

FARMINGTON CITY COUNCIL
REGULAR MEETING

A regular meeting of the Farmington City Council was held on Monday, May 2, 2005 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 Campbell.

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

ABSENT: None.

CITY ADMINISTRATION: Clerk/Treasurer Cantrell, Director Gushman, Director Nebus, City Manager Pastue, Attorney Schultz.

APPROVAL OF AGENDA

05-05-098 MOTION by McShane, seconded by Knol, to approve the agenda as amended, removing item 7H "Sale of Land Agreement with Farmington Development Group". MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

05-05-099 MOTION by McShane, seconded by Mitchell, to approve the special and regular meeting minutes of April 18, 2005. MOTION CARRIED UNANIMOUSLY.

PRESENTATION/PUBLIC HEARING

RECOGNITION OF SUPERINTENDENT OF SCHOOLS FOR THE FARMINGTON PUBLIC SCHOOLS DR. C. ROBERT MAXFIELD

Council recognized Dr. Robert Maxfield for his many achievements while serving as Superintendent of the Farmington Public School District.

Dr. Maxfield thanked Council and the City for the recognition.

PETTITIONS AND COMMUNICATIONS

FARMINGTON AREA FOUNDERS FESTIVAL (FAFF), SPECIAL EVENT PERMIT

Administration recommended that Council grant a Special Event Permit for the Farmington Area Founders Festival for the dates of July 14 –16, 2005.

Councilmember Mitchell abstained from discussion and voting due to his position as President of the festival.

COUNCIL PROCEEDINGS -2-
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RESOLUTION 05-05-100 Motion by Knol, seconded by Bush, to grant a Special Event Permit for the Farmington Area Founders Festival for the dates of July 14-16, 2005; and

- authorize the closing of Shiawassee between Power Road and Farmington Road (east) between 10:00 a.m. and 5:00 p.m., July 14, for Kid's Day in the Park;
- authorize the Department of Public Safety to apply for a permit necessary to close Grand River Avenue from 8:00 a.m. until 1:00 p.m. on Saturday, July 16, for the purpose of conducting parade activities and the Fun Run;
- authorize to host a Battle of the Bands events at Shiawassee Park on Thursday evening from 6:00 p.m. to 11:00 p.m. in the band shell;
- and hold the State of Michigan Department of Transportation harmless for liability, which may result in the closing of Grand River and authorize City departments to provide the service required for the Farmington Area Founders Festival.

MOTION CARRIED; 4 AYES; 1 ABSTAINED (MITCHELL).

RESIGNATION FROM FARMINGTON AREA ARTS COMMISSION

05-05-101 MOTION by McShane, seconded by Mitchell, to accept the resignation of Lowell Boileau from the Farmington Area Arts Commission effective June 30, 2005 and direct Administration to send a letter of appreciation for his service to the City. MOTION CARRIED UNANIMOUSLY.

REQUEST FOR PROCLAMATION – FARMINGTON HILLS/FARMINGTON COMMUNITY FOUNDATION – “COMMUNITY-WIDE CASUAL DAY, MAY 20, 2005”

Barbara Yuhás, Executive Director of the Farmington Hills/Farmington Community Foundation, was present to discuss the upcoming community-wide casual day event.

Council proclaimed Friday, May 20, 2005 as Casual Day in the City of Farmington and encouraged all businesses, schools, and organizations and their employees to participate by purchasing a duck for the Community Foundation's Duck Race to benefit the outstanding youth and family programs in our community.

REPORTS FROM CITY MANAGER

APPROVAL OF PUBLIC HEARING NOTICE FOR PROPOSED FY 2005/2006 BUDGET AND PROPERTY TAX RATE

City Manager Pastue advised that City Charter and state statutes require a public hearing to be held on the budget prior to its adoption. Pastue noted that if the voters approved the Library millage, Council would have the opportunity to adopt a resolution reducing the proposed millage by 7/10 of a mill.

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Responding to a question, Attorney Schultz advised that upon review of ordinance and state statutes the City would determine how to effectively communicate the rollback of 7/10 of a mill, including the option of adding it to the public hearing notice.

RESOLUTION 05-05-102 Motion by Bush, seconded by Knol, to schedule a public hearing to review the FY 2005-06 proposed budget and proposed 2005 tax millage Rate, on Monday, June 6, 2005 at 8:00 p.m. and authorize the City Clerk to publish a notice of the public hearing. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADOPT SPECIAL ASSESSMENT RESOLUTION #4 TO SCHEDULE A PUBLIC HEARING REGARDING THE ASSESSOR'S SPECIAL ASSESSMENT ROLL FOR DOWNTOWN CENTER IMPROVEMENT DISTRICT

Administration advised that the City Assessor has prepared an assessment roll for the Downtown Center Improvement Project and requested that Council schedule a public hearing for property owners associated with the Special Assessment District. Administration noted that the businesses along Farmington Road would not receive a direct benefit from the project, consequently they are not included in the Special Assessment District.

Responding to a question, Pastue stated that the businesses along Farmington Road facing the Downtown Center Parking Lot are not in the Special Assessment District because they would not receive a direct benefit from the improvements.

RESOLUTION 05-05-103 Motion by Mitchell, seconded by Knol, to adopt Resolution #4 for the Downtown Center Improvement Special Assessment District scheduling a public hearing for Monday, May 16, 2005 at 8:00 p.m. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY

CONSIDERATION TO ADOPT RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS FOR THE DOWNTOWN CENTER IMPROVEMENTS PROJECT

Administration advised that the proposed resolution authorizing the issuance of bonds for the Downtown Center Improvements Project establishes the parameters to issue the bonds.

Clerk/Treasurer Cantrell noted a change included in the revised resolution provided to Council that would allow the City to utilize a common debt service fund currently in existence rather than setting up a separate depository fund.

RESOLUTION 05-05-104 Motion by Bush, seconded by McShane, to adopt a resolution authorizing the issuance of bonds for the Downtown Center Improvements Project for a not-to-exceed amount of \$1,900,000. [SEE ATTACHED RESOLUTION].

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ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADOPT ORDINANCE C-704-2005 DEALING WITH DOMESTIC ASSAULT AND DOMESTIC ASSAULT AND BATTERY

05-05-105 MOTION by McShane, seconded by Knol, to adopt Ordinance C-704-2005 to amend Chapter 20, "Offenses," Article III, "Offenses Against The Person," Section 20-48, "Domestic Assault and Domestic Assault and Battery," of the Farmington City Code, in order to provide an additional category of Domestic Assault and Domestic Assault and Battery Victims. [SEE ATTACHED ORDINANCE].

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADOPT ORDINANCE #C-705-2005 AMENDING CHAPTER 20 OF THE CITY CODE DEALING WITH OFFENSES

05-05-106 MOTION by Knol, seconded by Mitchell, to adopt Ordinance C-705-2005 to amend Chapter 20, "Offenses," Article VI, "Offenses Against Public Morals," of the Farmington City Code to create a new division to provide for the regulation of the act of gambling; and to amend Chapter 20, "Offenses," Article VIII, "Offenses Pertaining to Minors," of the Farmington City Code to create a new section to be known as the "House Party Ordinance," to regulate the use of alcoholic liquors and controlled substances at open house parties and to define the penalties associated therewith. [SEE ATTACHED ORDINANCE].

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADOPT ORDINANCE #C-706-2005, REGULATION OF AIR RIFLES BY MINORS

McShane stated that the City is fortunate in adopting this ordinance because it creates parental and community awareness of the hazards of air rifles and provides the opportunity to downplay violence and to promote understanding of the dangers of guns.

05-05-107 MOTION by Bush, seconded by Knol, to adopt Ordinance C-706-2005 to amend Chapter 20, "Offenses," Article VII, "Offenses Against Public Safety," Division 2, "Weapons," Section 20-229, "Discharging air Rifles, Etc., By Minors." [SEE ATTACHED ORDINANCE].

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ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADOPT ORDINANCE #C-707-2005, CHAPTER 2 OF CITY CODE DEALING WITH CHANGES TO THE EMPLOYEE RETIREMENT SYSTEM

05-05-108 MOTION by Mitchell, seconded by Knol, to adopt Ordinance C-707-2005 to amend Chapter 2, "Administration," V, "Employee Benefits," Division 2, "Retirement System," of the Farmington City Code of Ordinances in order to clarify benefits available to benefit groups and to implement changes allowed by recent Charter Amendments. [\[SEE ATTACHED ORDINANCE\]](#).

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

BUDGET AMENDMENT NO. 1, FISCAL YEAR 2004-2005 AND RESOLUTION REGARDING CAPITAL IMPROVEMENT FUND LOAN

Administration advised that the budget amendment is an estimation of the final budget amount. Administration further advised that some of the changes included carrying over last year's sidewalk program and cost for the cultural arts program. Administration recommended that Council also adopt a resolution to forgive the Civic Theatre Capital Improvement Fund loan given that Theatre revenues are sufficient to cover operating costs, but not the debt service.

RESOLUTION 05-05-109 Motion by McShane, seconded by Bush, to adopt a resolution approving Budget Amendment No. 1 for the fiscal year 2004-2005 budget. [\[SEE ATTACHED RESOLUTION\]](#).

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

RESOLUTION 05-05-110 Motion by Knol, seconded by Mitchell, to adopt a resolution forgiving a loan from the Capital Improvement Fund to the Community Theatre Fund. [\[SEE ATTACHED RESOLUTION\]](#).

ROLL CALL

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

Nays: None.

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Absent: None.
MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

RESOLUTION NOMINATING EIGHT MILE ROAD AS A MICHIGAN HERITAGE ROUTE

RESOLUTION 05-05-111 Motion by Bush, seconded by Mitchell, to adopt a resolution nominating Eight Mile Road as a Michigan Heritage Route. [SEE ATTACHED RESOLUTION].
MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY ANNUAL REPORT

Mayor Campbell recognized the excellent, comprehensive report submitted by Director Nebus.

Director Nebus provided a brief review of the department's accomplishments, including the implementation of several new programs and a brief discussion of crime statistics that were down overall in 2004, areas of improvement and goals for 2005.

McShane congratulated Director Nebus on the content, style and format of the report.

Knol thanked Director Nebus for his many contributions to the department.

Mitchell expressed appreciation for the ceremony and related events held for the promotion of officers at the previous meeting.

Bush stated that she is pleased that Director Nebus has joined City Staff and congratulated him on his excellent report.

05-05-112 MOTION by Mitchell, seconded by Bush, to receive and file the 2004 Annual Public Safety Report. MOTION CARRIED UNANIMOUSLY.

FARMINGTON EMPLOYEES' RETIREMENT SYSTEM ANNUAL EMPLOYER CONTRIBUTION CERTIFICATION

Administration advised that the Retirement System Board of Trustees received an actuarial report for fiscal year ending June 30, 2004; and certified the contribution to the Retirement System for the 2005-06 fiscal year to be \$341,110.

RESOLUTION 05-05-113 Motion by Knol, seconded by McShane, to receive and file the Farmington Employee's Retirement System Board of Trustee's certification of the required annual contribution to the Farmington Employees' Retirement System for 2005-2006 fiscal year. MOTION CARRIED UNANIMOUSLY

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FARMINGTON EMPLOYEE'S RETIREMENT SYSTEM SUMMARY ANNUAL REPORT

05-05-114 MOTION by Mitchell, seconded by Knol, to receive and file the 2003-2004 Farmington Employees' Retirement System Summary Annual Report and direct that the report be made available to the public at the Clerk's Office. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PAYMENTS REPORT

05-05-115 MOTION by McShane, seconded by Bush, to approve the monthly payments report for April 2005. MOTION CARRIED UNANIMOUSLY.

FINANCIAL REPORT: QUARTER ENDED MARCH 31, 2005

05-05-116 MOTION by Mitchell, seconded by McShane, to receive and file the Financial Report for quarter ending March 31, 2005. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT

Dick Tupper, Farmington resident, stated that the residents of the Alta Loma Subdivision are unhappy with the signal at the intersection of Alta Loma and Farmington Road, noting that it favors Farmington Road much too long. He requested that the Traffic and Safety Board review this issue. He further noted that residents on Gill Road are allowing dogs to run unleashed through the cemetery. He requested enforcement of the ordinance that addresses this issue.

Pastue suggested the possibility of split signaling at Farmington Road and Alta Loma. He stated that he would get back to Mr. Tupper regarding the unleashed dog issue.

COUNCIL COMMENT

Bush noted that her calls to Public Safety regarding skateboarders are always well received. She reminded everyone to vote in the May 3rd election. She thanked Code Enforcement Officer, John Koncsol, for the removal of an unsightly billboard behind Taste Bread.

Knol spoke about her participation in a meeting of Historic agencies held at the Troy Historic Museum that was sponsored by the Oakland County Historic Commission. She stated that the purpose of the meeting was to find ways to share resources, ideas, programs, and to increase opportunities and access to grants. She noted that the museum in Troy is very active and is managed by the library. She further noted the number of annual visitors to the museum and the number of programs provided for schools.

Knol commented on the number of ideas generated at the meeting including: a Detroit railroad tour, progressive farm tools, and unique storytelling ideas. She spoke about involving students in community service by assisting at the museum.

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Knol suggested inviting Farmington area community groups to a brainstorming session regarding the direction of the Warner Museum. She stated her belief that the Museum should be used for activities that are in addition to the traditional tours. She stated her desire to expand the use of the Museum as an historic tool that reaches out to more community members.

Nancy Leonard, Farmington resident, spoke about a number of activities that have been tried at the Museum.

ADJOURNMENT

05-05-117 MOTION by McShane, seconded by Mitchell, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:06 p.m.

Arnold T. Campbell, Mayor

Patsy K. Cantrell, City Clerk/Treasurer

Susan K. Halberstadt, Deputy Clerk

APPROVED: MAY 16, 2005