLVED that these funds be provided from the city's Unappropriated Fund Reserve Account.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 18, 1983.

MISCELLANEOUS

PUBLIC COMMENT

Rob Falls, Chairman of the Farmington Festival Committee stated that they spent over \$500.00 on banners which they requested could be installed in certain locations on Grand River and on Farmington Road.

Mr. Falls was advised that not only Council's permission was necessary, but that the State Highway Department and the County Road Commission would require applications for permits since both a State highway and a County Road is involved. Mr. Falls was further advised that to obtain such State and County permits, both agencies would have to be held harmless.

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July 18, 1983

Director of Public Services Billing expressed concern relative to where the exact locations would be for these banner type signs; also whether or not there is sufficient time left to obtain the necessary permits.

7-83-220

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the banner type signs requested by the Farmington Festival Committee Chairman to be installed at certain locations on Grand River and Farmington Road, with authority delegated to the City Manager and the Director of Public Services to check their durability, and

BE IT FURTHER RESOLVED that City Council authorizes the city to obtain the proper State Highway and County Road permits for the installation of these signs.

RESOLUTION ADOPTED UNANIMOUSLY. JULY 18, 1983.

Councilman Tupper complimented the Department of Public Services on the freshly painted hydrants.....

BUILDING DEPARTMENT ANNUAL REPORT  
JULY 1, 1982 - JUNE 30, 1983

The City Manager pointed out that there are four new houses under construction in the city.

7-83-221

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and file the Building Department Annual Report for the period July 1, 1982 through June 30, 1983. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

RESOLUTION APPROVING INCORPORATION OF:  
ECONOMIC DEVELOPMENT CORPORATION

7-83-222

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, there exists in the City of Farmington, County of Oakland, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment, to assist and retain local industrial and commercial enterprises to strengthen and revitalize the City's economy; and

WHEREAS, it is therefore necessary to provide the means and methods for the encouragement and assistance of industrial and commercial enterprises in locating and expanding in the City, to more conveniently provide needed services and facilities of such enterprises

COUNCIL PROCEEDINGS -15-  
July 18, 1983

to the City and its residents; and

WHEREAS, Act No. 338 of the Public Acts of Michigan, 1974, as amended ("Act No. 338") provides for the incorporation of an economic development corporation for the City to accomplish such purpose; and

WHEREAS, an application has been filed pursuant to Act No. 338 of the Public Acts of Michigan of 1974, as amended, for permission to incorporate an economic development corporation for the City; and

WHEREAS, a public hearing on said application and any competing application has been held.

NOW, THEREFORE, BE IT RESOLVED:

1. The application under date of June 15, 1983, filed by H. Lapham, Jr., J. K. Cotton, and J. E. Gilin to incorporate the Economic Development Corporation of the City of Farmington and the proposed Articles of Incorporation for said corporation be and the same are hereby approved and adopted.
2. The Articles of Incorporation shall be executed, in duplicate, and upon execution, the City Clerk be and is hereby directed to file and publish said Articles in accordance with Section 31 of Act No. 338.
3. All resolutions and parts of resolutions inconsistent with the provisions hereof be and are hereby declared repealed, revoked and rescinded.

AYES: Bennett, Hartsock, Mitchell, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 18, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

WARRANT LIST

Council was advised that a replacement car has been received for the City's emergency medical vehicle.

7-83-223

Motion by Councilman Hartsock, supported by Councilman Yoder, to approve payment of the monthly bills as submitted: General Fund \$24,846.40; Water & Sewer Fund \$92,876.09.

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.



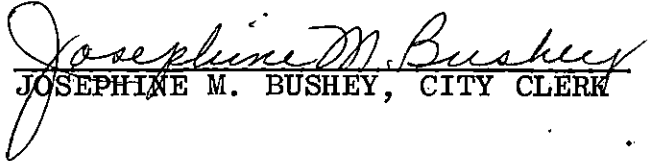
COUNCIL PROCEEDINGS -16-  
July 18, 1983

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Mitchell, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:15 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, August 1, 1983, 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 Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock (arrived at 8:27 p.m.), Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 8-83-224

Motion by Councilman Yoder, supported by Councilman Tupper, to approve the minutes of the previous meeting of July 18, 1983, as printed. Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### RESOLUTIONS FROM SEMCOG, BIRMINGHAM AND OAK PARK RE: SENATE BILL 66 TO ESTABLISH CONTROL OVER CABLE TELEVISION INDUSTRY

Council was provided with a copy of Senate Bill 66 and the Congressional Record containing information relative to the proposed legislation. Director Lark Samouelian of the Southwestern Oakland Cable Commission also provided an analysis of the impact of various sections of the proposed Bill.

Manager Deadman suggested that local government identify critical areas of local control, leaving minor areas for Congress to work out. He indicated there is major concern over the definition and control of basic rates in the cable industry, as the proposed legislation would usurp the right of local government to control rates.

The City Manager stated that the provision for automatic renewal is also an important concern, as the proposed legislation includes no provisions for updating the system at time of renewal, unless the cable operator has violated his franchise agreement.

Manager Deadman thought the Farmington Hills' resolution best identifies the major issues that cities should strongly urge Congress to review prior to adopting the proposed legislation.

#### 8-83-225

Motion by Councilman Yoder, supported by Councilman Tupper, to instruct the City Manager to prepare a resolution indicating Council's concern relative to the provisions in Senate Bill 66 which would establish control of the cable television industry. Motion carried, all ayes.

COUNCIL PROCEEDINGS  
August 1, 1983 -2-

BIRMINGHAM RESOLUTION RE: HOUSE BILL 4549

Manager Deadman advised that the proposed House Bill would amend the Michigan Liquor Control Act to permit local legislative review of new and transferred liquor license applications. The Liquor Control Commission could not issue a license unless it received approval of the local legislative body. Under the proposed legislation, the local legislative body could, after due notice and hearings, revoke the SDD or SDM license. This legislation is the current attempt to accomplish what local government has attempted to accomplish for many years.

8-83-226

Motion by Councilman Tupper, supported by Councilman Mitchell, to support House Bill 4549, to amend the Michigan Liquor Control Act to permit local legislative review of new and transferred liquor license applications. Motion carried, all ayes.

CITY OF OAK PARK RESOLUTION RE: NEW LAW  
CLARIFYING LOCAL GOVERNMENT'S RIGHTS  
IN SEIZED OR FORFEITED PROPERTY

Oak Park stated that Public Act 251 of 1982 provides for the forfeiture of certain property seized by law enforcement agencies. Oak Park indicates that certain police agencies contest the rights of local units of government to participate in the forfeited property seized within its jurisdiction. They request, therefore, that the Legislature see that the rights of these local units of government are protected, and that further clarification of current laws is made.

8-83-227

Motion by Councilman Mitchell, supported by Councilman Yoder, to receive and file the Oak Park resolution relative to new law clarifying local government's rights in seized or forfeited property. Motion carried, all ayes.

REQUEST FROM TERRACE SHOPPE RE: TENT SALE

Robert Whitcomb, Vice-president of the Terrace Shoppe, requested Council's permission to conduct a mid-summer Tent Sale in their parking lot at 33021 Grand River on Friday, August 12, from 9:00 a.m. to 9:00 p.m., and on Saturday and Sunday, August 13, and August 14, from 9:00 a.m. to 6:00 p.m.

Manager Deadman stated that there were no problems during previous outdoor sales held at this location.

8-83-228

Motion by Councilman Yoder, supported by Councilman Tupper, to grant permission for a Tent Sale to be held in the parking lot of The Terrace Shoppe, 33021 Grand River, from August 12 through August 14, 1983 as requested. Motion carried, all ayes.

COUNCIL PROCEEDINGS -3-  
August 1, 1983

REQUEST FROM HURON RIVER HUNTING AND  
FISHING CLUB RE: ANNUAL LOBSTER AND  
CLAM BAKE

Irene Kalosky, General Manager of the Huron River Hunting and Fishing Club, requested Council's permission to erect a tent in their parking lot at 22575 Farmington for the Club's annual Lobster and Clam Party on Sunday, August 14, 1983.

8-83-229

Motion by Councilman Tupper, supported by Councilman Mitchell, to grant permission to the Huron River Hunting and Fishing Club, 22575 Farmington Road, to erect a tent in their parking lot for their annual Lobster and Clam Party on Sunday, August 14, 1983. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSAL TO ELIMINATE COMBINED SEWER OVER-  
FLOW RIVER/CROSS CONNECTION

Manager Deadman submitted for Council's review a copy of the report developed by the City Engineers in early 1982, which indicates that the city storm water overflows from the combined sewer system (CSO's) contribute approximately 3.36% of the total annual cost of treatment paid to Detroit. To provide basis for his analysis of project costs and estimated savings Mr. Deadman explained how the system currently works.

The plan developed by the City Engineers would eliminate one overflow and raise two other overflows so they would no longer be impacted by the elevation of the Rouge River at flood stage.

The City Manager advised that the project has been divided into four divisions:

Division "A" would continue an existing sanitary sewer on Prospect Street north of Shiawassee to a new outlet on Shiawassee east of Prospect. Upon completion of this project, the Bel Aire sewer system would be totally separated.

Divisions "B" and "C" would change the elevations on the Grand River and Cloverdale CSO's. They would both be raised so they would no longer be impacted by the river.

Division "D" would construct a flapper-type valve at the City Storm Water Treatment Plant which would close when the river is at flood stage.

The estimated construction cost of this project would be \$82,000.00.

Manager Deadman stated that at today's costs, about \$14,000.00 is being spent annually for treatment of river water that is getting into our system.

COUNCIL PROCEEDINGS -4-  
August 1, 1983

His analysis indicated that at about six years, four months, the system will have about totally paid for itself; further, that over the life of the improvement (20 years), it will have paid for itself many times.

Mr. Deadman advised Council that he proposes to build this system yet this year and is ready to go to bid.

Council was informed that the city will have to obtain an easement to get to the existing sewer. Manager Deadman stated that he hopes this can be done voluntarily rather than having to resort to condemnation or the right of eminent domain.

8-83-230

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the city to receive bids for the combined sewer overflow river cross connection correction and sewer separation project; and

BE IT FURTHER RESOLVED that funds for the project be provided from the Water and Sewer Fund.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 1, 1983.

DISPOSAL OF 1953 GMC FIRE TRUCK

Council was advised that as a result of advertising in the Michigan Municipal Review, inquiries were received from the Fairdealing Kentucky Volunteer Fire Department and from the Lake Superior State College. Neither offered to pay for the truck, but asked that it be donated to them.

Manager Deadman advised that the Fairdealing Fire Department proposes to place the engine in service, as they cannot afford to purchase new equipment. The college proposes to use the equipment as part of their fire administration educational program.

The other alternative suggested was to take the fire truck to the State Equipment Auction in Lansing.

The City Manager stated that the equipment is too old for use and not old enough to be considered an antique. He considered any appreciable return from sale at auction speculative at best.

COUNCIL PROCEEDINGS -5-  
August 1, 1983

Councilman Yoder preferred to see the truck go to the college or to auction. Councilman Mitchell thought it should go to a place where it would be used in fire fighting.

8-83-231

Motion by Councilman Mitchell, supported by Councilman Tupper, to donate the 1953 GMC Fire Truck to the Fairdealing Volunteer Fire Department near Benton, Kentucky. Motion carried, all ayes.

COST ESTIMATE: DRIVEWAY PAVING  
OAKWOOD CEMETERY

According to Council's request, the City Engineers prepared a cost estimate on paving the loop driveway in Oakwood Cemetery. Overlaying the existing driveway base with two inches of asphalt would be \$8,000.00. The Engineers determined that current storm runoff from the unimproved driveway flows to neighboring properties to the east and west of the cemetery. If the roadway were improved, they advise it would generate additional flow, and the impact of this flow would have to be evaluated.

Council was informed that new roadway construction would have to be protected from base failure which could be caused by large quantities of water from the storage facilities located in the cemetery when failures occur in the water elevation control equipment.

Manager Deadman stated that the \$8,000.00 estimate for the proposed drive does not consider the runoff problem or the possibility of tank overflow.

Councilman Yoder stated that he did not expect the paving to cost so much. He suggested, however, getting the additional figures to alleviate the runoff and overflow problems.

Mayor Bennett stated that he could live with the \$8,000.00 cost but expressed concern about additional expenditures. Councilman Mitchell thought that even the \$8,000.00 expenditure would be inappropriate at this time.

8-83-232

Motion by Councilman Yoder, supported by Councilman Mitchell, to receive and file the City Manager's report on driveway paving at Oakwood Cemetery. Motion carried, 3 ayes, 2 nays (Bennett, Hartsock).

PROPOSED "HOLD HARMLESS" RESOLUTION TO  
ACQUIRE MICHIGAN MUNICIPAL LEAGUE  
PROMOTIONAL TESTING

Council was informed that the Michigan Municipal League supplies the city occasionally with testing materials for promotional tests and evaluation services for Public Safety Officers. They have requested a resolution to hold the League harmless if the city and/or the League should become involved in a lawsuit based on

COUNCIL PROCEEDINGS -6-  
August 1, 1983

unfair or illegal employment practices as a result of using their tests.

Since there have been numerous suits brought against public employers in recent years for their personnel practices, most of which were based on the validity of testing procedures, Manager Deadman considers this request reasonable.

8-83-233

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the "Hold Harmless" resolution requested by the Michigan Municipal League. Motion carried, all ayes.

SUPPLIER PROPOSALS: PLASTIC RUBBISH BAGS

Manager Deadman advised that Petoskey Plastics, Inc., supplier of the city's 2-mill, 20 gallon plastic liners for the past year has announced a 7% price reduction for the coming year.

In order to determine if Petoskey Plastics' new price is lower than other competitors in the area, each of last year's bidders was contacted to quote their pricing structure for this year. All competitors questioned quoted an increase except one who quoted the same price as last year.

The 7% reduction in Petoskey Plastics' price of \$6.40 per box of 100 bags for last year resulted in a current price of \$5.95 per box.

8-83-234

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby accepts the low quotation of Petoskey Plastics, Inc., Petoskey, Michigan, in the amount of \$5.95 per unit of 100, or \$5,950.00 for 100,000 2-mill, 20 gallon plastic liners, and

BE IT FURTHER RESOLVED that Council hereby waives the competitive bid process as being in the best interest of the City of Farmington.

ROLL CALL

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 1, 1983.

Councilman Yoder suggested that the price of plastic bags to residents be reduced from \$8.50 to \$8.00 in view of the 7% reduction by Petoskey Plastics.

8-83-235

Motion by Councilman Hartsock, supported by Councilman Tupper,

COUNCIL PROCEEDINGS -7-  
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to reduce the price of plastic garbage liners to residents from \$8.50 to \$8.00. Motion carried, all ayes.

REQUEST TO PURCHASE LARGE DIAMETER FIRE HOSE

In order to take advantage of recently received bid prices through the Oakland County Fire Chiefs Association, Director Seifert requested Council's approval to purchase large diameter fire hose at a 15% savings over local bid prices received in 1982.

8-83-236

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the purchase of

1,200 ft. 5" L.D. hose in 100 ft. sections	
@ \$5.25 per ft.....	\$6,300.00
100 ft. 5" L.D. hose in 50 ft. sections	
@ \$5.75 per ft.....	575.00
TOTAL: (per Oak. Co. Fire Chiefs Assoc. Bid)	\$6,875.00

and

BE IT FURTHER RESOLVED that to waive the regular local bid process is in the best interest of the City of Farmington.

ROLL CALL

AYES:	Tupper, Yoder, Bennett, Hartsock, Mitchell.
NAYS:	None.
ABSENT:	None.

RESOLUTION DECLARED ADOPTED AUGUST 1, 1983.

For the benefit of those present, Manager Deadman advised that the City of Oak Park has assumed the task of overseeing the entire bid process for all cities involved in the purchase under the Oakland County Fire Chiefs Association bid.

MISCELLANEOUS

PUBLIC COMMENT

Bill Dobes, 23366 Liberty Street, complained that he has received several different invoices on the Sidewalk Replacement that took place earlier this year, stating that he would like the matter straightened out.

Manager Deadman stated that the Building Inspector has been to Mr. Dobes' home several times to check on the amount of sidewalk to be replaced, and indicated that the reason Mr. Dobes has several bills is that one is apparently an adjusted invoice as a result of the



COUNCIL PROCEEDINGS -8-  
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Inspector's final decision that Mr. Dobes was indeed billed for the exact amount of sidewalk that was removed. Mr. Deadman advised Mr. Dobes that he would be glad to go over the matter with him if he would submit the invoices in question during business hours.

Mr. Dobes took exception to receiving a Special Assessment billing on the sewer project when he has seen no evidence of any work in progress. He was advised that the project was delayed approximately three weeks so that areas covered by the Founders' Festival activities would not be under construction during the Festival.

APPOINTMENTS: BOARD OF DIRECTORS  
ECONOMIC DEVELOPMENT CORPORATION

Manager Deadman stated that as Council has approved the Articles of Incorporation for the Economic Development Corporation, and notice of the incorporation has been duly published, affidavits of publication and executed copies of the Articles of Incorporation along with the resolution approving same will be filed with the County Clerk and the Secretary of State.

To add continuity to the operation of the EDC Board, the City Manager recommended that Council, the Administration and the Planning Commission be represented. He indicated that only three of the nine-member board can be from City Council or the governmental staff.

Mr. Deadman pointed out that the organizational structure of the Corporation must be in accordance with Public Act 338 of 1974 which indicates that the mayor shall appoint the Board with the consent of Council. He advised that under the provisions of Public Act 338, directors shall be appointed for terms of six years, except for the first terms, appointments for which shall be as follows:

Four members shall be appointed for Six years;  
One member shall be appointed for Five years;  
One member shall be appointed for Four years;  
One member shall be appointed for Three years;  
One member shall be appointed for Two years;  
One member shall be appointed for One year.

Directors shall serve without salary, but may be reimbursed for actual expenses in the performance of their official duties. Those whose terms of office have expired shall continue until their successor has been appointed. No limitations are set on the number of terms a director may serve. Vacancies are to be filled in the same manner as original appointments. Terms of office for appointees who fill vacancies shall coincide with the term of office vacated.

Manager Deadman advised that in addition to the nine-member board, two additional directors, representatives of neighborhood residents or businesses whose interest is likely to be affected by each project of the corporation, shall be appointed. These appointments need not be made at this time, however.

COUNCIL PROCEEDINGS -9-  
August 1, 1983

After due consideration and deliberation, Mayor Bennett proceeded with the appointments to the Board of Directors of the Farmington Economic Development Corporation as follows:

FOR SIX-YEAR TERMS:

John K. Cotton	33318 Oakland
John Gilin	22451 Maple
Harry L. Lapham, Jr.	32328 Valleyview Circle
Frank Clappison	34956 Drake Heights

FIVE-YEAR TERM:

Arnold Campbell	21080 Birchwood
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FOUR-YEAR TERM:

Alfred Freude	22930 Manning
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THREE-YEAR TERM:

Robert D. Button	34177 Schulte
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TWO-YEAR TERM:

Ralph D. Yoder	31661 Lamar
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ONE-YEAR TERM:

Robert F. Deadman	22930 Maple
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8-83-237

Motion by Councilman Yoder, supported by Councilman Mitchell, to accept the Mayor's appointments to the Farmington Economic Development Corporation's Board of Directors as listed. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

8-83-238

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following ordinance:

ORDINANCE NO. C-509-83

AN ORDINANCE TO AMEND SECTION 9.71, SUBSECTION (12) OF:  
CHAPTER 88 OF TITLE IX OF THE CODE OF THE CITY OF FARMINGTON

THE CITY OF FARMINGTON ORDAINS:

9.71

- (12) Air Conditioning Units: The installation of refrigeration equipment used for Central Air Conditioning purposes on One- or Two-Family dwellings requiring the outside installation

COUNCIL PROCEEDINGS -10-  
August 1, 1983

of an air conditioning unit, shall not result in the unit being a noise nuisance and such unit shall be located in back of the rear-most portion of the structure, no less than five (5) feet within the extreme sides of the main structure, provided that the Zoning Board of Appeals may grant a variance to the location of an air conditioning unit in cases of hardship. For the purpose of this section, open patios shall not be considered a portion of the structure.

This ordinance was introduced at a regular meeting of the Farmington City Council on July 18, 1983, was adopted and enacted at the next regular meeting on August 1, 1983, and will become effective ten (10) days after publication.

AYES: Yoder, Bennett, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: None.

WARRANT LIST

Councilman Hartsock asked when the baskets would be in place for the erosion control project. Director Billing advised that the project would begin tomorrow. He stated that the city has 18 men from the State work crew who have been preparing the area for installation of the gabions.

Councilman Mitchell asked if KMart had responded relative to the ground sign recently discussed for the center. Manager Deadman stated that no response has yet been received, although the KMart management consented to look at the proposed sign.

8-83-239

Motion by Councilman Hartsock, supported by Councilman Mitchell, to approve payment of the monthly bills as submitted: General Fund \$76,868.33; Water & Sewer Fund \$26,880.00.

ROLL CALL

AYES: Bennett, Hartsock, Mitchell, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

There was considerable discussion relative to the Farmington Founders Festival held last week. The Public Safety Department reported more cars ticketed for illegal parking and cars towed than in the past. A number of complaints were received from regular merchants who were unable to move supplies in and out of their stores due to congested areas.

COUNCIL PROCEEDINGS -11-  
August 1, 1983

Councilman Yoder asked how much the Festival cost the city. Costs were not in for the Department of Public Works, but Director Seifert advised that Public Safety Department overtime was approximately \$1,500.00 to \$1,600.00.

Director Billing reported that it took his department four hours to hang the Festival banners.

Manager Deadman called attention to the third place trophy and \$50.00 cash award won by the city float entered in the Festival Parade by a city employee group.

It was suggested that the \$50.00 check be returned to the Festival Committee to help defray expenses.

Councilman Hartsock suggested that special recognition be given to Kathy Hargrove, Annabelle Hoeglund and Joyce Griffith for their work on the float, and to Mike Zachos who volunteered his time to pull the float in the parade.

Mr. Dobe's asked about the Farmer Jack complex to be built at Nine Mile and Farmington Road. He was advised that the project will be built with a Perry Drug store as part of the complex.

Mayor Bennett asked about the status of the Farmington Road widening under the viaduct. He was advised that bids will be taken by the end of the month on this project.

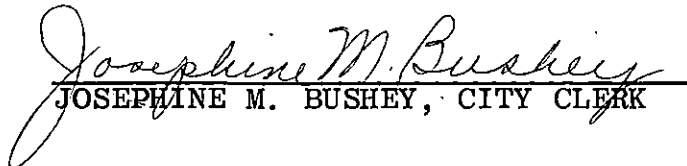
The Mayor asked for a brief report of Farmington Founders Festival costs, including a summary of specific problems encountered so that provisions can be made to avoid future difficulties.

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:45 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, August 15, 1983, 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 Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper.

ABSENT: Councilman Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Deputy Director Lauhoff, Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

8-83-240

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the minutes of the previous meetings of the Joint City Councils (Farmington and Farmington Hills) on June 15, and the minutes of the Farmington City Council meeting of August 1, 1983. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

8-83-241

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of August 8, 1983;  
Historical Commission minutes of July 20, 1983;  
Farmington Area Commission on Aging minutes of July 26, 1983;  
Farmington Community Library minutes of July 14 and August 4, 1983;  
Board of Education minutes of July 11, 1983.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR SIGN VARIANCE: SPEEDY PRINTING, 32623 GRAND RIVER

The application for sign variance from Speedy Printing owners Paul and Dan Beale requested permission to install a new ground sign in front of their building which would incorporate a portion of the existing ground sign which advertises Morrell TV and a new sign advertising their business. The new sign would be 16'-4" high, which is approximately 2' higher than the building. The extra height is needed for adequate clearance beneath the sign and to allow existing signage to be incorporated into the new sign. Installation of the new ground sign would allow the removal of all existing ground signs and the three wall signs presently advertising Speedy Printing.

Manager Deadman stated that variances would be necessary to allow the sign to exceed the building height by 2' and to overhang the public right-of-way by 3'.

COUNCIL PROCEEDINGS -2-  
August 15, 1983

Manager Deadman advised that the State Highway Department has given permission for the sign to overhang the right-of-way at that location.

Mayor Bennett and Councilman Tupper thought the aesthetic value of the sign would be improved by the change.

Councilman Mitchell did not share their enthusiasm for the change, because he felt that Council would be exchanging one ground sign for a larger ground sign.

Councilman Hartsock shared Mr. Mitchell's concern. He also pointed out that there is no provision that if the building is sold again, the city can restrict the signing other than what is in the ordinance. He did, however, agree that the new sign would be an improvement over what is presently there.

8-83-242

Motion by Councilman Hartsock, supported by Councilman Tupper, that the requested variances be granted to Speedy Printing to install a new ground sign exceeding the building height by 2 ft. and to overhang the public right-of-way by 3 ft. Motion carried, 3 ayes, 1 nay (Mitchell). Yoder absent.

REQUEST FOR SIGN VARIANCE: 32821 Grand  
River (Richard DeBrincat and Gordon Meyers)

Manager Deadman advised that the property owners plan to convert the existing residential structure to a combined residential and business use, maintaining the exterior facade as nearly practical to the original materials and appearance. As they do not wish to detract from the building's residential appearance, they do not want to place a sign on the building. They, therefore, request permission to install a ground sign 6 ft. high and 4 ft. wide on the front lawn.

It was recommended that if Council wishes to grant a variance for the ground sign they stipulate that further approval of the Planning Commission is required as part of their site plan review; further that any variance granted by Council would be rescinded if the proposed location of the sign is rejected by the Planning Commission.

Councilman Tupper expressed concern that the building could be converted as proposed, because the structure is so old. Manager Deadman stated that the owners will have to prove that they can meet the terms of the ordinance for the conversion of historical structures.

Councilman Mitchell was pleased at this first attempt at conversion of a historical structure since the ordinance was adopted. He felt that the proposed sign is low key in keeping with the downtown district.

8-83-243

Motion by Councilman Mitchell, supported by Councilman Tupper, to

COUNCIL PROCEEDINGS -3-  
August 15, 1983

grant the variance for the ground sign at 32821 Grand River with the stipulation that further approval of the Planning Commission as part of their site plan review process be required; further, that if the Planning Commission rejects the proposed sign, Council's variance would be rescinded. Motion carried, all ayes.

REQUEST FROM GOODYEAR TIRE CENTERS RE:  
OUTDOOR DISPLAYS AT MARCH TIRE CO.

Manager Deadman advised that Paul A. Van Hull, President of the Goodyear Tire Centers and owner of the March Tire Company at 33014 Grand River has requested permission to use tents and banners six times a year for a seven day period. He stated that these periods would likely occur between March and October and submitted a drawing showing the proposed tent location.

Council expressed concern about approving a blanket request of this type.

8-83-244

After considerable discussion, there was a motion by Councilman Hartsock, supported by Councilman Mitchell, to grant the request to use a tent and outdoor banners for the promotion at March Tire Company on Grand River for the next seven days (August 16 through August 22, 1983). Motion carried, all ayes.

REQUEST FROM LUCY'S GIFT AND CARD SHOP  
TO CONDUCT FARMERS MARKET

Mrs. Vance requested Council's approval of Farmers Market sales to be held in the parking lot of her Shop at 34631 Grand River on Saturdays beginning August 20 through October 8, 1983, from 9:00 a.m. to 1:00 p.m.

Manager Deadman stated that permission for this activity was granted last year and did not create any problems for the community, as Mrs. Vance cooperated with the City Clerk to assure that the vendors received temporary licenses in compliance with the City Code.

8-83-245

Motion by Councilman Hartsock, supported by Councilman Tupper, to grant permission to Lucy Vance to conduct Saturday Farmers Markets in the parking lot at her Shop at 34631 Grand River from August 20 through October 8, 1983, during the hours of 9:00 a.m. to 1:00 p.m., provided that Mrs. Vance issues Transient Merchant license applications to the participants involved. Motion carried, all ayes.

RESOLUTION FROM BIRMINGHAM RESCINDING  
SUPPORT OF HOUSE BILL 4062 EXEMPTING  
SCHOOL DISTRICTS FROM LOCAL ZONING ORDINANCES

Manager Deadman advised that the Birmingham Council states that the authority of a city to act in compliance with its local zoning ordinance was confirmed by a recent refusal of the Michigan Supreme Court to review a decision of an Appellate Court which upheld Royal Oak's zoning ordinance as it applied to the school district.

COUNCIL PROCEEDINGS -4-  
August 15, 1983

The House Bill totally exempts school districts from local zoning ordinances. It would only allow local zoning ordinances to apply when property of the school district is used primarily for commercial purposes.

Manager Deadman suggested that it is not in the best interest of cities to relinquish whatever zoning authority they may presently have to the school district.

8-83-246

Motion by Councilman Tupper, supported by Councilman Mitchell, to oppose House Bill 4062 exempting school districts from local zoning ordinances. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

8-83-247

Motion by Councilman Hartsock, supported by Councilman Tupper, to issue a proclamation designating the week of September 18 to 24, 1983, as CAPUCHIN SOUP KITCHEN WEEK in the City of Farmington. Motion carried, all ayes.

Thomas Carey of 29843 Richland, Livonia, Michigan, requested the proclamation to coincide with a benefit to be held on September 18, 1983, sponsored by the Ancient Order of Hibernians in memory of Fr. Solanus Casey.

8-83-248

Motion by Councilman Hartsock, supported by Councilman Tupper, to issue a proclamation designating the week of November 20 to 27, 1983, as NATIONAL BIBLE WEEK in the City of Farmington. Motion carried, all ayes.

A. Starke Taylor, Jr. Mayor of the City of Dallas requested the proclamation on behalf of the Laymen's National Bible Committee.

REPORTS FROM CITY MANAGER

BIDS: 1983 STREET PAVING PROGRAM

The City Manager reported that bids for the 1983 Street Paving Program were received by the City Clerk on August 10, 1983, at 10:00 a.m. Results of the bid opening follow:

Albert A. Dettore & Associates Livonia, Mi.	\$39,215.80
Detroit Concrete Products Corporation Novi, Mi.	47,384.70
Thompson-McCully Co. Whitmore Lake, Mi.	47,841.35
Reno Ministrelli & Sons Farmington Hills, Mi.	48,835.25



COUNCIL PROCEEDINGS -5-  
August 15, 1983

The Morrison Company \$49,829.00  
Trenton, Mi.

T & M Asphalt Paving 50,822.15  
Farmington Hills, Mi.

The City Engineers reviewed the bids and the City Manager concurred that the low bidder, Albert A. Dettore & Associates of Livonia, Michigan, are equipped and qualified to perform the work required. Manager Deadman stated that the project consists of providing hard-surfaced pavement and drainage on Sherwood and Shaw Streets.

8-83-249

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby accepts the low bid of Albert A. Dettore & Associates of Livonia, Michigan, in the amount of \$39,215.80 for the 1983 Street Paving Program to provide hard-surfaced pavement and drainage on Sherwood and Shaw Streets, and

BE IT FURTHER RESOLVED That funds for this project be provided from the 1983 Community Development Grant Program.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED AUGUST 15, 1983.

PROGRESS REPORT: FARMINGTON ROAD  
STREET LIGHTING

Manager Deadman advised that as requested, Detroit Edison designed a new street lighting plan for Farmington Road from Eight Mile north to Nine Mile Road in which they reduced the number of fixtures from 46 to 32. This reduces the monthly cost of operating the system. The reduction in number of fixtures was achieved by increasing spacing between fixtures. The newer type fixture produces more than double the illuminance of incandescent fixtures, thus providing adequate lighting for Farmington Road.

Council was advised that based on sixteen fixtures at \$25.70 per month for 250 watt high pressure sodium fixtures placed on decorative poles, the cost to the city will be \$411.20 per month.

The City Manager believes the annual increase in cost of \$4,102.80 can be justified as Farmington Road is one of the most highly traveled arteries in the community, and there are numerous traffic intersections along the roadway. It is also a four-lane design which does not provide for a middle-of-the-road turning lane and "safe haven" for pedestrians.

The City of Farmington Hills Council has approved the proposed plan, and adopted a resolution agreeing to share the costs of the street lighting on Farmington Road with the City of Farmington. Manager Deadman advised that there is an equal number of fixtures located in both communities.

Farmington Hills also agreed to install five light fixtures on Grand River east of Orchard Lake Road in accordance with the Detroit Edison plan developed for the City of Farmington to light this area. These will be on wooden poles which are compatible with existing lighting.

8-83-250

Motion by Councilman Mitchell, supported by Councilman Tupper, to approve the Detroit Edison street lighting proposal for Farmington Road in accordance with their plan dated July 7, 1983. Motion carried, all ayes.

ELECTION: MUNICIPAL WORKERS COMPENSATION  
SELF-INSURANCE BOARD

The City Manager submitted to Council for their consideration a list of members nominated to serve on the Municipal Workers Compensation Self-Insurance Board. Nominations were provided by the Michigan Municipal League Board of Trustees.

8-83-251

Motion by Councilman Hartsock, supported by Councilman Mitchell, that Council cast its vote for the nominees provided by the Michigan Municipal League to serve on the Municipal Workers Compensation Self-Insurance Board. Motion carried, all ayes.

PROPOSED POSITION ON FEDERAL CABLE  
TELECOMMUNICATIONS ACT OF 1983

As requested by Council at the last regular meeting, Manager Deadman submitted a resolution stating the city's position on the Federal Cable Telecommunications Act of 1983. The resolution contained some of the concerns indicated by other communities as well as Farmington's.

Mayor Bennett stated that the proposed resolution addressed the major issues adequately.

Councilman Mitchell suggested that some of the background material from the last meeting be sent along to the appropriate legislators with the resolution.

8-83-252

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

**WHEREAS, the Cable Telecommunications Act of 1983 (S66) has been adopted by the United States Senate on a majority vote and is presently being considered in the United States House of Representatives and;**

**WHEREAS, the city of Farmington has selected a cable operator and awarded a franchise for the provision of cable services to its residents and;**

**WHEREAS, the Bill would pre-empt the authority of states and local units of government over cable communication franchises and;**

**WHEREAS, the Bill would nullify, or substantially amend, many of the terms and conditions of the local franchise agreement;**

**THEREFORE, BE IT RESOLVED, the city of Farmington urges the House of Representatives to incorporate in the Telecommunications Act of 1983 provisions to provide for the following:**

- 1) Permit the cable operator to program on access channels designated for public education and government use only upon the approval of the franchising authority.**
- 2) That rate regulation by municipality should be based on the company's financial position, a reasonable expected rate of return, its plans for expansion of services and market conditions and not on the consumers price index.**
- 3) Exclude from the "Fair Market Value" relating to the purchase of the cable system by the franchising authority that could be assigned to either the franchise, itself, or any rights, privileges, or expectancy of grantee arising out of the right to transact business under the franchise; and particularly no value be allowed for any value arising out of expectation of system revenues beyond the termination date or franchise expiration date, whichever is sooner.**
- 4) Provide that in addition to the findings enumerated in Section 609 (a), as reasons for non-renewal of the franchise, a finding that the rates of the cable operator are unreasonable or excessive as compared to similar services offered in the area.**
- 5) Section 608 (d)(1) should be clarified so that the cable system operator does not receive credit for taxes or fees paid to the governmental authority which are similar to taxes or fees paid by other business located within the governmental authority.**
- 6) Delete the requirement in Section 609.(e) which requires the franchise renewal procedures to be held by an independent or examiner or an administrative law judge if all other requirements of "due process" set forth in the section are complied with.**

**BE IT FURTHER RESOLVED, that copies of this resolution shall be sent to President Ronald Reagan, Senators Donald Riegle and Carl Levin, Congressman William Broomfield, Members of the House Subcommittee on Telecommunications, the National League of Cities and the Michigan Municipal League.**

**RESOLUTION ADOPTED UNANIMOUSLY.**

POSITION ON PROPOSED RATE INCREASE  
BY DETROIT EDISON COMPANY

Manager Deadman stated that Detroit Edison has filed with the Public Service Commission a request for rate increase in the amount of \$969 million. He indicated that they are requesting a temporary surcharge on all rates for calendar 1984 in the amount of \$71 million, a temporary increase in the amount of \$556 million, and \$213 million when the Enrico Fermi 2 and Belle River 1 power plants are placed in operation.

The City Manager advised that the impact of the proposed new rate increase on residential, industrial and governmental users is substantial. He further indicated that the proposed rates also have a severe impact on the city's street lighting costs. Under the proposed rate increase, these costs would increase to \$125,128.00 from approximately \$91,689.00, or an increase of 36.89%.

Manager Deadman recommended that City Council urge the Michigan Municipal League to intercede in the rate hearing case before the Public Service Commission on behalf of all State municipalities.

8-83-253

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

- WHEREAS, the Detroit Edison Company on July 19, 1983 filed an application seeking authority to amend its schedules of rates and charges so as to increase electrical rates; and
- WHEREAS, Detroit Edison has filed a Motion for Interim Partial and Immediate Revenue Relief seeking authority on an interim basis pending final Commission action to increase its rates and charges for service by an overall increase of 3.10% effective January 1, 1984, an additional 24.35% when the Enrico Fermi Plant Two is activated, and an additional 9.33% when the Belle River One Power Plant is activated, for a cumulative percentage increase of 36.78%; and
- WHEREAS, citizens who receive service from the system who are unemployed or living on fixed incomes will be most adversely affected by this high rate increase; and
- WHEREAS, the proposed rate increase will have a severe impact on commercial and industrial users as they attempt to compete in the market place with commerce and industry of other states; and
- WHEREAS, the City of Farmington will suffer a rate increase for street lighting energy of 36.89%, which is indefensible when considering that street lights normally use energy provided during off-peak periods.

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Farmington does hereby request that the Michigan Public Service Commission reject the application of the Detroit Edison Company for an increase in electrical rates on an interim or on a permanent basis; and

BE IT FURTHER RESOLVED that the Michigan Municipal League is requested to oppose the rates on behalf of all of its members.

BE IT FURTHER RESOLVED that copies of the resolution be transmitted to the Honorable Governor James Blanchard, Senator Jack Faxon, Representative Sandy Brotherton and Attorney General Frank J. Kelley.

RESOLUTION ADOPTED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT

Arnold Campbell, representing the Farmington Meadows Homeowners Association, advised Council that Chesley Drive residents have signed a petition to have a feasibility study made relative to erecting a screening wall or some type of barrier, as the old wooden fence in that area is getting very shabby. Residents are worried that in order to screen the residents from the commercial section, some may begin putting in their own fencing which would upset the aesthetic appearance in the area.

The City Manager stated that it would not be too difficult to erect a brick imitation concrete barrier, but some arrangements would have to be made regarding who would share the costs. He pointed out that the existing fencing was installed before there was an ordinance relating to such barriers. Manager Deadman will prepare some costs and work with the Homeowners Association in an attempt to resolve the matter.

Dave Liming of 21109 Laurelwood thanked City Council for working to obtain the cooperation of the City of Farmington Hills to resolve the Farmington Road street lighting issue.

The Mayor commended the Public Safety Department for the fine manner in which they handled a recent apartment fire.

FINANCIAL REPORTS: TWELVE MONTHS ENDED  
JUNE 30, 1983

Manager Deadman reported that the General Fund ended the 1982-83 fiscal year with an excess of \$18,528.00 of revenues over expenditures. He stated that the 47th District Court completed the fiscal year with nearly a balanced budget indicating an overexpended amount of \$1,027.00 caused by less than expected revenues from the State Salaries Standardization for Judges.

COUNCIL PROCEEDINGS -10-  
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8-83-254

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the General Fund and 47th District Court Financial Reports for the twelve months ended June 30, 1983. Motion carried, all ayes.

Councilman Mitchell publicly commended City Manager Deadman for adhering so well to staying within and under budget.

DEPARTMENT OF PUBLIC SAFETY  
SECOND QUARTERLY REPORT

8-83-255

Motion by Councilman Tupper; supported by Councilman Hartsock, to receive and file the Department of Public Safety Second Quarterly Report for the period ending June 30, 1983. Motion carried, all ayes.

DEPARTMENT OF PUBLIC SERVICES  
QUARTERLY REPORT

Councilman Hartsock asked how the erosion control program was progressing.

Director Billing advised that the program is going well. He stated that the young men from the Governor's Youth Job Corps are taking great pride in their work. Mr. Billing said the project could be completed in about three more weeks, weather permitting.

8-83-257

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the Department of Public Services Quarterly Report for April 1 through June 30, 1983. Motion carried, all ayes.

APPOINTMENT: CITY PLANNING CONSULTANT

The Mayor reminded Council and the City Manager that at a previous meeting two prospective planning consultants were interviewed, and asked if action could be taken on this matter before completing the agenda items.

Manager Deadman stated that at an early meeting on July 18, 1983, the consultants interviewed were:

David Birchler, Professional Community Planner of Southfield, who has served as consultant for several cities and townships; and

Christopher Wzacny, Architect, Community Planner and Urban Designer, who presently serves as consultant for numerous communities. Mr. Wzacny has offices in Detroit and Birmingham, Michigan.

Councilman Mitchell asked Manager Deadman what value there is in establishing a permanent relationship rather than calling in a consultant as the need arises. The City Manager felt that any administrator who might require an immediate answer to a particular planning problem would be hard pressed to pick a consultant on such short notice.

COUNCIL PROCEEDINGS -11-  
August 15, 1983

Although Councilman Mitchell felt that both candidates were well qualified, he recommended Christopher Wzacny because he seems to bring more skills to bear in terms of architectural planning, longer experience; and a wider spectrum of services from his firm.

Manager Deadman stated he would advise Mr. Wzacny of his appointment after obtaining a schedule of rates, indicating that the planner would probably be hired on a per hour basis.

8-83-256

Motion by Councilman Mitchell, supported by Councilman Tupper, to appoint Christopher Wzacny & Associates, Inc., as the City's Planning Consultant for the next year, with instructions to the City Manager to review their rates on an annual basis. Motion carried, all ayes.

WARRANT LIST

8-83-258

Motion by Councilman Hartsock, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$20,256.07; Water & Sewer Fund \$5,679.94.

ROLL CALL

AYES: Mitchell, Tupper, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Yoder.


MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Mitchell, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:15 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, September 6, 1983, 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 8:05 p.m. by Mayor Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper.

ABSENT: Councilman Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

9-83-259

Motion by Councilman Hartsock, supported by Councilman Tupper, to approve the minutes of the previous meeting of August 15, 1983, as submitted. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

9-83-260

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of August 22, 1983;  
Historical Commission minutes of August 17, 1983;  
Economic Development Corporation minutes of August 18, 1983;  
Southwestern Oakland Cable Commission minutes of August 23, 1983;  
Board of Education minutes of August 2, 1983.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

REQUEST FROM DONALD MUNTER, 33309 OAKLAND,  
RE: STREET SALE, OLD VILLAGE ASSOCIATION

Donald Munter, representing the Old Village Association, requested Council's permission for the residents' Third Annual Street Sale on Saturday, September 10, with a rain date of September 17, 1983. He asked that Oakland Street be closed between Farmington Road and Warner Street from 8:45 a.m. to 4:15 p.m. on the date of the Sale.

9-83-261

Motion by Councilman Hartsock, supported by Councilman Mitchell, to grant permission for the Old Village Association to close Oakland Street for the annual Street Sale on Saturday, September 10, 1983, with a rain date of September 17, 1983, as requested. Motion carried, all ayes.



RESOLUTION FROM HAZEL PARK RE: USE OF  
CABLE TELEVISION TO PROVIDE LEGAL NOTICES

As publishing costs have risen considerably in recent years and are financially burdensome to many municipalities, the City of Hazel Park feels that cable television provides local jurisdictions the possibility of broadcasting public notices at little or no expense to taxpayers.

After some discussion, Council agreed that the possibility was worth investigation.

9-83-262

Motion by Councilman Hartsock, supported by Councilman Tupper, that Council adopt a resolution which would endorse the study of the feasibility of using cable television for notification of public meetings and hearings. Motion carried, all ayes.

A certified copy of the resolution (attached to the official minutes) will be sent to Senator Faxon and Representative Brotherton.

REQUESTS FOR PROCLAMATIONS

9-83-263

Motion by Councilman Mitchell, supported by Councilman Tupper, to proclaim the week of September 17 - 23, 1983, as CONSTITUTION WEEK in the City of Farmington. Motion carried, all ayes.

The Three Flags Chapter of the Daughters of the American Revolution requested this proclamation in recognition of the country's 200th anniversary of the drafting of the Constitution.

9-83-264

Motion by Councilman Hartsock, supported by Councilman Mitchell, to proclaim October 1, 1983, as BILL WELLS DAY in the City of Farmington. Motion carried, all ayes.

The proclamation was requested by Richard N. Miller to honor William R. Wells, a Farmington resident, who is currently serving as State Master Councilor, Michigan Chapter of the Order of DeMolay.

REQUEST FOR BLOCK PARTY BY BIRCHWOOD  
STREET RESIDENTS

On behalf of the Birchwood Street residents, Mrs. John P. Eshbaugh requested Council's permission for a Block Party on Sunday, September 18, 1983, from 2:00 p.m. to 7:00 p.m.

9-83-265

Motion by Councilman Mitchell, supported by Councilman Tupper, to approve the request for the Birchwood Street Block Party on Sunday, September 18, 1983, when the street will be blocked off between Flanders and Annewood from 2:00 p.m. to 7:00 p.m. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

REQUEST TO PURCHASE COMPUTER  
47TH DISTRICT COURT

Manager Deadman submitted to Council Plante & Moran's analysis showing the merits and shortcomings of two court computer systems, the Quad-Tran and the Horizon systems. Judge Schaeffer was present to answer any questions from City Council relative to the proposed computerization of certain District Court records. Council was advised that the Horizon system's flexibility and substantial cost savings over Quad-Tran more than offset any negative factors connected with the system.

Judge Schaeffer recommended that the Horizon system be acquired.

Council was informed that the City of Farmington Hills recently approved the purchase of the Horizon system, and further, authorized payment of its share of the cost of a new computer system for the 47th District Court in an amount not to exceed \$45,000.00.

Manager Deadman concurred with the analysis of Plante & Moran that the Horizon system meets the needs of the District Court and is considerably more economical in terms of short term and life cycle costs. He advised that it is also presently being used by the cities of Taylor, Warren and East Detroit with satisfactory results.

Judge Schaeffer stated that she has individuals on staff who would be operating this equipment.

9-83-266

Motion by Councilman Tupper, supported by Councilman Mitchell, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes the purchase of a Horizon computer system for the 47th District Court in an amount not to exceed \$45,000.00, and

BE IT FURTHER RESOLVED That the City appropriate to the 47th District Court an amount not to exceed \$7,600.00 from the Unappropriated Fund balance for the City of Farmington's share of the purchase of this system.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 6, 1983.

COUNCIL PROCEEDINGS -4-  
September 6, 1983

CONTRACT PAYMENT AND CHANGE ORDER  
OLD TOWN DRAIN

Manager Deadman reported that the city engineers have reviewed the construction estimate submitted by the contractor, M. D. Taddie & Company, Inc., in the amount of \$130,130.37 for work completed through August 29, 1983, on the Old Town Drain, and recommend payment.

Council was advised that the contractor is presently preparing Slocum for rebuilding after having completed the installation of the water main on Pickett Street and the storm sewer on Slocum from Grand River to Farmington Road.

Manager Deadman concurred with the recommendation of the city engineers, and recommended payment of the first estimated payment to the contractor. He also recommended concurrence with a Change Order to provide for the replacement of the asphalt section on Slocum Street with a concrete cross-section.

Council was informed that the Change Order was necessary because during the installation of the storm sewer on Slocum Street the existing asphalt pavement was found to be only one and one-half to three inches deep, which in part accounted for the city's difficulty in maintaining an acceptable road surface here in the past. The City Manager indicated that the cost differential necessary to bring the pavement to an acceptable condition, totally replacing the asphalt with concrete on Slocum Street would be \$11,331.00.

9-83-267

Motion by Councilman Mitchell, supported by Councilman Tupper, that Council concur with the Change Order to provide for the replacement of the asphalt section on Slocum with a concrete cross-section for the easterly 440 lineal feet of the road. Motion carried, all ayes.

9-83-268

Motion by Councilman Tupper, supported by Councilman Mitchell, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes payment to the M. D. Taddie Company of Ypsilanti, Michigan, in the amount of \$130,130.37 for work completed through August 29, 1983, on the Old Town Drain project, and

BE IT FURTHER RESOLVED That this payment be provided from funds allocated in the Water System Bond Proceeds and the Old Town Drain Bond Proceeds.

ROLL CALL

AYES:

Mitchell, Tupper, Bennett, Hartsock.

NAYS:

None.

ABSENT:

Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 6, 1983.

COUNCIL PROCEEDINGS -5-  
September 6, 1983

BIDS: HILLCREST STREET PAVING

Manager Deadman reported that bids for the paving of Hillcrest were received on August 18, 1983, in conjunction with similar bids for projects in the City of Farmington Hills. Results of the bids were:

DETROIT CONCRETE PRODUCTS CORPORATION  
Novi, Michigan \$35,281.74

THOMPSON-McCULLY COMPANY  
Belleville, Michigan 38,104.30

T & M Asphalt Paving, Inc.  
Farmington Hills, Michigan - Late Bid: Unacceptable

Two Alternate methods of construction were requested in the bidding: Alternate "A" includes a six inch concrete cement base stabilizer with a two inch asphalt wearing course; Alternate "B" includes five inch asphalt construction.

The low bid was that of Detroit Concrete Products for the concrete base stabilization process, the method selected by the Hillcrest Street residents for improving their street. This process will be subcontracted by Detroit Concrete Products to Wadell Stabilization Company of Hart, Michigan, the same contractor that will be used on many of the Farmington Hills projects.

The City Manager's office concurred with the City Engineers' recommendation that the contract be awarded to the low bidder. He indicated that this bid is in within \$1,000.00 of the original engineering estimate.

9-83-269

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby awards to the low bidder, Detroit Concrete Products Corporation of Novi, Michigan, in the amount of \$35,281.74, the contract for the Hillcrest Street Paving project, and

BE IT FURTHER RESOLVED That funds be provided from the Special Assessment District and the Local Street Fund.

ROLL CALL

AYES: Tupper, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 6, 1983.

COUNCIL PROCEEDINGS -6-  
September 6, 1983

BIDS: PLASTIC TRASH CAN LINERS

The City Manager advised that bids for plastic liners were opened on Wednesday, August 31, 1983, at 11:00 a.m. with the following results:

	<u>Per Case Price</u>
J. D. RUSSELL CO. Fraser, Mi.	NO BID
MID STATES RUBBER & PLASTICS Novi, Mi.	\$14.77
PRO-LINE SANITARY SUPPLY Detroit, Mi.	11.73
ADVANCE BAG MFG. Drayton Plains, Mi.	10.30
M & R PRODUCTS CO., INC. Dearborn, Mi.	9.65
CHAL-CLEAN CORPORATION Detroit, Mi.	11.75
EL KAY Detroit, Mi.	11.35
PETOSKEY PLASTICS, INC. Petoskey, Mi. 49770	7.725
EXOTIC RUBBER & PLASTICS Farmington, Mi.	10.250

The City Manager informed Council that previous arrangements with Petoskey Plastics to supply plastic liners at a 7% price reduction from last year's price were withdrawn by Petoskey Plastics after Council approval at the meeting of August 1, 1983. Formal bids were requested, and the nine vendors listed above responded.

As a result of the price increase, Manager Deadman suggested that the current price of \$8.00 per 100 bags to residents be increased to \$9.50. He stated that if the price of resin continues to rise, the city may not be able to continue to sell these bags to residents.

9-83-270

Motion by Councilman Tupper, supported by Councilman Mitchell, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby approves the low bid of Petoskey Plastics, Inc., Petoskey, Michigan, and authorizes the purchase of 100,000, 30-gallon plastic liners at \$7.725 per unit of 100, or a total of \$7,725.00, and

COUNCIL PROCEEDINGS -7-  
September 6, 1983

BE IT FURTHER RESOLVED That the Council authorize an increase in the current price of \$8.00 per box of 100 liners to \$9.50 for residents.

ROLL CALL

AYES: Bennett, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 6, 1983.

PROPOSED CHANGE: ICMA RETIREMENT CORP.

Manager Deadman advised that as a result of recent changes in IRS regulations, it has become necessary to revise the structure of the ICMA Retirement Corporation, which was established to provide governmental employees an opportunity to defer current compensation until they retire.

Under the proposed changes, City Council is requested to appoint an official, by title, who shall be responsible for coordinating the Retirement Corporation Program at the local level; further, that this official will cast the City's vote for the election of officers.

9-83-271

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, the Employer maintains a deferred compensation plan for its employees which is administered by the ICMA Retirement Corporation (the "Administrator"); and

WHEREAS, the Administrator has recommended changes in the plan document to comply with recent federal legislation and Internal Revenue Service Regulations governing said plans; and

WHEREAS, the Internal Revenue Service has issued a private letter ruling approving said plan document as complying with Section 457 of the Internal Revenue Code; and

WHEREAS, other public employers have joined together to establish the ICMA Retirement Trust for the purpose of representing the interests of the participating employers with respect to the collective investment of funds held under their deferred compensation plans; and

WHEREAS, said Trust is a salutary development which further advances the quality of administration for plans administered by the ICMA Retirement Corporation:

NOW THEREFORE BE IT RESOLVED that the Employer hereby adopts the deferred compensation plan, attached hereto as Appendix A, as an amendment and restatement of its present deferred compensation plan administered by the ICMA Retirement Corporation, which shall continue to act as Administrator of said plan; and

BE IT FURTHER RESOLVED that the Employer hereby executes the ICMA Retirement Trust, attached hereto as Appendix B; and

BE IT FURTHER RESOLVED that the Employer hereby adopts the trust agreement with the ICMA Retirement Corporation, as appears at Appendix C hereto, as an amendment and restatement of its existing trust agreement with the ICMA Retirement Corporation, and directs the ICMA Retirement Corporation, as Trustee, to invest all funds held under the deferred compensation plan through the ICMA Retirement Trust as soon as is practicable; and

COUNCIL PROCEEDINGS -8-  
September 6, 1983

BE IT FURTHER RESOLVED that the City Treasurer shall be the coordinator for this program and shall receive necessary reports, notices, etc., from the ICMA Retirement Corporation as Administrator, and shall cast, on behalf of the Employer, any required votes under the program. Administrative duties to carry out the plan may be assigned to the appropriate departments.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 6, 1983.

MUNICIPAL COSTS FOR FOUNDERS FESTIVAL

As Council requested at a previous meeting, the City Manager submitted costs representing actual out-of-pocket expenditures, city personnel salaries and supplies utilized for the Festival as follows:

Public Safety Salaries	\$1,548.08
Public Services Salaries	1,397.07
Equipment Rental	454.22
City Float	<u>110.74</u>
TOTAL:	\$3,510.11

The above figure does not include costs of employees' fringe benefits, use of trucks and equipment, and supervision during the Festival, which the City Manager indicated would add approximately \$3,000.00.

MISCELLANEOUS

Council discussed the Caddell Drain issue, as the Michigan Finance Commission has turned down the Oakland County Drain Commission's request to sell bonds to finance this project.

Manager Deadman advised that the Finance Commission's decision is presently being reviewed by bonding attorneys for the County Drain Commission, after which a meeting with the communities involved will determine whether or not this matter should be taken to the courts. The City Manager will advise Council of the outcome of this meeting.

FINANCIAL REPORT: WATER & SEWER DEPARTMENT

Manager Deadman reported that the Water and Sewer Department ended the fiscal year with a positive cash flow of approximately \$185,000, which was basically the result of two items making up over \$150,000 of the amount the system is transferring to retain earnings. The first item has been a reduction in sewerage flow for disposal for the City of Detroit. The other item has been the department's

COUNCIL PROCEEDINGS -9-  
September 6, 1983

ability to reduce water loss in the system through the discovery and repair of leaks.

9-83-272

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the Water and Sewer Financial Report for the period ended June 30, 1983. Motion carried, all ayes.

APPOINTMENT: FARMINGTON AREA ARTS COMMISSION

9-83-273

Motion by Councilman Mitchell, supported by Councilman Tupper, to appoint Joyce O'Brien to the Farmington Area Arts Commission for another three-year term to expire August 15, 1986. Motion carried, all ayes.

FARMINGTON AREA ARTS COMMISSION  
1983 REPORT

Council reviewed the 1983 Report for Project Grants for the Farmington Area Arts Commission.

9-83-274

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive the Farmington Area Arts Commission 1983 Report. Motion carried, all ayes.

WARRANT LIST

Manager Deadman pointed out that the city was able to get a better price than originally anticipated on the stones used in the erosion control project.

Director Billing reported that the erosion control project is just about completed. He indicated that it must be completed by the end of September.

9-83-275

Motion by Councilman Mitchell, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$33,842.35; Water and Sewer Fund \$2,082.30.

ROLL CALL

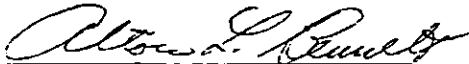
AYES: Mitchell, Tupper, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Yoder.


MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Mitchell, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:30 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK



R E S O L U T I O N

NO. 9-83-262

Motion by Councilman Hartsock, supported by Councilman Tupper,  
to adopt the following resolution:

WHEREAS, the cost of publishing public meeting notices represents a financial burden on many municipal governments; and

WHEREAS, with the advent of cable television, many local jurisdictions have access to cable television broadcast time; and

WHEREAS, it may be possible to broadcast public notices versus publishing said notices at little or no expense to the taxpayers; and

WHEREAS, cable television notices may be as accessible, if not more accessible, to the general population than published notices; and

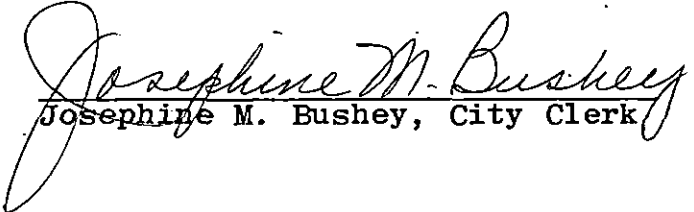
WHEREAS, the expansion and use of cable television is increasing and will continue to expand.

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby requests the Legislature to explore the feasibility of using cable television for public notification of public meetings and hearings.

RESOLUTION ADOPTED UNANIMOUSLY SEPTEMBER 6, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK  
.....

I, Josephine M. Bushey, Clerk for the City of Farmington, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Farmington City Council at a regular meeting held on September 6, 1983, in the City of Farmington, Oakland County, Michigan.

  
Josephine M. Bushey, City Clerk

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, September 19, 1983, 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 8:02 p.m. by Mayor Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper.

ABSENT: Councilman Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

9-83-276

Motion by Councilman Hartsock, supported by Councilman Tupper, to approve the minutes of the previous meeting of September 6, 1983, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

9-83-277

Motion by Councilman Tupper, supported by Councilman Mitchell, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of September 12, 1983;  
Economic Development Corporation minutes of September 7, 1983.

Motion carried, all ayes.

Mayor Bennett welcomed a group of fifteen students from the Senior Class of Bishop Borgess High School in Redford, Michigan, who were attending the Council Meeting as a class assignment.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR VARIANCE CONTINUATION:

#### JOHN S. WHITE, FARMINGTON DISTRIBUTION CENTER

John S. White, Farmington Distribution Center, 31505 Grand River, who had previously been granted six-month extensions to construct a hard-surfaced parking lot at the Center, requested continuance of the variance, pleading financial hardship. He advised Council that several tenants are behind in rent payments and he is losing three of the larger tenants this month. He indicated that it would cost approximately \$50,000.00 to pave a parking area for sixty cars, not including drainage for the area.

9-83-278

Motion by Councilman Mitchell, supported by Councilman Tupper, to continue the variance previously granted for the construction of a hard-surfaced parking lot at 31505 Grand River until the building

is redeveloped for retail or commercial use. Motion carried, all ayes.

REQUEST FOR PROCLAMATION

9-83-279

Motion by Councilman Hartsock, supported by Councilman Tupper, to issue a proclamation designating September as LEAGUE OF WOMEN VOTERS MONTH in Farmington. Motion carried, all ayes.

The proclamation was requested by Ione Shuster, 33247 Kingslane, Farmington.

REPORTS FROM CITY MANAGER

ECONOMIC DEVELOPMENT CORPORATION RECOMMEN-  
DATION FOR PROJECT AREA AND FUNDING

Manager Deadman submitted for Council review site plan prints indicating the project area, location, size and scope of the proposed development on the southeast corner of Farmington Road at Nine Mile. He advised that this proposed project, which includes Farmer Jack as the prime tenant, has been approved by the Planning Commission relative to site size, building location and size, and parking lot layout; also, that the Farmington Economic Development Corporation has determined that the project is desirable for the community, suitable to the site selected and economically feasible. It will further add employment and tax base to the community.

Council was advised that the project developers, Weatherford/Walker Developments, have formed a partnership entitled FARMINGTON/NINE MILE ASSOCIATES for the purpose of constructing this project. They were also provided with a recommended resolution instructing the mayor to appoint two additional EDC directors to represent residential and commercial interests affected by the proposed project. The resolution would also certify that Council agrees with the project area indicated by the parcel description on the site plan.

9-83-280

Motion by Councilman Tupper, supported by Councilman Mitchell, to adopt the following Resolution:

RESOLUTION CERTIFYING APPROVAL  
OF PROJECT AREA DESIGNATION,  
ESTABLISHING PROJECT DISTRICT AREA BOUNDARIES  
AND APPOINTING ADDITIONAL DIRECTORS  
FOR THE FARMINGTON/9 MILE ASSOCIATES PROJECT

WHEREAS, there exists in the City of Farmington, County of Oakland, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment, to assist and retain local industrial and commercial enterprises in order to strengthen and revitalize the City's economy and to encourage the location and expansion of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

COUNCIL PROCEEDINGS -3-  
September 19, 1983

WHEREAS, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the City of Farmington (the "Corporation"); and

WHEREAS, the Corporation in conformity with Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), has designated the hereinafter described project area for such a program to this Council for its approval thereof; and

WHEREAS, it is also necessary for this Council to establish project district area boundaries; and

WHEREAS, it is also necessary for this Council to approve the appointment of two additional directors to the Board of Directors of the Corporation pursuant to the provisions of Section 4(2) of Act No. 338;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This Council does hereby certify its approval of the Corporation's designation of the project area described in Exhibit A hereto attached.
2. This Council does hereby establish as a project district area the property described in Exhibit B hereto attached.
3. This Council does hereby certify its approval of the individuals listed on Exhibit C as additional Directors of the Corporation to serve in conformity with the provisions of Section 4(2) of Act No. 338.
4. It is hereby determined that the requirements of Section 20 of Act No. 338 have been met and that the formation of a project citizens district council is not required.

COUNCIL PROCEEDINGS -4-  
September 19, 1983

5. The City Clerk be and is hereby directed to deliver a certified copy of this resolution to the Secretary of the Board of the Corporation.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 19, 1983.

EXHIBIT A

PROJECT AREA

Land situated in the City of Farmington, County of Oakland, Michigan more particularly described as:

A parcel of land located in the N.W. 1/4 of Section 34, T.1.N., R.9E., City of Farmington, Oakland County, Michigan, is described as commencing at the N.W. corner of said Section 34, thence along the west line of said Section 34, S. 0°30'W. 33.00 ft.; thence N. 89°45'E. 60.01 ft. to a Point of Beginning; thence along the south Right-Of-Way line of Nine Mile Road (south half being 33 ft. wide), N. 89°45'E. 573.17 ft.; thence S. 0°31'W. 567.00 ft.; thence S. 89°45'W. 573.17 ft.; thence along the east Right-Of-Way line of Farmington Road (east half being 60 ft. wide), N. 0°30'E. 567.00 ft. to the Point of Beginning. Containing 7.46 acres.

EXHIBIT B

PROJECT DISTRICT AREA

Land situated in the City of Farmington, County of Oakland, Michigan more particularly described as:

A parcel of land located in the N.W. 1/4 of Section 34, T.1.N., R.9E., City of Farmington, Oakland County, Michigan, is described as commencing at the N.W. corner of said Section 34, thence along the west line of said Section 34, S. 0°30'W. 33.00 ft.; thence N. 89°45'E. 60.01 ft. to a Point of Beginning; thence along the south Right-Of-Way line of Nine Mile Road (south half being 33 ft. wide), N. 89°45'E. 573.17 ft.; thence S.0°31'W. 567.00 ft.; thence S.89°45'W. 573.17 ft.; thence along the east Right-Of-Way line of Farmington Road (east half being 60 ft. wide), N.0°30'E. 567.00 ft. to the Point of Beginning. Containing 7.46 acres.

EXHIBIT C

ADDITIONAL DIRECTORS

1. Harry Wingerter

2. David F. Liming

COUNCIL PROCEEDINGS -6-  
September 19, 1983

The Mayor stated he had contacted four people in preparation for appointing two additional members to the Economic Development Corporation to represent residential and commercial interests affected by this project. Pending the approval of Council, he appointed Harry Wingerter, proprietor of the Bon Ton Shoppe in the Downtown Shopping Center and David F. Liming, 21109 Laurelwood.

9-83-281

Motion by Councilman Tupper, supported by Councilman Mitchell, to approve the mayor's appointment of Harry Wingerter, 23330 Farmington Road and David F. Liming 21109 Laurelwood, to the Economic Development Corporation for the Farmington/9 Mile Associates Project. Motion carried, all ayes.

The Mayor asked the City Manager to notify these individuals of their appointment, and further requested that Ms. Jacqueline Steuer and Ronald Benner be thanked for allowing their names to be submitted for consideration.

REQUEST FOR REZONING: MRS. JEANETTE  
WALLACE, 23301 ORCHARD LAKE ROAD

Manager Deadman advised that Mrs. Jeanette Wallace, owner of the property at 23301 Orchard Lake Road has requested that a parcel containing approximately 1.57 acres be rezoned from R-1, One Family Residential to R-1-O, One Family Office District. Mrs. Wallace has a sale pending which is contingent on the future use of the property as a medical office facility. This parcel is located immediately north of the Glendale Auto Supply building, whose owner was the only one asking what effect the proposed rezoning would have on his property.

Council was advised that at the Public Hearing of September 12, the Planning Commission found the proposed rezoning was in keeping with the community's Master Plan and that the proposed office use would be compatible with other uses adjacent to the parcel. The Commission, therefore, recommended that City Council rezone the parcel identified as parcel No. 23-27-276-032, known as 23301 Orchard Lake Road as requested.

Since there was no objection to the proposed rezoning at the Planning Commission's Public Hearing, Manager Deadman stated that the requirement for a Public Hearing by Council is optional.

9-83-282

Motion by Councilman Mitchell, supported by Councilman Tupper, to introduce Ordinance C-510-83, which would rezone the property at 23301 Orchard Lake Road from R-1 One Family Residential to R-1-O One Family Office District. Motion carried, all ayes.

RATIFICATION: NEW LABOR AGREEMENT WITH  
AFSCME, LOCAL 1456 and DEPARTMENT OF  
PUBLIC SERVICES EMPLOYEES

Council was advised that the City Administration has completed negotiations with Department of Public Services personnel who belong to the American Federation of State, County and Municipal Employees (AFSCME), Local 1456. Changes were proposed in the economic and non-economic sections of the contract, which the City Manager summarized along with other changes in the current agreement together with their associated costs. He stated that the work agreement was ratified by the Union on September 8, 1983.

Manager Deadman stated that in each of the three years of the contract, the Union accepted a six month wage freeze, making the actual budgetary impact of the wage increase the first year of the contract, 2 1/2%.

9-83-283

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby ratifies the three-year Work Agreement with AFSCME, LOCAL 1456, representing the hourly employees of the Farmington Department of Public Services, effective July 1, 1983, through June 30, 1986.

ROLL CALL

AYES:	Mitchell, Tupper, Bennett, Hartsock.
NAYS:	None.
ABSENT:	Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 19, 1983.

AMENDMENT TO CITY MANAGER'S AGREEMENT

In accordance with previous discussions, proposed amendments to the City Manager's Agreement with the City were submitted to Council for review. Salary provisions were those previously agreed upon by Council during budget review. Sections pertaining to the City's right to purchase Key-man type life insurance have been simplified. A section has been included to clarify the retirement plan provisions provided to the Manager.

9-83-284

Motion by Councilman Hartsock, supported by Councilman Mitchell, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby amends the Agreement between the City and the City Manager as follows:

Paragraph 1, COMPENSATION: the City agrees to pay the Manager at a bi-weekly rate of \$1,769.23 (expressed as an annual rate of \$46,000.00 for budget purposes) until January 1, 1984; at that



September 19, 1983

time, the pay of the City Manager shall be increased to a bi-weekly rate of \$1,946.15 (expressed as an annual rate of \$50,600.00 for budget purposes) as compensation for rendering services as City Manager, or such other compensation thereafter as the parties may from time to time agree upon.

Page 2 of the Agreement, Insurance Section 5, shall read as follows:

That the City further agrees to purchase and to pay the regular premiums on a term life insurance policy equaling in amount to one and one-half times the annual gross salary of the Manager, with the beneficiary named by the Manager. The City may elect to purchase "Key Man" life insurance on the Manager at an amount determined from time to time by the City, whose beneficiary shall be the City.

Page 4, new Section added: RETIREMENT PLAN

The City recognizes that the Manager has previously served the City for over eighteen (18) years as a member or Director of the Farmington Public Safety Department. In recognition of this service, the Manager shall be entitled to the same retirement benefits, or other benefits, provided to Public Safety Command Officers at the time of his retirement.

All funds contributed as deferred compensation to the International City Managers Association Retirement Corporation by, or on behalf of the Manager shall be the sole property of the Manager at the time of withdrawal or distribution of the funds. Such withdrawal or distribution of these funds shall be in accordance with the Agreement between the City and the International City Managers Association Retirement Corporation and the Agreement between the City and Robert F. Deadman.

Page 4, OTHER WORKING CONDITIONS, line 4, Add:

"...educational tuition reimbursement,"...

ROLL CALL

AYES:	Tupper, Bennett, Hartsock, Mitchell.
NAYS:	None.
ABSENT:	Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 19, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

PROGRESS REPORT: CADDELL DRAIN

The City Manager brought Council up to date relative to the proposed Caddell Drain project, stating that the Farmington Hills engineers advise the work done to date to eliminate flooding problems has relieved only a small part of the problem where flooding occurs during storm periods. Temporary relief was provided by building a drain which outlets on the M-102 expressway at Grand River. The engineers further advise that since the Caddell Drain project is a flood control system, it must be completed entirely to be successful.

Manager Deadman stated that as a result of an analysis of Farmington's City Engineers relative to the adverse effect on the City that could occur if improvements to the Caddell Drain were only made upstream, the city recognized that a complete system is the only answer. He pointed out that if the restrictions on the Tarabusi Creek were removed without improvements to the creek flowing through Farmington, serious damage would occur to the city's roads and bridges in the Chatham Hills area and to the Chatham Hills park complex. Further damage would also continue to occur downstream from the City of Farmington as the higher volume of water proceeds southward to Livonia.

The City Manager advised that for these reasons, Farmington originally agreed to participate in this flood control project. He further stated that the City's Bonding Attorneys advise that once a city files with the Drain Commissioner to construct a drain, the city may not withdraw from the project unless the Drain Commissioner permits the withdrawal.

Manager Deadman stated that at a recent meeting concerning this drain project, the cities were asked by the Drain Commissioner if they were willing to participate in litigation to challenge the Headlee provision. He advised Council that he told the Commissioner he did not think the Farmington City Council would be interested in contributing toward the cost of such litigation. He also believes that Farmington Hills will take the same position relative to challenging the Headlee provision.

MISCELLANEOUS

The Mayor explained the function of each city official for the benefit of the students who were present.

Mayor Bennett thanked Councilman Mitchell and Manager Deadman for their assistance in resolving the sign problem for the Grand River/Halsted Plaza.

WARRANT LIST

9-83-285

Motion by Councilman Mitchell, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$22,351.34; Water & Sewer Fund \$2,068.41.

COUNCIL PROCEEDINGS -10-  
September 19, 1983

ROLL CALL

AYES: Bennett, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: Yoder.

Motion carried.

City Attorney Kelly called for clarification and a reaffirmation of the resolution certifying the Economic Development Corporation project, pointing out that the resolution was adopted before the two additional directors were appointed.

9-83-286

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby reaffirms the certifying resolution for the Economic Development Corporation project to include in Exhibit "C" attached thereto the names of the newly appointed members of the Corporation.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Bennett.  
NAYS: None.  
ABSENT: Yoder.


RESOLUTION DECLARED ADOPTED SEPTEMBER 19, 1983.

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Mitchell, to adjourn the meeting.

The meeting was adjourned at 8:45 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, October 3, 1983, 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 Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Tupper, Yoder.

ABSENT: Councilman Mitchell.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Clerk Bushey.

OTHERS PRESENT: John Pinkerman and Bill Martin, Farmington Youth Assistance.

### MINUTES OF PREVIOUS MEETING

10-83-287

Motion by Councilman Hartsock, supported by Councilman Yoder, to approve the minutes of the previous meeting of September 19, 1983, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

Relative to the Farmington Community Library Board minutes, Councilman Hartsock asked the City Manager to obtain a copy of the Library Board's letter supporting the District Library Law submitted by Representative Marvin Knight.

10-83-288

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Committee to Review Special Assessment Deferred Payments minutes of September 19, 1983;  
Southwestern Oakland Cable Commission minutes of September 20, 1983;  
Beautification Committee minutes of September 8, 1983;  
Farmington Community Library minutes of September 8, 1983;  
Board of Education minutes of August 16, 1983.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### LETTER OF RESIGNATION: BARNETT DICKMAN BEAUTIFICATION COMMITTEE

Mr. Dickman, who was present in the audience, presented his Letter of Resignation from the Beautification Committee to Council, stating that he is moving from the community.

10-83-289

Motion by Councilman Yoder, supported by Councilman Hartsock, to

COUNCIL PROCEEDINGS -2-  
October 3, 1983

accept Mr. Dickman's resignation from the Farmington Beautification Committee, with regret, and so advise him by letter. Motion carried, all ayes.

REQUEST FROM FR. DECKER, ST. GERALD'S CHURCH  
RE: BIKE-A-THON, OCTOBER 8, 1983

Fr. Maurice Decker, Pastor of St. Gerald's Church, 21300 Farmington Road, requested Council's permission to conduct a Bike-A-Thon, as they did last year, to benefit St. Jude's Research Children's Hospital.

The Bike-A-Thon route is to begin and end at St. Gerald's parking lot with the participants using the sidewalks on adjacent streets. About 100 bikers are expected.

10-83-290

Motion by Councilman Hartsock, supported by Councilman Tupper, to grant permission for St. Gerald's Church to conduct a Bike-A-Thon as requested on October 8, 1983, from Noon until 2:00 p.m., with a rain date of October 15, 1983. Motion carried, all ayes.

ALTA LOMA HOMEOWNERS' PETITION FOR  
STREET IMPROVEMENT

Manager Deadman presented a petition to Council submitted by homeowners on Alta Loma Street requesting that City Council construct a new concrete pavement on Alta Loma from Farmington Road west to Cass Street. The petition represents a majority of the property owners on Alta Loma Street, and they ask that City Council establish a Public Hearing to determine the necessity of constructing this road improvement.

The City Manager explained that since half of Alta Loma Street has been removed to install the Old Town Drain project, the city will be required as part of the reconstruction of the road, to replace the section removed for the drain as well as overlay the other half of the road.

Manager Deadman advised Council that in discussions with some of the Alta Loma property owners, he stated that the administration would be willing to recommend to Council that those monies allocated towards the repair of the street as a result of the drain should be allocated towards the construction of a new road. He also indicated that as the city normally contributes 20% towards the construction costs of a new road, the residents on Alta Loma Street could receive a new road for approximately 35% of its normal cost.

10-83-291

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

RESOLUTION NO. 1

WHEREAS, a Petition has been filed with the City Council, duly signed by owners of the frontage of the following described street, requesting construction of 27' concrete road on the following described street:

Alta Loma from Farmington Road west to Cass Street, and

WHEREAS, the City Council deems it necessary to acquire and construct said improvements;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager is hereby directed and ordered to cause to be prepared plans and specifications for said improvements and a detailed estimate of the cost thereof.
2. The City Manager is directed to file same, together with his recommendations as to what part of the cost thereof should be paid by special assessment and what part should be included in the Special Assessment District, and his findings as to the necessity of the improvement and the life thereof, with the City Clerk.

ROLL CALL

AYES: Hartsock, Tupper, Yoder, Bennett,  
NAYS: None.  
ABSENT: Mitchell.

RESOLUTION DECLARED ADOPTED OCTOBER 3, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

10-83-292

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

RESOLUTION NO. 2

WHEREAS, the City Council has directed and ordered the City Manager to cause to be prepared plans and specifications and estimates of cost and other information concerning street improvements on Alta Loma Street from Farmington Road west to Cass Street, and

WHEREAS, the City Manager has caused the same to be prepared and has filed the same with the City Clerk;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and specifications and estimate of cost and the recommendations and findings of the City Manager shall be filed with the City Clerk and shall be available for public examination.

COUNCIL PROCEEDINGS -4-  
October 3, 1983

2. The City Council deems it necessary to acquire and construct concrete road with curb and gutter.
3. The City Council determines that \$23,190 of the cost thereof shall be defrayed by special assessment against the property benefited thereby and the balance of the cost shall be paid by the City, and determines that the assessments shall be made on a front foot basis.
4. The following described lots and parcels of land shall make the special assessment district:  
  
23-28-428-002, -003, -004, -005, -006, -007, -008, -009,  
-010, -011, -012;  
23-28-280-009, -010, -011, -014;  
23-28-279-016, -017, -018, -019, -020, -021.
5. The City Council shall hold a Public Hearing on October 17, 1983, at 8:00 o'clock p.m. at the City Hall in the City of Farmington, Michigan, at which hearing any person affected by the said proposed improvements may be heard.
6. The City Clerk shall cause notice of said hearing to be published in THE DETROIT NEWS, Detroit, Michigan at least once not less than ten (10) full days before the date of said hearing, and shall cause notice of said hearing to be mailed by First Class Mail not less than ten (10) full days prior to the date of hearing, to each owner of property subject to assessment.
7. Said notice so published and mailed shall be in substantially the following form:

NOTICE OF HEARING

TAKE NOTICE THAT the City City Council of the City of Farmington, Michigan, proposes to acquire and construct street improvement consisting of concrete road with curb and gutter on Alta Loma from Farmington Road west to Cass Street.

The City Council further proposes to specially assess a part of all of the cost of said improvements against the following described lots and parcels of land:

23-28-428-002, -003, -004, -005, -006, -007, -008, -009,  
-010, -011, -012;  
23-28-280-009, -010, -011, -014;  
23-28-279-016, -017, -018, -019, -020, -021.

The Council has caused the City Manager to have prepared plans and specifications and an estimate of cost of said improvement, and the same, together with the City Manager's recommendations and findings concerning said improvement, are on file with the City Clerk and are available for public examination.

COUNCIL PROCEEDINGS -5-  
October 3, 1983

TAKE FURTHER NOTICE that the City Council will meet at the Council Chambers in the City Hall on Monday, October 17, 1983, at 8:00 p.m. o'clock, for the purpose of hearing all persons affected by said street improvement.

ROLL CALL

AYES: Hartsock, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: Mitchell.

RESOLUTION DECLARED ADOPTED OCTOBER 3, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

TABLED REQUEST FOR SIGN VARIANCE:  
GRAND RIVER/HALSTED SHOPPING CENTER

Manager Deadman advised that Standard Construction Company has received permission from the Kmart Corporation to install an additional sign on the existing ground sign at the Grand River/Halsted Plaza. In an effort to use the existing stanchion, they propose to install the new sign on top of the existing Kmart sign. It will, therefore, be necessary for Council to consider granting a variance of six feet in the sign height to comply with the City's Sign Ordinance.

It was the consensus of Council that they would like to see the signs placed on two standards rather than three as shown in the print submitted. Manager Deadman stated that if this were done, they may have to make the outside poles stronger to accommodate the wind load.

10-83-293

Motion by Hartsock, supported by Yoder, to allow a 6 ft. variance in height for the additional sign at the Grand River/Halsted Plaza, specifying that the sign be placed on not more than two standards. Motion carried, all ayes.

PRESENTATION: FARMINGTON YOUTH ASSISTANCE  
SEMI-ANNUAL REPORT

Bill Martin and John Pinkerman, Farmington Youth Assistance, highlighted their Semi-Annual Report and gave a slide presentation of various programs, workshops and activities. Mr. Martin pointed out that between January 1 and June 30, their case worker, Mr. Pinkerman, handled a caseload of 78 clients which represents a 61% increase in clients.

REPORTS FROM CITY MANAGER

PROGRESS REPORT: FARMINGTON ROAD/FREEDOM  
ROAD INTERSECTION IMPROVEMENT

Manager Deadman advised that since the County has delayed the improvement of the Farmington Road/Freedom Road intersection until next year, they are asking the City for a commitment to share one-half of the local match which is estimated to be \$18,000. The County's local match would be approximately \$36,000 as the total



COUNCIL PROCEEDINGS -6-  
October 3, 1983

cost of the project is now estimated at \$145,000. Since this project is part of the Federal Safety Improvement Program, the Federal Government is expected to pay 75% of the cost.

The City Manager stated that although the County's request that Farmington share the local match is consistent with the normal approach to funding local road improvements, he does not agree with their cost sharing as their local match request includes only county costs in their estimate. He indicated that the costs Farmington would incur for moving utilities and street lighting should be included in local costs, bringing the total local match share to approximately \$42,000. The county and the city would, therefore, pay approximately \$21,000 towards the intersection improvement.

10-83-294

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to inform the Oakland County Road Commission that the City will pay one-half of the local match, approximately \$21,000 to the federally funded Farmington Road/Freedom Road Intersection Improvement Project provided that the local match includes all costs incurred in the construction, and

BE IT FURTHER RESOLVED That this amount be provided from the 1983-84 Major Street Fund budget.

ROLL CALL

AYES: Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Mitchell.

RESOLUTION DECLARED ADOPTED OCTOBER 3, 1983.

RATIFICATION: PUBLIC SAFETY DISPATCHER  
CLERKS CONTRACT

Manager Deadman advised that negotiations have been successfully completed with the Public Safety Dispatcher/Clerks for a new three-year contract. He stated that the Dispatcher/Clerks have terminated their association with the Teamsters Union and formed an individual association to represent them. He highlighted the many changes that resulted in the non-economic and economic portions of the existing contract, stating that the wage increases provide for a 7% increase effective January 1 of each of the three years of the contract. Indicating that the wages provided in the contract will be similar to those paid other clerical positions of the city which have somewhat similar job classifications, Manager Deadman noted that the impact of the first year wage increase on this fiscal year will be 3 1/2%.

Concerning the effect of delaying the 7% increase to January 1, Councilman Hartsock asked at what point the balance of the increase would catch up.

COUNCIL PROCEEDINGS -7-  
October 3, 1983

He was advised that this amounts to a permanent deferral until the next contract comes up. There is no provision that allows for catch-up at termination of the contract. Manager Deadman indicated that depending on what is negotiated, the catch-up could conceivably take place the first six months of a contract.

10-83-295

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby ratifies the three-year agreement between the City and the Farmington Independent Dispatcher/Clerk Association, effective July 1, 1983, through June 30, 1986, and

BE IT FURTHER RESOLVED That the City Manager be authorized to sign the agreement on behalf of the City. ;

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: Mitchell.

RESOLUTION DECLARED ADOPTED OCTOBER 3, 1983.

MISCELLANEOUS

PUBLIC COMMENT

Manager Deadman advised Council that his office is still working on the Farmington Meadows screening fence problem. He has gathered figures on replacing the fence in kind and will meet with the industrialists along Chesley Drive to see if they will pick up all or part of the cost.

Director Seifert stated that there have been no problems with large trucks parking along Chesley Drive since the new signs have been installed.

Nancy Leonard of Shiawassee Street called attention to a sign at Ten Mile and Farmington Road that is obscured by tree limbs.

Director Billing brought Council up-to-date concerning the storm drain project. He advised that the pipe work will be completed on schedule if the weather holds.

Manager Deadman suggested that if Council deems it necessary at their next meeting to improve Alta Loma Street, they schedule a special meeting on October 31 to review the Special Assessment Roll, as he is interested in being able to have the concrete poured before the middle of November.

FINANCIAL REPORTS: TWO MONTHS ENDED  
AUGUST 31, 1983

10-83-296

Motion by Councilman Yoder, supported by Councilman Tupper, to receive

and file the General Fund and 47th District Court financial reports for the two months ended August 31, 1983. Motion carried, all ayes.

FARMINGTON BUILDING AUTHORITY FINANCIAL  
REPORT: YEAR ENDED JUNE 30, 1982

The audit report of Plante & Moran, certified public accountants, was presented to Council, showing the status of the Debt Service on the 47th District Court Building.

10-83-297

Motion by Councilman Tupper, supported by Councilman Yoder, to receive the Financial Report for the Farmington Building Authority for the year ended June 30, 1982. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

10-83-298

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following Ordinance:

ORDINANCE NO. C-510-83

AMENDMENT #12 TO THE ZONING MAP

THE CITY OF FARMINGTON ORDAINS:

SECTION 1: That the territory lying with the City of Farmington, Oakland County, Michigan, be rezoned as follows:

Part of NE 1/4 of Sec. 27, T1N, R9E, of City of Farmington, Oakland County, Michigan, described as: Beginning at a point 53.20 ft. West of E 1/4 corner; thence North 210 ft.; thence West 310.71 ft.; thence South 210 ft.; thence East 310.71 ft. to beginning. Also the North 10 ft. of West 300 ft. of East 323.50 ft. of SE 1/4 of Sec. 27. (1.57 Ac.)

FROM: R 1 One Family Residential District

TO: R 1 O One Family Office District

SECTION 2: The attached map showing the property affected by this amendment is made part of this ordinance.

SECTION 3: This ordinance shall be known as Amendment No. 12 to the Zoning Map as revised May 1, 1976.

This ordinance was introduced at a regular meeting of the Farmington Council on September 19, 1983; was adopted and enacted at the next regular meeting of the Council on October 3, 1983, and will become

COUNCIL PROCEEDINGS -9-  
October 3, 1983

effective ten days after publication.

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Yoder.  
NAYS: None.  
ABSENT: Mitchell.

RESOLUTION APPROVING SPECIAL ASSESSMENT  
DEFERRED PAYMENTS

10-83-299

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

WHEREAS, the Review Committee for Special Assessment Deferred Payments has recommended approval of certain requests,

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby approves the following deferments for a period of one year to September 1, 1984:

Parcel No. 23-28-204-028, 23911 Wilmarth

Installment for 1975 Sidewalk Repair \$152.00

Parcel No. 23-27-452-021, 22418 Brookdale

Installments 1 through 5, 7 and 8 \$1,896.34  
SAD 75-63

Installment 9 208.70  
\$2,105.04

Parcel No. 23-27-203-014, 24019 Colchester

Installment for 1981 Sidewalk Repair 81.00

BE IT FURTHER RESOLVED that the above special assessment deferred payments shall become a lien against the described properties in accordance with the Farmington City Code Title I, Chapter 7, Section 1.196 - Deferred Payments.

AYES: Hartsock, Tupper, Yoder, Bennett  
NAYS: None.  
ABSENT: Mitchell.

RESOLUTION DECLARED ADOPTED October 3, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS -10-  
October 3, 1983

WARRANT LIST  
10-83-300

Motion by Councilman Hartsock, supported by Councilman Yoder, to approve the monthly bills as submitted: General Fund \$21,504.63; Water & Sewer Fund \$41,667.25.

ROLL CALL

AYES: Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Mitchell.

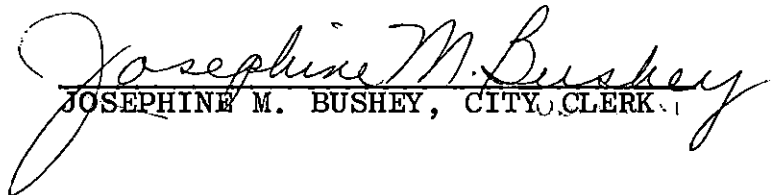
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Hartsock, to adjourn the meeting.

The meeting was adjourned at 9:10 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Address of property: 233 [redacted] Orchard Lake Rd

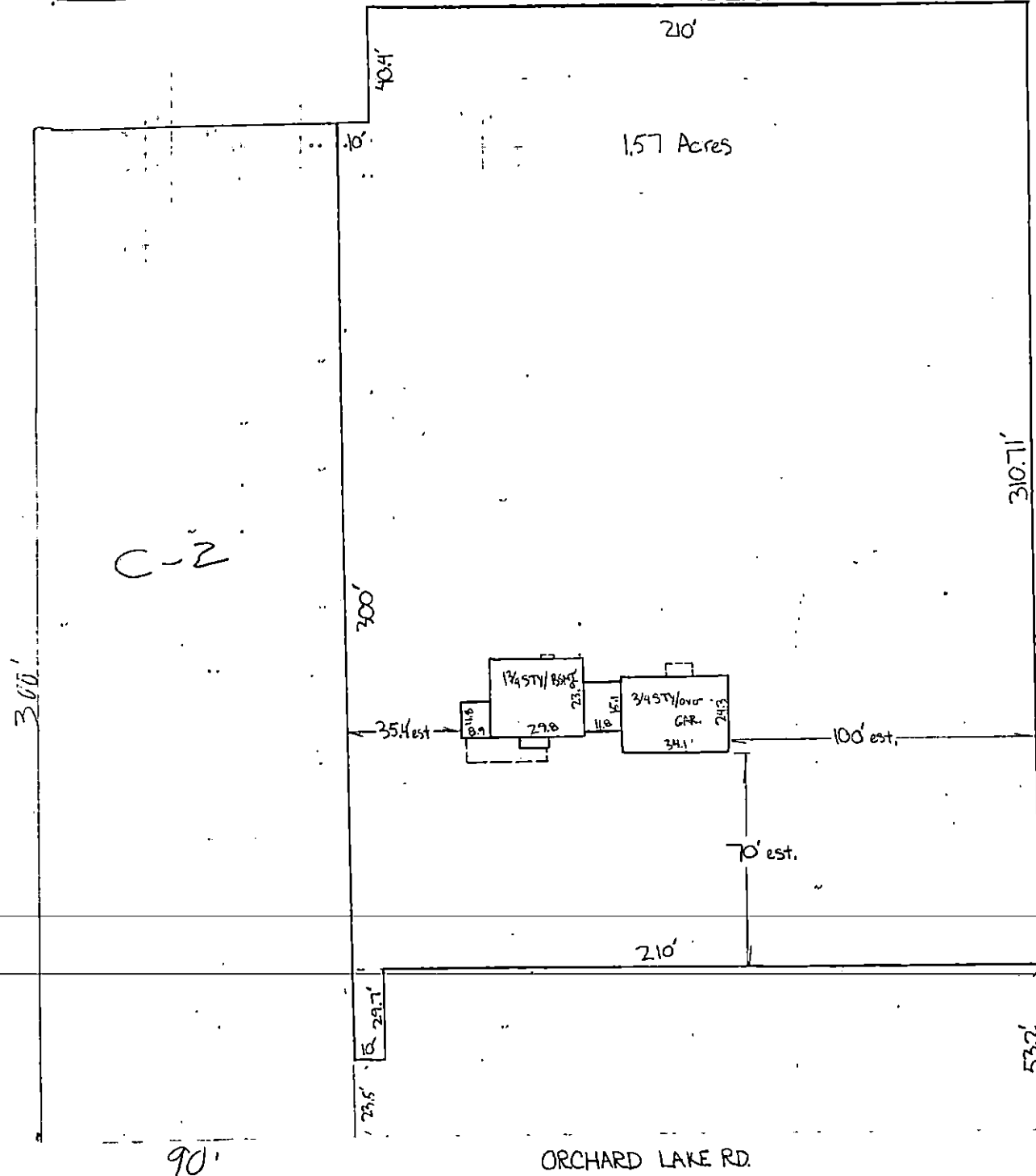
Legal Description: Part of NE 1/4 of Sec. 27, T1N, R9E, of City of Farmington, Oakland County, Michigan, described as: Beginning at a point 53.20 ft. West of E 1/4 corner; thence North 210 ft.; thence West 310.71 ft.; thence South 210 ft.; thence East 310.71 ft. to beginning. Also the North 10 ft. of West 300 ft. of East 323.50 ft. of SE-1/4 of Sec. 27. (1.57 Ac.)

Present zoning: Residential

Parcel is abutted on south by commercial on west and north by residential which is actually the high school.

RESIDENTIAL  
(SCHOOL)

Ordinance No. C-510-83  
Amendment No. 12 to  
Zoning Map



ORCHARD LAKE RD.

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, October 17, 1983, 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 8:05 p.m. by Mayor Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: Director Billing, Director Seifert, City Attorney Kelly (arrived at 8:15 p.m.), Adm. Assistant Horner, City Clerk Bushey.

OTHERS PRESENT: Engineer Mariner, Plante & Moran Representatives Sorenson and Krater, Cable Television Director Samouelian.

### MINUTES OF PREVIOUS MEETING

#### 10-83-301

Motion by Councilman Tupper, supported by Councilman Yoder, to approve the minutes of the previous meeting of October 3, 1983, as printed. Motion carried, all ayes.

### PUBLIC HEARING: NECESSITY OF ALTA LOMA STREET IMPROVEMENT

Mayor Bennett presented to the audience background information on the proposed project, indicating that the Public Hearing was established as a result of Council receiving a petition signed by over 50% of the property owners on Alta Loma Street. He stated that except for the original paving in 1956, all of the repairs thereafter were paid for by the city.

The Mayor explained that since part of Alta Loma needed to be replaced due to the construction of the Old Town Drain, the residents petitioned to have a completely new pavement installed, and asked to expend monies proposed to repair the road for the drainage project applied to the construction of the new road. As it would be impossible in the future to provide a new road at such small cost to the property owners, the city concurred, and will assess the owners at \$13.90 per front foot.

The Mayor opened the Public Hearing to the audience.

The first to speak was William Ingalls, 33455 Alta Loma, who asked how the question of the road construction was covered when the description of the job was given out to the bidders.

Engineer Mariner stated that the prospective bidders were given definite specifications requiring that the pavement be restored with 7" deep strength asphalt with curb and gutter, because previous problems indicated that the pavement had previously lost its strength and was acting only as a base.

COUNCIL PROCEEDINGS -2-  
October 17, 1983

Mr. Warren of Warren's Corners, 23285 Farmington Road, asked if he was going to be doubly assessed again along with other businesses. He was advised that the businesses were assessed a higher amount for the Old Town Drainage District, but for the paving of Alta Loma, the assessment would be the same as for all residents on the street, \$13.90 per front foot.

Ed Secora, 33479 Alta Loma, was advised that the whole street would be paved, as he pointed out that this was not figured into the job initially. He was advised that the entire new street was the result of the residents' petition of over 50% of the Alta Loma property owners.

10-83-302

Motion by Councilman Yoder, supported by Councilman Hartsock, to close the Public Hearing. Motion carried, all ayes.

10-83-303

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

RESOLUTION NO. 3

WHEREAS, the City Council of the City of Farmington has deemed it necessary to acquire and construct concrete road with curb and gutter on the following described street:

Alta Loma Street, from Farmington Road to Cass Street, and

WHEREAS, plans and specifications and estimate of cost and other information concerning said street improvement have been prepared, and

WHEREAS, the City Council has met after due and legal notice, and has heard all persons interested in said improvement;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council determines to proceed with the improvement described in the preamble hereto.
2. Plans and specifications and estimate of cost heretofore prepared are hereby approved.
3. The Special Assessment District shall consist of the following lots and parcels of land:

23-28-428-002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012;  
23-28-280-009, 010, 011, 014;  
23-28-279-016, 017, 018, 019, 020, 021.



COUNCIL PROCEEDINGS -3-  
October 17, 1983

4. The City Assessor is hereby directed to prepare a Special Assessment Roll in accordance with the resolution duly and regularly adopted by the City Council, wherein he shall assess by frontage that part of the cost to be borne by private property against the property set forth in paragraph #3 above.
5. As soon as the Assessor shall have prepared such assessment roll, he shall report the same to the City Council for confirmation.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 17, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

10-83-304

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

RESOLUTION NO. 4

WHEREAS, the City Council of the City of Farmington has deemed it necessary to acquire and construct improvements in the City consisting of concrete road with curb and gutter on the following described street:

Alta Loma Street from Farmington Road to Cass Street, and

WHEREAS, the City Council has ordered the Assessor to make a special assessment roll of all lots and parcels of land within the designated district benefited by the proposed improvement and assess to each lot or parcel of land the amount benefited thereby; and

WHEREAS, the Assessor has completed said special assessment roll and has filed the same with the City Clerk and the City Clerk has presented the same to the City Council for review and certification.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said Special Assessment Roll shall be filed in the Office of the City Clerk, and shall be available for public examination.
2. The City Council shall meet to review said special assessment roll on October 31, 1983, at 8:00 o'clock p.m., Eastern Standard Time at the City Hall in said City.
3. The City Clerk is directed to cause notice of said meeting to be published in the FARMINGTON OBSERVER, a newspaper published in the City, at least once not less than ten (10) days before the date of said meeting, and shall further cause notice of said

COUNCIL PROCEEDINGS -4-  
October 17, 1983

- 1 meeting to be sent by First Class Mail to all property owners in the proposed special assessment district, as shown by the current assessment roll of the City, at least ten (10) days before the date of the meeting.
4. The notice of said meeting as published and mailed shall be in substantially the following form:

NOTICE OF MEETING OF CITY COUNCIL  
TO REVIEW SPECIAL ASSESSMENT ROLL

TO THE OWNERS OF THE FOLLOWING DESCRIBED LANDS:

23-28-428-002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012;  
23-28-280-009, 010, 011, 014;  
23-28-279-016, 017, 018, 019, 020, 021,

PLEASE TAKE NOTICE that the City Council of the City of Farmington, Oakland County, Michigan, has caused to be prepared a Special Assessment Roll to defray the cost of constructing Concrete Road with curb and gutter on the following described street:

Alta Loma Street from Farmington Road to Cass Street.

Said Special Assessment Roll is on file with the City Clerk, and is available for public examination.

TAKE FURTHER NOTICE that the City Council of the City of Farmington will meet at the City Hall in said City at 8:00 o'clock p.m., Eastern Standard Time on October 31, 1983, for the purpose of reviewing said Special Assessment Roll and giving all interested persons an opportunity to be heard in connection therewith.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 17, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

MINUTES OF OTHER BOARDS

10-83-305

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Farmington Historical Commission minutes of September 21, 1983;  
Farmington Area Commission on Aging minutes of September 27, 1983;  
Farmington Area Arts Commission minutes of September 15, 1983;  
Board of Education minutes of September 20 and September 27, 1983.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

NOTICE OF SEWER RATE CHALLENGE  
BY MACOMB COUNTY

Council was advised that U.S. District Judge John Feikens has provided notice that the County of Macomb has filed an objection to the 1983-84 sewerage rates placed in effect by the City of Detroit on July 1, 1983. The Court Order indicates that all users and customers of the system shall be bound by the challenge unless they file to opt out of this challenge by October 21, 1983.

No action is required by Council, as the City Manager advises that he sees no reason for Farmington to opt out of the challenge, as Farmington would benefit by any reduction ordered by Judge Feikens.

5,000 METER JUMP FOR AMERICAN LUNG  
ASSOCIATION (JIM MOUTH, CHARLEY'S PLACE)

Referring to a News Release submitted to Council this evening, Mayor Bennett noted that Jim Mouth is planning to jump over a parking meter to be placed in the parking lot behind Charley's Place. This feat is to be attempted 5,000 times on October 25, 1983 at 10:00 a.m. to benefit the American Lung Association of Southeastern Michigan.

Councilman Yoder suggested that this should be treated as a request since this is the City parking lot and Council's permission is necessary.

Director Billing advised Council that Jim Mouth has spoken to the City Manager concerning this event and asked Mr. Billing where he could obtain a parking meter, as Farmington has none. The matter of barricades has also been discussed with the City Manager and Director Billing.

10-83-306

Motion by Councilman Yoder, supported by Councilman Tupper, to grant permission for Jim Mouth's 5,000 meter jump in the parking lot behind Charley's Place on October 25, 1983, beginning at 10:00 a.m. Motion carried, all ayes.

PRESENTATION

ANNUAL REPORT BY PLANTE & MORAN  
YEAR ENDED JUNE 30, 1983

Richard Sorenson and Gordon Krater of Plante & Moran Certified Public Accountants submitted the firm's audit for the year ended June 30, 1983. They discussed and showed slides concerning the General Fund, Water and Sewer, Highway and Revenue Sharing Funds as compared to the previous fiscal year. Other reports submitted were the 47th District Court Administration Fund and the Farmington Building Authority Reports. The accountants noted that the City has fully complied with the Uniform Budget Act. They complimented the City Council, the administration and in particular,

COUNCIL PROCEEDINGS -6-  
October 17, 1983

the Treasurer's Office for the outstanding job of converting from manual accounting to the computer system. Their report concluded that the City is in sound financial condition.

10-83-307

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the audit reports prepared by Plante & Moran for the year ended June 30; 1983. Motion carried, all ayes.

PRESENTATION

SOUTHWESTERN OAKLAND CABLE COMMISSION

Lark Samouelian, Executive Director, Southwestern Oakland Cable Commission, brought Council up-to-date on the status of Cable Television in the area covered by the MetroVision franchise agreement. She noted that the Cable Access Committee is working very hard.

Mrs. Samouelian advised that the construction phase is over two-thirds of the way completed, with 7,000 plus overall subscribership. In Farmington, there are only four streets that presently do not have cable. These are in the Farmington Meadows Subdivision.

Council was informed that hands-on workshops are being set up to give volunteers an opportunity to learn how to operate the equipment relative to the local educational channel. They were advised that the target date for activating the channel is January 1st.

The Director advised that MetroVision has promised to deliver to her office in the near future, a television monitor so that her office can see what the subscribers are viewing and up-date the bulletins so that they do not become outdated.

REPORTS FROM CITY MANAGER

BIDS: STREET SIGN MATERIALS

The City Manager's report noted that bids for street sign materials were received at 11:00 a.m. on October 4, 1983, by the City Clerk as follows:

CALLENDER & DORNBOS, INC. Charlotte, Michigan	\$4,297.80
U. S. Standard Sign Co. Toldeo, O.	4,674.87
Paul-Mack Signs, Inc. Muskegon, Mi.	4,730.45

The Manager's report stated that the bids included the purchase of all materials which will be needed to maintain the city's street sign system during the coming year relative to all the various signs which regulate traffic within the community.

COUNCIL PROCEEDINGS -7-  
October 17, 1983

Council was advised that the low bid of Callender & Dornbos, Inc., is within the budgeted amount for this purchase, as well as being in compliance with city specifications.

10-83-308

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby accepts the low bid of Callender & Dornbos, Inc., of Charlotte, Michigan, for Street Sign materials in the amount of \$4,297.80, and

BE IT FURTHER RESOLVED That funds for this material be provided from the General Fund.

ROLL CALL

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 17, 1983.

CONTRACTOR PAYMENT: OLD TOWN DRAIN

Council was advised that M. D. Taddie, & Company, Inc., contractor for the Old Town Drain Project, submitted a request for payment for work completed through October 4, 1983. The City Engineer recommended payment in the amount of \$237,148.47 to the contractor as follows:

Work completed to date:

Water Main	\$19,168.80
Old Town Storm Drain	388,918.80
Less Previous Payment	(130,130.37)
Less 10% Retainage	<u>( 40,808.76)</u>
Second Authorized Payment	\$237,148.47

The Manager's report stated that the contractor has completed the installation of all the large pipe on the project, and is now constructing the lateral system which will receive storm water from the local streets in the Old Town Drainage District. Pavement has been replaced on Slocum Street, and it is now open to traffic. It is estimated that if the weather holds, the contractor will complete the project this construction season.

Council was advised that the actual completion date for the project depends upon an early decision on the Alta Loma Street improvement as well as November weather conditions.

As the work completed to date is in substantial compliance with specifications, the City Engineers and the City Manager recommended that the second estimated payment be submitted to M. D. Taddie & Co.

COUNCIL PROCEEDINGS -8-  
October 17, 1983

10-83-309

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes a second estimated payment to M. D. Taddie & Company, Inc., of Ypsilanti, Michigan, in the amount of \$237,148.47, for the Old Town Drain Project, and

BE IT FURTHER RESOLVED That funds for this payment be made from the proceeds of the Old Town Drain Bonds and the General Obligation Water Bonds.

ROLL CALL

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 17, 1983.

RECOMMENDATION TO SUPPORT HOUSE BILL 4723  
RE: LOCAL JAIL LOCKUPS

Council was advised that local communities have for some time been concerned with the regulations and inspection procedures of the Michigan Department of Corrections which place an unwarranted burden on those which operate short-term detention facilities and lockups. Many of the regulations proposed by the Department are impossible to comply with.

Proposed House Bill 4823 would exclude local holding centers or lockups from the supervision and inspection of the Department of Corrections.

Director of Public Safety Seifert advised that the Michigan Association of Chiefs of Police support the Bill as being in the public's best interest.

10-83-310

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt a resolution supporting House Bill 4723 concerning local jail lockups and to forward copies of the resolution to the Governor, Senator Faxon, Representative Brotherton, the House Committee on Corrections, the Michigan Municipal League and surrounding communities. Motion carried, all ayes.

EXTENSION OF HIGHWAY MAINTENANCE CONTRACT:  
GRAND RIVER AVENUE

Council was informed that since the Attorney General has not yet approved the 1983-85 Highway Maintenance Contracts, the Michigan Department of Highways and Transportation has asked that the City approve an extension of the current contract until a new contract is available. This extension would authorize payment for maintenance work on Grand River, as the current contract expired September 30th.

COUNCIL PROCEEDINGS -9-  
October 17, 1983

10-83-311

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby approves the extension of the current Highway Maintenance Contract for Grand River Avenue until the Michigan Department of Highway and Transportation provides the City with a new contract, and

BE IT FURTHER RESOLVED That Council authorizes the City Manager to sign the Extension on behalf of the City.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Mitchell, Yoder.  
NAYS: None.  
ABSENT: . None.

RESOLUTION DECLARED ADOPTED OCTOBER 17, 1983.

CLOSING OF CITY PARKS DURING HALLOWEEN

The Public Safety Department requested that Council temporarily close the city parks from 6:00 p.m. to 7:00 a.m. daily beginning Monday, October 24 and terminating Tuesday, November 1, 1983, in order to reduce the likelihood of damage to public and private property during the traditional Halloween period. Council was given a request from Director Seifert which set forth additional reasons for the request.

10-83-312

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the closing of the city parks from 6:00 p.m. to 7:00 a.m. daily, commencing on Monday, October 24 and terminating on Tuesday, November 1, 1983. Motion carried, all ayes.

TRANSFER OF SDM & CLASS "C" LICENSE:

CHARLEY'S PLACE, 23619 FARMINGTON ROAD

Chief Seifert's report indicated that the Department of Public Safety has completed its investigation concerning an application to the Michigan Liquor Control Commission from Marilyn Kay Williams d.b.a. Mari-Pearl, Inc., for transfer of a Class "C" License with Dance and Entertainment Permit from R.S.B. Corporation, d.b.a. Charley's Place. The investigation disclosed no reason to deny approval of this transfer.

10-83-313

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the transfer of the SDM & Class "C" License with Dance and Entertainment Permit from R.S.B. Corporation to Mari-Pearl, Inc.

COUNCIL PROCEEDINGS -10-  
October 17, 1983

ROLL CALL

AYES: Bennett, Hartsock, Mitchell, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

Motion carried

MISCELLANEOUS

PUBLIC COMMENT

In reply to Nancy Leonard's question concerning how the City Parks are closed and whether or not barricades are used, Director Seifert advised that for the past two years or so, six to eight Officers were physically stationed in the parks to intercept any individuals who may cause problems.

Director Billing advised that he had been contacted by Mr. McCreedy's attorney, indicating that the McCreedy Trucking contract will continue so that the City can keep up the residents' trash pickup in an orderly manner.

Director Seifert showed Council members a wood-burned plaque and four photographs received from the Fairdealing, Kentucky Volunteer Fire Fighters depicting the route by which the 1953 GMC Fire Truck donated by Farmington arrived at the Fairdealing Fire Barn. This plaque and photos will be displayed in the Lobby display case of City Hall.

BUILDING DEPARTMENT FIRST QUARTERLY REPORT

10-83-314

Motion by Councilman Tupper, supported by Councilman Mitchell, to receive the Building Department First Quarterly Report for the period July 1 through September 30, 1983. Motion carried, all ayes.

WARRANT LIST

10-83-315

Motion by Councilman Hartsock, supported by Councilman Yoder, to approve the payment of the monthly bills as submitted: General Fund \$34,138.51; Water & Sewer Fund \$69,845.81.

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

Motion carried.

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Mitchell, to adjourn the meeting. Motion carried, all ayes. The meeting adjourned at 9:25 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK



COUNCIL PROCEEDINGS

A Special Meeting of the Farmington City Council was held on Monday, October 31, 1983, 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 Bennett.

ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Attorney Kelly, City Clerk Bushey.

10-83-316

MINUTES OF PREVIOUS MEETING

Motion by Councilman Mitchell, supported by Councilman Yoder, to approve the minutes of the previous meeting of October 17, 1983, as printed. Motion carried, all ayes.

PUBLIC HEARING: TO REVIEW SPECIAL ASSESSMENT ROLL: ALTA LOMA STREET IMPROVEMENT

The Mayor called for the City Manager's report on the improvement of Alta Loma Street from Farmington Road westward to Cass Street by constructing a 7" concrete street with curb and gutter.

Manager Deadman stated that a portion of the construction cost will be special assessed against the adjacent property owners who will receive benefit from the improvement. He further advised that it has been determined that the road can be improved using the bid prices secured as part of the Old Town Drain Project. City Engineers have determined that the total cost of the construction will be \$62,400.00, with a cost-sharing formula as follows:

Construction Concrete Road	\$62,400.00
Storm Project Cost	<u>(33,412.00)</u>
Sub Total	\$28,988.00
City Local Street Share 20% of Balance	<u>( 5,798.00)</u>
Special Assessment Cost	\$23,190.00

The Manager advised that based on this formula, the Special Assessment per front foot will be \$13.90.

The City Manager also recommended that Council approve a Change Order on the Old Town Drain Project in the amount of \$28,988.00, to provide for the complete reconstruction of Alta Loma Street with funds to be provided as follows:

Old Town Drain Project Bonds	\$33,412.00
Special Assessment District	23,190.00
Highway Fund: Local Streets	<u>5,798.00</u>
	\$62,400.00

COUNCIL PROCEEDINGS -2-  
October 31, 1983

Manager Deadman stated that the Special Assessments will be spread over a 10-year period at the same interest rate as for the Old Town Drain Project, or 9.42% annually.

Mayor Bennett opened the Public Hearing to the audience of ten people, and comments were received from the following property owners:

William Ingalls, 33455 Alta Loma, stated that when the Alta Loma project was let, it was assumed that it was a blacktop road, but when construction began it was found that the original road was concrete with a 1" top and a 3" blacktop over that. He pointed out that if the paving had been done right in the first place, there would be no question as to whether or not we had black top now or concrete; it would have been concrete.

The City Manager stated that although the original road installed in 1950 had for some reason deteriorated rapidly, it was now 30 years old and had gone without much significant repair. He pointed out that everything that has been put on this surface since then has been applied at the City's expense.

Ed Sikora, 33479 Alta Loma, asked if driveway approaches are included in this project. He was advised that they are included.

Roy Dernberger, 33649 Alta Loma, was concerned that his driveway approach would not be replaced in kind as he had installed it himself and it was 8" deep. He also asked what his assessment would be and whether or not this paving project would set precedent for future projects of this type. He was informed that the driveway approach replacement would probably not be as deep as the one he had installed but would be of the same type mix. He was advised that his assessment would be \$13.90 per front foot, or \$1,042.50 total, and that it has always been city policy to pick up 20% of such project costs, with residents paying 80%.

Mrs. Warren, of Warren's Corners, 23285 Farmington Road, wanted to know if she is being assessed per front foot on their side entrance which is on Alta Loma. She was advised that all businesses are assessed per front foot when they face a local street.

10-83-317

Motion by Councilman Yoder, supported by Councilman Tupper, to close the Public Hearing. Motion carried, all ayes.

10-83-318

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

RESOLUTION NO. 5

WHEREAS, the City Council has met after due and legal notice and reviewed the special assessment roll prepared for the purpose of

COUNCIL PROCEEDINGS -3-  
October 31, 1983

defraying the Special Assessment District's share of street improvements to be located on Alta Loma Street, all of the above being located in the City of Farmington; and

WHEREAS, after hearing all persons interested therein and after carefully reviewing said special assessment roll, the City Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon are in proportion to benefits received;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$23,189.77 is hereby confirmed, and shall be known as Special Assessment Roll No. 83-74.
2. Said special assessment roll shall be divided into ten (10) equal annual installments, the first of which shall be due and payable on December 1, 1983, the second on July 1, 1984, and the subsequent installments shall be due on July 1st of each and every year thereafter.
3. Interest shall be charged on the unpaid balance of said special assessment roll at the rate of 9.42 per cent per annum, from January 31, 1984, provided, however, after the issuance of bonds to be issued in anticipation of the collection of the unpaid assessments of said Special Assessment Roll, the City Treasurer be and is hereby directed to adjust said rate of interest to a rate which is not more than one (1%) percentage point in excess of the average rate borne by said bonds.
4. Said Special Assessment Roll No. 83-74 shall be placed on file in the Office of the City Clerk, and the City Clerk is hereby directed to attach her warrant to a certified copy of the aforesaid special assessment roll within ten (10) days commanding the Assessor to spread the various sums and amounts appearing thereon on the Special Assessment Roll in the annual installments as directed by the City Council. The City Clerk is hereby directed to endorse the date of the adoption of this Resolution on said roll.
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.

NAYS: None.

RESOLUTION DECLARED ADOPTED OCTOBER 31, 1983.

JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS -4-  
October 31, 1983

The Mayor called for a motion relative to the Change Order recommended in the City Manager's report.

10-83-319

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby approves the Change Order on the Old Town Drain Project in the amount of \$28,988.00, to provide for the complete reconstruction of Alta Loma Street.

ROLL CALL

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.


RESOLUTION DECLARED ADOPTED OCTOBER 31, 1983.

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Mitchell, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:20 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, November 7, 1983, 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 Bennett.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Mitchell, Tupper, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, Attorney Kelly, Acting Clerk Ugrin.

### MINUTES OF PREVIOUS MEETING

#### 11-83-320

Motion by Councilman Yoder, supported by Councilman Mitchell, to approve the minutes of the previous meeting of October 31, 1983, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 11-83-321

Motion by Councilman Mitchell, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of October 10, 1983;  
Board of Zoning Appeals minutes of October 5, 1983;  
Employees' Retirement System Board of Trustees minutes of September 30, 1983;  
Economic Development Corporation minutes of October 4, 1983;  
Farmington Community Library minutes of October 13, 1983;  
Board of Education minutes of October 4, 1983;

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### LETTER FROM MRS. LEONARD HOMESZYN RE: BROOKDALE PARKING

On behalf of the Brookdale Street residents, Mrs. Homeszyn asked to discuss with Council the parking situation and problems affecting the residents in the area of the Bootleggers.

Mrs. Thompson, 22811 Brookdale, stated that she gets little sleep on Thursday, Friday and Saturday nights due to the noise caused by bar patrons who park in front of her home. She suggested that parking fines be increased to \$35, but strongly favors towing cars away. She also complained of the bar's overflowing dumpsters and expressed disgust at patrons' conduct on the street.

The Mayor instructed the City Manager and the Director of Public Safety to look into the matter and return to Council with recommendations.

COUNCIL PROCEEDINGS -2-  
November 7, 1983

Mr. Leonard Homeszyn, 22819 Brookdale, does not think that the situation is much better than previously reported.

Lee Smith suggested designating a certain area on Brookdale as a Tow-Away Zone.

Kenneth Nichols stated that he has heard yelling from patrons of the bar between 11:00 p.m. and 2:00 a.m. on various occasions.

Director Seifert pointed out that Brookdale Street is not a posted Tow-Away Zone. It was the consensus of Council that posting the street even partially as a Tow-Away Zone could pose problems for the residents as well as bar patrons. They preferred to wait until Director Seifert and Manager Deadman confer with Judge Hand concerning this matter and return to Council with workable recommendations to alleviate the problem. The matter of increasing parking fees will also be reviewed.

LETTER FROM MRS. IRENE WHEELER RE:  
AMERICAN LEGION AUXILIARY GIRLS STATE PROGRAM

Mrs. Wheeler advised that the Girls State Program will be held at Central Michigan University from June 9 through June 17, 1984; and sponsoring costs per participant will be \$150.00. If Council appropriates the sponsoring cost, Mrs. Wheeler requests that a Council member be appointed to receive the Girls State participant's report following her return from the session in June.

11-83-322

Motion by Councilman Yoder, supported by Councilman Hartsock, to appoint Councilman Tupper as the contact person for the Girls State participant's report, and to appropriate \$150.00 to sponsor a Girls State citizen. Motion carried, all ayes.

LETTER FROM MICHIGAN MUNICIPAL LEAGUE RE:  
DETROIT EDISON RATE INCREASE CASE

Manager Deadman advised Council that the Michigan Municipal League is assisting communities who have asked their help in alerting municipalities concerning the effect of pending utility rate increases. They further indicate that the City of Oak Park has intervened in the Detroit Edison rate increase case and that others may join in contesting the issues and rates inherent in the pending rate increase case. It is expected that a cost sharing formula will be developed as a basis for determining each community's share.

No Council action is necessary at this time.

RESOLUTION FROM CITY OF BIRMINGHAM RE:  
FORMATION OF REGIONAL WATER & SEWER  
COMMISSION

The City of Birmingham believes that municipalities in the City of Detroit Water and Sewer System should endorse and support State legislation establishing a Regional Board of Water and Sewer

Commissioners who would have the authority to administer the system. They request that Council support this position. As Council has consistently supported this system, Manager Deadman recommended that they continue this support.

11-83-324

Motion by Councilman Mitchell, supported by Councilman Hartsock, to support the position taken by the City of Birmingham relative to the formation of a Regional Water and Sewer Commission, and to forward copies of their resolution to our State Representative, Senator and the Oakland County Drain Commissioner. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

Earl Baumunk, Director of Vocational and Career Education, Farmington Public Schools, requested that Council recognize MICHIGAN CAREER GUIDANCE WEEK. Also requested was a proclamation dedicating the decade of 1983 - 1992 as the DECADE OF DISABLED PERSONS. This request came from Richard H. Fulton, President of the United States Conference of Mayors.

11-83-325

Motion by Councilman Yoder, supported by Councilman Hartsock, to issue the following proclamations:

MICHIGAN CAREER GUIDANCE WEEK - November 6 - 12, 1983

DECADE OF DISABLED PERSONS - Decade of 1983 - 1992

Motion carried, all ayes.

REQUEST FOR PERMISSION to HOLD "FALCON WINTER RUN" ON CITY SIDEWALKS

An added Agenda item requested that the Farmington High School Track Club be permitted to use the city sidewalks and streets for their Falcon Winter Run. They would also need Public Safety Officers to assist the participants at major street crossings. Farmington High School Track Club supporters will assist the Public Safety Department at street crossings. Proceeds of the run will be used to assist the disabled students at Eagle School.

11-83-326

Motion by Councilman Hartsock, supported by Councilman Mitchell, to allow the temporary street closings on Shiawassee, Power Road and Raphael Street to facilitate the FALCON WINTER RUN. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

AMENDMENT TO ZONING ORDINANCE: LIMITING SITE PLAN APPROVALS TO TWO YEARS

The City Manager advised that the Farmington Planning Commission held a Public Hearing on October 10, 1983, to receive comments on the proposed amendment to the City's Zoning Ordinance, which would limit site plan approvals to a two-year period. He stated that

COUNCIL PROCEEDINGS -4-  
November 7, 1983

Council had the option of holding a Public Hearing, but recommended that they consider the amendment without a Hearing since there were no objections to the proposed amendment at the Planning Commission's Public Hearing. Manager Deadman pointed out that the proposed amendment recognizes changing situations which can occur if projects are not constructed in a timely manner.

11-83-327

Motion by Councilman Yoder, supported by Councilman Mitchell, to introduce Ordinance C-511-83, which would limit site plan approvals to a two-year period. Motion carried, all ayes.

RENEWAL OF MAINTENANCE CONTRACT  
FOR FARMINGTON ROAD

Council was informed that the Oakland County Road Commission has submitted a Renewal Contract for the maintenance of Farmington Road from Grand River Avenue south to Eight Mile Road. The Commission proposed that the contract will be in force for nine months beginning January 1, 1984, and expiring September 30, 1984, as they have changed their fiscal year to coincide with the State's fiscal year, October 1 to September 30.

The County proposed to reimburse the City in the amount of \$6,485.00 per mile for the maintenance of the 1.7 mile section of Farmington Road. Total reimbursement for the nine - month period will be \$8,268.38.

The City Manager advised that although Farmington must absorb some of the cost of maintaining Farmington Road, he believes that the typical level of maintenance provided by the County would be unacceptable. He pointed out that the city's average nine-month expenditures for the past three years for this roadway maintenance was \$10,183.00.

11-83-328

Motion by Councilman Mitchell, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to renew the contract with the Oakland County Road Commission for the maintenance of Farmington Road from Grand River Avenue south to Eight Mile Road, and:

BE IT FURTHER RESOLVED that this contract shall continue for the calendar year 1984 until it expires on September 30, 1984.

RESOLUTION ADOPTED UNANIMOUSLY NOVEMBER 7, 1983.

CONTRACTOR PAYMENT: OLD TOWN DRAIN

Manager Deadman advised that the City Engineers have submitted a request for payment by M. D. Taddie & Company, Inc., in the amount of \$102,186.71 for work completed through November 1, 1983, on the



Old Town Drain and Water Project. The contractor has nearly completed the installation of all drain pipe and begun the excavation of Alta Loma Street in preparation for paving the road. Efforts are being made to complete the entire project before the end of this construction season.

11-83-329

Motion by Councilman Tupper, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes payment of \$102,186.71 to M. D. Taddie & Company, Inc., of Ypsilanti, Michigan, for the Old Town Drain Project, and

BE IT FURTHER RESOLVED That funds for this payment be provided from the proceeds of the Old Town Drain Bonds and the General Obligation Water Bonds.

ROLL CALL

AYES: Hartsock, Mitchell, Tupper, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 7, 1983.

CONTRACTOR PAYMENT: HILLCREST ST. PAVING

Council was informed that Detroit Concrete Products Corporation, contractor for the Hillcrest Paving Project, has submitted a request for payment in the amount of \$34,728.06 for work completed through November 1, 1983. The City Engineers advise that the contractor has completed work on the paving except for some minor cleanup and adjustments, and the work is in substantial compliance with the city's plans and specifications.

11-83-330

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes payment of \$34,728.06 to the Detroit Concrete Products Corporation of Novi, Michigan, for the Hillcrest Street Paving Project, and

BE IT FURTHER RESOLVED That funds for this payment be provided from the proceeds of the Hillcrest Street Special Assessment District and the Local Street Fund.

ROLL CALL

AYES: Mitchell, Tupper, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 7, 1983.

COUNCIL PROCEEDINGS -6-  
November 7, 1983

BIDS: TRACTOR WITH HYDRAULIC SWEEPER

Bids were received by the City Clerk at 11:00 a.m. on October 20, 1983, for one tractor with hydraulic sweeper as follows:

Wm. Sell & Sons, Inc. Taylor, Mi.	\$12,357.03
Munn Ford Tractor & Equipment, Inc. Pontiac, Mi.	12,442.00
A.I.S. Construction Equipment Co. New Hudson, Mi.	18,700.00

The City Manager advised that this equipment will be used by the Public Services Department for snow removal in winter and grass and field cutting in summer. He indicated that the purchase price included the trade of two Ford tractors purchased in 1957 and 1967. Each bidder met or exceeded specifications outlined for this equipment.

11-83-331

Motion by Councilman Tupper, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby accepts the low bid of Wm. Sell & Sons, Inc., Taylor, Michigan, in the amount of \$12,357.03 for the purchase of one tractor with hydraulic sweeper, and

BE IT FURTHER RESOLVED That funds be provided for this purchase from the 1983-84 Capital Outlay Equipment Account in the General Fund of the Public Services account.

ROLL CALL

AYES: Tupper, Yoder, Bennett, Hartsock, Mitchell.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 7, 1983.

RECOMMENDATION TO REVISE COMMUNITY  
RECREATIONAL FACILITIES PLAN

Manager Deadman advised that the Administration wishes to update the City's Recreational Facilities Plan, as the present plan has not been revised since 1971. He indicated that the updating will provide a better understanding of present and future recreational facility needs of the community and aid in the development of parks improvement to meet present and future needs.

The Administration suggested that Council assign this task to the Planning Commission, and Council was asked for suggestions regarding community recreational needs they wished to have addressed as part of the study.

COUNCIL PROCEEDINGS -7-  
November 7, 1983

Manager Deadman pointed out that Farmington presently buys recreational services from their neighbors.

Mayor Bennett called attention to the continued need for a senior citizen gathering place, indicating that we do not know how long Mercy Center is going to be available. He suggested that Council consider this continued need as part of the study.

11-83-332

Motion by Councilman Hartsock, supported by Councilman Tupper, to assign the study concerning the revision of the Community Recreational Facilities Plan to the Planning Commission. Motion carried, all ayes.

The City Manager stated that the study committee's completed plan will be presented to Council for review and adoption. This will allow the city to apply for State matching grant funds in park development.

MISCELLANEOUS

Mayor Bennett expressed appreciation to Councilman Mitchell for his years of service on the Planning Commission and for serving his appointed term and two-year elected term as a member of the City Council. Mr. Mitchell is moving from the community.

Councilman Mitchell stated that his thirteen-year association with the City has been a wonderful experience.

FINANCIAL REPORTS: THREE MONTHS ENDED  
SEPTEMBER 30, 1983

Councilman Hartsock asked if the city's revenue sharing funds from the State were up-to-date. Manager Deadman stated that the State revenue sharing funds were back on schedule.

11-83-333

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and file the General Fund, Water & Sewer Funds and 47th District Court financial reports for the three months ended September 30, 1983. Motion carried, all ayes.

DEPARTMENT OF PUBLIC SERVICES QUARTERLY  
REPORT: JULY 1 - SEPTEMBER 30, 1983

Director Billing reported that the leaf pickup is on schedule.

11-83-334

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and file the Department of Public Services Quarterly Report for the period July 1 through September 30, 1983. Motion carried, all ayes.

COUNCIL PROCEEDINGS -8-  
November 7, 1983

WARRANT LIST

11-83-335

Motion by Councilman Hartsock, supported by Councilman Mitchell, to approve payment of the monthly bills as submitted: General Fund \$50,296.95; Water & Sewer Fund \$23,596.95.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Mitchell, Tupper.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED, ALL AYES.

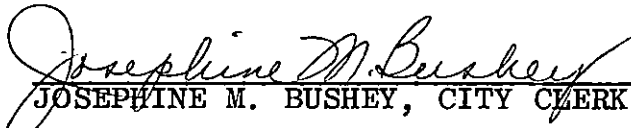
The City Manager advised that the Department of Public Safety has put together a Neighborhood Watch Program, and the first Subdivision to indicate an interest in this program was Bel Aire. He complimented the Department for the excellent job of preparing the materials presented to Council for their review.

ADJOURNMENT

Motion by Councilman Mitchell, supported by Councilman Yoder, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:12 p.m.

  
ALTON L. BENNETT, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, November 21, 1983, 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 by Mayor Bennett at 8:00 p.m.

### ROLL CALL

PRESENT: Mayor Bennett, Councilmen Hartsock, Tupper, Walker, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### ORGANIZATION OF NEW COUNCIL

#### OATH OF OFFICE - COUNCILMEN ELECT NOVEMBER 8, 1983

City Clerk Bushey administered the Oath of Office to newly elected Councilmen Ralph D. Yoder, William S. Hartsock and Roger J. Walker, Jr.

Mayor Bennett appointed Mr. Deadman as Temporary Chairman for electing the new Mayor and Mayor Pro Tem. There were no objections from Council.

Chairman Deadman advised that the election for the offices of Mayor and Mayor Pro Tem would begin, and he called for nominations from Council for the Office of Mayor.

Councilman Hartsock submitted the name of Ralph D. Yoder for the Office of Mayor; Councilman Walker supported the nomination.

There were no further nominations.

Motion by Councilman Tupper, supported by Councilman Walker, to close the nominations. Motion carried, all ayes.

Motion by Councilman Walker, supported by Councilman Hartsock, that a unanimous ballot be cast for Ralph D. Yoder for the Office of Mayor. Motion carried, all ayes.

Chairman Deadman called for nominations from Council for the Office of Mayor Pro Tem.

Councilman Tupper submitted the name of William S. Hartsock for the Office of Mayor Pro Tem; Councilman Walker supported the nomination.

There were no further nominations.

COUNCIL PROCEEDINGS -2-  
November 21, 1983

Motion by Councilman Walker, supported by Councilman Tupper to close the nominations. Motion carried, all ayes.

Motion by Councilman Bennett, supported by Councilman Walker that a unanimous ballot be cast for William S. Hartsock for the office of Mayor Pro Tem.

Manager Deadman turned the meeting over to Mayor Yoder.

Outgoing Mayor Bennett asked to speak and stated that it had been a real pleasure to serve as Mayor of the City of Farmington for the past two years. He congratulated Mayor Yoder and pledged his support.

Mayor Yoder stated that it is an honor and a privilege to serve as Mayor of Farmington, and that being Mayor is just as meaningful to him in 1983 as it was in 1973. He welcomed Councilman Walker to the governing body.

MINUTES OF PREVIOUS MEETING

11-83-336

Motion by Councilman Tupper, supported by Councilman Bennett, to approve the minutes of the previous meeting of November 7, 1983, as printed. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

Referring to the Historical Commission minutes, Mr. Bennett expressed concern that a position was taken by that Commission on a proposal that had not yet come before the Planning Commission. He suggested that Council advise all Commissions that matters should be taken care of by the particular commission responsible and advised by other commissions when requested.

11-83-337

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of November 14, 1983;  
Board of Canvassers minutes of November 10, 1983;  
Economic Development Corporation minutes of November 1, 1983;  
Historical Commission minutes of October 19 and November 3, 1983;  
Beautification Committee minutes of July 14, and October 10, 1983;  
Farmington Area Commission on Aging minutes of October 15, 1983;  
Board of Education Special and Regular minutes of October 18, 1983;

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

MICHIGAN MUNICIPAL LEAGUE RE: ACTION ON  
PENDING FEDERAL AND STATE LEGISLATION

Manager Deadman suggested that since City Council has previously taken a position requesting several modifications to Senate Bill 66

COUNCIL PROCEEDINGS -3-  
November 21, 1983

relative to the reduction of local control of cable television franchises, Council might wish to restate its position now that House Bill 4103 is being considered in the Federal Legislature.

11-83-338

Motion by Councilman Bennett, supported by Councilman Hartsock, to reaffirm Council's position opposing legislation prohibiting local government regulation of Cable Television, and so advising the U. S. Senators and Representative. Motion carried, all ayes.

The Michigan Municipal League also requested that City Council consider supporting Michigan House Bill 4994 which would update and expand the State's antitrust laws by extending the coverage to include services businesses. The League believes that local units of government should be exempt from antitrust laws as they attempt to deliver services. The House Bill would expressly exempt governmental units from antitrust suits brought by individuals or businesses when the governmental unit is acting in an area which the law authorizes it to act.

11-83-339

Motion by Councilman Hartsock, supported by Councilman Tupper, to support Michigan House Bill 4994 which would exempt local units of government from state antitrust laws, and to notify the State Representative of such support. Motion carried, all ayes.

REQUEST FROM OAK HILL NURSING HOME RE:  
PARKING ON GILL ROAD

Manager Deadman advised that the Public Safety Department received a request from the Oak Hill Nursing Home Manager to allow parking on Gill Road on November 30, 1983, to accommodate a staff in-service training program.

Councilman Tupper asked what the philosophy was governing NO Parking on Gill Road. Manager Deadman advised that the State Highway Department paid for the paving of Gill Road, which is a main thoroughfare. This was done through their Street Maintenance Program. One of the requirements of such a paving program is that there can be no on-street parking.

11-83-340

Motion by Councilman Bennett, supported by Councilman Tupper, to grant permission for parking on Gill Road from Wesley Street to Oakland Street from 8:00 a.m. to 6:00 p.m. on November 30, 1983, to accommodate personnel of Oak Hill Nursing Home for an in-service training program. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROGRESS REPORT: BROOKDALE STREET PARKING

Manager Deadman reported the results of a survey of Brookdale Street residents relative to the possible designation of the street as a Tow-away Zone. He advised that the Department of Public

COUNCIL PROCEEDINGS -4-  
November 21, 1983

Safety determined that if vehicles are to be towed for violating parking permit regulations, it will be necessary to adopt a Traffic Control Ordinance designating the Tow-away Zone and properly posting the street.

As the permit parking system has been only partially effective, department records indicate a steady enforcement pattern, but inordinate amount of patrol service time has been necessary to maintain peaceful conditions in the neighborhood.

Two-thirds of the Brookdale Street residents stated that they would not favor a tow-away zone. Therefore, Director Seifert recommended that no tow-away zone be created at this time.

Council was informed that the situation has been discussed with Judge Hand, who stated that the court plans to substantially raise the fines for violations of the parking permit regulations.

Manager Deadman further advised that the Public Safety Department will be inspecting the operation of all liquor licenses in the community at the end of the calendar year. Their findings will be reported to City Council, and he suggested that Council may wish to take further action at that time.

Brookdale Street resident Darlene Thompson, who previously favored the tow-away zone, stated that she has had second thoughts in the matter due to the safety factor. She was pleased that the parking fines will be increased and that Council will take a further look at the situation when the licenses come up for renewal.

RECOMMENDED POLICY: YARD STORM WATER DRAINS

As the result of numerous inquiries concerning who is responsible for maintaining yard storm water drain structures and lines, the City Manager recommended the adoption of a Yard Storm Drain Policy.

Manager Deadman advised that such drains normally do not meet city engineering specifications, as they are small and constructed of poor quality materials. He indicated that some of the drains were installed by contractors or homeowners to alleviate backyard flooding problems. Some outlet into city drainage ditches and storm sewers, and others outlet in swales between homes or run over the ground to city storm facilities.

The Public Services Department is aware that a number of these backyard drains exist in the Woodcroft, Warner Farms and Alta Loma Subdivisions, as well as others. As new homeowners acquire property with these drains included, they request city maintenance, which to date, the city has denied.

The City Manager stated that during investigation of this problem, it was found that a few of the drains were actually constructed by city crews during the development of older subdivisions; one was



# CITY OF FARMINGTON

## YARD STORM DRAIN POLICY

### PROBLEM

Yard storm drains which serve private property have been constructed by property owners or their contractors. These storm drains were constructed without compliance to City specifications or inspection.

These storm drains, commonly called "yard drains," were not built as part of the City drainage system and, for the most part, only serve private property owners.

Private property owners have requested the City to maintain these storm drain structures and piping systems.

### GOAL

To determine who shall maintain yard storm drain systems.

### CITY POLICY

1. The City will accept the responsibility for maintaining those yard storm drains which were constructed by the City, or those yard storm drains which may be accepted by the City at the time of their construction.
2. Prior to accepting the maintenance of any yard storm drain by the City, the property owner shall grant the City an easement of right-of-way for the purpose of performing maintenance.
4. The maintenance of all other yard storm drains will be the responsibility of the owner of the property which the yard storm drain services.

November 21, 1983

COUNCIL PROCEEDINGS -5-  
November 21, 1983

constructed at 33677 Alta Loma, according to neighboring residents, although there is no city record of this drain.

Although the City Attorney advises that the city probably has no legal responsibility to begin maintaining this drain, or others, the city must have determined it had some responsibility when it built the drain.

As the city has neither the personnel nor the equipment to maintain all of the rear yard drains which may exist in the city, Manager Deadman recommended that a policy be adopted accepting the responsibility for maintaining those drains which were constructed by the city, or those which may be accepted by the city at the time of their construction by others. The maintenance of all other yard drains will be the responsibility of the owner of the property which the drains serve. Further, that prior to accepting maintenance of any drains by the city, the property owner shall grant the city an easement of right-of-way for the purpose of such maintenance.

11-83-341

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the City of Farmington Yard Storm Drain Policy as presented and made a part of these minutes.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.

Motion carried, all ayes.

AUTHORIZATION TO USE NATIONAL BANK OF  
DETROIT'S GOVERNMENTAL INVESTMENT POOL

Manager Deadman advised that the State Legislature recently adopted Public Act 367 of 1982, permitting local units of government to invest surplus cash in Pooled Investment Funds. This caused the National Bank of Detroit to establish pooled investment funds in which local governments can invest amounts less than \$100,000.00 on a daily basis, earning a rate of return comparable to larger money market investments, including Certificates of Deposit. By pooling funds, the bank can purchase investment instruments which governmental units purchase for themselves in amounts over \$100,000.00.

Using the investment pool would allow the city to maintain a higher rate of liquidity to meet unanticipated payments and at the same time earn returns comparable to larger investments. Details of how the plan operates were submitted for Council's review.

11-83-342

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

COUNCIL PROCEEDINGS -6-  
November 21, 1983

BE IT RESOLVED That the Farmington City Council hereby authorizes the City Treasurer to invest city surplus funds from all funds and accounts of the city in the "Short Term Investment Fund for Governmental Surplus Funds" as offered by the National Bank of Detroit Trust Division in compliance with P. A. 367 of 1982, and

BE IT FURTHER RESOLVED That the City Manager and the City Clerk be authorized to execute a Trust Agreement with the National Bank of Detroit relative to these investments.

ROLL CALL:

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 21, 1983.

BIDS: DUMP BODY TRUCK WITH SNOW  
PLOW AND SCRAPER

Council was informed that the City Clerk received bids for a dump body truck with snow plow and scraper which were opened on November 15, 1983, at 11:00 a.m., as follows:

GMC TRUCK CENTER (Alternate A) 675 Oakland Avenue (\$34,479.00) Pontiac, Mi. 48055	\$39,191.15*
STARK HICKEY, WEST 24760 W. 7 Mile Rd. Detroit, Mi. 48219	39,574.38
AL LONG FORD 13711 Eight Mile Rd. Warren, Mi. 48089	39,815.00
WOLVERINE TRUCK SALES 3550 Wyoming Dearborn, Mi. 48120	39,889.00
REIGHARD IH TRUCKS 31666 W. Eight Mile Farmington Hills, Mi. 48024	40,843.00
TOM HOLZER FORD, INC. 30711 Grand River Farmington Hills, Mi. 48024	44,144.00

\*Plow Added

Council was advised that the three apparent low bids were alternates and did not meet specifications. The low bid, GMC Truck Center, did not include \$2,133.00 for the snow plow. The total corrected bid of GMC Truck Center was \$39,191.15, and the low bid meeting all specifications.

COUNCIL PROCEEDINGS -7-  
November 21, 1983

11-83-343

Motion by Councilman Tupper, supported by Councilman Bennett, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby accepts the low bid of G.M.C. Truck Center, Pontiac, Michigan, in the amount of \$39,191.15 for the purchase of one Dump Body Truck with plow and scraper, and

BE IT FURTHER RESOLVED That funds for this purchase be provided from the General Fund of Public Services Capital Outlay account.

ROLL CALL

AYES: Walker, Yoder, Bennett, Hartsock, Tupper.  
NAYS: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 21, 1983.

BIDS: ROOF REPAIR TO CITY BUILDINGS

Council was informed that the City Clerk opened bids for the roof repair of four city buildings on November 10, 1983, at 11:00 a.m. as follows:

SEALTOP ROOFING CO. 23284 Almira Southfield, Mi. 48034	\$4,135.00
KEY MAINTENANCE, Inc. (LATE BID) 1088 Floyd Birmingham, Mi. 48009	8,330.00

Although solicitations for bids were sent to all companies that previously submitted quotations for roof repair, other quotations received from companies that failed to bid are as follows:

Dun-Rite Roofing Farmington Hills, Mi.	\$5,529.75
Maple Construction Co. Farmington Hills, Mi. (Did not meet specifications)	2,122.00

The above quotations are listed for comparison purposes.

The construction work outlined in the bid request was for the repair of deteriorating roofs on the restrooms at Shiawassee Park and Drake Park, the Shiawassee Park storage building and the Nine Mile sewer pumping station.

11-83-344

Motion by Councilman Tupper, supported by Councilman Walker, to adopt the following resolution:

COUNCIL PROCEEDINGS -8-  
November 21, 1983

BE IT RESOLVED That the Farmington City Council hereby accepts the low bid of Sealtop Roofing, Inc., of Southfield, Michigan, in the amount of \$4,135.00 for the roof repair of the Shiawassee Park and Drake Park Restrooms, the Shiawassee Park Storage Building and the Nine Mile Sewer Pumping Station, and

BE IT FURTHER RESOLVED That funds for these repairs be provided from the 1983-84 Budget, Park Building Improvement Fund and the Sewage Treatment Maintenance Fund.

ROLL CALL:

AYES: Yoder, Bennett, Hartsock, Tupper, Walker.  
NAYS: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 21, 1983.

CONTRACTOR PAYMENT: 1983 ROAD  
IMPROVEMENT PROGRAM

Council was advised that the contractor, Albert A. Dettore and Associates, has requested payment in the amount of \$31,551.25 for work completed through November 15 on the 1983 Road Improvement Program.

Manager Deadman stated that approximately 90% of the road improvements on Sherwood and Shaw Streets is completed, and the work is in substantial compliance with contract and bid specifications. The City Manager pointed out that the 5% retained is less than the city's usual policy of retaining 10%, and is the result of recent State legislation which permits governmental units to retain only 5% on projects which are 50% completed. In this instance, if the city were to elect to retain more than 5%, it must have justifiable reasons, or pay the contractor the interest earned on the amount retained over 5%.

The Manager's office concurred with the City Engineers recommendations to pay the suggested amount to the contractor.

11-83-345

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes payment of \$31,551.25 to Albert A. Dettore and Associates, Livonia, Michigan, for work completed through November 15 on the 1983 Road Improvement Program, and

BE IT FURTHER RESOLVED That funds be provided from the Community Development Grant Program.

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Walker, Yoder.  
NAYS: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 21, 1983.

COUNCIL PROCEEDINGS -9-  
November 21, 1983

PROGRESS REPORT: OLD TOWN DRAIN

Manager Deadman reported that the contractor is preparing the base for the paving of Mayfield Street. He indicated that the Alta Loma project has been slowed due to rain. A new gravel base will be placed under the concrete.

Council was advised that this project is expected to be completed during this construction season.

MISCELLANEOUS

PUBLIC COMMENT

Darlene Thompson complimented the Water Department for the manner in which they handled repairs in the Brookdale area.

Mayor Yoder expressed concern relative to cars for sale parked in the A & P lot at the corner of Orchard Street over the past week-end.

ELECTION COMMISSION REPORT: CITY ELECTION

Council was advised that the Farmington Board of Canvassers has certified the results of the City Election held on November 8, 1983, as follows:

OFFICE OF COUNCILMAN

Ralph D. Yoder	-	4-year term
William S. Hartsock	-	4-year term
Roger J. Walker, Jr.	-	2-year term

CHARTER AMENDMENT (Chapter 5, Section 5.11B)

YES	778
NO	286

AMENDMENT PASSED.

11-83-346

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and file the Election Commission report regarding the November 8, 1983 City Election. Motion carried, all ayes.

APPOINTMENT OF COUNCIL MEMBERS TO  
BOARDS AND COMMISSIONS

Manager Deadman reminded Council that the positions held by retiring Councilman Mitchell are now open, and he provided Council with a list of current Council membership on the various boards, committees and commissions.

11-83-347

Motion by Councilman Hartsock, supported by Councilman Tupper, to appoint Councilman Bennett as Council's representative on the Planning Commission. Motion carried, all ayes.

COUNCIL PROCEEDINGS -10-  
November 21, 1983

11-83-348

Motion by Councilman Bennett, supported by Councilman Tupper, to appoint Mayor Pro Tem Hartsock as Alternate on the Board of Zoning Appeals. Motion carried, all ayes.

11-83-349

Motion by Councilman Bennett, supported by Councilman Tupper, to request the Mayor to review the rest of the Council appointments and return to the next meeting with recommendations for filling those positions. Motion carried, all ayes.

APPOINTMENTS TO BOARD OF CANVASSERS

Manager Deadman stated that the City Clerk advertised that applications were being accepted for two openings that would be available on the Farmington Board of Canvassers with the expiration of the terms of current members Thomas Carr (R) and Charles Wissinger (D) on December 31, 1983. He advised that both Mr. Carr and Mr. Wissinger have stated they will be available to serve another 4-year term on the Board, if Council so appoints. No additional candidates applied for these openings.

11-83-350

Motion by Councilman Bennett, supported by Councilman Hartsock, to appoint Thomas Carr (R) and Charles Wissinger, (D) to the Farmington Board of Canvassers for four-year terms to expire December 31, 1987. Motion carried, all ayes.

PUBLIC SAFETY DEPARTMENT THIRD QUARTERLY  
REPORT (SEPTEMBER, 1983)

11-83-351

Motion by Councilman Tupper, supported by Councilman Bennett, to receive and file the third quarterly report of the Public Safety Department, September, 1983. Motion carried, all ayes.

FINANCIAL REPORTS: FOUR MONTHS ENDED  
OCTOBER 31, 1983

11-83-352

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the Financial Reports for the General Fund and the 47th District Court for the four months ended October 31, 1983. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

AMENDMENT TO ZONING ORDINANCE

11-83-353

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following ordinance:

ORDINANCE NO. C-511-83

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON BY ADDING A NEW SUBSECTION, WHICH NEW SUBSECTION SHALL BE DESIGNATED AS SUBSECTION (4) OF SECTION 5.44 OF CHAPTER 39 OF TITLE V OF SAID CODE

5.44 Conditions of Approval

- (4) Approval of planned unit development or site plans shall be limited to a two-year period, unless construction has begun prior to the expiration of the two-year period.

This ordinance was introduced at a regular meeting of the Farmington City Council on November 7, 1983, was adopted and enacted at the next regular meeting on November 21, 1983, and will become effective ten (10) days after publication.

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.

WARRANT LIST

11-83-354

Motion by Councilman Bennett, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$24,955.09; Water & Sewer Fund \$1,051.89.

ROLL CALL

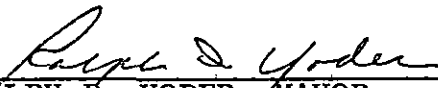
AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.

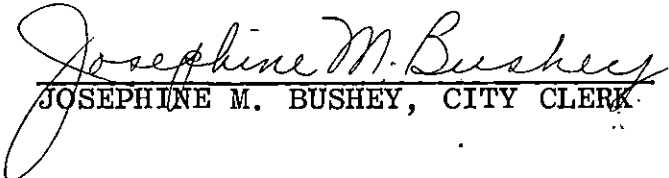
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:07 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK



COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, December 5, 1983, 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 by Mayor Yoder at 8:00 p.m.

ROLL CALL:

PRESENT: Mayor Yoder, Councilmen Bennett, Hartsock, Tupper, Walker.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

12-83-355

Motion by Councilman Tupper, supported by Councilman Walker, to approve the minutes of the previous meeting of November 21, 1983, as printed. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

12-83-356

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

- Planning Commission minutes of November 28, 1983;
- Historical Commission minutes of November 16, 1983;
- Farmington Area Arts Commission minutes of November 17, 1983;
- Board of Education minutes of November 8, 1983.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FROM DISTRICT COURT JUDGES  
RE: SALARY INCREASES

Judges Hand and Schaeffer advised Council that the State Legislature has authorized an increase in District Court Judges' salaries beginning January 1, 1984, indicating that the judges may receive from the local control unit an increase of \$1,925.00. The State will reimburse the local control unit \$750.00 of this local increase. The net increase in the judges salaries to the local control unit would be \$1,155.00 per year per judge. The judges requested that Council approve an increase in the amount authorized by the State Legislature.

To better understand the sources of revenue for the judges' salaries and the impact of the proposed salary increases, the City Manager provided the following information:

	<u>Current Salary</u>	<u>Proposed Salary</u>
State Direct Payment	\$34,155	\$36,630

COUNCIL PROCEEDINGS -2-  
December 5, 1983

	<u>Current</u>	<u>Proposed</u>
State Indirect Payment to City	<u>\$10,625</u>	<u>\$11,395</u>
City Contribution	<u>15,940</u>	<u>17,095</u>
Total Salaries	\$60,720	\$65,120

Manager Deadman advised that the salary increases are based on a formula established by the State Legislature which allows district court judges to be compensated at a rate equal to 88% of a Supreme Court Justice's salary. He indicated that the fiscal impact of the proposed increase for the current budget year would be \$577.50 per judge, or a total of \$1,155.00, as the increase would be effective for only six months of this fiscal year.

12-83-357

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED THAT the Farmington City Council hereby authorizes the increase of the District Court Judges' salaries from \$60,720.00 to \$65,120.00, effective January 1, 1984, according to state statute, and

BE IT FURTHER RESOLVED THAT the net increase in cost to the local control unit will be \$1,155.00 per judge per year.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 5, 1983.

REQUEST FOR PROCLAMATION

Manager Deadman reported that in an effort to enhance public awareness of winter storm dangers and safety precautions to reduce these dangers, the Oakland County Emergency Medical Services and Disaster Control has requested local communities to proclaim the week of December 4 - 10, 1983 as MICHIGAN WINTER STORM AWARENESS WEEK as part of their program to disseminate information to the public.

It was noted that the Farmington Department of Public Safety will be equipped with a Tone Alert Receiver system to receive early warning of pending weather conditions.

12-83-358

Motion by Councilman Bennett, supported by Councilman Hartsock, to proclaim the week of December 4 - 10, 1983, as MICHIGAN WINTER STORM AWARENESS WEEK in the City of Farmington. Motion carried, all ayes.

REQUEST FOR TEMPORARY SIGN VARIANCE  
RON ANDRONACO, 34000 W. NINE MILE RD.

Manager Deadman advised that because of the location of the industrial complex on which Mr. Andronaco has located Christmas Trees for sale, it is difficult to advertise. He requested permission, therefore, to temporarily erect two signs measuring 31" x 48" at the intersection of Nine Mile and Farmington Roads. Mr. Andronaco presented a photograph of the proposed sign for Council's review, stating that both signs are professionally painted and definitely not an eyesore.

The City Manager explained that Farmington cannot grant permission to erect these signs as the rights-of-way involved are not within the City's jurisdiction. He pointed out that the Nine Mile right-of-way belongs to the City of Farmington Hills and Farmington Road is under the jurisdiction of Oakland County.

Councilman Walker expressed concern that the signs might block motorists' view and present a safety hazard. It was the consensus of Council that if placed on private property, they would be behind the sidewalk and not constitute a safety problem.

12-83-359

Motion by Councilman Bennett, supported by Councilman Tupper, to grant Ron Andronaco permission to erect the two signs advertising Christmas Trees at the corner of Nine Mile Road and Farmington Road, provided he can obtain the permission of the private property owners at these locations. Motion carried, all ayes.

Mr. Andronaco assured Council that if posted, the signs would be removed by 8:00 p.m. on December 24th.

REPORTS FROM CITY MANAGER

RENEWAL: ANIMAL DISPOSAL CONTRACT  
OAKLAND COUNTY ANIMAL CONTROL DIVISION

Manager Deadman submitted to Council the Oakland County Animal Control Division's proposed contract, stating that the rates represented indicate an increase of approximately 12% for the disposal of small animals. These rates are \$5.62 for the destruction and disposal of each live animal and \$5.17 for the disposal of each dead animal. Since the animal clinic used by the City for the retention of strays or small animals who have bitten individuals will not provide disposal services, the City contracts with the County Animal Control Division for these services. The City Manager advised that the increase in the cost of county disposal services will have no significant impact on the city budget, as the current volume of animals to be disposed of is less than one per month.

Council was advised that although the new contract states that the city shall be responsible for transporting the animals at its own expense, the county is currently providing this service. It is expected that this will continue, as the county vehicles are in the area daily to provide services to the City of Farmington Hills.

12-83-360

Motion by Councilman Hartsock, supported by Councilman Tupper, to authorize the Mayor and the City Clerk to enter into an Animal Care Center Disposal Agreement with Oakland County for the disposal of small animals at the charges indicated in the Agreement. Motion carried, all ayes.

CONTRACTOR PAYMENT: OLD TOWN DRAIN.

Manager Deadman advised Council that the City Engineers had approved Contract Estimate No. 4 for the Old Town Drain Project, representing a partial payment to the contractor for work completed through November 26, 1983, as follows:

Water Main	\$ 19,403.80
Old Town Storm Drain	622,688.90
	<u>\$642,092.70</u>
Less Previous Payments	(469,465.55)
Less 8% Retainage	<u>( 51,367.42)</u>
Authorized Payment	\$121,259.73

Council was informed that work has been completed on the installation of all storm drains, catch basins and manholes; also on the restoration of Slocum and Mayfield Streets, except for final cleanup. Concrete roadway has been installed on Alta Loma; driveway approaches are to be installed this week. The base coat of asphalt has been installed on Oakland, Cass and Macomb Streets. Since it is doubtful that the asphalt will survive the winter without some deterioration, the contractor will probably be instructed to wait until spring to install the wearing course on these streets.

The City Manager stated that a construction review found the work completed to date in substantial compliance with specifications, and recommended the requested payment to the contractor.

12-83-361

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes the 4th estimated payment to M. D. Taddie and Company, Inc., of Ypsilanti, Michigan, in the amount of \$121,259.73 for work completed through November 26, 1983, on the Old Town Drain Project, and

BE IT FURTHER RESOLVED That this payment be made from the proceeds of the Old Town Drain Bonds, General Obligation Bonds and the Alta Loma Special Assessment District funds.

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 5, 1983.

STATUS REPORT: DETROIT WATER RATE LAWSUIT

Manager Deadman advised that the 77 suburban communities that purchase water from the City of Detroit have challenged Detroit's rate-making process for rates charged between 1976 and 1981. The court challenge was based on the premise that the City of Detroit was only entitled to a rate of return on their investment in the water system in relation to their contribution in constructing that system.

Council was advised that the Michigan Court of Appeals unanimously upheld the suburban communities by reversing an earlier Circuit Court ruling. The court found that the effective rate of return to Detroit was excessive considering that Detroit only owns free and clear 35% of the water plant used by suburban customers; the remaining 65% of the plant is financed by existing mortgages bearing an average interest of only 4.5%. Detroit has been charging a 9% rate of return on the entire plant. The court ruled that if 9% is deemed to be a fair annual return, then the approximate 17.6% actually charged yearly on Detroit's equity in the suburban used plant includes an overcharge of 8.6% per year.

The court further found that Detroit collected an excess of 8.6% on their equity, which amounted to approximately \$7,430,000.00 each year, or a total of \$37,150,000.00 over the past five years. The court further remanded the case back to the Circuit Court to determine the amount of credit that should be granted to the suburban communities against future water bills.

Detroit appealed this decision to the Michigan Supreme Court, and the suburban communities filed briefs requesting that the Michigan Supreme Court not hear the case, thereby leaving the current Appeals Court decision stand.

Manager Deadman further advised that to continue defending their position, an additional assessment will be required of the suburban communities. He indicated that Farmington will shortly be receiving a request from the City of Livonia, coordinating unit for this lawsuit, for an assessment of 4¢ per capita, or a total of \$551.00.

Mr. Deadman suggested it is in the city's best interest to continue financing its fair share of the cost of this lawsuit, as the issue involved is not only important in determining whether the previous rate-making process was adequate, but the court decision will affect all future rates charged by Detroit.

12-83-362

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes the City Treasurer to contribute \$551.00 to the Suburban Users Water Rate Lawsuit Defense Fund, and

COUNCIL PROCEEDINGS -6-  
December 5, 1983

BE IT FURTHER RESOLVED That funds be provided from the Water and Sewer Fund.

ROLL CALL

AYES: Walker, Yoder, Bennett, Hartsock, Tupper,  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 5, 1983.

ESTABLISHMENT OF PUBLIC HEARING TO REVIEW  
CURRENT AND PROPOSED COMMUNITY DEVELOPMENT  
PROGRAM PLAN

Manager Deadman advised that the city has been informed by the Oakland County Department of Community Development that its 1984-85 application must be submitted by January 23, 1984. This year's regulations require that the city hold one Public Hearing for the purpose of reviewing the accomplishments of the previous year's program and to receive public input on next year's program.

Council was informed that the five-year Community Development Program developed by the Planning Commission recommends that Council consider sidewalk improvements on Drake Road, the continued installation of barrier-free sidewalk ramps, beautification and redevelopment of the Central Business District, and a parking study for the Central Business District. The estimated cost of these combined programs is \$48,800.00.

The City Manager estimated that the city will receive approximately \$49,000.00 from the Federal Community Development Grants Program in the coming year, which amount is subject to modification after review by county and federal agencies. He recommended January 3, 1984, as the Public Hearing date.

12-83-363

Motion by Councilman Walker, supported by Councilman Tupper, that City Council establish a Public Hearing on Tuesday, January 3, 1984, at 8:00 p.m. to review current and proposed Community Development Program plans. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Councilman Bennett asked about the status of the emergency medical services situation. Manager Deadman advised that the city still has a committee to review the quality and cost of services provided by the ambulance company, although a formal contract has not been entered into by the community. He stated that after the first of the year, the communities involved in the plan will meet to decide whether or not the committee should continue its study.

APPOINTMENT OF COUNCIL MEMBERS TO  
BOARDS AND COMMISSIONS

As requested by Council at the last regular meeting, the Mayor submitted a list of recommended appointments of Council members

COUNCIL PROCEEDINGS -7-  
December 5, 1983

to various Boards and Commissions.

12-83-364

Motion by Councilman Bennett, supported by Councilman Hartsock, to appoint Council members to Boards, Commissions and Committees in accordance with the Mayor's recommendations as follows:

<u>BOARD, COMMISSION, COMMITTEE</u>	<u>APPOINTMENT</u>
Committee to Review Deferred Special Assessments	Bennett Hartsock Tupper
Election Commission	Yoder
Economic Development Corporation	Yoder
Farmington Employees' Retirement System Board of Trustees	Yoder
Oakland County Regional Systems Planning Committee	Walker
Southwestern Oakland County Cable Commission	Hartsock
<u>Southeastern Michigan Council of Governments</u>	Walker
Community Development Loans & Grants Committee	Tupper
Community Emergency Medical Committee	Walker

MOTION CARRIED, ALL AYES.

APPOINTMENTS: BOARD OF REVIEW

Manager Deadman stated that with the election of Roger Walker to City Council, an appointment to replace him on the Board of Review is necessary, as the City Charter prohibits an elected official from serving on this Board.

He further advised that the term of William Bliss on this Board will also expire on December 31, 1983. He indicated that Mary Joan Sundt, 34135 Schulte, has been suggested as a possible appointee, as she has been a community resident for eleven years and currently works at Real Estate One in Farmington, which should give her the background and expertise to evaluate property.

12-83-365

Motion by Councilman Tupper, supported by Councilman Walker, to reappoint William O. Bliss, 32117 Loomis, to another three-year term on the Board of Review; term to expire December 31, 1986, and to appoint Mary Joan Sundt, 34135 Schulte to fill the unexpired term of Roger Walker, Jr., term to expire December 31, 1984. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

BANK MASTER DEPOSITORY AND  
FACSIMILE SIGNATURES

12-83-366

Motion by Councilman Hartsock, supported by Councilman Bennett, to adopt the following resolution:

BE IT RESOLVED That the name of Ralph D. Yoder be added to the National Bank of Detroit Master Depository Account, the Time and Savings Deposit Account, and the Negotiable Certificates of Deposit and Facsimile Signatures bank resolutions; and the name of Alton L. Bennett removed.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Tupper, Walker.  
NAYS: None.

RESOLUTION DECLARED ADOPTED DECEMBER 5, 1983.

12-83-367

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED That the name of Ralph D. Yoder be added to the Metropolitan National Bank of Farmington Bank Accounts, Master Depository and Facsimile Signature Resolutions; and the name of Alton L. Bennett be removed.

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Walker, Yoder.  
NAYS: None.

RESOLUTION DECLARED ADOPTED DECEMBER 5, 1983.

WARRANT LIST

12-83-368

Motion by Councilman Hartsock, supported by Councilman Bennett, to approve the monthly bills as submitted: General Fund \$19,364.29; Water & Sewer Fund \$4,974.73.

ROLL CALL

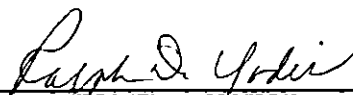
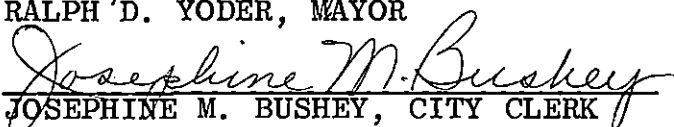
AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.

Motion carried, all ayes.

ADJOURNMENT:

Motion by Councilman Tupper, supported by Councilman Bennett, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:37 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR  
  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK



COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, December 19, 1983, 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 by Mayor Yoder at 8:00 p.m.

ROLL CALL

PRESENT: Mayor Yoder, Councilmen Bennett, Hartsock, Tupper, Walker.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Engineer Mariner, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

12-83-369

Motion by Councilman Tupper, supported by Councilman Walker, to approve the minutes of the previous meeting of December 5, 1983, as printed. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

12-83-370

Motion by Councilman Bennett, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of December 12, 1983;  
Beautification Committee minutes of November 17, 1983;  
Farmington Area Commission on Aging minutes of November 22, 1983;  
Farmington Community Library minutes of November 10, 1983.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM JOHN CAMPBELL, 23701 CASS ST.  
RE: CONDITIONS RESULTING FROM OLD TOWN DRAIN  
CONSTRUCTION PROJECT

Mr. Campbell, who was present in the audience, voiced his distress relative to parking conditions resulting from the Old Town Drain construction project. He stated that he has had to park a considerable distance from his home, and that due to muddy soft shoulders on Cass Street he has had to have his car towed out of the mud. He also complained that his driveway base has been destroyed and that the contractor drove a vehicle over his lawn ruining the sod.

The City Manager questioned certain aspects of Mr. Campbell's grievance and took exception to his claim that the contractor's vehicle had ruined his lawn. Although Manager Deadman also expressed concern about the soft shoulder conditions, he pointed out that the contractor and the city crews have attempted to reduce Mr. Campbell's inconvenience to the extent possible.

Engineer Mariner was available to answer Mr. Campbell's questions.

COUNCIL PROCEEDINGS -2-  
December 19, 1983

Mr. Campbell did not see the necessity for the delay in this project, as he feels it could have been totally completed by now.

It was noted that the project was somewhat delayed while Alta Loma Street residents decided whether they wanted a new concrete street installed. This delay affected the project adversely, as several rainy periods during November and early December prevented completion of the project.

Michael Jones, 23700 Cass Street, stated that he never received any gravel for his driveway as promised by the City, although the catch basin was encircled with gravel and his driveway was steeped in 6 inches of mud. The City Manager advised Mr. Jones that the City will deliver some slag material to his driveway.

Mr. Campbell was assured that if he continues to have difficulty, a call to the Department of Public Works will be all that is necessary to have slag material delivered for any soft areas to enable him to get into his garage and/or his driveway.

LETTER FROM AMERICAN LEGION POST #346  
RE: BOYS' STATE PROGRAM

Charles Currie, Chairman of the Boys' State Committee, advised Council that the fee for sponsoring a boy for this program in 1984 will be \$150 if received by March 1 and \$175 if received thereafter. He also asked that Council delegate one of its members as a contact person for the Boys' State candidate to submit his report to when he returns from the Michigan State University campus in June.

12-83-371

Motion by Councilman Bennett, supported by Councilman Walker, to appoint Councilman Tupper as the 1984 Boys' State candidate's contact person. Motion carried, all ayes.

WEST BLOOMFIELD TOWNSHIP'S RESOLUTION  
RE: PROPOSED REAPPORTIONMENT

The West Bloomfield Township Board of Trustees stated that the 1980 reapportionment plan was adopted at a cost of \$900,000 plus costs to local communities, was approved and tested in the courts, and found to be valid. They object to any reapportionment plan by the Michigan Legislature until after the 1990 Census due to the expense that would be incurred by the State and local governmental agencies.

According to Representative Brotherton, the proposed redistricting would probably have little effect on the City of Farmington, as it is likely to remain in one district.

12-83-372

Motion by Councilman Hartsock, supported by Councilman Bennett, to receive the West Bloomfield Township resolution relative to the proposed reapportionment plan for the Michigan Legislature. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROGRESS REPORT: OLD TOWN DRAIN

City Engineer Mariner was available to bring Council up-to-date on the Project. He advised that to date over 90% of the funds for the project have been spent. All of the sewer pipe is installed. All concrete pavements have been restored. The asphalt pavements on Mayfield and Oakland have been restored with temporary restoration on Cass and Macomb Streets.

Council was advised that winter conditions have caused certain work to be left undone until spring. Due to wet conditions throughout the project area, it was decided that only a base coat of asphalt would be installed on Cass and Macomb Streets. The sub-base will be repaired and a wearing coat of asphalt installed in the spring. Driveway approaches on Alta Loma Street have been left unpaved for the same reason. Slag material has been installed in each driveway approach so that homeowners will have access to driveways and garages. Manager Deadman advised that the Department of Public Services will maintain these approaches throughout the winter.

Council was informed that because of liability and the difficulty of maintaining unpaved sidewalk areas in the Central Business District, the city has elected to replace all of the sidewalks, including ramps, throughout the project area.

Manager Deadman advised that an attempt will be made through the use of gravel materials to stabilize soft shoulder areas along Macomb, Cass and Oakland Streets. He indicated that although the contractor has attempted to finish this project by working holidays, weekends and late into the evenings, weather conditions have not made this possible.

Engineer Mariner stated that the contractor will probably be submitting a payment request shortly for work completed through December, and they will hold back double the amount needed to complete the job as an incentive to get the contractor back on the job as soon as possible when the weather improves.

Council was advised that the services required during the winter to provide access for residents will be charged back to the contractor.

MAINTENANCE: MAJOR ROAD STREET LIGHTING

Manager Deadman reported that since the installation of the high sodium street lighting system along the city's major streets, an undue number of street light failures have occurred. Over the past seven months, the street lights out have been continually reported to Detroit Edison, and they worked to repair the system with no success. Finally, their engineering department found that the new high pressure sodium system places a higher energy demand on the existing power source as the sodium fixtures wear. To correct this, Edison engineers determined that it would be necessary to reduce the number of lights on each electrical circuit,

and to change light bulbs more frequently. Because of Edison's reconstruction of the circuitry on the Farmington Road/Grand River street lighting system in the Central Business District, the city is hopeful that a permanent solution to the light failure problem has been found.

Manager Deadman advised that when the circuitry work was completed his office requested a credit from Detroit Edison for the lights that were not working over the past seven months. Detroit Edison agreed that the city was entitled to a credit, and offered a credit of \$2,203 which would return to the city in the form of a credit all monies paid for the street light fixtures which were out during the past seven months. The credit would actually compensate the city for approximately 13 high pressure sodium lights on the main streets that have been out for these past seven months.

12-83-373

Motion by Councilman Walker, supported by Councilman Tupper, to accept the \$2,203 credit offered the City by Detroit Edison to compensate for street light failures along the major roads in Farmington. Motion carried, all ayes.

AUTHORIZATION TO PARTICIPATE IN THE GOVERNMENTAL COALITION ON PUBLIC UTILITIES

As a result of Detroit Edison's requested increase before the Public Service Commission in August, Council authorized the City Manager to participate in meetings with other communities to discuss whether governmental units should intervene in this rate-making case. On November 16, at a meeting in Oak Park, representatives from communities in the tri-county area agreed to form a Steering Committee with representatives from cities in each county. It was decided at that time that it would be advantageous for the government units to be represented in the rate case, because without representation there can be no assurance that these units will be treated as fairly as other customers who purchase power from the system.

Manager Deadman advised that the Steering Committee estimates that it will cost approximately \$200,000 to present an adequate case before the Public Service Commission. To provide funds, a cost-sharing formula has been developed, and the Committee asks for an initial contribution from each governmental unit based on either 2 1/2% of the proposed rate increase or 1% of the current annual electric charges, or \$1,000 for those communities where the application of the formula would produce less than \$1,000.

As the City of Farmington currently expends approximately \$130,000 for utilities, including street lighting, it is estimated that the proposed Detroit Edison rate increase would increase Farmington's cost by approximately \$49,400 over the next 2 1/2 years. By applying the proposed formula, the city's requested contribution would be \$1,300.

COUNCIL PROCEEDINGS -5-  
December 19, 1983

Council was informed that the Michigan Municipal League has agreed to participate as an Escrow Agent for the funds, to collect and distribute the funds as needed to pay expenditures. Funds remaining at the end of the case will be returned to participants in proportion to their contribution.

The City Manager pointed out that if any decrease can be acquired in proposed increases in street lighting costs, which comprise over 70% of the city's utility costs, it will have a major impact on Farmington's utility costs.

12-83-374

Motion by Councilman Hartsock, supported by Councilman Bennett, to adopt the following resolution:

WHEREAS, the City of Farmington desires to cooperate with other governmental units which purchase electrical energy from The Detroit Edison Company in connection with the petitions of said Company for rate increases for electrical energy usage including street lighting service, and other relief, which petitions are now pending before the Michigan Public Service Commission (Case No.'s U-7660 and U-7669), and

WHEREAS, a group of governmental units having similar concerns has joined together as the Governmental Coalition on Public Utilities and has selected a Steering Committee of governmental representatives from participating communities and such Steering Committee has requested the Michigan Municipal League to serve as Escrow Agent for funds contributed by such governmental units for such purpose, and

WHEREAS, the Coalition has requested a contribution toward such joint effort from this governmental unit in the proportion its current cost for electrical energy bears to the total current cost for electrical energy of all members of the coalition, however, not to exceed an amount which is two and one-half (2 1/2%) percent of the annual increase in all electrical energy charges sought by the Detroit Edison Company in Case No.'s U-7660 and U-7669 for said unit, or one (1%) percent of our current annual charges for all electrical energy, or One Thousand (\$1,000.00) Dollars, whichever is greater. The Escrow Agent will notify each participant, from time to time, after notice from the Steering Committee, as additional funds are required, but in no event shall a participant's contribution exceed the foregoing limitation, without its consent, and

WHEREAS, an agreement for the governmental units and the Escrow Agent has been presented for the consideration of the governing bodies of the governmental units, in the form attached hereto, and

December 19, 1983

WHEREAS, the Steering Committee has requested initial payment of Fifty (50%) percent of the maximum potential contribution or One Thousand (\$1,000.00) Dollars, whichever is greater, on execution of the Agreement in order to undertake the Coalition's functions;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That the Farmington City Council hereby agrees to participate in the Governmental Coalition on Public Utilities and designates Robert F. Deadman, City Manager, as its representative to the Coalition to engage special legal counsel, accountants, expert witnesses, and other assistance as may be necessary or desirable to properly represent the common interest in opposing the rate increases proposed in Case No.'s U-7660 and U-7669.

2. The maximum contribution of this governmental unit is estimated to be \$1,300.00 based on 1% of current annual charges.

3. That authorization is hereby given to disburse the sum of \$1,000.00 to the Escrow Agent, as the initial contribution, upon the terms and conditions set forth in the proposed Agreement.

4. The above designated representative is hereby authorized to execute the proposed Agreement and to supply all information required by, and to act as liaison with, the Coalition in accordance with the foregoing resolution.

#### ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 19, 1983.

#### MISCELLANEOUS

In answer to the City Manager, Nancy Leonard stated that the Farmington Museum has been decorated for Christmas since December 7th.

Councilman Bennett called attention to today's newspaper article relative to the solicitation of funds by those purporting to represent the Farmington Public Safety Officers. The article pointed out that the Public Safety Department does not condone these solicitations.

FINANCIAL REPORT: SOUTHWESTERN OAKLAND  
CABLE COMMISSION PERIOD ENDED JUNE 30, 1983

12-83-375

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the Southwestern Oakland Cable Commission's financial report for the period ended June 30, 1983. Motion carried, all ayes.

COUNCIL PROCEEDINGS -7-  
December 19, 1983

WARRANT LIST

12-83-376

Motion by Councilman Bennett, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$37,678.82; Water & Sewer Fund \$7,305.65.

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

Motion carried.

ADJOURNMENT

Motion by Councilman Bennett, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:50 p.m.

*Ralph D. Yoder*

RALPH D. YODER, MAYOR

*Josephine M. Bushey*

JOSEPHINE M. BUSHEY, CITY CLERK