

**SPECIAL COUNCIL MEETING WITH THE
HISTORICAL MUSEUM DEVELOPMENT COMMITTEE**

A special meeting of the Farmington City Council with the Historical Museum Development Committee was held on Monday, January 4, 1999, 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 6:35 p.m.

COUNCIL MEMBERS PRESENT: Mary L. Bush, Arnold T. Campbell (arrived at ⁶7:49 p.m.), William S. Hartsock, JoAnne M. McShane, James K. Mitchell.

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff.

HISTORICAL MUSEUM DEVELOPMENT COMMITTEE MEMBERS PRESENT: Anhut, Carvell, Harrison, Kohls, McGlincy, McLaughlin.

Mayor Bush opened the meeting, apologized for the delay in meeting with the Committee noting that Council had reviewed the Committee report at several study sessions, and indicated that Council had weighed the pros and cons of a survey and that it makes sense to determine community interest in the Museum. Mayor Bush asked Councilmembers McShane and Mitchell to comment on the report.

Councilman Mitchell stated that he feels a survey could be used to recruit volunteers and to develop a list of friends. He questioned how a survey should be structured.

Councilwoman McShane asked what the Committee wanted to get out of a survey; stated that it is possible to use random sampling to obtain statistically reliable results; and suggested using a phone survey. She felt there was a benefit in raising the level of consciousness of the Museum.

Council discussed the level of community support for the Museum asking what would be the appropriate response if the community does not show support for the Museum. Discussion continued regarding allocation of City resources including an appropriate level of funding for the Museum and the structure and proper use of a survey.

Councilman Campbell arrived at ⁶7:49 p.m.

Mayor Bush called for discussion on Agenda Item D regarding establishing a budget for the Museum Development Committee to get the process moving. Mayor Bush and Councilmember McShane stated that they had compiled a list of thirty potential volunteers to work with the Museum Development Committee. Discussion followed regarding the role of volunteers in development of the Museum.

Councilman Hartsock reiterated his concern that any survey be statistically valid and that there is a need to determine a direction before going forward with a survey.

Discussion continued regarding conducting a survey, the role of volunteers and the need to organize and establish a direction before proceeding. Councilman Hartsock stated that it keeps going back to the basic premises of "What do we want this facility to be?" Councilman Hartsock stated that he feels the Committee needs to know the answers to any survey questions before asking as he believes the survey should be used as a public relations tool to raise the level of awareness of the facility and generate interest in it.

Discussion continued regarding the approach to follow in developing the Museum, how to use the budget proposed by Council and how to organize the Committee. Mayor Bush asked the Committee to report back to Council in a few weeks.

Before the meeting was adjourned, a Committee meeting was scheduled for January 20, 1999 at 6:30 p.m.

Meeting adjourned at 7:30 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved as corrected
January 19, 1999

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, January 4, 1999, 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 Mary L. Bush.

PRESENT: Mary L. Bush, Arnold T. Campbell, William S. Hartsock, JoAnne M. McShane, James K. Mitchell.

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff.

APPROVAL OF AGENDA

01-99-001 MOTION by Campbell, seconded by Mitchell, to approve the Agenda as amended. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETINGS

01-99-002 MOTION by Hartsock, seconded by McShane, to approve the minutes of the Special and Regular Meetings of December 7, 1998. MOTION CARRIED UNANIMOUSLY.

REPORT BY DIRECTOR OF PUBLIC SERVICES RE: SNOW REMOVAL.

Director Gushman reported on the recent snow storm noting that crews were called in at 8:30 a.m. on Saturday and completed the snow removal. Currently crews are going back to remove snow where cars blocked the first removal efforts. Director Gushman stated that complaints were received from residents whose driveways were plowed in. He explained that it is a difficult issue to deal with, and that a number of contractors have been contacted to clear driveways when the property owner requests and at the property owners expense. Director Gushman added that the Public Safety Department was provided with assistance when needed. He discussed problems encountered in clearing sidewalks.

Discussion followed regarding location of fire hydrants during a weather emergency and other storm related problems. Council complimented Director Gushman and the DPW staff on the excellent job done in snow removal.

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INTRODUCTION: SHIRLEY UNGER - APPOINTEE - CHILDREN, YOUTH AND FAMILIES COMMISSION

Mayor Bush introduced Children, Youth and Families Commission appointee Shirley Unger to Council and asked her to talk about herself. Ms. Unger reviewed her background, thanked Council for appointing her and expressed her appreciation for the opportunity to serve on the Commission.

MINUTES OF OTHER BOARDS

01-99-003 MOTION by McShane, seconded by Campbell, to receive and file the minutes of the following Boards and Commissions:

- Farmington Board of Education minutes of November 17, 1998 and Study Session minutes of December 1, 1998.
- Board of Review minutes of December 15, 1998.
- Planning Commission minutes of December 14, 1998.

MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

RESIGNATIONS FROM THE DDA BOARD OF DIRECTORS. Ms. Jody Soronen advised that as she had resigned from the Farmington/Farmington Hills Chamber of Commerce, therefore she must also resign from the Downtown Development Authority Board of Directors. Administration advised that Michele Jakacki had resigned from the DDA Board of Directors due to family business obligations.

01-99-004 MOTION by Mitchell, seconded by Hartsock, to receive and file the resignations of Jody Soronen and Michele Jakacki from the Downtown Development Authority Board of Directors and to send a letter of appreciation to each of them for their many years of service. MOTION CARRIED UNANIMOUSLY.

RESIGNATION FROM THE BEAUTIFICATION COMMISSION. Administration advised that Ms. Jackie Saito had submitted notice of resignation from the Beautification Commission.

01-99-005 MOTION by Campbell, seconded by McShane, to receive and file the resignation of Jackie Saito from the Beautification Commission and to send a letter of appreciation for her years of service. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -3-
January 4, 1999

CONSIDERATION OF APPOINTMENT TO DOWNTOWN DEVELOPMENT AUTHORITY.

01-99-006 MOTION by Hartsock, seconded by McShane, to appoint Frank Clappison to a 4-year term, expiring in February, 2003, to the Downtown Development Authority Board of Directors. MOTION CARRIED UNANIMOUSLY.

Mr. Clappison was present and expressed his appreciation for being appointed to the DDA and voiced his support of the efforts and direction taken by the DDA.

CONSIDERATION OF REAPPOINTMENTS TO BOARDS AND COMMISSIONS 1) BEAUTIFICATION COMMISSION 2) BUILDING AUTHORITY 3) CONSTRUCTION BOARD OF APPEALS.

01-99-007 MOTION by Campbell, seconded by Hartsock, to reappoint Walt Gajewski to the Beautification Commission to a term to expire December, 2001; William Ingalls to the Farmington Building Authority to a term to expire January 1, 2002; Dave Mariner and William Ingalls to the Construction Board of Appeals to terms to expire February 5, 2001; and Robert Heinrich, Ron Oglesby and Susan Dubin to the Downtown Development Authority Board of Directors to terms to expire February 17, 2003. MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

PROCLAMATION: MARTIN LUTHER KING WEEK, JANUARY 18-24, 1999.

01-99-008 MOTION by Mitchell, seconded by McShane, to proclaim the week of January 18 - 24, 1999 as Martin Luther King, Jr. Week. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION TO RENEW MEMBERSHIP IN MICHIGAN MUNICIPAL LEAGUE. Administration recommended renewal of membership in the Michigan Municipal League including the Legal Defense Fund.

01-99-009 MOTION by Hartsock, seconded by Campbell, to approve renewal of membership in the Michigan Municipal League including the Legal Defense Fund and authorize payment of the annual dues of \$4,702 and the Legal Defense fund assessment of \$300; funds provided in the FY 1998-99 budget.

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ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF TELECOMMUNICATIONS PERMIT AGREEMENT WITH BRE COMMUNICATIONS, L.L.C., d/b/a PHONE MICHIGAN. Administration advised Council that the Phone Michigan Company is constructing a fiber optic cable telecommunications system in the City and it is required that they request permission to occupy public right-of-ways for the installation. Fees would be paid to the City in the amount of approximately \$3,500 annually and the agreement provides a reopener provision for increases in fees. Administration advised that the City would require special permission from the City Manager for any open cutting of pavement.

Mr. Gary Jones with Phone Michigan, was present and offered to answer questions regarding the proposal. Council posed several questions. Mr. Jones explained how the service works and what is offered. Manager Lauhoff advised that a special permit is required for pavement cutting and that a permit would probably not be requested; that Detroit Edison would continue to trim trees; and that the City could not limit the number of companies using the right-of-way nor the marking of poles and pavement. He advised that these areas are controlled by the Michigan Public Services Commission. Attorney Donohue advised that the statute preempting City control is about to expire and that these issues should be addressed at that time. He also advised that the number of cables and whether they are underground or not is controlled by the Telecommunications Act. Attorney Donohue stated that where existing utilities are underground additional users of the public right-of-way could be required to go underground. It was also confirmed that the Phone Michigan could be required to provide a mapping of the system, but that the City may have to convert the data for use in its Geographic Information System (GIS).

Council expressed concern regarding these issues and the increasing number of companies wanting to use public right-of-ways. Discussion followed regarding the above issues and possible actions to get needed revisions.

01-99-010 MOTION by Campbell, seconded by Hartsock, to authorize an agreement with BRE Communications, L.L.C., d/b/a Phone Michigan for the installation of a telecommunications system, and authorize the Mayor and City Clerk to sign the agreement on behalf of the City. MOTION CARRIED UNANIMOUSLY.

CONSIDER PROPOSED 1999 GOAL STATEMENT. Administration prepared a copy of Council's 1999 Goal Statement for Council consideration.

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01-99-011 MOTION by McShane, seconded by Mitchell, to adopt a 1999 Goal Statement as presented and to distribute the 1999 Goals to City staff and Boards and Commissions. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AWARD BID FOR OFFICE FURNITURE, PUBLIC SAFETY RENOVATION PROJECT. The City previously awarded Public Safety Department renovation bids Numbers 1 - 22 for various segments of the project. Architects Allen & Laux, Inc. presented a bid award request and their recommendation regarding the purchase of furniture and furnishings for the renovation project.

01-99-012 MOTION by Mitchell, seconded by Hartsock, to award bid, No. 23, for furniture and furnishings for the Public Safety Department renovation project to the low bidder, Office Depot, in the amount of \$37,139.91; funds provided in the FY 1998-99 budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CHANGE ORDER TO KONFARA BUILDING COMPANY CONTRACT, PUBLIC SAFETY RENOVATION PROJECT. Administration recommended authorization for Change Order No. 1 to upgrade the hardware for the lock-up area.

01-99-013 MOTION by Hartsock, seconded by McShane, to approve Change Order No. 1, Konfara Building Company, Bid No. 18, in the amount of \$5,690, for general carpentry.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

Discussion followed regarding hardware for the lock-up area.

UPDATE RE: MUNICIPAL COMPLEX RENOVATION BUDGET. City Manager Lauhoff updated Council on the Public Safety Department Renovation Project stating that the project remained within the amended budget and that administratively approved

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change orders are under the Charter required limit of \$4,000.

Council noted two areas of project expenditures which stand out as being significantly above the original contract amount. Mr. Allen explained the process used in bidding out different small areas of the project and how changes have occurred as the project has progressed. City Manager Lauhoff advised that the overall project is within the budget set by Council.

REPORT BY DIRECTOR OF PUBLIC SERVICES RE: ROUGE PROGRAM OFFICE - GIS GRANT

Director Gushman reported on a \$27,500 grant received by the City for development of components of the Geographic Information System (GIS) related to the Rouge River Basin and General Stormwater Permits. Director Gushman advised of in kind matching requirements related to the grant which will be met by man hours and equipment usage. Mr. Gushman indicated that an agreement has been entered into with the Wayne County Rouge Program Office which will administer the grants.

MISCELLANEOUS

PUBLIC COMMENT.

Nancy Leonard, 33309 Shiawassee, requested that the heat be lowered in Council Chamber during Council Meetings.

A member of the audience advised that the recent storm was the largest storm experienced in twenty-five years.

COUNCIL COMMENT AND ANNOUNCEMENTS.

Councilman Mitchell complimented Charles Carvell on his appearance on PBS regarding the Civic Theater. Manager Lauhoff noted that Director Downey had ordered three copies of the program and Councilman Hartsock noted it was going to be shown on Channel 15.

ADOPTION OF COUNCIL MEETING SCHEDULE FOR 1999.

01-99-014 MOTION by Campbell, seconded by McShane, to adopt a resolution listing the time, date and place for regularly scheduled City Council meetings. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ESTABLISH MEETING SCHEDULE WITH CITY BOARDS AND COMMISSIONS. Administration presented Council with a proposed meeting

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schedule for City Boards and Commissions for 1999.

Discussion followed regarding adding the Commission on Children, Youth and Families and the Planning Commission and the Board of Zoning Appeals be included on the schedule.

Manager Lauhoff asked that no action be taken and that he will bring a revised schedule back to Council at a future meeting. No action was taken.


APPROVE MONTHLY PAYMENTS REPORT

01-99-015 MOTION by Campbell, seconded by Hartsock, to approve the Monthly Payments Report for December, 1998. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

01-99-016 MOTION by Hartsock, seconded by Mitchell, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:12 p.m.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved

JAN 19 1999

CITY OF FARMINGTON

RESOLUTION NO. 01-99-014

Motion by Campbell, seconded by McShane, to adopt the following resolution:

WHEREAS, the Open Meetings Act, MCL 15.261 et. seq. requires "for regular meetings of a public body, there shall be posted within 10 days after the first meeting of the public body in each calendar or fiscal year, a public notice stating the dates, times, and places of its regular meetings."

WHEREAS, Section 6.1 of the City Charter states that Council provides by resolution for the time and place of its regular meetings.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the following are dates of Regular City Council meetings for the year of 1999 at 8:00 p.m. in Council Chambers of Farmington City Hall, 23600 Liberty Street, Farmington, Michigan.

MEETING DATES

Monday, January 4, 1999
Tuesday, January 19, 1999
Monday, February 1, 1999
Monday, February 15, 1999
Monday, March 1, 1999
Monday, March 15, 1999
Monday, April 5, 1999
Monday, April 19, 1999
Monday, May 3, 1999
Monday, May 17, 1999
Monday, June 7, 1999
Monday, June 21, 1999

Tuesday July 6, 1999
Monday, July 19, 1999
Monday, August 2, 1999
Monday, August 16, 1999
Tuesday, September 7, 1999
Monday, September 20, 1999
Monday, October 4, 1999
Monday, October 18, 1999
Monday, November 1, 1999
Monday, November 15, 1999
Monday, December 6, 1999
Monday, December 20, 1999

RESOLUTION DECLARED ADOPTED January 4, 1999.

PATSY K. CANTRELL, CITY CLERK/TREASURER

I, Patsy K. Cantrell, duly authorized Clerk/Treasurer for the City of Farmington, do hereby certify that the foregoing is a true and correct copy of a motion adopted by the Farmington City Council at a regular meeting held on Monday, January 4, 1999, in the City of Farmington, Oakland County, Michigan.


Patsy K. Cantrell, City Clerk/Treasurer



COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Tuesday, January 19, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

The pledge of allegiance was lead by Cub Scout Troop #235, from St. Fabian's Church in Farmington Hills. Mayor Bush presented each scout with a City pin and other mementos of their visit to City Hall.

APPROVAL OF AGENDA

01-99-017 MOTION by Campbell, seconded by McShane, to approve the Agenda as amended to include a presentation by Oakland County Commissioner Sever. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

01-99-018 MOTION by Mitchell, seconded by Campbell, to approve the minutes of the Special and Regular Meetings of January 4, 1999 as corrected. MOTION CARRIED UNANIMOUSLY.

PRESENTATION BY COMMISSIONER TERRY SEVER: Commissioner Sever reviewed his first days in office as county commissioner, advising of the committees he serves on which include Planning and Development and Public Services. Commissioner Sever stated that commissioners are encouraged to work directly with county departments to resolve problems for their constituents. He stated his desire to work with city officials in his district to learn of their problems and issues so that he might assist them at the county level. He encouraged the City to develop a list of items which can be addressed at the county level stating that he will meet with Manager Lauhoff on a regular basis to become aware of community needs. Council thanked Commissioner Sever for his presentation and his interest in helping the City.

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MINUTES OF OTHER BOARDS

01-99-019 MOTION by Hartsock, seconded by McShane, to receive and file the minutes of the following Boards and Commissions:

- Beautification Commission minutes of November 11, 1998.
- Downtown Development Authority minutes of January 5, 1999.
- Commission on Children, Youth and Families minutes of December 3, 1998.
- Planning Commission minutes of January 11, 1999.
- Historical Commission minutes of November 18, 1998.

MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

**CORRESPONDENCE FROM DOWNTOWN DEVELOPMENT AUTHORITY
DIRECTOR JUDY DOWNEY RE: PERMISSION FOR 1999 DOWNTOWN EVENTS.**

Director Downey requested permission to conduct Downtown Development Authority events during the 1999 calendar year. Director Downey was present to answer questions regarding the proposed events.

01-99-020 MOTION by Mitchell, seconded by Hartsock, to authorize the Farmington Downtown Development Authority to conduct events in the downtown during the calendar year of 1999 in the manner described and during the dates and times listed in the request. MOTION CARRIED UNANIMOUSLY.

Director Downey stated that a video featuring the Civic Theater would be available in the library.

LETTER FROM PLAYSCAPE STEERING COMMITTEE REQUESTING FUNDRAISING SIGNAGE. The PlayScape Steering Committee requested permission to display fundraising signage to inform the community of fundraising status and encourage additional contributions.

In response to Council questions, Assistant Manager Richards reviewed fundraising progress indicating that the Committee still has a ways to go. Additional picket sales are anticipated and promotional items will be sold to raise additional funds. Councilwoman McShane asked who was making the signs and Councilman Campbell stated that signs are being made by volunteers but would be reviewed to ensure a professionally done product.

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01-99-021 MOTION by McShane, seconded by Mitchell, to approve three PlayScape fundraising 4' x 8' signs to be located at Shiawassee Park, Drake Park and the Masonic Temple corner at Grand River and Farmington Road to be in place no later than May 31, 1999 and to be maintained by the PlayScape Steering Committee. MOTION CARRIED UNANIMOUSLY.

PROCLAMATION: GENEALOGY AND FAMILY HISTORY MONTH IN FARMINGTON, MONTH OF MAY 1999. Administration advised Council that the Farmington Genealogical Society is preparing a booklet commemorating their 25th Anniversary and have requested a proclamation which would be included in the booklet.

01-99-022 MOTION by Campbell, seconded by Hartsock, to proclaim the month of May, 1999 as "Genealogy and Family History Month in Farmington." MOTION CARRIED UNANIMOUSLY.

REQUEST FOR RESOLUTION: SUPPORT FOR STATE COMMISSION ON CHILDREN, YOUTH AND FAMILIES. Administration advised that the Joint Commission on Children, Youth and Families had requested a resolution asking for support of the local Commission and for reinstatement of the State Commission on Children, Youth and Families.

Three members of the Farmington/Farmington Hills Commission on Children, Youth and Families were present, thanked Council for their quick response and requested support for the resolution. Discussion followed regarding reinstatement of the Commission and the value of community efforts to support families, youth and children.

01-99-023 MOTION by McShane, seconded by Hartsock, to adopt a resolution to support the work of the Farmington/Farmington Hills Commission on Children, Youth and Families and the reinstatement of a State Commission on Children, Youth and Families. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

SERVICE AGREEMENT: OAKLAND COUNTY ANIMAL CONTROL DIVISION. Administration recommended Council approval of an agreement with the Oakland County Animal Control Division for the board and disposal of small domestic animals for the period of January 1, 1999 through September 30, 2001, at a fee increase of 8% for 1999 at \$14.24 for disposal of live animals and \$12.74 for disposal of each small dead animal; 3% for 2000 at \$14.67 for disposal of live animals and \$13.11 for disposal of each small dead animal; and 3% for 2001 at \$15.11 for disposal of live animals and \$13.50 for disposal of each small dead animal.

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Manager Lauhoff explained the cost increases, and in response to Council questions, added that a separate contractor accepts animals for care and placement and then uses Oakland County for disposal when this is necessary.

01-99-024 MOTION by Campbell, seconded by Mitchell, to approve a three year agreement for animal disposal with the County of Oakland, effective January 1, 1999 through September 30, 2001, and to authorize the Mayor and City Clerk to sign the agreement.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE PURCHASE OF PLAYScape EQUIPMENT AND MATERIALS. Administration advised that proposals were received and publicly opened on January 14, 1999 for equipment and materials for the PlayScape. The PlayScape Steering and Fundraising Committees reviewed the proposals and recommended the proposal submitted by Engan, Tooley and Doyle, representatives for Miracle Recreation Equipment, as this was the only qualified proposal received. Administration concurred with the proposal.

01-99-025 MOTION by Mitchell, seconded by Hartsock, to approve the purchase of playground equipment and protective surfacing for the playscape area contained in the proposal from Engan, Tooley and Doyle, representatives for Miracle Recreation Equipment Company, in the amount of \$76,107; funds allocated in the 1998-99 fiscal year budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

There were no public comments.

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COUNCIL COMMENT AND ANNOUNCEMENTS.

Councilwoman McShane complimented the Department of Public Works on the fine job done in removing the snow during the recent storm and further advised that she had observed dangerous incidents occurring at bus stops where snow was not cleared for access to buses. She asked if the City should clear the area at bus stops. Manager Lauhoff indicated that he or Director Gushman would check with SMART to determine who has responsibility for clearing these areas.

Manager Lauhoff advised Council on how the City had handled the snow emergency noting the number of staff hours worked and amount of salt used. He stated that the City is beginning to issue violations for uncleared sidewalks and that the ordinance officer has called to warn violators to clear their sidewalks. He stated that at the beginning of each year the City sends a letter to all businesses advising them of the City's policy on clearing sidewalks. If the City cleans the sidewalk a charge is assessed to the property owner.

Manager Lauhoff also noted that Council had previously asked the Road Commission of Oakland County and Michigan Department of Transportation to look at Nine Mile and Grand River intersection in regards to installing left turn lanes. The City has been notified that left turn arrows are going to be installed at the Grand River, Orchard Lake, Nine Mile intersection for northbound Orchard Lake and southbound Nine Mile.

Councilman Hartsock noted that Margaret Yoder, wife of former Mayor Ralph Yoder, passed away on Sunday and the memorial service will be on January 30th at 11:00 a.m. at Salem Church.

Mayor Bush informed Council that a certificate was received from Oakland County Division of Health and that the Work and Community Health Promotion Program Cardiovascular Disease Prevention Initiative recognized Farmington for participation in a heart health screening program in 1998. Director Goss explained that the program was funded by a state grant and that stress tests were funded by the City for the Public Safety Department and indicated that some employees had benefited from the project. He stated that there will be state funds available to do follow up this year.

Mayor Bush stated that a letter was received from the Salvation Army noting that the City of Farmington raised \$705.75 and that a total of \$118,000 was raised for the 1998 kettle season. Mayor Bush also noted that the City of Farmington raised more money than Farmington Hills or Novi and thanked Council and staff who participated.

Mayor Bush also noted that Council is again participating in the Special Olympics Bowl-A-Thon on Saturday, February 27th at 1:00 p.m. at Drake's Lane, that Farmington

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raises about half of the Special Olympics annual budget, and that Team Farmington is the 5th largest Special Olympics organization in the United States.

CONSIDERATION TO ESTABLISH MEETING SCHEDULE WITH CITY BOARDS AND COMMISSIONS. Administration presented Council with a proposed meeting schedule for City Boards and Commissions for 1999.

01-99-026 MOTION by Campbell, seconded by McShane, to establish a meeting schedule with Boards and Commissions for 1999. [SEE ATTACHED SCHEDULE]. MOTION CARRIED UNANIMOUSLY.

BUILDING DEPARTMENT QUARTERLY REPORT - OCTOBER 1, 1998 THROUGH DECEMBER 31, 1998.

01-99-027 MOTION by Campbell, seconded by Mitchell, to receive and file the Building Department Quarterly Report - October 1, 1998 through December 31, 1998. MOTION CARRIED UNANIMOUSLY.

Assistant City Manager Richards introduced two members of the PlayScape Fundraising Committee, Nancy Tashman and Valerie Knol, who were present at the meeting.


Nancy Leonard, 33309 Shiawassee, advised Council that some of her neighbors had complained about the sidewalks not being cleared at the bottom of the hill at Shiawassee and Farmington Road; Manager Lauhoff noted that a warning notice will be sent to the resident.

ADJOURNMENT

01-99-028 MOTION by McShane, seconded by Hartsock, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 8:44 p.m.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CITY CLERK/TREASURER

**PROPOSED MEETING DATES FOR COUNCIL MEETINGS
WITH CITY BOARDS AND COMMISSIONS**

1999

MARCH 1, 1999	7:00 P.M.	COMMISSION ON CHILDREN, YOUTH & FAMILIES
MARCH 15, 1999	7:00 P.M.	BEAUTIFICATION COMMISSION
APRIL 5, 1999	6:30 P.M.	JOSEPH KNOLLENBERG, U.S. REPRESENTATIVE
APRIL 19, 1999	7:00 P.M.	TERRY SEVER, COUNTY COMMISSIONER
MAY 3, 1999	7:00 P.M.	ANDREW RACZKOWSKI STATE REPRESENTATIVE
MAY 17, 1999	7:00 P.M.	LIBRARY BOARD-F.Hills
JUNE 7, 1999	7:00 P.M.	FARMINGTON AREA ARTS COMMISSION-F.Hills
JUNE 21, 1999	7:00 P.M.	DOWNTOWN DEVELOPMENT AUTHORITY
AUGUST 2, 1999	7:00 P.M.	SWOCC
SEPTEMBER 20, 1999	7:00 P.M.	SENATOR BILL BULLARD
OCTOBER 4, 1999	7:00 P.M.	FARMINGTON AREA COMMISSION ON AGING-F.Hills
OCTOBER 18, 1999	7:00 P.M.	HISTORICAL COMMISSION
NOVEMBER 1, 1999	7:00 P.M.	47TH DISTRICT COURT
NOVEMBER 15, 1999	7:00 P.M.	TRAFFIC AND SAFETY BOARD

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, February 1, 1999, 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 Bush.

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

ABSENT: None.

Corey Wilson, a William Grace student, lead in the Pledge of Allegiance.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

APPROVAL OF AGENDA

02-99-029 MOTION by Hartsock, seconded by McShane, to approve the Agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

02-99-030 MOTION by Campbell, seconded by Mitchell, to approve the minutes of the Regular Meeting of January 19, 1999. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

02-99-031 MOTION by Hartsock, seconded by McShane, to receive and file the minutes of the following Boards and Commissions:

- Farmington Board of Education Regular Meeting minutes of December 15, 1998 and Study Session minutes of January 5, 1999.
- Traffic and Safety Board Proceedings of January 21, 1999.

MOTION CARRIED UNANIMOUSLY.

PRESENTATION: COREY WILSON, FIFTH GRADE, WILLIAM GRACE ELEMENTARY SCHOOL, McDONALD'S CONTEST WINNER: "WHEN I GROW UP"

Corey Wilson was present and read his winning essay. He indicated that he wished to be a mechanical engineer and relayed information on this career area. Mayor Bush thanked Corey for his presentation and Council complimented him on his presentation.

COUNCIL PROCEEDINGS -2-
February 1, 1999

**PRESENTATION: ERIN COGSWELL, MISS FARMINGTON/OAKLAND COUNTY:
CHILI COOK-OFF**

Erin Cogswell was present to talk about the chili cook-off. She indicated that she had visited Novi and Farmington Hills Councils and that they had planned to participate in the cook-off. Ms. Cogswell invited the Farmington Council to participate and advised that entry forms are available. She noted that she will be attending along with former holders of the Ms. Farmington title. Ms. Cogswell discussed zero tolerance for alcohol programs, reviewed events she has attended, asked for sponsors for the Miss Michigan contest, and that she is looking forward to upcoming events including getting ready for the Miss Michigan contest.

Mayor Bush thanked Ms. Cogswell for her presentation.

**PRESENTATION: MARGO GORCHOW, BOTSFORD HOSPITAL, RE: CITY
TOBACCO ORDINANCE**

Margo Gorchow, of Botsford Hospital, commended the City of Farmington for their Tobacco Ordinance, and read a resolution from Botsford Hospital commending the City. Ms. Gorchow presented the engraved resolution to Mayor Bush.

Mayor Bush and Council thanked Ms. Gorchow.

**REPORT: 1998 RRRASOC ANNUAL REPORT, MICHAEL CSAPO, EXECUTIVE
DIRECTOR**

Mr. Csapo was present, provided a handout of graphs noting statistics on activities at the facility and noted the Material Recovery Facility (MRF) received national recognition from *World Wastes Magazine* on the facility. Mr. Csapo stated that Farmington remains ahead of other communities in recycling. The solid waste diversion rate is approaching 30%, which is outstanding. He noted an open house of the MRF commemorating the 5th anniversary of the groundbreaking for the MRF facility and stated that invitations will be sent for the May 23rd event. Mr. Csapo was excited about plans for Household Hazardous Waste Day to encourage intergovernmental cooperation by encouraging participation across municipality boundaries to lower unit costs, provide an opportunity to divert from landfills at a lower unit cost, and they are working to expand this concept.

Discussion followed regarding types of materials processed, percentages from other municipalities and commercial accounts, if other products will be recycled in the future, and landfill problems.

Mayor Bush thanked Mr. Csapo for the presentation.

COUNCIL PROCEEDINGS -3-
February 1, 1999

PETITIONS AND COMMUNICATIONS

LETTER FROM WALTER CHRISTENSEN, VETERANS MEMORIAL DAY PARADE CHAIRMAN RE: PARADE PERMIT. Mr. Walter Christensen requested permission to use Grand River for the annual Memorial Day Parade.

02-99-032 MOTION by McShane, seconded by Campbell, to approve the use of Grand River for the Memorial Day Parade on Monday, May 31, 1999 from 9:00 a.m. to 1:00 p.m.; that the State of Michigan Department of Transportation be held from any liability and to authorize the Public Safety Department to file for the appropriate permits with the Michigan Department of Transportation. MOTION CARRIED UNANIMOUSLY.

LETTER FROM HEDY NURIEL, EXECUTIVE DIRECTOR, HAVEN RE: REQUEST FOR FINANCIAL ASSISTANCE. Ms. Nuriel explained the services that are provided by HAVEN and asked for financial assistance.

Councilwoman McShane asked if HAVEN could use HUD funds for this type of request. Manager Lauhoff noted that funds are committed to senior programs and that funding could be considered through a separate contract with HAVEN.

Councilman Hartsock asked if Farmington Hills makes a contribution to HAVEN. Attorney Donohue replied that he thought they were.

02-99-033 MOTION by Campbell, seconded by Mitchell, to receive and file the request for financial assistance from HAVEN and to review the request during the fiscal year 1999-2000 budget preparation. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION OF TELECOMMUNICATIONS PERMIT AGREEMENT FOR THE FARMINGTON PUBLIC SCHOOLS FIBER OPTIC NETWORK. Manager Lauhoff asked that the matter be delayed pending further agreement details.

02-99-034 MOTION by Hartsock, seconded by McShane, to delay action until details of the telecommunications permit agreement for the Farmington Public Schools Fiber Optic Network are finalized. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF TELECOMMUNICATIONS PERMIT AGREEMENT FOR NEXTLINK MICHIGAN, INC. Administration advised that communication had been received from NEXTLINK Michigan, Inc. requesting that a portion of a telecommunications network be constructed in the City of Farmington along Farmington

COUNCIL PROCEEDINGS -4-
February 1, 1999

Road between 8 Mile and Flanders, and 9 Mile Road between Farmington Road and Folsom Road; and that it will be connected to existing utility poles. State and federal telecommunications legislation requires that NEXTLINK must request permission to occupy public right-of-ways for the installation of fiber optic cables. The agreement calls for payment based on \$.10 per aerial lineal foot and \$.25 per underground lineal foot. There would be a minimum revenue of \$1,500 per year and a special permit would be required for open cutting of pavement.

Mr. Steiner, of NEXTLINK, was present to answer questions. Discussion followed regarding the route for laying the fiber optic cable, and services that will be provided.

02-99-035 MOTION by Mitchell, seconded by Hartsock, to enter into an agreement with NEXTLINK Michigan, Inc. to construct a telecommunications network in the City of Farmington and to authorize the City Manager and City Clerk to sign the contract on behalf of the City.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CHANGE ORDER TO D. B. PETERS CONSTRUCTION COMPANY CONTRACT, PUBLIC SAFETY RENOVATION PROJECT. Administration recommended authorization for a change order for demolition, excavation and backfill for the Public Safety Renovation Project.

02-99-036 MOTION by Campbell, seconded by McShane, to authorize a change order to D. B. Peters Construction Company, bid No. 15, in the amount of \$10,610, to supply structural steel and roof decking for a new ramp; funding included in the amended project budget and in the current FY 1998-99 budget.

Manager Lauhoff advised Council that the project is near completion and that he will return to Council on the 15th of February to summarize the project and to ask that changes which have become necessary and/or desirable be included in the project and funds appropriated to fund the changes. Manager Lauhoff noted that additional funds had been set aside in the Capital Improvement Fund to provide for these changes.

COUNCIL PROCEEDINGS -5-
February 1, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Nancy Leonard, 33309 Shiawassee, asked why a uniformed officer was present at the meeting. Officer Putt was in attendance.

Neighborhood Watch block captain, Annabelle Gabel, 23069 Violet, asked if a bread store was going in at the 99 Cent store location and if this would affect the bagel store. Manager Lauhoff replied that the bagel shop owners had stated to the Observer that they were pleased since the bread store will not sell bagels and it would bring in new business and that they would not be a direct competitor. Mrs. Gabel also inquired about the closing of the Panorama Video store, who the new occupants would be, and noted expansions in the Farmington Hills area.

COUNCIL COMMENT AND ANNOUNCEMENTS.

Councilwoman McShane noted an article about the "My Child Program", which is the Federal Childrens' Health Insurance Program, and asked that the City publicize the program in the City newsletter.

Manager Lauhoff noted that the City is looking at ways to appropriately charge costs for general municipal upgrades and maintenance during the Public Safety renovation, and will bring their findings at the meeting on February 15th.

Manager Lauhoff informed Council that the Downtown Development Authority is looking at resurfacing the Downtown Center parking lot and the Assessor has been detailing the Downtown Center to note property ownership for special assessments. Manager Lauhoff reviewed a map, that is available, depicting parking areas.

Manager Lauhoff also noted concerns with underground wiring and that the City has been working with Detroit Edison to have underground wiring in the City to improve aesthetics of the City corridors. The costs are large, and the issue will have to be dealt with at a later date.

COUNCIL PROCEEDINGS -6-
February 1, 1999

Mayor Bush noted that the City received an award from ICMA honoring the City for program excellence and intergovernmental cooperation regarding the 8 Mile Boulevard Association. Mayor Bush read from the plaque presented by ICMA.

FINANCIAL REPORT - QUARTER ENDING DECEMBER 31, 1998.

02-99-037 MOTION by Campbell, seconded by Hartsock, to receive and file the Financial Report, Quarter Ending December 31, 1998. MOTION CARRIED UNANIMOUSLY.

**DEPARTMENT OF PUBLIC WORKS AND WATER & SEWER DEPARTMENT
QUARTERLY REPORT - OCTOBER 1, 1998 TO DECEMBER 31, 1998.**

02-99-038 MOTION by Hartsock, seconded by Mitchell, to receive and file the Department of Public Works and Water & Sewer Department Quarterly Report, October 1, 1998 through December 31, 1998. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PAYMENTS REPORT

02-99-039 MOTION by Campbell, seconded by McShane, to approve the Monthly Payments Report for January, 1999. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO ENTER INTO EXECUTIVE SESSION TO CONSIDER THE
PURCHASE OF REAL PROPERTY**

02-99-040 MOTION by McShane, seconded by Mitchell, to enter into a closed session to discuss the purchase of real property.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.


Council entered into closed session at 9:02 p.m. and returned to the meeting at 9:51 p.m.

ADJOURNMENT

02-99-041 MOTION by Campbell, seconded by Hartsock, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -7-
February 1, 1999

The meeting adjourned at 9:53 p.m.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: February 15, 1999

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, February 15, 1999, 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 Bush.

PRESENT: Bush, Hartsock, McShane, Mitchell.

ABSENT: Campbell.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

APPROVAL OF AGENDA

02-99-042 MOTION by Hartsock, seconded by McShane, to approve the Agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

02-99-043 MOTION by Mitchell, seconded by Hartsock, to approve the minutes of the Regular Meeting and Closed Session of February 1, 1999. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING RE: CITY RECREATION MASTER PLAN - 1999-2003

Council held a Public Hearing on the City Recreation Master Plan, 1999 - 2003. Mayor Bush opened the Public Hearing and asked Manager Lauhoff to review the Recreation Master Plan. After Manager Lauhoff reviewed the process for developing the Plan, Mayor Bush invited public comment.

William Liba, 33640 Hillcrest, asked if the City could purchase more land in order to have more space at the parks. Manager Lauhoff stated that there is currently no land available for purchase, but that the City does have some unused land along the river which may later be used. Mr. Liba asked about the pavilion that was listed in the plan and if it was to be located at Drake Park. Manager Lauhoff replied that it was part of the plan.

02-99-044 MOTION by McShane, seconded by Hartsock, to close the Public Hearing. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -2-
February 15, 1999

MINUTES OF OTHER BOARDS

02-99-045 MOTION by Hartsock, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

- Downtown Development Authority minutes of February 2, 1999.
- Beautification Commission minutes of January 13, 1999.
- Historical Commission minutes of January 20, 1999.
- Farmington Area Commission on Aging minutes of November 24, 1998.
- Commission on Children, Youth & Families minutes of January 7, 1999.

MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

REQUEST BY KIMCO REALTY CORPORATION FOR GROUND SIGN REPLACEMENT IN THE CENTRAL BUSINESS DISTRICT. Administration advised that Kimco Realty has requested permission to remove and replace the Downtown Center sign on the southwest corner of Grand River and Grove Street; located in the Central Business District which would reduce the total area of signage from 170 s.f. to 100 s.f. per sign. Manager Lauhoff reviewed the request and provided a handout depicting the proposed sign.

Patrick McCune, of Kimco Realty Corporation, and Matthew Niles, of Wah Yee Architects, were present to provide additional information and answer questions regarding the request. Discussion followed regarding particulars of the proposed sign and Council's desire to see the Downtown Center sign located at the Farmington Road entrance to the Center replaced or upgraded. Mr. McCune advised Council that Kimco had no plans to replace the sign at this time, but will replace the face of the sign, and if additional space is leased, will at that time consider replacement. Discussion continued regarding lighting and maintenance of electrical outlets at the signs.

02-99-046 MOTION by McShane, seconded by Hartsock, to grant approval to Kimco Realty to replace the ground sign, advertising their properties, located on the southwest corner of Grand River and Grove Street, as requested; with the stipulation that new permanent signage panels be installed on the ground sign located on the Farmington Road side of the property within 45 days of installing the requested replacement sign and that electrical outlets on the signs be maintained. MOTION CARRIED UNANIMOUSLY.

REQUEST FOR PROCLAMATION: FROM COMMISSION ON CHILDREN, YOUTH AND FAMILIES - PARENTING AWARENESS MONTH, MARCH 1999. A request was

COUNCIL PROCEEDINGS -3-
February 15, 1999

received from the Commission on Children, Youth and Families to proclaim Parenting Awareness Month.

02-99-047 MOTION by Hartsock, seconded by Mitchell, to proclaim the month of March, 1999 as Parenting Awareness Month. MOTION CARRIED UNANIMOUSLY.

REQUEST BY MICHAEL SHELLY FOR A CHANGE IN SIGNAGE AND INCREASED PARKING ENFORCEMENT OF OAKLAND STREET. Mr. Shelly requested additional "No Parking" signs and enforcement by the Public Safety Department regarding vehicles which are parking in the right-of-way on the north side of Oakland Street between Grand River and Cass.

Manager Lauhoff noted enforcement measurements are now in effect but that it would be a good idea for the Traffic and Safety Board and the Public Safety Department to look at the situation. It was noted that the Public Safety Department had not received any calls regarding the problem.

02-99-048 MOTION by McShane, seconded by Mitchell, to refer the request for signage and enforcement remedies that would be appropriate for Oakland Street to the Traffic and Safety Board. MOTION CARRIED UNANIMOUSLY.

LETTER FROM HERMAN SMITH, RECREATION PROGRAMMER, CITY OF FARMINGTON HILLS RE: KID'S DAY CELEBRATION. Mr. Smith requested that Raphael and Shiawassee Streets be closed for Kid's Day.

02-99-049 MOTION by Hartsock, seconded by Mitchell, to approve holding Kid's Day in Shiawassee Park on July 6, 1999 from noon to 5:00 p.m.; to close Raphael and Shiawassee Streets from 11:00 a.m. to 5:30 p.m. during the event; and to reserve the pavilion/shelter for the event. MOTION CARRIED UNANIMOUSLY.

LETTER FROM MOSLEM SHRINE TEMPLE RE: PERMISSION TO CONDUCT ANNUAL FUND DRIVE. Administration recommended granting permission for this annual fundraising event.

02-99-050 MOTION by Mitchell, seconded by McShane, to grant permission to the Moslem Shrine Temple to conduct their annual fundraising event in Farmington on June 11, 12, and 13, 1999. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION FOR APPROVAL REGARDING REQUEST FOR RENEWAL PROPOSAL (RFRP) OF CABLE TV FRANCHISE. Administration advised that

COUNCIL PROCEEDINGS -4-
February 15, 1999

resolutions from the three Southwestern Oakland Cable Commission (SWOCC) communities directing SWOCC to proceed with the formal renewal process with Time Warner Cable as specified in federal law had been approved. He advised that a Request for Renewal Proposal (RFRP) must now be issued to the current cable provider for their response.

Councilman Mitchell stated that he hopes the Councils of Novi, Farmington Hills and Farmington will approve the RFRP; that Time Warner will give serious consideration to the contents of the RFRP and that it is important that citizens be advised of what is happening. He also stated that the agreement could still be negotiated if that were the desire of the Commission and Time Warner.

02-99-051 MOTION by McShane, seconded by Mitchell, to adopt a resolution to authorize a request for renewal proposal (RFRP) for the cable TV franchise renewal with Time Warner the RFRP from the City of Farmington and that it be presented to Time Warner Cable. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ADOPTION OF COMMUNITY RECREATION MASTER PLAN 1999-2003. Administration advised that a Recreation Advisory Committee was appointed to assist in updating the Recreation Master Plan (RMP). The Michigan Department of Natural Resources requires that an approved Community Recreation Plan be on file as an initial qualification for processing grant applications.

02-99-052 MOTION by Hartsock, seconded by Mitchell, to adopt a resolution approving the proposed Community Recreation Master Plan, 1999-2003. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ADJUSTMENTS TO THE PUBLIC SAFETY AND MUNICIPAL

COUNCIL PROCEEDINGS -5-
February 15, 1999

BUILDING RENOVATION PROJECTS. City Manager Lauhoff updated Council on adjustments to the Public Safety and Municipal Building Renovation Project. He noted that on December 7, 1998, Council approved an increase to the Public Safety Renovation Project to \$771,570. He reviewed additional issues and conditions which had arisen including the need for increased office space for shift supervisors; relocation of electrical lines located in the fire barn floor and other miscellaneous changes which are estimated to cost an additional \$16,000. Manager Lauhoff advised that Oakland County had informed the City that the County is providing new emergency 911 equipment which will require approximately \$21,780 in building, plumbing, electrical and mechanical system modifications before the equipment can be installed. In addition, Manager Lauhoff advised it was determined that it would be cost effective to complete other municipal building repairs and improvements during the renovation project. These improvements include replacements of mechanical systems in the Clerk/Treasurer's and Council Chamber areas; roof repairs and plumbing reroutings, adding security screening for the Clerk/Treasurer's counters and other improvements. The additional costs, not previously reported to Council, is \$8,499 for a total cost of \$37,832 for improvements to the general areas of the municipal building.

Manager Lauhoff requested that Council approve the additional costs for the project and advised that he would bring any remaining changes back to Council on March 1. He advised that any necessary line item budget amendments would be included in the third quarter budget amendment for the 1998-99 fiscal year.

John Allen, of Allen & Laux, was present to answer questions regarding changes to the project. Mr. Allen stated that the project is nearing completion and that he is pleased with the way things are going and believes Council will be pleased with the final results. Discussion followed with clarification that the new 911 emergency equipment is year 2000 compliant and with a consensus that the old equipment it is replacing should be donated to any local unit which could find use for it.

02-99-053 MOTION by Mitchell, seconded by Hartsock, to amend the Public Safety renovation project budget from \$771,570 to \$787,570; increase the amount approved for general municipal building improvements from \$28,883 to \$37,382; add an additional \$21,780 for building modifications necessary to accommodate the installation of new 911 emergency equipment provided by Oakland County; with funds to be provided from the Capital Improvement Fund, General Fund and Water and Sewer Fund; and approved changes in the project budget to be reflected in the line item budget detail of the third quarter budget amendment.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -6-
February 15, 1999

CONSIDERATION TO INTRODUCE ORDINANCE #C-650-99 TO AMEND CHAPTER 13 FENCES, SECTION 13-9(E). Administration advised that Attorney Donohue and Code Enforcement Officer, John Koncsol, reviewed the City fence ordinance and recommended that Section 13-9(e) addressing the use of barbed wire be clarified.

02-99-054 MOTION by McShane, seconded by Mitchell, to introduce Ordinance No. C-650-99 to amend Chapter 13 Fences, Section 13-9(e) of the City Code, adding language that would allow barbed wire on arms or cradles that would not in total exceed 8' above the grade level on industrial property. [SEE ATTACHED]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO INTRODUCE ORDINANCE #C-651-99 TO AMEND TRAFFIC CONTROL ORDER, CHAPTER 5, PROHIBITED PARKING. Administration advised that the Traffic and Safety Board reviewed a concern, by a resident of Bel-Aire subdivision, that there is insufficient roadway for vehicles turning from Orchard Lake Road when vehicles are also exiting Leelane Street. The Traffic and Safety Board recommended that City Council amend City Traffic Control Orders.

02-99-055 MOTION by Hartsock, seconded by Mitchell, to introduce Ordinance No. C-651-99 to amend Traffic Control Order, Chapter 5, adding Section 5.9(b) as provided for in Section 31-196 of the City Code to prohibit parking on the north side of Leelane Street to a point 50' west of Orchard Lake Road. [SEE ATTACHED]. MOTION CARRIED UNANIMOUSLY.

Mayor Bush commented that when concerns by residents are brought before Council they are taken care of.

MISCELLANEOUS

PUBLIC COMMENT.

Annabelle Gabel, 23089 Violet, asked if City Offices, Chamber of Commerce and the library were open on President's Day and whose decision was it to stay open. Mayor Bush replied that the decision was made by each local government. Mrs. Gabel asked if this was the last year for the Farmington Founder's Festival, and Mayor Bush assured Mrs. Gabel that the tradition of the festival will continue.

COUNCIL COMMENT AND ANNOUNCEMENTS.

Manager Lauhoff asked Council to review the Multicultural/Multiracial event application and advise his office if planning to attend. Councilwoman McShane noted that if unable to attend all of the sessions, they might want to consider attending on Friday since it is the most important day .

COUNCIL PROCEEDINGS -7-
February 15, 1999

Mayor Bush noted that there is a full slate scheduled for bowling for Team Farmington and they needed to purchase their PlayScape tee-shirt to use as their uniform.

Mayor Bush introduced Joanne Fournier, the City Manager's new executive secretary.

ADJOURNMENT

02-99-056 MOTION by McShane, seconded by Mitchell to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 8:48 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: March 1, 1999

STATE OF MICHIGAN
COUNTY OF OAKLAND

CITY OF FARMINGTON

RESOLUTION NO. 02-99-051

RESOLUTION REGARDING
TIME WARNER REQUEST FOR RENEWAL PROPOSAL

At a regular meeting of the City of Farmington City Council, held at 23600 Liberty Street, Farmington, Michigan 48335 on the 15th day of February, 1999 at 8:00 p.m. Eastern Standard Time.

PRESENT: Bush, Hartsock, McShane, Mitchell.

ABSENT: Campbell.

The following resolution was offered by McShane and seconded by Mitchell.

WHEREAS, the member cities of the Southwestern Oakland County Cable Commission directed the Commission to develop a Request for Renewal Proposal to be issued to Time Warner Cable, and

WHEREAS, the Commission has developed a Request for Renewal Proposal which it has determined is appropriate and addresses the needs of the member communities for cable television during the term of the franchise renewal, and

WHEREAS, the Request for Renewal Proposal has been submitted to the City Council with the recommendation of the Commission's Board that it be approved and issued to Time Warner, and

WHEREAS, the City Council has reviewed the Proposal and concurs with the recommendation of the Southwestern Oakland Cable Commission.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

1. The Request for Renewal Proposal is approved by the City Council subject to the approval of the Proposal, substantially as presented to this Council, by the Cities of Farmington Hills and Novi.

2. The Request for Renewal Proposal shall be transmitted to Time Warner Cable upon its approval by all member communities of the Southwestern Oakland Cable Commission with instructions to the Franchisee to respond within sixty days consistent with Federal law and regulations.

AYES: Hartsock, McShane, Mitchell, Bush.

NAYES: None.

ABSENT: Campbell.

ABSTENTIONS: None.

The resolution was adopted.

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Commission held on the 15th day of February, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this
15th day of February, 1999.



PATSY K. CANTRELL
City Clerk
City of Farmington

CITY OF FARMINGTON
RESOLUTION NO. 02-99-052

Motion by Hartsock, seconded by Mitchell, to adopt the following resolution:

WHEREAS, the City of Farmington's previous Recreation Master Plan has expired, necessitating updating and revision, and

WHEREAS, the Michigan Department of Natural Resources (MDNR) requires that a current Recreation Master Plan approved by the MDNR be on file with them for eligibility to apply for MDNR grants.

BE IT RESOLVED, that the Farmington City Council hereby adopts the 1999-2003 Recreation Master Plan for the City of Farmington, and

BE IT FURTHER RESOLVED that the total proposed expenditure of City funds for this five year Plan is \$430,000.00, and

BE IT FURTHER RESOLVED that the City intends to seek matching funds from the State of Michigan grants programs to supplement the funding of the projects proposed in this Plan.

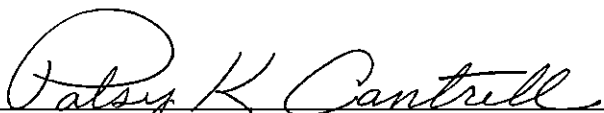
ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....
I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, February 15, 1999, in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

CITY OF FARMINGTON

ORDINANCE NO. C- 650 -99

**AN ORDINANCE TO AMEND CHAPTER 13, FENCES,
SECTION 13-9(e), OF THE CITY CODE OF THE CITY
OF FARMINGTON, TO AMEND THE REGULATIONS
APPLICABLE TO THE HEIGHT OF FENCES WITH
BARBED WIRE STRANDS ON INDUSTRIAL PROPERTIES**

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Section 13-9(e) of Chapter 13, Fences, of the City Code of the City of Farmington, is hereby amended to read as follows:

13-9(e).

- e. Material. Industrial properties which do not abut property which is zoned or used for residential purposes may install stranded barbed wire on the top of a fence, on arms or cradles extending inward over the owner's property provided that the fence has a minimum height of six feet above the adjacent grade and the combined height of the fence and barbed wire and arms or cradles does not exceed eight feet above the adjacent grade.

Section 2. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 3. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance; but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Repealer.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Farmington at a meeting thereof duly called and held on the ____ day of _____, 1999, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by _____ and supported by

_____.

YEAS:

NAYS:

ABSENTS:

ABSTENTIONS:

Ordained this _____ day of _____, 1999, by the City Council of the City of Farmington.

MARY L. BUSH

Its: Mayor

PATSY CANTRELL

Its: City Clerk

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of an Ordinance adopted at a regular meeting of the City Council of the City of Farmington held on the ___ day of _____, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this _____ day of _____, 1999.

PATSY CANTRELL

Its: City Clerk

CITY OF FARMINGTON
ORDINANCE NO. C-651-99

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Director Public Safety of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 5, add Section 5.9 (b) as provided for in Section 31-196 of the code of Ordinances of the City of Farmington.

CHAPTER 5 - PROHIBITED PARKING

ADD:

Section 5.9 - Leelane

- (b) north side from Orchard Lake Road to a point fifty feet west.

**JOINT STUDY SESSION OF THE
CITY OF FARMINGTON AND CITY OF FARMINGTON HILLS**

A joint study session of the Farmington City Council and the Farmington Hills City Council was held on Monday, March 1, 1999 in the lower level conference room at the City of Farmington Hills, 31555 Eleven Mile Road, Farmington Hills, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 5:30 p.m.

FARMINGTON COUNCIL MEMBERS PRESENT: Bush, Campbell, Hartsock, McShane, Mitchell.

FARMINGTON HILLS COUNCIL MEMBERS PRESENT: Barnett, Bates, Ellis, Soronen, Vagnozzi.

FARMINGTON HILLS COUNCIL MEMBERS ABSENT: Grant, Oliverio.

FARMINGTON CITY REPRESENTATIVES PRESENT: Cantrell, Lauhoff.

FARMINGTON HILLS CITY REPRESENTATIVES PRESENT: Brock (arrived 5:39 p.m.), Dornan, Rosch.

47TH DISTRICT COURT: Judge Fred Harris, Judge Marla Parker (arrived 5:42 p.m.), Administrator David Walsh.

Mayor Vagnozzi, City of Farmington Hills, opened the meeting and invited Walsh to present the Court Facility Planning Committee report.

Walsh reviewed the process used by the Committee in selecting the firm recommended to complete the assessment/program phase for a new court facility. Discussion followed regarding target dates for the process; qualifications of the architectural firms; specific needs in a new facility and the time frame for receiving a report on the assessment/program phase.

Mayor Vagnozzi invited a resident, present at the meeting and wishing to comment on a particular construction method, to discuss the method he recommends and wishes to be evaluated for use in the new facility. John Malloure, Farmington Hills, spoke recommending panel brick construction which is built off site, thereby, saving time and is also economical. He stated he had researched three brick panel suppliers and that the method would need to be included as an alternative in the architectural drawings if it is to be considered. Councilwoman Bates stated that this method was used in construction of the Farmington Seniors Building.

Walsh discussed the proposed time line presented by the architects. He advised that he had not received any negative information on either recommended firm. Walsh, in answer to a question, advised that the two firms, French Associates and Spillis Candela & Partners, Inc., had submitted their proposal in partnership.

The Councils asked at which phases of the project would Council approvals be necessary. Manager Lauhoff advised that the Court Facility Planning Committee would make recommendations to the Councils, including recommendation on a site. It was clarified that approvals would be necessary for the assessment/program, funding, and construction phases for the new facility. Judge Parker indicated that the committee would meet with the Councils at any time, and that committee members would update their respective cities on an informal basis as the process goes along.


Walsh noted that the next two months are critical and that more answers will be available after the assessment/program phase is completed. He stated that he is hesitant to make projections until the study is done. Discussion followed regarding the needs assessment and how it would be conducted.

Council asked if there was an estimate on the cost of a new facility. Walsh indicated that it would be speculation at this point and he was hesitant to guess.

MOTION by Soronen, seconded by Bush, to concur on the hiring of French Associates and Spillis Candela & Partners, Inc. to complete a six stage, Pre-Design Study, for a total cost not to exceed \$36,195; funding to be provided through 98-99 fiscal year budgets. MOTION CARRIED UNANIMOUSLY.

The meeting was adjourned at 6:06 p.m.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CITY CLERK/TREASURER

**CITY OF FARMINGTON
SPECIAL COUNCIL MEETING WITH THE FARMINGTON/FARMINGTON HILLS
COMMISSION ON CHILDREN, YOUTH & FAMILIES**

A special meeting of the Farmington City Council with the Farmington\Farmington Hills Commission on Children, Youth and Families met on Monday, March 1, 1999 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 7:00 p.m.

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

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Goss, City Manager Lauhoff.

MEMBERS OF THE FARMINGTON/FARMINGTON HILLS COMMISSION ON CHILDREN, YOUTH AND FAMILIES PRESENT: Bates, Britton, Lipa, Mahmood, McGlincy, Papai, Peck, Sommers, Unger.

Mayor Bush opened the meeting and explained Council's practice of meeting with City Boards and Commissions each year to receive an update on the Board or Commission and to allow for an exchange of information. Mayor Bush asked Council and Commission members to introduce themselves.

OVERVIEW OF THE COMMISSION.

Maryjane Peck, Chair of the Commission, opened the discussion by reviewing a handout on the mission and goals of the Commission and other general information including the history and accomplishments of the Commission. Peck concluded by noting the mission of the youth centers.

YOUTH PROGRAM.

Commissioner Lipa volunteered to answer questions on the youth programs. Lipa noted that the youth centers are growing and spoke of programs the Commission is working on for the centers such as interactive video games. Lipa noted that the youth programs are looking forward to receiving more ice time; putting together a summer program, and working more closely with the YMCA. He noted that the youth programs will be in all the elementary schools by mid April.

Council asked if the youth programs have full time staff at all locations. Lipa stated that there is one supervisor dedicated to each youth center and that a staff of eight to ten rotate among the centers as needed.

BICYCLE HELMET SAFETY.

Commissioner Bates asked if Farmington had passed an ordinance on bicycle helmet safety. Bates noted that the City of Farmington Hills Police Chief had found an ordinance on helmet safety which he likes and had presented it to the Farmington Hills Council. Bates believes the Farmington Hills City Council will pass the ordinance after it is reviewed by the City Attorney and placed before them in March or April.

Discussion followed regarding the use of helmets and promoting helmet safety. It was noted that the local events such as the Founders Festival and Kids Day In The Park would be good places to promote safety. Discussion continued on whether a helmet safety ordinance should be punitive, how the Courts would respond, and if violation of such an ordinance should be a civil infraction. Manager Lauhoff commented on the need to address the issue on a state wide basis as he does not believe it can be done on a community level. He stated that if Farmington Hills passes such an ordinance, Farmington would look at it.

The Commission asked if helmets should be required for rollerblading and sledding. Council noted that helmet safety, in general, is becoming an issue. Some Commission members indicated they would like to see a law to assist in enforcement of helmet use. Commissioner Bates noted that Lipa is addressing this issue. Lipa advised Council that many kids in Special Olympics have injuries resulting from bicycle accidents.

Discussion followed on enforcement versus education and the various problems related to enforcement regarding helmet safety. The Commission felt it should be the same message from both communities. Suggestions were made on working with community groups such as the Jaycees and bicycle clubs to engage them in educating on safety issues.

SPECIAL EVENTS.

Information was presented to Council on special events planned by the Commission and Council was invited to participate. Council concurred on the importance of these events.

MR. GARY GOSS TO SERVE AS ADVISOR TO THE COMMISSION.

The Commission told Council how important Police Chief Dwyer's presence was to the Commission. Council was advised that Chief Dwyer, City of Farmington Hills, felt his participation on the Commission was valuable for him and he had suggested that Public Safety Director Goss, City of Farmington, also serve. Manager Lauhoff advised that he had discussed this with Director Goss and they both feel it is important to have Director Goss represent the City on the Commission.

COMMENTS.

Commissioner Bates stated that the Commission would like the Councils of Farmington and Farmington Hills to see the Commission as advocates for children and families and as a body to use for studying related issues. The Commission members stated they have a lot of expertise and would be happy to study issues and make recommendations to the Councils. Commission members stated that they hope the Councils will use the Commission.

Commissioner Papai noted the national focus on children. Bates relayed her experiences serving on a National League of Cities task force involving children in government activities. Lipa suggested involving youth in Farmington/Farmington Hills Boards and Commissions.

Councilman Campbell advised that John Washburn, member of the Commission on Aging, had been looking for youth to provide services to the elderly. Lipa stated that some youth are looking at how to get involved and that 35 to 40 kids volunteered to shovel snow this winter. Councilman Campbell noted that sometimes funds are available. Lipa stated that if funds are available he would look for youth to fill the need.

Councilwoman McShane asked if the programs are tapping in enough to help at-risk kids who may not be connected to the youth centers. Discussion followed regarding serving at-risk kids. Bates noted that the youth programs had been careful to not identify the youth programs as for at-risk kids but attempted to target kids in certain age groups and to work on preventative approaches. Discussion followed regarding addressing the needs of at-risk youth and the issues of a diverse community.

Mayor Bush thanked everyone for attending the meeting.

Meeting adjourned at 7:44 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, March 1, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

APPROVAL OF AGENDA

03-99-057 MOTION by Hartsock, seconded by McShane, to approve the Agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

03-99-058 MOTION by Mitchell, seconded by Hartsock, to approve the minutes of the Regular Meeting of February 15, 1999. MOTION CARRIED UNANIMOUSLY.

PRESENTATION: BEV PAPAI, LIBRARY DIRECTOR: UPDATE ON LIBRARY IMPROVEMENTS

Beverly Papai, Library Director, and Robert Plummer, Library Board President, were present to provide an update on Library improvements. Director Papai noted that she and Mr. Plummer presented the City of Farmington Hills with a check for \$646,440.21 for the purchase of property in order to expand the Farmington Hills Library. Trustee Plummer gave an overview of the improvements noting that they have selected Barton Malow as their construction management firm. He stated that \$12 million in bonds had been sold at a rate of 4.31% to finance the improvements. Council was advised that a site plan is being developed for the Farmington Hills location which would include a parking lot on the west side of the building with an entryway off Twelve Mile Road and an enclosed walkway from the parking lot to the building. Trustee Plummer stated that completion for Farmington will be the end of this year and the expansion for Farmington Hills will be early 2001 and will include some renovations.

COUNCIL PROCEEDINGS -2-
March 1, 1999

Director Papai discussed service improvements noting that circulation has risen due to an added collection at both branches, added enhancements in the technical modem pool, and expanded hours. Papai stated that many hours have been spent in formatting some of the changes to be made at the Farmington Branch. Council was advised that the Farmington Branch will be closed in August to allow for renovations. Director Papai invited questions and thanked Council and the community for their support.

Mayor Bush thanked the Library Board and Director Papai for the presentation.

DOWNTOWN DEVELOPMENT AUTHORITY QUARTERLY REPORT

Director Downey was present to review the Downtown Development Authority Quarterly Report. Director Downey gave an update on the Warner Streetscape Project, the Winter Fun Series which got off to a slow start due to the weather but was very successful, and noted that there is interest in the space that will be vacated by Pier 1. Director Downey noted that the County is hiring a floating DDA person who will be assisting in community development. Downey stated that Mrs. Lovell's had finally received a liquor license. Downey concluded by advising that two local firms have been contracted to do general maintenance and flower planting with a \$5,000 savings to the DDA.

Discussion followed regarding parts and maintenance for the street lamps and concluded with Mayor Bush thanking Director Downey for the update.

MINUTES OF OTHER BOARDS

Mayor Bush noted an error in the Traffic and Safety Board minutes of Feb 18, 1999.

03-99-059 MOTION by Campbell, seconded by Hartsock, to receive and file the minutes of the following Boards and Commissions:

- Beautification Commission minutes of February 10, 1999.
- Historical Commission minutes of February 17, 1999.
- Traffic and Safety Board minutes of February 18, 1999.
- Farmington Area Arts Commission minutes of January 21, 1999.
- Farmington Employees Retirement System Board of Trustees minutes of February 18, 1999.

MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

CONSIDERATION OF APPOINTMENTS TO BEAUTIFICATION COMMISSION.

Administration reviewed the qualifications of Aaron Ambinder and Denise Tawyea, recommended for appointment by the City Council subcommittee for appointments.

03-99-060 MOTION by McShane, seconded by Hartsock, to appoint Aaron Ambinder to fill an unexpired term expiring December, 1999 and Denise Tawyea to an unexpired term expiring December, 2000 on the Beautification Commission. MOTION CARRIED UNANIMOUSLY.

Mayor Bush asked Pat Shelton, Chairperson of the Beautification Commission, to introduce the newly appointed members. Aaron Ambinder noted that he had grown up in the City and that his interest in serving the community was a result of observing Councilman Hartsock's community involvement.

Denise Tawyea, a 14 year resident and previously a member of the Beautification Commission and various other committees, noted that she now has time to become involved again in the City.

PETITIONS AND COMMUNICATIONS

REQUEST BY MUSEUM DEVELOPMENT COMMITTEE AND HISTORICAL COMMISSION RE: WARNER MANSION NAME AND SIGN CHANGE. Administration supported the recommendation of the Museum Development Committee and the Historical Commission to change the name of the Museum. After much discussion the two groups concluded that a name change would focus increased awareness on this historical centerpiece in the Farmington Historical District.

Discussion followed regarding the name change and necessity of replacing the current sign at the facility.

03-99-061 MOTION by Mitchell, seconded by McShane, to approve changing the name of the Museum facility to "The Governor Warner Mansion...home of Farmington History" as recommended by the Museum Development Committee and Historical Commission and to approve replacement of the sign on the Museum grounds with the assistance of the City landscape architect. MOTION CARRIED UNANIMOUSLY.

LETTER FROM THE CITY OF DETROIT WATER AND SEWERAGE DEPARTMENT REGARDING WATER AND SEWER RATES AND CHARGES FOR FY 1999-00.

Administration advised Council that the City of Detroit is proposing to increase water rates to suburban customers by 3.85% and sewer rates at an increase of 7.26%. The

COUNCIL PROCEEDINGS -4-
March 1, 1999

water consumption rate will increase to \$7.02 per Mcf and sewerage costs will increase to \$6.80 per Mcf. A look-back charge of \$28,091 will be assessed against the City for FY 1999-00 due to underestimating the total costs for FY 1998-99 and assessing the shortfall in revenue on a proportionate basis to all municipal customers by the Detroit Water and Sewerage Department. Manager Lauhoff stated that the rate increases and look-back charge will be included in the Water and Sewer Department Budget for FY 1999-00.

03-99-062 MOTION by Campbell, seconded by McShane, to receive and file a letter from the City of Detroit Water and Sewerage Department regarding water and sewer rates and charges for FY 1999-00. MOTION CARRIED UNANIMOUSLY.

REQUEST FOR PROCLAMATION: JAYCEE WEEK, APRIL 25 - MAY 1, 1999.

03-99-063 MOTION by Hartsock, seconded by Mitchell, to proclaim the week of April 25 - May 1, 1999 as Jaycee Week. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION OF TELECOMMUNICATIONS PERMIT AGREEMENT FOR THE FARMINGTON PUBLIC SCHOOLS FIBER OPTIC NETWORK. Administration advised that the Farmington Public Schools had retained the services of Fiber Link, Inc. to install a fiber optic educational telecommunications network in partnership with Farmington Public Library. The fiber network will be owned and operated by the school system. Existing utility poles will be used. If underground work becomes necessary, a special permit is required and will be obtained from the City Manager's office. The State of Michigan requires that public schools apply for a permit to access and use public right-of-ways. The City Attorney developed an agreement for this use of the public right-of-ways.

03-99-064 MOTION by McShane, seconded by Mitchell, to authorize the City Manager and City Clerk to sign the Telecommunications Permit Agreement between the City of Farmington, Farmington Public Schools and Farmington Community Library allowing the Farmington Public Schools and Library to construct a telecommunication system within the right-of-ways of the City.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -5-
March 1, 1999

CONSIDERATION TO APPROVE RENEWAL COLLECTIVE BARGAINING AGREEMENT, POAM/DISPATCHERS. Administration recommended ratification of a three year contract beginning July 1, 1998 through June 30, 2001.

03-99-065 MOTION by Campbell, seconded by Hartsock, to ratify a new three year contract beginning July 1, 1998 through June 30, 2001 with the Public Safety POAM/Dispatchers Association.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ESTABLISH A PUBLIC HEARING FOR SHIAWASSEE PARK GRANT APPLICATION. Administration recommended that Council call a public hearing to review and comment on a Shiawassee Park Grant Application. The grant application process requires that a public hearing be held.

03-99-066 MOTION by Mitchell, seconded by McShane, to call a public hearing for Monday, March 15, 1999 at 8:00 p.m. to provide the public an opportunity to review and comment on the Shiawassee Park Grant proposal. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CHANGE ORDER TO THERMAL CONTROL COMPANY CONTRACT, PUBLIC SAFETY RENOVATION PROJECT. Administration recommended authorization of a change order to provide temperature and humidity control for new 911 equipment for the Public Safety Department.

03-99-067 MOTION by McShane, seconded by Mitchell, to authorize a change order to Thermal Control Company, bid No. 10, in the amount of \$4,830, to provide temperature and humidity control for new 911 equipment; funding provided in the current FY 1998-99 budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

**REPORT: PUBLIC SAFETY DEPARTMENT ANNUAL OPERATIONS REPORT,
DECEMBER 1998.**

Director Goss gave a multi media presentation on the 1998 Operations Report noting statistical data pertaining to police and fire services delivered to the community.

Discussion followed regarding crime statistics, medical runs, the Wash Hut fire and statistics relating to public nuisance and types of calls received to assist citizens in the City.

Councilwoman McShane thanked Director Goss for the service that the Public Safety Department provides to the community.

Councilman Mitchell asked about the policy and notices that are sent prior to conducting a liquor sting operation.

Discussion followed regarding using the Geographic Information System (GIS) for preplan for fires and location of hazard waste data in all commercial buildings. Manager Lauhoff noted that in the late 80's and 90's the City started a preplan for every commercial building in the City and with new technology it will be available in the Public Safety Department's vehicles.

03-99-068 MOTION by Hartsock, seconded by Mitchell, to receive and file the Public Safety Department Annual Operations Report, December, 1998. MOTION CARRIED UNANIMOUSLY.

RESOLUTIONS AND ORDINANCES

CONSIDERATION TO ADOPT ORDINANCE #C-650-99 TO AMEND CHAPTER 13 FENCES, SECTION 13-9(E).

03-99-069 MOTION by Campbell, seconded by McShane, to adopt Ordinance No. C-650-99 to amend Chapter 13 Fences, Section 13-9(e) of the City Code, adding language that would allow barbed wire on arms or cradles that would not in total exceed 8' above the grade level on industrial property. [SEE ATTACHED].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -7-
March 1, 1999

CONSIDERATION TO ADOPT ORDINANCE #C-651-99 TO AMEND TRAFFIC CONTROL ORDER, CHAPTER 5, PROHIBITED PARKING.

03-99-070 MOTION by Hartsock, seconded by Mitchell, to adopt Ordinance No. C-651-99 to amend Traffic Control Order, Chapter 5, adding Section 5.9(b) as provided for in Section 31-196 of the City Code to prohibit parking on the north side of Leelane Street to a point 50' west of Orchard Lake Road. [SEE ATTACHED].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Annabelle Gabel, 23089 Violet, asked if another business was going into the old A&P store. Mayor Bush noted that a deal with a proposed tenant did not materialize and that Kimco is trying to secure another tenant.

Mrs. Gabel asked if there is any information on the new Walgreens and how it will affect the area. Manager Lauhoff noted that the building is located in Farmington Hills. Discussion followed regarding location of businesses in the area.

Mrs. Gabel questioned the cause of the Wash Hut fire. Director Goss replied that it was an electrical fire.

COUNCIL COMMENT AND ANNOUNCEMENTS.

Councilwoman McShane noted that Jim McGlincy and Walt Gajewski, of the Museum Development Committee, were in attendance and she thanked them for all of their work on the committee. She also noted that Penny Lehto and Jim McGlincy are Co-chairs of the Committee.

Mayor Bush noted that Council had participated in the 7th Annual Bowl-a-thon and that over \$26,000 was raised for Special Olympics. Mayor Bush also commented on participation for the 4th Annual Chili Cookoff fundraiser that was held at Page's in downtown Farmington on Sunday, February 28, 1999 to help fund programs that serve Farmington and Farmington Hills.

COUNCIL PROCEEDINGS -8-
March 1, 1999

APPROVE MONTHLY PAYMENTS REPORT

03-99-071 MOTION by Campbell, seconded by McShane, to approve the Monthly Payments Report for February, 1999. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

03-99-072 MOTION by Mitchell, seconded by Hartsock, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:20 p.m.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CITY CLERK/TREASURER

CITY OF FARMINGTON

ORDINANCE NO. C- 650 -99

**AN ORDINANCE TO AMEND CHAPTER 13, FENCES,
SECTION 13-9(e), OF THE CITY CODE OF THE CITY
OF FARMINGTON, TO AMEND THE REGULATIONS
APPLICABLE TO THE HEIGHT OF FENCES WITH
BARBED WIRE STRANDS ON INDUSTRIAL PROPERTIES**

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Section 13-9(e) of Chapter 13, Fences, of the City Code of the City of Farmington, is hereby amended to read as follows:

13-9(e).

- e. Material. Industrial properties which do not abut property which is zoned or used for residential purposes may install stranded barbed wire on the top of a fence, on arms or cradles extending inward over the owner's property provided that the fence has a minimum height of six feet above the adjacent grade and the combined height of the fence and barbed wire and arms or cradles does not exceed eight feet above the adjacent grade.

Section 2. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 3. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance; but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Repealer.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Farmington at a meeting thereof duly called and held on the 1st day of March, 1999, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Campbell and supported by McShane.


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

NAYS: None.

ABSENTS: None.

ABSTENTIONS: None.

Ordained this 1st day of March, 1999, by the City Council of the City of Farmington.



MARY L. BUSH

Its: Mayor



PATSY CANTRELL

Its: City Clerk

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of an Ordinance adopted at a regular meeting of the City Council of the City of Farmington held on the 1st day of March, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 1st day of March, 1999.


PATSY CANTRELL

Its: City Clerk

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Introduced: February 15, 1999
Adopted: March 1, 1999
Published: March 11, 1999
Effective: March 11, 1999

CITY OF FARMINGTON
ORDINANCE NO. C-651-99

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Director Public Safety of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 5, add Section 5.9 (b) as provided for in Section 31-196 of the code of Ordinances of the City of Farmington.

CHAPTER 5 - PROHIBITED PARKING

ADD:

Section 5.9 - Leelane

(b) north side from Orchard Lake Road to a point fifty feet west.

This ordinance was introduced at a regular meeting of the Farmington City Council on February 15, 1999, was adopted and enacted at the next regular meeting of the Council on March 1, 1999, and will become effective ten days after enactment.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CLERK/TREASURER

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

Introduced: February 15, 1999
Adopted: March 1, 1999
Published: March 11, 1999
Effective: March 11, 1999

CITY OF FARMINGTON
COUNCIL PROCEEDINGS

7:00 P.M.

Monday

March 15, 1999

A special meeting of the Farmington City Council with the City of Farmington Beautification Commission was held on Monday, March 15, 1999, in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

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

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Gushman, City Manager Lauhoff.

BEAUTIFICATION MEMBERS PRESENT: Ambinder, Gajewski, Gushman, Hyska, Paul, Shelton.

Mayor Bush called the meeting to order at 7:05 p.m. thanking those in attendance for their work on behalf of the City and asking Commissioner Shelton to discuss the activities and goals of the Commission. Council expressed their appreciation for the accomplishments of the Beautification Commission over the past year.

Commissioner Shelton reviewed the Commission's 1999 activities and goals including joint efforts with the Farmington Hills Beautification Commission and the Awards Breakfast. Discussion followed regarding ongoing efforts of the Commission and suggestions for future projects which included a contest for a City flower, tree, bird, etc.

The Commission proposed a residential awards program and discussion followed on the pros and cons of such a program. The Commission suggested beginning the program in the historical district and as a joint effort with the Historical Commission. Council concurred to approve pursuit of a residential awards program.

Discussion continued on the designation of a City flower with Council not opposing such a designation.

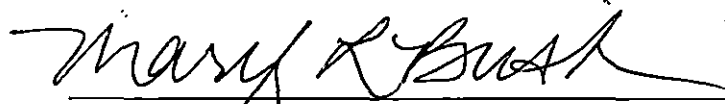
The Commission advised Council that the Farmington Hills Beautification Commission had suggested the possibility of forming a joint Commission. Discussion followed regarding the pros and cons of a joint Commission. Council advised the Commission to pursue working with the Farmington Hills Beautification Commission in areas of common purpose and interest.

Discussion was held on development of the Grand River and Shiawassee enclave to the City with the Commission suggesting that it would develop a proposal for Council consideration.

Discussion concluded with some general ideas for improvements including awards programs, commendation letters and business window displays.

Mayor Bush thanked the Commission and Council commended members on the work they have done.

Meeting adjourned at 7:50 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: April 5, 1999

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, March 15, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

APPROVAL OF AGENDA

03-99-073 MOTION by Hartsock, seconded by Campbell, to approve the Agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

03-99-074 MOTION by Campbell, seconded by McShane, to approve the minutes of the Special Joint Meeting and the Special and Regular Meetings of March 1, 1999. MOTION CARRIED UNANIMOUSLY.

CONDUCT PUBLIC HEARING ON MDNR GRANT APPLICATION FOR SHIAWASSEE PARK IMPROVEMENTS

Council held a Public Hearing on the Michigan Department of Natural Resources (MDNR) Grant application for Shiawassee Park improvements. Mayor Bush opened the Public Hearing and asked Manager Lauhoff to review the grant application. After Manager Lauhoff reviewed the process, Mayor Bush opened the public hearing and invited public comment.

There were no public comments.

03-99-075 MOTION by Campbell, seconded by Hartsock, to close the Public Hearing on the MDNR Grant Application for Shiawassee Park Improvements. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -2-
March 15, 1999

PRESENTATION: JENNIFER SMITH, NATIONAL LEAGUE OF CITIES AWARD WINNER

Ms. Smith informed Council that she is presently working on encouraging communities to become communities of promise which support five resources to help young people to become happy and healthy adults. The participating vicinities must provide the five resources which include having mentors, providing a safe place to go which has structured activities during non school hours, a healthy start by providing medical care, a marketable skill and an opportunity to give back to the community through community service. She stated she had written to 535 communities in Michigan asking for their participation. Ms. Smith commented on her experiences in Washington, D.C., noting that she enjoyed learning that others are involved in community service.

Mayor Bush presented Ms. Smith with a City Pin and thanked her for her presentation.

PRESENTATION: MAGGIE LORIDAS, SENIOR COMMUNITY OUTREACH LIAISON

Maggie Loridas was present and discussed the calls she received from residents in the community requesting her service. Discussion followed regarding snow removal, assistance, referrals to agencies that aid seniors, filling out forms for senior hardship, home improvement loans through Oakland County with assistance from John Washburn, transportation for senior citizens, social calls, and home care needs. Ms. Loridas noted she has received calls from across the United States from children requesting information on services for elderly parents who live in the community.

Council voiced their appreciation that Ms. Loridas has taken on the position as Senior Community Outreach Liaison for the City.

William Liba, 33640 Hillcrest, asked Ms. Loridas if she used the services from the Commission on Aging and Ms. Loridas responded yes. Discussion followed regarding use of the agency.

MINUTES OF OTHER BOARDS

03-99-076 MOTION by McShane, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

- Commission on Children, Youth and Families minutes of February 4, 1999.
- Farmington Board of Education Regular Meeting minutes of January 19, 1999, Study Session minutes of February 2, 1999 and Winter Retreat minutes of February 9, 1999.
- Farmington Area Commission on Aging minutes of January 26, 1999.

COUNCIL PROCEEDINGS -3-
March 15, 1999

- Historical Museum Development Committee minutes of March 3, 1999.
- Downtown Development Authority minutes of March 2, 1999.
- Farmington Community Arts Council minutes of February 11, 1999.
- Planning Commission minutes of March 8, 1999.

MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

CONSIDERATION OF APPOINTMENT TO DOWNTOWN DEVELOPMENT AUTHORITY. Manager Lauhoff noted that there was a vacancy on the DDA Board of Directors due to the resignation of Jody Soronen.

03-99-077 MOTION by Campbell, seconded by Hartsock, to appoint Linda Trzcinski to the Downtown Development Authority Board of Directors to fill an unexpired term ending February, 2002. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF REAPPOINTMENTS TO BOARDS AND COMMISSIONS 1) FARMINGTON COMMUNITY LIBRARY BOARD 2) HISTORICAL COMMISSION.

03-99-078 MOTION by Mitchell, seconded by McShane, to reappoint Dorothy Stoutjesdyk to the Farmington Community Library Board for a 4 year term to expire March, 2003 and to reappoint Charles Carvell and Nancy Leonard to the Historical Commission for 3 year terms to expire March 13, 2002. MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

REQUEST FROM ROGER RATKOWSKI RE: PERMISSION TO CONDUCT WEEKLY CLASSIC CAR DISPLAY IN A MUNICIPAL PARKING LOT. Mr. Ratkowski, owner of The Pasta Stop, was present and requested permission to sponsor and conduct a weekly classic car cruise and display, in cooperation with Dennis Page of Page's Food and Spirits.

Mayor Bush read a letter from Mutual Financial Services that noted problems they had with the event disrupting their business before the event begins, and the loud music provided by the disc jockey. Mr. Ratkowski noted that they try to work with everyone and answered questions from Council regarding concerns that were noted in the communication from Mutual Financial Services. Mr. Ratkowski noted that there had been previous problems between Mutual Financial Services and Page's.

COUNCIL PROCEEDINGS -4-
March 15, 1999

Manager Lauhoff noted that a letter could be sent to Mutual Financial Services reminding them that they are welcome to use the City Hall parking lot after 5:00 p.m.. Council discussed alternatives that could be used in resolving any difficulties as a result of the car show.

Mayor Bush noted that the Traffic and Safety Board will be addressing the issue of parking at their next meeting.

03-99-079 MOTION by Campbell, seconded by Mitchell, to approve the closure of the municipal parking lot north of State Street on Mondays from 5:00 - 9:00 p.m., June through September for a classic car display sponsored and managed by the Pasta Stop and Page's Food and Spirits; State Street between Farmington Road and the easterly driveway of the Public Library may be closed to allow for additional display if necessary; allow for outdoor patio seating at the rear of the Pasta Stop; allow use of a disc jockey for announcements and music and allow the Public Services Department to assist with barricades as needed. MOTION CARRIED UNANIMOUSLY.

Mayor Bush thanked Mr. Ratkowski and Page's for their effort in initiating the Classic Car Event. Mr. Ratkowski noted that some businesses at the mall are now open later on Monday nights as a result of people being in the area for the Classic Car Display.

LETTER FROM KEVIN KING, STATE OF MICHIGAN OFFICE SERVICES DIVISION, RE: SIGN VARIANCE REQUEST AT 24155 DRAKE RD. Administration advised that the State of Michigan Department of Consumer and Industrial Services leased a building at 24155 Drake Road and located the Michigan Liquor Control Commission, Safety and Regulation and Fire Safety offices at this facility. The State erected two directional signs; sign #1 at the southeast corner near the front of the building is 8' x 24" for a total of 16 square feet and provides direction to the Liquor Control Commission area; and a second sign #3 erected at the southwest area of the building, adjacent to the driveway, provides information to the other state offices on the premises. The second sign is 8' x 4' for a total of 32 square feet. City Ordinance limits this type of signing to 9 square feet per sign.

Mr. King was present to answer questions. Mr. King noted that there had been a misunderstanding as to what the City ordinance was and they were advised by the Building Department of the ordinance violation. He stated that the offices will be at the location for about four years and described the type of work done on the premises.

Council noted that the City has strictly enforced the sign ordinance and that the Council has tried to address the attractiveness of signs in the community. It was noted that the State of Michigan signs are not attractive or appropriate and that there was not sufficient hardship to grant a variance on the size of the sign.

COUNCIL PROCEEDINGS -5-
March 15, 1999

Discussion followed regarding the option of placing signage on the building, but Mr. King replied that they do not put signs on leased buildings due to potential damage that may occur when the sign is removed.

03-99-080 MOTION by Mitchell, seconded by McShane to deny the request by the State of Michigan Department of Consumer and Industrial Services for a sign variance, City Code Section 25-6, at 24155 Drake Road. MOTION CARRIED UNANIMOUSLY.

Mayor Bush advised Mr. King to obtain a copy of the Sign Ordinance and to work with the City Building Department to resolve the issue.

LETTER FROM DIANE BRADY, SECRETARY, SOUTH FARMINGTON BASEBALL, INC. RE: PARADE PERMIT. Mrs. Brady requested permission to conduct their annual opening day parade culminating in an opening day celebration at Shiawassee Park.

03-99-081 MOTION by McShane, seconded by Campbell, to authorize the use of City streets for the south Farmington Baseball, Inc. annual opening day parade, on Saturday, May 8, 1999 beginning at 10:00 a.m. and culminating in an opening day celebration at Shiawassee Park; and to provide assistance by the Public Safety Department to ensure safety along the parade route. MOTION CARRIED UNANIMOUSLY.

LETTER FROM JOHN S. CRISSMAN, JR., POPPY CHAIRMAN, GROVES-WALKER POST #346, AMERICAN LEGION RE: POPPY DAYS SALE. Chairman Crissman requested permission to conduct the American Legion's annual Poppy Days sale.

03-99-082 MOTION by Campbell, seconded by Hartsock, to grant permission to the Groves-Walker Post #346, American Legion, to conduct their annual Poppy Days sale May 13, 14 and 15, 1999 to raise funds for needy veterans and their families. MOTION CARRIED UNANIMOUSLY.

LETTER FROM CARLEIGH FLAHERTY, PRESIDENT, CHAMBER OF COMMERCE, RE: FOUNDERS FESTIVAL PARADE PERMIT. The Farmington/Farmington Hills Chamber of Commerce requested permission for the event and assistance in conducting the annual Farmington Founders Festival.

03-99-083 MOTION by Mitchell, seconded by McShane, to grant permission to conduct the Founders Festival from July 8 through 10, 1999; to adopt a resolution authorizing the Department of Public Safety to apply to the State of Michigan Department of Transportation for a parade permit to close Grand River on July 10, 1999 from 9:00 a.m. until 1:00 p.m., agreeing that the City of Farmington will fulfill all permit requirements and hold the State of Michigan harmless for any liability resulting from the closing of

COUNCIL PROCEEDINGS -6-
March 15, 1999

Grand River and authorize City Departments to provide services for the Farmington Founders Festival. MOTION CARRIED UNANIMOUSLY.

RESOLUTION FROM BRANDON TOWNSHIP REGARDING STATE REIMBURSEMENT FOR IMPLEMENTATION OF THE STATE QUALIFIED VOTER FILE (QVF). Administration advised that Brandon Township had requested reimbursement from the State for implementation of the State Qualified Voter File. City Clerk Cantrell advised that implementation of the QVF has resulted in increased costs for local government and the State's original estimates for implementation of the QVF were inaccurate.

03-99-084 MOTION by Campbell, seconded by Hartsock, to adopt a resolution asking that the Secretary of State's office propose a budget to fund the QVF System to meet the needs of local clerks in administering elections and the State of Michigan fund completing implementation and operation of the QVF System and to send a copy of the resolution to Governor Engler, Senator Bullard, Representative Raczkowski, Secretary of State Miller, Oakland County Clerk and State Clerk's Associations. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

REQUESTS FOR PROCLAMATIONS: 1) FAIR HOUSING MONTH IN OAKLAND COUNTY, APRIL 1999 2) MICHIGAN SEVERE WEATHER AWARENESS WEEK, MARCH 28-APRIL 3, 1999.

03-99-085 MOTION by Campbell, seconded by McShane, to proclaim April, 1999 as Fair Housing Month in Oakland County, and March 28 - April 3, 1999 as Michigan Severe Weather Awareness Week. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION TO AUTHORIZE CONTRACT AND EXPENDITURE FOR ARCHITECTURAL SERVICES FOR THE 47TH DISTRICT COURT. Improvements for the 47th District Court facilities have been discussed and investigated by Farmington, Farmington Hills and the 47th District Court. A Facility Planning Committee was formed and recommended the employment of an architectural firm for a pre-design study to evaluate issues for Court expansion including building size and site locations for an expanded Court. Funding and further decisions and discussions will be assessed by the pre-design study.

03-99-086 MOTION by Mitchell, seconded by McShane, to authorize the City Manager to execute, with the City of Farmington Hills and the 47th District Court, an agreement with French Associates and Spillis Candela & Partners, Inc. to perform the pre-design study at a cost not to exceed \$36,195; funding to be part of the District Court budget for FY 1998-99.

COUNCIL PROCEEDINGS -7-
March 15, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF RESOLUTION FOR MDNR GRANT APPLICATION FOR SHIAWASSEE PARK IMPROVEMENTS. Administration recommended an MDNR grant application for Shiawassee Park Improvements.

03-99-087 MOTION by Campbell, seconded by Hartsock, to adopt a resolution approving a grant application totaling \$55,000 of improvements with a local match totaling \$27,500 of general funds for Shiawassee Park improvements. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

PRESENTATION OF SIX YEAR CAPITAL IMPROVEMENT PLAN 1999-2004. City Manager Lauhoff presented the 1999-2004 Six Year Capital Improvement Plan.

Discussion followed regarding the cost of leasing computer equipment for finance and networking the computer system.

03-99-088 MOTION by Campbell, seconded by Hartsock, to receive and file the Six Year Capital Improvement Plan, 1999-2004, as adopted by the City of Farmington Planning Commission on March 8, 1999. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF CONCRETE CONTRACT AWARD FOR 1999 PAVING PROGRAM. Administration advised that 11 bids were received for the 1999 Road Improvement Program and Department of Public Works facility yard replacement. The lowest bidder, Viking Construction Company, Inc., was withdrawn due to error in calculations. Administration advised that the second low bidder, Hard Rock Concrete, was equipped and qualified to perform the work.

03-99-089 MOTION by Campbell, seconded by Hartsock, to award the bid for the 1999 Paving Program and DPW facility yard replacement to the second low bidder, Hard Rock Concrete of Westland, Michigan, in the amount of \$569,079.75.

COUNCIL PROCEEDINGS -8-
March 15, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ASPHALT CONTRACT AWARD FOR 1999 PARKING LOT, CEMETERY AND REPAIR PROGRAM. Administration advised that 5 bids were received for the 1999 parking lot, cemetery improvements and road patching. The City Engineers, Administration and Public Services recommended that the bid be awarded to the low bidder, S & J Asphalt Paving in Canton, Michigan, and that they are equipped and qualified to perform the work.

03-99-090 MOTION by McShane, seconded by Hartsock, to award the asphalt project, 1999 Parking Lot, Cemetery and Repair Program, to the low bidder, S & J Asphalt Paving of Canton, Michigan in the amount of \$70,758.85; funds to be provided from the Municipal Street Fund and General Fund for FY 1998-99.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF SIDEWALK CONTRACT AWARD FOR 1999 PROGRAM.

Administration advised that 6 bids were received for the 1999 Sidewalk Program that was prepared by City Engineers, Orchard, Hiltz & McCliment, Inc. The project will replace approximately 40,000 sf of sidewalk and will be the first sidewalk replacements done under the new program which eliminated special assessments to the property owner. The City Engineer, Administration and Public Services recommended awarding the 1999 Sidewalk Program to LaRocca Construction.

03-99-091 MOTION by Hartsock, seconded by Mitchell, to award the contract for the 1999 Sidewalk Program to the low bidder, LaRocca Construction of Livonia, in the amount of \$108,287.50; funds to be provided from the Municipal Sidewalk Fund for FY 1998-99.

COUNCIL PROCEEDINGS -9-
March 15, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO REAUTHORIZE PURCHASE OF DPW PICKUP TRUCK.

Administration advised that the Public Services Department was notified that the Chevrolet Division is unable to build the 1999 pickup truck that was ordered from Buff Whelan Chevrolet through the Oakland County Cooperative Purchasing Program. Staff arranged to purchase a 1999 Ford pickup truck, per Department specifications.

03-99-092 MOTION by Mitchell, seconded by McShane, to authorize cancelling the purchase of a 1999 pickup truck from Buff Whelan, Inc., and to authorize the purchase of a 1999 one-ton, extended cab, four-wheel drive pickup truck in the amount of \$23,338 from Signature Ford through the Macomb County cooperative purchasing program; funding to be provided in the FY 1998-99 budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Kay Briggs, chairman of the Farmington Hills Historical Commission, was present and noted that on March 8, 1824 Arthur Power, his two sons and two hired men came to this area and noted that it is the 175th anniversary of the founding of Farmington. Ms. Briggs requested that the topic of the Founders' Festival be the 175th Anniversary. She advised that the Farmington Hills Historical Commission had recopied the 1877 history of Farmington Township, which was published in the 1877 History of Oakland County, and that the Risdon Map is on the cover of the publication showing the Power Settlement of 1824. Ms. Briggs described the publication and presented a copy to Mayor Bush. A copy of the map sells for \$10.00 and Council noted that they could be sold at Farmington City Hall. Ms. Briggs concluded by asking if a clock could be placed at the Masonic Temple and relocate the tree.

COUNCIL PROCEEDINGS -10-
March 15, 1999

Nancy Leonard, 33309 Shiawassee, commented on the Six Year Capital Improvement Plan and noted that she thought the amount for the furnace at the Warner Mansion was \$20,000 instead of \$35,000 as shown in the plan. Manager Lauhoff replied that the recent estimate was around \$35,000.

Charles Carvell, 33906 State, thanked Council for reappointing him to the Historical Commission. Council stated it was a pleasure to reappoint him.

COUNCIL COMMENT AND ANNOUNCEMENTS.

Councilman Campbell invited Council to the spaghetti dinner fundraiser for the PlayScape on Friday, April 30th from 5:00 p.m. to 8:00 p.m. at the Masonic Temple. Councilman Campbell asked if there is a way to call the DPW without going through the operator at City Hall. Assistant City Manager Richards explained how the two separate systems operate. Administration will check with City staff to see how many calls are coming in on the main phone line for the DPW.

Councilman Mitchell noted that the Western Wayne/Oakland County Board of Realtors office has a "for sale" sign in front of their building that is unattractive and that it should be addressed.

Councilwoman McShane asked how the Clerk's office handles issuing voter registration cards when people are constantly moving in and out of the City. Clerk/Treasurer Cantrell explained that a new voter registration card is sent to each new voter as required by state law.

Councilwoman McShane noted that there is no lighting on the south side of the T. J. Maxx building. Director Gushman replied that he will take care of the situation.

ADJOURNMENT

03-99-093 MOTION by McShane, seconded by Hartsock, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:14 p.m.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: April 5, 1999

CITY OF FARMINGTON

RESOLUTION NO. 03-99-084

Motion by Campbell, seconded by Hartsock, to adopt the following resolution:

WHEREAS, the State of Michigan implemented a statewide voter registration system, Qualified Voter File (QVF), for the State of Michigan, and

WHEREAS, the Legislature provided funding to develop the Qualified Voter File System, and

WHEREAS, the Legislature also provided funding to maintain and operate the QVF System including technical assistance to local governments which are mandated by state statute to use the QVF System, and

WHEREAS, such funding has been insufficient to fully implement the QVF System to a level which would allow local units of government to discontinue use of their current elections administration systems, and

WHEREAS, the task of converting to the QVF System and continuing to operate dual election administration systems has resulted in substantial additional costs to local units of government,

THEREFORE BE IT RESOLVED, that the Farmington City Council asks that the Secretary of State's Office propose a budget which adequately funds the QVF System to meet the needs of local clerks in administering elections, and

BE IT FURTHER RESOLVED, that the Farmington City Council hereby requests that the Legislature of the State of Michigan fund a comprehensive and complete implementation and operation of the QVF System at a level which would allow local units of government to rely solely on the QVF System for all functions required in the administration of elections, and

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to Governor Engler, Senator Bullard, Representative Raczkowski, Secretary of State Miller, Oakland County Clerk Caddell and the appropriate State Clerk's Associations.

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

NAYS: None.

ABSENT: None.

MOTION CARRIED UNANIMOUSLY.



PATSY K. CANTRELL, CITY CLERK/TREASURER

CITY OF FARMINGTON

RESOLUTION NO. 03-99-087

Motion by Campbell, seconded by Hartsock, to adopt the following resolution:

WHEREAS, the Farmington City Council has determined that the City's largest park, located at Shiawassee and Power Roads, is due for repair of the footbridge at an estimated cost of \$55,000.00, and

WHEREAS, the Council has previously included this improvement in the City's current Community Recreation Master Plan, 1999-2003, and

WHEREAS, this improvement is estimated to cost \$55,000.

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is authorized to submit a grant application to the Michigan Department of Natural Resources (MDNR) for Shiawassee Park Improvements, and

BE IT FURTHER RESOLVED, that is the grant is awarded, the Council will undertake the proposed improvement and appropriate up to \$27,500 of general funds (50% of estimated total cost of improvement) as the required local match.

PATSY K. CANTRELL, CITY CLERK/TREASURER

I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, March 15, 1999, in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

**JOINT SPECIAL MEETING
FARMINGTON BOARD OF EDUCATION
CITY OF FARMINGTON
CITY OF FARMINGTON HILLS**

A joint meeting of the Farmington Public Schools Board of Education, the Farmington City Council, and the Farmington Hills City Council was held on Tuesday, March 30, 1999 at the Farmington Training Center, 33000 Thomas Street, Farmington, Michigan. The meeting was hosted by Farmington Public Schools.

FARMINGTON PUBLIC SCHOOLS BOARD OF EDUCATION MEMBERS PRESENT: Cathleen Webb, President; Priscilla Brouillette, Vice President; Linda Enberg, Secretary; Frank Reid, Treasurer; Bobbie Feldman, Trustee; R. Jack Inch, Trustee; Gary Sharp, Trustee

FARMINGTON PUBLIC SCHOOLS REPRESENTATIVES PRESENT: Diane Bauman, School/Community Relations Supervisor; Cheryl Cannon, Assistant Superintendent of Business and Operational Services; Jerry Fouchey, Director of Curriculum/Staff Development; C. Robert Maxfield, Superintendent; Jim Myers, Director of Student Services; Pam O'Malley, Dunckel Middle School Principal; Dan Sutton, Director of Information Management; Judy White, Assistant Superintendent of Instructional Services; Sue Zurvalec, Assistant Superintendent of Staff and Community Services; and high school students

FARMINGTON CITY COUNCIL MEMBERS PRESENT: Mary Bush, Mayor; William Hartsock, Mayor Pro Tem; Jo Anne McShane, Arnold Campbell, and James Mitchell

FARMINGTON CITY REPRESENTATIVES PRESENT: Frank Lauhoff, City Manager; Janice Schmidt, Deputy Clerk

FARMINGTON HILLS CITY COUNCIL MEMBERS PRESENT: Aldo Vagnozzi, Mayor; Vicki Barnett, Mayor Pro Tem; Nancy Bates, Jerry Ellis, Jonathan Grant; Cheryl Oliverio; Jody Soronen

FARMINGTON HILLS CITY REPRESENTATIVES PRESENT: Steve Brock, City Manager; Kathryn Dornan, City Clerk; Dana Whinnery, Assistant City Manager; Teri Arbenowske, Assistant to City Manager

ALSO ATTENDING: Larry O'Connor, Farmington Observer Newspaper; Bill McCarthy, Vice President and Senior Project Manager of McS/EV

The meeting was called to order by Farmington Board of Education President Cathleen Webb at 7:35 pm.

The pledge of allegiance was led by North Farmington High School students Meredith Riley and Cathryn Powell.

1. **WELCOME AND INTRODUCTIONS.** Welcoming remarks were made by Farmington Hills Mayor Vagnozzi, Farmington Mayor Bush, and Farmington Public Schools Board President Webb. It was noted that there was 100% attendance of City Council and Board members.

It was moved and supported that the meeting agenda be amended to reverse the order of items II. A. Providing Facilities Necessary for 21st Century Teaching and Learning and II. C. Promoting Civic Awareness and Participation in Public Life. Motion approved.

2. **PROMOTING CIVIC AWARENESS AND PARTICIPATION IN PUBLIC LIFE.** Jerry Fouchey, Farmington Schools Director of Curriculum/Staff Development, led a discussion and solicited feedback on the definition of a responsible citizen and ways to work together to increase opportunities for students to become more civic minded and more involved in local government and community service activities. Mr. Fouchey provided a handout on the responsible citizen which included an excerpt from the Michigan Curriculum Framework. Student representatives from Farmington, Harrison, and North Farmington high schools participated in the group discussions.

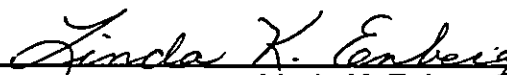
Mr. Fouchey will disseminate a summary of the discussion points to all City Council members, Board members, and staff working on revisions to the 12th grade Government course.

3. **OPENING COMMUNICATIONS WITHIN THE DISTRICT, REGION, AND THE WORLD.** Dan Sutton, Farmington Schools Director of Information Technology, provided an update on the fiberoptic network. Permits have been approved and the bid has been awarded to Fiberlink. Fiber installation will begin this summer, and the network should be operational after the first of the year.
4. **PROVIDING FACILITIES NECESSARY FOR 21ST CENTURY TEACHING AND LEARNING.** As a result of the District's Strategic Plan, Assistant Superintendent Cannon reported that the District began to explore ways to define what effective schools should look like and ways to reconfigure the learning environment. She discussed improvements made as a result of the September 1997 voter approved bond issue and reviewed the recent Series II bond sale.

Dialogue will continue regarding: the District's willingness to look into the possibility of installing sidewalks at Harrison High School and other school sites where none exist, the development of a science center at Heritage Park, and shared use and accessibility of restroom facilities.

Bill McCarthy, Vice President and Senior Project Manager of McS/EV, reviewed Phase I and Phase II construction projects. A brief discussion took place.

5. **DEVELOPING NEW APPROACHES FOR CAREER AWARENESS AND WORKFORCE DEVELOPMENT.** Pam O'Malley, Principal of Dunckel Middle School, provided an update on the activities of the Partnership/School to Work Advisory Council. Discussion followed.
6. **OTHER ISSUES OF INTEREST TO ELECTED OFFICIALS.** A general discussion took place regarding: the work force of the future, preparation of the communities' children for the future, composition of the work force in the year 2050, work force trends, and the need to focus on basic life learning skills and journeymen/vocational training.
7. **PUBLIC COMMENTS.** None.
8. **ADJOURNMENT.** The Joint Meeting of the Farmington Board of Education and the cities of Farmington and Farmington Hills adjourned at 9:32 pm.



Linda K. Enberg, Secretary
Farmington Public Schools Board of Education

Minutes of the March 30, 1999 Joint Meeting
were prepared by Deborah Higgins
Executive Assistant to the Farmington Board of Education

**CITY OF FARMINGTON
SPECIAL COUNCIL MEETING**

A special meeting of the Farmington City Council was held Monday, April 5, 1999 with Representative Joe Knollenberg 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 6:43 p.m.

COUNCIL MEMBERS PRESENT: Bush, McShane, Mitchell.

COUNCIL MEMBERS ABSENT: Campbell, Hartsock.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff.

OTHERS PRESENT: Representative Joe Knollenberg, Shawn Civattone, Staff Assistant.

After introductions Representative Knollenberg discussed the Clean Water Act and sewage disposal issues. He advised Council that, nationwide, clean water and sewage disposal are issues with a potentially huge impact on small communities. Discussion followed on federal mandates and possible resolutions. Manager Lauhoff asked Representative Knollenberg to follow this issue on behalf of local communities. Knollenberg asked for feedback from the community regarding the Environmental Protection Agency (EPA) and the effect of the Agency's rules and regulations on the community.

Council asked about potential federal budget cuts affecting local governments as reported in a recent issue of Nation's Cities Weekly. Representative Knollenberg advised that he was not aware of the proposed cuts mentioned in the publication.

Mayor Bush asked for discussion on telecommunications issues, expressing concern regarding the costs of refranchising to the City. Mayor Bush explained that Farmington is in the process of refranchising Time Warner.

Discussion followed regarding the costs of refranchising which include large legal fees; the variety of cable television offerings; the reluctance of cable companies to provide the newest technology including internet access; complaints about rates; and the lack of competition which is probably the most serious problem. Representative Knollenberg stated that he recognizes that there is a lack of competition which is a definite problem and that the telecommunications act did not intend this result. He noted two House Bills, 851 and 1027, which address the competition issue. Discussion continued regarding encouraging competition, and specifically by allowing satellite companies to

carry local channels. Representative Knollenberg stated that the Congress does not wish to go backward in this area and will probably not re-regulate but will go forward by providing for competition.

Mayor Bush asked about Community Development Block Grant (CDBG) funding expressing concern with reported decreases in funding levels. Representative Knollenberg stated that he is not aware of any move to reduce this program; that it is a good program that appears to work well and that he is supportive of continued funding.

Mayor Bush inquired about funding for road programs. Representative Knollenberg stated that it looks good for road funding. He advised that funding was expected to exceed the level requested by Governor Engler and would be about \$300 million. Representative Knollenberg stated that as gas use is up he expects the distribution of road funds to increase and for the funds to be forthcoming.

Discussion followed regarding local road projects and reported funding cuts in road as well as other program funds.

Representative Knollenberg discussed the federal budget process including the budgeting and spending priorities of the Congress.

Meeting adjourned at 7:50 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, April 5, 1999, 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 Bush.

PRESENT: Bush, Campbell (arrived at 8:27 p.m.), McShane, Mitchell.

ABSENT: Hartsock.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Schultz, Director Goss, Director Gushman, City Manager Lauhoff.

APPROVAL OF AGENDA

04-99-094 MOTION by McShane, seconded by Mitchell, to amend the agenda to add item 4B "Presentation By Representative Joe Knollenberg" and to approve the Agenda as amended. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

04-99-095 MOTION by Mitchell, seconded by McShane, to approve the minutes of the Special and Regular Meetings of March 15, 1999 and the Closed Session Meeting of March 10, 1999. MOTION CARRIED UNANIMOUSLY.

PRESENTATION BY REPRESENTATIVE JOE KNOLLENBERG.

Representative Knollenberg spoke regarding issues of concern previously addressed with the Council: telecommunications issues, Community Development Block Grant funding, and road funding. Representative Knollenberg stated that he will work with local governments to address areas of concern; he noted that over \$300 million had been obtained for road funding and stated that he is on the Budget and Appropriations Committees working to pass legislation. Representative Knollenberg thanked Mayor Bush, City Council, and the residents for their support and help. He asked Farmington residents to contact him regarding their concerns.

PRESENTATION: MAYORAL PHOTOGRAPH: ERIN COGSWELL, MISS FARMINGTON OAKLAND COUNTY 1998-99

Erin Cogswell, Miss Farmington for 1998-99, updated Council on events she participated in as Miss Farmington. She noted that she had participated in "Prom Gala" involving students who made a commitment to stay alcohol and drug free. Ms. Cogswell distributed a brochure entitled "Choice R Consequences" relating to issues of

COUNCIL PROCEEDINGS -2-
April 5, 1999

alcohol abuse. The pamphlet notes stages of intoxication, tips to live by, and legal facts regarding drinking laws in Michigan. Ms. Cogswell presented a portrait of her and Mayor Bush to the City.

PRESENTATION: SHARLAN DOUGLAS, EXECUTIVE DIRECTOR, EIGHT MILE BOULEVARD ASSOCIATION

Sharlan Douglas was present and relayed to Council an article that appeared in the Sunday Detroit News and Detroit Free Press regarding urban growth surrounding the suburban areas around Detroit. She stated that older communities like Farmington are affected in many ways by including proposed legislation in Lansing to change the funding formula between cities and townships based on their taxation structures. A group of mayors from the Eight Mile Boulevard Association went to Lansing and modified the legislation to minimize the impact on older communities. Ms. Douglas discussed a new program evolving from Wayne, Oakland and Macomb Counties Corrections Departments to pick up litter along Eight Mile Road.

Mayor Bush noted the Association's annual fundraiser, May 5th from 5:00 p.m. to 7:00 p.m., held in conjunction with their annual meeting in Eastpointe at Eight Mile and Gratiot. She stated that the Association is a classic example of local government getting involved and what can be accomplished.

Mayor Bush thanked Ms. Douglas and indicated Farmington's continuing support.

MINUTES OF OTHER BOARDS

04-99-096 MOTION by McShane, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions.

- Farmington Board of Zoning Appeals minutes of March 3, 1999.
- Farmington Area Commission on Aging minutes of February 23, 1999.
- Historical Museum Development Committee minutes of March 17, 1999.
- Farmington Community Library Board of Trustees minutes of January 14, 1999.
- Farmington Area Arts Commission minutes of February 25, 1999.

MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

REQUEST FOR OUTSIDE SALES, 35243 GRAND RIVER, FRESH APPROACH MARKET. Tres Roberts, Store Manager, requested permission to conduct outside sales and display for the next twelve month period.

COUNCIL PROCEEDINGS -3-
April 5, 1999

Mayor Bush asked Manager Lauhoff to review the request. Manager Lauhoff reviewed the request, noted changes from the previous year, and recommended approval of the request.

Discussion followed regarding changes in the displays and safety issues including hoses across the walkways, and concern that they not interfere with pedestrian traffic for safety reasons. Mr. Roberts responded that an extension hose will be rolled up and not left laying out and that watering of the plants and flowers is done early in the morning before the store opens.

04-99-097 MOTION by Mitchell, seconded by McShane, to grant permission for outside sales displays and an expanded hanging flower/basket area for the next twelve month period to Fresh Approach Market at 35243 Grand River; outside sales and displays are for flower sales from May 1 through September 9; pumpkin sales from September 15 through November 1; and Christmas tree sales from November 20 through December 28, 1999. MOTION CARRIED UNANIMOUSLY.

REQUEST FOR RESOLUTION: NATIONAL ASSOCIATION OF LETTER CARRIERS - FOOD DRIVE DAY, MAY 8, 1999.

04-99-098 MOTION by McShane, seconded by Mitchell, to adopt a resolution to encourage Farmington residents to participate in the National Association of Letter Carriers Food Drive Day on Saturday, May 8, 1999. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

ISSUANCE OF 1999 TAXICAB LICENSES. Northwest Transport Company, owner of Suburban Checker Cab, Inc. and Yellow and Red Cab; and Robert Clark, owner of ABC Cabs, requested licensing for their taxicabs. Administration advised that the taxicabs have been inspected by the Livonia Police Department and/or Farmington Public Safety Department and found to be satisfactory.

Council asked about concerns raised by senior citizens regarding response time from the cab companies. Manager Lauhoff stated that there is a problem with response time and that the City has denied incentive payments when problems occur. Administration noted that contributing to the problems are that it is difficult to find qualified workers and that there is no competition among cab companies.

(Councilman Campbell arrived at 8:27 p.m.)

04-99-099 MOTION by Mitchell, seconded by McShane, to authorize the issuance of eleven (11) taxicab licenses to the Northwest Transport Company, 31376 Industrial

COUNCIL PROCEEDINGS -4-
April 5, 1999

Road, Livonia, and three (3) licenses to ABC Cab Company, 36977 Amrheim, Livonia, for 1999. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF BIDS FOR M-5/FARMINGTON ROAD BRIDGE

LANDSCAPING. Administration advised Council that plans for landscaping and improvements to the Farmington Road corridor from Grand River to Eight Mile Road had been accepted by both City Councils as presented to them by the Farmington and Farmington Hills Beautification Commissions. A design of the project was completed by Grissim-Metz Associates who recommended the planting of Austrian Pine trees. The Director of Public Services and Grissim-Metz Associates recommended accepting the low bid.

04-99-100 MOTION by Campbell, seconded by McShane, to award the M-5/ Farmington Road landscaping project to the low bidder, Canon-Russeau Landscape, Inc. of Carleton, Michigan, in the amount of \$10,945; funds to be provided from the 1998-99 Major Street Fund account.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

There were no public comments.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Mayor Bush informed Dick Carvell that she will pick up a check for the Mansion from the Mobil Station located at Grand River and Drake and that the manager of the station stated he has received many comments in favor of their supporting the schools and the Mansion.

Mayor Bush noted that she had spoken with Mardy Hamilton and reported that the PlayScape fundraiser at Colonial Car Wash is going to be April 17th and that Council members will be assisting with the car wash.

COUNCIL PROCEEDINGS -5-
April 5, 1999

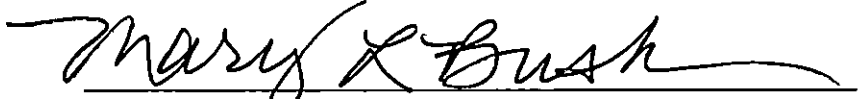
APPROVE MONTHLY PAYMENTS REPORT

04-99-101 MOTION by Campbell, seconded by Mitchell, to approve the Monthly Payments Report for March, 1999. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

04-99-102 MOTION by McShane, seconded by Mitchell, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 8:34 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK, TREASURER

CITY OF FARMINGTON

RESOLUTION NO. 04-99-098

WHEREAS, the Kids Count in Michigan report conducted by the Michigan League for Human Services and Michigan State University verifies that an increasing and substantial number of children in Michigan are at risk of poverty and hunger; and

WHEREAS, the number of children in poverty who live in Michigan has increased by nearly 80,000 children over the past decade; and

WHEREAS, poverty adversely affects birth weight, child deaths, abuse and neglect, education and the general health of our most precious resource, our children; and

WHEREAS, the National Association of Letter Carriers (NALC) in conjunction with the United States Postal Service (USPS) is sponsoring the Annual National Food Drive Day on Saturday, May 8, 1999; and

WHEREAS, the NALC Branch 3126 in the City of Farmington is participating in the National Food Drive Day; and

WHEREAS, the cost of inaction is too high, particularly in the face of many negative outcomes of our children and community which are preventable;

NOW, THEREFORE BE IT RESOLVED THAT THE CITY OF FARMINGTON supports the National Association of Letter Carriers Food Drive; and

NOW THEREFORE BE IT FURTHER RESOLVED THAT THE CITY OF FARMINGTON encourages the residents of Farmington to leave nonperishable food at their mailboxes on Saturday, May 8, 1999; and

THEREFORE, BE IT FINALLY RESOLVED THAT THE CITY OF FARMINGTON proclaims Saturday, May 8, 1999 as National Association of Letter Carriers Food Drive Day.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....

I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, April 5, 1999, in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

**CITY OF FARMINGTON
SPECIAL COUNCIL MEETING**

A special meeting of the Farmington City Council was held on Monday, April 19, 1999 at 7:00 p.m. in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Goss, City Manager Lauhoff.

OTHERS PRESENT: County Commissioner Terry Sever.

Mayor Bush opened the meeting and invited Commissioner Sever to speak.

Commissioner Sever discussed county operations commenting on his initial experiences at the County level of government.

Commissioner Sever stated that he has taken on the issue of securing additional road funding for Oakland County and for the two cities, Farmington and Farmington Hills. He stated that he is conducting a study on the return of federal funds to the state and that Oakland County appears to be shortchanged in road funding by about 15 percent. Commissioner Sever advised Council that he is trying to assist Oakland County develop a strategy to secure more equitable funding. He advised that Oakland County administration projects that the County can only fund about 20 percent of near term road needs.

Mayor Bush asked Commissioner Sever to discuss the Farmington Road Maintenance Contract which the City has with Oakland County.

Discussion followed regarding County reimbursements for local maintenance of county roads. Manager Lauhoff advised that the Michigan Department of Transportation will reimburse actual expenditures for local unit maintenance of state roads. He advised that Oakland County does not reimburse actual expenditures but allows an annual amount for all maintenance work including snow removal. Discussion followed on the inadequacy of County funding for maintenance.

Manager Lauhoff informed Commissioner Sever that the County has promised to "hot patch" Farmington Road again this year and asked him to follow up on this and advise the City. Manager Lauhoff noted that Farmington Road is scheduled to be resurfaced in the year 2001. Commissioner Sever stated that the money

has been committed for the project. Manager Lauhoff noted that the project could be moved ahead if other scheduled projects are not ready. Commissioner Sever advised Council that he will follow the project and attempt to make sure that it is done. Discussion continued regarding road construction.

Mayor Bush invited discussion on the next agenda item, emergency radio equipment for the City Public Safety Department.

Commissioner Sever advised that the Board of County Commissioners had passed a resolution to make funds available for the 911 system and that the County may use some general fund monies for the project.

Director Goss stated that the current assessment covers the 911 system up to the end of the phone lines and that the additional assessment being considered by the County would fund the radio equipment necessary to complete the system which would provide equipment on a county wide level.

Discussion followed regarding funding of a 911 system; concerns that an 800 frequency level will not be adequate; County plans for cellular towers; and the number of radios the County plans to provide local units of government. Commissioner Sever stated that the County had passed a resolution to levy a four percent assessment to fund the system and will levy the four percent assessment if sufficient general fund monies are not available.

Discussion followed regarding implementation and funding of the 911 system and FCC frequency allocations.

Commissioner Sever advised Council that the County is considering an infrastructure fund for drainage improvements and that Farmington would receive about \$40,000 a year for five years through this fund. Discussion followed regarding funding of drainage improvements.

Discussions were held on Y2K compliance issues.

Commissioner Sever advised Council that he had discussed the issue of court funding with Bob Daddow, Finance Officer of Oakland County. He stated that Mr. Daddow agreed that inequities exist in the present funding system for courts but that it does not look good for local governments in terms of resolving those inequities. Discussion followed regarding inequities in the current funding of courts.

Commissioner Sever advised Council that he will monitor the level of services received from the County, securing equitable funding for his district where possible, and that he is available to discuss any issues. He indicated that Council could reach him at his Farmington address.

Mayor Bush, with Council concurring, thanked Commissioner Sever for his attendance at the meeting.

Meeting adjourned at 7:53 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: May 3, 1999

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, April 19, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

PLEDGE OF ALLEGIANCE

Max Siskosky, J. J. Wolfgram, Alex Dobbs, Aaron Davis, Jayesh Kapoor, and Brent Stutso, members of Cub Scout Troop from Longacre School, Den 6, Pack 45, led the Pledge of Allegiance. Mayor Bush briefly discussed local government and challenged each of them to become an Eagle Scout.

APPROVAL OF AGENDA

04-99-103 MOTION by McShane, seconded by Campbell, to approve the agenda as amended. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

04-99-104 MOTION by Hartsock, seconded by Campbell, to approve the minutes of the Special and Regular Meetings of April 5, 1999. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

04-99-105 MOTION by Campbell, seconded by McShane, to receive and file the minutes of the following Boards and Commissions.

- Farmington Beautification Commission minutes of March 10, 1999.
- Farmington Historical Commission minutes of March 17, 1999.
- Downtown Development Authority minutes of April 6, 1999.
- Traffic and Safety Board minutes of March 18, 1999.
- Commission on Children, Youth & Families minutes of March 4, 1999.
- Governor Warner Mansion Development Committee minutes of March 31, 1999.
- Farmington Community Council Arts Council minutes of March 11, 1999.

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- Farmington Area Arts Commission minutes of March 18, 1999.
- Farmington Board of Education minutes of February 23, 1999 and Study Session minutes of March 9, 1999.

Councilman Mitchell mentioned that on Page 2 of the Commission on Children, Youth & Families minutes of March 4, 1999, it was stated that the Farmington City Council indicated they were interested in pursuing and promoting the bicycle helmet issue. He noted it was something Council would consider, but not to promote it at this time. Manager Lauhoff stated that Director Goss is the City's representative on the Commission and that he could relay the information to them.

MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

CONSIDERATION OF REAPPOINTMENTS TO BOARDS AND COMMISSIONS: 1) FARMINGTON AREA COMMISSION ON AGING, 2) FARMINGTON CABLE ACCESS COMMITTEE, 3) PLANNING COMMISSION, 4) BOARD OF ZONING APPEALS.

04-99-106 MOTION by McShane, seconded by Hartsock, to reappoint James Mitchell to the Farmington Cable Access Committee for a 3-year term to expire May 15, 2002; John Washburn to the Farmington Area Commission on Aging for a 3-year term to expire June 15, 2002; Alton Bennett and James Pogue to the Planning Commission for a 3-year term to expire June 15, 2002; and Dara Tolbert and William Burke to the Board of Zoning Appeals for a 3-year term to expire June 15, 2002. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF TIME WARNER REQUEST TO EXTEND SUBMISSION OF RESPONSE TO THE CABLE TELEVISION RFRP FROM APRIL 26, 1999 TO MAY 28, 1999

Tom Bjorklund, Vice President and Regional Manager of Time Warner Cable, was present and discussed the RFRP issued by the Cities of Farmington, Farmington Hills and Novi and asked for a one month extension on the RFRP deadline to May 28, 1999. He noted that the documents are voluminous, response is time consuming and the company is going through management changes. Mr. Bjorklund stated it would take considerable effort to apprise new management of the proposal Time Warner will present to the cities. Mr. Bjorklund noted that recent Freedom of Information Requests made to the cities had also required time. He then offered to answer any questions Council had.

Councilman Campbell stated that this process has been ongoing for some time and questioned the lateness of the request for an extension. Mr. Bjorkland noted Time

COUNCIL PROCEEDINGS -3-
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Warner had originally sent the request to Southwestern Oakland Cable Commission and had been advised by Attorney Donohue that the request should be made to the various city councils.

Councilman Hartsock concurred that he was surprised at the lateness of the request and that the process has formal stated time lines. He noted all proceedings have been public and information has been available and he felt that a better response would be to comeback to the bargaining table to resolve issues.

Discussion followed regarding the process and issues involved. Mr. Bjorklund noted Time Warner would have been willing to continue to negotiate informally. Councilman Hartsock noted that progress was not being made and that money was the real issue.

Councilman Mitchell suggested that Time Warner respond and that informal negotiations could proceed.

Councilwoman McShane noted the issues could have been negotiated before now; that the cities involved have spent considerable time and money regarding these issues; and that it is costing taxpayers a lot of money.

Mr. Bjorklund noted that there are surprises in the document and that some items have never been discussed including a request to extend the institutional network to many traffic lights in the three cities.

Mayor Bush stated that comments of the other councilmembers expressed her views as well.

04-99-107 MOTION by Campbell, seconded by Mitchell, to deny the request from Time Warner to extend the deadline for response to the Cable Television RFRP until Friday, May 28, 1999. MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

REQUEST FROM LANCE KAWAS, OWNER OF THE GRAND CAFE, AT 33316 GRAND RIVER REQUESTING OUTDOOR SEATING. Lance Kawas, owner of the Grand Cafe, requested permission to place outside seating for the restaurant on the sidewalk along Grand River Avenue.

Mayor Bush asked Manager Lauhoff to review the request. Manager Lauhoff reviewed the request, noting that the Building Department inspected the area and that the chairs and tables described on the diagram will extend no more than 3' on the public sidewalk which will allow approximately 5' of clear sidewalk area between the tables, chairs, decorative trees and tree grates. Manager Lauhoff noted that the outdoor seating would

COUNCIL PROCEEDINGS -4-
April 19, 1999

be on a public sidewalk and is in close proximity to the Civic Theater which is used heavily by pedestrians. Concerns were voiced regarding City liability and reduced sidewalk area that would be available for pedestrians.

Mr. Kawas was present and brought a table of the type which would be used. He stated that it has been a struggle trying to run his business, but feels he is a part of the community and although business is picking up, he needs the City's help. Mr. Kawas stated that business is slow in the summer and that by having outside seating his business would be promoted.

Discussion followed regarding the type of chairs that would be used; lack of space for pedestrians; noting that the City has not granted seating on a City sidewalk in the past and would not want to set a precedent. Council stated that they support businesses in the community, but they were concerned about diminishing the pedestrian area.

Councilman Campbell suggested that two parking places be used off the rear of the building for outside seating.

Manager Lauhoff suggested that Council ask the Traffic and Safety Board to review the suggestion and make a recommendation.

Council discussed seating at the rear of Grand Cafe's business and noted that if other businesses wanted to do the same they would need to look at each case separately and that a policy would need to be put in place. It was suggested that Mr. Kawas check with the Health Department to see if there was a problem with carrying hot food and beverages up and down stairs and that all possible issues be addressed before he appears before the Traffic and Safety Board:

04-99-108 MOTION by Campbell, seconded by Hartsock, to deny outdoor seating for the Grand Cafe located at 33316 Grand River. MOTION CARRIED UNANIMOUSLY.

Mr. Kawas was advised that he would have to take the initiative to go before the Traffic and Safety Board.

REQUEST FOR PROCLAMATION: FROM COMMISSION ON CHILDREN, YOUTH & FAMILIES - FARMINGTON VOLUNTEERS' WEEK, APRIL 18-24, 1999.

04-99-109 MOTION by Hartsock, seconded by Mitchell, to proclaim the week of April 18 - 24, 1999 as Farmington Volunteers' Week. MOTION CARRIED UNANIMOUSLY.

Mayor Bush presented the Proclamation to Ms. McGlincy.

COUNCIL PROCEEDINGS -5-
April 19, 1999

CONSIDERATION OF RESOLUTION TO PREVENT LOCAL PREEMPTION OF TOBACCO CONTROL ORDINANCES. Administration advised that the City of Marquette passed an ordinance restricting tobacco smoke in restaurants and workplaces. In July 1997, the City of Marquette passed another ordinance that would make all restaurants in their city smoke free by January 1, 1999, which was challenged by the Michigan Restaurant Association, the Michigan Chamber of Commerce and local restaurants. The Marquette County Circuit Court found the ordinance invalid since it preempted state law by being more restrictive and the City of Marquette is appealing that decision.

04-99-110 MOTION by Hartsock, seconded by McShane, to adopt a resolution expressing displeasure with the principle and practice of local preemption regarding tobacco issues in general and to send a copy of the resolution to Representative Raczkowski, Senator Bullard, the City of Marquette, the Michigan Municipal League Legal Defense Fund, and the Coordinator of the Municipal Smoke-Free Initiative at the Michigan Municipal League Lansing office. [SEE ATTACHED RESOLUTION].
MOTION CARRIED UNANIMOUSLY.

REPORT FROM CITY ASSESSOR RE: DIGITAL IMAGING PROGRAM FOR REAL PROPERTY

Assessor Sailer was present to explain the digital imaging program that was developed by the Oakland County Equalization Department. Mr. Sailer stated that all properties in Oakland County would be photographed; would be stored at Oakland County's technology center and would be available for multiple uses in the county by people willing to subscribe to the program. Mr. Sailer stated that it was in the City's best interest to take their own pictures for quality control, quicker to receive the end product, and it would be better for the residents to have the work done by the City. Farmington will be the first city to be on the new system and the picture taking is near completion. The County will soon be testing the input. Mr. Sailer handed out materials showing examples of the photographs.

Council commended Mr. Sailer for taking the initiative to proceed with the program to have properties on the system.

It was noted that there is no specific plan for updating the pictures, but that properties are continuously updated as sales and reappraisals occur.

Councilman Mitchell asked if the County offers any reimbursement for the work done. Mr. Sailer replied that the County provided the use of their cameras and provided training; noting that the County will distribute an increased share of fees when data is developed by the local unit.

COUNCIL PROCEEDINGS -6-
April 19, 1999

REPORTS FROM CITY MANAGER

CITY MANAGER'S RECOMMENDED FY 1999-2000 BUDGET. Administration presented the City of Farmington's 1999-2000 Proposed Budget and reviewed the legal and charter requirements for determining the millage rate and adopting a budget.

04-99-111 MOTION by Campbell, seconded by McShane, to schedule a study session on April 28, 1999 at 5:00 p.m. to review the FY 1999-2000 Proposed Budget. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF CHANGE ORDER NO. 1 FOR PLAYSCAPE EQUIPMENT.

Administration recommended authorization for Change Order No. 1, Phase I and Phase II, for additional equipment and protective surfacing materials, fees for an assembly and installation supervisor and foreman to assist with the assembly and installation of the PlayScape equipment scheduled for Saturday, June 19 and Sunday, June 20, 1999.

04-99-112 MOTION by McShane, seconded by Mitchell, to authorize Change Order No. 1 to Purchase Order 16835, issued to Engan, Tooley and Doyle/Miracle Recreation Equipment Company, for Phase II equipment, and protective surfacing materials and installation, and installation supervisor fees for the Kids World PlayScape, in an amount not to exceed \$55,000.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AWARD CONTRACT FOR PLAYSCAPE PICKET

ENGRAVING. Administration advised that originally the plan for engraving the pickets for the fence surrounding the PlayScape was to be provided by community volunteers at a cost of \$5-6 per picket for the cost of wood and materials to construct the fence. Due to the number of pickets purchased, the Steering Committee recommended contracting with a vendor to perform the picket engraving. The only vendor to provide the quality of work and the desired price is Perfect Impressions of Farmington Hills.

04-99-113 MOTION by Mitchell, seconded by Campbell, to award engraving of the PlayScape pickets to Perfect Impressions in the amount of \$6.38 per picket and to waive the formal bid process in the best interest of the City, since Perfect Impressions is the only vendor offering an acceptable quality of work and price.

COUNCIL PROCEEDINGS -7-
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ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

There were no public comments.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilman Campbell thanked Council for their support of the fundraiser held at Colonial Car Wash on April 17th for funding of the PlayScape. Also at the Colonial Oil Change, owned by Colonial Car Wash, proceeds from half the cost of a twenty dollar oil change, covered with free oil from Valvoline, plus proceeds from a raffle, went to the PlayScape Project.

Councilman Campbell thanked Manager Lauhoff for checking the phone system and verifying that calls can be routed directly to the DPW.

Councilwoman McShane noted that the gas station at Drake and Grand River has put planters and posts to close off the western driveway and asked the City Manager if the City was going to allow other businesses to do the same. Manager Lauhoff noted that the situation at Drake and Grand River is experimental until April 1st and that a letter was sent by the Building Department stating that it will have to be closed permanently.

~~Councilwoman McShane stated that the Planning Commission had emphasized changing landscaping to eliminate plastic and stones in the City right of ways and noted that the Plaza at Mooney Street was the worst; that three homes on Shiawasse Street; the area where Pronto Pizza and Farmington Deli are located; Belle Tire; Tubby's, and Antonio's Pizza are also problems. Councilwoman McShane noted that she had talked to several members of the Planning Commission and they would like to see these areas improved in order to have a uniform look. Discussion followed about regulating these areas and the legal rights of the City. Manager Lauhoff stated that administration will talk to Attorney Donohue regarding this issue and what steps could be taken. Council concurred to review the issue with Attorney Donohue.~~ *Patsy K. Conwell 5-3-99*

Manager Lauhoff passed out information received from Representative Knollenberg regarding pending bills on satellite providers.

COUNCIL PROCEEDINGS -8-
April 19, 1999

**CONSIDERATION TO AMEND CITY COUNCIL MEETING SCHEDULE DURING
SUMMER MONTHS 1999.**

04-99-114 MOTION by Campbell, seconded by Hartsock, to cancel the Regular Council meetings scheduled for July 19, 1999 and August 16, 1999. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO SET MEETING DATE FOR JOINTLY FUNDED AGENCY
BUDGETS FOR MAY 4, 1999 AT 6:30 P.M. IN FARMINGTON HILLS COUNCIL
CHAMBERS.**

04-99-115 MOTION by Hartsock, seconded by Mitchell, to set a special meeting with the Farmington Hills City Council to review joint agency budgets on Tuesday, May 4, 1999 at 6:30 p.m. in Farmington Hills fire station. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO ENTER INTO EXECUTIVE SESSION TO CONSIDER THE
PURCHASE OF REAL PROPERTY**

04-99-116 MOTION by McShane, seconded by Mitchell, to enter into a closed session to discuss the purchase of real property.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

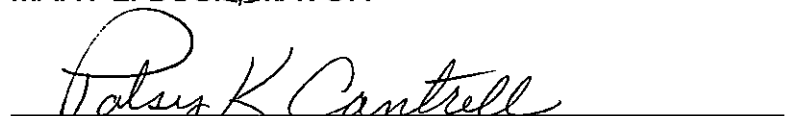
ADJOURNMENT

04-99-117 MOTION by McShane, seconded by Mitchell, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 10:04 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK, TREASURER

CITY OF FARMINGTON
RESOLUTION NO. 04-99-110

Motion by Hartsock, seconded by McShane, to adopt the following resolution.

WHEREAS, the detrimental health effects of cigarette smoking, as well as the health risks attributed to second-hand smoke, have been well documented by numerous credible and recognized scientific and medical entities including, but not limited to: the Surgeon General, the Food and Drug Administration, the National Institutes of Health, the Environmental Protection Agency, the Institute of Medicine, the U.S. Centers for Disease Control and Prevention, and the World Health Organization; and

WHEREAS, for many years, the City of Marquette, Michigan has had in place, under Title IV, Chapter 35 of the City's Code, one of the state's most stringent ordinances designed to protect the public from the effects of second-hand tobacco smoke; and

WHEREAS, the Marquette City ordinance required 80% of restaurant seats to be smoke-free sections; and

WHEREAS, on July 28, 1997, the City of Marquette, Michigan, by a majority vote of the City Council, adopted an ordinance further restricting the use of tobacco products in restaurants and work places; and

WHEREAS, the 1997 amendments to this ordinance would have made all restaurants within the City of Marquette smoke free by January 1, 1999; and

WHEREAS, the Michigan Restaurant Association, the Michigan Chamber of Commerce and six restaurants located in the City of Marquette filed suit in Marquette County Circuit Court challenging the City's right to enact and enforce the ordinance; and

WHEREAS, on January 7, 1999, the Marquette County Circuit Court, in a ruling by Circuit Judge John Weber, declared that the section of the Marquette ordinance banning smoking in restaurants is invalid because the ordinance is preempted by state law under Section 12915 of MCL 333.12915; and

WHEREAS, the Constitution of the State of Michigan, Article VII, Sections 22 and 34, confers upon local governmental bodies the right to pass ordinances which they deem to be in their and their residents' best interests; and

WHEREAS, in accordance with the Constitution of the State of Michigan, local governmental entities have found it necessary to enact and enforce ordinances more stringent than state law;

IT IS THEREFORE RESOLVED that the City of Farmington supports the efforts of the City of Marquette to appeal the Opinion and Order of the Marquette County Circuit Court under File Number 98-35362-CZ; and

BE IT FURTHER RESOLVED that the City of Farmington affirms that it is opposed to the principle and practice of local preemption of tobacco control ordinances; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to State Representative Raczkowski, State Senator Bullard, the City of Marquette, the Michigan Municipal League Defense Fund, and the Coordinator of the Municipal Smoke-Free Initiative at the Michigan Municipal League Lansing office.

RESOLUTION DECLARED ADOPTED.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....
I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, April 19, 1999, in the City of Farmington, Oakland County, Michigan.


Patsy K. Cantrell, City Clerk/Treasurer

**CITY OF FARMINGTON
SPECIAL COUNCIL MEETING
(BUDGET STUDY SESSION)**

A special meeting of the Farmington City Council was held on Wednesday, April 28, 1999 in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 5:38 p.m. by Mayor Bush.

COUNCIL MEMBERS PRESENT: Bush, Campbell, Hartsock, McShane, Mitchell (arrived 5:50 p.m.)

COUNCIL MEMBERS ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff, Assistant City Manager Richards.

Mayor Bush called the meeting to order and invited Manager Lauhoff to present the proposed 1999-2000 budget.

Manager Lauhoff presented a summary of the proposed budget reviewing trends in major revenue sources of the General Operating Fund, potential increases in funding youth programs jointly with the City of Farmington Hills, and proposed changes in the school liasion officer program.


Council concurred to move forward with the proposed changes in the school liasion program which includes an increase in the school supplement from \$10,000 to \$30,000 and contracting with the current liasion officer, on a part-time basis, to work exclusively for the program. The Public Safety Department will hire an officer to replace the full time officer accepting this position.

Manager Lauhoff proposed issuing water and sewage bills with a combined charge for water usage and sewage disposal reflecting the actual use of revenue in the Water and Sewer Fund. All revenues are used to operate the combined system. Manager Lauhoff asked if Council wished to begin including a description on utility bills of pending charges from Detroit for correction of combined sewer overflow. Charges are not being assessed at this time. Council concurred to combine the water and sewer charges on utility bills and to include a description of pending Detroit CSO charges on utility bills.

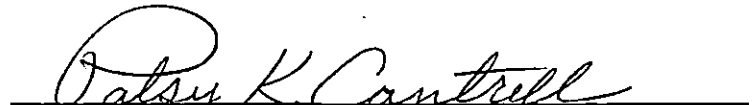
Manager Lauhoff continued presentation of the budget reviewing proposed expenditures in the General Operating Fund; revenues and expenditures in the Street Funds, Debt Funds, and the Water and Sewer Fund. He concluded the presentation with discussion of captial outlays and revenues and expenditures in various other City funds.

Discussion followed regarding appropriate financing of City services and debt and millage levels.

Meeting adjourned at 9:15 p.m.



MARY L BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: May 17, 1999

CITY OF FARMINGTON
COUNCIL PROCEEDINGS

A special meeting of the Farmington City Council was called to order by Mayor Bush at 7:10 p.m. on Monday, May 3, 1999 in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

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

ABSENT: None

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Attorney Donohue (arrived at 7:16 p.m.), City Manager Lauhoff, Assistant City Manager Richards.

OTHERS PRESENT: State Representative Andrew Raczkowski.

Mayor Bush opened the meeting and invited Representative Raczkowski to address the agenda items.

Revenue Sharing Formula. Representative Raczkowski informed Council that Senate Bill 366 had passed the Senate and would add 26.2 million in revenue sharing funds and that this bill is now in a House sub-committee. He advised that current interest is in holding the line on revenue sharing.

Act 51 (Road Revenue Sharing) 1998-99. Representative Raczkowski reminded Council that Act 51 sunsets in September of this year. The committee appointed to study transportation reports to the Citizens Advisory Panel which then reviews and forwards it to the legislature. Representative Raczkowski advised Council of current attempts to fund the Secretary of State's office and the Attorney General's office with Act 51 monies in order to free up State General Fund monies. He recommended contacting the Michigan Municipal League to make sure the League is addressing this issue. Representative Raczkowski discussed how the Legislature works and that it is important to effectively lobby for issues important to the community.


Representative Raczkowski discussed the issues of residency and gun control. Discussion continued including how to ensure local representation on these issues.

Mayor Bush asked Representative Raczkowski to provide an update on State funding, where State roads transverse Farmington, and road improvements. Representative Raczkowski stated that the State has increased road funding for Oakland County. Discussion followed with Manager Lauhoff advising Council that reconstruction of Grand River is in the State's road improvement plans.

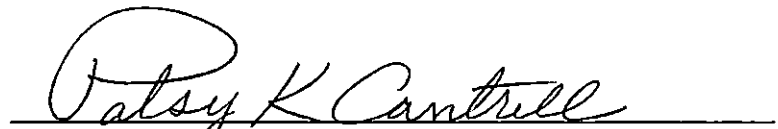
Discussions were held on pending revisions to the Ethnic Intimidation Act. Council thanked Representative Raczkowski for his assistance in this area.

Council thanked Representative Raczkowski for attending the meeting and providing updates on activities and legislation at the State level.

Meeting adjourned at 7:55 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: May 17, 1999

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, May 3, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

PLEDGE OF ALLEGIANCE

Megan Casey led the Pledge of Allegiance and Mayor Bush presented her with a City of Farmington Pin.

APPROVAL OF AGENDA

05-99-118 MOTION by McShane, seconded by Mitchell, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

05-99-119 MOTION by Hartsock, seconded by Campbell, to approve the minutes of the Special and Closed Session Meetings of April 19, 1999 as submitted and the Regular Meeting of April 19, 1999 as corrected. Eliminate the first sentence of paragraph four under Council Comments and Announcements. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

05-99-120 MOTION by Campbell, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

- Planning Commission minutes of April 12, 1999.
- Traffic & Safety Board minutes of April 15, 1999.
- Farmington Area Commission on Aging minutes of March 23, 1999.
- Farmington Board of Education Regular Meeting minutes of March 23, 1999 and Joint Special Meeting minutes of March 30, 1999.

MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

LETTER FROM SUE CASEY, PRESIDENT, SUNNY DAY CARE AND MONTESSORI, 33200 SLOCUM STREET, REQUESTING TEMPORARY SIGNAGE. Administration stated that site plans have been approved and renovation has begun on the old Farmington Post Office for Sunny Day Care and Montessori. The proprietor, Ms. Casey, requested approval to attach professionally designed, temporary signs on the north and south sides of the building to aid in recruiting for their programs.

Sue Casey was present to answer questions.

05-99-121 MOTION by Mitchell, seconded by Hartsock, to grant permission under City Code 25-4, Subsection 7)a)(b) to Sunny Day Care and Montessori, 33200 Slocum Street, to erect temporary, vinyl, 3' by 8' banners to be placed on the north and south side of the building, advertising Sunny Day Care and Montessori, until permanent signage is constructed or for a maximum period of 90 days. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

APPROVAL OF PUBLIC HEARING NOTICE FOR PROPOSED FY 1999-2000 BUDGET AND PROPERTY TAX RATE. Administration advised that City Charter and state statutes require a public hearing to be held on the budget before it is adopted.

05-99-122 MOTION by McShane, seconded by Campbell, to establish a public hearing to review the FY 1999-2000 proposed budget and the proposed 1999 tax millage rate on Monday, June 7, 1999 and to authorize the City Clerk to publish a notice of the public hearing. [SEE ATTACHED PUBLIC HEARING NOTICE]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF REQUEST FOR CONSENT TO TRANSFER TELE-COMMUNICATIONS PERMIT AGREEMENT FROM OVATION COMMUNICATIONS, INC. TO McLEOD USA, INC. Administration advised Council that the City had received a request to approve transfer of a telecommunications permit agreement with Ovation Communications, Inc. d/b/a Phone Michigan, approved by Council in January, 1999, to construct a fiber optic network within City right-of-ways; that Attorney Donohue had reviewed the request and found the supporting information complied with terms of the agreement; and that transfer of the agreement from Ovation Communications, Inc. to McLeod USA, Inc. was due to sale of the company. Administration recommended approval of the request.

05-99-123 MOTION by Hartsock, seconded by Mitchell, to approve the transfer of the telecommunications permit agreement with Ovation Communications, Inc. and the City

COUNCIL PROCEEDINGS -3-
May 3, 1999

of Farmington to McLeod USA, Inc. and to authorize the City Manager to sign the consent letter. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO INTRODUCE ORDINANCE #C-652-99 SPECIAL EVENTS POLICY AND APPLICATION FORM. Administration presented a Special Events Ordinance and a Special Events Policy designed to provide an application process and structure to regulate special events, festivals and parades held on public property within the City.

Discussion followed regarding policies, rain dates, emergencies, deposit, fees and liability insurance issues.

05-99-124 MOTION by Campbell, seconded by McShane, to introduce Ordinance #C-652-99 to Amend Chapter 4, Amusements and Entertainments, of the City Code of the City of Farmington, adding Article VI, Special Events, to regulate the conduct of parades, festivals and other gatherings on public property and to provide for administrative review and imposition of fees in connection with such events. [SEE ATTACHED ORDINANCE]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO INTRODUCE ORDINANCE #C-653-99 TO AMEND TRAFFIC CONTROL ORDER, CHAPTER 4, PARKING REGULATIONS. Administration recommended that Council introduce an ordinance to establish limited parking in the municipal parking lot north of State Street and east of the Library as recommended by the Traffic and Safety Board.

Mayor Bush advised she would abstain from discussion and voting as her business partners have a business located next to the municipal parking lot and are affected by any Council decisions:

*Patsyk. Cautledge
5-17-99* *since my partners*

~~is part owner of a building adjacent to the municipal lot.~~

Discussion followed regarding the proposed ordinance, enforcement of parking restrictions and the additional workload created for the Public Safety Department.

Discussions continued on ways of addressing the parking problems including an educational campaign with businesses to designate areas for employee use, or to have the Downtown Development Authority develop an incentive program to encourage employees to park elsewhere. Manager Lauhoff stated that suggested solutions should come through the Traffic and Safety Board.

Director Goss discussed enforcement stating that the Traffic and Safety Board felt employee parking in the municipal lot was more for convenience than for safety. Director Goss noted that once parking signs are installed, the Public Safety Department will ticket violators.

COUNCIL PROCEEDINGS -4-
May 3, 1999

Discussion followed regarding the Traffic and Safety Board proposal, cooperation among business owners and enforcement issues.

Mayor Bush invited public comment.

David Cornwell, 35629 Tall Pine, stated that he had appeared at the Traffic & Safety Board meeting to voice his concerns. Mr. Cornwell stated that he was concerned that if one-third of the parking spaces were for short-term parking, the remaining spaces would be used by those parking all day. He stated that many times there is no place to park which forces parking over to the area which is used by his business customers. Mr. Cornwell stated that the effective way to get people to cooperate is to have limited or metered parking in the entire lot. Mr. Cornwell noted that he does not feel the limited parking will work as proposed and that day long parking should be across the street. Discussion followed regarding solutions.

Dennis Page, 23621 Farmington Road, stated that it made sense to provide parking to promote business and that he would have his employees park in the far lot. He asked that the City write a letter to the other businesses advising that if there is not voluntary cooperation to limit employee parking, enforcement would be put in place.

William Liba, 33640 Hillcrest, asked if two hours was enough time for customer parking. Mr. Page responded that two hours was sufficient. Manager Lauhoff stated that enforcement would end at 6:00 p.m., and that Council could include in their motion that a letter be sent to business owners regarding the parking situation.

Mr. Cornwell noted that Birmingham and Ann Arbor have a worse parking situation than Farmington and that meters and timed parking has not hurt these areas of business.

Council considered various suggestions to improve parking including a comprehensive plan for the entire City consisting of metered parking, but concurred to try this approach first.

05-99-125 MOTION by Mitchell, seconded by Campbell, to introduce Ordinance #C-653-99 amending Chapter 4, of the City Traffic Control Orders, as provided for in Section 31-196 of the City Code of Ordinances, by adding Section 4.17, Municipal Parking Spaces, to provide twenty parallel municipal parking spaces on the east side of the municipal parking lot adjacent to 23603-23623 Farmington Road, two hour parking from 10:00 a.m. to 6:00 p.m. Monday through Friday. [SEE ATTACHED ORDINANCE]. MOTION CARRIED, 1 ABSTAINED (Bush).

05-99-126 MOTION by Campbell, seconded by Hartsock, to send a letter signed by the Mayor and the Director of Public Safety, to all business owners of record that have property that abuts the area, notifying them of the new enforcement policy and ask that they cooperate in having employees park in the lot that is designated for employees.

COUNCIL PROCEEDINGS -5-
May 3, 1999

MOTION CARRIED UNANIMOUSLY.

PRESENTATION OF RRRASOC FISCAL YEAR 1999-2000 BUDGET. Manager Lauhoff reviewed the Resource Recovery and Recycling Authority of Southwest Oakland County (RRRASOC) Fiscal Year 1999-2000 Budget and recommended that Council receive and file.

05-99-127 MOTION by Hartsock, seconded by McShane, to receive and file the RRRASOC Fiscal Year 1999-2000 Budget. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ESTIMATE NO. 1 FOR 1999 CONCRETE PAVING PROGRAM.

Administration recommended approval of payment on Estimate No. 1 to Hard Rock Concrete.

05-99-128 MOTION by Campbell, seconded by Mitchell, to approve Construction Estimate No. 1 for the 1999 Concrete Paving Program and authorize payment in the amount of \$52,495.20 to Hard Rock Concrete of Westland, Michigan; funds to be provided in the Major and Local Street Fund for FY 1998-99.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

REQUEST TO CLOSE OUT SPECIAL ASSESSMENT DISTRICT 82-72.

Administration advised that all outstanding debt for SAD 82-72 had been retired and that the City Charter allows the balance remaining in a Special Assessment District to be transferred to the City General Operating Fund if the amount collected is no more than 5% of the SAD Roll. The amount collected on SAD-82-72 was under project construction costs by \$3,300.08 with the balance in the SAD account being net interest earnings. Administration recommended that Council approve a residual equity transfer from SAD-82-72 to the General Operating Fund and that the amount be used to help defray the cost of the 1998-99 Sidewalk Improvement Program.

05-99-129 MOTION by McShane, seconded by Mitchell, to authorize transfer of the balance of the SAD 82-72 account, \$26,560 plus accrued interest, to the General Operating Fund as a residual equity transfer and to use the amount transferred to help defray the cost of the 1998-99 Sidewalk Improvement Program.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -6-
May 3, 1999

MISCELLANEOUS

PUBLIC COMMENT.

Annabelle Gabel, 23089 Violet, asked what business was going in where the former Panorama Video was located on Grand River and Orchard Lake. Manager Lauhoff replied that it had been leased by a company from Farmington Hills that sells video arcade equipment.

Mrs. Gabel asked if there was any more news on Cattlemen's. Manager Lauhoff replied 'no'.

Mrs. Gabel asked about Shiawassee and Grand River and Manager Lauhoff replied that Shiawassee had been closed for concrete repairs.

Mrs. Gabel stated that parking at the post office is very congested. Mayor Bush replied that the Public Safety Department had done a survey and found that cars were parking for a short period of time and noted that hopefully there would be more parking problems due to an increase in local businesses.

Nancy Leonard, 33309 Shiawassee, stated that the Special Events Policy reminded her of some information she found stating that the first Council meeting in 1867 was concerned about how to prevent Gypsies and circuses from coming into town.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilman Campbell thanked the supporters of the spaghetti dinner PlayScape Fundraiser.

Mayor Bush stated that even though they were unable to conduct the Trout Derby on April 24th, a young resident, Eric Peterson, caught a 5 lb. 21 inch Trout and his parents are getting it mounted. Manager Lauhoff noted that Joe Derek had mentioned there was a 5 lb. Trout and that Eric had caught it. Mayor Bush asked that Eric's father bring Eric and the mounted fish to a future Council meeting and that Joe Derek be invited.

Mayor Bush noted that Tim Smith received the honor of "reporter of the year", and on behalf of Council, commended him and stated that the City was happy to have him as Farmington's reporter. Mayor Bush noted that Tim had written a book and asked him to review his book, "Miracle Birth Stories of Very Premature Babies". Tim stated that he is having a book signing on Saturday, 2:00 p.m., at Books Abound. Mayor Bush congratulated him on writing the book.

COUNCIL PROCEEDINGS -7-
May 3, 1999

Mayor Bush noted that the beauty shop, Salon Legato, was using yellow cones to save parking spaces behind their business and asked that the Public Safety Department monitor the situation.

CONSIDERATION TO APPROVE BUDGET AMENDMENT NO. 3.

05-99-130 MOTION by Hartsock, seconded by Cambpell, to approve Budget Amendment No. 3 for the 1998-99 fiscal year. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

FINANCIAL REPORT: QUARTER ENDED MARCH 31, 1999.

05-99-131 MOTION by Hartsock, seconded by Mitchell, to receive and file the Financial Report, Quarter Ending March 31, 1999. MOTION CARRIED UNANIMOUSLY.

**DEPARTMENT OF PUBLIC WORKS AND WATER & SEWER DEPARTMENT
QUARTERLY REPORT - JANUARY 1, 1999 TO MARCH 31, 1999.**

05-99-132 MOTION by Campbell, seconded by McShane, to receive and file the Department of Public Works and Water & Sewer Department Quarterly Report, January 1, 1999 to March 31, 1999. MOTION CARRIED UNANIMOUSLY.

**BUILDING DEPARTMENT QUARTERLY REPORT - JANUARY 1, 1999 THROUGH
MARCH 31, 1999.**

05-99-133 MOTION by McShane, seconded by Mitchell, to receive and file the Building Department Quarterly Report, January 1, 1999 through March 31, 1999. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO SET MEETING WITH FARMINGTON HILLS COUNCIL AND
CHAMBER OF COMMERCE GOVERNMENTAL AFFAIRS DIVISION.**

05-99-134 MOTION by Hartsock, seconded by Mitchell, to set a joint meeting with Farmington City Council, Farmington Hills City Council and the Chamber of Commerce, Governmental Affairs Division, from 6:00 p.m. to 8:00 p.m. on May 26, 1999 at the Longacre House to address key local issues impacting business and community development. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -8-
May 3, 1999

APPROVE MONTHLY PAYMENTS REPORT

05-99-135 MOTION by Campbell, seconded by Hartsock, to approve the Monthly Payments Report for April, 1999. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ENTER INTO EXECUTIVE SESSION TO CONSIDER THE PURCHASE OF REAL PROPERTY.

05-99-136 MOTION by McShane, seconded by Mitchell, to enter into a closed session to discuss the purchase of real property.

ROLL CALL

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


MOTION CARRIED UNANIMOUSLY.

Council entered into closed session at 9:30 p.m.

ADJOURNMENT

05-99-137 MOTION by McShane, seconded by Mitchell, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 10:28 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

CITY OF FARMINGTON

**NOTICE OF PUBLIC HEARING
TO REVIEW THE 1999-2000 PROPOSED BUDGET**

The City Council of the City of Farmington will hold a public hearing at 8:00 p.m. on Monday, June 7, 1999, in Council Chambers in City Hall, 23600 Liberty Street, Farmington, Michigan 48335 on the proposed 1999-2000 budget. The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.

The 1999 proposed property tax levy includes 10.917 mills (\$10.917 per \$1,000 of Taxable Value) for city operations and charter limited debt service, 2.643 mills (\$2.643 per \$1,000 of Taxable Value) for unlimited debt service, and 1.5960 mills for road improvements, including debt service, for a total millage rate of 15.156 mills (\$15.156 per \$1,000 of Taxable Value).

The recommended 1999-2000 budget reflects increasing costs of delivering city services. Employee salaries and fringe benefits, goods and services purchased by the city, and financing of the library and court systems, is a major part of the General Fund operating expenditures for 1999-2000.

Public comments, oral or written, are welcome at the hearing on the proposed budget for FY 1999-2000 and the proposed property tax millage rate.

The proposed budget, as summarized below, will be on file in the office of the City Manager for public inspection.

PROPOSED BUDGET
FISCAL YEAR 1999-2000

REVENUES

GENERAL FUND:

Local Taxes	3,335,755.00
Licenses & Permits	53,270.00
Intergovernmental Revenues	141,438.00
State Shared Revenues	1,182,100.00
Charges For Services	358,920.00
Sales	9,500.00
Fines /Forfeits/ Court Costs	507,600.00
Investment Income	130,000.00
Miscellaneous	134,985.00
Transfers From Other Funds	324,774.00
Appropriation, Fund Balance	3,205.00
Total General Fund Revenues:	6,181,547.00

STREET FUNDS

MAJOR STREET FUND:

State Shared Revenue	343,355.00
Contracts and Grants	83,160.00
Other Revenue	5,000.00
Total Major Street Fund Revenues:	431,515.00

LOCAL STREET FUND:

State Shared Revenue	147,945.00
Transfer, Municipal Street Fund	574,020.00
Other Revenues	2,500.00
Total Local Street Fund Revenues:	724,465.00

MUNICIPAL STREET FUND:

Property Taxes	498,280.00
Other Income	24,000.00
Appropriation, Fund Balance	51,740.00
Total Municipal Street Fund Revenues:	574,020.00

APPROPRIATIONS

GENERAL FUND:

General Government	1,245,146.00
Court	302,737.00
Public Safety	1,970,144.00
Public Services	906,930.00
Parks & Recreation	291,724.00
Library	258,238.00
Miscellaneous	213,618.00
Insurance & Benefits	785,852.00
Interfund Transfers	207,158.00
Total General Fund Expenditures:	6,181,547.00

STREET FUNDS

MAJOR STREET FUND:

Operation & Maintenance	239,590.00
Debt Service	110,895.00
Transfer, Fund Balance	81,030.00
Total Major Street Fund Expenditures:	431,515.00

LOCAL STREET FUND:

Road Improvements	500,000.00
Operation & Maintenance	182,850.00
Debt Service	36,520.00
Transfer, Fund Balance	5,095.00
Total Local Street Fund Expenditures:	724,465.00

MUNICIPAL STREET FUND:

Transfer, Local Street Fund	574,020.00
Total Municipal Street Fund Expenditures:	574,020.00

SPECIAL REVENUE FUNDS

MUNICIPAL SIDEWALK FUND:
Property Taxes 31,140.00
Investment Income 1,100.00
Total Municipal Sidewalk Fund Revenues: 32,240.00

CAPITAL IMPROVEMENT FUND:
Investment Income 70,000.00
Miscellaneous 1,770.00
Transfer, Court Facility 50,270.00
Total Capital Improvement Fund Revenues: 122,040.00

DNTN DEVELOPMENT AUTHORITY FUND:
Property Taxes 153,101.00
Special Assessments 127,351.00
Other Revenues 11,500.00
Appropriation, Fund Balance 17,176.00
Total DDA Fund Revenues: 309,128.00

DEBT SERVICE FUNDS:
General Debt Service Fund 887,475.00
Special Assessment Debt Serv. Fund 800.00
1987 MTA 175 Debt Fund 76,965.00
1992 MTA 175 Debt Fund 33,930.00
1995 MTA 175 Debt Fund 36,520.00
Total Debt Service Fund Revenues: 1,035,690.00

TOTAL BUDGETED REVENUES: 9,410,645.00

NON-BUDGETARY FUNDS

ENTERPRISE FUNDS

WATER & SEWER FUND:
Water & Sewer Sales 2,230,890.00
Service Fees 29,200.00
Miscellaneous Revenues 82,500.00
Total Operations & Maintenance Revenues: 2,342,590.00

SPECIAL REVENUE FUNDS

MUNICIPAL SIDEWALK FUND:
Transfer, Fund Balance 32,240.00
Total Municipal Sidewalk Fund Expenditures: 32,240.00

CAPITAL IMPROVEMENT FUND:
Transfer, Fund Balance 122,040.00
Total Capital Improvement Fund Expenditures: 122,040.00

DNTN DEVELOPMENT AUTHORITY FUND:
Operating & Capital Outlay 309,128.00
Total DDA Fund Expenditures: 309,128.00

DEBT SERVICE FUNDS:
General Debt Service Fund 887,475.00
Special Assessment Debt Service Fund 800.00
1987 MTA 175 Debt Fund 76,965.00
1992 MTA 175 Debt Fund 33,930.00
1995 MTA 175 Debt Fund 36,520.00
Total Debt Service Fund Expenditures: 1,035,690.00

TOTAL BUDGETED APPROPRIATIONS: 9,410,645.00

NON-BUDGETARY FUNDS

ENTERPRISE FUNDS

WATER & SEWER FUND:
Operations & Maintenance 2,132,403.00
Trans, Retained Earnings 210,187.00
Total Operations & Maint. Expenditures: 2,342,590.00

INTERNAL SERVICE FUNDS

SELF INSURANCE FUND:	
Transfers, Other Funds	117,000.00
Investment Income	9,000.00
Other Income	1,000.00
Appropriation, Fund Balance	3,360.00
Total Self Insurance Fund Revenues:	130,360.00
RETIREEES HEALTH INSURANCE FUND:	
Transfers, Other Funds	44,400.00
Investment Income	174,976.00
Retiree Health Ins. Fund Revenues:	219,376.00
DISABILITY HEALTH INSURANCE FUND:	
Employee & Employer Contributions	2,640.00
Other Income	1,650.00
Disability Health Ins. Fund Revenues:	4,290.00
EMPLOYEES FRINGE BENEFIT FUND:	
Transfers, Other Funds	27,471.00
Other Income	1,015.00
Employee Fringe Benefit Fund Revenues:	28,486.00
 TOTAL REVENUES, NON-BUDGETARY FUNDS:	 2,725,102.00

INTERNAL SERVICE FUNDS

SELF INSURANCE FUND:	
Claims Expense	35,000.00
Administration & Reinsurance	95,360.00
Total Self Insurance Fund Expenditures:	130,360.00
RETIREEES HEALTH INSURANCE FUND:	
Insurance Premiums	92,905.00
Transfer, Fund Balance	126,471.00
Retiree Health Ins. Fund Expenditures:	219,376.00
DISABILITY HEALTH INS. FUND:	
Transfer, Fund Balance	4,290.00
Disability Health Ins. Fund Expenditures:	4,290.00
EMPLOYEES FRINGE BENEFIT FUND:	
Optical Benefits	5,500.00
Dental Benefits	18,500.00
Transfer, Fund Balance	4,486.00
Employee Fringe Benefit Fund Expenditures:	28,486.00
 TOTAL EXPENDITURES, NON-BUDGETARY FUNDS:	 2,725,102.00

SPECIAL EVENTS POLICY

1 SPECIAL EVENT APPLICATION REQUIRED:

This Policy Statement on Special Events covers all special events and the commercial filming of locations and events in the city of Farmington. Any organization wishing to sponsor or hold a special event in the city of Farmington will be required to complete the city of Farmington Special Event Application.

A special event within the city of Farmington that will be conducted on the streets, parks or other public areas is required by City Code Article VI, "Special Events" to be approved by City Council. Applications to conduct a special event must be made in writing to the office of the City Manager. Applications are available from the City Manager's office or the City Clerk's office. Applications shall be submitted to the City Manager's office no later than thirty (30) days prior to the date of the actual event.

The city of Farmington may hold its own special events. It may contract with one or more organizations to perform special event services or it may jointly sponsor a special event with one or more organizations. In such cases, the city administration and the participating organizations shall submit a special event application to City Council which shall include a presentation of the city's financial participation and the related organization's financial participation.

The city will provide a complete review of any special event application, including consultation with the applicant, as may be reasonably necessary.

2 CITY SERVICES PROVIDED FOR SPECIAL EVENTS

The city will provide support to special events on the following basis:

- a. **City Operated Events:** The city may operate certain special events directly. The full cost of these events will be funded by the city.
- b. **Co-Sponsored Events:** The city may co-sponsor certain events with other organizations when City Council determines that the event is of general interest to the public and advances the city's public image.
- c. **Other Non-Profit Events:** The city may assist other special events operated by non-profit organizations. These events must meet the other requirements of the special events policy and must reimburse the city for any city costs in excess of the approved support level.
- d. **Other For-Profit Events:** The city may allow other special events operated by for-profit sponsors which are beneficial to the city and the public subject

to a rent for the use of the public property which is approved for each event. These events must meet the other requirements of the special events policy and must reimburse the city for any city costs in addition to the payment of the established rent.

3 FEES FOR SPECIAL EVENTS:

Fees shall be charged for city services provided to special events as follows:

- a. **Straight time** shall be the hourly cost for any employee working on a special event during the "normal work day, " including the actual cost for fringe benefits.
- b. **Overtime** shall be the hourly cost for any employee working on a special event during a time period which would be considered overtime for city payroll records, including the actual cost for fringe benefits.
- c. **Purchased or rented materials** shall include all direct costs for all materials purchased or rented by the city of Farmington for use at the event.
- d. **Equipment charges** shall be the current equipment rental rates charged by the city of Farmington.
- e. **An administrative fee** of ten percent (10%) shall be added to the total billing. This administrative fee shall cover the city's expenses related to supervision, use of stock parts (i.e. nuts/bolts, fluids,) and costs related to payment of bills related to the event.

4 BILLINGS FOR SPECIAL EVENTS:

Special event billings by the city shall be itemized as follows:

Public Safety Employee Regular/Overtime	\$
Public Services Employee Regular/Overtime	\$
Equipment Charges	\$
Purchased Materials	\$
Rented Materials	\$ _____
Sub-Total	\$
Plus 10% Administrative Fee	\$
Plus For-Profit Rent if applicable	\$
Less amount of city support	\$ _____
NET TOTAL BILLING	\$ _____

A cash deposit, performance bond or other security acceptable to the city will be required in an amount equal to the amount estimated by the city to be billed for city fees as described above. The estimate city fees shall be listed as a part of the City Council resolution authorizing the special event. Arrangements for the deposit or other acceptable security are to be made by event organizers not less than five (5) working days before the start of the event.

5 "EXEMPT PARKING" FOR SPECIAL EVENTS:

The term "exempt parking" as used on the special event application form means that there will be no enforcement of parking time limits. Enforcement of handicapped zones, theater parking zones, and all fire lanes shall be enforced at all times. Exempt parking shall only be granted if requested by the sponsor and approved by City Council.

6 RENTAL CHARGE TO BE SET FOR PRIVATE FOR-PROFIT EVENTS:

Events which are exclusively sponsored by private for-profit organizations shall be charged a rent for use of public areas such as parks or streets, in addition to the city event fees provided herein. The rent shall be set by the city administration in consultation with the applicant, based on the overall economic impact of the privately sponsored event and subject to final approval by City Council as part of the special event application approval.

7 CIVIC ORGANIZATIONS AND MERCHANTS IN SPECIAL EVENTS:

It is the desire of City Council that local non-profit organizations and local merchants in the vicinity of the special event being held, be given the opportunity to participate in the special event to the great extent practical, consistent with the nature and purpose of the event.

8 SPECIAL EVENT SIGNS:

The special event application shall include a description of any advertising signs which are proposed to be used for the event. The use of signs shall conform with the description contained in the application, or as modified by City Council in its approval process. Except as expressly approved otherwise by Council, event signs erected prior to the first day of the event shall be subject to the following restrictions:

- a. There shall be no more than five (5) such signs;
- b. No such sign shall be erected sooner than fourteen (14) days prior to the first day of the event, nor remain beyond the first day following the last day of the event;
- c. No such sign shall be erected on any property without the express permission of the owner; and
- d. All such signs shall comply with the provisions of the city sign ordinance.

Additional signs may be erected as needed at the site of the event during the event's occurrence with the City Manager's approval.

9 **VIDEO OR FILM PRODUCTION:**

Organizations which request any location in the city of Farmington as a location for a commercial video or film production shall be required to coordinate the production with the City Manager's office. The City Manager's office shall have the authority to grant permission for commercial video or film production in the city and to allow use of city facilities for this purpose. All commercial video or film productions shall be required to pay the actual costs of all straight time and overtime for all city employees and equipment. Further, there shall be a 20% administrative fee placed on the final billing for such productions. In addition, a rent shall be charged for the use of public areas such as parks and streets. The rent shall be set by the city administration based on the overall impact of the production on the public areas being used.

10 **LIABILITY INSURANCE REQUIREMENTS:**

In order to comply with the city's insurance liability carrier, the city shall require that all sponsors of special events or commercial video or film crews carry liability insurance with coverage of at least \$1,000,000 except for Class I - Low Hazard events approved by the City Manager as provided below. An event sponsor shall be required to provide a valid certificate of insurance naming the city of Farmington as an additional insured prior to the event. City Council may require higher levels of insurance based on risk factors and past experience.

All special events shall be reviewed by the City Manager. Special events are defined as activities which are not directly related to the day-to-day operations of the city of Farmington, but which may occur on premises owned or controlled by the city of Farmington.

It shall be the policy of the city of Farmington to not routinely require insurance coverage for events classified as Class I- Low Hazard and the City Manager may waive insurance requirements for Class II - Moderate Hazard events depending on evaluation of risk.

The City Manager may place additional requirements on any event. These requirements may include specific staffing levels for Police, Fire, Paramedic, Public Services or other personnel. Expenses for these requirements will be billed to the sponsoring organization under the terms of the policy.

The City Manager will review each special event application received and assess the potential liability risk of the city of Farmington based on the following risk categories:

Class I - Low Hazard involves little physical activity by participants and no hazardous exposure to spectators. Examples of events in this category include, but are not limited to, meetings seminars, social gatherings, theatrical performances, auctions, and car shows (vehicles are parked).

Class II - Moderate Hazard involves moderate physical activity by participants and no significant hazardous exposure to spectators. Events in this category include, but are not limited to, amateur team sports, dances, animal shows, car cruises, political rallies, flea markets, picnics and parades with no floats.

Class III - Substantial Hazard involves major participation by participants and/or moderate risk to spectators. Events in this category include, but are not limited to, parades with floats, marathons or races, festivals, circus/carnivals and semi-pro team sporting events.

Class IV - High Hazard involves danger or significant risk to spectators and/or participants. Examples of events in this category include, but are not limited to, rock concerts, alcoholic beverage sales, vehicle races, fireworks displays, professional or collegiate sporting events.

As a result of the review of the event by the City Manager, some events may require that additional city staff or representatives of the city be on site during the event.

In addition, the City Manager, Director of Public Services and city Public Safety officials have the authority to cancel or stop any event or place additional restrictions on the event, if it is deemed that the public health, safety or welfare would be better served with additional restrictions.

11 TRAFFIC CONTROL AND SAFETY REQUIREMENTS

The special event sponsor shall be responsible for complying with all traffic control and safety procedures required by the city during the event. The requirements will be indicated in the notice of approval, and additional requirements may be made by the city during the event as may be necessary for the safety of the public.

All special events which allow participants soliciting funds in street inspections shall comply with the safety requirements and use of traffic cones as specified in the Public Safety Director's instructions.

12 PARTICIPANT WAIVER OF LIABILITY

The special event sponsor shall be responsible for obtaining all signed indemnification agreements as required by the city. Samples of the basic agreements are attached to this policy. Specific requirements may be indicated in the city's written confirmation of approval.

13 VENDOR INSURANCE AND LICENSE REQUIREMENTS

All vendors must complete the concession waiver of liability prior to opening of the vending operations.

An event that is serving food must have all food vendors approved by the Oakland

County Health Department. All food vendors must supply a valid certificate of insurance naming the city of Farmington as an additional insured prior to opening of the food stand. All food vendors must post a valid temporary food license if required by the Oakland County Health Department. Food vendors are responsible for any and all fees related to obtaining a food license.

14 TWO OR MORE APPLICATIONS FOR THE SAME DATE:

In the event that two or more special event applications are received for the same date and time, prior to the approval of either event, the date and time that each application was received by the city of Farmington shall determine the order of preference. Once a special event permit has been granted, it shall be the policy of City Council to not award further permits for the same date, time and general location except for special situations.

15 RESERVATION OF ANNUAL EVENT DATES:

If an event is intended to be an annual event at regularly scheduled dates, the current year's application may include the following year's requested dates. Approval of the current year's application will include reservation of the next year's proposed dates. However, it will not constitute approval of next year's event, which must have its own timely application submitted for city approval. In general, the city will not approve special event dates more than eighteen months in advance.

16 WRITTEN CONFIRMATION OF CITY APPROVAL:

Upon approval of the special event application, a written confirmation as to the action of City Council will be forwarded to the individual or organization requesting the event by the City Clerk's office. This confirmation will outline any special conditions that must be met if the event is to be held. The city of Farmington special event application must be completed for all special events that take place on public lands or lands that are controlled by the city of Farmington.

City of Farmington General Rules and Regulations
INDEMNIFICATION AGREEMENT

The _____ agree(s) to defend, indemnify, and hold harmless the city of Farmington, Michigan from any claim, demand, suit, loss, cost of expense or any damage which may be asserted, claimed or recovered against or from the _____ by reason of any damage to property, personal injury or bodily injury, including death, sustained by an person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss, cost of expense is caused in whole or in part by the negligence of the city of Farmington or by third parties, or by the agents, servants, employees or factors of any of them.

Signature _____

Date _____

Witness _____

Date _____

City of Farmington Special Event Application

Directions: Complete this application in accordance with the city of Farmington's Special Events Policy and return it to the City Manager's office at least 30 days prior to the starting date of the event.

Sponsoring
Organization's
Legal Name _____ Phone _____

Organization Address _____

Organization's Agent _____ Phone _____

Agent's Title _____

Agent's Address _____

Event Name _____

Event Purpose _____

Event Dates _____

Event Times _____

Event Location _____

1. **TYPE OF EVENT:** Based on Policy Section 2, this event is:
- | | |
|---|---|
| <input type="checkbox"/> City Operated Event | <input type="checkbox"/> Co-sponsored Event |
| <input type="checkbox"/> Other Non-Profit Event | <input type="checkbox"/> Other For-Profit Event |

2. **ANNUAL EVENT:** Is this event expected to occur next year [YES] [NO]

If YES, you can reserve a date for next year with this application (See Policy Section 15). To reserve dates for next year, please provide the following information:

Normal Event Schedule
(e.g., third weekend in July) _____

Next year's specific dates: _____

3. An **EVENT MAP** [is] [is not] attached. If your event will use streets and/or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lots that you are requesting to be blocked off.

4. **VENDORS:** Food Concessions [YES] [NO] Other Vendors [YES] [NO]

If yes, refer to Policy Section 13 for license and insurance requirements.

5. **EVENT SIGNS:** Will this event include the use of signs [YES] [NO]

If yes, refer to Policy Section 8 for requirements and describe the size and location of your proposed signs: **Please complete sign illustration sheet on page 4 and include with the application.**

6. **EXEMPT PARKING:** Are you requesting exempt parking? (See Policy Section 5)
[YES] [NO]

If yes, list the lots or locations where exempt parking is requested:

7. **OTHER REQUESTS:** _____

8. **CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:
- a. A certificate of insurance must be provided which names the city of Farmington as an additional named insured party on the policy. (see Policy Section 10 for insurance requirements)
 - b. Event sponsors and participants will be required to sign Indemnification Agreement forms. (refer to Policy Section 12)
 - c. If the event includes solicitation by workers standing in street intersections, the required safety precautions will be maintained at all times in accordance with the Department of Public Safety. (see Policy Section 11)
 - d. All food vendors must be approved by the Oakland County Health Department, and each food and/or other vendor must provide the city with a certificate of insurance which names the city of Farmington as an additional named insured party on the policy. (see Policy Section 13)
 - e. The approval of this special event may include additional requirements and/or limitations based on the city's review of this application, in accordance with the city's special event policy. The event will be operated in conformance with the written confirmation of approval. (see Policy Sections 11 and 16)
 - f. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the city and will promptly pay any billing for city services which may be rendered, pursuant to Policy Sections 3 and 4.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this special event, affirm the above understandings, and agree that my sponsoring organization will comply with the city's Special Event Policy, the terms of the Written Confirmation of Approval and all other city requirements, ordinances and other laws which apply to this special event.

Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days prior to the first day of the event to:

**City Manager's Office
23600 Liberty Street
Farmington MI 48335**

Phone: 248 474-5500-221

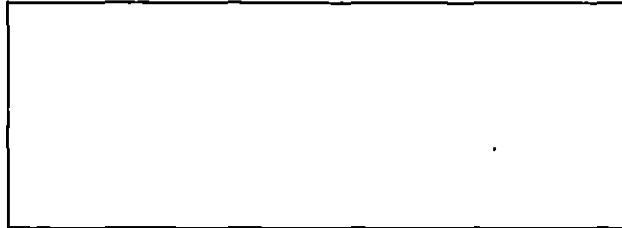
Signs or banners approved by the city of Farmington for special events shall be designed and made in an artistic and workman-like manner.

THE CITY MANAGER MUST APPROVE ALL SIGNS. SIGNS CANNOT BE ERECTED UNTIL APPROVAL IS GIVEN.

Total square footage of the banner cannot exceed 32 square feet.

W
I
D
T
H

BANNER LENGTH

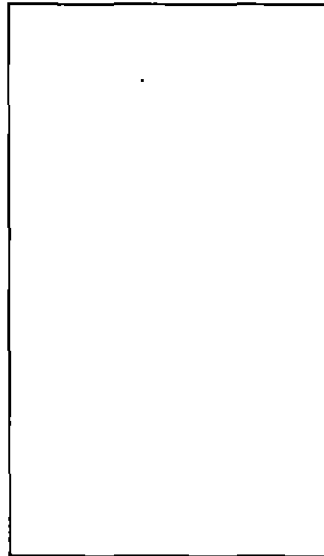


Write copy of banner in the box.

Total Square Footage of the sign cannot exceed eight square feet.

Stand-up A Frame sign

WIDTH



H
E
I
G
H
T

Write sign copy inside sign area.

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

ORDINANCE NO. C- 652 -99

AN ORDINANCE TO AMEND CHAPTER 4, AMUSEMENTS AND ENTERTAINMENTS, OF THE CITY CODE OF THE CITY OF FARMINGTON, ADDING A NEW ARTICLE, ARTICLE VI, SPECIAL EVENTS, TO REGULATE THE CONDUCT OF PARADES, FESTIVALS AND OTHER GATHERINGS ON PUBLIC PROPERTY AND TO PROVIDE FOR ADMINISTRATIVE REVIEW AND IMPOSITION OF FEES IN CONNECTION WITH SUCH SPECIAL EVENTS.

The City of Farmington Ordains:

Section 1.

Chapter 4, Amusements and Entertainments, is hereby amended to add Article VI Special Events, which shall read as follows:

Article VI. Special Events

SECTION 4-190. Definitions.

- (a) *Parade* means any march, demonstration, procession or motorcade consisting of persons, animals, or vehicles or a combination thereof upon the streets, parks or other public grounds within the City with an intent of attracting public attention that interferes with the normal flow or regulation of traffic upon the streets, parks or other public grounds
- (b) *Person* means any person, firm, partnership, association, corporation, company or organization of any kind.
- (c) *Sidewalk* is any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.
- (d) *Special Event* means any meeting, festival or gathering of more than twenty-five (25) persons for a common purpose as a result of prior planning that interferes with the normal flow or regulation of pedestrian or vehicular traffic or occupies any public area in a place open to the general public.

- (e) *Special Event Permit* means a permit as required by this Article.
- (f) *Street* is any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof.

SECTION 4-191. Permit Required.

No person shall engage in or conduct any parade or special event unless a permit is issued by the City.

SECTION 4-192. Exceptions.

This Article shall not apply to the following:

- (a) Funeral processions;
- (b) Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;
- (c) A governmental agency acting within the scope of its functions; and
- (d) Spontaneous events occasioned by news or affairs coming into public knowledge within three (3) days of such public assembly, provided that the organizer thereof gives written notice to the City at least twenty-four (24) hours prior to such parade or public assembly.

SECTION 4-193. Application.

- (a) A person seeking a special event permit shall file an application with the City Manager on forms provided by the City and the application shall be signed by the applicant under oath.
- (b) An application for a permit shall be filed with the City Manager at least thirty (30) days before the parade or special event is proposed to commence.
- (c) The application for a permit shall set forth information determined by the City Council to be necessary for the protection of the public health, safety and well being and

contained in the Special Events Policy to be adopted by Resolution of Council. It may be amended from time to time.

SECTION 4-194. Fees.

- (a) A fee to cover administrative costs of processing the permit shall be paid to the City by the applicant when the application is filed. The amount for such permit shall be as established by City Council in its Special Events policy to be adopted by Resolution of Council. It may be amended from time to time.
- (b) If the application is for the use of any City property or if any City services shall be required for the parade or special event, the applicant shall pay, prior to the issuance of a permit, the charges for rent and services in accordance with a schedule of rent and service approved by the City Council by resolution as part of the Special Event Policy. It may be amended from time to time.

SECTION 4-195. Standards for Issuance.

- (a) The City Council shall issue a permit as provided for herein when, from a consideration of the application and from such other information as may otherwise be obtained, it finds that:
 - (1) The conduct of the parade or special event will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic contiguous to its route or location;
 - (2) The conduct of the parade or special event will not require the diversion of so great a number of City public safety officers to properly police the line of movement and the areas contiguous thereto as to prevent normal public safety protection of the City;
 - (3) The concentration of persons, animals, and vehicles at public assembly points of the parade or special event will not unduly interfere with property fire and police protection of, or ambulance service to, areas contiguous to such public assembly areas;
 - (4) The conduct of the parade or special event is not reasonably likely to cause injury to persons or property;

(5) The parade or special event is scheduled to move from its point or origin to its point of termination expeditiously and without unreasonable delays en route;

(6) Adequate sanitation and other required health facilities are or will be made available in or adjacent to any public assembly areas;

(7) There are sufficient parking places near the site of the parade or special event to accommodate the number of vehicles reasonably expected.

(8) No special event permit application for the same time and/or location has already been granted or has been received and will be granted and the occurrence of two or more special events would have an adverse effect upon the public health, safety or welfare.

(9) The conduct of the parade or special event shall comply with the Special Event Policy adopted by Council.

Section 2. Repealer.

All ordinances or parts of ordinance in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Severability.

Should any section, subsection, clause or phrase of this Ordinance be declared by any Court of competent jurisdiction to be unconstitutional, void, ineffective or invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the section, subsection, clause or phrase declared unconstitutional, void, ineffective or invalid.

Section 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law enforced when they are commenced.

Section 5. Effective Date.

The provisions of this Ordinance are ordered to take effect as specified by Charter.

SECRET, WARDE, LYNCH, HAMPTON, TRUEX AND MORLEY.

Section 6. Adoption.

This Ordinance is declared to have been adopted and enacted by the City Council of the City of Farmington at a meeting called and held on the _____ day of _____, 1999, and ordered to be given publication in the manner prescribed by law.

AYES:

NAYES:

ABSTENTIONS::

ABSENT:

Ordained this ___ day of _____, 1999 by the City Council of the City of Farmington.

Mary L. Bush

Patsy K. Cantrell, City Clerk

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington at a meeting held on the _____ day of _____, 1999, the original of which is on file in my office.

CITY OF FARMINGTON

PATSY K. CANTRELL, City Clerk

ORDINANCE #C-653-99

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Director of Public Safety of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 4, add Section 4.17 as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

CHAPTER 4 - PARKING REGULATIONS:

ADD:

Section 4.17 - Municipal Parking Spaces

The twenty (20) parallel municipal parking spaces on the east side of the municipal parking lot to the rear of 23603 - 23623 Farmington Road. "Two hour parking between the hours of 10:00 a.m. and 6:00 p.m. from Monday through Friday."

CITY OF FARMINGTON

RESOLUTION 05-99-130

Motion by Hartsock, seconded by Campbell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby adjusts the 1998-99 budget, Budget Amendment No. 3, as shown below, and

BE IT FURTHER RESOLVED that the following adjustments are hereby approved in accordance with the line item detail included in the proposed 1999-2000 budget and labeled as "ESTIMATED CURRENT YEAR."

REVENUES

FROM

TO

GENERAL FUND:

Local Taxes	\$3,232,560.00	\$3,257,620.00
Licenses & Permits	\$52,870.00	\$69,170.00
Intergovernmental Revenues	\$121,746.00	\$4,200.00
State Shared Revenues	\$1,159,025.00	\$1,159,525.00
Charges For Services	\$352,115.00	\$375,870.00
Sales	\$9,700.00	\$18,500.00
Fines/Forfeits/Court Costs	\$467,000.00	\$507,600.00
Investment Income	\$130,000.00	\$205,000.00
Miscellaneous	\$133,790.00	\$216,110.00
Transfers From Other Funds	\$323,161.00	\$388,582.00
Appropriation of Fund Balance	\$535,608.00	\$232,127.00
Total Revenues	\$6,517,575.00	\$6,434,304.00

STREET FUNDS:

MAJOR STREET FUND:

State Shared Revenue	\$289,530.00	\$299,035.00
Contracts and Grants	\$80,425.00	\$83,725.00
Transfer, Municipal Street Fund	\$225,750.00	\$212,850.00
Other Revenue	\$5,000.00	\$16,500.00
Total Revenues	\$600,705.00	\$612,110.00

LOCAL STREET FUND:

State Shared Revenue	\$125,105.00	\$129,165.00
Transfer, Municipal Street Fund	\$349,470.00	\$452,045.00

Other Revenues	\$2,500.00	\$4,800.00
Appropriation, Fund Balance	\$18,635.00	\$107,550.00
Total Revenues	\$495,710.00	\$693,560.00

MUNICIPAL STREET FUND:

Property Taxes	\$482,814.00	\$486,410.00
Other Income	\$35,000.00	\$35,000.00
Appropriation, Fund Balance	\$57,406.00	\$143,485.00
Total Revenues	\$575,220.00	\$664,895.00

SPECIAL REVENUE FUNDS:

MUNICIPAL SIDEWALK FUND:

Property Taxes	\$30,175.00	\$30,395.00
Transfer, General Fund	\$40,000.00	\$40,000.00
Investment Income	\$1,250.00	\$1,705.00
Total Revenues	\$71,425.00	\$72,100.00

CAPITAL IMPROVEMENT FUND:

Investment Income	\$50,000.00	\$70,020.00
Transfer, General Fund	\$404,400.00	\$404,400.00
Miscellaneous	\$3,725.00	\$3,725.00
Appropriation, Fund Balance	\$297,295.00	\$323,590.00
Total Revenues	\$755,420.00	\$801,735.00

DNTN DEV AUTHORITY FUND:

Property Taxes	\$145,833.00	\$151,070.00
Special Assessments	\$128,115.00	\$128,115.00
Other Revenues	\$11,000.00	\$15,100.00
Total Revenues	\$284,948.00	\$294,285.00

DEBT SERVICE FUNDS:

General Debt Service Fund	\$958,090.00	\$957,760.00
Special Assessment Debt Serv. Fund	\$72,740.00	\$72,740.00
1987 MTA 175 Debt Fund	\$76,030.00	\$76,030.00
1992 MTA Debt Fund	\$35,200.00	\$35,200.00
1995 MTA Debt Fund	\$32,795.00	\$32,795.00
Total Debt Service Revenues	\$1,174,855.00	\$1,174,525.00

CONSTRUCTION FUNDS:

MUNICIPAL COMPLEX RENOVATIONS FUND:

Transfer, General Fund	\$9,185.00	\$9,185.00
Transfer, Capital Improvement Fund	\$755,420.00	\$801,735.00

Total Revenues:	\$764,605.00	\$810,920.00
TOTAL BUDGETED REVENUES	\$11,240,463.00	\$11,558,434.00

INFORMATIONAL SUMMARIES

ENTERPRISE FUNDS:

WATER & SEWER FUND:

Water & Sewer Sales	\$2,129,915.00	\$2,179,050.00
Service Fees	\$30,200.00	\$40,665.00
Miscellaneous	\$67,000.00	\$121,125.00
Total Operation & Maintenance Revenue	\$2,227,115.00	\$2,340,840.00

INTERNAL SERVICE FUNDS:

SELF INSURANCE FUND

Transfers, Other Funds	\$299,223.00	\$305,723.00
Total Revenues:	\$299,223.00	\$305,723.00

RETIREE HEALTH INSURANCE FUND:

Transfers, Other Funds	\$163,820.00	\$163,820.00
Investment Income	\$42,500.00	\$42,500.00
Total Revenues:	\$206,320.00	\$206,320.00

DISABILITY HEALTH INSURANCE FUND:

Employee & Employer Contribs	\$2,520.00	\$2,640.00
Other Income	\$1,650.00	\$1,520.00
Total Revenues:	\$4,170.00	\$4,160.00

EMPLOYEE FRINGE BENEFIT FUND:

Transfers, Other Funds	\$26,100.00	\$26,100.00
Other Income	\$950.00	\$950.00
Total Revenues:	\$27,050.00	\$27,050.00

TOTAL REVENUES NON-BUDGETARY :	\$2,763,878.00	\$2,884,093.00
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EXPENDITURES

GENERAL FUND:

General Government	\$1,178,587.00	\$1,191,688.00
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Court	\$273,950.00	\$273,950.00
Public Safety	\$1,849,319.00	\$1,790,023.00
Public Services	\$866,177.00	\$968,420.00
Parks & Recreation	\$358,288.00	\$383,430.00
Library	\$249,743.00	\$249,743.00
Miscellaneous	\$157,835.00	\$81,114.00
Insurance & Benefits	\$976,526.00	\$888,786.00
Interfund Transfers	\$607,150.00	\$607,150.00
Total Expenditures	\$6,517,575.00	\$6,434,304.00

STREET FUNDS:

MAJOR STREET FUND:

Road Improvements	\$210,000.00	\$198,000.00
Operation & Maintenance	\$237,025.00	\$253,855.00
Debt Service	\$111,230.00	\$111,230.00
Transfer, Fund Balance	\$42,450.00	\$49,025.00
Total Expenditures	\$600,705.00	\$612,110.00

LOCAL STREET FUND:

Road Improvements	\$295,000.00	\$390,000.00
Operation & Maintenance	\$167,915.00	\$270,765.00
Debt Service	\$32,795.00	\$32,795.00
Total Expenditures	\$495,710.00	\$693,560.00

MUNICIPAL STREET FUND:

Transfers, Local Street Fund	\$349,470.00	\$452,045.00
Transfer, Major Street Fund	\$225,750.00	\$212,850.00
Total Expenditures	\$575,220.00	\$664,895.00

SPECIAL REVENUE FUNDS:

MUNICIPAL SIDEWALK FUND:

Transfer, General Fund	\$0.00	\$70,000.00
Transfer, Fund Balance	\$71,425.00	\$2,100.00
Total Expenditures	\$71,425.00	\$72,100.00

CAPITAL IMPROVEMENT FUND:

Transfer, Municipal Complex Renovations	\$755,420.00	\$801,735.00
Total Expenditures	\$755,420.00	\$801,735.00

DNTN DEV AUTHORITY FUND:

Operating & Capital Outlay	\$284,948.00	\$294,285.00
Total Expenditures	\$284,948.00	\$294,285.00

DEBT SERVICE FUNDS:

General Debt Service Fund	\$958,090.00	\$957,760.00
Spec. Assessment Debt Fund	\$72,740.00	\$72,740.00
1987 MTA 175 Debt Fund	\$76,030.00	\$76,030.00
1992 MTA 175 Debt Fund	\$35,200.00	\$35,200.00
1995 MTA 175 Debt Fund	\$32,795.00	\$32,795.00
Total Debt Service Expenditures:	\$1,174,855.00	\$1,174,525.00

CONSTRUCTION FUNDS:

MUNICIPAL COMPLEX RENOVATIONS FUND:

Construction Costs	\$764,605.00	\$810,920.00
Total Expenditures	\$764,605.00	\$810,920.00

TOTAL BUDGETED APPROPRIATIONS **\$11,240,463.00** **\$11,558,434.00**

INFORMATIONAL SUMMARIES

ENTERPRISE FUNDS:

WATER & SEWER FUND:

Operating & Maintenance	\$2,056,535.00	\$2,070,675.00
Trans, Retained Earnings	\$170,580.00	\$270,165.00
Total Operation & Maintenance Expenditures	\$2,227,115.00	\$2,340,840.00

INTERNAL SERVICE FUNDS:

SELF INSURANCE FUND:

Claims Expense	\$35,000.00	\$35,000.00
Admin & Reinsurance	\$93,490.00	\$93,490.00
Transfer, Fund Balance	\$170,733.00	\$177,233.00
Total Expenditures:	\$299,223.00	\$305,723.00

RETIREE HEALTH INSURANCE FUND:

Insurance Premiums	\$70,585.00	\$70,585.00
Transfer, Fund Balance	\$135,735.00	\$135,735.00
Total Expenditures	\$206,320.00	\$206,320.00

DISABILITY HEALTH INSURANCE FUND:

Transfer, Fund Balance	\$4,170.00	\$4,160.00
Total Expenditures:	\$4,170.00	\$4,160.00

EMPLOYEE FRINGE BENEFIT FUND:

Optical Benefits	\$6,550.00	\$6,550.00
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Dental Benefits	\$17,500.00	\$17,500.00
Transfer, Fund Balance	\$3,000.00	\$3,000.00
Total Expenditures:	\$27,050.00	\$27,050.00

TOTAL EXPENDITURES NON-BUDGETARY : **\$2,763,878.00** **\$2,884,093.00**

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 City Officer authorized to make such expenditures, and

BE IT FURTHER RESOLVED that the City Treasurer shall prepare for the Council a financial report each quarter on the status of City funds as contained within the City budget.


Roll Call:

Ayes: McShane, Mitchell, Bush, Campbell, Hartsock.
Nays: None.
Absent: None.

RESOLUTION DECLARED ADOPTED

PATSY K. CANTRELL, CLERK/TREASURER

.....
I, Patsy K. Cantrell, duly authorized 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 Monday, May 3, 1999, in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, Clerk/Treasurer

**CITY OF FARMINGTON
AND
CITY OF FARMINGTON HILLS
JOINTLY FUNDED AGENCIES BUDGETS
SPECIAL MEETING
TUESDAY, MAY 4, 1999**

The joint budget meeting of the Farmington and Farmington Hills City Councils was called to order by Mayor Aldo Vagnozzi at 6:40 p.m.

FARMINGTON COUNCIL PRESENT: Bush (arrived 8:00 p.m.), Hartsock, McShane, Mitchell and Campbell.

FARMINGTON HILLS COUNCIL PRESENT: Barnett, Bates, Ellis, Grant, Oliverio, Soronen and Vagnozzi.

OTHERS PRESENT: City Managers Brock and Lauhoff, City Clerk Cantrell, Deputy Clerk Sibley, Finance Director Rosch and Director Biasell.

FARMINGTON AREA ARTS COMMISSION:

Fern Barber, Chair, distributed a handout outlining the proposed increases in the Arts Commission budget and explained that any increases in this year's budget were requested to cover costs in those areas that were over budget the previous year.

Mrs. Barber pointed out three future financial considerations consisting of additional funding for video production, development of sculpture garden in the community and a performing arts center for Farmington/Farmington Hills. She commented that the Commission was able to coordinate with Farmington Musicale to provide music scholarships and they are planning this as a new program for the upcoming year.

Council member Bates commented on the success of the Gala Arts Festival held April 24th.

Mayor Vagnozzi inquired if the Commission met its budget on this event. Ms. Barber stated that the Commission did meet their budget thanks to many contributions from the community.

Mayor Vagnozzi questioned the status of the Farmington Area Philharmonic. Ms. Barber indicated that to date she has not heard of any plans for them to hold a concert, however, funds have been budgeted for their performance. She stated that the Commission plans to review this budget item closely and will shift those funds to be used in other areas if the

do not hear from the Philharmonic. Most likely the money would be used for scholarships for the summer arts program.

Council member Campbell inquired if the Arts Commission has a full board. Ms. Barber indicated that they are still one member short from the City of Farmington.

Discussion was held on the Gala event held April 24th. Council members agreed that it was a grand event and was very inexpensive for the evening that was planned. It was mentioned that the event had a profit of \$3,800. Mayor Vagnozzi commented on the good publicity.

Ms. Barber thanked both communities for their support and for approving a full-time coordinator in this year's budget.

Mayor Vagnozzi commented that he feels there will be a need to increase the Arts Commission budget in the future.

Councilmember Mitchell inquired about the future financial needs for video production funds. Ms. Barber explained that due to time constraints, equipment, etc. it was mentioned to her that there would be a need for additional funds for video production. She stated that she was quoted a figure of approximately \$10,000.

Mr. Mitchell inquired if the Commission had contacted Caren Collins at the Southwestern Oakland Cable Company regarding this issue. Ms. Barber stated that staff has contacted SWOCC and they indicated that they were too busy to provide additional support at that time. She added that she would attempt to contact SWOCC again and check into this matter more carefully.

Councils thanked the Arts Commission for their comments and budget proposal.

FARMINGTON YOUTH ASSISTANCE:

Councilmember Campbell commented on the extent of accomplishments of the Farmington Youth Assistance.

Joe Svoke, Chair, stated that because of this joint budget meeting last year, Farmington Youth Assistance was able to achieve scholarships from the Arts Commission and have youth from their program attend arts camp. He stated that they received good feedback on these programs and are hoping to do the same this year. He added that Dave Schneider, Treasurer, also had the pleasure of working with the city's volunteer center.

Mr. Svoke highlighted two categories of their budget in which they were requesting an increase, those being Office Equipment/Maintenance and Summer Activities Center. He explained that the Youth Assistance does a lot of their own printing of brochures and is in need of a new copy machine. He added that Farmington Youth Assistance shared a lot of

activities through the summer activities center with Todd Lipa's youth program and were able to take more field trips, etc. However, due to the expanded activities, they were understaffed and are, therefore, requesting an additional staff person for the summer camp program at William Grace Elementary School.

Mayor Vagnozzi questioned if the Youth Assistance Program has seen an increase in cases due to the Littleton, Colorado incident where two students went on a rampage killing other students and faculty. Mr. Svoke stated that they have not held a board meeting since that incident, however, before this even happened, the agency had teamed with Judge Parker and Oakland County Schools Counseling Center to create a pilot program where they would focus on youngsters that are suspended from school. The program will consist of a mentor who will supervise 3 to 4 kids at a time and focus on how the students got to this point and what they could do to keep this from happening again. He added that there would be a small fee associated with this program and they hope to obtain assistance from police and counseling agencies.

Discussion was held on other parent/child programs offered and if Youth Assistance still provided parent open houses and/or assistance to immigrant parents. Deborah McAller, Caseworker, stated that most of the programs do not have bilingual teachers and are taught in English. She mentioned that Youth Assistance has sponsored a parent fair and men only groups and that they consider all of their classes are an "open house".

Mayor Vagnozzi questioned if Youth Assistance could get a better rate on liability insurance if obtained through the cities. Mr. Svoke explained that their insurance is obtained through the County at this time.

Mayor Vagnozzi commented that the budget request for the summer camp remained the same as last year. Mr. Svoke stated that they rely on contributions for this portion of their program.

Councilmember McShane inquired about the prevention education for retail fraud and if this is a problem in the community. Mr. Svoke commented that a major portion of their caseload deals with retail fraud. Ms. McAller added that there is a very high rate of retail fraud in the Farmington/Farmington Hills area, specifically among youths between the ages of 13-15 years.

Mrs. McShane questioned if Youth Assistance feels this prevention class will work against decreasing retail fraud. Ms. McAller responded that the classes have not yet been held at the 5th grade level as planned, but the class would inform students about hidden cameras and surveillance equipment and also about the consequences for such actions.

Councilmember Oliverio inquired what age group the suspension program will target. Mr. Svoke explained that the middle schools began with a suspension program that focused on doing homework assignments and now the focus has changed to intervention and finding out why the students were suspended and how their behavior could be

improved. He stated that the counselors support the efforts of Youth Assistance and they hope to get this pilot program up and running next year. He stated that through the assistance of Todd Lipa, staff member from City of Farmington Hills, they hope to utilize the William Costick Center for this suspension program. At the end of the normal school day the students would then be put into the after-school youth program to keep them occupied until a parent could pick them up. This eliminates sending suspended children home to an empty house with no supervision.

Ms. Oliverio inquired if this program would eliminate in-school suspensions. Mr. Svoke stated that this would depend on the school administration, but he feels when students are suspended they need to be placed in a program outside of the school building.

Councilmember Campbell inquired if Farmington Youth Assistance could get a better price on a copier if they were to purchase this through one of the cities. It was noted that they currently purchase their equipment independently. It was suggested that the cities review the possibility of purchasing this equipment in order to get a better price.

Councilmember Barnett mentioned that there was an incident at East Middle School in which a student threatened to bring a firearm to school. She inquired if these types of violent youths are brought to the Youth Assistance Program or what can be done with these types of kids.

Mr. Svoke responded that in this situation the building administration would probably utilize their social workers and staff initially and possibly bring in the Police liaison to the schools. He noted that as a result of further investigation, the youth may be referred to Youth Assistance or another program. He added that the suspension program he discussed earlier would focus on the suspensions for disciplinary problems and not weapons suspensions.

The councils thanked Farmington Youth Assistance for their comments.

FARMINGTON AREA COMMISSION ON AGING:

John Washburn, Chair, commented that the Commission on Aging is working on establishing more activities in the community and he hopes that the Councils are more aware of their Commission and its goals. He noted that last year the Commission put together a transportation survey and held several seminars, including one on Medicare and Alzheimer's. He added that the Commission supported the City of Farmington and their efforts to get a grocery store located in the downtown area, unfortunately, he does not believe this will take place.

Councilmember Ellis inquired the contents of the Senior Directory and how it is distributed. Mr. Washburn explained that this was a telephone directory that was recently updated and contained numbers for various agencies, hospitals, senior facilities, etc. The Commission initially mailed this directory to every senior household, but has decided not

to do that this time. He stated that the directory would be available at the senior center and various senior facilities.

Councilmember Ellis inquired if we advertise the availability of this directory in the city's Focus newspaper that is distributed to residents. City Manager Brock stated that he believes the city has done this in the past. Mr. Washburn indicated that he would be happy to provide the information to Mr. Brock if it has not been done yet.

Councilmember Bates suggested that the directory also be made available at both city halls. She inquired if senior transportation is still provided to Kroger. Mr. Washburn indicated that senior transportation has greatly improved and is provided to Kroger as well as the Target shopping area.

Mrs. Bates inquired about the Commission cooperating with Botsford Hospital for health programs or if they sponsor health workshops. Mr. Washburn stated that he believes this is addressed through Health-O-Rama.

Mr. Washburn added that the Commission has been working with both cities to have the Homestead Act revised that would allow an increase in allowance for seniors. The Commission is also working on a program whereby members would visit and evaluate local nursing homes.

He stated that he hopes to see councilmembers at the Senior Volunteer Luncheon, at which time there will be a presentation of the Diamond Award.

Councils thanked Mr. Washburn for his comments and budget proposal.

FARMINGTON AREA COUNSELING CENTERS:

Michael Earl, President of Oakland Family Services, stated that Oakland Family Services provides various services to meet the needs of children and families and he feels it was never more apparent than now that the services provided are parallel to the concerns and needs of the community. He commented on how nice it was to also see that the councils recognize and are aware of these needs.

Tracy McClellan, Staff member, explained that a Home Instruction Program for Preschool Youngsters (HIPPY) was developed in 1996 by Farmington/Farmington Hills members, which provides school readiness for children and assists parents in teaching children these skills. The program is offered free to parents of children ages 3-5 years old and focuses on the socio-economic levels and language barriers. She mentioned that since 1996, five other school districts have inquired about offering this program in their jurisdiction. Ms. McClellan added that they owe the success of the program to cities such as Farmington/Farmington Hills that offer programs for children and families.

Mr. Earl pointed out that the HIPPY program is very important as they have learned that there are 62 different dialects in the Farmington School District and many of the kids have English as their second language. These children are at a disadvantage when starting school and this program can assist parents in getting their children ready for school. He stated that this has been a positive program and one that began here in the Farmington/Farmington Hills area.

Mr. Earl mentioned that a nutritional program was added as they found that many children did not come to school ready to learn because of nutritional needs.

Julie Wisen, District Manager, stated that she has been with Oakland Family Services for the past 5 years but is new to the Farmington/Farmington Hills area, and she can't express how happy and pleased she is to join this area in meeting the needs of the residents. She commented that anyone can see that the Cities of Farmington and Farmington Hills are vested in meeting the needs of the children and families of their communities. She was especially pleased at the community's response to the Littleton, Colorado tragedy and creating a forum to discuss this issue. Ms. Wisen noted that 98% of 300 respondents who were surveyed stated that they felt they benefited from the programs offered by Oakland Family Services and that they had an impact on their life. She shared various comments from respondents who spoke highly of the programs offered and introduced a client to share his story.

Eric, client of Oakland Family Services, spoke of his addiction and how this addiction affected his family life. He spoke highly of the services offered by Oakland Family Services and how they helped him to get his life back in order. He added that he has also learned from the organization that sharing his story with others has helped him to stay clean. He announced that this evening marked his 6 month for staying clean.

The Councils and Oakland Family Services thanked Eric for sharing his story.

Councilmember Barnett commented that Oakland Family Services is a great credit to the community and they do a wonderful job. She inquired why the contributions from the Michigan Department of Public Health have leveled off.

Mr. Earl explained that mental health issues are separate from substance abuse and they are currently in the process of submitting a renewal for funding for the substance abuse programs.

Councilmember McShane questioned whether or not the organization receives contributions from the other communities that receive services from the organization.

Mr. Earl stated that they do not receive contributions from other communities. They have approached the City of Novi on a couple of occasions for contributions, but have not approached other communities.

Mrs. McShane expressed concern that no other communities contribute when they have many participants in the programs.

Mr. Earl explained that Farmington/Farmington Hills receives extra benefits from the organization at no charge for which other communities must pay.

Discussion ensued on this issue. Both Councils expressed their appreciation for the work of Oakland Family Services, but encouraged Mr. Earl and his staff to actively pursue contributions from other communities that have participants in their programs. They indicated that they would be happy to make recommendations on the organization's behalf and assist them in this effort.

City Manager Brock commented that most communities begin their budget process in January and he would suggest making contact with them in November or December so that the cities can consider the request and have time to include this in their budgets. He also suggested that requests be directed to the City Managers' Offices.

Mayor Vagnozzi also suggested contacting the South Oakland Council of Mayors on this issue. They can be reached through City of Southfield mayor.

Mr. Earl thanked councils for this suggestion and stated that they will pursue contacting other communities for contributions.

Councils thanked the Oakland Family Services staff for their comments and budget proposal.

FARMINGTON COMMUNITY LIBRARY:

Robert Plummer, President of the Library Board, introduced staff and board members present. He stated that Director Bev Papai will go through the budget and if time allows he will discuss the status of the library expansion.

Bev Papai, Director, distributed a handout outlining the expanded hours and daily use of the Farmington Hills Branch Library. She noted that with regard to the Farmington Branch, the numbers were approximately half that of the Farmington Hills branch, but still increased and decreased during the same period of time. She noted that the Farmington Hills branch has approximately 1,000 people visit per day, which she believes, are phenomenal statistics. Ms. Papai mentioned that millage monies were available to support some operating expenses and some monies were put in reserve for additional construction expenses. She stated that this year's budget proposal is very similar to last year's budget and thanked Chuck and Patsy for this assistance.

Councilmember McShane questioned whether there would be videos were eliminated from the library. Ms. Papai clarified that videos were still available, however, there were no longer fees to rent them. She explained that from a survey they conducted, one

complaint was the fees charged for video rentals. As a reward to the community for supporting the library and millage for expansion of services, the library eliminated these fees. She added that they do have some feature films, which also require no fee, however, the focus of the video library is documentaries, "How To's" and classics.

Councilmember McShane questioned the 1997/98 budget contribution from Friends of the Library for 1997/98 of over \$77,000. She explained that this group designates funds for specific items for which they wish to contribute and she believes that year they designated \$20,000 for children's books and made some other large contributions. This year Friends of the Library has designated \$6,000 for a brick sculpture as well as \$20,000 for renovations to the children's room at the Farmington branch. Ms. Papai stated that the library is very fortunate for the contributions they receive from the Friends of the Library.

Councilmember Campbell inquired if the Library Board has ever considered charging for allowing access to the Internet and having this as a profit source for the library.

(Mayor Bush arrived at 8:00 p.m.)

Ms. Papai responded that this issue has been discussed from time to time predominately with or amongst the city councils. She stated that before the library could do this, we have to examine what kind of restrictions would be placed upon the library under those circumstances. She explained that federal monies have been earmarked to support public access to the Internet through libraries and currently the library is only receiving \$21,000 to cover costs associated with the Internet. She indicated that the program is based upon the number of children in the free lunch programs through the schools, which provides a greater rebate to lower income districts. Ms. Papai indicated that there are restrictions placed on the program and there is a review of the resale of services. She added that the library does not consider itself an Internet service provider at this point and they do not sell e-mail services. She added that higher expectations come with providing those services.

Councilmember Campbell commented that if there are legislative reasons why the library cannot pursue this issue and they wish to, he feels the councils may be able to help.

Ms. Papai stated that the library is very fortunate for the contributions they receive from the Friends of the Library.

Further discussion was held. Ms. Papai indicated that the library would need to conduct a business plan to determine the revenues, staffing, etc.,

Mr. Plummer added that when you start charging for services, expectations go up and they are already overwhelmed at the library.

Councilmember Grant cautioned the library board to view this as a philosophical issue as well. He pointed out that one issue of the millage recently passed by the electors was to improve technology and library services, so residents are already paying for this service.

Councilmember Barnett commented that the library does an excellent job even in the limited space it currently has. She agreed with Mr. Grant that the issue of Internet service is a philosophical issue and that certain things should be given to the community.

Ms. Papai mentioned the following enhancements to be made with millage funds:

- Extended hours
- Increase in part-time clerical staff
- Improved materials – books, videos, etc.
- Improved technology – modem pool
- Improved communication with public – newsletter
- Review of additional staff for Farmington Hills expansion

Mayor Vagnozzi inquired about state aid. Ms. Papai explained that state aid funding is limited by 1977 state statute and will remain same until the law is amended.

Mr. Vagnozzi inquired if the library would like the councils to ask state legislators to consider an amendment to this statute. Ms. Papai stated that they have asked for this amendment. Mr. Vagnozzi suggested that a resolution from the Councils supporting a change to this statute might help.

Mayor Vagnozzi commented on the increase in the retirement fund for the library. Robert Plummer mentioned that the Library is considering a 401 defined contribution option for employees rather than the defined benefit option. He stated that eventually 9 employees would be part of this plan and further reduce the retirement fees.

Mr. Vagnozzi stated that he feels it would be unfair to make employees go from a defined benefit option to a defined contribution. Mr. Plummer stated that existing employees would have the option, while new employees would have to go with the defined contribution plan.

Mr. Plummer explained the status of the library expansion. He noted that the Farmington branch would be closed for the month of August through September 7, 1999 for renovations. The site plan for the Farmington Hills branch was submitted to the Planning Commission and set for public hearing on May 20, 1999.

Mr. Plummer stated that the library board has held discussions on the building permit fees and has talked with City Manager Brock on this issue. The Board was surprised that it would be charged building permit fees by the city as it does not feel that the library is an independent agency. The library is predominantly funded by the city and the Board is appointed by the city. He stated that the Board feels it should be exempt from these fees and asked that the Farmington Hills Council take this matter under consideration.

City Manager Brock stated that the City is certainly open to working out an equitable plan with the library, however, he disagrees with some of the reasoning explained by Mr. Plummer. He stated that he has discussed this issue with Mr. Plummer and Ms. Papai and has explained his position to City Council.

Councilmember Grant stated that it is his understanding that the building permit fees at this time are unknown because a site plan has not been approved, however, Council would take this request into consideration.

Ms. Papai stated that the Board feels that the library is being treated differently than any other department of the city would be treated and she feels this is unfortunate.

Mayor Vagnozzi stated that Council would give their request serious consideration. He commented on the wonderful library system and he is pleased how the community uses the library.

Mr. Plummer commented that he did not feel the expansion process would have proceeded this quickly without the assistance of the two communities and he thanked them for that.

Councils thanked the Library for their comments and budget proposal.

47TH DISTRICT COURT:

Judge Parker opened by saying that the Councils had a copy of their annual report and budget proposal in hand. She felt the court had a great year and with that turned the remarks over to Dave Walsh, Court Administrator.

Mr. Walsh stated that Councils have been presented with a detailed budget packet as well as the Court's annual report that outlines their accomplishments and goals and objectives for the coming year. He indicated that most of the proposed increases in their budget are related to specific workload issues or the effect of statutory changes on the workload. He mentioned that the court implemented an automated fine schedule so that officers no longer had to carry fine schedules with them and people could contact the court any time to find out what their fine would be. This new system increased phone traffic to the court. Mr. Walsh pointed out that magistrate funds increased due to an increase in the number of hours they are required to work. Their hours were increased to provide better service to the public and enable the court to hold hearings 30-60 days after a ticket is issued. Informal hearings have been scheduled so that police officers have specific times that they need to appear at the court. The court maximized the amount of hearing times in order to reduce police officers overtime.

Mr. Walsh added that they have included telephone system upgrades and funds for Y2K issues. He stated that they also plan to replace some copiers to make faster and better

quality copies. He indicated that the purchase of the copiers is being handled through the City's Central Services Department.

Mayor Vagnozzi pointed out that there appears to be no increase in the State Salary Standardized Payment from last year. Mr. Walsh explained that the cities used to be reimbursed 94% of their portion paid towards the judges' salaries and now the cities will be reimbursed for 100% of these funds.

Mayor Vagnozzi questioned whether visiting judges are paid by the court. Mr. Walsh explained that visiting judges are paid out of the court's budget and they are required due to the caseload.

Mayor Vagnozzi commented that the witness and jury fees seem low and inquired if they were set by state law. Mr. Walsh confirmed that these fees are set by the State.

Mayor Vagnozzi questioned the status of obtaining a third judge for the court. Mr. Walsh explained that he has kept in contact with Representative Raczkowski's office and it is his understanding that both bills for a third judgeship are in committee. He stated that he believes the bills will not move through the House and Senate unless they feel the bills will be approved by the Governor's office. He added that when the bills were first introduced last year, the request was for an additional judgeship for both the 52-1 and 47th district courts. These two requests have since been separated and they are now separate bills.

Judge Parker stated that it is her understanding that the Governor's office is open to alternative solutions with regard to a third judgeship, workload, etc., however, she is not sure exactly what that means.

Mr. Walsh commented that the visiting judges do an excellent service to the court, however, it is not the same as having your own community judge working for you.

Mayor Pro-Tem Bates inquired if the additional police officers and enforcement are increasing the caseload at the court. Mr. Walsh responded that the court has not seen an increase in this area yet and tickets issued by both Farmington Hills and State officers have been down. He added that State tickets are down approximately 25% and this was a concern, as it appeared the city was receiving less service from the State. He mentioned that one other issue may be that the Northville post was closed and the post is now located in Oak Park so unless State officers are in Novi or Farmington Hills already, they do not have to travel through the city to get back to their post as they did in the past.

Councilmember Campbell inquired if most of the parking ticket cases were related to parking in handicap spaces. Mr. Walsh responded that some are handicap parking tickets and others relate to parking in fire zones, blocking a road, etc. Judge Parker added that many parking tickets come from the Oakland Community College campus.

Mr. Walsh explained that the volume of tickets received has diminished, however, the number of requests for hearings have increased and this is a workload issue.

City Manager Brock indicated that he talked with Police Chief Dwyer on the issues of few tickets being issued, and he indicated that he would pursue the issue on the State level. The Chief believed that tickets issued by Farmington Hills police officers were down due to the community policing efforts towards behavior modification.

Councilmember Soronen questioned the extended judicial hours. Mr. Walsh responded that prior to his becoming Court Administrator, a program was established to hold court in the evenings in order to accommodate afternoon shift Police Officers. This would eliminate the need to have them come in during the day and pay the Police Officers overtime. He noted that overtime for visiting judges was less than that of Police Officers.

Discussion was held on the status of the building fund. Judge Parker indicated that \$10 per ticket is still being set aside for this purpose.

Larry Siegal, Consultant for Court Expansion, explained the status of the court expansion. He indicated that he expects to have a master plan complete by the end of June. He is currently reviewing the use of space and how the expansion would take place on the Farmington Hills City campus and at its current location. Other considerations are future workloads and a possible third judge. He noted that they have estimated that approximately 36,000 square feet would be adequate to house the court's current needs and would increase to approximately 45,000 square feet taking into consideration a third judge and future workload increases.

Mr. Siegal stated that he should be able to confirm the figures and better assess the spacial needs by next month and he can provide another update at that time.

Mayor Vagnozzi inquired if the estimated costs would include the purchase of land should they decide to expand the court at the city campus site.

Mr. Siegal explained that they have two scenarios to consider either on the city campus or expanding the court at its existing location off 10 Mile Road, and he is not sure which scenario would be less expensive. Although the court would have to purchase the land at the city hall site, the existing building would be very difficult to modify. He stated that both options need to be reviewed relative to costs and use.

Mr. Rosch discussed debt service on the bonds issued.

Mayor Bush inquired if more solid information would be available to the Councils in June or July. Mr. Walsh indicated that the programming phase should be complete by that time. Mr. Siegal added that this phase would also include site plans.

Councils thanked the Court staff for their comments and budget proposal.

ADJOURNMENT:

The joint budget meeting adjourned at 9:00 p.m.


MARY L. BUSH, MAYOR

Pamela B. Sibley
Recording Secretary


PATSY K. CANTRELL, CITY CLERK/TREASURER

**SPECIAL COUNCIL MEETING WITH THE
FARMINGTON COMMUNITY LIBRARY BOARD OF TRUSTEES**

A special meeting of the Farmington City Council and the Farmington Community Library Board of Trustees was held on Monday, May 17, 1999 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.

COUNCIL MEMBERS PRESENT: Bush, Campbell (arrived at 7:09 p.m.), Hartsock, McShane, Mitchell.

COUNCIL MEMBERS ABSENT: None.

LIBRARY BOARD MEMBERS AND ADMINISTRATION PRESENT: Doughty, McLaughlin, Plummer, Sauter, Stoutjesdyk and Executive Director Papai.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff.

Mayor Bush called the meeting to order, thanked the members of the Board of Trustees for their service to the community, and asked the Library to begin discussion of the agenda items.

Executive Director Papai provided copies of the latest Library construction newsletter and reviewed progress to date. Ms. Papai discussed landscaping for the Farmington Branch indicating that the bids received had exceeded expectations. She indicated that the Board of Trustees will reevaluate landscaping needs in view of the unanticipated, additional cost.

(Councilman Campbell arrived at 7:09 p.m.)

Director Papai discussed the "tree theme" chosen for the children's room at the Library. She indicated that funding assistance had been received from the Friends of the Library and that additional funding will be sought. Ms. Papai provided a sample of the material which will be used for the trees and a rendering of the design.

Director Papai discussed other aspects of the renovation and concerns which include replacement of the check point system and problems with the book chute used for returns.

Discussion followed including a probable increase in traffic at the Library after the improvements; the unique nature of the tree theme; the cost and design of a brick sculpture which will be installed; a new inventory system using RFID tags; and timing of

a grand reopening for the Farmington Branch once construction is complete.

Chairman Plummer reviewed the progress of construction at the Farmington Hills Branch, discussing specific construction details, and indicating that preliminary plans had been completed and were in process of revisions. He indicated that the project will take about two years.

Plummer stated that he felt the expansion/renovations would attract a lot of people and that the Library was trying to move into the 21st century with the service it provides. He felt that the new millage along with existing funding was okay and that the Library was looking to build a contingency fund.

Mayor Bush initiated discussion on the subject of seeking millage funding for the Library separate from the Cities.

Plummer stated that he felt discussions on funding needed to wait for the right time, should not be held before the expansion was done, and that the Library would be fine with present revenues.

Trustee Sauter stated that the Board of Trustees would need to evaluate the amount of millage to seek approval for.


Director Papai stated that the Library has two years of construction to complete and needs a contingency fund to deal with cost increases. Discussion regarding a contingency fund followed.

Discussion continued regarding the performance of Barton Malow, construction firm for the Library; lack of available rental space at the Library facilities; and policies for use of quiet areas at the Library.

Council inquired regarding attendance of Board of Trustee members at meetings. Chairman Plummer stated that attendance had been good except for absence due to illness.

Meeting adjourned at 7:53 p.m.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CITY CLERK/TREASURER

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, May 17, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Goss (arrived at 8:30 p.m.), Director Gushman (arrived at 8:16 p.m.), City Manager Lauhoff.

APPROVAL OF AGENDA

05-99-138 MOTION by Campbell, seconded by McShane, to approve the agenda as amended. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

05-99-139 MOTION by Campbell, seconded by Hartsock, to approve the minutes of the Budget Study Session of April 28, 1999, Special and Closed Session Meetings of May 3, 1999 and the Special Meeting of the Cities of Farmington/ Farmington Hills Jointly Funded Agencies Budget Review of May 4, 1999 as submitted and the Regular Meeting of May 3, 1999 as corrected. The 3rd page should read Mayor Bush advised she would abstain from discussion and voting "since my partners are part-owners of a building adjacent to the municipal lot", under the agenda item "Consideration To Introduce Ordinance #C-653-99 To Amend Traffic Control Order, Chapter 4, Parking Regulations". MOTION CARRIED UNANIMOUSLY.

RECOGNITION: CHARLES CARVELL - DIAMOND AWARD RECIPIENT

Council recognized Charles Carvell as the Farmington Area Commission on Aging Diamond Award Recipient and noted many of his voluntary commitments to the communities of Farmington and Farmington Hills. Nancy Leonard, 33309 Shiawassee, stated that it had been a pleasure working with Mr. Carvell on the Historical Commission for the last 25 years. John Washburn, member of the Commission on Aging, was present for the recognition.

MINUTES OF OTHER BOARDS

05-99-140 MOTION by Mitchell, seconded by McShane, to receive and file the minutes of the following Boards and Commissions:

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- Planning Commission minutes of May 10, 1999.
- Downtown Development Authority minutes of May 4, 1999.
- Beautification Commission minutes of April 14, 1999.
- Historical Commission minutes of April 21, 1999.
- Southwestern Oakland Cable Commission minutes of April 27, 1999.
- Farmington Community Library minutes of February 11, 1999.
- Governor Warner Mansion Development Committee minutes of April 21, 1999.
- Farmington Community Arts Council minutes of April 15, 1999.
- Farmington Area Arts Commission minutes of April 15, 1999.

MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

REQUEST FOR OUTSIDE SEATING, 34635 GRAND RIVER, PANERA BREAD.

Robert Darlin, Pro-Team Manager for the Saint Louis Bread Company, Inc./Panera Bread, was present to answer Council's questions regarding the request for outside seating adjacent to the building entrances, with 7 tables, 21 chairs and 3 umbrellas on the patio of Panera Bread.

05-99-141 MOTION by Campbell, seconded to McShane, to approve outdoor seating for Panera Bread, at 34635 Grand River, in accordance with administration's report, to allow placement of 7 tables, 21 chairs and 3 umbrellas between April and October from 6:00 a.m. to 9:00 p.m.; and to require that outdoor trash receptacles be available and the area be maintained at all times. MOTION CARRIED UNANIMOUSLY.

LETTER FROM ROSEMARY SHAW RE: BLOCK PARTY. Administration recommended approval of the request for a block party on Birchwood.

05-99-142 MOTION by McShane, seconded by Hartsock, to authorize the closing of Birchwood between Flanders and Annewood, from 10:00 a.m. to 2:00 p.m. on Saturday, June 5, 1999, for a block party and to authorize the Department of Public Services to provide barricades for the event. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION OF PARTICIPATION IN OAKLAND COUNTY CDBG PROGRAMS DURING 2000, 2001 AND 2002. Administration advised that the U. S. Department of Housing and Urban Development (HUD) regulations require communities that participate in the Community Development Block Grant Program (CDBG) to indicate

COUNCIL PROCEEDINGS -3-
May 17, 1999

every three years if they wish to continue in the program. The County requires a certified resolution of continuance.

05-99-143 MOTION by Mitchell, seconded by Campbell, to adopt a resolution to continue in the Oakland County CDBG Program during the 2000, 2001 and 2002 program years. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AMEND BEAUTIFICATION COMMISSION BY-LAWS TO ALLOW INCREASED MEMBERSHIP. Administration advised that the by-laws for the Beautification Commission were established by resolution and the Commission had requested that membership be increased allowing increased involvement in more projects throughout the community. Pat Shelton, Beautification Commission Chairperson, was present and stated the Commission's reasons for requesting additional members on the Commission.

05-99-144 MOTION by McShane, seconded by Mitchell, to amend Resolution #7-92-220 to change the Beautification Commission By-laws, Article 3 Membership, to state that the Commission shall consist of a maximum of nine members. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADOPT RECORDS MANAGEMENT HANDBOOK GUIDELINE UPDATE. Administration advised that City records are maintained and disposed of according to Michigan State Law, that the Michigan Department of State Archives Unit update regulations, and that the last update was approved by Council in 1988.

05-99-145 MOTION by Hartsock, seconded by Mitchell, to adopt a resolution to adopt the updated General Record Retention and Disposal Schedule No. 8 of March 1998 as the official Records Retention Policy for the City of Farmington. [SEE ATTACHED RESOLUTION.]

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF CONSTRUCTION ESTIMATE #1 FOR 1999 SIDEWALK REPAIR PROGRAM. Administration recommended payment to LaRocca Construction, Inc. of Livonia, Michigan for Construction Estimate No. 1.

COUNCIL PROCEEDINGS -4-
May 17, 1999

05-99-146 MOTION Campbell, seconded by McShane, to authorize payment to LaRocca Construction, Inc. for Construction Estimate No. 1 for the 1999 Sidewalk Repair Program in the amount of \$42,250.36; funds to be provided from the FY 1998-99 General Fund budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CERTIFICATION OF DELINQUENT PAYMENTS.

05-99-147 MOTION by Campbell, seconded by Hartsock, to place delinquent special assessments, invoices, and water and sewer bills, in the amount of \$43,447.45 on the 1999 City of Farmington Tax Roll and to approve collection in this manner. [SEE ATTACHED.] MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Brian Scott, 23325 Liberty, voiced his concern regarding sidewalk repairs in the City and stated that additional efforts need to be made regarding safety around the areas that are being repaired. Mr. Scott requested close monitoring of the situation and that lighted barricades be placed in areas where sidewalks have been removed. Mr. Scott requested that his neighbor's sidewalk at 23337 Liberty should be looked at for repair.

Council thanked Mr. Scott for bringing the matter to their attention.

Julie Devine, 23540 Loomis Ct., addressed Council about bike helmets and stated reasons supporting helmet usage to avoid serious head injuries. Brian Scott voiced his opposition to mandatory bike helmet usage. Manager Lauhoff stated that the issue of helmets was on the agenda for the Traffic and Safety Board meeting on June 17th and Mr. Scott and Ms. Devine were invited to attend.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilman Campbell stated that, on behalf of the PlayScape Committee, a check in the amount of \$2,600.00 had been received from the Masonic Temple for the community supported spaghetti dinner for the funding of the PlayScape. Councilman

COUNCIL PROCEEDINGS -5-
May 17, 1999

Campbell noted that since the PlayScape goal was almost realized the Ronald McDonald House did not grant any funds for the PlayScape.

Councilwoman McShane noted that it was in the Observer that a new Public Safety Officer, Jeffrey Brow, was sworn in and requested that new officers be presented to Council. Councilman Hartsock suggested this could be done at the Public Safety Awards Night.

Manager Lauhoff reminded everyone of Mayor Exchange Day tomorrow with the City of Trenton.

Councilman Mitchell encouraged Ms. Devine and Mr. Scott to attend the Traffic and Safety Board Meeting to voice their concerns.

RESOLUTIONS AND ORDINANCES

CONSIDERATION OF ADOPTION OF ORDINANCE #C-653-99 TO AMEND TRAFFIC CONTROL ORDER, CHAPTER 4, PARKING REGULATIONS.

05-99-148 MOTION by Hartsock, seconded by McShane, to adopt Ordinance No. C-653-99 to amend Chapter 4, of the City Traffic Control Orders, as provided for in Section 31-196 of the City Code of Ordinances, by adding Section 4.17, Municipal Parking Spaces, to provide twenty parallel municipal parking spaces on the east side of the municipal parking lot adjacent to 23603-23623 Farmington Road, two hour parking from 10:00 a.m. to 6:00 p.m. Monday through Friday. [SEE ATTACHED ORDINANCE].

ROLL CALL

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

MOTION CARRIED.

CONSIDERATION OF ADOPTION OF ORDINANCE #C-652-99 SPECIAL EVENTS POLICY AND APPLICATION FORM.

05-99-149 MOTION by Campbell, seconded by Mitchell, to adopt Ordinance No. C-652-99 to amend Chapter 4, Amusements and Entertainments, of the City Code of the City of Farmington, adding Article VI, Special Events, to regulate the conduct of parades, festivals and other gatherings on public property and to provide for administrative review and imposition of fees in connection with such events. {SEE ATTACHED ORDINANCE}.

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ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

05-99-150 MOTION by Campbell, seconded by Hartsock, to adopt a Special Events Policy Statement which covers all special events in the City of Farmington. [SEE ATTACHED POLICY].

ROLL CALL

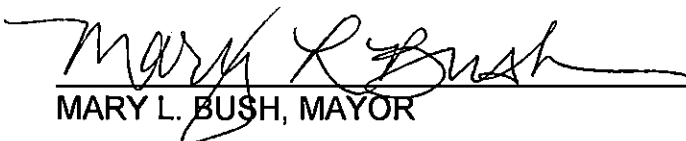
AYES: Bush, Campbell, Hartsock, McShane, Mitchell.
NAYS: None.
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.


ADJOURNMENT

05-99-151 MOTION by Campbell, seconded by Hartsock, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 8:52 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

CITY OF FARMINGTON
RESOLUTION NO. 05-99-143

Motion by Mitchell, seconded by Campbell, to adopt the following resolution:

WHEREAS, the Farmington City Council has agreed to participate in the Community Development Block Grant and HOME Programs for many years through the Oakland County Community Development Division, and

WHEREAS, the City has used CDBG allocations in recent years to primarily benefit senior citizens in our community through the funding of senior programs and services, and improvements to the Senior Center, and

WHEREAS, continued CDBG funding is vital to maintaining the current level of senior programs and services for this community.

THEREFORE BE IT RESOLVED, that the City Council hereby expresses the City's intention to continue participation in the Oakland County Community Development Block Grant and Home Programs during the 2000, 2001 and 2002 program years.

RESOLUTION DECLARED ADOPTED.

PATSY K. CANTRELL, CITY CLERK/TREASURER

I, Patsy K. Cantrell, duly authorized Clerk/Treasurer for the City of Farmington, do hereby certify that the foregoing is a true and correct copy of a motion adopted by the Farmington City Council at a regular meeting held on Monday, May 17, 1999, in the City of Farmington, Michigan, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

CITY OF FARMINGTON

RESOLUTION NO. 05-99-145

Motion by Hartsock, seconded by Mitchell, to adopt the following resolution:

WHEREAS, Michigan law, Public Act 271 of 1913 states that any record required to be kept by a public officer is the property of the people of the State of Michigan and cannot be destroyed except as provided by law, and

WHEREAS, Public Act 51 of 1948, first extra session, requires that public agencies intending to destroy records submit a list to the Michigan Historical Commission for review and submit the list to the State Administrative Board for approval, and

WHEREAS, General Record Retention and Disposal Schedule No. 8, prepared by the Michigan Department of State, Archives Unit and subsequently published and recommended by the Michigan Municipal League, approved by City Auditors Plante & Moran, the State Attorney General and the State Administrative Board;

IT IS THEREFORE RESOLVED BY THE CITY OF FARMINGTON that the Farmington City Council hereby adopts General Record Retention and Disposal Schedule No. 8 as amended March 1998 as the official policy of the City of Farmington.

ROLL CALL


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

RESOLUTION DECLARED ADOPTED.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....

I, Patsy K. Cantrell, duly authorized City Clerk/Treasurer 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 Monday, May 17, 1999, in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

CITY OF FARMINGTON

May 17, 1999

**CERTIFICATION OF 1999 DELINQUENT SPECIAL ASSESSMENTS,
INVOICES, AND WATER & SEWER BILLS**

I, Patsy K.Cantrell, Clerk/Treasurer for the City of Farmington, Oakland County, Michigan, do hereby certify that as of May 19, 1999, the attached City Invoices and Water & Sewer Bills were delinquent and should be placed on the 1999 City of Farmington tax roll in accordance with the Farmington City Code, Chapter 27, Section 27-18, Chapter 34, Section 34-131, Chapter 19, Section 19-33, Chapter 16, Section 16-14; and the Farmington City Charter, Sections 9.11 and 11.9.

TOTAL DELINQUENT CITY SERVICE INVOICES	158.40
TOTAL DELINQUENT WATER & SEWER BILLS	<u>43,289.05</u>
GRAND TOTAL *****	\$ 43,447.45

1999 CERTIFICATION OF DELINQUENT CITY INVOICES

<u>PARCEL NO.</u>	<u>ACCOUNT NAME</u>	<u>DESCRIPTION</u>	<u>INVOICE NO.</u>	<u>AMOUNT</u>
23-27-404-011	MICHAEL SCHWEDER 32316-28 GRAND RIVER MAIL TO: 2599 WALLIN LAKE DR WEST BRANCH MI 48661	Weed Cutting JUNE & AUGUST 1998	11604 11662	79.20 79.20
TOTAL INVOICES				<u>158.40</u>

CITY OF FARMINGTON 1999 DELINQUENT WATER

ACCOUNT#	PARCEL#	SERVICE ADDRESS	TOTAL DUE
01-00050-01	23-28-428-011	33441 Alta Loma	320.37
01-00185-01	23-28-428-013	23270 Cass	128.18
01-00570-01	23-28-276-018	33614 State	201.94
01-01245-01	23-27-254-011	31925 Shiawassee	683.80
01-01300-01	23-27-251-048	32090 Shiawassee	138.02
01-01310-01	23-27-251-046	32200 Shiawassee	425.34
02-00180-01	23-27-330-025	22770 Maple	461.65
02-00240-01	23-27-330-011	23000 Maple	465.79
02-00300-01	23-27-451-043	22731 Brookdale	350.58
02-00440-01	23-27-452-007	22744 Brookdale	302.07
02-00490-01	23-27-330-038	22827 Power	244.19
02-00515-01	23-27-330-043	22801 Power	368.13
02-00555-01	23-27-330-054	22629 Power	379.33
02-00680-01	23-27-451-020	22724 Power	300.13
02-00710-01	23-27-451-013	22814 Power	275.68
03-00030-01	23-28-231-021	23825 Farmington	223.44
03-00065-01	23-28-278-014	23621 Farmington	644.36
03-00135-01	23-27-302-015	22840 Farmington	521.17
03-00230-01	23-27-155-038	23310 Farmington	525.71
03-01070-01	23-27-427-030	31618 Grand River	284.51
03-01085-01	23-27-427-030	31624 Grand River	256.95
03-01290-01	23-27-153-020	33200 Grand River	1,032.81
03-01540-01	23-27-177-094	32736 Grand River	2,279.59
04-00120-01	23-27-427-019	22712 Lakeway	354.21
04-00240-01	23-27-252-024	23231 Prospect	1,225.78
04-00255-01	23-27-252-027	23215 Prospect	619.01
04-00320-01	23-27-403-016	32013 Valleyview	574.99
04-00370-01	23-27-402-010	32014 Valleyview	563.38
04-00900-01	23-28-231-015	33414 Oakland	148.74
05-00025-01	23-26-302-029	23195 Lilac	582.30
05-00205-01	23-26-358-007	22500 Lilac	364.33
05-00210-01	23-26-358-006	22510 Lilac	329.92
05-00270-01	23-26-353-004	22792 Lilac	549.90
05-00500-01	23-26-353-020	22709 Floral	143.53
05-00760-01	23-26-304-021	23217 Hawthorne	134.13
05-00800-01	23-26-304-030	23071 Hawthorne	305.12
05-00825-01	23-26-354-010	22839 Hawthorne	147.12
05-00925-01	23-35-126-001	22146 Hawthorne	128.18
05-00955-01	23-26-377-003	22460 Hawthorne	307.86
05-01185-01	23-26-355-002	22502 Orchard Lake	142.59
05-01295-01	23-26-301-011	23118 Orchard Lake	539.34
05-01300-01	23-26-301-010	23130 Orchard Lake	193.53
05-01485-01	23-26-351-018	22785 Violet	407.31
05-01500-01	23-26-351-021	22745 Violet	422.82

CITY OF FARMINGTON 1999 DELINQUENT WATER

ACCOUNT#	PARCEL#	SERVICE ADDRESS	TOTAL DUE
07-00050-01	23-27-305-032	22883 Manning	142.93
07-00065-01	23-27-305-035	22823 Manning	570.70
07-00155-01	23-27-328-004	23000 Manning	231.29
07-00415-01	23-27-376-003	32925 Cloverdale	136.02
07-00895-01	23-27-304-003	23056 Hayden	147.53
07-00905-01	23-27-304-001	23096 Hayden	283.53
08-00380-01	23-27-276-004	31975 Leelane	586.41
08-00435-01	23-27-226-030	31560 Leelane	132.94
08-00740-01	23-27-226-022	31664 Folkstone	244.70
08-01100-01	23-27-201-010	32180 Marblehead	159.95
08-01310-01	23-27-226-004	24102 Broadview	562.01
08-01555-01	23-27-231-013	31790 Lamar	601.12
08-01695-01	23-27-229-019	23672 Beacon	393.62
09-00090-01	23-28-426-001	33940 Alta Loma	1,031.15
09-00290-01	23-28-403-009	33939 Moore	889.80
09-00750-01	23-28-257-002	34177 Schulte	497.35
11-00020-01	23-27-102-019	24143 Elizabeth Ct	262.50
11-00175-01	23-27-103-004	24185 Twin Valley Ct	447.71
11-00292-01	23-27-101-012	24143 Farmington	391.38
11-00295-01	23-27-103-014	24095 Farmington	288.67
12-00530-01	23-34-152-015	21410 Chestnut Lant	152.77
12-00755-01	23-34-301-005	33204 Flanders	383.72
12-01090-01	23-34-326-022	21040 Meadowlark	88.77
12-01145-01	23-34-351-015	33206 Meadowlark	405.52
12-01210-01	23-34-301-012	21341 Larkspur	383.75
12-01255-01	23-34-301-021	21117 Larkspur	510.32
12-01430-01	23-34-328-022	21019 Laurelwood	138.02
12-01435-01	23-34-328-023	21009 Laurelwood	1,259.34
12-01515-01	23-34-329-002	21134 Laurelwood	192.01
12-01610-01	23-34-353-024	20931 Robinwood	315.68
12-01635-01	23-34-328-012	20930 Robinwood	136.97
12-01725-01	23-34-326-008	21316 Robinwood	1,064.28
12-01730-01	23-34-326-007	21330 Robinwood	225.00
12-01740-01	23-34-152-017	21595 Birchwood	499.01
12-01820-01	23-34-302-014	21323 Birchwood	118.27
12-02005-01	23-34-303-004	21310 Birchwood	138.02
12-02165-01	23-34-301-009	33054 Annewood	127.45
15-00055-01	23-29-103-004	36818 Brittany Hill	197.02
15-00310-01	23-29-154-016	36651 Saxony	684.20
15-00420-01	23-29-176-007	36590 Saxony	1,340.26
15-00675-01	23-29-152-006	36939 Heatherton	693.78
15-00865-01	23-29-153-004	36934 Heatherton	265.77
15-01615-01	23-29-252-022	35915 Smithfield	1,462.09
15-01645-01	23-29-205-008	35833 Smithfield	431.41

CITY OF FARMINGTON 1999 DELINQUENT WATER

ACCOUNT#	PARCEL#	SERVICE ADDRESS	TOTAL DUE
16-02760-01	23-28-152-018	34978 Drake Heights	147.85
16-07030-01	23-28-276-006	23704 Cass	371.29
16-07100-01	23-28-252-016	33740 Macomb	246.11
16-07595-01	23-28-226-009	33712 Glenview	227.68
16-07640-01	23-21-453-009	33904 Glenview	373.88
16-07905-01	23-28-227-011	33608 Shiawassee	900.90
16-08125-01	23-28-228-023	33808 Grand River	133.09
16-08270-01	23-28-251-013	34025 Oakland	385.17
16-08280-01	23-28-251-041	34015 Oakland	431.91
16-08430-01	23-28-203-025	34390 Oakland	201.86
16-08450-01	23-28-128-026	34556 Oakland	608.81
16-08660-01	23-28-129-007	23848 Wesley	133.09
16-08755-01	23-28-178-018	23557 Gill	147.85
16-08830-01	23-28-176-009	23522 Longacre	255.95
16-09005-01	23-28-126-030	34740 Whittaker	192.10
16-09150-01	23-28-126-026	34701 Grand River	318.94
TOTALS			43,289.05

File: Delwa .wb2

ORDINANCE #C-653-99

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Director of Public Safety of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 4, add Section 4.17 as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

CHAPTER 4 - PARKING REGULATIONS:

ADD:

Section 4.17 - Municipal Parking Spaces

The twenty (20) parallel municipal parking spaces on the east side of the municipal parking lot to the rear of 23603 - 23623 Farmington Road. "Two hour parking between the hours of 10:00 a.m. and 6:00 p.m. from Monday through Friday."

This ordinance was introduced at a regular meeting of the Farmington City Council on May 3, 1999, was adopted and enacted at the next regular meeting of the Council on May 17, 1999, and will become effective ten days after publication.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

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

Introduced: May 3, 1999
Adopted: May 17, 1999
Published: May 23, 1999
Effective Date: May 27, 1999

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

ORDINANCE NO. C- 652 -99

AN ORDINANCE TO AMEND CHAPTER 4, AMUSEMENTS AND ENTERTAINMENTS, OF THE CITY CODE OF THE CITY OF FARMINGTON, ADDING A NEW ARTICLE, ARTICLE VI, SPECIAL EVENTS, TO REGULATE THE CONDUCT OF PARADES, FESTIVALS AND OTHER GATHERINGS ON PUBLIC PROPERTY AND TO PROVIDE FOR ADMINISTRATIVE REVIEW AND IMPOSITION OF FEES IN CONNECTION WITH SUCH SPECIAL EVENTS.

The City of Farmington Ordains:

Section 1.

Chapter 4, Amusements and Entertainments, is hereby amended to add Article VI Special Events, which shall read as follows:

Article VI. Special Events

SECTION 4-190. Definitions.

- (a) *Parade* means any march, demonstration, procession or motorcade consisting of persons, animals, or vehicles or a combination thereof upon the streets, parks or other public grounds within the City with an intent of attracting public attention that interferes with the normal flow or regulation of traffic upon the streets, parks or other public grounds
- (b) *Person* means any person, firm, partnership, association, corporation, company or organization of any kind.
- (c) *Sidewalk* is any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.
- (d) *Special Event* means any meeting, festival or gathering of more than twenty-five (25) persons for a common purpose as a result of prior planning that interferes with the normal flow or regulation of pedestrian or vehicular traffic or occupies any public area in a place open to the general public.

- (e) *Special Event Permit* means a permit as required by this Article.
- (f) *Street* is any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof.

SECTION 4-191. Permit Required.

No person shall engage in or conduct any parade or special event unless a permit is issued by the City.

SECTION 4-192. Exceptions.

This Article shall not apply to the following:

- (a) Funeral processions;
- (b) Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;
- (c) A governmental agency acting within the scope of its functions; and
- (d) Spontaneous events occasioned by news or affairs coming into public knowledge within three (3) days of such public assembly, provided that the organizer thereof gives written notice to the City at least twenty-four (24) hours prior to such parade or public assembly.

SECTION 4-193. Application.

- (a) A person seeking a special event permit shall file an application with the City Manager on forms provided by the City and the application shall be signed by the applicant under oath.
- (b) An application for a permit shall be filed with the City Manager at least thirty (30) days before the parade or special event is proposed to commence.
- (c) The application for a permit shall set forth information determined by the City Council to be necessary for the protection of the public health, safety and well being and

contained in the Special Events Policy to be adopted by Resolution of Council. It may be amended from time to time.

SECTION 4-194. Fees.

- (a) A fee to cover administrative costs of processing the permit shall be paid to the City by the applicant when the application is filed. The amount for such permit shall be as established by City Council in its Special Events policy to be adopted by Resolution of Council. It may be amended from time to time.
- (b) If the application is for the use of any City property or if any City services shall be required for the parade or special event, the applicant shall pay, prior to the issuance of a permit, the charges for rent and services in accordance with a schedule of rent and service approved by the City Council by resolution as part of the Special Event Policy. It may be amended from time to time.

SECTION 4-195. Standards for Issuance.

- (a) The City Council shall issue a permit as provided for herein when, from a consideration of the application and from such other information as may otherwise be obtained, it finds that:
 - (1) The conduct of the parade or special event will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic contiguous to its route or location;
 - (2) The conduct of the parade or special event will not require the diversion of so great a number of City public safety officers to properly police the line of movement and the areas contiguous thereto as to prevent normal public safety protection of the City;
 - (3) The concentration of persons, animals, and vehicles at public assembly points of the parade or special event will not unduly interfere with property fire and police protection of, or ambulance service to, areas contiguous to such public assembly areas;
 - (4) The conduct of the parade or special event is not reasonably likely to cause injury to persons or property;

(5) The parade or special event is scheduled to move from its point or origin to its point of termination expeditiously and without unreasonable delays en route;

(6) Adequate sanitation and other required health facilities are or will be made available in or adjacent to any public assembly areas;

(7) There are sufficient parking places near the site of the parade or special event to accommodate the number of vehicles reasonably expected.

(8) No special event permit application for the same time and/or location has already been granted or has been received and will be granted and the occurrence of two or more special events would have an adverse effect upon the public health, safety or welfare.

(9) The conduct of the parade or special event shall comply with the Special Event Policy adopted by Council.

Section 2. Repealer.

All ordinances or parts of ordinance in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Severability.

Should any section, subsection, clause or phrase of this Ordinance be declared by any Court of competent jurisdiction to be unconstitutional, void, ineffective or invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the section, subsection, clause or phrase declared unconstitutional, void, ineffective or invalid.

Section 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law enforced when they are commenced.

Section 5. Effective Date.

The provisions of this Ordinance are ordered to take effect as specified by Charter.

SPECIAL EVENTS POLICY

1 SPECIAL EVENT APPLICATION REQUIRED:

This Policy Statement on Special Events covers all special events and the commercial filming of locations and events in the city of Farmington. Any organization wishing to sponsor or hold a special event in the city of Farmington will be required to complete the city of Farmington Special Event Application.

A special event within the city of Farmington that will be conducted on the streets, parks or other public areas is required by City Code Article VI, "Special Events" to be approved by City Council. Applications to conduct a special event must be made in writing to the office of the City Manager. Applications are available from the City Manager's office or the City Clerk's office. Applications shall be submitted to the City Manager's office no later than thirty (30) days prior to the date of the actual event.

The city of Farmington may hold its own special events. It may contract with one or more organizations to perform special event services or it may jointly sponsor a special event with one or more organizations. In such cases, the city administration and the participating organizations shall submit a special event application to City Council which shall include a presentation of the city's financial participation and the related organization's financial participation.

The city will provide a complete review of any special event application, including consultation with the applicant, as may be reasonably necessary.

2 CITY SERVICES PROVIDED FOR SPECIAL EVENTS

The city will provide support to special events on the following basis:

- a. **City Operated Events:** The city may operate certain special events directly. The full cost of these events will be funded by the city.
- b. **Co-Sponsored Events:** The city may co-sponsor certain events with other organizations when City Council determines that the event is of general interest to the public and advances the city's public image.
- c. **Other Non-Profit Events:** The city may assist other special events operated by non-profit organizations. These events must meet the other requirements of the special events policy and must reimburse the city for any city costs in excess of the approved support level.
- d. **Other For-Profit Events:** The city may allow other special events operated by for-profit sponsors which are beneficial to the city and the public subject

to a rent for the use of the public property which is approved for each event. These events must meet the other requirements of the special events policy and must reimburse the city for any city costs in addition to the payment of the established rent.

3 FEES FOR SPECIAL EVENTS:

Fees shall be charged for city services provided to special events as follows:

- a. **Straight time** shall be the hourly cost for any employee working on a special event during the "normal work day, " including the actual cost for fringe benefits.
- b. **Overtime** shall be the hourly cost for any employee working on a special event during a time period which would be considered overtime for city payroll records, including the actual cost for fringe benefits.
- c. **Purchased or rented materials** shall include all direct costs for all materials purchased or rented by the city of Farmington for use at the event.
- d. **Equipment charges** shall be the current equipment rental rates charged by the city of Farmington.
- e. **An administrative fee** of ten percent (10%) shall be added to the total billing. This administrative fee shall cover the city's expenses related to supervision, use of stock parts (i.e. nuts/bolts, fluids,) and costs related to payment of bills related to the event.

4 BILLINGS FOR SPECIAL EVENTS:

Special event billings by the city shall be itemized as follows:

Public Safety Employee Regular/Overtime	\$
Public Services Employee Regular/Overtime	\$
Equipment Charges	\$
Purchased Materials	\$
Rented Materials	\$ _____
Sub-Total	\$
Plus 10% Administrative Fee	\$
Plus For-Profit Rent if applicable	\$
Less amount of city support	\$ _____
NET TOTAL BILLING	\$ _____

A cash deposit, performance bond or other security acceptable to the city will be required in an amount equal to the amount estimated by the city to be billed for city fees as described above. The estimate city fees shall be listed as a part of the City Council resolution authorizing the special event. Arrangements for the deposit or other acceptable security are to be made by event organizers not less than five (5) working days before the start of the event.

5 "EXEMPT PARKING" FOR SPECIAL EVENTS:

The term "exempt parking" as used on the special event application form means that there will be no enforcement of parking time limits. Enforcement of handicapped zones, theater parking zones, and all fire lanes shall be enforced at all times. Exempt parking shall only be granted if requested by the sponsor and approved by City Council.

6 RENTAL CHARGE TO BE SET FOR PRIVATE FOR-PROFIT EVENTS:

Events which are exclusively sponsored by private for-profit organizations shall be charged a rent for use of public areas such as parks or streets, in addition to the city event fees provided herein. The rent shall be set by the city administration in consultation with the applicant, based on the overall economic impact of the privately sponsored event and subject to final approval by City Council as part of the special event application approval.

7 CIVIC ORGANIZATIONS AND MERCHANTS IN SPECIAL EVENTS:

It is the desire of City Council that local non-profit organizations and local merchants in the vicinity of the special event being held, be given the opportunity to participate in the special event to the great extent practical, consistent with the nature and purpose of the event.

8 SPECIAL EVENT SIGNS:

The special event application shall include a description of any advertising signs which are proposed to be used for the event. The use of signs shall conform with the description contained in the application, or as modified by City Council in its approval process. Except as expressly approved otherwise by Council, event signs erected prior to the first day of the event shall be subject to the following restrictions:

- a. There shall be no more than five (5) such signs;
- b. No such sign shall be erected sooner than fourteen (14) days prior to the first day of the event, nor remain beyond the first day following the last day of the event;
- c. No such sign shall be erected on any property without the express permission of the owner; and
- d. All such signs shall comply with the provisions of the city sign ordinance.

Additional signs may be erected as needed at the site of the event during the event's occurrence with the City Manager's approval.

9 **VIDEO OR FILM PRODUCTION:**

Organizations which request any location in the city of Farmington as a location for a commercial video or film production shall be required to coordinate the production with the City Manager's office. The City Manager's office shall have the authority to grant permission for commercial video or film production in the city and to allow use of city facilities for this purpose. All commercial video or film productions shall be required to pay the actual costs of all straight time and overtime for all city employees and equipment. Further, there shall be a 20% administrative fee placed on the final billing for such productions. In addition, a rent shall be charged for the use of public areas such as parks and streets. The rent shall be set by the city administration based on the overall impact of the production on the public areas being used.

10 **LIABILITY INSURANCE REQUIREMENTS:**

In order to comply with the city's insurance liability carrier, the city shall require that all sponsors of special events or commercial video or film crews carry liability insurance with coverage of at least \$1,000,000 except for Class I - Low Hazard events approved by the City Manager as provided below. An event sponsor shall be required to provide a valid certificate of insurance naming the city of Farmington as an additional insured prior to the event. City Council may require higher levels of insurance based on risk factors and past experience.

All special events shall be reviewed by the City Manager. Special events are defined as activities which are not directly related to the day-to-day operations of the city of Farmington, but which may occur on premises owned or controlled by the city of Farmington.

It shall be the policy of the city of Farmington to not routinely require insurance coverage for events classified as Class I - Low Hazard and the City Manager may waive insurance requirements for Class II - Moderate Hazard events depending on evaluation of risk.

The City Manager may place additional requirements on any event. These requirements may include specific staffing levels for Police, Fire, Paramedic, Public Services or other personnel. Expenses for these requirements will be billed to the sponsoring organization under the terms of the policy.

The City Manager will review each special event application received and assess the potential liability risk of the city of Farmington based on the following risk categories:

Class I - Low Hazard involves little physical activity by participants and no hazardous exposure to spectators. Examples of events in this category include, but are not limited to, meetings seminars, social gatherings, theatrical performances, auctions, and car shows (vehicles are parked).

Class II - Moderate Hazard involves moderate physical activity by participants and no significant hazardous exposure to spectators. Events in this category include, but are not limited to, amateur team sports, dances, animal shows, car cruises, political rallies, flea markets, picnics and parades with no floats.

Class III - Substantial Hazard involves major participation by participants and/or moderate risk to spectators. Events in this category include, but are not limited to, parades with floats, marathons or races, festivals, circus/carnivals and semi-pro team sporting events.

Class IV - High Hazard involves danger or significant risk to spectators and/or participants. Examples of events in this category include, but are not limited to, rock concerts, alcoholic beverage sales, vehicle races, fireworks displays, professional or collegiate sporting events.

As a result of the review of the event by the City Manager, some events may require that additional city staff or representatives of the city be on site during the event.

In addition, the City Manager, Director of Public Services and city Public Safety officials have the authority to cancel or stop any event or place additional restrictions on the event, if it is deemed that the public health, safety or welfare would be better served with additional restrictions.

11 TRAFFIC CONTROL AND SAFETY REQUIREMENTS

The special event sponsor shall be responsible for complying with all traffic control and safety procedures required by the city during the event. The requirements will be indicated in the notice of approval, and additional requirements may be made by the city during the event as may be necessary for the safety of the public.

All special events which allow participants soliciting funds in street inspections shall comply with the safety requirements and use of traffic cones as specified in the Public Safety Director's instructions.

12 PARTICIPANT WAIVER OF LIABILITY

The special event sponsor shall be responsible for obtaining all signed indemnification agreements as required by the city. Samples of the basic agreements are attached to this policy. Specific requirements may be indicated in the city's written confirmation of approval.

13 VENDOR INSURANCE AND LICENSE REQUIREMENTS

All vendors must complete the concession waiver of liability prior to opening of the vending operations.

An event that is serving food must have all food vendors approved by the Oakland

County Health Department. All food vendors must supply a valid certificate of insurance naming the city of Farmington as an additional insured prior to opening of the food stand. All food vendors must post a valid temporary food license if required by the Oakland County Health Department. Food vendors are responsible for any and all fees related to obtaining a food license.

14 TWO OR MORE APPLICATIONS FOR THE SAME DATE:

In the event that two or more special event applications are received for the same date and time, prior to the approval of either event, the date and time that each application was received by the city of Farmington shall determine the order of preference. Once a special event permit has been granted, it shall be the policy of City Council to not award further permits for the same date, time and general location except for special situations.

15 RESERVATION OF ANNUAL EVENT DATES:

If an event is intended to be an annual event at regularly scheduled dates, the current year's application may include the following year's requested dates. Approval of the current year's application will include reservation of the next year's proposed dates. However, it will not constitute approval of next year's event, which must have its own timely application submitted for city approval. In general, the city will not approve special event dates more than eighteen months in advance.

16 WRITTEN CONFIRMATION OF CITY APPROVAL:

Upon approval of the special event application, a written confirmation as to the action of City Council will be forwarded to the individual or organization requesting the event by the City Clerk's office. This confirmation will outline any special conditions that must be met if the event is to be held. The city of Farmington special event application must be completed for all special events that take place on public lands or lands that are controlled by the city of Farmington.

City of Farmington General Rules and Regulations
INDEMNIFICATION AGREEMENT

The _____ agree(s) to defend, indemnify, and hold harmless the city of Farmington, Michigan from any claim, demand, suit, loss, cost of expense or any damage which may be asserted, claimed or recovered against or from the _____ by reason of any damage to property, personal injury or bodily injury, including death, sustained by an person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss, cost of expense is caused in whole or in part by the negligence of the city of Farmington or by third parties, or by the agents, servants, employees or factors of any of them.

Signature _____

Date _____

Witness _____

Date _____

City of Farmington Special Event Application

Directions: Complete this application in accordance with the city of Farmington's Special Events Policy and return it to the City Manager's office at least 30 days prior to the starting date of the event.

Sponsoring
Organization's
Legal Name _____ Phone _____

Organization Address _____

Organization's Agent _____ Phone _____

Agent's Title _____

Agent's Address _____

Event Name _____

Event Purpose _____

Event Dates _____

Event Times _____

Event Location _____

1. **TYPE OF EVENT:** Based on Policy Section 2, this event is:

- | | |
|---|---|
| <input type="checkbox"/> City Operated Event | <input type="checkbox"/> Co-sponsored Event |
| <input type="checkbox"/> Other Non-Profit Event | <input type="checkbox"/> Other For-Profit Event |

2. **ANNUAL EVENT:** Is this event expected to occur next year [YES] [NO]

If YES, you can reserve a date for next year with this application (See Policy Section 15). To reserve dates for next year, please provide the following information:

Normal Event Schedule
(e.g., third weekend in July) _____

Next year's specific dates: _____

3. **An EVENT MAP** [is] [is not] attached. If you event will use streets and/or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lost that you are requesting to be blocked off.

4. **VENDORS:** Food Concessions [YES] [NO] Other Vendors [YES] [NO]

If yes, refer to Policy Section 13 for license and insurance requirements.

5. **EVENT SIGNS:** Will this event include the use of signs [YES] [NO]

If yes, refer to Policy Section 8 for requirements and describe the size and location of your proposed signs: **Please complete sign illustration sheet on page 4 and include with the application.**

6. **EXEMPT PARKING:** Are you requesting exempt parking? (See Policy Section 5)
[YES] [NO]

If yes, list the lots or locations where exempt parking is requested:

7. **OTHER REQUESTS:** _____

- 8. CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:
- a. A certificate of insurance must be provided which names the city of Farmington as an additional named insured party on the policy. (see Policy Section 10 for insurance requirements)
 - b. Event sponsors and participants will be required to sign Indemnification Agreement forms. (refer to Policy Section 12)
 - c. If the event includes solicitation by workers standing in street intersections, the required safety precautions will be maintained at all times in accordance with the Department of Public Safety. (see Policy Section 11)
 - d. All food vendors must be approved by the Oakland County Health Department, and each food and/or other vendor must provide the city with a certificate of insurance which names the city of Farmington as an additional named insured party on the policy. (see Policy Section 13)
 - e. The approval of this special event may include additional requirements and/or limitations based on the city's review of this application, in accordance with the city's special event policy. The event will be operated in conformance with the written confirmation of approval. (see Policy Sections 11 and 16)
 - f. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the city and will promptly pay any billing for city services which may be rendered, pursuant to Policy Sections 3 and 4.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this special event, affirm the above understandings, and agree that my sponsoring organization will comply with the city's Special Event Policy, the terms of the Written Confirmation of Approval and all other city requirements, ordinances and other laws which apply to this special event.

Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days prior to the first day of the event to:

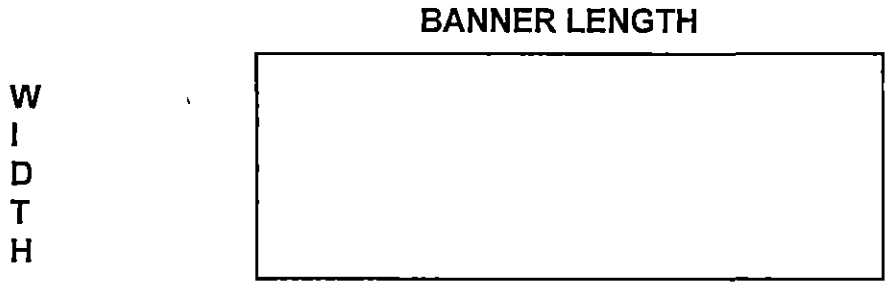
**City Manager's Office
23600 Liberty Street
Farmington MI 48335**

Phone: 248 474-5500-221

Signs or banners approved by the city of Farmington for special events shall be designed and made in an artistic and workman-like manner.

THE CITY MANAGER MUST APPROVE ALL SIGNS. SIGNS CANNOT BE ERECTED UNTIL APPROVAL IS GIVEN.

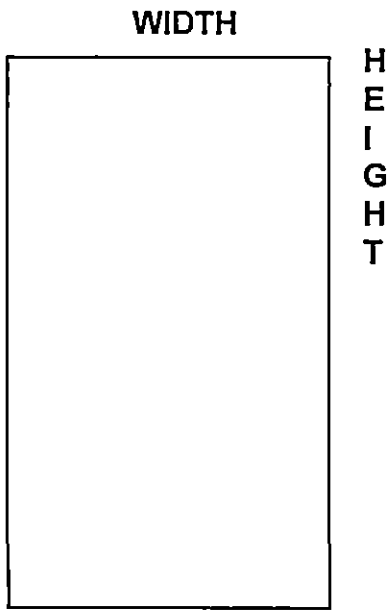
Total square footage of the banner cannot exceed 32 square feet.



Write copy of banner in the box.

Total Square Footage of the sign cannot exceed eight square feet.

Stand-up A Frame sign



Write sign copy inside sign area.

CITY OF FARMINGTON
SPECIAL COUNCIL MEETING WITH FARMINGTON HILLS AND
FARMINGTON/FARMINGTON HILLS CHAMBER OF COMMERCE

A special meeting of the Farmington City Council and the Farmington Hills City Council with the Farmington/Farmington Hills Chamber of Commerce was held on Wednesday, May 26, 1999 at the Farmington Training Center, 33000 Thomas Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 6:35 p.m.

FARMINGTON COUNCIL MEMBERS PRESENT: Bush, McShane, Mitchell.

FARMINGTON COUNCIL MEMBERS ABSENT: Campbell, Hartsock.

FARMINGTON CITY REPRESENTATIVES PRESENT: Lauhoff, Schmidt.

FARMINGTON HILLS COUNCIL MEMBERS PRESENT: Bates, Ellis, Grant, Soronen, Vagnozzi.

FARMINGTON HILLS REPRESENTATIVES PRESENT: Arbenowske, Brock, Whinnery.

CHAMBER OF COMMERCE MEMBERS PRESENT: Daguanno, Davis, Flaherty, Grant, Hain-Gaber, Jolicoeur.

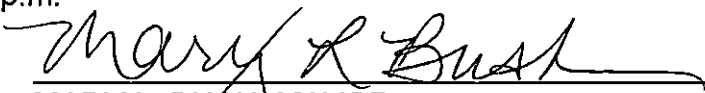
Andrew Haliw, of the Farmington/Farmington Hills Chamber of Commerce, welcomed all in attendance and made introductions.

Frank Lauhoff, Farmington City Manager, and Steve Brock, Farmington Hills City Manager, presented the State of the Cities Report which included present conditions and expectations for the future of the two cities.

Carleigh Flaharty, President of the Farmington/Farmington Hills Chamber of Commerce, presented an update on current interactions with businesses and legislative advocacy coalitions.

Group discussion followed regarding congestion and growth management, additional interchanges at Interstate 696, local tax abatements, parks and recreation, the transit system, utility deregulations and Y2K emergency plans.

The meeting adjourned at 8:10 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Recording Secretary: Janice Schmidt

Approved: June 7, 1999

Special Council Meeting
June 7, 1999
1

**SPECIAL COUNCIL MEETING WITH THE
FARMINGTON AREA ARTS COMMISSION**

A special meeting of the Farmington City Council with the Farmington Area Arts Commission was held Monday, June 7, 1999, 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 7:08 p.m.

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

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff.

FARMINGTON AREA ARTS COMMISSION MEMBERS PRESENT: F. Barber, K. Briggs, N. Reid, E. Samra.

OTHERS PESENT: P. Barber.

Mayor Bush called the meeting to order at 7:08 p.m., thanked the Arts Commission members for attending the meeting, and asked Chairman Barber to discuss the Master Plan.

Chairman Barber handed out copies of the arts survey and advised that the Master Plan was on hold until the survey results were available including follow-up phone surveys.

Discussion followed on the time line for completing the survey which is expected to be in the fall.

Chairperson Barber explained the reasons for Arts Commission member absences at tonight's meeting.

Manager Lauhoff advised that the City of Farmington Hills will include the survey in their newsletter, but Farmington will do a direct mailing. Chairman Barber commented that it was a good idea to color code the direct mailing as this will provide additional information. Councilman Hartsock commented on the survey questions stating that it would be interesting to have respondents dollarize their support for the arts as this

would provide information for future reference. Discussion followed regarding how to accomplish this. Paul Barber suggested that it might not be appropriate to ask that support be dollarized before knowing the total project cost, since it is hard to ask for this information before knowing the scope of the proposal. Councilman Hartsock agreed and stated that in the future surveys should attempt to dollarize what residents are being asked to support.

Chairman Barber discussed new priorities and continuing programs indicating that the Commission was attempting to enhance arts in the community. Chairman Barber advised that the Commission will continue to support the "Artist In Residence" program; "Festival of The Arts"; music scholarships; senior nursing home concerts; the artist club; community theater; art in the schools and development of a sculpture garden.

Discussion followed regarding development of a sculpture garden including possible locations and the need for security for the art placed in such a garden.

Chairman Barber discussed a new program, "Festival of Dance", which was started last year and which the Commission would like to provide more support for this year.

Councilman Campbell asked where the community theater was located. Chairman Barber said it was located at North Farmington High School as it had the support of the North Farmington High Principal, Ms. Clarke, who was strongly behind it.

Commissioner Reid asked about the status of a Cultural Arts Coordinator. Manager Lauhoff said that interivews will be conducted around July 1.

Discussion followed regarding a performing arts center with members of the Commission stating they feel there is a great need; that such a facility would be used and that results of the recently mailed survey will be useful in determining the level of community support for a center. Council asked regarding other performing arts centers and whether discussions were happening regarding a regional performing arts center. Chairman Barber stated that there were such discussions happening and that the Farmington Arts Commission had held such discussions regarding a partnership with Oakland Community College. It was noted that Oakland Community College is represented on the Commission. Commissioner Reid stated that there were issues related to size and that the Commission needed to look at the desires of the community. Mr. Barber noted issues of scheduling and travel related to regional centers but that it would also mean the facility is used more.


Commission membership and attendance were discussed with Chairman Barber noting that there is one vacancy on the Commission with an additional vacancy tentative, and reporting that attendance was good. Council asked if the Commission needed additional members. Discussion followed on the merits of increasing membership on the Commission with Mayor Bush asking the Commission to make a recommendation to Council. Discussion followed regarding potential applicants.

Council asked about the art display in City Hall, asked if the display could be changed more frequently, and if student art could be displayed. Chairman Barber advised that the director of that program had left and the new director had not yet assumed responsibility for this function.

Manager Lauhoff advised that there may be "fine art" stations in the Village Commons area and at Memorial Park during Founders Festival.

Mayor Bush, on behalf of the Council and the City, thanked Commission members for the work they are doing in the community.

Meeting adjourned at 7:54 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: June 21, 1999

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, June 7, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff.

APPROVAL OF AGENDA

06-99-152 MOTION by Mitchell, seconded by McShane, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS

06-99-153 MOTION by Campbell, seconded by Hartsock, to approve the minutes of the Special and Regular Meetings of May 17, 1999 and the Special Meeting with Farmington Hills City Council and the Farmington/Farmington Hills Chamber of Commerce on May 26, 1999 as submitted. MOTION CARRIED UNANIMOUSLY.

INTRODUCTION: VISITING JOURNALIST FROM BOMBAY, INDIA - VICTOR SHAH

Deferred pending Mr. Shah's arrival.

MINUTES OF OTHER BOARDS

06-99-154 MOTION by Hartsock, seconded by Campbell, to receive and file the minutes of the following Boards and Commissions:

- ◆ Farmington Beautification Commission minutes of May 12, 1999.
- ◆ Farmington Zoning Board of Appeals minutes of May 5, 1999.
- ◆ Commission on Children, Youth and Families minutes of May 6, 1999.
- ◆ Farmington Area Commission on Aging minutes of April 20, 1999.
- ◆ Farmington Community Library minutes of April 15, 1999.
- ◆ Farmington Board of Education minutes of April 13, 1999, April 20, 1999 and May 4, 1999.
- ◆ Governor Warner Mansion Development Committee minutes of May 5, 1999.

MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -2-
June 7, 1999

PUBLIC HEARING: PROPOSED FY 1999-00 BUDGET

Mayor Bush opened the public hearing and requested that Manager Lauhoff review the proposed budget. Manager Lauhoff reviewed the proposed budget and tax rate for the 1999-2000 Fiscal Year.

Mayor Bush invited public comment.

William Liba, 33640 Hillcrest, stated that he had no questions after reviewing the budget and that the budget looked in good order.

06-99-155 MOTION by McShane, seconded by Hartsock, to close the public hearing. MOTION CARRIED UNANIMOUSLY.

Professor Shah arrived at the meeting and was introduced by Mayor Bush who invited the Professor to address Council.

Professor Shah brought a message of good will, friendship, love, peace, progress, and prosperity from India. Professor Shah reviewed India's culture, history, dress, language, and technology. He congratulated Council and Farmington residents for what is happening in the community. Tokens from India were presented to Mayor Bush who presented Professor Shah with mementos from the City of Farmington.

DOWNTOWN DEVELOPMENT AUTHORITY QUARTERLY REPORT

Director Downey presented the following update on Downtown Development Authority activities:

- ◆ Business Recruitment - The Great Harvest Bread Company is coming to Farmington.
- ◆ Summer Events - This Friday night begins the evening concert series; other scheduled events were discussed.
- ◆ Chaw Events - Considering use of the Masonic Temple to set up a train display during holidays.
- ◆ Curb and Sidewalk Repairs - \$36,000 worth of repairs on Grand River and Farmington Road are planned; the Grand River brick walkway has been completed

Councilman Campbell complimented the DDA on the Grand River sidewalk crossing noting that it seems to slow traffic down.

COUNCIL PROCEEDINGS -3-
June 7, 1999

BOARDS AND COMMISSIONS: A) CONSIDERATION OF REAPPOINTMENT TO TRAFFIC & SAFETY BOARD B) EXPIRATION OF TERM - ZBA MEMBERSHIP (LEE RATLIFF)

06-99-156 MOTION by Campbell, seconded by Hartsock, to reappoint Demetra Mehas to the Traffic and Safety Board to a term expiring July, 2002. MOTION CARRIED UNANIMOUSLY.

06-99-157 MOTION by McShane, seconded by Mitchell, to accept the resignation of Lee Ratliff from the Zoning Board of Appeals; send him a letter thanking him for his 25 years of service and to present Mr. Ratliff with a plaque at a future Council meeting. MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

REQUEST FOR RESOLUTION: THE MICHIGAN MUSIC CAMPAIGN IN SUPPORT OF FEDERAL COMMUNICATIONS COMMISSION PETITIONS RM-9242 (ROBERT du RIVAGE) Manager Lauhoff reviewed the request for a resolution in support of the Federal Communications Commission Petition RM-9242 to reestablish the availability of low power FM radio stations. Mr. Robert du Rivage, from Detroit, Michigan, was present to offer reason for supporting the resolution.

Discussion followed regarding problems with pirate stations, wattage and distance of signals, and noting that other cities have acted on the resolution.

06-99-158 MOTION by McShane, seconded by Hartsock, to adopt a resolution supporting a Federal Communications Commission Petition RM-9242 to create a new service of small locally-owned FM stations and to send a copy to the Federal Communications Commission and the Michigan Music Campaign. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

LETTER FROM ANN MARIE MATHEWS, GENERAL MANAGER, HURON RIVER HUNTING AND FISHING CLUB, REQUESTING PERMISSION FOR TENTS FOR SPECIAL OUTDOOR ACTIVITIES. Manager Lauhoff reviewed the request and proposed events, noting that the City Fire Marshall will review the location of the tents and outdoor operation for compliance with State and local ordinances.

Ann Marie Mathews was present to answer questions regarding the request.

Council unanimously concurred to allow Councilman Hartsock to abstain since he is a member of the club.

COUNCIL PROCEEDINGS -4-
June 7, 1999

06-99-159 MOTION by Campbell, seconded by Mitchell, to grant permission for special outdoor events and tents at the Huron River Hunting and Fishing Club. MOTION CARRIED, 1 ABSTAINED (Hartsock).

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

06-99-160 MOTION by Campbell, seconded by McShane, to authorize the closing of Arundel Street between Gill and Wesley, from 4:00 p.m. to 10:00 p.m. on Saturday, June 19, 1999, for a block party and to authorize the Department of Public Services to provide traffic barricades for the event. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

ADOPT FY 1999-00 BUDGET AND ESTABLISH MILLAGE RATE. Administration recommended that Council approve a resolution to adopt the 1999-00 Fiscal Year Budget and to establish the local property tax millage rate for 1999. [SEE ATTACHED RESOLUTION].

06-99-161 MOTION by McShane, seconded by Mitchell, to adopt the 1999-00 Fiscal Year Budget and local property tax millage rate for the Fiscal Year beginning July 1, 1999.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF REQUEST FOR SPECIALLY DESIGNATED MERCHANT (SDM) LIQUOR LICENSE AT 22575 FARMINGTON ROAD. Administration advised that the Huron River Hunting and Fishing Club, at 22575 Farmington Road, requested an SDM license to allow sale of beer and wine for consumption off the premises. The Public Safety Department investigated and found no basis to object to this request.

06-99-162 MOTION by Campbell, seconded by Mitchell, to not object to the issuance of the SDM license request for the Huron River Hunting & Fishing Club at 22575 Farmington Road and forward City Council's action to the Michigan Liquor Control Commission. MOTION CARRIED, 1 ABSTAINED (Hartsock).

CONSIDERATION OF ESTABLISHING A COURT BUILDING FUND. The cities of Farmington and Farmington Hills formed a Facility Planning Committee to assess the

COUNCIL PROCEEDINGS -5-
June 7, 1999

needs of the 47th District Court. Administration advised that it is necessary to approve funding for contractual services for the facility assessment.

06-99-163 MOTION by Mitchell, seconded by Hartsock, to adopt a resolution to create a "Court Building Fund" and approve the revenues and expenditures of the Fund for fiscal year 1998-99. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ESTIMATE #2 AND CHANGE ORDER #1 FOR 1999 CONCRETE PAVING PROGRAM. Administration advised that Change Order #1 includes additional concrete work to repair Liberty Street between Grand River and State Street and would amend the original contract amount from \$569,079.75 to \$589,289.75, and recommended payment of Estimate No. 2.

06-99-164 MOTION by Hartsock, seconded by McShane, to approve Change Order No. 1 for the 1999 Concrete Paving Program and authorize payment of Estimate No. 2 in the amount of \$274,982.96 to Hard Rock Concrete of Westland, Michigan; funds budgeted in the Major and Local Street Funds for FY 1998-99.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Charles Carvell, 33906 State, noted that new lights have been installed at the Museum. Mr. Carvell also noted that the City Hall flag is not lighted. Manager Lauhoff stated that lighting is no longer required.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilman Campbell stated that installation of the PlayScape is approaching and asked that volunteers let Mardy Stirling know they are willing to help. Breakfast, lunch

COUNCIL PROCEEDINGS -6-
June 7, 1999

and dinner will be provided at Shiawassee Park for the workers. Councilman Campbell thanked the community and Council for their support.

Councilwoman McShane noted that at the last Museum Development Committee meeting the membership drive had a 10% response to the Museum survey and that funds have been collected. A larger mailing will be sent out to the community at a later date.

Manager Lauhoff advised Council that an invitation had been received from James DeSana, Director of the Department of Transportation (MDOT), to join MDOT in marking the completion of the interchange improvements in Farmington/Farmington Hills at Grand River/10 Mile Road and M-5 on Wednesday, June 9, 1999, at 9:00 a.m. This section of highway will be named the Keith Deacon Highway.

Councilman Mitchell noted that the Warner Mansion Development Committee invited all in attendance to the sign dedication at the Museum on Thursday, June 17, 1999 at 6:00 p.m. He also noted that additional responses to the Museum survey have been received.

Mayor Bush noted the passing of Judge Michael Hand and that Heeney-Sundquist Funeral Home was handling the arrangements. Mayor Bush advised that Judge Hand was Judge for the 47th District Court for many years and a long time resident of the community.

PUBLIC SAFETY DEPARTMENT QUARTERLY OPERATIONS REPORT JANUARY - MARCH, 1999.

Director Goss reviewed the Public Safety Department Quarterly Operations Report noting that crime is on a downward trend, and that drunk driving is down significantly, possibly due to new liquor license establishments west of the City and because Farmington is getting a reputation for strong drunk driving enforcement.

Councilman Campbell asked Director Goss if the new State law regarding seat belts is going to be tracked. Director Goss replied it will be tracked; that the law will go into effect April, 2000 and that it will be a primary enforcement.

06-99-165 MOTION by Hartsock, seconded by McShane, to receive and file the Public Safety Department Quarterly Operations Report for January - March, 1999. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -7-
June 7, 1999

**CONSIDERATION TO SET STUDY SESSION REGARDING ADMINISTRATIVE
REPORT FOR CITY CHARTER AMENDMENTS.**

06-99-166 MOTION by Mitchell, seconded by Hartsock, to set a study session to review administrative recommendations for City Charter amendments for Monday, June 21, 1999 at 5:30 p.m., Room A of Council Chambers. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PAYMENTS REPORT.

06-99-167 MOTION by Campbell, seconded by McShane, to approve the Monthly Payments Report for May, 1999. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO ENTER INTO EXECUTIVE SESSION TO CONSIDER THE
PURCHASE OF REAL PROPERTY.**

06-99-168 MOTION by Campbell, seconded by Mitchell, to enter into Executive Session to consider the purchase of real property.

ROLL CALL

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


MOTION CARRIED UNANIMOUSLY.

Council entered into a closed session at 8:55 p.m.

ADJOURNMENT

06-99-169 MOTION by Campbell, seconded by Hartsock, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:37 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

CITY OF FARMINGTON

RESOLUTION NO. 06-99-158

Motion by McShane, seconded by Hartsock, to adopt the following resolution:

WHEREAS, in 1978 the Federal Communications Commission stopped licensing low power radio stations.

WHEREAS, a national movement has emerged for these low power radio stations and, as a result, Petition RM 9242 is currently pending before the F.C.C.

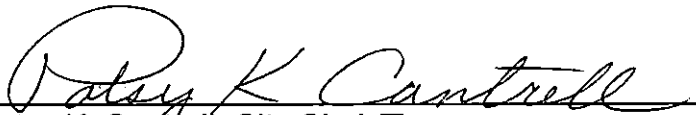
IT IS THEREFORE RESOLVED BY THE CITY OF FARMINGTON that the Farmington City Council urges the F.C.C. to restore and approve low power FM radio broadcasting, and joins the Michigan Senate (SR 234) and the Michigan House of Representatives (HR 379) in this request.

MOTION CARRIED UNANIMOUSLY.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....

I, Patsy K. Cantrell, duly authorized City Clerk/Treasurer 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 Monday, June 7, 1999, in the City of Farmington, Oakland County, Michigan.


Patsy K. Cantrell, City Clerk/Treasurer

RESOLUTION

NO. 06-99-161

Motion by McShane, seconded by Mitchell, to adopt the following resolution:

WHEREAS, the City Manager has presented to the Council a proposed budget for fiscal year beginning July 1, 1999 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 State Constitution and Statutes and the City Charter; and

THEREFORE BE IT RESOLVED that the Farmington City Council hereby adopts the 1999-2000 budget as shown in the budget document on Pages 20, 21 and 22; and

BE IT FURTHER RESOLVED that the following sums are hereby appropriated as the budget for the City of Farmington for fiscal year 1999-2000, beginning July 1, 1999 and ending June 30, 2000:

GENERAL FUND EXPENDITURES

General Government	\$1,245,146
Court	302,737
Public Safety	1,970,144
Public Services	906,930
Parks & Recreation	291,724
Library	258,238
Miscellaneous	213,618
Insurance & Benefit	785,852
Interfund Transfers	<u>207,158</u>

TOTAL GENERAL FUND EXPENDITURES: \$6,181,547

MAJOR STREET FUND EXPENDITURES

Operation & Maintenance	239,590
Debt Service	110,895
Transfer, Fund Balance	<u>81,030</u>

TOTAL MAJOR STREET FUND EXPENDITURES: 431,515

LOCAL STREET FUND EXPENDITURES

Road Improvements	500,000
Operation & Maintenance	182,850
Debt Service	36,520
Transfer, Fund Balance	<u>5,095</u>

TOTAL LOCAL STREET FUND EXPENDITURES: 724,465

MUNICIPAL STREET FUND EXPENDITURES

Transfer, Local Street Fund	<u>574,020</u>
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TOTAL MUNICIPAL STREET FUND EXPENDITURES: 574,020

RESOLUTION
NO. 06-99-161
Page 2

MUNICIPAL SIDEWALK FUND EXPENDITURES

Transfer, Fund Balance 32,240

TOTAL MUNICIPAL SIDEWALK FUND EXPENDITURES: 32,240

CAPITAL IMPROVEMENT FUND EXPENDITURES

Transfer, Fund Balance 122,040

TOTAL CAPITAL IMPROVEMENT FUND EXPENDITURES: 122,040

DOWNTOWN DEVELOPMENT AUTHORITY EXPENDITURES

Operating & Capital Outlay 309,128

TOTAL DOWNTOWN DEVELOPMENT AUTHORITY EXPENDITURES: 309,128

DEBT SERVICE FUND EXPENDITURES

General Debt Service Fund 887,475
Special Assessment Debt Service Fund 800
1987 MTA 175 Debt Fund 76,965
1992 MTA 175 Debt Fund 33,930
1995 MTA 175 Debt Fund 36,520

TOTAL DEBT SERVICE FUND EXPENDITURES: 1,035,690

TOTAL EXPENDITURES, BUDGETARY FUNDS: 9,410,645

BE IT FURTHER RESOLVED that the City Treasurer is hereby authorized to pay all claims and accounts properly chargeable to the foregoing appropriations, as may be amended by the Council from time to time, provided that said claims and accounts have been lawfully incurred and approved by Council, Board, Commission or other officer authorized to make such expenditures; and

BE IT FURTHER RESOLVED that the City Treasurer shall report to the Council quarterly on the status of expenditures as shown in this budget appropriations resolution; and

BE IT FURTHER RESOLVED that to meet the General Fund budget expenditures, the City Treasurer is hereby directed to spread taxes on real and personal property in the amount of ten dollars and seventy-six cents (\$10.76) per thousand of Taxable Value; and

BE IT FURTHER RESOLVED, that to meet Debt Service budgeted expenditures, the City Treasurer is hereby directed to spread taxes on real and personal property in the amount of two dollars and eighty cents (\$2.80) per thousand of Taxable Value; and

RESOLUTION
NO. 06-99-161
Page 3

BE IT FURTHER RESOLVED that the City Treasurer is hereby directed to spread taxes on real and personal property in the amount of one dollar and fifty-nine and six-tenths cents (\$1.596) per thousand of Taxable Value to collect the voter approved, dedicated millage for road improvements; and

BE IT FURTHER RESOLVED that to meet budgeted expenditures of the Farmington Downtown Development Authority, the City Treasurer is hereby directed to spread taxes on real and personal property located within the boundaries of the Farmington Downtown Development Authority District in the amount of one dollar and ninety-nine and five -tenths cents (\$1.995) per thousand of Taxable Value; and

BE IT FURTHER RESOLVED that property tax payments which have been deferred in accordance with State of Michigan Statutes may be unpaid until the last day of February without penalty; and

BE IT FURTHER RESOLVED that the City shall collect a one percent (1%) administration fee on all taxes collected by the City on behalf of other units of government; and

BE IT FURTHER RESOLVED that all summer taxes unpaid as of September 1 through the last day of February shall be assessed a four percent (4%) penalty in accordance with the provisions of the City Charter, and that all winter taxes unpaid as of February 15 through the last day of February shall be assessed a three percent (3%) penalty in accordance with the provisions of the State of Michigan Statutes.

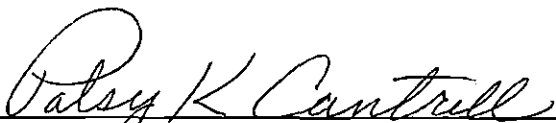
ROLL CALL:

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

RESOLUTION DECLARED ADOPTED

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....
I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, June 7, 1999, in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

CITY OF FARMINGTON

RESOLUTION NO. 06-99-163

Motion by Mitchell, seconded by Hartsock, to adopt the following resolution:

WHEREAS, the City of Farmington and the City of Farmington Hills City Councils agreed to set aside monies from fines collected at the 47th District Court to be used to fund renovation or construction of the 47th District Court facility, and

WHEREAS, the Cities of Farmington and Farmington Hills established a Facility Planning Committee to assess the facility needs of the 47th District Court, and

WHEREAS, the Facility Planning Committee recommended an architectural firm, French Associates in association with Spillis Candela & Partners, Inc., to conduct a needs assessment, complete a facility and site evaluation for the 47th District Court,

THEREFORE BE IT RESOLVED, that the City of Farmington City Council directs the City Treasurer to set up a Court Building fund for the 1998-99 fiscal year and to transfer from accumulated fines, set aside for the court facility, an amount sufficient to pay the City of Farmington's share of architectural fees in the amount of \$36,195 and construction management fees in the amount of \$560 to fund the expenditures of the Court Building Fund through June 30, 1999.

ROLL CALL

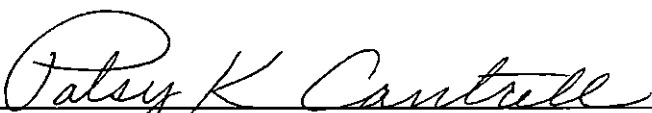
AYES: Hartsock, McShane, Mitchell, Bush, Campbell.
NAYS: None.
ABSENT: None.

RESOLUTION DECLARED ADOPTED.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....

I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, June 7, 1999, in the City of Farmington, Michigan, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

CITY OF FARMINGTON
COUNCIL PROCEEDINGS

A special meeting of the Farmington City Council was held on Monday, June 21, 1999 at 5:50 p.m. in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

PRESENT: Bush, Hartsock, McShane, Mitchell.

ABSENT: Campbell

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, City Manager Lauhoff.

Council met to discuss proposed changes to the City Charter. On the advice of the City Attorney, Council deleted items which, although outdated, would require a Charter revision and concurred to consider at their next regular meeting the following items for inclusion on the November City Election Ballot:

- ◆ eliminate the archaic requirement for a Council meeting the Monday following a City election.
- ◆ establish a constitutional residency requirement for elective office.
- ◆ establish a less stringent residency requirement for appointive office.
- ◆ increase the salary of Council from \$900.00 annually to \$1,800.00 annually.
- ◆ City Attorney to make a recommendation on meeting dates for the City Board of Canvassers.

Council briefly discussed other issues including the City's health care plans, appearance of properties in the City and areas where there are potential liability concerns.

Meeting adjourned at 6:53 p.m..



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: July 6, 1999

Special Council Meeting

June 21, 1999

1

**SPECIAL COUNCIL MEETING WITH
FARMINGTON DOWNTOWN DEVELOPMENT AUTHORITY**

A special meeting of the Farmington City Council with the Farmington Downtown Development Authority was held on Monday, June 21, 1999, 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 7:00 p.m.

PRESENT: Bush, Hartsock, McShane, Mitchell.

ABSENT: Campbell.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff.

DOWNTOWN DEVELOPMENT AUTHORITY REPRESENTATIVES PRESENT: Board Members: Cornwell, Dubin, Oglesby, Ziegler, Executive Director Downey.

Mayor Bush called the meeting to order, thanked the DDA representatives present and invited Mr. Oglesby to begin discussion of the first agenda item.

Streetscape Improvement Project. Oglesby reviewed the Streetscape Project discussing planned improvements such as walkways, garbage containers, green belts, trees and plans to define and/or screen certain areas. He advised that some additional suggestions for the Streetscape Improvement Project have been made, since parts of the original plan won't work, and these suggestions are being reviewed by the architect.

Discussion followed regarding the design and function of the planned improvements and on the suggestion for creation of a walking area from the Warner Street area to Shiawassee Park. Director Downey advised that Kimco had planted four new plantings and will take responsibility for maintenance of the plantings.

Councilman Hartsock initiated discussion on the DDA request for a fence variance. He stated that fences which are too close to the sidewalk and fences in front yards have been an issue for many years. Manager Lauhoff stated that the DDA fence variance request was for the fence material and proximity to the sidewalk. He stated that the reason for the requirement that fences be located two feet from the sidewalk was to ensure that fences are not located in the right-of-way. Discussion followed regarding changes being considered for the fence and whether or not the DDA Board had decided

Special Council Meeting
June 21, 1999
2

to put the decision on the fence on hold. Council expressed a preference to only consider the variance request if the DDA had made a final decision on the fence.

Maintenance Project. Oglesby advised that maintenance is an issue for the DDA. He discussed several items that require continued maintenance included lamps, pavers, curbs, sidewalks, and tree replacement, etc. He stated that the DDA has no control over required maintenance expenditures.

Current Retail Climate. Cornwell spoke on the current retail climate and noted two businesses that have moved into the City, Candy Bouquet and Hockey Weekly, and noted businesses that have moved within the City or that have left. She noted that businesses are looking to locate in the City.

E-Commerce Assistance For Downtown Merchants. Director Downey advised that the DDA is working with Ron Baker and a local bank to develop a web site which could be shared by local merchants for marketing and sales purposes. Discussion continued on the proposed project. Director Downey stated that the Farmington Downtown Development Authority has a reputation for being one of the best DDA's in Oakland County.

Oakland County's Helping Hand For DDA's. Director Downey discussed the types of assistance available to DDA's through Oakland County.


Discussion followed regarding businesses in the City and progress on recruiting a grocery store in the Downtown Center. Manager Lauhoff advised that Kimco had absorbed the cost of leaving the former A & P space empty while attempting to recruit a grocer and that the City now wants the space leased. It may not be possible to recruit a grocer since the space is too small for a large grocery store and too large for a small grocer.

Council thanked the DDA members for attending the meeting and for the work they do on behalf of the City.

Meeting adjourned at 7:49 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: July 6, 1999

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, June 21, 1999, 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 Bush.

PRESENT: Bush, Hartsock, McShane, Mitchell.

ABSENT: Campbell.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Goss, Director Gushman, City Manager Lauhoff.

APPROVAL OF AGENDA

06-99-170 MOTION by Mitchell, seconded by McShane, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

06-99-171 MOTION by Hartsock, seconded by Mitchell, to approve the minutes of the Special, Regular and Closed Session meetings of June 7, 1999 as submitted. MOTION CARRIED UNANIMOUSLY.

RECOGNITIONS: J. LEE RATLIFF - 25 YEARS OF SERVICE - BOARD OF ZONING APPEALS

Mayor Bush presented a plaque to J. Lee Ratliff for his 25 years of service on the Board of Zoning Appeals.

PRESENTATION: CITY GIS BY MR. DAVID MARINER, ORCHARD, HILTZ & McCLIMENT ENGINEER

David Mariner and Jim Miller, of Orchard, Hiltz & McCliment, reviewed the Geographic Information System (GIS) and stated that his firm is incorporating City information into the GIS, such as placement and size of sewer systems, location of water mains, lot numbers, subdivision names, tax identification numbers, street names, etc.

Discussion followed regarding system access and data maintenance.

MINUTES OF OTHER BOARDS

06-99-172 MOTION by McShane, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

COUNCIL PROCEEDINGS -2-
June 21, 1999

- ◆ Historical Commission minutes of May 19, 1999.
- ◆ Farmington Community Arts Council Meeting minutes of May 13, 1999.
- ◆ Planning Commission minutes of June 14, 1999.
- ◆ Downtown Development Authority minutes of June 8, 1999.
- ◆ Governor Warner Mansion Development Committee Meeting minutes of June 2, 1999.

MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

REQUEST FOR FENCE VARIANCE, DOWNTOWN DEVELOPMENT AUTHORITY STREETScape PROJECT. Administration advised that the improvement to the streetscape on Warner, between Grand River and Thomas Street, is part of the capital improvement projects of the Downtown Development Authority for FY 1999-2000. The proposed fences are designed to focus pedestrian's view away from the parking lots. Administration advised that the variance was required to allow a fence within 2 feet of a public sidewalk, to allow material other than wood or wood appearance and to allow the color proposed.

John Grissim, architect for the Downtown Development Authority, was present to answer Council's questions and showed examples of the fencing that would be used.

Council discussed concerns with granting the variance including issues related to not having a policy covering fences in commercial areas; questioning whether there should be a separate policy for the DDA; maintenance of the fence type proposed; and to be consistent in granting variances.

Judy Downey, DDA Director, stated that the aluminum fencing was recommended by the DDA Board since it would require less maintenance.

Council concurred to table the request and study the issues. Administration suggested that Council set a study session and stated that an amendment to the fence ordinance to allow for nonconforming fences in the CBD and/or a proposed policy could be available at the July 6th Council meeting.

6-99-173 MOTION by McShane, seconded by Hartsock, to table a request from the Farmington Downtown Development Authority for a variance to the City Ordinance, Section 13-6 (c)(2) and Section 13-6 (c)(4). MOTION CARRIED UNANIMOUSLY.

LETTER FROM L. BROOKS PATTERSON TO THE MAYOR AND CITY COUNCIL RE: ENVIRONMENTAL INFRASTRUCTURE FUND. Administration advised that notification was received from L. Brooks Patterson, Oakland County Executive, that an

COUNCIL PROCEEDINGS -3-
June 21, 1999

Environmental Infrastructure Fund has been approved to provide monies to the City of Farmington to assist in addressing pollution abatement relating to water and sewer. The City would receive \$212,283.20 over five years based on taxable value and population.

06-99-174 MOTION by Hartsock, seconded by Mitchell, to receive and file the information received from Oakland County regarding the Environmental Infrastructure Fund which will provide approximately \$212,283 to the City of Farmington over the next five years for pollution abatement. MOTION CARRIED UNANIMOUSLY.

LETTER FROM TOVE BAESSLER, 23001 MAPLE STREET RE: BLOCK PARTY.
Manager Lauhoff reviewed the block party request and recommended approval.

06-99-175 MOTION by Mitchell, seconded by McShane, to authorize the closing of Maple Street between Cloverdale and Grand River on Saturday, July 10, 1999 between 4:00 and 10:00 p.m. for a block party and to authorize the Department of Public Services to provide barricades for the event. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

AMENDMENT TO THE CITY'S WATER AND SEWER RATES. Administration advised that City of Farmington water and sewer rates need to be raised to cover increases in rates the City pays to Detroit and Oakland County for water and sewage disposal and for local operation and maintenance costs. Administration recommended amending Chapter 11, Water and Sewer Rates, Fees and Charges by adopting the attached resolution. [SEE ATTACHED RESOLUTION].

06-99-176 MOTION by Mitchell, seconded by Hartsock, to adopt a resolution amending Chapter 11, Water and Sewer Rates, Fees and Charges, effective July 1, 1999.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AMEND THE CITY'S FEE SCHEDULE MANUAL.

Administration recommended an amendment to Chapter 12 of the City's Fee Schedule Manual.

COUNCIL PROCEEDINGS -4-
June 21, 1999

06-99-177 MOTION by Mitchell, seconded by McShane, to amend Chapter 12, Mansion Use, Fees and Charges of the City of Farmington Fee Schedule Manual. [SEE ATTACHED AMENDMENTS].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO EXPAND ASPHALT REPAIRS FOR THE 1999 PAVING PROGRAM. Administration advised that severe winter weather created more roadway deterioration than expected and that 3,700 square yards of asphalt is required to make repairs instead of the original estimate of 1,500 square yards for an additional cost of \$45,000. Administration concurred with the recommendation of the City Engineer and the Department of Public Services and recommended that Council approve the repairs.

06-99-178 MOTION by McShane, seconded by Hartsock, to approve additional repairs to Power and Shiawassee Roads and increase the contract amount approved for S & J Asphalt Paving of Canton, Michigan in an additional amount of \$45,000 for a total cost for repairs to Shiawassee and Power Roads of \$74,857.75; funds to be provided from the Municipal Street Fund for FY 1998-99.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO PARTICIPATE IN STATE GRANT PROGRAM FOR PUBLIC SAFETY ELECTRONIC FINGERPRINTING. Administration advised that the Public Safety Department has been discussing use of a state grant that would provide equipment for electronic fingerprinting, "Livescan", which would provide efficiencies in law enforcement. The Oakland County C.L.E.M.I.S. will be implementing "Livescan" into their system which will share information with other law enforcement agencies. The City of Farmington has been chosen for the first "Livescan" fingerprinting installation at a cost of \$32,000. The grant application has been approved and will provide 75% of the cost; the City's share would be \$8,000. Administration recommended Council approval.

Discussion followed regarding the details of how the electronic fingerprinting system operates and the probable cost of maintenance.

COUNCIL PROCEEDINGS -5-
June 21, 1999

06-99-179 MOTION by Mitchell, seconded by McShane, to authorize participation in the State Byrnes Memorial Grant administered through C.L.E.M.I.S. of Oakland County and authorize matching funds of \$8,000 for electronic fingerprinting equipment and annual maintenance for the first year of \$4,500; and adjust the fiscal year 1999-2000 General Fund budget to include the cost.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Annabelle Gabel, 23089 Violet, asked if the Panera Bread Company building was built for their business alone. Mayor Bush responded that the building was built by the Panera Bread Corporation.

Kenneth Hedges, 36906 Brittany Hill Drive, voiced his concerns regarding the progress on a new tenant for the A & P building. Manager Lauhoff stated that administration is in contact with Kimco on a weekly basis and that administration was advised that there is interest from a "green grocer". Manager Lauhoff stated that Kimco has passed up other retailers to try and comply with the City's wishes to have another grocery store. Kimco and the City have agreed that Kimco meet with other retailers as they have not been successful in recruiting a grocer.

Mr. Hedges stated that the Grand River and Halsted Center has no focal point since the Kroger store left. Manager Lauhoff explained that Kroger still holds the lease at the Grand River Halsted Center and will not allow another food store to lease the property they vacated.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilwoman McShane stated that former Miss Farmington, Audrie Chernauckas won the Miss Michigan Pageant and three Farmington girls placed in the top ten. Councilwoman McShane requested that a letter of congratulations be sent to Audrie.

COUNCIL PROCEEDINGS -6-
June 21, 1999

**CONSIDERATION TO SET MEETING DATE WITH THE GOVERNOR WARNER
MANSION DEVELOPMENT COMMITTEE.**

06-99-180 MOTION by McShane, seconded by Mitchell, to set a study session with the Governor Warner Mansion Development Committee for Tuesday, July 6, 1999 at 6:30 p.m. to report on their activities. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

06-99-181 MOTION by Hartsock, seconded by Mitchell, to adjourn the meeting.

Meeting adjourned at 9:26 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

CITY OF FARMINGTON

RESOLUTION NO. 06-99-176

Motion by Mitchell, seconded by Hartsock, to adopt the following motion:

**RESOLUTION TO AMEND THE CITY OF FARMINGTON
WATER AND SEWER RATES, FEES AND CHARGES**

WHEREAS, the City of Detroit has raised its wholesale water and sewer rates, and Oakland County has raised sewer rates to the City of Farmington effective July 1, 1999, and

WHEREAS, the operation and maintenance cost of the Farmington water and sewer system has also increased as the result of higher personnel and maintenance costs, and

WHEREAS, the increased cost of sewerage treatment purchased by the City and other system costs will require that the City of Farmington raise its water and sewerage treatment rates, fees and charges to customers receiving services from the system;

THEREFORE, BE IT RESOLVED that the City Council of Farmington amends Chapter 11, WATER AND SEWER RATES, FEES AND CHARGES in accordance with the attached document, effective July 1, 1999.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....

I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, June 21, 1999, in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

CHAPTER 11

WATER AND SEWER RATES, FEES AND CHARGES

SECTION 1 - FARMINGTON METERED USERS

*Water Billing Charge	\$ 1.92 per 1,000 gallons of water used
*Sewer Billing Charge	2.77 per 1,000 gallons of water used
Quarterly Meter and Service Charge	4.40 per premise served

SECTION 2 - WHOLESALE AND OUTSIDE CUSTOMER WATER RATES

*Farmington System to Other Systems	8.81 per thousand cubic feet
*Farmington to Outside Customers	2.10 per 1,000 gallons of water used plus 4.40 per premise served
*Farmington Evergreen System to Other System	7.88 per thousand cubic feet

SECTION 3 - WHOLESALE AND OUTSIDE CUSTOMER SEWER RATES

Farmington District to Other Systems	33.59 per thousand cubic feet
Farmington Evergreen District to Outside Customer	4.40 per 1,000 gallons of water used plus 4.40 per premise served

The \$4.40 meter and service charge will be assessed quarterly unless the account is closed and/or the meter removed.

SECTION 4 - CONNECTION FEES

Residential	Water	\$ 300.00
	Sewer	400.00
Nonresidential	Water	Based on unit factor water consumption schedule published by Oakland County times the residential rate.
	Sewer	Based on unit factor sewer consumption schedule published by Oakland County times the residential rate.

*Amended 7-1-99

SECTION 5 - WATER TAP-INS

5/8 to 1 in. water tap & meter set	1050.00
1 1/2 in. water tap & meter set	1450.00
2 in. water tap & meter set	2800.00
Other size taps	Time & material plus 20%

Meter replacements are at cost including labor, equipment and materials.

SECTION 6 - SEWER TAP-INS

Time & material plus 20%

SECTION 7 - METER REMOVAL

55.00 Includes reinstallation of same meter

SECTION 8 - METER TESTING

Up to 1 in.	50.00
1 in. and over	Cost + 10%

SECTION 9 - HYDRANT USE

Permit	30.00
Deposit	100.00
*Water-Usage	1.92 per 1,000 gals plus 20% special handling & processing

SECTION 10 - CONSTRUCTION WATER

*Residential	90.00
*Commercial	125.00

SECTION 11 - POOL FILLINGS

Hydrant meter, hose (pick-up & delivery)	55.00
*Water-Usage	1.92 per 1,000 gals plus 20% special handling & processing
*Effective 7-1-99	

SECTION 12 - UNMETERED WATER AND SEWER USAGE

In the event metering of water usage and/or sewage disposal is not feasible, the Director of the Department of Public Works shall estimate, based on city and county usage date, the amount of water and/or sewer usage to charge unmetered users of the system.

SECTION 13 - PENALTY ON DELINQUENT ACCOUNTS

10%

SECTION 14 - WATER TURN-ON

25.00

SECTION 15 - ACCOUNT SET UP FEE

20.00

SECTION 16 TRANSFER OF DELINQUENT ACCOUNTS TO TAX ROLL

25.00

SECTION 17 - BAD CHECK CHARGE

35.00

***SECTION 18 - IWC CHARGES & INDUSTRIAL SURCHARGES**

INDUSTRIAL WASTE CONTROL CHARGE

<u>Meter Size</u>	<u>Quarterly Charge</u>
5/8"	11.19
3/4"	16.77
1"	27.96
1 1/2"	61.50
2"	89.46
3"	162.15
4"	223.65
6"	335.46
8"	559.11
10"	782.76
12"	894.57
14"	1118.22
16"	1341.87
18"	1565.49

*Effective 7-1-99

INDUSTRIAL SURCHARGE RATES, PER EXCESS POUND

	RATE
1. Biochemical Oxygen Demand (BOD) in excess of 275 mg/per liter	\$.112
2. Total Suspended Solids (TSS) in excess of 350 mg/per liter	.146
3. Phosphorus (P) in excess of 12 mg/per liter	1.438
4. Fats, Oils, & Grease (FOG) in excess of 100 mg/per liter	.067

SECTION 19 - RULES AND REGULATIONS

1) BILLING:

Charges for water service and sewage disposal service shall be billed in the months of March, June, September and December of each year and such charges shall become due on the fifteenth day of the following April, July, October and January, respectively. The charge for water usage and sewage disposal may be billed as a combined charge per unit of usage. If such charges are not paid on or before such due date, then a penalty of ten (10) percent shall be added thereto, unless such penalty is waived by the City Treasurer for extenuating circumstances. In no case shall the penalty be waived more than once in any five-year period.

The following rules and regulations pertain to the use of hydrants by contractors:

1. Permit Requests for Hydrant Use shall be in writing and signed by the user.
2. Permits shall be issued by the Water and Sewer Department for the use of hydrants and the permit fee is nonrefundable.
3. A Security Deposit shall be required which may be refunded, provided that no damage occurs to the hydrant and that all charges for water used have been paid.
4. User will be charged on a Monthly Basis for water used. Water use shall be estimated by the Department of Water and Sewer.
5. The Monthly Charge shall be based on the water rate as approved by City Council.
6. All Permits must be approved for location and time of use by the Department of Public Safety.

*Effective 7-1-99

2) COLLECTION:

The charges for water service and sewage disposal service, which, under the provisions of Act No. 94 of the Public Acts of Michigan of 1933 (MCL 141.101 et seq., MSA 5.2731 et seq.), as amended, are made a lien on the premises to which furnished, are hereby recognized to constitute such lien; and the Director of Public Services of the department shall, annually, on May first, certify all unpaid charges for such services furnished to any premises to the City Assessor who shall place the same on the next tax roll of the city. Such charges so assessed shall be collected in the same manner as general city taxes. In addition to such charges the property owner shall be assessed an administrative charge of twenty-five dollars (\$25.00). In cases where the city is properly notified in accordance with Act 94 of 1933, that a tenant is responsible for water or sewage disposal service charges, no such service shall be provided or continued to such premises until there has been deposited with the Department of Public Services, a sum sufficient to cover two (2) times the average quarterly bill for such premises as estimated by the Director of Public Services, such deposit to be in no case less than fifty dollars (\$50.00). Where the water service to any premises is turned off to enforce the payment of water service charges or sewage disposal service charges, the water service shall not be reinstated until all delinquent charges have been paid and a deposit as in the case of tenants is made, and there shall be a water turn-on charge of fifty dollars (\$50.00) unless the turn-on is made during normal working hours, in which case the charge will be twenty dollars (\$20.00). In any other case where, in the discretion of the Director of Public Services, the collection of charges for water or sewage disposal service may be difficult or uncertain, the Director of Public Services may require a similar deposit. Such deposits may be applied against any delinquent water or sewage disposal service charges and the application thereof shall not affect the right of the Department of Public Services to turn off the water service and/or sewer service, to any premises for any delinquency thereby satisfied. No such deposit shall bear interest and such deposit, or any remaining balance thereof, shall be returned to the customer making the same when he shall discontinue receiving water and sewage disposal service or, except as to tenants as to whom notice of responsibility for such charges has been filed with the city, when any eight (8) consecutive quarterly bills shall have been paid by the customer with no delinquency.

Water and/or sewage disposal service to non-residential premises will be turned off if the payment of water service charges and/or sewage disposal service charges become delinquent and a payment plan for the delinquent charges has not been requested by the property owner and approved by the City Manager. Service will not be reinstated until all delinquent charges have been paid.

*Effective 7-1-98

**SECTION 20 - EXHIBIT A
COMPONENTS OF CHARGES FOR WHOLESALE AND/OR OUTSIDE WATER USERS:**

WATER ONLY

<u>Farmington System</u>		<u>Wholesale</u>	
Detroit Cost		\$ 7.02 MCF	
Transportation		.43	
Debt G.O. (78 Water)		<u>1.36</u>	
			\$ 8.81 MCF
		<u>Direct Service</u>	
City Rate		\$ 1.92 M	
Debt G.O. (78 Water)		.18 M	
Meter Service Charge		<u> </u>	4.40 per bill
			\$ 2.10 M + \$ 4.40 per bill
 <u>Farmington-Evergreen Arm</u>		 <u>Wholesale</u>	
Detroit Cost		\$ 7.02 MCF	
Oakland/Farmington Hills Transportation		.43	
Farmington Transportation		<u>.43</u>	
			\$ 7.88 MCF

COMPONENTS OF CHARGES FOR WHOLESALE AND/OR OUTSIDE SEWER USERS:

SEWER ONLY

<u>Farmington System</u>		<u>Wholesale</u>	
Cost Detroit		\$ 6.80 MCF	
Farmington System Cost O & M		13.54	
G.O. Debt		12.12	
Excess Flow (Rates)		<u>1.13</u>	
Total City Wholesale Rate:			\$ 33.59 MCF
		<u>Direct Service</u>	
City Rate		\$ 2.77 M	
G.O. Debt Service		1.63 M	
Meter Service Charge		<u> </u>	4.40 per bill
			\$ 4.40 M + \$ 4.40 per bill
 <u>Farmington Evergreen</u>		 <u> </u>	
Oakland/Farmington Hills Cost		<u>9.50</u> MCF	
Farmington Rate		\$ 9.50 MCF	

*Effective 7-1-99

CHAPTER 12

MANSION USE - FEES AND CHARGES

Main Building:

Admission:

Adults	\$2.00
Youth, 13-18 Years	1.00
Children, 12 and Under with Adult	N/C

Group Tours:

Adults	2.00
Students	1.00

Gazebo: (Weddings)

Two-Hour Minimum Reservation	\$150.00
Half Day	300.00
Full Day	450.00
Wedding/Solemnized by Mayor (any location in city)	50.00

Additional Charges May be Assessed by Mansion Committee For Equipment and/or Facilities Necessary Depending on Number of Attendees.

Grounds/Photograph:

Commercial/Advertising Use Requiring Volunteer/Employee Presence	50.00
Other Photographic Use	N/C

Created 7-1-95
Amended 7-1-99

**SPECIAL COUNCIL MEETING WITH THE
GOVERNOR WARNER MANSION DEVELOPMENT COMMITTEE**

A special meeting of the Farmington City Council with the Governor Warner Mansion Development Committee was held on Tuesday, July 6, 1999, 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 6:35 p.m.

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

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff.

**GOVERNOR WARNER MANSION DEVELOPMENT COMMITTEE AND
BEAUTIFICATION COMMISSION MEMBERS PRESENT:** Anhut, Gajewski, Hales, Letho, Lindblad, McGlincy, McLaughlin, Tawyea, Wright.

Mayor Bush called the meeting to order, thanked the Committee for the work they are doing, and invited the Committee co-chairs to provide updates on Committee activities.

Co-chair McGlincy provided an update on members recruited from the recent survey/ mailing indicating that sixty-two members have been recruited and contributions totaling \$3,300 have been received. The Committee concurred in advising that the current Committee structure with fifteen members is good.

The Committee reported that responses to the recent survey have been limited, but positive. Several persons have volunteered to assist the Committee on development of the Mansion as a result of the mailing.

Committee member Tawyea reported on current projects advising that the Committee is participating in the Founder's Festival; is considering a two day fall festival event; is considering some type of gala event for next summer; and is packaging several ideas for smaller events into a one event package.

Committee member Hales, who is a liaison with the Farmington Public Schools, explained his work on ideas to incorporate the Mansion into the school curriculum by using the Mansion to teach local history. Hales advised that if the City of Farmington was a "Certified Local Government," grants would possibly be available to assist with some of the projects being planned.

City Manager Lauhoff explained that the ordinance governing activities of the Historical Museum was adopted some time ago, and as it is currently written, the City cannot be a "Certified Local Government." He advised that City Attorney Donohue is researching the issue to determine how the ordinance would need to be changed to meet the requirements to become certified.

Discussion continued on information found by Committee member Hales on other associations and state agencies which can be resources to the Committee. It was agreed that it is perfect timing for incorporating the Mansion into the school curriculum.

Committee member Lindblad provided draft copies of a newsletter which he had designed for the Mansion and for which he has volunteered to act as editor. The newsletter will be used to keep in touch with volunteers and friends of the Mansion. Discussion followed on the format and possible content of the newsletter with feedback sought from Council.

Councilmember Mitchell stated that he likes the idea of communicating quarterly with persons interested in the Mansion as it will allow them to keep in touch and also to be a part of the "team" working to promote the Mansion. Council concurred.

Council concurred on suggesting that a copy of the newsletter be placed on the City web site and that the Committee solicit sponsors for the newsletter.

Committee member McLaughlin provided a list of potential improvements to the Mansion stating that the Carriage House was a top priority. Discussion followed on coordinating fundraising with the funding of specific improvements. Co-chair McGlincy asked about the City's priorities regarding Mansion improvements. City Manager Lauhoff stated that the Mansion structure is in very good shape but that the City has not put any money into the Carriage House recently. He indicated that the City would like to see the Committee concentrate on improvements at the Carriage House. Discussion followed regarding potential uses for the Carriage House.

Discussion followed on the importance of maintenance of the Mansion. McLauhglin stated that the Committee is looking to create endowments for support of the Mansion.

City Manager Lauhoff commented on the work being done by the Committee and that Council is interested in providing assistance. He stated that if the City has advance notice, of possibly three or four weeks, temporary personnel could be brought in to assist with clerical functions.

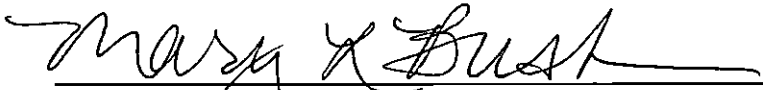
General discussion followed on the Committee's work on a portfolio for fundraising, a cable documentary on the unveiling of the new Mansion sign, and on other mini-documentaries which might be developed.

Mayor Bush provided a brief resume on Susan Wright, a new member of the Committee, indicating that her residence backs up to the Mansion property. Committee member Wright stated that she is pleased to be a resident of the City.


Discussion followed on reaching the entire community and how best to accomplish that goal.

Council commended the Committee on the excellent work they are doing.

Meeting adjourned at 7:32 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Tuesday, July 6, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

APPROVAL OF AGENDA

07-99-182 MOTION by Campbell, seconded by Hartsock, to approve the agenda as revised. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

07-99-183 MOTION by Mitchell, seconded by McShane, to approve the minutes of the Special and Regular meetings of June 21, 1999 as submitted. MOTION CARRIED UNANIMOUSLY.

INTRODUCTION: 1999 TROUT DERBY WINNER, ERIC M. PETERSON

Joe Derek, Farmington Hills City Naturalist, introduced Eric M. Peterson, who caught a 5 lb., 21 inch Rainbow Trout during the 1999 Trout Derby. Mayor Bush presented Eric with a Farmington City pin and Council congratulated him on the catch.

PRESENTATION: CO-CHAIRS, JIM McGLINCY AND PENNY LEHTO - GOVERNOR WARNER MANSION DEVELOPMENT COMMITTEE UPDATE

Jim McGlincy and Penny Lehto stated that in October, 1997 Council appointed an ad hoc committee of citizens from Farmington and Farmington Hills to review the Historical Museum and its relationship to the community. Mr. McGlincy and Ms. Lehto reviewed the Development Committee's recommendations included in a report issued to Council and stated that the Development Committee's goal for the future was "to develop a plan for 1999 that enables the Governor Warner Mansion to operate at an increasing level of self-sufficiency during the 2000 calendar year and over the longer term".

Council thanked Mr. McGlincy and Ms. Lehto for the update.

COUNCIL PROCEEDINGS -2-
July 6, 1999

MINUTES OF OTHER BOARDS

07-99-184 MOTION by McShane, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

- ◆ Beautification Commission minutes of June 9, 1999.
- ◆ Historical Commission minutes of June 16, 1999.
- ◆ Traffic and Safety Board minutes of June 17, 1999.
- ◆ Farmington Area Commission on Aging minutes of May 25, 1999.
- ◆ Commission on Children, Youth and Families minutes of June 3, 1999.
- ◆ Farmington Board of Education Regular meeting minutes of May 18, 1999 and Study Session minutes of June 1, 1999.
- ◆ Farmington Area Arts Commission minutes of May 20, 1999.
- ◆ Farmington Community Library Board of Trustees minutes of May 20, 1999.

MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

LETTER FROM RICHARD H. PETERS RE: RESIGNATION FROM THE ZONING BOARD OF APPEALS. Administration advised that Mr. Peters is moving from the City and must resign from the Zoning Board of Appeals.

07-99-185 MOTION by Hartsock, seconded by Mitchell, to accept the resignation of Richard H. Peters from the Zoning Board of Appeals and to send a letter thanking him for his many years of service. MOTION CARRIED UNANIMOUSLY.

LETTER FROM JAY SCHWALM, SALEM UNITED CHURCH OF CHRIST RE: USE OF MEMORIAL PARK.

07-99-186 MOTION by Campbell, seconded by Mitchell, to authorize the Salem United Church of Christ to hold an ice cream social and band concert in Memorial Park on Sunday, July 18, 1999 between 2:00 p.m. and 4:00 p.m. MOTION CARRIED UNANIMOUSLY.

LETTER FROM BRIAN SWINEHART, ATHLETIC DIRECTOR, FARMINGTON PUBLIC SCHOOLS RE: REQUEST FOR USE OF SHIAWASSEE PARK FOR CROSS COUNTRY EVENT.

07-99-187 MOTION by Hartsock, seconded by McShane, to grant permission for the Farmington Public Schools Quadrangular Meet in Shiawassee Park on Wednesday,

COUNCIL PROCEEDINGS -3-
July 6, 1999

September 22, and Wednesday, October 20, 1999 from 2:30 to 5:00 p.m., and that the required insurance indemnifying the City be provided. MOTION CARRIED UNANIMOUSLY.

LETTER RE: FARMINGTON MEADOWS HOMEOWNERS' ASSOCIATION BLOCK PARTY.

07-99-188 MOTION by Mitchell, seconded by Hartsock, to authorize the closing of Birchwood Street from Flanders to Meadowlark on Saturday, July 17, 1999 between 3:00 p.m. and 7:30 p.m., with a rain date on Sunday, July 18, 1999, and to authorize the Department of Public Services to provide barricades for the event. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION TO RATIFY PURCHASE AGREEMENT FOR THE FARMINGTON CIVIC THEATER. Administration reviewed the proposed purchase and began by stating that Greg Hohler, owner of the Civic Theater, advised the City in October of 1998, that he was planning to sell the property.

Council met in many study sessions with Administration and the City Attorney to review the possible purchase of the theater since it is a focal point of the Downtown Area and a landmark for the community. The importance of maintaining the theater in the Central Business District was stressed during a community visioning process conducted in 1998 and which included citizen input. During Council's deliberation, it was apparent that the Civic Theater could be sold on the open market and possibly used for retail space or general assembly use. It was concluded that this would not be a positive change for the Central Business District. Council reviewed other smaller theaters in the metropolitan Detroit area looking at ownership and operations.

An appraisal of the property was authorized by Council and the auditor firm of Plante & Moran reviewed the fiscal operations of the Civic Theater from 1995 through 1998. It was determined that if the theater were purchased by the City, major renovations would be needed including an enlarged stage area, new seating, new screens, a refurbished lobby with an expanded concession area, first level handicap-accessible restrooms and exterior improvements. It was determined that expanded operations should provide for weekend family matinees and live entertainment.

Administration recommended operation of the facility be handled by a contractual manager; that budgets for theater operation had been proposed for the next 4-5 years; that Council's main concern had been that theater operation would be self sustaining; that through the sale of revenue bonds for purchase and renovations no City tax money

COUNCIL PROCEEDINGS -4-
July 6, 1999

would be needed to pay the cost of theater operations after an initial startup period; and that it is expected that theater revenues will pay for management, operation and debt repayment.

Administration advised that Council had directed Administration and the City Attorney to negotiate with Mr. Hohler for purchase of the Civic Theater and all space within the building. An offer was negotiated in the amount of \$316,500. Administration recommended that Council ratify the accepted offer to purchase the Farmington Civic Theater.

Councilman Campbell stated that Council had put a lot of time and effort into discussing the issue with City Administration and the City Attorney and that purchasing the theater is in the best interest of the community.

Councilwoman McShane stated that Council could not leave the building for less desirable use and that the theater brings business and good will to the community. She stated that Council had looked at the City of Wayne theater and had carefully weighed the pros and cons of a City operated theater.

Councilman Mitchell stated that he felt this was the right thing to do, that the City is making an investment in our Downtown signaling to the community, business owners and others who come into the City that we are committed.

Councilman Hartsock stated that this is in line with the community visioning process, that Council and Administration arrived at the same conclusion regarding the purchase, and that it is in the best interest of the City that the theater be owned by the City and that competent management be obtained.

Mayor Bush concurred with the other Council members and noted that Council is making a commitment to the community by purchasing the theater.

Mayor Bush opened discussion to members of the audience.

Mike Schweder, owner of the property located at 32316 Grand River, and residing at 2599 Waldon Lake Drive, West Branch, Michigan, asked if the theater would be taken off the tax rolls. Attorney Donohue stated that the decision would be made by the assessor, but if the theater is used for commercial purposes it would probably not be taken off the tax rolls. Mr. Schweder asked what would happen if the theater lost money and will the taxpayers of Farmington have to make up the difference. He expressed concern that the City would be in competition with other businesses. Manager Lauhoff replied that it could happen, but that review of past operations indicate it will not lose money. Mayor Bush stated that she did not believe the City would be in competition with other theaters. Councilman Campbell stated that the theater is a prime

COUNCIL PROCEEDINGS -5-
July 6, 1999

piece of real estate in the City and he did not expect that there would be any loss of money. Mr. Schweder asked what happens to the profits. Mayor Bush stated that the debt would be paid off first. Councilwoman McShane noted other communities have recreational facilities such as golf courses, cable, etc. Mr. Schweder commented that Mr. Hohler had stated he was not earning enough revenue. Manager Lauhoff replied that Mr. Hohler earned enough income, but was unable to reinvest in the Civic to maintain it and the City would be able to. Councilman Hartsock stated that this piece of property is the premiere piece of property in the Downtown, that the City was not in the business of competing, and that the theater would generate further business in the Downtown. Councilman Hartsock stated that he expected the theater would at least break even and would attract people to the Downtown Area.

Annabelle Gabel, 23089 Violet, stated that she enjoyed going to movies at the Civic since it is a unique theater. She also asked where the Bead Shop was moving to. Mayor Bush noted that the Bead Shop probably would locate in the Village Mall.

Joe Derek, 29980 West Ten Mile, Farmington Hills, stated that his family had attended the Civic Theater, noted that he would be willing to be a docent, and that there is a niche that can be filled by maintaining the theater.

Nancy Leonard, 33309 Shiawassee, was in favor of the purchase of the theater by the City and stated that she has friends from another community that come to the Civic.

Councilman Mitchell stated that he does not expect that the theater will fail and that it would be a big mistake if the City did not purchase the theater.

Mr. Schweder stated that the Mackinaw Bridge is not owned by the State, but is a corporation, and had the City looked into corporate bonds instead of looking to the taxpayers for funding. Attorney Donohue noted that it had been considered but was not recommended due to lack of control and that it is a very complicated issue. Councilman Hartsock noted that the City would have to stand behind bonds which may be issued.

07-99-189 MOTION by Hartsock, seconded by McShane, to ratify the accepted offer to purchase the Farmington Civic Theater in accordance with City Charter requirements for a total purchase price of \$316,500; authorize an initial payment of \$16,500 to be held in escrow until the closing on September 1, 1999; initial funds to be provided from the Capital Improvement Fund and to be reimbursed from the proceeds of a revenue bond issue; and to amend the FY 1999-2000 budget to include the purchase.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CIVIC THEATER MANAGEMENT CONTRACT WITH M.K.A., INC. OF WIXOM, MICHIGAN. Administration advised that part of the City's evaluation of the purchase of the Civic Theater included contracting with the management company of M.K.A., Inc. for operation and management of the theater. M.K.A.'s president, Bill Clark, has managed several theater businesses and has 25 years of experience in ownership and management of movie-type facilities including managing the City of Wayne's State Theater for over 8 years. The company also has extensive experience in renovation and refurbishing of older movie houses.

Administration further advised that M.K.A., Inc. would be responsible for all daily operations including box office, concessions, projection, staffing, payroll, personnel issues, theater advertising and arrangements for all booking contracts for movies and live performances.

Administration recommended that M.K.A., Inc. as qualified to manage the theater operation. Administration confirmed the understanding that the goal of Council is to offer a quality entertainment attraction in Downtown Farmington that remains a valuable asset to the community.

Mr. Bill Clark was in attendance to answer Council questions and reviewed his experience in the movie theater business.

Councilman Hartsock asked Mr. Clark to address the concern that the theater will generate business. Mr. Clark noted that in the past there has been a decrease in business, but that the public still wants to go to the theater and he does not see that it will become a dinosaur. He stated that the second run movie houses are unique and the big movie theaters are not targeting this type of theater and that it will be a viable operation. Mr. Clark discussed renovation of the concession stand in order to boost revenue.

Attorney Donohue stated that Councilman Mitchell had noted that a phrase was missing in Paragraph 9 that needed to be corrected: "that in the event the insurance policy is cancelled any reimbursements or refunds that would result from that cancellation would go back to the City since the City is paying the premium."

07-99-190 MOTION by Campbell, seconded by Mitchell, to authorize the Mayor and City Clerk to sign an agreement with M.K.A., Inc. of Wixom, Michigan and Mr. Bill Clark, its president, to be effective in conjunction with the acquisition of the Civic Theater property on September 1, 1999 which would provide a payment of \$2,400 per week to cover the cost of the manager's employees plus 5% of gross revenues; and that Paragraph 9 be amended to include, "that in the event the insurance policy is cancelled any reimbursements or refunds that would result from that cancellation would go back to the City since the City is paying the premium".

COUNCIL PROCEEDINGS -7-
July 6, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE RESOLUTIONS FOR CITY CHARTER

AMENDMENT BALLOT PROPOSITIONS. Administration advised that on Council's direction the City Manager, City Clerk and City Attorney reviewed the City Charter for possible amendments. The City Attorney reported on several areas of the Charter that could be considered for amendment.

Council determined that three issues should be placed on the November, 1999 ballot:

- 1) Residency requirements regarding eligibility for city office.
- 2) Removal of the requirement that a regular Council meeting be held on the Monday following a city election.
- 3) Compensation of the Mayor and Council members.

Councilman Campbell noted that the proposed language to increase compensation is only going to apply to the three members running for election and the remaining two members, who are not up for reelection, would not receive an increase in compensation until the next election in two years. He asked if the language could be changed to include the remaining two members who would then also receive the new compensation rate immediately. Attorney Donohue responded that it could be done but it would require an amendment to Section 5.5 of the Charter. The section now reads "The salary of any elective officer shall not be increased or decreased from the time of his election until the end of the term of office for which he was elected." Amendatory language could be proposed to Section 5 to permit the salary of the elective officer to be increased during his or her term of office. Attorney Donohue stated that there are several Supreme Court decisions and Attorney General opinions that indicate that once an elective officer takes office his salary may not be decreased, even by Charter amendment, but that it could be increased during the term. Councilman Campbell asked if the time requirement could be met for another ballot proposition. Attorney Donohue responded that Council could approve another amendment.

Councilman Hartsock asked why the Charter language was the way it was since any increase has to be voted on. Attorney Donohue stated that when elected to a term of office the electorate can vote you out of office but they cannot reduce your salary. Attorney Donohue suggested that an additional ballot question could be added to amend the City Charter, Section 5.5, relating to Change in Term of Office or Compensation, to permit the salary of any elective officer to be increased during his or her term of office.

COUNCIL PROCEEDINGS -8-
July 6, 1999

Discussion followed regarding appropriate language for the amendment proposals.

07-99-191 MOTION by Campbell, seconded by Hartsock, to adopt a resolution submitting a Charter Amendment to read: "Shall the City Charter, Section 5.1 relating to the Eligibility for Office in City, be amended to provide a residency requirement of one year for persons to hold an elective or appointive office of the City? [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

07-99-192 MOTION by McShane, seconded by Mitchell, to adopt a resolution submitting a Charter Amendment to read: "Shall the City Charter, Section 6.01, relating to Regular Meetings of Council, be amended to remove the requirement that a regular meeting of Council be held at 8:00 p.m. on the Monday following each regular City election? [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

07-99-193 MOTION by Hartsock, seconded by Mitchell, to adopt a resolution submitting a Charter Amendment to read: "Shall the City Charter, Section 4.3 relating to the Compensation of Mayor and Councilmember, be amended to increase the annual salary of the Mayor and a Councilmember from Nine Hundred (\$900.00) Dollars to One Thousand, Eight Hundred and 00/100 (\$1,800.00) Dollars? [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -9-
July 6, 1999

Attorney Donohue stated that under the Statement of Purpose he will add another sentence to indicate that one of the purposes of the amendment is to make it gender neutral.

07-99-194 MOTION by Campbell, seconded by McShane, to adopt a resolution submitting a Charter Amendment to read: "Shall the City Charter, Section 5.5 relating to Change in Term of office or compensation, be amended to permit the salary of any elective officer to be increased during his or her term of office? [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

Discussion followed regarding possible inconsistency in proposed language on ballot question three and four. Attorney Donohue will provide revised resolutions incorporating changes made by Council.

CONSIDERATION TO APPOINT NEW MEMBER TO ELECTION COMMISSION. The Charter of the City requires that one member of Council who shall not be a candidate for elective office at the election for which he serves shall be appointed by Council to serve on the Election Commission.

07-99-195 MOTION by Campbell, seconded by Hartsock, to appoint Councilman Campbell to the Election Commission for a term of 1999-2001. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF CONSTRUCTION ESTIMATE NO. 2 (FINAL PAYMENT) 1999 SIDEWALK REPAIR PROGRAM. Administration advised that the 1999 Sidewalk Repair Program has been completed and the Public Services Department recommended payment for Construction Estimate No. 2.

07-99-196 MOTION by McShane, seconded by Hartsock, to approve Construction Estimate No. 2 (final payment) for the 1999 Sidewalk Repair Program and authorize payment in the amount of \$60,594.53 to LaRocca Construction, Inc. of Livonia, Michigan; funds to be provided in the FY 1998-99 General Fund budget.

COUNCIL PROCEEDINGS -10-
July 6, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ESTIMATE NO. 3 FOR 1999 CONCRETE PAVING PROGRAM.

Administration advised that the contractor has submitted Estimate No. 3 for work completed ending June 19, 1999. The City Engineer and Public Services Director have reviewed the work to date and Administration recommended approval.

07-99-197 MOTION by Campbell, seconded by Mitchell, to approve Construction Estimate No. 3 for the 1999 Concrete Paving Program and authorize payment in the amount of \$154,050.55 to Hard Rock Concrete of Westland, Michigan; funds are budgeted in the Major and Local Street Funds for the FY 1998-99.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

There were no public comments.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilman Campbell thanked the Public Safety Department for providing lunch for volunteers working on the PlayScape. The tentative dedication is set for July 30, 1999 and that invitations will be sent out. Councilman Campbell reviewed additional construction on the PlayScape including a sheltered area which is being donated by Dompierre Construction. Assistant City Manager Richards stated that \$207,542.70 had been raised in cash and in kind donations for the PlayScape.

APPROVAL OF MONTHLY PAYMENTS REPORT

07-99-198 MOTION by Mitchell, seconded by Hartsock, to approve the Monthly Payments Report for June, 1999. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -11-
July 6, 1999

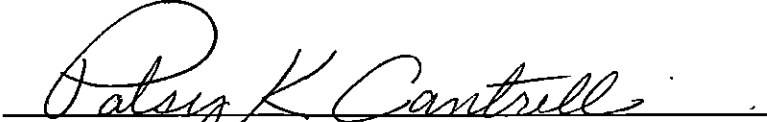
ADJOURNMENT

07-99-199 MOTION by McShane, seconded by Hartsock, to adjourn the meeting.

Meeting adjourned at 9:34 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON

RESOLUTION APPROVING SUBMISSION OF BALLOT
PROPOSITION TO ELECTORS

At a regular meeting of the City Council of the City of Farmington, Oakland County, Michigan, held in the Council Chambers at 23600 Liberty Street, Farmington, Michigan 48335, on the 6th day of July, 1999, at 8:00 o'clock p.m., Eastern Daylight Time.

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

ABSENT: None.

The following resolution was offered by Campbell
and seconded by Hartsock :

WHEREAS, pursuant to Act No. 279, of the Public Acts of Michigan, of 1909, as amended, The Home Rule Cities Act, an amendment to the City Charter may be proposed by the legislative body of the City on a three fifths (3/5) vote of the members elect; and

WHEREAS, The City Council has determined that it is appropriate to submit a Charter Amendment to the electors of the City of the general election to be held on November 2, 1999.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Farmington as follows:

- 1) The following proposition shall be submitted to the electors of the City at the general election to be held in the City on November 2, 1999:

Ballot Question

Shall the City Charter, Section 5.1 relating to the Eligibility for Office in City, be amended to provide a residency requirement of one year for persons to hold an elective or appointive office of the City?

- 2) The ballot question shall be printed with the following Statement of Purpose:

This Charter Amendment would decrease the time of residence required for a person to hold elective or appointive office in the City from three years to one year.

- 3) Upon adoption of the proposed amendment Section 5.1 of the City Charter would read as follows:

Section 5.1 Eligibility for Office in City

No person shall hold any elective office of the city unless he has been a resident of the city for at least one year immediately prior to the last day for filing petitions for such office and is also a qualified and registered elector of the city on such day and throughout his tenure of office.

The Municipal Judge and Associate Municipal Judge shall, in addition, have the qualifications for that office prescribed in Section 16.2.

No person shall be eligible for any elective or appointive city office who is in default to the city or to any other governmental unit of the state. The holding of office by any person who is in such default shall create a vacancy unless such default shall be cured within thirty days after written notice thereof by the Council or unless such person shall in good faith be contesting the liability for such default.

Each candidate for elective office shall file with his petition his affidavit that he possesses the qualifications for such office provided in this section. Failure to file such affidavit shall invalidate his petition.

The Council shall be the sole judge of the election and qualification of its own members.

Each member of a city board or commission created by, or pursuant to, this charter shall have been a resident of this city for at least one year prior to the day of his appointment and shall be a qualified and registered elector of the city on such day and throughout his tenure of office.

All administrative officers shall be United States citizens.

Except in the case of the appointment of Supervisors, no elective officer may be appointed to any city office or be employed by the city during the term of office for which he was elected or for two years thereafter, except that after the expiration of his term of office he may be appointed as a member of an

independent board or commission or to fill a vacancy in the position of Councilman.

- 4) The clerk is hereby directed to do all things necessary to provide for the submission of the aforesaid proposition to the electors of the City at a regular election on November 2, 1999.

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

NAYS: None.

ABSENT: None.

ABSTENTIONS: None.

The resolution was adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the City Council held on the 6th day of July, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 6th day of July, 1999.

[Handwritten signature of Patsy K. Cantrell]
PATSY K. CANTRELL
City Clerk
City of Farmington

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Resolution No. 07-99-191

SECRET, WARDLE, WARDLE, LYNCH, HAMPTON, TRUEX AND MORLEY

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON

RESOLUTION APPROVING SUBMISSION OF BALLOT
PROPOSITION TO ELECTORS

At a regular meeting of the City Council of the City of Farmington, Oakland County, Michigan, held in the Council Chambers at 23600 Liberty Street, Farmington, Michigan 48335, on the 6th day of July, 1999, at 8:00 o'clock p.m., Eastern Daylight Time.

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

ABSENT: None.

The following resolution was offered by McShane
and seconded by Mitchell :

WHEREAS, pursuant to Act No. 279, of the Public Acts of Michigan, of 1909, as amended, The Home Rule Cities Act, an amendment to the City Charter may be proposed by the legislative body of the City on a three fifths (3/5) vote of the members elect; and

WHEREAS, The City Council has determined that it is appropriate to submit a Charter Amendment to the electors of the City of the general election to be held on November 2, 1999.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Farmington as follows:

- 1) The following proposition shall be submitted to the electors of the City at the general election to be held in the City on November 2, 1999:

Ballot Question

Shall the City Charter, Section 6.01, relating to Regular Meetings of Council, be amended to remove the requirement that a regular meeting of Council be held at 8:00 p.m. on the Monday following each regular City election?

2) The ballot question shall be printed with the following Statement of Purpose:

This Charter Amendment would eliminate a present requirement that Council hold a regular meeting at 8:00 p.m. on the Monday following each regular City election.

3) Upon adoption of the proposed amendment Section 6.1 of the City Charter would read as follows:

Section 6.1 Regular Meetings

The Council shall provide by resolution for the time and place of its regular meetings and shall hold at least one regular meeting each month.

4) The clerk is hereby directed to do all things necessary to provide for the submission of the aforesaid proposition to the electors of the City at a regular election on November 2, 1999.

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

NAYS: None.

ABSENT: None.

ABSTENTIONS: None.

The resolution was adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the City Council held on the 6th day of July, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this
6th day of July, 1999.


PATSY K. CANTRELL
City Clerk
City of Farmington

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SECRET, WARDLE, WARDLE, LYNCH, HAMPTON, TRUEX AND MORLEY

Resolution No. 07-99-192

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON

RESOLUTION APPROVING SUBMISSION OF BALLOT
PROPOSITION TO ELECTORS

At a regular meeting of the City Council of the City of Farmington, Oakland County, Michigan, held in the Council Chambers at 23600 Liberty Street, Farmington, Michigan 48335, on the 6th day of July, 1999, at 8:00 o'clock p.m., Eastern Daylight Time.

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

ABSENT: None.

The following resolution was offered by Hartsock
and seconded by Mitchell :

WHEREAS, pursuant to Act No. 279, of the Public Acts of Michigan, of 1909, as amended, The Home Rule Cities Act, an amendment to the City Charter may be proposed by the legislative body of the City on a three fifths (3/5) vote of the members elect; and

WHEREAS, The City Council has determined that it is appropriate to submit a Charter Amendment to the electors of the City of the general election to be held on November 2, 1999.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Farmington as follows:

- 1) The following proposition shall be submitted to the electors of the City at the general election to be held in the City on November 2, 1999:

Ballot Question

Shall the City Charter, Section 4.3 relating to the Compensation of Mayor and Councilmember, be amended to increase the annual salary of the Mayor and a Councilmember from Nine Hundred (\$900.00) Dollars to One Thousand, Eight Hundred and 00/100 (\$1,800.00) Dollars?

- 2) Upon adoption of the proposed amendment Section 4.3 of the City Charter would read as follows:

Section 4.3 Compensation of Mayor and Councilmember

SECRET, WARDLE, LYNCH, HAMPTON, TRUAX AND MORLEY

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this
6th day of July, 1999.



PATSY K. CANTRELL
City Clerk
City of Farmington

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SECRET, WARDLE, LYNCH, HAMPTON, TRUEX AND MORLEY

Resolution No. 07-99-193

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON

RESOLUTION APPROVING SUBMISSION OF BALLOT
PROPOSITION TO ELECTORS

At a regular meeting of the City Council of the City of Farmington, Oakland County, Michigan, held in the Council Chambers at 23600 Liberty Street, Farmington, Michigan 48335, on the 6th day of July, 1999, at 8:00 o'clock p.m., Eastern Daylight Time.

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

ABSENT: None.

The following resolution was offered by Campbell
and seconded by McShane :

WHEREAS, pursuant to Act No. 279, of the Public Acts of Michigan, of 1909, as amended, The Home Rule Cities Act, an amendment to the City Charter may be proposed by the legislative body of the City on a three fifths (3/5) vote of the members elect; and

WHEREAS, The City Council has determined that it is appropriate to submit a Charter Amendment to the electors of the City of the general election to be held on November 2, 1999.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Farmington as follows:

- 1) The following proposition shall be submitted to the electors of the City at the general election to be held in the City on November 2, 1999:

Ballot Question

Shall the City Charter, Section 5.5 relating to Change in Term of office or compensation, be amended to permit the salary of any elective officer to be increased during his or her term of office?

- 2) The ballot question shall be printed with the following Statement of Purpose:

This Charter Amendment would permit an elected City Officer to receive a salary increase during the term of his or her office instead of deferring any increase until the end of the term of office for which he or she was elected.

- 3) Upon adoption of the proposed amendment Section 5.5 of the City Charter would read as follows:

Section 5.5 Change in Term of Office or Compensation.

Except by procedures provided in this Charter, the terms of office of the elected officers and members of boards and commissions appointed for a definite term shall not be shortened. The terms of elected officers shall not be extended beyond the period for which any such officer was elected except that elective officer shall, after his term has expired, continue to hold office until his successor is elected and qualified. Council shall not grant or authorize extra compensation to any officer or employee after his service has been rendered. The salary of any elective officer shall not be decreased from the time of his election until the end of the term of office for which he or she was elected.

- 4) The clerk is hereby directed to do all things necessary to provide for the submission of the aforesaid proposition to the electors of the City at a regular election on November 2, 1999.

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

NAYS: None.

ABSENT: None.


ABSTENTIONS: None.

The resolution was adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the City Council held on the 6th day of July, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this
6th day of July, 1999.


PATSY K. CANTRELL
City Clerk
City of Farmington

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SECRET, WARDLE, LYNCH, HAMPTON, TRUAX AND MORLEY

Resolution No. 07-99-194

**SPECIAL COUNCIL MEETING WITH THE
SOUTHWESTERN OAKLAND CABLE COMMISSION**

A special meeting of the Farmington City Council with the Southwestern Oakland Cable Commission was held on Monday, August 2, 1999, 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.

COUNCIL MEMBERS PRESENT: Bush, Campbell, Hartsock, Mitchell.

COUNCIL MEMBERS ABSENT: McShane.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Attorney Donohue, City Manager Lauhoff.

SOUTHWESTERN OAKLAND CABLE COMMISSION: Executive Director Collins.

Mayor Bush opened the meeting and requested that Director Collins provide an update on the status of cable television franchise renewal negotiations.

Director Collins advised that Southwestern Oakland Cable Commission (SWOCC) will meet on August 10, 1999 to review the "Request For Renewal Proposal" (RFRP) from Time Warner, Inc.. The Commission will make a recommendation to the City Councils of Farmington, Farmington Hills and Novi on whether to accept or reject the proposal. This will be a preliminary action and has a deadline of August 25, 1999.

City Manager Lauhoff reminded Council that they will have to reschedule the previously cancelled August 16, 1999 Council meeting in order to take action by the deadline of August 25th.

Discussion followed on the informal cable franchise renewal negotiation process with Attorney Donohue and Councilman Hartsock, who serves on the SWOCC Board, advising Council that progress is being made in informal negotiations. Attorney Donohue reviewed the franchise renewal legal process indicating that the Commission will probably recommend denial of Time Warner's RFRP. He advised that if the informal process breaks down, the next formal step is an administrative hearing which would determine if the Time Warner, Inc. RFRP meets the needs of the community. He indicated that this process is onerous for both sides and that both sides would prefer avoiding an administrative hearing.

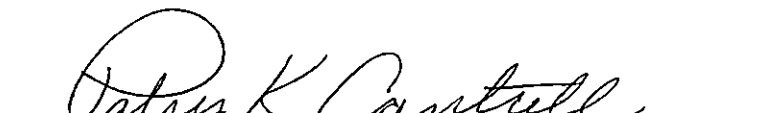
Discussion continued on the process, the enormous amount of time involved for the Cities, and that if a community is committed to local access, it appears to take more time to negotiate franchise renewals. Attorney Donohue observed that the system favors delays on the part of cable companies.

Discussion continued on other issues related to cable television including internet access, open access, lack of competition, and the current status of mergers and transfers in the cable television area.

Council concurred in thanking the SWOCC members for the work they have put in on the franchise renewal process.

Meeting adjourned at 7:39 p.m.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: August 16, 1999

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, August 2, 1999, 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 Bush.

PRESENT: Bush, Campbell, Hartsock, Mitchell.

ABSENT: McShane.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards (arrived at 8:04 p.m.).

APPROVAL OF AGENDA

08-99-200 MOTION by Campbell, seconded by Mitchell, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

08-99-201 MOTION by Campbell, seconded by Hartsock, to approve the minutes of the Special and Regular meetings of July 6, 1999 as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

08-99-202 MOTION by Hartsock, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

- ◆ Downtown Development Authority minutes of July 6, 1999.
- ◆ Traffic and Safety Board minutes of July 15, 1999.
- ◆ Farmington Community Library Board of Trustees minutes of June 17, 1999.
- ◆ Farmington Board of Education Regular Meeting minutes of June 15, 1999.
- ◆ Governor Warner Mansion Development Committee minutes of June 16, 1999 and July 21, 1999.

MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -2-
August 2, 1999

Council concurred to move item #7, Petitions and Communications", next on the Agenda.

PETITIONS AND COMMUNICATIONS

LETTER FROM MICHIGAN MUNICIPAL LEAGUE RE: APPOINTMENT OF DELEGATE FOR OCTOBER ANNUAL MEETING.

08-99-203 MOTION by Campbell, seconded by Mitchell, to appoint Mayor Bush to serve as the official representative of the City of Farmington and Councilman Hartsock as an alternate, to cast the vote for the City of Farmington at the October annual meeting of the Michigan Municipal League. MOTION CARRIED UNANIMOUSLY.

COMMUNICATION FROM MICHIGAN MUNICIPAL LEAGUE RE: WORKER'S COMPENSATION TRUSTEE ELECTION.

08-98-204 MOTION by Mitchell, seconded by Hartsock, to vote for the following members, nominated as Worker's Compensation Fund Trustees by the Michigan Municipal League Governing Board, and direct the City Clerk to complete the ballot and return it to the Michigan Municipal League before September 17, 1999.

1. Kenneth L. Babich, Mayor, Marlette
2. Tamara O'Brien Hanlin, Village Manager, Beverly Hills
3. Thomas M. Markus, City Manager, Birmingham
4. Gerald R. Peterson, City Manager, Marquette
5. Carole Pettijohn, Councilwoman, Grandville
6. John C. Thomas, Mayor, Ithaca
7. Karl S. Tomion, City Manager, Midland

MOTION CARRIED UNANIMOUSLY.

LETTER FROM MR. JOHN CASTINE RE: USE OF SHIAWASSEE PARK. Mr. Castine, Athletic Director for Our Lady of Sorrows Parish, requested use of Shiawassee Park for varsity and junior varsity football practice for this football season due to construction on the parish property. City Administration recommended approval.

08-99-205 MOTION by Campbell, seconded by Hartsock, to grant permission to Our Lady of Sorrows Parish to hold varsity and junior varsity football practices beginning August 9, from 5:00 p.m. to dusk Monday through Friday, until and including the third week of October; with the stipulation that the park will be restored to the condition existing prior to its use; that liability and property damage insurance that names the City as an insured be provided; and that Our Lady of Sorrows Parish coordinate their

COUNCIL PROCEEDINGS -3-
August 2, 1999

practices with other prearranged events scheduled in this area of the park. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF HOUSE BILL 4777. Administration advised that House Bill 4777 is pending in the state legislature and is opposed by the Michigan Municipal League. The Bill would remove local authority to adopt ordinances to address individual community issues, eliminating local control. Administration advised that recent communication that was received voiced an opposite opinion as stated by the MML. Administration recommended the issue be tabled at the present time until additional information is received.

Councilman Campbell stated that he would like to meet with the City's local representative to see what the bill contains and to see what his stand on the issue is.

08-99-206 MOTION by Campbell, seconded by Hartsock, to table a decision on House Bill 4777 and send a letter to Representative Raczkowski and a copy to the Michigan Municipal League explaining Council's opposition to the Bill and in support of the MML's position on the issue. MOTION CARRIED UNANIMOUSLY.

LETTER FROM KATHY PENNYWITT, 23672 CASS RE: BLOCK PARTY.

08-99-207 MOTION by Hartsock, seconded by Mitchell, to authorize the closing of Cass and Macomb Streets from 12:00 noon and 11:00 p.m. on Saturday, September 18, 1999, for a block party and to authorize the Department of Public Services to provide barricades for the event. MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

CONSIDERATION OF NEW APPOINTMENT TO ZONING BOARD OF APPEALS

08-99-208 MOTION by Campbell, seconded by Mitchell, to appoint Mark McConnell to the Zoning Board of Appeals to fill an unexpired term ending June, 2000. MOTION CARRIED UNANIMOUSLY.

Councilman Campbell introduced Mr. McConnell who was present at the meeting.

BOARD OF REVIEW SUMMARY REPORT 1999 - CITY ASSESSOR

John Sailer, City Assessor, was present to present the report. Assessor Sailer stated that there were 57 cases this year, the lowest amount of cases since 1980. He stated that appeals have been significantly less in the last few years as a result of Proposal A. There were 11 market value appeals, 1 taxable value appeal, 15 hardship appeals, 29

COUNCIL PROCEEDINGS -4-
August 2, 1999

protective appeals to protect the property owners right to later file an appeal with the Michigan Tax Tribunal, and 1 personal property appeal. Reductions totaled \$477,290 of taxable value. Assessor Sailer reviewed reasons for some of the adjustments. He stated that even with the 1.6% inflationary cap on taxable value for 1999, the total taxable value for the City increased 2.5%, before any changes approved by the March Board of Review. The increase resulted from property ownership transfers which occurred in the prior year and from increases in value caused by new construction.

Council thanked Assessor Sailer for the report.

REPORTS FROM CITY MANAGER

CONSIDERATION TO APPROVE M.K.A., INC. FOR CONSTRUCTION

MANAGEMENT FOR CIVIC THEATRE RENOVATIONS. Administration reviewed the purchase of the Civic Theatre property with closing planned for September 1, 1999. He stated that renovations need to be completed between September 1 and November 15, 1999 and that M.K.A. was evaluated for their expertise in theater renovations. M.K.A., Inc. for the first year renovations of the Civic Theatre. M.K.A., Inc. would be responsible for coordination of design, bid documents, construction and oversight of all contractors. Improvements would include new theater seats, new movie screens, new concession area, lobby refurbishing, first floor restrooms, draperies, interior paint, carpeting and building entrance and exterior refurbishing. Renovations including architectural fees, a small contingency and a flat rate of 5% for manager's fees would total \$342,562.50. Administration advised that revisions to this estimate will be presented to Council after construction drawings are completed. Phase II renovations include improvements to the second floor of the Theatre and are to be completed in FY 2000-2001. Due to M.K.A., Inc.'s expertise in theater operations and renovations the Theatre will remain open during renovations except for a very limited amount of time.

Mr. Joe Peters, Finance Vice President, was present to represent M.K.A., Inc. and answered Council's questions regarding theater renovations.

Manager Lauhoff noted that there will be a special meeting to review blueprints and to discuss renovations that will be made.

08-99-209 MOTION by Campbell, seconded by Hartsock, to authorize the City Manager and City Clerk to sign an agreement for construction management with M.K.A., Inc. of Wixom, Michigan for Phase I renovations of the Civic Theatre at an estimated cost of \$342,562.50; funds to be provided from the Capital Improvement Fund and reimburse through the sale of revenue bonds.

COUNCIL PROCEEDINGS -5-
August 2, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF FINAL PHASE OF LAN/GIS COMPUTER SYSTEM.

Administration reviewed the status of the Local Area Network Geographic Information System (LAN/GIS) and in order to complete and upgrade the system proposed that the final phase of the LAN/GIS project includes connection of workstations in the Clerk/Treasurer's office, connections to the Oakland County network (CLEMIS, tax and assessing), upgrading of hardware and software for Y2K compliance providing Intranet E-mail (internal) and Internet access, and standardizing applications software.

Based on staff input, Administration recommended consideration of a proposal submitted by Peripheral Vision considering their unique knowledge of and experience with the City's computer system and operations and their superior performance while implementing the long-range plan designed by City Engineers, Orchard, Hiltz and McCliment for the City's LAN/GIS.

08-99-210 MOTION by Mitchell, seconded by Hartsock, to approve the proposal of Peripheral Vision in the amount of \$49,975 to complete the LAN/GIS as a continuation of the awarded project bid; funds provided in the FY 1999-2000 adopted budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO RENEW OAKLAND COUNTY PERSONAL PROPERTY

ASSESSMENT AGREEMENT. Administration recommended renewal indicating that the City began contracting with the Oakland County Equalization Department in 1987 to provide property assessing services.

08-99-211 MOTION by Campbell, seconded by Mitchell, to authorize the Mayor and City Clerk to enter into an agreement with the County of Oakland, effective for the 1999-00 fiscal year from July 1, 1999 through June 30, 2000, for personal property tax assessing services at a cost of \$11.06 per parcel.

COUNCIL PROCEEDINGS -6-
August 2, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MAINTENANCE AGREEMENT FOR FARMINGTON ROAD. Oakland County proposed continuing the maintenance agreement between the Road Commission of Oakland County and the City for maintenance of Farmington Road with an increase in reimbursement to the City of 3.58% over last year. The contract includes patching, crack sealing, sweeping, landscape maintenance, snow and ice removal and general maintenance. Administration recommended that Council accept the terms of the contract and advised that replacement of Farmington Road is scheduled for the year 2001.

08-99-212 MOTION by Mitchell, seconded by Campbell, to authorize the City Clerk and City Manager to execute an agreement between the Road Commission of Oakland County and the City of Farmington for the maintenance of Farmington Road for total annual compensation of \$16,765.59; effective October 1, 1999 and ending September 30, 2000.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

SMART AGREEMENT FOR THE TRANSFER OF MUNICIPAL AND COMMUNITY CREDITS. Administration advised that Farmington is eligible to receive funding for fiscal year 1999-2000 from the Suburban Mobility Authority for Regional Transportation (SMART), which funds are collected by the Oakland County Public Transit Authority (OCPTA), and recommended funding of local transportation programs. Administration also advised that the City of Livonia is withdrawing from the Transportation Consortium effective August 31, 1999 and the City of Farmington Hills will operate the program.

08-99-213 MOTION by Campbell, seconded by Hartsock, to authorize the City Manager to execute a Municipal and Community Credit Agreement with the Suburban Mobility Authority for Regional Transportation (SMART) for fiscal year 1999-00, to provide funding in the amount \$9,840 for the senior and handicapped transportation system to be operated through the City of Farmington Hills and funding in the amount of

COUNCIL PROCEEDINGS -7-
August 2, 1999

\$7,769 to the City of Farmington Hills transportation program for expanded community transportation services.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ESTIMATE #4 (FINAL) AND CHANGE ORDER #2 FOR THE 1999 CONCRETE PAVING PROGRAM. Administration stated that Change Order #2 shows increased work in the Farmington Meadows subdivision and completes this portion of the road improvement program. Administration concurred with the recommendation of the City Engineer and Public Services Director to recommend payment of Estimate #4 and approve Change Order #2.

08-99-214 MOTION by Hartsock, seconded by Mitchell, to authorize payment on the 1999 concrete paving program, Estimate #4 in the amount of \$223,841.17 to Hard Rock Concrete Inc., of Westland, Michigan and approve Change Order #2 to the contract; funds budgeted in the FY 1998-99.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF CONSTRUCTION ESTIMATE #1 RE: ASPHALT REPAIRS FOR THE 1999 PAVING PROGRAM. Administration stated that S & J Asphalt Paving had submitted Construction Estimate #1 for work completed for repairs to Power Road and Shiawassee Road. Administration concurred with the recommendation of the City Engineer and Public Services Director to recommend payment of Estimate #1.

08-99-215 MOTION by Mitchell, seconded by Hartsock, to authorize payment of Estimate #1 for the 1999 asphalt paving program in the amount of \$62,299.81 to S & J Asphalt Paving Company of Canton, Michigan; funds provided in the Major Street Fund budget for 1998-99.

COUNCIL PROCEEDINGS -8-
August 2, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION FOR APPROVAL OF EMERGENCY REPAIRS FOR WATER AND SEWER DEPARTMENT VEHICLE. Administration explained that the Water and Sewer Department truck is used for repairs of water breaks, sewer cleaning, and emergency situations to clear blocked sewer lines. The transmission for the suction motor failed and the vehicle was returned to the vendor, the only authorized sales and repair dealership for Vactor brand trucks, Jack Doheny Supplies, Inc., for emergency repairs that were not under warranty.

08-99-216 MOTION by Campbell, seconded by Hartsock, to authorize a payment of \$13,406.72 to Jack Doheny Supplies, Inc. of Northville, Michigan, for repairs to the Water and Sewer Department Vactor truck; funds to be provided from both the General Fund and the Water and Sewer Fund which and will require a budget amendment at a later date.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION: ISSUANCE OF DEBT TO FUND THE PURCHASE AND RENOVATION OF THE CIVIC THEATRE 1) RETAIN BOND COUNSEL - MOTION 2) NOTICE OF INTENT - RESOLUTION. Administration advised that accounting, related policies and procedures had been evaluated, according to Council's directive to support the Civic Theatre by user fees and not by tax dollars, and recommended using a separate "enterprise" fund to account for Theater activities. An informational summary budget for this fund will be presented in the near future. Council's intent was that the Theater be self-supporting and that revenue bonds be issued to fund the purchase and renovation of the facility. After the start-up period, annual revenues should be sufficient to operate the facility and to cover annual debt service requirements. Administration advised that it will probably be in the best interest of the City to borrow through the Michigan Municipal Bond Authority. Since they consolidate financing needs, the issuance cost and legal fees for individual participants are less and attractive interest rates are available. Necessary initial documents to go forward with the financing process were prepared by Mike McGee of Miller, Canfield, Paddock and Stone, P.L.C., acting bond counsel for the City.

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August 2, 1999

08-99-217 MOTION by Campbell, seconded by Hartsock, to approve the retention of Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel for the Civic Theater revenue bond issue and authorize the City Manager to retain the firm for a fee not to exceed \$10,000.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

08-99-218 MOTION by Hartsock, seconded by Mitchell, to adopt a "Notice of Intent" resolution to authorize the Clerk/Treasurer to publish the required legal notice and authorize the City Manager and Clerk/Treasurer to file the necessary paperwork, pay any required fees, and to execute and deliver such applications, documents, agreements, or certificates as may be necessary or advisable to enable the City to issue and sell revenue bonds as contemplated in the "Notice of Intent" resolution. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENTS.

Annabelle Gabel, 23089 Violet, voiced her support of the Civic Theater purchase and commented that Starbucks was an asset to the City.

Richard Tupper, 23180 Cass, congratulated Council on the demolition at Mayfield and Grand River. Mr. Tupper voiced his concerns about parking on the right-of-way on Farmington Road stating residents are required to improve the landscape area; noted that the new tenant at Mills Products on Chesley has not removed the outside storage to the inside of the building and that a truck and trailer are parked between the fence and the road; requested that a report be prepared regarding the curb on the east side of Farmington Road going into the shopping center; and that the dirt is gone at a portion of the area between the sidewalk and the street at Radio Shack leaving the back side of

COUNCIL PROCEEDINGS -10-
August 2, 1999

the curb exposed and that some of the parking blocks have come apart. Mr. Tupper commented on an article in the paper about a decrease in population in the City and felt that it was important to bring young families into the community. He also commented on the Board of Zoning Appeals decision on adding an addition to Krueger Tool and suggested that a workshop be provided to new members on the Board of Zoning Appeals to show what their responsibilities are.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

There were no Council comments or announcements.

BUILDING DEPARTMENT QUARTERLY REPORT - APRIL 1, 1999 THROUGH JUNE 30, 1999.

08-99-219 MOTION by Campbell, seconded by Mitchell, to receive the Building Department Quarterly Report for April 1, 1999 through June 30, 1999. MOTION CARRIED UNANIMOUSLY.

DEPARTMENT OF PUBLIC WORKS AND WATER & SEWER DEPARTMENT QUARTERLY REPORT, APRIL 1 - JUNE 30, 1999.

08-99-220 MOTION by Mitchell, seconded by Campbell, to receive the Department of Public Works and Water and Sewer Department Quarterly Report for April 1, through June 30, 1999. MOTION CARRIED UNANIMOUSLY.


APPROVAL OF MONTHLY PAYMENTS REPORT

08-99-221 MOTION by Campbell, seconded by Hartsock, to approve the Monthly Payments Report for July, 1999. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

08-99-222 MOTION by Hartsock, seconded by Campbell, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:15 p.m.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: August 16, 1999

**CITY OF FARMINGTON
COUNTY OF OAKLAND, MICHIGAN**

**NOTICE OF INTENT RESOLUTION
(Community Theater Project)**

Resolution No. 08-99-218

Minutes of a regular meeting of the City Council of the City of Farmington, County of Oakland, Michigan, held on Monday, the 2nd day of August, 1999, at 8:00 o'clock p.m., Eastern Daylight Time.

PRESENT: Members Bush, Campbell, Hartsock, Mitchell.

ABSENT: Members McShane.

The following preamble and resolution were offered by Member Hartsock and supported by Member Mitchell:

WHEREAS, there exists within the City of Farmington (the "City") the need to acquire, renovate, restore and improve an community theater facility and necessary property and rights of way and appurtenances related thereto in the downtown of the City so as to enhance the economic vitality of the City's downtown and preserve an historic community asset (collectively, the "Project"); and

WHEREAS, the City Council intends to authorize the issuance and sale of one or more series of its Community Theater Revenue Bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in the aggregate principal amount of not to exceed in total of Six Hundred Ninety Thousand Dollars (\$690,000) for the purpose of paying the cost of the Project; and

WHEREAS, a Notice of Intent to Issue Bonds must be published at least forty-five (45) days before issuance of the bonds in order to comply with the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended; and

WHEREAS, it is appropriate that the Council take certain other preliminary actions in respect of the Project and the issuance of bonds therefor;

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 *Farmington Observer*, a newspaper of general circulation in the City, as a display advertisement one-quarter (1/4) page in size.
2. The Notice of Intent so published shall be in substantially the following form:

**NOTICE TO ELECTORS OF THE CITY OF FARMINGTON
AND USERS OF THE CITY'S COMMUNITY THEATER
OF INTENT TO ISSUE REVENUE BONDS PAYABLE
FROM THE REVENUES OF SAID COMMUNITY THEATER
AND OF RIGHT OF REFERENDUM RELATING THERETO**

PLEASE TAKE NOTICE that the City Council of the City of Farmington intends to authorize the issuance and sale of its Community Theater Revenue Bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in the aggregate principal amount of not to exceed Six Hundred Ninety Thousand Dollars (\$690,000) for the purpose of paying the cost of acquiring and renovating, restoring and improving a community theater in downtown Farmington, and necessary property and rights of way and appurtenances related thereto.

Said bonds will mature in annual installments which shall not exceed forty (40) in number, with interest rates to be determined at public or negotiated sale but in no event to exceed such rates as may be permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL OF AND INTEREST ON SAID REVENUE BONDS SHALL, ACCEPT AS PROVIDED BELOW, BE PAYABLE solely from the revenues received by the City from the operations of said community theater, which shall be operated as a separate enterprise fund and system of the City. Said revenues will consist of rates, fees and charges billed to the users of the community theater, a schedule of which is or will be on file in the office of the City Clerk. Said rates, fees and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the community theater including necessary reserves, to pay the principal of and interest on said bonds, and to pay other obligations of the community theater.

**ALTERNATE SOURCE OF PAYMENTS IN THE EVENT BONDS
ARE ADDITIONALLY SECURED BY THE LIMITED TAX
FULL FAITH AND CREDIT OF THE CITY**

IN THE EVENT THAT THE CITY COUNCIL DEEMS IT DESIRABLE TO SELL SAID BONDS TO THE MICHIGAN MUNICIPAL BOND AUTHORITY, THE CITY MAY PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE CITY DERIVED FROM IMPOSITION OF TAXES BY THE STATE AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution. The City may enter into an agreement providing for the payment of taxes, which taxes are collected by the State and returned to the City as provided by law, to the Authority or a trustee, and such funds may be pledged for the payment of the bonds.

IN ADDITION TO THE FOREGOING, IN CASE OF INSUFFICIENCY OF SAID REVENUES, OR IN CERTAIN OTHER CIRCUMSTANCES IN WHICH THE CITY MAY PLEDGE AS ADDITIONAL SECURITY FOR THE BONDS THE LIMITED TAX FULL FAITH AND CREDIT OF THE CITY, THE PRINCIPAL OF AND INTEREST ON THE BONDS MAY BE PAYABLE FROM THE GENERAL FUNDS OF THE CITY OR, IF NECESSARY, FROM AD VALOREM TAXES LEVIED UPON ALL TAXABLE PROPERTY IN THE CITY, SUBJECT TO APPLICABLE CONSTITUTIONAL, STATUTORY AND CHARTER LIMITATIONS.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING AN ELECTION ON THE QUESTION OF ISSUING THE BONDS, SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY, IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. If such a petition is filed, the bonds shall 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 33 of Act 94, Public Acts of Michigan, 1933, as amended.

ADDITIONAL INFORMATION may be obtained at the office of the City Clerk upon request.

PATSY K. CANTRELL
City Clerk
City of Farmington

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 the method best calculated to give notice to the prospective users of the community theater and to the City's taxpayers and electors of the City's intent to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum relating thereto, and that the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The City Manager and City Clerk/Treasurer are authorized to notify the Michigan Department of Treasury, Municipal Finance Division (the "Department"), of the City's intent to issue the bonds described in the preamble to this resolution and to pay the related fee, and request an order providing an exception for the bonds from prior approval by the Department or, in the alternative if an exception is not available, to request an order giving prior approval for the bonds, and to request any waivers from the Department which may be necessary or advisable to accomplish the issuance and sale of the bonds as described in this resolution. The City Manager and City Clerk/Treasurer are further authorized to execute and deliver such applications, documents or certificates, including agreements which secure repayment of the bonds within the limitations set forth in the foregoing notice, with the Michigan Municipal Bond Authority or other entities as may be necessary or advisable to enable the City to issue and sell the bonds as contemplated herein.

5. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the City reasonably expects to reimburse the City for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were or will be paid subsequent to sixty (60) days

prior to the date hereof.

- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$690,000.
- (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Project to reimburse the City for a capital expenditure made pursuant to this Resolution.
- (e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. § 1.150-1(h), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
- (f) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (d) above.
- (g) Expenditures for the Project to be reimbursed for the proceeds of the borrowing for purposes of this Resolution do not include costs for the issuance of the debt or an amount not in excess of the lesser of \$100,000 or 5 percent of the proceeds of the borrowing, or preliminary expenditure not exceeding twenty (20) percent of the issue price of the borrowing, within the meaning of Treas. Reg. § 1.150-2(f) (such preliminary expenditures include architectural, engineering, surveying, soil testing and similar costs incurred prior to construction of the Project, but do not include land acquisition, site preparation, and similar costs incident to commencement of construction).

6. The City Clerk/Treasurer is designated as the officer of the City authorized to make any further declarations of intent to reimburse expenditures made from funds of the City from proceeds of the bonds described in the preamble to this resolution.

7. This official intent resolution shall be reasonably available for inspection by the public within thirty (30) days of the date hereof at the offices of the City and will remain available for public

inspection on a reasonable basis until the date or dates of issuance of the obligations described herein.


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 Hartsock, Mitchell, Bush, Campbell.


ABSENT: Members McShane.

NAYS: Members None.

RESOLUTION DECLARED ADOPTED.


Patsy K. Cantrell
City Clerk/Treasurer

I HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Farmington, County of Oakland, State of Michigan, at a regular meeting held on August 2, 1999, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.


Patsy K. Cantrell
City Clerk/Treasurer

DELIB:2088364.2\027756-00022
08/10/99

Special Council Meeting
August 16, 1999
1

**SPECIAL COUNCIL MEETING WITH M.K.A., INC.
REGARDING THEATRE RENOVATION**

A special meeting of the Farmington City Council was held on Monday, August 16, 1999, 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 6:00 p.m.

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

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Gushman (arrived at 6:05 p.m.), City Manager Lauhoff, Assistant City Manager Richards.

OTHERS PRESENT: Bill Clark, of M.K.A., Inc., and Harley Faxon, of Harley Faxon Architects.

Mayor Bush opened the meeting and asked Manager Lauhoff to review the purpose of the meeting.

Manager Lauhoff briefly discussed the proposed renovations and invited Mr. Clark to review preliminary plans and details.

Mr. Clark explained that Mr. Faxon had been working on preliminary architectural plans and was seeking input from Council so that plans could be finalized. Discussion followed regarding renovation of the concession area with Mr. Faxon presenting a review of architectural drawings. Discussion continued on seating, stage area, prop storage, and whether it was feasible to create space for use as a dressing area. Councilwoman McShane stated that in designing the renovations she would like to keep options open to provide for later, flexible use of the building. Discussion continued regarding using portable screens or a trailer in the back parking area as a dressing area, to provide some flexibility.

Mr. Clark advised Council that he felt the most critical deadline for a mid-November grand opening was delivery of seating. He stated that he meets with the seating contractors tomorrow and will attempt to get a delivery which meets the Council goal of a mid-November grand opening. Discussion followed on the size, type and color of

Special Council Meeting
August 16, 1999
2

seating. Council concurred on the importance of large, comfortable seats acknowledging that it will result in the loss of seats. Discussion continued on cup holders for the seats, numbering of seats and name plates on the seats as a fundraiser.

Council concurred to schedule a grand opening after seating is installed, although this might delay the event.

Discussion continued on renovation details with Council making several suggestions including additional display areas on the exterior of the building, removing the upstairs windows, upgrading interiors to eliminate maintenance where possible and planning for future renovation of the upstairs during Phase I renovations.

Discussion continued on tile versus carpet in the lobby; refurbishing and using the front doors; using stamped concrete in front of the Theatre; increasing the flood lights on the marquee and removing non-working speakers; raising the lobby ceiling where possible; patterns for ceiling tiles and molding; upgrading the bathroom fixtures and tiling walls; cleaning and painting the upstairs bathrooms; and later installation of a floor lift to provide accessibility.

Councilman Campbell noted that issues of construction related to future upstairs renovations should be addressed if doing so could reduce future costs. Mr. Clark agreed and indicated he would take this under consideration in renovation plans.

Council concurred in using a color specialist recommended by Mr. Clark who will provide mockups of suggested color schemes for the Theatre. Council will make a final decision based on the recommendations.

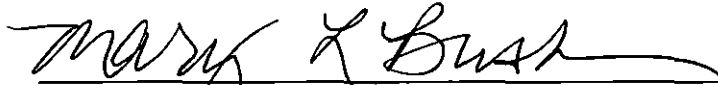
Discussion continued on projection room needs and possibly using some of the space for a future chair lift; that the current projectors are in good condition and will only be upgraded with a remote control system; upgrades for stage lighting; placement of a spot light; color of seating which Council was advised could be decided at a later time; second floor seating and barrier free needs; and the possible need for special Council meetings to expedite the renovation process.

Council discussed ideas for a grand opening event. Mr. Clark stated that he feels a grand opening is essential for marketing purposes. Council discussed a Friday evening "black tie" event followed by a day long event which would possibly include free movies and food at rolled back prices.

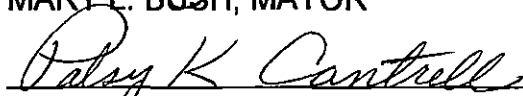
Special Council Meeting
August 16, 1999
3

Mayor Bush thanked Mr. Clark and Mr. Faxon for attending the meeting and expressed Council's excitement to see the process moving forward.

Meeting adjourned at 7:50 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CLERK/TREASURER

Approved: September 7, 1999

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, August 16, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES: Clerk/Treasurer Cantrell, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

MINUTES OF PREVIOUS MEETINGS

08-99-223 MOTION by Campbell, seconded by Hartsock, to approve the minutes of the Special and Regular meetings of August 2, 1999. MOTION CARRIED UNANIMOUSLY.

INTRODUCTION: MISS FARMINGTON OAKLAND COUNTY 1999-2000, LESLIE REINBOLD

Ginny Morris, Executive Director of the Farmington/Farmington Hills Scholarship Pageant, informed Council that the Chili Cookoff will be the first Sunday in March; introduced a program called "Blizzard Buddies Two" to collect coats and scarfs and asked Council to find a place to donate these items; informed Council that former Miss Farmington, Audrie Chernauckas, is the reigning Miss Michigan, will be leaving for the Miss America Pageant, and introduced the current Miss Farmington, Leslie Reinbold. Miss Reinbold stated that her platform is on eating disorders and she wants to help overcome this disease. She introduced Victoria Anderson who was the Miss American Scholar.

Mayor Bush offered her congratulations on behalf of Council.

PRESENTATION: DICK CARVEL - RE: SPECIAL EVENT AT THE GOVERNOR WARNER MANSION

Dick Carvel discussed an outdoor, free concert and picnic featuring Christian recording artist, Rufus Harris, to be held on Saturday, August 28, 1999 from 6:00 p.m. to 9:00 p.m. at the Warner Gardens.

COUNCIL PROCEEDINGS -2-
August 16, 1999

MINUTES OF OTHER BOARDS

08-99-224 MOTION by Hartsock, seconded by McShane, to receive and file the minutes of the following Boards and Commissions:

- ◆ Downtown Development Authority minutes of August 3, 1999.
- ◆ Beautification Commission minutes of July 14, 1999.
- ◆ Planning Commission minutes of August 9, 1999.

MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

LETTER FROM CYNDY SZELAG, GENERAL CHAIRPERSON FOR "TAG DAYS" RE: FUNDRAISING EVENT. Administration recommended approval of the fundraising event.

08-99-225 MOTION by Campbell, seconded by Mitchell, to grant permission to the Farmington High Schools Band and Orchestra Boosters to hold a "Tag Days" fund raising event on Friday, September 17, 1999 from 3:00 p.m. to 9:00 p.m. and Saturday, September 18, 1999 from 7:00 a.m. to 6:00 p.m. at the entrances of local merchants who have given permission for the activity. MOTION CARRIED UNANIMOUSLY.

REQUEST FOR RESOLUTION AND SUPPORT OF THE FARMINGTON PUBLIC SCHOOL HIGH SCHOOL MUSIC PROGRAMS. Administration recommended adoption of a resolution in recognition of the Farmington Public School's music programs.

08-99-226 MOTION by McShane, seconded by Mitchell, to adopt a resolution declaring the week of September 13, 1999 as High School Music Appreciation Week in the City of Farmington and that City Council encourages residents and businesses to support Farmington's high school bands, orchestras, and choirs. MOTION CARRIED UNANIMOUSLY. [SEE ATTACHED RESOLUTION].

REPORTS FROM CITY MANAGER

RESOLUTION RE: PRELIMINARY DENIAL OF TIME WARNER CABLE FRANCHISE RENEWAL. Administration advised that Southwestern Oakland Cable Commission (SWOCC) has been involved in negotiations to renew the current franchise with Time Warner Cable. SWOCC approved a resolution and recommended adoption by member communities to preliminarily deny Time Warner Cable's proposal to renew its franchise.

COUNCIL PROCEEDINGS -3-
August 16, 1999

Administration recommended adoption of the resolution based on the action of SWOCC and recommendation of Attorney Donohue.

Discussion followed regarding the formal and informal process for franchise renewal.

08-99-227 MOTION by Campbell, seconded by Mitchell, to adopt a resolution to preliminarily deny the Time Warner Cable franchise renewal. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ESTABLISH A COMMUNITY THEATRE FUND WITH INFORMATIONAL SUMMARY BUDGET. Administration advised that it is necessary to establish a fund, the Community Theatre Fund, to account for renovation and operation of the Civic Theatre. Administration provided an informational summary budget to Council based on ten months of operations beginning on September 1, 1999. Administration recommended that Council adopt a resolution to establish the fund.

08-99-228 MOTION by Mitchell, seconded by McShane, to adopt a resolution approving the establishment of an enterprise fund, the Community Theatre Fund, to account for the purchase, renovation and operation of the Theatre; accepting the attached informational summary budget for the Community Theatre Fund; and approving establishing a checking and money market account at Metrobank for the Community Theatre fund with authorized signers on the accounts to be the Clerk/ Treasurer, City Manager and Mayor. [SEE ATTACHED RESOLUTION AND SUMMARY BUDGET].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE COMMUNITY THEATRE LOAN. Administration advised that the Theatre needed operating capital to meet the needs for the purchase and operation of the Civic Theatre. Council was advised that revenues are anticipated to cover expenses and future repayment of the loan.

COUNCIL PROCEEDINGS -4-
August 16, 1999

08-99-229 MOTION by Campbell, seconded by Hartsock, to approve a 10-year loan from the City's Capital Improvement Fund to the Community Theatre Fund in an amount not to exceed \$180,000 with interest to accrue beginning July 1, 2003 and repayment to begin on June 30, 2004. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO EXTEND CURRENT RISK MANAGEMENT AGREEMENT.

Administration advised that insurance coverage is currently provided by the Michigan Municipal Risk Management Authority (MMRMA), under an agreement which expires July 1, 1999.

08-99-230 MOTION by McShane, seconded by Mitchell, to extend the current contract with the Michigan Municipal Risk Management Authority for three (3) years for a period beginning July 1, 1999 and ending July 1, 2002, with the agreement that the second and third year increases shall be no greater than 3%.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Annabelle Gabel, 23089 Violet, stated that she enjoyed the concerts at the pergola on Friday evenings.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilman Hartsock asked that Council consider rescinding one of the proposed ballot questions that would permit the salary of an elective officer to be increased during his/her term of office and that it was more in character to keep the Charter as it currently is. Councilman Hartsock didn't want the issue to be a self-serving situation.

COUNCIL PROCEEDINGS -5-
August 16, 1999

08-99-231 MOTION by Hartsock, seconded by Mitchell, to rescind Motion No. 07-99-194 which placed an amendment to Section 5.5 of the City Charter on the ballot for the November 2, 1999 Election.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY OPERATION REPORT - 2ND QUARTER. Director Goss stated that crime is down, consistent with national trends, and possibly due to lower unemployment and criminals staying in prison longer.

08-99-232 MOTION by Hartsock, seconded by Mitchell, to receive and file the Public Safety Operations Report for the 2nd quarter. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

08-99-233 MOTION by Campbell, seconded by Hartsock, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 8:35 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

CITY OF FARMINGTON

RESOLUTION NO. 08-99-226

Motion by McShane, seconded by Mitchell, to adopt the following resolution:

WHEREAS, the Farmington and Farmington Hills community enjoys a rich cultural life that includes many diverse music programs and offerings;

WHEREAS, a wide variety of music experiences are available to our young people through the Farmington Public School system;

WHEREAS, hundreds of children participate in, and thousands over the years have benefitted from, the music programs offered in our schools;

WHEREAS, these programs include Orchestra, Band, Choir, Marching Band and Jazz Band;

WHEREAS, studies have shown that children who participate in music programs have higher grade point averages, a lower incidence of drug use, a lower high school drop-out rate and attend and graduate from college at higher rates than those who do not participate in music programs;

WHEREAS, the cost of musical instruments, uniforms, musical arrangements and lessons can be considered;

WHEREAS, a fundraising program called "Tag Days" was created to raise money to offset these considerable costs to allow all children, regardless of financial circumstances to participate in Farmington Public High School music programs;

WHEREAS, all three Farmington Public High School Music Departments participate equally in "Tag Days", and

WHEREAS, this year's fundraising committee has established the weekend of September 17 and 18, 1999 as "Tag Days" for Farmington, North Farmington and Harrison High Schools;

BE IT RESOLVED that the Farmington City Council declares the week of September 13 - 19, 1999, High School Music Appreciation Week in the City of Farmington.

BE IT FURTHER RESOLVED that the City Council encourages all residents and businesses to support our High Schools' Bands, Orchestras and Choirs;

RESOLUTION DECLARED ADOPTED.

PATSY K. CANTRELL, CITY CLERK/TREASURER

I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, August 16, 1999 in the City of Farmington, Oakland County, Michigan.


Patsy K. Cantrell, City Clerk/Treasurer

STATE OF MICHIGAN
COUNTY OF OAKLAND

CITY OF FARMINGTON

RESOLUTION REGARDING
TIME WARNER RENEWAL PROPOSAL
RESOLUTION NO. 08-99-227

At a regular meeting of the City of Farmington City Council, held at 23600 Liberty Street, Farmington, Michigan 48335 on the 16th day of August, 1999 at 8:00p.m. Eastern Standard time.

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

ABSENT: None.

The following resolution was offered by Campbell and seconded by Mitchell.

WHEREAS, the City of Farmington has received a written response from Time Warner Cable to its request for renewal proposal issued in February of 1999, and

WHEREAS, consistent with applicable law the City, through the Southwest Oakland Cable Commission, has conducted an evaluation of the response, and

WHEREAS, the City is obliged to issue a preliminary decision within four months of receipt of the proposal and has received a recommendation for the Southwest Oakland Cable Commission for such decision.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

1. Time Warner Entertainment-Advance/Newhouse Partnership d/b/a Time Warner Cable ("TWC") holds a cable television franchise granted by the City of Farmington ("City"). According to the terms of the Franchise Agreement, the TWC franchise has been extended until the renewal process is completed or the City directs otherwise. Time Warner Cable is seeking to renew this cable television franchise.
2. Under federal law, the City is charged with protecting the public's interest in cable television franchise renewals. This is a serious responsibility because many residents of the City do not have a choice between competing cable companies and rely on the cable system to provide clear television signals. In addition, Time Warner Cable has constructed a system of cables and wires in the public rights-of-way that form a critical part of the community's telecommunications infrastructure.
3. The City is also charged with protecting the public's interest in the use and value of its public rights-of-way. A cable company, like any other for-profit business, should be charged a fair fee for its occupation of public property. Further, the City as trustee of the public's interest in the public rights-of-way must ensure that Time Warner Cable uses this public property in a way that benefits the entire community.
4. The Southwestern Oakland Cable Commission ("SWOCC") is an administrative commission established by the Cities of Farmington, Farmington Hills and Novi Michigan pursuant to a multi-jurisdictional agreement entered into by the Cities on January 11, 1983. SWOCC is authorized to administer the franchises awarded to TWC by the Cities. SWOCC shall conduct public hearings for renewals of the franchises and review the cable operator's compliance with the franchise agreements and ordinances.

5. In May 1995, Time Warner Cable acquired the City's cable television system. Although SWOCC and Time Warner Cable have engaged in extensive discussions under the informal renewal process over the last several years, the parties have not been able to reach agreement on the renewal issues pertaining to the City's franchise.

6. The City and SWOCC have reviewed Time Warner Cable's past performance under the existing franchise and have assessed the City's future cable-related community needs and interests in order to determine whether the franchise should be renewed and if so, under what terms and conditions.

7. The assessment process conducted by SWOCC included a public hearing on January 12, 1999, surveys of residents in the Cities, interviews, meetings, inspection of the cable system and the various PEG facilities, technical reviews and reports from various consultants. On February 9, 1999, SWOCC adopted a Staff Report on the future cable-related community needs and interests of the Cities and the past performance of Time Warner Cable under the franchises.

8. Consistent with the formal renewal process set out in 47 U.S.C. § 546 (to the extent it applies here) the City issued a Request For Renewal Proposal for Cable Television Franchise ("RFRP") on February 25, 1999, requesting that Time Warner Cable submit a renewal proposal describing the cable-related facilities, equipment and services that it proposes to provide in each of the Cities.

9. On April 26, 1999, Time Warner Cable filed its written response to the RFRP. At the request of SWOCC, Time Warner Cable later submitted additional information to SWOCC clarifying certain portions of its RFRP responses. Time Warner Cable did not

provide all the information requested by SWOCC and some of the details of the RFRP remain unclear.

10. Under federal law, at least for those cable television system franchises where Time Warner Cable has properly invoked the procedures of 47 U.S.C. § 546 (a), once a RFRP response has been received that complies with the applicable law, the City has four months either to grant Time Warner Cable a franchise based upon its proposal, or to issue a preliminary denial of renewal. If a franchise renewal is not granted, then an administrative proceeding is commenced at the initiative of the City or upon the request of Time Warner Cable, to evaluate the renewal proposal of Time Warner Cable and to consider the four factors specified in federal law at 47 U.S.C. §546 (c)(1).

11. Essentially, the decision by the City to preliminarily deny renewal amounts to a determination, (to the extent the formal process applies), that there is reason to go forward with an administrative hearing. It is not clear that Time Warner Cable has submitted an RFRP response that complies with applicable law. Without waiving any rights the City may have under applicable law or the right of the City and Time Warner Cable to continue to try and resolve the renewal issues by informal negotiations, the City concludes that the franchise renewal request of Time Warner Cable must be preliminarily denied and that Time Warner Cable's proposal should be reviewed in an administrative proceeding.

12. Under federal law, it is appropriate for the City to consider, among other reasons, whether or not the proposal of Time Warner Cable is reasonable to meet the future cable-related community needs and interests; whether the past performance of Time Warner Cable under the existing franchises justifies renewal; whether Time Warner

Cable has the financial, legal and technical ability to perform as promised in the proposal; and whether the quality of Time Warner Cable's service has been reasonable in light of community needs.

13. The City believes that there are significant questions concerning Time Warner Cable's proposal with respect to its willingness to meet the reasonable future cable-related needs and interests of the community. After a preliminary review of the information provided by Time Warner Cable in its response to the RFRP, the City finds that the proposal of Time Warner Cable deviates in significant aspects from the RFRP without adequate explanation.

14. For example, the RFRP requested nine channels for public, educational and governmental access use ("PEG") with the ability to trigger the use of additional PEG channels based on certain criteria. Time Warner Cable proposed fewer PEG channels than under the current franchise. Further, TWC did not include the South Lyons school district as an area to be included in the allocation of PEG channels which deprives the residents of the franchise area PEG access to their school district. Time Warner Cable also proposed to limit the use of PEG channels to non-commercial video programming and not permit voice or data uses of the PEG channels which the RFRP requested as needed uses for the community.

15. The RFRP requested that SWOCC should be designated to manage PEG access operations because existing access facilities do not meet the communities' cable-related needs and interests and discourage access productions. The Time Warner Cable response to the RFRP does not provide for reasonable or adequate management of PEG access facilities.

16. Further, the RFRP requested a one-time construction grant of \$375,000.00, to be managed by SWOCC, in order to enhance, upgrade and expand the SWOCC access production facilities. Time Warner Cable proposed to match SWOCC on a dollar for dollar basis up to \$187,000.00 which does not meet the needs and interests of the community.

17. The RFRP indicated that there is a need and interest in replacing, repairing and enhancing PEG equipment, including providing satellite receiving systems, traffic monitoring systems and educational replacement equipment. The Time Warner Cable proposal provides an initial equipment capital grant of less than one-half of the RFRP requested amount and there is no guarantee that equipment will be adequately replaced or maintained.

18. Time Warner Cable has proposed certain requirements, which effectively require the City to waive public benefits and certain rights which are part of the existing franchise. Among other items, TWC proposes to include the following provisions as part of the franchise renewal: a provision which would relieve Time Warner Cable of the obligation to comply with ordinances, laws and regulations which have been adopted by the City in the exercise of its lawful police powers to protect the public health, safety and welfare after the renewal of the franchise; a provision which would allow TWC to provide non-cable services over the cable system without regulation by the City; a provision that would permit TWC to transfer the franchise to others without adequate protection or oversight by the City; and a provision that would require the City to create a level playing field with other cable television operators where such a provision is not in the best interests of the public.

19. The foregoing discussion is not intended to be a comprehensive list of all the deficiencies in the RFRP response of Time Warner Cable, but illustrates the point that the City has good reason to closely review whether Time Warner Cable's proposal is reasonable to meet the future cable-related needs and interests of the community. The City has reviewed the cost of the RFRP requests and the financial projections of Time Warner Cable and believes that Time Warner Cable could reasonably meet these costs.

20. SWOCC has notified Time Warner Cable of deficiencies in its past performance under the existing franchises and ordinances. Some of these deficiencies include: failure to obtain appropriate permits before construction, insufficient staffing for access production and failure to maintain, replace and repair access equipment in a diligent manner, not operating the cable system in a safe manner by failing to properly bury cable lines, failure to meet customer service standards by not timely answering customer's telephone calls and not having approved customer service procedures, failure to provide copies of insurance policies and franchise fees disputes. In addition, there have been issues raised regarding the leasing of cable system lines by Time Warner Cable to other users of the public rights-of-way, including TCG-Detroit. This foregoing list of deficiencies, while not comprehensive, further suggests that the past performance of Time Warner Cable under the existing franchise should be reviewed.

21. The Time Warner Cable RFRP proposal did not include all the data requested by SWOCC with respect to the financial, legal and technical qualifications of Time Warner Cable. These omissions suggest that these matters should also be reviewed and the past performance of Time Warner Cable raises questions concerning these qualifications.

SECRET, WARDLE, LYNCH, HAMPTON, TRUEX AND MORLEY

22. Based on the foregoing issues, the City makes a preliminary assessment that the franchise held by Time Warner Cable should not be renewed. This preliminary assessment is made on the information now available to the City and is made without prejudice to any of Time Warner Cable's rights or any rights that the City may have, including without limitation the rights resulting from the failure of Time Warner Cable in its proposal response to provide all the information requested by the RFRP.

23. Time Warner Cable may request that an administrative proceeding be commenced by submitting a request in writing to SWOCC.


- AYES: Campbell, Hartsock, McShane, Mitchell, Bush.
- NAYES: None.
- ABSENT: None.
- ABSTENTIONS: None.

The resolution was adopted.

STATE OF MICHIGAN)
)SS.
 COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Commission held on the 16th day of August, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this
16th day of August, 1999.


PATSY K. CANTRELL
City Clerk
City of Farmington

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SECRET, WARDLE, LYNCH, HAMPTON, TRUEX AND MORLEY

CITY OF FARMINGTON

RESOLUTION NO. 08-99-228

Motion by Mitchell, seconded by McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council establishes an enterprise fund called the "Community Theatre Fund" to account for the purchase, renovation and operation of a city-owned theatre, and

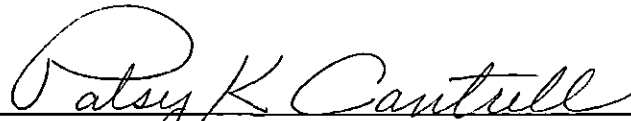
BE IT RESOLVED that the Farmington City Council accepts the informational summary budget for the Community Theatre Fund as presented, and

BE IT FURTHER RESOLVED that the Farmington City Council approves establishing checking and money market accounts at Metrobank for the deposit and disbursement of monies of the Community Theatre Fund. Investment of Fund monies shall be in accordance with the City's Investment Policy.

RESOLUTION DECLARED ADOPTED.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....
I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, August 16, 1999 in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

INFORMATIONAL SUMMARY BUDGET

CITY OF FARMINGTON COMMUNITY THEATRE FUND

Estimated
99-00

REVENUES:

Admission Fees	\$133,335.00
Sales, Concessions	\$83,335.00
Misc. Revenues	\$4,170.00
Operating Revenues	\$220,840.00

EXPENDITURES:

Management, Operations	\$104,000.00
Management Fees	\$10,805.00
Film Rentals	\$45,835.00
Booking Fees	\$8,670.00
Concession Supplies	\$15,000.00
Service Agreements	\$2,170.00
Maintenance Supplies	\$3,750.00
Utilities, gas	\$2,085.00
Utilities, electrical	\$7,500.00
Utilities, water	\$3,335.00
Telephone	\$2,085.00
Insurance (property/liability)	\$7,500.00
Interest Expense	\$20,700.00
Operating Expenses	\$233,435.00
Operating Loss	(\$12,595.00)

DEBT/CAPITAL OUTLAY:

Capital Outlay, Building	\$355,000.00
Debt, Principal	\$0.00
TOTAL OUTLAYS	\$355,000.00

Notes:

Building improvements financed by bonded debt proceeds with the principal payment due November 1, 2000.

CITY OF FARMINGTON

RESOLUTION NO. 08-99-229

Motion by Campbell, seconded by Hartsock, to adopt the following motion:

BE IT RESOLVED that the Farmington City Council hereby approves a loan from the City's Capital Improvement fund to the Community Theatre Fund in an amount not to exceed \$180,000 to be repaid over a maximum of ten (10) years and with interest to accrue beginning on July 1, 2003 at a rate which is an average of the earnings rate on Capital Improvement Fund investments over the preceding twelve months, and

BE IT RESOLVED that the City Treasurer is directed to disburse the loan as required to meet the Theatre's need for operating funds in excess of current revenues for fiscal years 1999-2000, 2000-2001 and 2001-2002, and

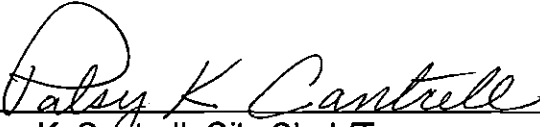
BE IT FURTHER RESOLVED that the loan will be repaid from Theatre revenues with the first payment due on June 30, 2004 and that debt service requirements on the loan be included in the Community Theatre fund budget for the 2003-2004 fiscal year.

RESOLUTION DECLARED ADOPTED.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....

I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, August 16, 1999 in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

Special Council Meeting
September 7, 1999
1

SPECIAL COUNCIL MEETING - STUDY SESSION

A special meeting of the Farmington City Council was held on Tuesday, September 7, 1999, 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 6:37 p.m.

COUNCIL MEMBERS PRESENT: Bush, Hartsock, McShane, Mitchell.

COUNCIL MEMBERS ABSENT: Campbell.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, City Manager Lauhoff.

Mayor Bush opened the meeting and requested that Attorney Donohue review his report on preservation tax credits, City certification and other issues related to adoption of an historical ordinance.

Attorney Donohue outlined the pros and cons of adopting a local historical district ordinance. He advised that in order for property owners to be eligible for tax credits for rehabilitation of historic homes, the City would have to have adopted an ordinance consistent with state statute regarding historic districts. He reviewed the process required to adopt such an ordinance indicating that there was significant paperwork, manhours and other issues to be considered. According to Attorney Donohue, there are many issues to be considered including mandatory compliance issues and state promulgated rules, which have not yet been issued, to follow.

Discussion followed regarding the process for adopting a local historical ordinance, whether or not an appeals process for property owners exists, and how such ordinances work in other communities. Attorney Donohue, speaking from his experience with other communities, stated that this process requires a major commitment from a group in the community to make it work and that he sees litigation from time to time regarding enforcement of mandatory provisions.

Council discussed whether tax credits are the only benefit from adopting an historical ordinance and what the City's obligation to keep records, implement the process, etc. would be. Discussion followed regarding how extensive the process is and what the level of interest in the community might be. Council felt the City should review how this works for other communities and wondered if adopting an ordinance would accomplish

the purposes of those advocating such an ordinance.

Attorney Donohue discussed the potential problems with administering and enforcing such an ordinance. He stressed that once a particular property has been designated as historic it places a significant burden on the property owner if the exterior of the building is renovated as it adds additional cost.

Mayor Bush stated that she feels adopting such an ordinance should be in response to a request from the residents. Attorney Donohue cautioned that the City could not be "certified" if the ordinance permits the property owner the option to be included in the district or not.

Discussion continued regarding the burden a local historic district ordinance places on residents of the district; trade offs of tax credits versus compliance with regulations; potential liability issues and other concerns.

Council discussed presenting the pros and cons of a local historic ordinance to the Historic Commission and concurred in not favoring adoption of such an ordinance.

Council discussed the proper relationship between the Historic Commission, the Historical Museum Committee and the Mansion Development Committee, considering what would be the most desirable structure for developing and operating the Mansion. Discussion continued regarding the appropriate process to evaluate the structure. Council discussed a structure which would place the Historic Museum Committee under the Mansion Development Committee. Councilwoman McShane stated that she felt this should go before the Historic Commission. Discussion followed regarding how to proceed. Council concurred to meet with the chairs of the two committees at 6:00 p.m. on September 20, 1999, prior to the Council meeting with the Historical Commission at 7:00 p.m. on that same day.

Meeting adjourned at 7:36 p.m.


MARY L. BUSH, MAYOR


PATSY K. CANTRELL, CLERK/TREASURER

Approved: September 20, 1999

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Tuesday, September 7, 1999, 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 Bush.

PRESENT: Bush, Hartsock, McShane, Mitchell.

ABSENT: Campbell.

CITY REPRESENTATIVES: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

APPROVAL OF AGENDA

09-99-234 MOTION by Hartsock, seconded by McShane, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETINGS

09-99-235 MOTION by Mitchell, seconded by Hartsock, to approve the minutes of the Special and Regular meetings of August 16, 1999 as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

09-99-236 MOTION by McShane, seconded by Hartsock, to receive and file the minutes of the following Boards and Commissions:

- ◆ Traffic and Safety Board minutes of August 19, 1999.
- ◆ Farmington Community Arts Council minutes of June 17, 1999.
- ◆ Farmington Board of Education. Regular Meeting minutes of July 20, 1999 and Special Meeting minutes of July 28, 1999.
- ◆ Farmington Community Library Board of Trustees Meeting minutes of August 19, 1999.

MOTION CARRIED UNANIMOUSLY.

DOWNTOWN DEVELOPMENT AUTHORITY QUARTERLY REPORT

Director Downey reported that the Summer Fun Series was a great success and was well attended and that the Farmers Market is doing well. Director Downey informed Council that she met with the Michigan Economic Development Commission in Lansing

COUNCIL PROCEEDINGS -2-
September 7, 1999

and questioned why there is no community block grant money designated for downtown areas. The reason given by the M.E.D.C. was that the retail area does not provide enough jobs and that their budget is \$48 million less since they lost casino monies. Downey advised that proposed legislation has been sent to the Governor's office regarding Brownfield legislation to include renovation on a site, whether there is contamination or not, to allow capture of tax increment finance monies for renovation in downtown areas. Director Downey provided the following updates: Contemporary Awards moved into the Cornwell Building; Hockey Weekly Newspaper will be opening in October; Bohemian Beads moved into their new location; curb and street repair will be starting by the end of the week and the Warner Street Project will start within two or three weeks. Discussion followed regarding the opening of Great Harvest Bread Company.

PETITIONS AND COMMUNICATIONS

INFORMATION RE: HOUSE BILL 4777. Administration advised that information regarding House Bill 4777 had been received from Representative Robert M. Gosselin who sponsored the bill, Attorney Donohue, and the Michigan Municipal League. Administration advised that the bill affects the City's ability to pass local ordinances, addressing local problems, and recommended that Council oppose the bill.

09-99-237 MOTION by McShane, seconded by Mitchell, to oppose HB 4777 and to send letters be sent to Representative Raczkowski and Representative Gosselin asking that the bill be withdrawn. MOTION CARRIED UNANIMOUSLY.

Councilwoman McShane asked that Representative Raczkowski be invited to attend the next Council meeting to discuss the ramifications of the bill.

Attorney Donohue stated that the bill is poorly written and that he was concerned in areas of the Consumer Protection Act and Liquor Control since the bill would prevent the cities from adopting ordinances which duplicate state or federal law.

Discussion followed regarding the effect the bill would have on local government.

REQUEST FROM AMERITECH NEW MEDIA, INC. TO OPEN NEGOTIATIONS TO PROVIDE CABLE TELEVISION SERVICE TO THE CITY OF FARMINGTON. Donna Garafano, Vice President-Public Affairs for Ameritech New Media, Inc., requested to open negotiations to provide cable television service to the City. Administration stated that on a nationwide basis cable television competition improves services, assists in controlling cable television rates, and recommended approval to begin negotiations .

COUNCIL PROCEEDINGS -3-
September 7, 1999

09-99-238 MOTION by Hartsock, seconded by Mitchell, to authorize the City Manager and City Attorney to enter into negotiations with Ameritech New Media, Inc. in an effort to arrive at a franchise agreement to provide cable television service for the City of Farmington. MOTION CARRIED UNANIMOUSLY.

Councilman Hartsock stated that negotiations with Ameritech New Media, Inc. would have no bearing on negotiations with Time Warner.

LETTER FROM MERLENE L. BENNER, CONSTITUTION WEEK CHAIRMAN, REQUESTING CITY COUNCIL PROCLAIM THE WEEK OF SEPTEMBER 17-23, 1999 AS CONSTITUTION WEEK IN FARMINGTON.

09-99-239 MOTION by McShane, seconded by Mitchell, to proclaim the week of September 17 through September 23, 1999 as Constitution Week in Farmington. MOTION CARRIED UNANIMOUSLY.

LETTER FROM RUSSELL J. HARDING, DIRECTOR, MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, REQUESTING CITY COUNCIL PROCLAIM THE WEEK OF SEPTEMBER 20-26, 1999 AS POLLUTION PREVENTION WEEK.

09-99-240 MOTION by Hartsock, seconded by McShane, to proclaim the week of September 20 through September 26, 1999 as Pollution Prevention Week. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION OF TELECOMMUNICATIONS PERMIT AGREEMENT WITH NORLIGHT, INC. OF WISCONSIN. Administration advised that communication had been received from Norlight Telecommunications, Inc. of Wisconsin requesting that a commercial fiber optic cable telecommunications system be constructed in the City of Farmington along Nine Mile and Freedom Road and that it will be connected to existing utility poles. State and federal telecommunications legislation requires that Norlight Telecommunications, Inc. request permission to occupy public right-of-ways for the installation of fiber optic cables. The agreement calls for payment based on \$.10 per aerial lineal foot. There would be a minimum revenue of \$1,500 per year for a term of 10 years with an acknowledgement of mutual intent that the agreement will be renewed. Attorney Donohue reviewed the agreement and found no objections to the language.

Attorney Donohue stated there is a replacement page to the agreement on Paragraph 19, Page 8, it states to provide authority to the Director of Public Safety and the Road Commission of Oakland County to provide for emergencies and require relocation of fiber optic cable in specific circumstances and the City Manager and Director of Public Services to have that authority.

COUNCIL PROCEEDINGS -4-
September 7, 1999

09-99-241 MOTION Hartsock, seconded by Mitchell, to enter into an agreement with Norlight Telecommunications, Inc. of Wisconsin for the installation of a fiber optic telecommunications system and authorize the City Manager and City Clerk to sign the agreement on behalf of the City.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF OAKLAND COUNTY REQUEST TO AMEND THE EMERGENCY 911 SERVICE PLAN. Administration advised that the Oakland County Board of Commissioners has implemented an emergency telephone operation surcharge, authorized by the Telephone Service Enabling Act, Michigan Public Act 32 of 1986, to establish funding to provide a county-wide radio communication system for public safety agencies. The Federal Communications Commission restructured the issuance of radio frequencies for emergency reasons resulting in communities not being permitted to reuse current frequencies and forcing them to change equipment. The County Commissioners developed a plan to provide a uniform emergency radio system to communicate with all public safety agencies in Oakland County. The Emergency 911 Service Plan must be amended in order to proceed and requires the City to commit to remaining a Primary Public Safety Answering Point. The funding portion has not been completed, but it may be provided through the telephone operation surcharge or the use of county funds. The City's public safety radio equipment will need to be replaced and the plan will help eliminate the cost.

09-99-242 MOTION by Mitchell, seconded by McShane, to confirm that pursuant to Section 307 of the Emergency Telephone Service Enabling Act, the City of Farmington shall function as a Primary Public Safety Answering Point (PSAP) within the 911 service district of the tentative 911 service plan adopted by the Oakland County Board of Commissioners on August 5, 1999. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF SHIAWASSEE PARK PLAYScape RULES. Administration establishes rules and regulations for conduct and use of parks and park grounds, subject to approval of Council, as directed by City Code Section 21-32. City Manager Lauhoff submitted rules for use of the Kids World PlayScape at Shiawassee Park for Council approval.

Discussion followed regarding the closing time of the PlayScape.

COUNCIL PROCEEDINGS -5-
September 7, 1999

09-99-242 MOTION by McShane, seconded by Mitchell, to approve rules for use of the Shiawassee Park PlayScape with a closing time of dark. MOTION CARRIED UNANIMOUSLY.

Assistant City Manager Richards requested that the closing time be reflected on the permanent sign when installed.

CONSIDERATION TO AMEND CITY FEE SCHEDULE. Administration recommended an amendment to Chapter 13 of the City Fee Schedule to include fees for reservation of the Shiawassee PlayScape pavilion.

09-99-243 MOTION by Hartsock, seconded by Mitchell, to amend Chapter 13 of the City's Fee Schedule, Park Fees, establishing rates for the reservation of the Shiawassee Park PlayScape pavilion and limiting the reservation to two hours per day to any group or individual. [SEE ATTACHED].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF CONSTRUCTION ESTIMATE #2 - 1999 ASPHALT PAVING PROGRAM. Administration recommended payment on Construction Estimate #2, S & J Asphalt Paving Company, for work completed on the 1999 Asphalt Paving Program.

09-99-244 MOTION by Mitchell, seconded by McShane, to authorize payment for Construction Estimate #2 to S & J Asphalt Paving Company in the amount of \$7,013.19 for work completed on the 1999 Asphalt Paving Program; funds to be provided from the Water and Sewer Fund for FY 1998-99.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO INTRODUCE AND ADOPT ORDINANCE #C-654-99 "CITY OF FARMINGTON COMMUNITY THEATRE REVENUE BOND ORDINANCE". Administration advised that with the procurement and renovation of the Civic Theatre it

COUNCIL PROCEEDINGS -6-
September 7, 1999

would be necessary to issue revenue bonds. The City's Bond Counsel, Mr. Michael McGee of Miller, Canfield, Paddock and Stone, P.L.C., opposed the proposed ordinance to allow for the sale of revenue bonds through the Michigan Bond Authority. Administration recommended that Council introduce and adopt Ordinance #C-654-99.

09-99-245 MOTION by Hartsock, seconded by Mitchell, to introduce and adopt Ordinance #C-654-99 to provide for the issuance and sale of revenue bonds for the purpose of purchasing and renovating a community theatre. [SEE ATTACHED].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

09-99-246 MOTION by McShane, seconded by Mitchell, to authorize the City Manager to establish fees and other charges for use of the Farmington Community Theatre (Civic Theatre) including sale of concession items and to further direct the City Manager to establish such fees and charges at the level necessary to fund operation and maintenance of the Theatre and to provide for debt service payments required to service debt issued on behalf of the Theatre or to repay loans received from other City Funds. MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Annabelle Gabel, 23089 Violet, asked if the Wash Hut, on the corner of Violet and Grand River, was going to rebuild on their property due to the fire. Manager Lauhoff responded that there are no plans to rebuild at the present time and that there have been offers to purchase the property.

Nancy Leonard, 33309 Shiawassee, inquired about a company installing wires on her street and questioned if it was Norlight. City Manager Lauhoff responded that two other companies have been installing wires, but Norlight had not started in the City yet. Director Gushman stated that these companies have access to a utility easement that is on Shiawassee to install cable where there is a public utility.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilwoman McShane informed Council about a new program, "Shop To Stop

COUNCIL PROCEEDINGS -7-
September 7, 1999

Drugs", which will provide coupons for shoppers at Kroger or Farmer Jack, with a dollar for each coupon paid toward drug and violence prevention programs.

Councilman Hartsock asked what plans have been made regarding the Y2K situation and how are we providing residents with Y2K advice. City Manager Lauhoff advised that the City's website lists precautions that have been taken by the City, public information as to who residents can call with questions, additional hotline to the federal and emergency management offices and the American Red Cross. Director Goss will be updating Council in October as to where the City stands.

Councilman Hartsock stated that it is imperative that residents are able to obtain information regarding Y2K.

Councilwoman McShane stated that she felt election information should be included in the City Newsletter.

Discussion followed regarding information to be included in the City Newsletter.


APPROVE MONTHLY PAYMENTS REPORT.

09-99-247 MOTION by Mitchell, seconded by McShane, to approve the Monthly Payments Report for August, 1999. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT.

09-99-248 MOTION by Hartsock, seconded by Mitchell, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:02 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: September 20, 1999

CHAPTER 13

PARK FEES

SHIAWASSEE PARK PAVILION

Farmington and Farmington Hills residents

\$20.00/hour
\$100.00 maximum per day

Non-residents

\$25.00/hour
\$125.00 maximum per day

Shiawassee Park PlayScape Pavillion
Farmington/Farmington Hills Residents

\$15.00/hour
Maximum of 2 hours per day

Non-Residents

\$20.00/hour
Maximum of 2 hours per day

Exempt: Farmington/Farmington Hills non-profit groups
(\$25.00 refundable deposit required for reservation. This deposit may be waived
when authorized by the City Manager.)

CITY OF FARMINGTON
ORDINANCE NO. C-654-99

AN ORDINANCE TO PROVIDE FOR THE CREATION OF A COMMUNITY THEATRE ENTERPRISE SYSTEM FOR THE CITY; FOR THE ACQUISITION, CONSTRUCTION, INSTALLATION, FURNISHING AND EQUIPPING OF ADDITIONS AND IMPROVEMENTS TO THE SYSTEM; TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BONDS TO PAY THE COST THEREOF; TO PROVIDE FOR THE COLLECTION OF REVENUES FROM THE SYSTEM SUFFICIENT FOR THE PURPOSE OF PAYING THE COSTS OF OPERATION AND MAINTENANCE OF THE SYSTEM AND TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS; TO PROVIDE AN ADEQUATE RESERVE FUND FOR THE BONDS; TO PROVIDE FOR THE SEGREGATION AND DISTRIBUTION OF SYSTEM REVENUES; TO PROVIDE FOR THE RIGHTS OF THE HOLDERS OF THE BONDS IN ENFORCEMENT THEREOF; TO ESTABLISH SEPARATE SERIES OF BONDS OF SENIOR AND SUBORDINATE STATUS WITH RESPECT TO THE NET REVENUES OF THE SYSTEM; TO PRESCRIBE THE FORM OF THE BONDS; AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE BONDS AND THE SYSTEM.

THE CITY OF FARMINGTON ORDAINS:

Section 1. Title and Purpose. This Ordinance shall be known and cited as the "City of Farmington Community Theatre Revenue Bond Ordinance." Pursuant to the authority granted under the provisions of Act 94 (hereinafter defined), the Code of the City of Farmington is hereby amended by adding this Ordinance.

Section 2. Definitions. Whenever used in this Ordinance, except when otherwise indicated by the context, the following terms shall have the following meanings:

(a) "Act 94" means Act 94, Public Acts of Michigan, 1933, as amended, known and cited as the Revenue Bond Act.

(b) "Adjusted Net Revenues" means for any operating year the excess of revenues over expenses for the System determined in accordance with generally accepted accounting principles, to which shall be added depreciation, amortization, interest expense on Bonds and payments to the Issuer in lieu of taxes, to which may be made the following adjustments.

(i) Revenues may be augmented by the amount of any rate increases adopted prior to the issuance of additional Bonds or to be placed into effect before the time principal or interest on the additional Bonds becomes payable from

Revenues as applied to quantities of service furnished during the operating year or portion thereof that the increased rates were not in effect.

(ii) Revenues may be augmented by amounts which may be derived from rates and charges to be paid by new customers of the System.

The adjustment of revenues and expenses by the factors set forth in (i) and (ii) above shall be reported upon by professional engineers or certified public accountants or other experts not in the regular employment of the Issuer.

(c) "Authority" means the Michigan Municipal Bond Authority.

(d) "Authorized Officers" means the City Manager and City Clerk of the Issuer.

(e) "Bonds" or "Senior Lien Bonds" means any Bonds or series of Bonds so designated and payable from Net Revenues deposited in the Redemption Fund, which are secured by a statutory first lien on the Net Revenues established by this Ordinance and which are senior and superior in all respects with respect to the Net Revenues to any Junior Lien Bonds secured by the statutory second lien established by this Ordinance, together with any additional Bonds of equal standing thereafter issued.

(f) "Issuer" means the City of Farmington, County of Oakland, State of Michigan.

(g) "Junior Lien Bonds" means any Bonds or series of Bonds (including the Series 1999 Bonds) payable from Net Revenues deposited in the Junior Lien Redemption Fund, after satisfaction of any requirements for funding the Redemption Fund, and which are secured by a statutory second lien on the Net Revenues and are junior and subordinate in all respects with respect to the Net Revenues to any Bonds hereafter issued secured by the statutory first lien established by this Ordinance.

(h) "Project" means the acquisition and construction, renovation and restoration of a community theatre in downtown Farmington together with appurtenances and attachments thereto, as described generally in the preliminary plans on file with the Issuer as the same are updated from time to time by the preparation of definitive plans and specifications therefor.

(i) "Reserve Requirement" means the amount required to be on deposit in the Bond Reserve Account or the Junior Lien Bond Reserve Account with respect to a series of Bonds or Junior Lien Bonds, which may not exceed the lesser of (1) the maximum annual debt service due on the Bonds or the Junior Lien Bonds in any year, (2) 125% of the average annual debt service on the Bonds or the Junior Lien Bonds, or (3) 10% of the principal amount of the Bonds or Junior Lien Bonds.

(j) "Revenues" and "Net Revenues" mean the revenues and net revenues of the System and shall be construed as defined in Section 3 of Act 94, including with

respect to "Revenues", the earnings derived from the investment of moneys in the various funds and accounts established by this Ordinance.

(k) "Series 1999 Bonds" means the Community Theatre Revenue Bonds (Junior Lien), Series 1999 (Limited Tax General Obligation), of the Issuer in the principal amount of not to exceed \$690,000 authorized by this Ordinance.

(l) "Sufficient Government Obligations" means direct obligations of the United States of America or obligations the principal and interest on which is fully guaranteed by the United States of America, not redeemable at the option of the issuer, the principal and interest payments upon which, without reinvestment of the interest, come due at such times and in such amounts as to be fully sufficient to pay the interest as it comes due on the Bonds and the principal and redemption premium, if any, on the Bonds as it comes due whether on the stated maturity date or upon earlier redemption. Securities representing such obligations shall be placed in trust with a bank or trust company, and if any of the Bonds are to be called for redemption prior to maturity, irrevocable instructions to call the Bonds for redemption shall be given to the paying agent.

(m) "System" means the Community Theatre System of the Issuer created and established by this Ordinance, including such facilities thereof as are acquired and constructed as the Project, and all enlargements, extensions, repairs and improvements thereto hereafter made.

Section 3. Creation of System; Necessity; Approval of Plans and Specifications. It is hereby determined to be a necessary public purpose of the Issuer and in the best interest of the health and welfare of the Issuer's residents to create and establish a Community Theatre System as an enterprise system of the Issuer, and such Community Theatre System is hereby created and established. It is further determined to be a necessary public purpose of the Issuer to acquire and construct the Project in accordance with the preliminary plans and specifications on file with the Issuer, which plans and specifications are hereby approved.

Section 4. Costs; Useful Life. The total cost of the Project is estimated to not exceed Six Hundred Ninety Thousand Dollars (\$690,000) including the payment of incidental expenses as specified in Section 5 of this Ordinance, which estimate of cost is hereby approved and confirmed, and the period of usefulness of the Project is estimated to be twenty (20) years.

Section 5. Payment of Cost; Bonds Authorized. To pay part of the cost of acquiring and constructing a part of the Project, including funding all or a part of a bond reserve (if necessary), legal, engineering, financial and other expenses incident thereto and incident to the issuance and sale of the Series 1999 Bonds, the Issuer shall borrow the sum of not to exceed Six Hundred Ninety Thousand Dollars (\$690,000) and issue the Series 1999 Bonds therefor pursuant to the provisions of Act 94. The remaining cost of the Project shall be defrayed from the proceeds of the sale of Bonds and Junior Lien Bonds to be issued in the future, from federal and State grants received and to be received (if any), from contributions to the Issuer, and from Issuer funds on hand and legally available for such use.

Section 6. Issuance of Series 1999 Bonds; Details. The Series 1999 Bonds of the Issuer, to be designated **COMMUNITY THEATRE REVENUE BONDS (JUNIOR LIEN), SERIES 1999 (LIMITED TAX GENERAL OBLIGATION)**, are authorized to be issued in the aggregate principal sum of not to exceed Six Hundred Ninety Thousand Dollars (\$690,000) as finally determined by execution of the Purchase Contract (hereinafter defined) for the purpose of paying part of the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Series 1999 Bonds. The Series 1999 Bonds shall be payable out of the Net Revenues, as set forth more fully in Section 9 hereof, provided that said Series 1999 Bonds shall be junior and subordinate to the prior lien with respect to the Net Revenues of any Bonds hereafter issued pursuant to this Ordinance. The Series 1999 Bonds shall be in the form of a single fully-registered, nonconvertible bond of the denomination of the full principal amount thereof, dated as of the date of delivery of the Series 1999 Bond, payable in not to exceed twenty (20) principal installments serially as finally determined in the Purchase Contract at the time of sale of the Series 1999 Bonds and approved by the Authority and an Authorized Officer. Final determination of the Principal Amount and the payment dates and amounts of principal installments of the Series 1999 Bonds shall be evidenced by execution of a Purchase Contract (the "Purchase Contract") between the Issuer and the Authority providing for sale of the Series 1999 Bonds, and the Authorized Officers are authorized and directed to execute and deliver the Purchase Contract when it is in final form and to make the determinations set forth above. In the event the Series 1999 Bonds are sold as Bonds rather than Junior Lien Bonds, or if the Series 1999 Bonds are sold without the Issuer's pledge of its limited tax full faith and credit for the payment thereof, or both, the City Manager may revise the designation of the Series 1999 Bonds set forth above as necessary to fairly characterize the Series 1999 Bonds.

The Series 1999 Bonds or principal installments thereof will be subject to prepayment prior to maturity in the manner and at the times as provided in the form of Series 1999 Bond contained in this Ordinance or as may be approved by the Authorized Officers at the time of sale of the Series 1999 Bonds or by the Authority at the time of prepayment.

The Series 1999 Bonds shall bear interest at a rate to be finally determined by execution of the Purchase Contract, but in any event not to exceed eight percent (8%), and the Authorized Officers shall deliver the Series 1999 Bond in accordance with the delivery instructions of the Authority.

The Series 1999 Bond shall not be convertible or exchangeable into more than one fully-registered bond. Principal of and interest on the Series 1999 Bond shall be payable as provided in the Series 1999 Bond form in this Ordinance.

The City Clerk shall record on the registration books payment by the Issuer of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the City Clerk.

Upon payment by the Issuer of all outstanding principal of and interest on the Series 1999 Bond, the Authority shall deliver the Series 1999 Bond to the Issuer for cancellation.

Section 7. Execution of Series 1999 Bonds. The Series 1999 Bonds shall be signed by the manual or facsimile signature of the Mayor and countersigned by the manual or facsimile

signature of the City Clerk and shall have the corporate seal of the Issuer or a facsimile thereof impressed or imprinted thereon. Except for Series 1999 Bonds bearing manual signatures of the Mayor and the City Clerk sold to the Authority, the Series 1999 Bonds shall be delivered to the transfer agent for authentication and thereafter be delivered by the transfer agent to the purchaser thereof in accordance with instructions from the City Manager or any deputy upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted. Series 1999 Bonds bearing manual signatures of the Mayor and City Clerk sold to the Authority shall require no further authentication. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the transfer agent for safekeeping.

Section 8. Registration and Transfer. Any Bond or Junior Lien Bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond or Junior Lien Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any Bond(s) or Junior Lien Bond(s) shall be surrendered for transfer, the Issuer shall execute and the transfer agent shall authenticate and deliver a new Bond or Junior Lien Bond, for like aggregate principal amount. The transfer agent shall require payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The Transfer Agent shall not be required (i) to issue, register the transfer of or exchange any Bond or Junior Lien Bond during a period beginning at the opening of business 15 days before the day of the giving of a notice of redemption of Bonds or Junior Lien Bonds selected for redemption and ending at the close of business on the day of that giving of notice, or (ii) to register the transfer of or exchange any Bond or Junior Lien Bond so selected for redemption in whole or in part, except the unredeemed portion of Bonds or Junior Lien Bonds being redeemed in part. The Issuer shall give the transfer agent notice of call for redemption at least 20 days prior to the date notice of redemption is to be given.

The transfer agent shall keep or cause to be kept, at its principal office, sufficient books for the registration and transfer of the Bonds or Junior Lien Bonds, which shall at all times be open to inspection by the Issuer; and, upon presentation for such purpose, the transfer agent shall, under such reasonable regulations as it may prescribe, transfer or cause to be transferred, on said books, Bonds or Junior Lien Bonds as hereinbefore provided.

If any Bond or Junior Lien Bond shall become mutilated, the Issuer, at the expense of the holder of the Bond or Junior Lien Bond shall execute, and the transfer agent shall authenticate and deliver, a new Bond or Junior Lien Bond of like tenor in exchange and substitution for the mutilated Bond or Junior Lien Bond, upon surrender to the transfer agent of the mutilated Bond or Junior Lien Bond. If any Bond or Junior Lien Bond issued under this Ordinance shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the transfer agent and, if this evidence is satisfactory to both and indemnity satisfactory to the transfer agent shall be given, and if all requirements of any applicable law including Act 354, Public Acts of Michigan, 1972, as amended ("Act 354"), being sections 129.131 to 129.135, inclusive, of the Michigan Compiled Laws have been met, the Issuer, at the expense of the owner, shall execute, and the transfer agent shall thereupon authenticate and deliver, a new Bond or Junior Lien Bond of like tenor and bearing the statement required by Act 354, or any applicable law hereafter

enacted, in lieu of and in substitution for the Bond or Junior Lien Bond so lost, destroyed or stolen. If any such Bond or Junior Lien Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond or Junior Lien Bond the transfer agent may pay the same without surrender thereof.

Section 9. Payment of Bonds and Junior Lien Bonds; Security; Priority of Lien. Any Bonds hereafter issued and the interest thereon shall be payable solely from the Net Revenues, and to secure such payment, there is hereby created a statutory lien upon the whole of the Net Revenues which shall be a first lien to continue until payment in full of the principal of and interest on all Bonds payable from the Net Revenues, or, until sufficient cash or Sufficient Government Obligations have been deposited in trust for payment in full of all Bonds of a series then outstanding, principal and interest on such Bonds to maturity, or, if called for redemption, to the date fixed for redemption together with the amount of the redemption premium, if any.

Any Junior Lien Bonds issued hereunder, including the Series 1999 Bonds, and the interest thereon shall be payable primarily from the Net Revenues, and to secure such payment, there is hereby created a statutory lien upon the whole of the Net Revenues which shall be a second lien, subject only to the statutory first lien established with respect to the Bonds, to continue until payment in full of the principal of and interest on all Junior Lien Bonds payable from the Net Revenues, or, until sufficient cash or Sufficient Government Obligations have been deposited in trust for payment in full of all Junior Lien Bonds of a series then outstanding, principal and interest on such Junior Lien Bonds to maturity, or, if called for redemption, to the date fixed for redemption together with the amount of the redemption premium, if any. The statutory lien on the Net Revenues created with respect to the Junior Lien Bonds (including the Series 1999 Bonds) shall at all times be and remain subordinate and inferior to the pledge of Net Revenues and the statutory first lien thereon authorized to be granted to secure any Bonds hereafter issued, and the Junior Lien Bonds shall carry a legend to that effect.

Upon deposit of cash or Sufficient Government Obligations, as provided in the previous sentences, the statutory lien shall be terminated with respect to that series of Bonds or Junior Lien Bonds, the holders of that series shall have no further rights under this Ordinance except for payment from the deposited funds, and the Bonds or Junior Lien Bonds of that series shall no longer be considered to be outstanding under this Ordinance.

In addition, the Series 1999 Bonds being sold to the Authority, the Issuer hereby pledges its limited tax full faith and credit for the payment of the principal of and interest on the Series 1999 Bonds. Should the Net Revenues of the System at any time be insufficient to pay principal and interest on the Series 1999 Bonds, as the same become due, then the Issuer shall advance from any funds available therefor, or, if necessary, levy taxes upon all taxable property in the Issuer, subject to applicable constitutional, statutory and charter limitations, such sums as may be necessary to pay said principal and interest. The Issuer shall be reimbursed for any such advance from the Net Revenues of the System subsequently received which are not otherwise pledged or encumbered by this Ordinance.

Section 10. Bondholders' Rights; Receiver. The holder or holders of the Bonds or Junior Lien Bonds representing in the aggregate not less than twenty percent (20%) of the entire principal amount thereof then outstanding, may, by suit, action, mandamus or other proceedings,

protect and enforce the statutory lien upon the Net Revenues of the System, and may, by suit, action, mandamus or other proceedings, enforce and compel performance of all duties of the officers of the Issuer, including the fixing of sufficient rates, the collection of Revenues, the proper segregation of the Revenues of the System and the proper application thereof. The statutory lien upon the Net Revenues, however, shall not be construed as to compel the sale of the System or any part thereof.

If there is a default in the payment of the principal of or interest on the Bonds or the Junior Lien Bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the System on behalf of the Issuer and under the direction of the court, and by and with the approval of the court to perform all of the duties of the officers of the Issuer more particularly set forth herein and in Act 94.

The holder or holders of the Bonds and the Junior Lien Bonds shall have all other rights and remedies given by Act 94 and law, for the payment and enforcement of the Bonds and the Junior Lien Bonds and the security therefor.

Section 11. Management; Fiscal Year. The operation, repair and management of the System and the acquisition and construction of the Project shall be under the supervision and control of the Issuer as determined by the City Manager, provided that the Issuer may contract with third parties for the operation, repair and management of the System. The City Council, in accordance with the relevant provisions of the City Charter and Code, may employ such person or persons in such capacity or capacities as it deems advisable to carry on the efficient management and operation of the System. The City Council may make such rules and regulations as it deems advisable and necessary to assure the efficient management and operation of the System. The fiscal year of the System shall be the fiscal year of the Issuer.

Section 12. Rates and Charges. Not later than the date of substantial completion of the Project, the rates and charges for service furnished by and the use of the System shall be established by the Issuer so as to comply with the requirements of Section 14 hereof, and the methods of collection and enforcement of the collection of the rates shall be any methods available under Act 94 as presently in effect and hereafter amended.

Section 13. No Free Service or Use. No free service or use of the System, or service or use of the System at less than cost, shall be furnished by the System to any person, firm or corporation, public or private, or to any public agency or instrumentality, including the Issuer.

Section 14. Fixing and Revising Rates; Rate Covenant. The rates for use of the System shall be established by resolution of the Issuer so as at all times to be sufficient to provide for the payment of the expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the System in good repair and working order, to provide for the payment of the principal of and interest on the Bonds and the Junior Lien Bonds as the same become due and payable, and the maintenance of the reserve therefor and to provide for all other obligations, expenditures and funds for the System required by law and this Ordinance. In addition, it is agreed that the rates shall be set from time to time so that there shall be produced each fiscal year Net Revenues in an amount not less than 110% of the principal of and interest on all Bonds coming due in each fiscal year and not less than 100% of the principal of and interest

on all Junior Lien Bonds coming due in each fiscal year. The rates shall be fixed and revised from time to time as may be necessary to produce these amounts, and it is hereby covenanted and agreed to fix and maintain rates for services furnished by the System at all times sufficient to provide for the foregoing.

Section 15. Funds and Accounts; Flow of Funds. Commencing with the effective date of this Ordinance, there shall be created and established, and all Revenues of the System shall be set aside as collected and credited to, a fund designated COMMUNITY THEATRE SYSTEM RECEIVING FUND (the "Receiving Fund"). The Revenues credited to the Receiving Fund are pledged for the purpose of the following funds and shall be transferred or debited from the Receiving Fund periodically in the manner and at the times and in the order of priority hereinafter specified:

A. OPERATION AND MAINTENANCE FUND:

Out of the Revenues credited to the Receiving Fund there shall be first set aside in, or credited to, a fund designated OPERATION AND MAINTENANCE FUND (the "Operation and Maintenance Fund"), monthly a sum sufficient to provide for the payment of the next month's expenses of administration and operation of the System and such current expenses for the maintenance thereof as may be necessary to preserve the same in good repair and working order.

A budget, showing in detail the estimated costs of administration, operation and maintenance of the System for the next ensuing operating year, shall be prepared by the City Council at least 30 days prior to the commencement of each ensuing operating year. No payments shall be made to the Issuer from moneys credited to the Operation and Maintenance Fund except for services directly rendered to the System by the Issuer or its personnel.

B. BOND AND INTEREST REDEMPTION FUND:

There shall be established and maintained a separate depository fund designated BOND AND INTEREST REDEMPTION FUND (the "Redemption Fund"), the moneys on deposit therein from time to time to be used solely for the purpose of paying the principal of, redemption premiums (if any) and interest on the Bonds. The moneys in the Redemption Fund (including the Bond Reserve Account) shall be kept on deposit with the bank or trust company where the principal of and interest on the Bonds, or any series thereof, are payable.

Out of the Revenues remaining in the Receiving Fund, after provision for the Operation and Maintenance Fund, there shall be set aside in the Redemption Fund each quarter, commencing with the date of issue of a series of Bonds, a sum proportionately sufficient to provide for the payment when due of the then current principal of and interest on the Bonds, less any amount in the Redemption Fund representing accrued interest on the Bonds or investment income on amounts on deposit in the Redemption Fund, (including investment income on amounts held as part of the Bond Reserve Account, but only to the extent that the Bond Reserve Account is fully funded).

Commencing with the date of issue of a series of Bonds, the amount set aside each quarter for interest on the Bonds shall be the fractional amount of the total amount of interest on the Bonds next coming due derived from the number of quarters from the date of issue of the Bonds to the first interest payment date. Commencing with the first interest payment date, the amount set aside each quarter for interest on the Bonds shall be 1/2 of the total amount of interest on the Bonds next coming due. The amount set aside each quarter for principal, commencing with the date of issue of a series of Bonds, shall be the fractional amount of the total amount of principal on the Bonds next coming due by maturity or sinking fund redemption derived from the number of quarters from the date of issue of the Bonds to the first principal payment date. The amount set aside each quarter for principal payment commencing with the first principal payment date shall be 1/4 of the amount of principal next coming due by maturity or sinking fund redemption. If there is any deficiency in the amount previously set aside, that deficiency shall be added to the next succeeding quarterly requirements. The amount to be set aside for the payment of principal and interest on any date shall not exceed the amount which, when added to the money on deposit in the Redemption Fund, including investment income thereon and on the Bond Reserve Account (but only to the extent that the Bond Reserve Account is fully funded), is necessary to pay principal and interest due on the Bonds on the next succeeding principal payment date.

There is established a separate account in the Redemption Fund to be known as the BOND RESERVE ACCOUNT (the "Bond Reserve Account"). There shall be deposited in the Bond Reserve Account the Reserve Requirement. Interest on the Bond Reserve Account must be transferred to the Redemption Fund once the Reserve Requirement has been reached.

Except as otherwise provided in this Section, the moneys credited to the Bond Reserve Account shall be used solely for the payment of the principal of, redemption premiums (if any) and interest on the Bonds as to which there would otherwise be a default. If at any time it shall be necessary to use moneys credited to the Bond Reserve Account for such payment, then the moneys so used shall be replaced from the Net Revenues first received thereafter which are not required for current principal and interest requirements until the amount on deposit equals the Reserve Requirement. Each Ordinance authorizing Bonds shall provide for additional deposits to the Bond Reserve Account to be made from the proceeds of the Bonds or Issuer funds on hand and legally available for such use in an amount that will result in the Bond Reserve Account being equal to the Reserve Requirement after issuance of the Bonds, or such lesser amount, provided that the Bond Reserve Account must be funded to the Reserve Requirement in not more than five (5) years from the date of issuance of the Bonds. If on any principal payment date the amount in the Bond Reserve Account exceeds the Reserve Amount, the excess shall be transferred to the Redemption Fund for payment of principal and interest on the Bonds due on that date.

C. JUNIOR LIEN BOND AND INTEREST REDEMPTION FUND:

There is hereby established and there shall be maintained a separate depository account designated JUNIOR LIEN BOND AND INTEREST REDEMPTION FUND (the

"Junior Lien Redemption Fund"). Except as otherwise provided herein, the moneys on deposit therein from time to time shall be used for the purpose of paying the principal or Redemption Price of and interest on any Junior Lien Bonds. There is hereby established a separate account in the Junior Lien Redemption Fund designated JUNIOR LIEN BOND RESERVE ACCOUNT (the "Junior Lien Bond Reserve Account").

Out of the Revenues remaining in the Revenue Fund, after transfer, if required, for deposit into the Operation and Maintenance Fund and the Redemption Fund, there shall be set aside quarterly in the Junior Lien Redemption Fund a sum sufficient to provide for the next payment when due of the principal of and interest on the Junior Lien Bonds, less any amount in the Junior Lien Redemption Fund representing accrued interest on the Junior Lien Bonds, and less the sum of any funds actually on deposit in the Junior Lien Redemption Fund. The amount set aside and transferred to the Junior Lien Redemption Fund each quarter for interest on the Junior Lien Bonds shall be $1/2$ of the total amount of interest on the Junior Lien Bonds next coming due or such greater or lesser amount as is necessary to assure that the amount set aside in the Junior Lien Redemption Fund as of the first of such quarter is not less than the product of (a) $1/2$ of the amount of interest next due on the Junior Lien Bonds times (b) the number of quarters elapsed since and including the last interest payment date. For the quarter immediately prior to each interest payment date the amount set aside and transferred to the Junior Lien Redemption Fund to pay interest shall be reduced by amounts, including investment earnings, available in the Junior Lien Redemption Fund which are available for such purpose. The amount set aside and transferred to the Junior Lien Redemption Fund each quarter for principal commencing twelve months prior to the first maturity or mandatory sinking fund redemption date shall be $1/4$ of the amount of principal next coming due on the Junior Lien Bonds by maturity or as a Mandatory Redemption Requirement or such greater or lesser amount as is necessary to assure that the amount set aside in the Junior Lien Redemption Fund as of the first of such quarter is not less than the product of $1/4$ of the amount of principal next due on the Junior Lien Bonds times (b) the number of quarters elapsed since and including the last principal payment date. If there is any deficiency in the amount previously set aside, that deficiency shall be added to the next succeeding quarter's requirement.

For purposes of this Ordinance and the Junior Lien Bonds, term bonds shall be deemed to come due at the time and in the amounts of the mandatory redemption requirements therefor and the principal amount due on term bonds on the dates of their stated maturities shall be reduced by the mandatory redemption requirements therefor coming due prior to the stated maturities for such term bonds. A mandatory redemption requirement for the Junior Lien Bonds may be satisfied by the call of Junior Lien Bonds of the same maturity in the principal amount of the mandatory redemption requirement at par and accrued interest or the purchase and surrender to the transfer agent of Junior Lien Bonds of the same maturity in the principal amount of the mandatory redemption requirement from moneys in the Junior Lien Redemption Fund, or purchased with other funds legally available therefor. The Issuer shall elect the manner in which it intends to satisfy a mandatory redemption requirement not less than forty-five (45) days prior to the due date of each mandatory redemption requirement and notify the transfer agent thereof in writing. The moneys in the Junior Lien Redemption Fund shall be used to satisfy the

next mandatory redemption requirement for the Junior Lien Bonds that are term bonds, either by (a) redeeming said Junior Lien Bonds on the next following date for a mandatory redemption requirement or (b) arranging for the purchase by the transfer agent of Junior Lien Bonds that are term bonds of the same maturity with respect to the mandatory redemption requirement, and surrendering the same to the transfer agent for cancellation on or prior to the required date of the mandatory redemption requirement or (c) both in part. In the event that after any mandatory redemption date, moneys remain in the Junior Lien Redemption Fund as a result of the purchase of Junior Lien Bonds at less than par, the amount of such excess shall remain in the general account of the Junior Lien Redemption Fund.

Any ordinance authorizing the issuance of a series of Junior Lien Bonds may provide for deposits to the Junior Lien Bond Reserve Account to be made from the proceeds of such series of Junior Lien Bonds or from some other source in an amount that will result in the funds or other assets on deposit in the Junior Lien Bond Reserve Account being equal to the Reserve Amount for the Junior Lien Bonds.

Except as otherwise provided in this section, the moneys or other funding sources credited to the Junior Lien Bond Reserve Account shall be used solely for the payment of the principal and redemption price (if any) of and interest on the Junior Lien Bonds as to which there would otherwise be a default or on the final maturity date for the Junior Lien Bonds of the series to which moneys in the Junior Lien Bond Reserve Account relate. If at any time it shall be necessary to use moneys credited to the Junior Lien Bond Reserve Account for such payment, then the moneys so used shall be replaced from the Revenues first received thereafter in the Revenue Fund which are not required for Operation and Maintenance Expenses or to for deposit into the Redemption Fund.

Moneys in the Junior Lien Redemption Fund shall be used first for the purpose of paying the principal or redemption price of and interest on the Junior Lien Bonds. If so provided in an ordinance with respect to Junior Lien Bonds secured by a credit facility, moneys in the Junior Lien Redemption Fund next shall be used for the purpose of reimbursing the credit entity which issued the credit facility securing the Junior Lien Bonds for amounts drawn on the credit facility pursuant to the terms of the reimbursement agreement between the Issuer and the credit entity, and an ordinance may authorize the creation of a separate account in the Junior Lien Redemption Fund for such purpose.

D. REPLACEMENT FUND:

There shall next be established and maintained a fund, separate depository account, designated COMMUNITY THEATRE SYSTEM REPLACEMENT FUND or such other designation determined by the City Manager (the "Replacement Fund"), the money credited thereto to be used solely for the purpose of making repairs and replacements to the System. Upon the completion of the Project, there shall be credited to the Replacement Fund a sum of to be approved by the City Manager. Out of the Revenues and moneys of the System remaining in the Receiving Fund each quarter after provision has been made for the deposit of moneys in the Operation and Maintenance

Fund, the Redemption Fund (including the Bond Reserve Account), and the Junior Lien Redemption Fund (including the Junior Lien Bond Reserve Account), there may be deposited in the Replacement Fund such additional funds as the Issuer may deem advisable. If at any time it shall be necessary to use moneys in the Replacement Fund for the purpose for which the Replacement Fund was established, the moneys so used shall be replaced from any moneys in the Receiving Fund which are not required by this Ordinance to be used for the Operation and Maintenance Fund, the Redemption Fund (including the Bond Reserve Account), or the Junior Lien Redemption Fund (including the Junior Lien Bond Reserve Account).

E. IMPROVEMENT FUND

Out of the remaining Revenues in the Receiving Fund, after meeting the requirements of the Operation and Maintenance Fund, the Redemption Fund (including the Bond Reserve Account), the Junior Lien Redemption Fund (including the Junior Lien Bond Reserve Account) and the Replacement Fund, there may be next set aside in or credited to a fund to be designated COMMUNITY THEATRE SYSTEM IMPROVEMENT FUND (the "Improvement Fund"), which Improvement Fund may have several subaccounts therein, such sums monthly as the Issuer may deem advisable to be used for additions, improvements, enlargements or extensions to the System, including the planning thereof.

F. SURPLUS MONEYS:

Thereafter, any Revenues in the Receiving Fund after satisfying all the foregoing requirements of this Section may, at the discretion of the Issuer, be used for any of the following purposes:

1. Transferred to the Replacement Fund, the Improvement Fund or both.
2. Transferred to the Redemption Fund and used for the purchase of Bonds on the open market at not more than the fair market value thereof or used to redeem Bonds prior to maturity pursuant to this Ordinance.
3. Any other use permitted by law.

Section 16. Priority of Funds. In the event the moneys in the Receiving Fund are insufficient to provide for the current requirements of the Operation and Maintenance Fund, the Redemption Fund, or the Junior Lien Redemption Fund, any moneys or securities in other funds of the System, except the proceeds of sale of the Bonds, shall be credited or transferred, first, to the Operation and Maintenance Fund, and second to the Redemption Fund.

Section 17. Depository and Funds on Hand. Moneys in the several funds and the accounts established pursuant to this Ordinance, except moneys in the Redemption Fund (including the Bond Reserve Account), the Junior Lien Redemption Fund (including the Junior Lien Bond Reserve Account) and moneys derived from the proceeds of sale of the Bonds or the Junior Lien Bonds, may be kept in one or more bank accounts at a bank or banks designated by

the Issuer, and if kept in one bank account the moneys shall be allocated on the books and records of the Issuer in the manner and at the times provided in this Ordinance.

Section 18. Investments. Moneys in the funds and accounts established herein and moneys derived from the proceeds of sale of the Bonds, may be invested by the Issuer in United States of America obligations or in obligations the principal of and interest on which is fully guaranteed by the United States of America and any investments now or hereafter permitted by Act 94 or other controlling law. Investment of moneys in the Redemption Fund or the Junior Lien Redemption Fund being accumulated for payment of the next maturing principal or interest payment of the Bonds or of the Junior Lien Bonds shall be limited to obligations bearing maturity dates prior to the date of the next maturing principal or interest payment on the Bonds or the Junior Lien Bonds. Investment of moneys in the Bond Reserve Account and the Junior Lien Bond Reserve Account shall be limited to obligations bearing maturity dates or subject to redemption, at the option of the holder thereof, not later than five years from the date of the investment. In the event investments are made, any securities representing the same shall be kept on deposit with the bank or trust company having on deposit the fund or funds or account from which the purchase was made. Profit realized or interest income earned on investment of funds in the Funds established hereunder shall be deposited in or credited to the Fund having realized the profit or earned the interest (unless otherwise expressly provided in this Ordinance or as determined by the Issuer), such deposit or credit to occur periodically but not less often than at the end of each fiscal year.

Section 19. Bond Proceeds. From the proceeds of the sale of the Series 1999 Bonds there shall be immediately deposited in the Junior Lien Redemption Fund an amount equal to the accrued interest and premium, if any, received on the delivery of the Series 1999 Bonds. The balance of the proceeds of the sale of the Series 1999 Bonds shall be deposited in a bank or banks, designated by the Issuer, qualified to act as depository of the proceeds of sale under the provisions of Act 94, in an account designated 1999 COMMUNITY THEATRE ACQUISITION AND CONSTRUCTION FUND (the "Construction Fund"). Moneys in the Construction Fund shall be applied solely in payment of the cost of the Project, including any engineering, legal and other expenses incident thereto and to the financing thereof. Payments for construction, either on account or otherwise, shall not be made unless the registered engineer in charge of such work shall file with the Issuer a signed statement to the effect that the work has been completed in accordance with the plans and specifications therefor; that it was done pursuant to and in accordance with the contract therefor (including properly authorized change orders), that such work is satisfactory and that such work has not been previously paid for.

Any unexpended balance of the proceeds of sale of the Series 1999 Bonds remaining after completion of the Project in the Construction Fund may, at the discretion of the Issuer, be used for further improvements, enlargements and extension to the System, if, at the time of such expenditures, such use is approved by the Michigan Department of Treasury, if such permission is then required by law. Any remaining balance after such expenditure shall be paid to the Redemption Fund and may be used for the purpose of purchasing Series 1999 Bonds on the open market at not more than the fair market value thereof, but not more than the price at which the Series 1999 Bonds may next be called for redemption, or used for the purpose of paying principal of the Bonds upon maturity or calling Series 1999 Bonds for redemption.

Section 20. Bond Form. The Series 1999 Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND

CITY OF FARMINGTON

COMMUNITY THEATRE REVENUE BOND (JUNIOR LIEN),
SERIES 1999 (LIMITED TAX GENERAL OBLIGATION)

REGISTERED OWNER: Michigan Municipal Bond Authority

PRINCIPAL AMOUNT: _____ Dollars (\$____,000)

DATE OF ORIGINAL ISSUE: October 27, 1999

INTEREST RATE: _____%

The CITY OF FARMINGTON, County of Oakland, State of Michigan (the "City"), for value received, hereby promises to pay, but only out of the hereinafter described Net Revenues of the City's Community Theatre System (hereinafter defined), to the Michigan Municipal Bond Authority (the "Authority"), or registered assigns, the Principal Amount shown above, unless prepaid prior thereto as hereinafter provided.

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth on the Schedule attached to the Purchase Contract, as such Schedule may be adjusted if less than \$____,000 is disbursed to the City or if a portion of the Principal Amount is prepaid as provided below, with interest on said principal installments from the date each said installment is delivered to the holder hereof until paid at the rate of _____ percent (___%) per annum. Interest is first payable on _____ 1, 2000, and semiannually thereafter on the first day of _____ and _____ of each year, as set forth in the Purchase Contract.

The Bonds may be subject to redemption prior to maturity by the Issuer only with the prior written consent of the Authority and on such terms as may be required by the Authority.

Notwithstanding any other provision of this bond, as long as the Authority is the owner of this bond, (a) this bond is payable as to principal, premium, if any, and interest at the designated office of NBD Bank or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this bond in immediately available funds at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; and (c) written notice of any redemption of this bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the City's default. Such additional interest shall be payable on the interest payment date

following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the City shall and hereby agrees to pay on demand only the City's pro rata share (as determined by the Authority) of such deficiency as additional interest on this bond.

For prompt payment of principal and interest on this bond, the City has irrevocably pledged the revenues of the Community Theatre System of the City, including all appurtenances, extensions and improvements thereto (the "System"), after provision has been made for reasonable and necessary expenses of operation, maintenance and administration (the "Net Revenues"), and a statutory second lien thereon is hereby recognized and created, subject to the senior lien of any additional Bonds of the City hereafter issued by the City, as set forth in the Ordinance (hereinafter defined). The City has reserved the right to issue such additional Bonds which shall be superior and senior in all respects to the bonds of this issue as to the Net Revenues.

Purchasers of the bonds of this issue, by their acceptance of the bonds of this issue or a beneficial ownership interest therein, shall be deemed to have consented to the subordination of their interest in and lien upon the Net Revenues upon the issuance of Bonds subsequent to the delivery of the bonds of this issue.

This bond is a single, fully-registered, non-convertible bond in the principal sum indicated above issued pursuant to Ordinance No. ____ (the "Ordinance") duly adopted by the City Council of the City, and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended, for the purpose of paying part of the cost of acquiring and constructing additions, renovations and improvements to the System.

Principal installments of this bond are subject to prepayment by the City prior to maturity only with the prior written consent of the Authority and on such terms as may be required by the Authority.

For a complete statement of the revenues from which and the conditions under which this bond is payable, a statement of the conditions under which additional bonds of superior and equal standing may hereafter be issued and the general covenants and provisions pursuant to which this bond is issued, reference is made to the above-described Ordinances.

This bond is primarily a self-liquidating bond, payable, both as to principal and interest, primarily from the Net Revenues of the System. The principal of and interest on this bond are secured by the statutory lien hereinbefore mentioned. As additional security, the City has pledged its limited tax full faith and credit for payment of the principal of and interest on the bonds of this issue, which includes the Issuer's obligation to levy taxes, if necessary, within applicable constitutional, statutory and charter tax limitations.

The City has covenanted and agreed, and does hereby covenant and agree, to fix and maintain at all times while any bonds payable from the Net Revenues of the System shall be outstanding, such rates for service furnished by the System as shall be sufficient to provide for payment of the interest upon and the principal of the bonds of this issue, any additional Bonds, and any additional Junior Lien Bonds, as and when the same shall become due and payable, and to maintain a bond redemption fund (including a bond reserve account) therefor, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the System as are required by said Ordinances.

This bond is transferable only upon the books of the City by the registered owner in person or the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the transfer agent, duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance authorizing the bonds, and upon payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law to be done precedent to and in the issuance of this bond and the series of bonds of which this is one have been done and performed in regular and due time and form as required by law.

IN WITNESS WHEREOF, the City of Farmington, County of Oakland, State of Michigan, by its City Council, has caused this bond to be executed with the manual signatures of its Mayor and its City Clerk and the corporate seal of the City to be impressed hereon, all as of the Date of Original Issue.

CITY OF FARMINGTON

By _____
Mayor

(Seal)

Countersigned:

City Clerk

Section 21. General Covenants. The Issuer covenants and agrees with the holders of the Bonds that so long as any of the Bonds remain outstanding and unpaid as to either principal or interest:

(a) The Issuer will maintain the Project and the System in good repair and working order and will operate the same efficiently and will faithfully and punctually perform all duties with reference to the System required by the Constitution and laws of the State of Michigan, the Issuer's Charter and this Ordinance.

(b) The Issuer will keep proper books of record and account separate from all other records and accounts of the Issuer, in which shall be made full and correct entries of all transactions relating to the System. The Issuer shall have an annual audit of the books of record and account of the System for the preceding operating year made each year by an independent certified public accountant. The auditor shall comment on the manner in which the Issuer is complying with the requirements of the Ordinance with respect to setting aside and investing moneys and meeting the requirements for acquiring and maintaining insurance. The audit shall be completed and so made available not later than four (4) months after the close of each operating year except as such period may be extended in conformance with the rules of the Michigan Department of Treasury.

(c) The Issuer will maintain and carry, for the benefit of the holders of the Bonds, insurance on all physical properties of the System and liability insurance, of the kinds and in the amounts normally carried by municipalities engaged in the operation of Community Theatres, including self-insurance. All moneys received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the property damaged or destroyed, and to the extent not so used, shall be used for the purpose of redeeming or purchasing Bonds.

(d) The Issuer will not sell, lease or dispose of the System, or any substantial part, until all of the Bonds and Junior Lien Bonds have been paid in full, both as to principal and interest or provision made thereof as herein provided. The Issuer will operate the System as economically as possible, will make all repairs and replacements necessary to keep the System in good repair and working order, and will not do or suffer to be done any act which would affect the System in such a way as to have a material adverse effect on the security for the Bonds and the Junior Lien Bonds.

(e) The Issuer will not grant any franchise or other rights to any person, firm or corporation to operate a System that will compete with the System and the Issuer will not operate a system that will compete with the System.

(f) The Issuer will cause the Project to be acquired and constructed promptly and in accordance with the plans and specification therefor.

Section 22. Additional Bonds. Except as hereinafter provided, the Issuer shall not issue additional Bonds of equal or prior standing with any initial series of Bonds issued hereunder.

The right is reserved in accordance with the provisions of Act 94, to issue additional Bonds payable from the Revenues of the System which shall be of equal standing and priority of

lien on the Net Revenues of the System with the Bonds but only for the following purposes and under the following terms and conditions:

(a) To complete the Project in accordance with the plans and specifications therefor. Such bonds shall not be authorized unless the engineers in charge of construction shall execute a certificate evidencing the fact that additional funds are needed to complete the Project in accordance with the plans and specifications therefor and stating the amount that will be required to complete the Project. If such certificate shall be so executed and filed with the Issuer, it shall be the duty of the Issuer to provide for and issue additional revenue bonds in the amount stated in said certificate to be necessary to complete the Project in accordance with the plans and specifications plus an amount necessary to issue such bonds or to provide for part or all of such amount from other sources.

(b) For subsequent repairs, extensions, enlargements and improvements to the System or for the purpose of refunding part of any Bonds then outstanding and paying costs of issuing such additional Bonds including deposits which may be required to be made to the Bond Reserve Account. Bonds for such purposes shall not be issued pursuant to this subparagraph (b) unless the Adjusted Net Revenues of the System for the then last two (2) preceding twelve-month operating years or the Adjusted Net Revenues for the last preceding twelve-month operating year, if the same shall be lower than the average, shall be equal to at least one hundred twenty percent (120%) of the maximum amount of principal and interest thereafter maturing in any operating year on the then outstanding Bonds and on the additional Bonds then being issued. If the additional Bonds are to be issued in whole or in part for refunding outstanding Bonds, the annual principal and interest requirements shall be determined by deducting from the principal and interest requirements for each operating year the annual principal and interest requirements of any Bonds to be refunded from the proceeds of the additional Bonds. For purposes of this subparagraph (b) the Issuer may elect to use as the last preceding operating year any operating year ending not more than sixteen months prior to the date of delivery of the additional Bonds and as the next to the last preceding operating year, any operating year ending not more than twenty-eight months prior to the date of delivery of the additional Bonds. Determination by the Issuer as to existence of conditions permitting the issuance of additional Bonds shall be conclusive. No additional Bonds of equal standing as to the Net Revenues of the System shall be issued pursuant to the authorization contained in this subparagraph if the Issuer shall then be in default in making its required payments to the Operation and Maintenance Fund or the Redemption Fund.

(c) For refunding a part of the outstanding Bonds and paying costs of issuing such additional Bonds including deposits which may be required to be made to the Bond Reserve Account. No additional Bonds shall be issued pursuant to this subsection unless the maximum amount of principal and interest maturing in any operating year after giving effect to the refunding shall be less than the maximum amount of principal and interest maturing in any operating year prior to giving effect to the refunding.

The right is reserved in accordance with the provisions of Act 94, at any time and without limitation, to issue an initial series of Bonds and any additional Junior Lien Bonds in such amount, and on such terms, as the Issuer may from time to time determine, payable from the Net Revenues of the System, provided that the pledge of Net Revenues and the statutory second lien thereon granted to secure the Junior Lien Bonds shall at all times be and remain subordinate and inferior to the pledge of Net Revenues and the statutory lien thereon granted to secure the Bonds.

Section 23. Application to Authority. The Authorized Officers are hereby authorized to make application to the Authority for placement of the Series 1999 Bonds with the Authority. In the event of a sale of the Series 1999 Bonds to the Authority, an Authorized Officer is hereby authorized to make such changes to the form of Series 1999 Bond contained in Section 20 of this Ordinance as may be necessary to conform to the requirements of 1985 PA 227 ("Act 227"), including, but not limited to changes in the principal maturity and interest payment dates and references to additional security required by Act 227. In the event the Series 1999 Bonds are sold to the Authority, the taxes collected by the State of Michigan and returned to the Issuer may be pledged for payment of the Series 1999 Bonds, and an Authorized Officer is further authorized to negotiate, execute and deliver an agreement with the Authority for payment of such taxes to the Authority or to a trustee as provided in Section 23 of Act 227, and to execute such other documents and agreements as may be necessary or advisable to accomplish the sale of the Series 1999 Bonds to the Authority as contemplated herein.

Section 24. Covenant Regarding Tax Exempt Status of the Bonds. The Issuer shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended, (the "Code") including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds. If the Series 1999 Bonds are issued as qualified Code Sec. 501(c)(3) bonds, the City Manager is hereby authorized and directed to call a public hearing on the issuance of the Series 1999 Bonds to the extent required by Section 147 of the Code and to take such other actions as are necessary or advisable to comply with the provisions of this section and the requirements of the Code.

Section 25. Approval of Bond Details. The City Manager is hereby authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 7a(1)(c) of Act 94, including but not limited to determinations regarding final interest rates, prices, discounts, final maturities, final principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters, provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this Ordinance, the interest rate per annum on the Bonds shall not exceed six and one-half percent (6.5%), and the Bonds shall mature in not more than thirty-five (35) years.

Section 26. Repeal, Savings Clause. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, repealed.

Section 27. Severability; Paragraph Headings; Conflict. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be part of this Ordinance.

Section 28. Publication and Recordation. This Ordinance shall be published in full in the *Farmington Observer*, a newspaper of general circulation in the Issuer qualified under State law to publish legal notices, promptly after its adoption, and shall be recorded in the Ordinance Book of the Issuer and such recording authenticated by the signatures of the Mayor and the City Clerk.

Section 29. Effective Date. In accordance with the authority granted to the Issuer pursuant to Section 6 of Act 94, this Ordinance shall be effective immediately upon its adoption.

ADOPTED AND SIGNED THIS 7th DAY OF September, 1999.

Signed Mary R. Bush
Mayor

Signed Patsy K. Cantrell
City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Council of the City of Farmington, County of Oakland, Michigan, at a regular meeting held on the 7th day of September 1999, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Council Members were present at said meeting:

Bush, Hartsock, McShane, Mitchell

_____ and that the following Council Members were absent: Campbell

I further certify that Council Member Hartsock moved adoption of said Ordinance, and that said motion was supported by Council Member Mitchell.

I further certify that the following Council Members voted for adoption of said Ordinance: Bush, Hartsock, McShane, Mitchell and that the following Council Members voted against adoption of said Ordinance: None.

I further certify that said Ordinance has been recorded in the Ordinance Book and that such recording has been authenticated by the signatures of the Mayor and the City Clerk.



City Clerk

DELIB:2091273.1\027756-00022
08/09/99

Introduced: September 7, 1999
Adopted: September 7, 1999
Published: September 16, 1999
Effective: September 7, 1999

CITY OF FARMINGTON
SPECIAL COUNCIL MEETING - STUDY SESSION
GOVERNOR WARNER MANSION DEVELOPMENT COMMITTEE CHAIRPERSONS

A special meeting of the Farmington City Council was held on Monday, September 20, 1999 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 6:15 p.m. by Mayor Bush.

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

COUNCIL MEMBERS ABSENT: None.

CITY REPRESENTATIVES PRESENT: City Manager Lauhoff, Assistant City Manager Richards, Deputy Clerk Schmidt.

GOVERNOR WARNER MANSION DEVELOPMENT COMMITTEE REPRESENTATIVES PRESENT: Lehto, McGlincy.

Council met in study session with Ms. Lehto and Mr. McGlincy to review and discuss concerns of the Governor Warner Mansion Development Committee.

Discussion followed regarding long term dedication from the Mansion Development Committee, conflict of events at the Mansion, lack of communication, more docents for scheduled events, money issues, chain of command and the possibility of hiring a director to oversee the Mansion procedures, events, and organization.

Council concurred to set structure and provide guidelines for the Governor Warner Mansion Development Committee and the Historical Commission.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: October 4, 1999

**SPECIAL COUNCIL MEETING WITH THE
HISTORICAL COMMISSION**

A special meeting of the Farmington City Council with the Historical Commission was held on Monday, September 20, 1999, 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 7:05 p.m. by Mayor Bush.

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

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Attorney Donohue, City Manager Lauhoff, Assistant City Manager Richards, Deputy Clerk Schmidt.

HISTORICAL COMMISSION MEMBERS PRESENT: Baessler, Carvell, Eggleston, Grattan, Leonard, Lindblad, Patton.

Attorney Donohue outlined the pros and cons of adopting a local historical district ordinance to become eligible for Preservation Tax Credits. The credits that are now available are available for four tax years 1999, 2000, 2001, and 2002. He advised that the City would have to adopt an ordinance consistent with state statute regarding historic districts in order for property owners to be eligible for tax credits for rehabilitation of historic homes. Attorney Donohue stated that there was significant paperwork, manhours, mandatory compliance issues and state promogulated rules to follow. He stated that it is a major commitment to make it work and that he has seen litigation in other communities regarding enforcement of mandatory provisions. He further stated that once a particular property has been designated as historic it places a significant burden on the property owner if the exterior of the building is renovated.

Discussion followed regarding the pros and cons of preservation tax credits, grants, and the feasibility of adopting a historic ordinance. Council and the Historical Commission concurred in not favoring adoption of such an ordinance due to the many restrictions.

Mayor Bush invited comments from the Historical Commission on the usage of the Governor Warner Mansion by the Historical Commission and the Governor Warner Mansion Development Committee.

Council showed their appreciation for all of the work that has been done by the Historical Commission.


Mr. Lindblad discussed the relationship between the Historical Commission and the Governor Warner Mansion Development Committee and listed concerns of the

Commission: responsibility for the Mansion, priorities, authority of money, scheduling of tours, and lack of communication between the Commission and Committee.

Discussion followed regarding procedures in taking reservations for weddings, tours, etc. and time spent on historical issues in the community.

The Historical Commission asked Council to review the recommendations that they submitted.

Council concurred to set specific guidelines for the Historical Commission and the Governor Warner Mansion Development Committee and that the Historical Commission provide Council with the Commission's policies and what is done on a daily basis in regards to the Mansion.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: October 4, 1999

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, September 20, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Attorney Donohue, Director Goss, City Manager Lauhoff, Assistant City Manager Richards, Assistant Director Smith, Deputy Clerk Schmidt.

APPROVAL OF AGENDA

09-99-249 MOTION by Mitchell, seconded by Hartsock, to approve the revised agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETINGS

09-99-250 MOTION by Hartsock, seconded by McShane, to approve the minutes of the Special and Regular meetings of September 7, 1999 as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

09-99-251 MOTION by Campbell, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

- ◆ Planning Commission minutes of September 13, 1999.
- ◆ Downtown Development Authority minutes of September 14, 1999.
- ◆ Farmington Employees Retirement System Board of Trustees minutes of August 19, 1999.

MOTION CARRIED UNANIMOUSLY.

STATE REPRESENTATIVE ANDREW RACZKOWSKI RE: H.B. 4777

Representative Raczkowski was present to review H.B. 4777, stating that the bill was not on a "fast track" as had been reported. He stated that it has become a partisan issue. Representative Raczkowski co-sponsored the bill that is considered a reaction to city laws such as living wage and smoking ordinances. He stated that he felt the living wage issue would be resurrected in legislation that would outlaw living wage in Michigan.

COUNCIL PROCEEDINGS -2-
September 20, 1999

Council voiced their displeasure with Representative Raczkowski in supporting the bill which would take local control on issues away from local government. Council concurred that they felt he had not supported the people in his district and that the state should not determine cities policies. Council asked who Mr. Raczkowski was representing. Mr. Raczkowski stated that he could be wrong regarding certain issues of the bill, but he felt he did represent the City. Council concurred that they and Representative Raczkowski need to work together to represent the people.

Mayor Bush stated that Council will stay in communication with Representative Raczkowski and thanked him for addressing the meeting. Representative Raczkowski responded that City Council and he have a good relationship.

Bill Liba, 33640 Hillview, felt there is a misunderstanding regarding passage of bills and that many bills die in committee.

GOVERNOR WARNER MANSION DEVELOPMENT COMMITTEE QUARTERLY REPORT.

Jim McGlincy, Penny Lehto and Denise Tawyea were present to present the Governor Warner Mansion Development Committee Quarterly Report. Mr. McGlincy reported that there are 73 members of the Friends of the Governor Warner Mansion Development Committee and that money had been received from the Farmington Exchange Club and Council's support of the Committee. He stated that the Committee has been working on guidelines for the Mansion and summarized the quarterly newsletter.

Penny Lehto stated appreciation of the community and Council support of the Mansion. One of the goals of the Committee is to increase public awareness by presenting seminars in the Farmington Public Schools.

Ms. Lehto stated that the Committee would like to renovate the Carriage House at the Mansion to hold public meetings, educational meetings, and general gatherings. One of the aims of the Committee is to bring in business and corporate support.

Denise Tawyea reviewed events that are planned for 1999 and 2000 which include a Fall Harvest Celebration at the Governor Warner Mansion, competition between the florists in town to decorate the Mansion for the holidays, a thank you for the Friends of the Mansion and the docents, a tea party in May on the porch of the Mansion, and a formal affair in August to raise monies for the Carriage House. The Committee would like to use the Mansion and the property through all seasons.

Councilwoman McShane thanked the Committee for their hard work and for the type of events scheduled for the Mansion.

PETITIONS AND COMMUNICATIONS

LETTER FROM DENISE TAWYEA OF THE GOVERNOR WARNER MANSION.

Administration advised that the Governor Warner Mansion Development Committee requested temporary signage to advertise special activities and increase awareness at the Mansion. Administration advised that recommendations have been made so as not to obstruct driveway vision and not to detract from the beauty of the grounds.

Denise Tawyea was present to answer Council's questions.

Councilman Campbell thanked Ms. Tawyea for all of her work for the PlayScape Grand Opening.

09-99-252 MOTION by McShane, seconded by Campbell, to approve occasional placement of approximately 4' x 8' banners on soft canvass or vinyl background, to advise and inform the public about special activities held at the Governor Warner Mansion; a 3' x 8' banner identifying the Governor Warner Mansion Development Committee as sponsors of events; and that these banners may be allowed for a maximum of four weeks prior to the event. MOTION CARRIED UNANIMOUSLY.

LETTER FROM DISTRICT SALES MANAGER MARTHA MARKOWICZ OF THE DRESS BARN REQUESTING TEMPORARY SIGNAGE FOR THE GRAND OPENING.

Administration advised that the Dress Barn requested temporary signage to announce the Grand Opening of the Dress Barn Woman's store and that City Ordinance restricts the period of time for special signage to a 30-day maximum.

Ms. Markowicz was present to answer Council's questions.

09-99-253 MOTION by Campbell, seconded by Hartsock, to grant permission under City Code 25-4(6B) and grant exception to Section 25-13, subsection 11, to allow temporary signage to announce the Grand Opening of the Dress Barn Woman's store in the Central Business District; to allow a 12' x 3' red and white banner and a maximum of 4 buntings attached to the building along Grand River for a maximum of 30 days. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION OF TRAFFIC & SAFETY BOARD RECOMMENDATION RE: USE OF BICYCLE HELMETS AND OTHER SAFETY EQUIPMENT. Administration stated that Ms. Julie Devine requested implementing regulations to require the use of bicycle helmets in the community. They forwarded the request to the Traffic and Safety Board and the Board decided that the City should support wearing of helmets, but did not support an ordinance to encourage compliance. The Board felt that it would be

COUNCIL PROCEEDINGS -4-
September 20, 1999

appropriate to include an education process through the public schools rather than use police enforcement.

Duane Reynolds, member of the Traffic and Safety Board, was present and reviewed the decision of the Board and recommended adoption of a resolution supporting educational efforts in the use of helmets and other safety equipment.

09-99-254 MOTION by Mitchell, seconded by Hartsock, to adopt a resolution to support education in the use of bicycle helmets and other safety equipment for all persons in the community engaged in cycling, rollerblading and skateboarding; to accomplish this through the use of education forums in the public schools, local businesses and the Public Safety Department. MOTION CARRIED UNANIMOUSLY.

Ms. Devine was present and thanked Director Goss, the Traffic and Safety Board and Council for their work.

Booklets were passed out from the State of Michigan regarding helmet safety.

Council thanked the Traffic and Safety Board for their professional and objective look at safety situations and the recommendations that they make to Council and recommended that a video be made for the local cable station regarding helmet safety.

CONSIDERATION OF BID AWARD FOR SALT DOME ROOF. Administration and the Public Services Director recommended a contract to the low bidder.

09-99-255 MOTION by Campbell, seconded by McShane, to award the bid for repair and replacement of the salt dome roof to the low bidder, Tallon Construction in the amount of \$11,300.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF BID AWARD FOR WARNER MANSION BOILER.

Administration and the Public Services Director recommended a contract to the low bidder for replacement of the Warner Mansion boiler.

09-99-256 MOTION by McShane, seconded by Mitchell, to award the bid for replacement of the boiler, including the three options on the bid submittal, and

COUNCIL PROCEEDINGS -5-
September 20, 1999

installation of a water heater at the Warner Mansion to Diversified Heating and Cooling in the amount of \$11,784.00; funding provided in the current fiscal year budet.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF AMENDMENTS TO THE UNIFORM TRAFFIC CODE: O.U.I.L. PENALTIES AND D.W.L.S. PENALTIES. Administration advised that the State of Michigan took action that amended the State Uniform Traffic Code pertaining to driving while license suspended, operating under the influence of alcohol, refusal of chemical tests and penalties. The City must change local ordinances pertaining to these offenses to the same jail term penalties. Local ordinance allows for the use of local City prosecutors with fines remaining in the community instead of over to the State of Michigan for offenses prosecuted under state law. Changes must take effect in local ordinances on or before October 1, 1999. City Attorney Donohue recommended that the ordinance be adopted as an emergency ordinance to take effect on October 1, 1999; and to introduce the ordinance amendments and enacting them at a subsequent meeting through the traditional process.

09-99-257 MOTION by Campbell, seconded by Hartsock, to adopt emergency Ordinances #C-655-99 and #C-656-99, amending the Uniform Traffic Code, Chapter 31, Sections 31-303, 31-303.7 and 31-291.5 addressing O.U.I.L., refusal of chemical tests and driving while license suspended changing the penalties from 90 to 93 days, maximum jail term, to take effect October 1, 1999 and lapse at the time that the regular ordinance becomes effective in the normal course of events.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

09-99-258 MOTION by Hartsock, seconded by Mitchell, to introduce Ordinance #C-657-99 and #C-658-99 amending the Uniform Traffic Code, Chapter 31, Sections 31-303, 31-303.7 and 31-291.5 addressing O.U.I.L., refusal of chemical tests and driving while license suspended changing the penalties from 90 to 93 days, maximum jail term.
MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -6-
September 20, 1999

CONSIDERATION OF RENEWAL PURCHASE ORDER FOR ASPHALT REPAIRS.

Administration advised that asphalt repairs were needed in the parking areas around the Municipal Building and the public parking lot north of Grand River adjacent to Thomas Street. The services include those bid last year for the Downtown Center parking lot which was awarded to the low bidder, T & M Asphalt. T & M agreed to a renewal purchase order with the same unit prices for resurfacing, sealcoating and re-striping and to include removal and replacement of asphalt totaling 1,700 square feet at \$2.70 per square foot.

Administration and the Public Services Director recommended approval of the renewal purchase order.

09-99-259 MOTION by Mitchell, seconded by McShane, to authorize a renewal purchase order in the amount of \$14,344.42 to T & M Asphalt for asphalt repair to municipal parking lots; funding provided in the current fiscal year budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Annabelle Gabel, 23089 Violet, stated that she enjoyed the movies at the Civic Theatre.

Kenneth Hedges, 36906 Brittany Hill Drive, voiced his displeasure that the Discovery Shop had to give up their location and hoped that the City could intervene. Mayor Bush advised that government cannot become involved since it is private enterprise.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Manager Lauhoff noted that Farmington and Farmington Hills were highlighted in the Detroit Magazine.

09-99-260 MOTION by Campbell, seconded by McShane, to set a study session on October 4, 1999, at 5:30 p.m. to set guidelines for the Historical Commission and the Governor Warner Mansion Development Committee. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -7-
September 20, 1999

ADJOURNMENT

09-99-261 MOTION by McShane, seconded by Hartsock, to adjourn the meeting.

Meeting adjourned at 9:45 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

CITY OF FARMINGTON

ORDINANCE NO. C-655-99

AN ORDINANCE TO AMEND CHAPTER 31, TRAFFIC AND MOTOR VEHICLES SECTIONS 31-303 AND 31-303.7 OF THE CITY CODE, CONCERNING OPERATING A MOTOR VEHICLE UNDER INFLUENCE OF ALCOHOLIC LIQUOR AND REFUSING TO TAKE CHEMICAL TEST TO CONFORM THE PROVISIONS TO STATE LAW AND INCREASE THE PENALTIES THEREOF

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Sec. 31.303, Chapter 31, Traffic and Motor Vehicles of the City Code is hereby amended to read as follows:

Sec. 31-303 OPERATING UNDER INFLUENCE OF ALCOHOLIC LIQUOR OR CONTROLLED SUBSTANCE; OPERATING WITH UNLAWFUL ALCOHOL CONTENT; OPERATING WHILE VISIBLY IMPAIRED; ALCOHOL CONTENT OF MINORS; ATTEMPTS; PENALTIES.

(a) A person, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this township, if either of the following applies:

(1) The person is under the influence of intoxicating liquor, a controlled substance, or a combination of intoxicating liquor and a controlled substance.

(2) The person has an alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(b) 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 or generally accessible to motor vehicles, including an area designated for the parking of motor vehicles, within this township, by a person who is under the influence of intoxicating liquor, a controlled substance or a combination of intoxicating liquor and a controlled substance, who has an alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or whose ability to operate the motor vehicle is visibly impaired due to the consumption of intoxicating liquor, a controlled substance, or a combination of intoxicating liquor and a controlled substance.

(c) A person, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this township, when, due to the consumption of intoxicating liquor, a controlled substance, or a combination of intoxicating liquor and a controlled substance, the person's ability to operate the vehicle is visibly impaired. If a person is charged with violating subsection (1), a finding of guilty under this subsection may be rendered.

(d) A person who is less than 21 years of age, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this township, if the person has any bodily alcohol content. As used in this subsection "any bodily alcohol content" means either of the following:

(1) An alcohol content of not less than 0.02 grams or more than 0.07 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(2) Any presence of alcohol within a person's body resulting from the consumption of intoxicating liquor, other than consumption of intoxicating liquor as a part of a generally recognized religious service or ceremony.

(e) A person, whether licensed or not, shall not operate a vehicle in violation of subsection (4) while another person who is less than 16 years of age is occupying the vehicle. A person who violates this subdivision is guilty of a misdemeanor punishable as follows:

(1) Community service for not more than 60 days

(2) A fine of not more than \$500

(3) Imprisonment for not more than 93 days

In the judgment of sentence under this section, the court may, unless the vehicle is ordered forfeited under the state law, MCL 257.625b order vehicle immobilization as provided in the state law, MCL 257.904d.

(f) If a person is convicted for violating subsection (1) the person is guilty of a misdemeanor punishable by one or more of the following:

(1) Community service for not more than 45 days.

(2) Imprisonment for not more than 93 days.

(3) A fine of not less than \$100 or more than \$500.

(g) A person who is convicted of violating subsection (2) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not less than \$100 or more than \$500, or both.

(h) A person who is convicted of violating subsection (3), is guilty of a misdemeanor punishable by one or more of the following:

- (1) Community service for not more than 45 days.
- (2) Imprisonment of not more than 93 days.
- (3) A fine of not more than \$300.

(i) If a person is convicted of violating subsection (4), all of the following apply:

(1) Except as otherwise provided in subdivision (b), the person is guilty of a misdemeanor punishable by one or more of the following:

- (i) Community service for not more than 45 days.
- (ii) A fine of not more than \$250.

(2) If the violation occurs within seven years of one or more prior convictions, the person may be sentenced to one or more of the following:

- (i) Community service for not more than 60 days.
- (ii) A fine of not more than \$500.
- (iii) Imprisonment of not more than 93 days.

(j) In addition to imposing the sanctions prescribed under this section, the court may order the person to pay the costs of the prosecution under the code of criminal procedure, 1927 PA 175, MCL 760.1 to 776.22.

(k) A person sentenced to perform community service under this section shall not receive compensation and shall reimburse the state or appropriate local unit of government for the cost of supervision incurred by the state or local unit of government as a result of the person's activities in that service.

(l) If a person is charged with a violation of subsection (1), (3), or (5), or sections 5.15h, the court shall not permit the defendant to enter a plea of guilty or nolo contendere to a charge of violating subsection (4) in exchange for dismissal of the original charge. This subsection does not prohibit the court from dismissing the charge upon the prosecuting attorney's motion.

(m) Except as otherwise provided in subsection (15), if a person is charged with operating a vehicle while under the influence of a controlled substance or a combination of intoxicating liquor and a controlled substance in violation of subsection (1), the court shall require the jury to return a special verdict in the form of a written finding or, if the court convicts the person without a jury or accepts a plea of guilty or nolo contendere, the court shall make a finding as to whether the person was under the influence of a controlled substance or a combination of intoxicating liquor and a controlled substance at the time of the violation.

(n) Except as otherwise provided in subsection (15), if a person is charged with operating a vehicle while his or her ability to operate the vehicle was visibly impaired due to his or her consumption of a controlled substance or a combination of intoxicating liquor and a controlled substance in violation of subsection (3), the court shall require the jury to return a special verdict in the form of a written finding or, if the court convicts the person without a jury or accepts a plea of guilty or nolo contendere, the court shall make a finding as to whether, due to the consumption of a controlled substance or a combination of intoxicating liquor and a controlled substance, the person's ability to operate a motor vehicle was visibly impaired at the time of the violation.

(o) A special verdict described in subsections (13) and (14) is not required if a jury is instructed to make a finding solely as to either of the following:

(1) Whether the defendant was under the influence of a controlled substance or a combination of intoxicating liquor and a controlled substance at the time of the violation.

(2) Whether the defendant was visibly impaired due to his or her consumption of a controlled substance or a combination of intoxicating liquor and a controlled substance at the time of the violation.

(p) If a jury or court finds under subsection (13), (14) or (15) that the defendant operated a motor vehicle under the influence of or while impaired due to the consumption of a controlled substance or a combination of a controlled substance and an intoxicating liquor, the court shall do both of the following:

(1) Report the finding to the secretary of state.

(2) On a form or forms prescribed by the state court administrator, forward to the department of state police a record that specifies the penalties imposed by the court, including any term of imprisonment, and any sanction imposed under the state law, MCL 257.625N or MCL 257.904d.

(q) Except as otherwise provided by law, a record described in subsection (16)(b) is a public record and the department of state police shall retain the information contained on that record for not less than seven years.

(r) In a prosecution for a violation of subsection (4), the defendant bears the burden of proving that the consumption of intoxicating liquor was a part of a generally recognized religious service or ceremony by a preponderance of the evidence.

Sec. 2.

Section 31.303.7 of the City Code is hereby amended to read as follows:

SEC. 31.303.7 DUTIES OF PEACE OFFICER OF PERSON REFUSES CHEMICAL TEST OR IF TEST REVEALS UNLAWFUL ALCOHOL CONTENT

(a) If a person refuses a chemical test offered pursuant to MCL 257.625a(6) or UTC Sec. 5.15a(6), or submits to a chemical test or a chemical test is performed pursuant to a court order and the test reveals an unlawful alcohol content, the peace officer who requested the person to submit to the test shall do all of the following:

(1) On behalf of the secretary of state, immediately confiscate the person's license or permit to operate a motor vehicle and, if the person is otherwise eligible for a license or permit, issue a temporary license or permit to the person. The temporary license or permit shall be on a form provided by the secretary of state.

(2) Except as provided in subsection (2), immediately do all of the following:

(i) Forward a copy of the written report of the person's refusal to submit to a chemical test required under MCL 257.625d and UTC Sec. 5.15d to the secretary of state.

(ii) Notify the secretary of state by means of the law enforcement information network that a temporary license or permit was issued to the person.

(iii) Destroy the person's driver's license or permit

(b) If a person submits to a chemical test offered pursuant to MCL 257.625a(6) or UTC Sec. 5.15a(6), that requires an analysis of blood or urine and a report of the results of that chemical test is not immediately available, the peace officer who requested the person to submit to the test shall comply with subsection (1)(a) pending receipt of the test report. If the report reveals an unlawful alcohol content, the peace officer who requested the person to submit to the test shall immediately comply

with subsection (1)(b). If the report does not reveal an unlawful alcohol content, the peace officer who requested the person to submit to the test shall immediately notify the person of the test results and immediately return the person's license or permit by first-class mail to the address given at the time of arrest.

(c) A temporary license or permit issued under this section is valid for one of the following time periods:

(1) If the case is not prosecuted, for 90 days after issuance or until the person's license or permit is suspended pursuant to MCL 257.625f or UTC Sec. 5.15f, whichever occurs earlier. The prosecuting attorney shall notify the secretary of state if a case referred to the prosecuting attorney is not prosecuted. The arresting law enforcement agency shall notify the secretary of state if a case is not referred to the prosecuting attorney for prosecution.

(2) If the case is prosecuted, until the criminal charges against the person are dismissed, the person is acquitted of those charges, or the person's license or permit is suspended, restricted, or revoked.

(d) As used in this section, "unlawful alcohol content" means any of the following, as applicable:

(1) If the person tested is less than 21 years of age, 0.02 grams or more of alcohol per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(2) If the person tested was operating a commercial motor vehicle within this state, 0.04 grams or more of alcohol per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(3) If the person tested is not a person described in subsection (a) or (b), 0.10 grams or more of alcohol per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

Section 3. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 4. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby

cease to be a part of this Ordinance; but the remainder of this Ordinance shall stand and be in full force and effect.

Section 5. Repealer.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 6. Public Inspection.

A complete copy of the City Traffic and Motor Vehicle Code is available at the office of the City Clerk for inspection by the public at all times. No further or additional publication of the Uniform Traffic Code for Cities, Townships and Villages is required or contemplated.

Section 7. Effective Date.

The ordinance is declared to be an emergency ordinance which is immediately necessary for the preservation of the public peace, health and safety and shall become effective October 1, 1999. It shall be repealed upon the effective date of Ordinance C-65799.


Section 8. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Farmington at a meeting thereof duly called and held on the 20th day of September, 1999, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Campbell and supported by
Hartsock.

YEAS: McShane, Mitchell, Bush, Campbell, Hartsock.
NAYS: None.
ABSENTS: None.
ABSTENTIONS: None.

Ordained this 20th day of September, 1999, by the City Council of the City of Farmington.


MARY L. BUSH

Its: Mayor


PATSY CANTRELL

Its: City Clerk

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of an Ordinance adopted at a regular meeting of the City Council of the City of Farmington held on the 20th day of September, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 20th day of September, 1999.


PATSY CANTRELL

Its: City Clerk

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Introduced: September 20, 1999
Adopted: September 20, 1999
Effective: October 1, 1999
Published: September 26, 1999

CITY OF FARMINGTON

ORDINANCE NO. C- 656 -99

DWLS INCREASE PENALTY AMENDMENT

AN ORDINANCE TO AMEND CHAPTER 31, TRAFFIC AND MOTOR VEHICLES, OF THE CITY CODE OF FARMINGTON TO PROVIDE FOR A PENALTY OF UP TO 93 DAYS IMPRISONMENT, A MAXIMUM FINE OF \$500, OR BOTH, FOR A VIOLATION OF THE PROHIBITION OF DRIVING WHILE LICENSE SUSPENDED, REVOKED OR DENIED.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 31, Traffic and Motor Vehicles, of the City Code is hereby amended to add a new Section 31.291.5 to read as follows:

Sec. 31.291.5 (a) A person whose operator's or chauffeur's license or registration certificate has been suspended or revoked and who has been notified as provided by MCL 257.212 of that suspension or revocation, whose application for license has been denied, or who has never applied for a license, shall not operate a motor vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of motor vehicles, within this township.

(b) A person shall not knowingly permit a motor vehicle owned by the person to be operated upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this state by a person whose license or registration certificate is suspended or revoked, whose application for license has been denied, or who has never applied for a license, except as permitted under this act.

(c) Except as otherwise provided in this section, a person who violates subsection (1) or (2) is guilty of a misdemeanor punishable as follows: For a first violation, by imprisonment for not more than 93 days or a fine of not more than \$500, or both. Unless the vehicle was stolen or used with the permission of a person who did not knowingly permit an unlicensed driver to operate the vehicle, the registration plates of the vehicle shall be canceled by the secretary of state upon notification by a peace officer.

(d) Before a person is arraigned before a district court magistrate or judge on a charge of violating this section, the arresting officer shall obtain the person's driving record from the secretary of state and shall furnish the record to the court. The driving record of the person may be obtained from the secretary of state's computer information network.

(e) This section does not apply to a person who operates a vehicle solely for the purpose of protecting human life or property if the life or property is endangered and summoning prompt aid is essential.

(f) A person whose vehicle group designation is suspended or revoked and who has been notified as provided by MCL 257.212 of that suspension or revocation, or whose application for a vehicle group designation has been denied as provided in this act, or who has never applied for a vehicle group designation and who operates a commercial motor vehicle within this state, except as permitted under this act, while any of those conditions existing is guilty of a misdemeanor punishable, except as otherwise provided in this section, by imprisonment for not less than 3 days or more than 93 days or a fine of not more than \$100, or both.

(g) For purposes of this section, a person who never applied for a license includes a person who applied for a license, was denied, and never applied again.

(h) When a peace officer detains the driver of a motor vehicle for a violation of a law of this state or local ordinance for which vehicle immobilization is required, the peace officer shall do all of the following:

(1) Immediately confiscate the vehicle's registration plate and destroy it.

(2) Issue a temporary vehicle registration plate for the vehicle in the same form prescribed by the secretary of state for temporary registration plates issued under MCL 257.226a or .226b.

(3) Place the temporary vehicle registration plate on the vehicle in the manner required by the secretary of state.

(4) Notify the secretary of state through the law enforcement information network in a form prescribed by the secretary of state that the registration plate was confiscated and destroyed, and a temporary plate was issued.

(i) A temporary vehicle registration plate issued under this section is valid until the charges against the person are dismissed, the person pleads guilty or nolo contendere to those charges, or the person is found guilty of or is acquitted of those charges.

(j) A court shall order a vehicle immobilized under MCL 257.904d by the use of any available technology approved by the court that locks the ignition, wheels, or steering of the vehicle or otherwise prevents any person from operating the vehicle or that prevents the defendant from operating the vehicle. If a vehicle is immobilized under this section, the court may order the vehicle stored at a location and in a manner considered appropriate by the court. The court may order the person convicted of violating UTC Sec. 5.15 or MCL 257.625, or a suspension, revocation, or denial under MCL 257.904 to pay the cost of immobilizing and storing the vehicle.

(k) A vehicle subject to immobilization under this section may be sold during the period of immobilization, but shall not be sold to a person who is exempt from paying a use tax under section 3(3)(a) of the use tax act, 1937 PA 94, MCL 205.93 without a court order.

(l) A defendant who is prohibited from operating a motor vehicle by vehicle immobilization shall not purchase, lease, or otherwise obtain a motor vehicle during this immobilization period.

(m) A person shall not remove, tamper with, or bypass or attempt to remove, tamper with, or bypass a device that he or she knows or has reason to know has been installed on a vehicle by court order for vehicle immobilization or operate or attempt to operate a vehicle that he or she knows or has reason to know has been ordered immobilized.

(4) A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.

(5) To the extent that a local ordinance regarding the storage or removal of vehicles conflicts with an order of immobilization issued by the court, the local ordinance is preempted.

(6) If a peace officer stops a vehicle that is being operated in violation of an immobilization order, the vehicle shall be impounded pending an order of a court of competent jurisdiction.

(7) The court shall require the defendant or a person who provides immobilization services to the court under this section to certify that a vehicle ordered immobilized by the court is immobilized as required.

Section 2. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

SECRET, WARDLE, LYNCH, HAMPTON, TRUAX AND MORLEY

Section 3. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance; but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Repealer.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5. Public Inspection.

A complete copy of the City Traffic and Motor Vehicle Code is available at the office of the City Clerk for inspection by the public at all times. No further or additional publication of the Uniform Traffic Code for Cities, Townships and Villages is required or contemplated.

Section 5. 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 and shall become effective October 1, 1999. It shall be repealed upon the effective date of Ord C- 658-99.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Farmington at a meeting thereof duly called and held on the 20th day of September, 1999, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Campbell and supported by
Hartsock

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

NAYS: None.

ABSENTS: None.

ABSTENTIONS: None.

CITY OF FARMINGTON

ORDINANCE NO. C-657 -99

AN ORDINANCE TO AMEND CHAPTER 31, TRAFFIC AND MOTOR VEHICLES SECTIONS 31-303 AND 31-303.7 OF THE CITY CODE, CONCERNING OPERATING A MOTOR VEHICLE UNDER INFLUENCE OF ALCOHOLIC LIQUOR AND REFUSING TO TAKE CHEMICAL TEST TO CONFORM THE PROVISIONS TO STATE LAW AND INCREASE THE PENALTIES THEREOF

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Sec. 31.303, Chapter 31, Traffic and Motor Vehicles of the City Code is hereby amended to read as follows:

Sec. 31-303 OPERATING UNDER INFLUENCE OF ALCOHOLIC LIQUOR OR CONTROLLED SUBSTANCE; OPERATING WITH UNLAWFUL ALCOHOL CONTENT; OPERATING WHILE VISIBLY IMPAIRED; ALCOHOL CONTENT OF MINORS; ATTEMPTS; PENALTIES.

(a) A person, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this township, if either of the following applies:

(1) The person is under the influence of intoxicating liquor, a controlled substance, or a combination of intoxicating liquor and a controlled substance.

(2) The person has an alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(b) 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 or generally accessible to motor vehicles, including an area designated for the parking of motor vehicles, within this township, by a person who is under the influence of intoxicating liquor, a controlled substance or a combination of intoxicating liquor and a controlled substance, who has an alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or whose ability to operate the motor vehicle is visibly impaired due to the consumption of intoxicating liquor, a controlled substance, or a combination of intoxicating liquor and a controlled substance.

(c) A person, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this township, when, due to the consumption of intoxicating liquor, a controlled substance, or a combination of intoxicating liquor and a controlled substance, the person's ability to operate the vehicle is visibly impaired. If a person is charged with violating subsection (1), a finding of guilty under this subsection may be rendered.

(d) A person who is less than 21 years of age, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this township, if the person has any bodily alcohol content. As used in this subsection "any bodily alcohol content" means either of the following:

- (1) An alcohol content of not less than 0.02 grams or more than 0.07 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.
- (2) Any presence of alcohol within a person's body resulting from the consumption of intoxicating liquor, other than consumption of intoxicating liquor as a part of a generally recognized religious service or ceremony.

(e) A person, whether licensed or not, shall not operate a vehicle in violation of subsection (4) while another person who is less than 16 years of age is occupying the vehicle. A person who violates this subdivision is guilty of a misdemeanor punishable as follows:

- (1) Community service for not more than 60 days
- (2) A fine of not more than \$500
- (3) Imprisonment for not more than 93 days

In the judgment of sentence under this section, the court may, unless the vehicle is ordered forfeited under the state law, MCL 257.625b order vehicle immobilization as provided in the state law, MCL 257.904d.

(f) If a person is convicted for violating subsection (1) the person is guilty of a misdemeanor punishable by one or more of the following:

- (1) Community service for not more than 45 days.
- (2) Imprisonment for not more than 93 days.
- (3) A fine of not less than \$100 or more than \$500.

SECRET, WARDLE, LYNCH, HAMPTON, TRUAX AND MORLEY

(g) A person who is convicted of violating subsection (2) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not less than \$100 or more than \$500, or both.

(h) A person who is convicted of violating subsection (3), is guilty of a misdemeanor punishable by one or more of the following:

- (1) Community service for not more than 45 days.
- (2) Imprisonment of not more than 93 days.
- (3) A fine of not more than \$300.

(i) If a person is convicted of violating subsection (4), all of the following apply:

(1) Except as otherwise provided in subdivision (b), the person is guilty of a misdemeanor punishable by one of more of the following:

- (i) Community service for not more than 45 days.
- (ii) A fine of not more than \$250.

(2) If the violation occurs within seven years of one or more prior convictions, the person may be sentenced to one or more of the following:

- (i) Community service for not more than 60 days.
- (ii) A fine of not more than \$500.
- (iii) Imprisonment of not more than 93 days.

(j) In addition to imposing the sanctions prescribed under this section, the court may order the person to pay the costs of the prosecution under the code of criminal procedure, 1927 PA 175, MCL 760.1 to 776.22.

(k) A person sentenced to perform community service under this section shall not receive compensation and shall reimburse the state or appropriate local unit of government for the cost of supervision incurred by the state or local unit of government as a result of the person's activities in that service.

(l) If a person is charged with a violation of subsection (1), (3), or (5), or sections 5.15h, the court shall not permit the defendant to enter a plea of guilty or nolo contendere to a charge of violating subsection (4) in exchange for dismissal of the original charge. This subsection does not prohibit the court from dismissing the charge upon the prosecuting attorney's motion.

(m) Except as otherwise provided in subsection (15), if a person is charged with operating a vehicle while under the influence of a controlled substance or a combination of intoxicating liquor and a controlled substance in violation of subsection (1), the court shall require the jury to return a special verdict in the form of a written finding or, if the court convicts the person without a jury or accepts a plea of guilty or nolo contendere, the court shall make a finding as to whether the person was under the influence of a controlled substance or a combination of intoxicating liquor and a controlled substance at the time of the violation.

(n) Except as otherwise provided in subsection (15), if a person is charged with operating a vehicle while his or her ability to operate the vehicle was visibly impaired due to his or her consumption of a controlled substance or a combination of intoxicating liquor and a controlled substance in violation of subsection (3), the court shall require the jury to return a special verdict in the form of a written finding or, if the court convicts the person without a jury or accepts a plea of guilty or nolo contendere, the court shall make a finding as to whether, due to the consumption of a controlled substance or a combination of intoxicating liquor and a controlled substance, the person's ability to operate a motor vehicle was visibly impaired at the time of the violation.

(o) A special verdict described in subsections (13) and (14) is not required if a jury is instructed to make a finding solely as to either of the following:

(1) Whether the defendant was under the influence of a controlled substance or a combination of intoxicating liquor and a controlled substance at the time of the violation.

(2) Whether the defendant was visibly impaired due to his or her consumption of a controlled substance or a combination of intoxicating liquor and a controlled substance at the time of the violation.

(p) If a jury or court finds under subsection (13), (14) or (15) that the defendant operated a motor vehicle under the influence of or while impaired due to the consumption of a controlled substance or a combination of a controlled substance and an intoxicating liquor, the court shall do both of the following:

(1) Report the finding to the secretary of state.

(2) On a form or forms prescribed by the state court administrator, forward to the department of state police a record that specifies the penalties imposed by the court, including any term of imprisonment, and any sanction imposed under the state law, MCL 257.625N or MCL 257.904d.

(q) Except as otherwise provided by law, a record described in subsection (16)(b) is a public record and the department of state police shall retain the information contained on that record for not less than seven years.

(r) In a prosecution for a violation of subsection (4), the defendant bears the burden of proving that the consumption of intoxicating liquor was a part of a generally recognized religious service or ceremony by a preponderance of the evidence.

Sec. 2.

Section 31.303.7 of the City Code is hereby amended to read as follows:

SEC. 31.303.7 DUTIES OF PEACE OFFICER OF PERSON REFUSES CHEMICAL TEST OR IF TEST REVEALS UNLAWFUL ALCOHOL CONTENT

(a) If a person refuses a chemical test offered pursuant to MCL 257.625a(6) or UTC Sec. 5.15a(6), or submits to a chemical test or a chemical test is performed pursuant to a court order and the test reveals an unlawful alcohol content, the peace officer who requested the person to submit to the test shall do all of the following:

(1) On behalf of the secretary of state, immediately confiscate the person's license or permit to operate a motor vehicle and, if the person is otherwise eligible for a license or permit, issue a temporary license or permit to the person. The temporary license or permit shall be on a form provided by the secretary of state.

(2) Except as provided in subsection (2), immediately do all of the following:

- (i) Forward a copy of the written report of the person's refusal to submit to a chemical test required under MCL 257.625d and UTC Sec. 5.15d to the secretary of state.
- (ii) Notify the secretary of state by means of the law enforcement information network that a temporary license or permit was issued to the person.
- (iii) Destroy the person's driver's license or permit

(b) If a person submits to a chemical test offered pursuant to MCL 257.625a(6) or UTC Sec. 5.15a(6), that requires an analysis of blood or urine and a report of the results of that chemical test is not immediately available, the peace officer who requested the person to submit to the test shall comply with subsection (1)(a) pending receipt of the test report. If the report reveals an unlawful alcohol content, the peace officer who requested the person to submit to the test shall immediately comply.

with subsection (1)(b). If the report does not reveal an unlawful alcohol content, the peace officer who requested the person to submit to the test shall immediately notify the person of the test results and immediately return the person's license or permit by first-class mail to the address given at the time of arrest.

(c) A temporary license or permit issued under this section is valid for one of the following time periods:

(1) If the case is not prosecuted, for 90 days after issuance or until the person's license or permit is suspended pursuant to MCL 257.625f or UTC Sec. 5.15f, whichever occurs earlier. The prosecuting attorney shall notify the secretary of state if a case referred to the prosecuting attorney is not prosecuted. The arresting law enforcement agency shall notify the secretary of state if a case is not referred to the prosecuting attorney for prosecution.

(2) If the case is prosecuted, until the criminal charges against the person are dismissed, the person is acquitted of those charges, or the person's license or permit is suspended, restricted, or revoked.

(d) As used in this section, "unlawful alcohol content" means any of the following, as applicable:

(1) If the person tested is less than 21 years of age, 0.02 grams or more of alcohol per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(2) If the person tested was operating a commercial motor vehicle within this state, 0.04 grams or more of alcohol per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters or urine.

(3) If the person tested is not a person described in subsection (a) or (b), 0.10 grams or more of alcohol per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

Section 3. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 4. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby

cease to be a part of this Ordinance; but the remainder of this Ordinance shall stand and be in full force and effect.

Section 5. Repealer.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 6. Public Inspection.

A complete copy of the City Traffic and Motor Vehicle Code is available at the office of the City Clerk for inspection by the public at all times. No further or additional publication of the Uniform Traffic Code for Cities, Townships and Villages is required or contemplated.

Section 7. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City.

Section 8. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Farmington at a meeting thereof duly called and held on the ____ day of _____, 1999, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by _____ and supported by

YEAS:

NAYS:

ABSENTS:

ABSTENTIONS:

SECRET, WARDLE, LYNCH, HAMPTON, TRUAX AND MORLEY

Ordained this _____ day of _____, 1999, by the City Council of the City of Farmington.

MARY L. BUSH

Its: Mayor

PATSY CANTRELL

Its: City Clerk

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of an Ordinance adopted at a regular meeting of the City Council of the City of Farmington held on the ___ day of _____, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this _____ day of _____, 1999.

PATSY CANTRELL

Its: City Clerk

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SECRET, WARDLE, LYNCH, HAMPTON, TRUAX AND MORLEY

CITY OF FARMINGTON

ORDINANCE NO. C- 658 -99

DWLS INCREASE PENALTY AMENDMENT

AN ORDINANCE TO AMEND CHAPTER 31, TRAFFIC AND MOTOR VEHICLES, OF THE CITY CODE OF FARMINGTON TO PROVIDE FOR A PENALTY OF UP TO 93 DAYS IMPRISONMENT, A MAXIMUM FINE OF \$500, OR BOTH, FOR A VIOLATION OF THE PROHIBITION OF DRIVING WHILE LICENSE SUSPENDED, REVOKED OR DENIED.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 31, Traffic and Motor Vehicles, of the City Code is hereby amended to add a new Section 31.291.5 to read as follows:

Sec. 31.291.5 (a) A person whose operator's or chauffeur's license or registration certificate has been suspended or revoked and who has been notified as provided by MCL 257.212 of that suspension or revocation, whose application for license has been denied, or who has never applied for a license, shall not operate a motor vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of motor vehicles, within this township.

(b) A person shall not knowingly permit a motor vehicle owned by the person to be operated upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this state by a person whose license or registration certificate is suspended or revoked, whose application for license has been denied, or who has never applied for a license, except as permitted under this act.

(c) Except as otherwise provided in this section, a person who violates subsection (1) or (2) is guilty of a misdemeanor punishable as follows: For a first violation, by imprisonment for not more than 93 days or a fine of not more than \$500, or both. Unless the vehicle was stolen or used with the permission of a person who did not knowingly permit an unlicensed driver to operate the vehicle, the registration plates of the vehicle shall be canceled by the secretary of state upon notification by a peace officer.

(d) Before a person is arraigned before a district court magistrate or judge on a charge of violating this section, the arresting officer shall obtain the person's driving record from the secretary of state and shall furnish the record to the court. The driving record of the person may be obtained from the secretary of state's computer information network.

(e) This section does not apply to a person who operates a vehicle solely for the purpose of protecting human life or property if the life or property is endangered and summoning prompt aid is essential.

(f) A person whose vehicle group designation is suspended or revoked and who has been notified as provided by MCL 257.212 of that suspension or revocation, or whose application for a vehicle group designation has been denied as provided in this act, or who has never applied for a vehicle group designation and who operates a commercial motor vehicle within this state, except as permitted under this act, while any of those conditions existing is guilty of a misdemeanor punishable, except as otherwise provided in this section, by imprisonment for not less than 3 days or more than 93 days or a fine of not more than \$100, or both.

(g) For purposes of this section, a person who never applied for a license includes a person who applied for a license, was denied, and never applied again.

(h) When a peace officer detains the driver of a motor vehicle for a violation of a law of this state or local ordinance for which vehicle immobilization is required, the peace officer shall do all of the following:

(1) Immediately confiscate the vehicle's registration plate and destroy it.

(2) Issue a temporary vehicle registration plate for the vehicle in the same form prescribed by the secretary of state for temporary registration plates issued under MCL 257.226a or .226b.

(3) Place the temporary vehicle registration plate on the vehicle in the manner required by the secretary of state.

(4) Notify the secretary of state through the law enforcement information network in a form prescribed by the secretary of state that the registration plate was confiscated and destroyed, and a temporary plate was issued.

(i) A temporary vehicle registration plate issued under this section is valid until the charges against the person are dismissed, the person pleads guilty or nolo contendere to those charges, or the person is found guilty of or is acquitted of those charges.

(j) A court shall order a vehicle immobilized under MCL 257.904d by the use of any available technology approved by the court that locks the ignition, wheels, or steering of the vehicle or otherwise prevents any person from operating the vehicle or that prevents the defendant from operating the vehicle. If a vehicle is immobilized under this section, the court may order the vehicle stored at a location and in a manner considered appropriate by the court. The court may order the person convicted of violating UTC Sec. 5.15 or MCL 257.625, or a suspension, revocation, or denial under MCL 257.904 to pay the cost of immobilizing and storing the vehicle.

(k) A vehicle subject to immobilization under this section may be sold during the period of immobilization, but shall not be sold to a person who is exempt from paying a use tax under section 3(3)(a) of the use tax act, 1937 PA 94, MCL 205.93 without a court order.

(l) A defendant who is prohibited from operating a motor vehicle by vehicle immobilization shall not purchase, lease, or otherwise obtain a motor vehicle during this immobilization period.

(m) A person shall not remove, tamper with, or bypass or attempt to remove, tamper with, or bypass a device that he or she knows or has reason to know has been installed on a vehicle by court order for vehicle immobilization or operate or attempt to operate a vehicle that he or she knows or has reason to know has been ordered immobilized.

(4) A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.

(5) To the extent that a local ordinance regarding the storage or removal of vehicles conflicts with an order of immobilization issued by the court, the local ordinance is preempted.

(6) If a peace officer stops a vehicle that is being operated in violation of an immobilization order, the vehicle shall be impounded pending an order of a court of competent jurisdiction.

(7) The court shall require the defendant or a person who provides immobilization services to the court under this section to certify that a vehicle ordered immobilized by the court is immobilized as required.

Section 2. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 3. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance; but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Repealer.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5. Public Inspection.

A complete copy of the City Traffic and Motor Vehicle Code is available at the office of the City Clerk for inspection by the public at all times. No further or additional publication of the Uniform Traffic Code for Cities, Townships and Villages is required or contemplated.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Farmington at a meeting thereof duly called and held on the ____ day of _____, 1999, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by _____ and supported by

YEAS:

NAYS:

ABSENTS:

ABSTENTIONS:

SECRET, WARDLE, LYNCH, HAMPTON, TRUAX AND MORLEY

Ordained this _____ day of _____, 1999, by the City Council of the City of Farmington.

MARY L. BUSH

Its: Mayor

PATSY CANTRELL

Its: City Clerk

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of an Ordinance adopted at a regular meeting of the City Council of the City of Farmington held on the ___ day of _____, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this _____ day of _____, 1999.

PATSY CANTRELL

Its: City Clerk

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SECRET, WARDLE, LYNCH, HAMPTON, TRUEX AND MORLEY

**CITY OF FARMINGTON
SPECIAL COUNCIL MEETING**

A special meeting of the Farmington City Council was held on Monday, October 4, 1999, in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 5:57 p.m.

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

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff, Assistant City Manager Richards.

Mayor Bush opened the meeting and invited Manager Lauhoff to review creation of the Mansion Development Committee and the history of the Historical Commission and Museum Subcommittee.

Manager Lauhoff provided an overview and concluded by stating that there are essentially two groups and these groups are looking to Council to designate lines of authority to govern their operation. Manager Lauhoff and Assistant Manager Richards provided a summary of issues raised at a recent meeting with representatives from the Historical Commission and the Mansion Development Committee.

Councilman Mitchell spoke about the past weekend event at the Mansion noting how successful it was and that things are going in the right direction. He stated that the Mansion Development Committee is poised to take off and needs the authority to move forward.

Council discussed the roles of the Development Committee and the Historical Commission. Councilwoman McShane expressed concern with continuing to maintain the Mansion and its furnishings and taking care of the history of the Mansion; the possible need to recruit additional volunteers and the need to have a structure that will keep both the Historical Commission's Museum Subcommittee and the Mansion Development Committee involved in the Mansion. Discussion continued regarding an appropriate operating structure for the two committees.

Councilman Hartsock stated that Council needs to take a step back and look at creating a structure for the long term that does not consider current personalities but stands alone. Discussion followed regarding possible liaison positions between the Museum Subcommittee and the Development Committee; whether to ask administration to develop a potential structure for a new Commission; and the possibility of a part-time executive director for Mansion operations. Councilman Campbell stated that Council

needs to figure out how the facility should be used, whether commercially or as a service to the residents. Mayor Bush stated a concern with controlling drop-in use of the Mansion grounds.

Discussion continued on the level and area of interest on the part of Committee members; potential uses of the facility; desirability of setting fees for facility use; and the need to finalize a direction and how best to proceed. Councilmembers McShane and Mitchell expressed a desire to gather information by talking with Commission and Committee members and Council concurred in expressing concern about having inaccurate perceptions at this preliminary stage in the process.

Manager Lauhoff stated that his office will construct a draft document that would be designed to create a separate commission to be responsible for all Mansion operations if Council should wish to proceed in that manner after additional investigation and deliberation and consult Council regarding scheduling another meeting to review discussions and proposals resulting from this and the prior study session.

Meeting adjourned at 6:45 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

**SPECIAL COUNCIL MEETING WITH THE
FARMINGTON AREA COMMISSION ON AGING**

A special meeting of the Farmington City Council with the Farmington Area Commission on Aging was held Monday, October 4, 1999, 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 7:05 p.m.

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

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, City Manager Lauhoff, Assistant City Manager Richards.

FARMINGTON AREA COMMISSION ON AGING MEMBERS PRESENT: Mary Lou Barnard, Carl Christoph, Carol Hund, Joyce Hunt, John Washburn, Dorothy Woolley; Liaison, Mary DiManno (left at 7:40 p.m.)

Mayor Bush opened the meeting, thanked the members for attending, and asked the Commission to proceed with the first agenda item.

Commissioner Hund began discussions stating that Michigan has one of the poorest ratings in the nation in the area of nursing home care. Hund provided a handout on a proposal by the Farmington Area Commission On Aging (FACA) for a nursing home visitation program. She stated that the project fits FACA's objective "To periodically survey conditions within Farmington/Farmington Hills to determine whether or not the community provides those services and facilities which are conducive to a healthy and meaningful existence for older adults." She advised that the proposal is modeled after the City of Southfield's Commission On Senior Adults (COSA's) project for visiting nursing homes as the Commission is impressed with what COSA has accomplished. Discussion followed regarding the experiences Commission members have had visiting nursing homes; the process for getting state approval to visit nursing homes; details of the program and the need for such a program in this area.

Council asked Attorney Donohue if the City has any authority to oversee nursing homes and he responded, "none". Council concurred in support of the FACA in this effort. Discussion followed regarding the current quality of nursing home care, how the program being proposed would work and concluded with Mayor Bush thanking Commissioner Hund for the presentation.

Commissioner Christoph explained FACA's "Diamond Award Program" and asked Council's permission to display prior recipients of the award at City Hall. He advised

that the City of Farmington Hills had granted permission for a display at the William Costick Activities Center and at Farmington Hills City Hall. Council agreed and asked that FACA make arrangements through the City Manager's office.


Commissioner Hund advised Council that FACA is considering discontinuing participation in "Health-O-Rama" as the Commission does not have a sufficient number of medical volunteers to continue participation. Discussion followed regarding the number of residents served and if service could be provided at other "Health-O-Rama" locations. Discussion continued regarding ways of continuing the program and with Hund indicating that a decision would have to be made by November 2nd.

Council thanked the Commission members for their service to the community.

Meeting adjourned at 7:52 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, October 4, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

APPROVAL OF AGENDA

10-99-262 MOTION by Campbell, seconded by Hartsock, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETINGS

10-99-263 MOTION by Hartsock, seconded by McShane, to approve the minutes of the Special and Regular meetings of September 20, 1999 as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

10-99-264 MOTION by Mitchell, seconded by Hartsock, to receive and file the minutes of the following Boards and Commissions:

- ◆ Commission on Children, Youth and Families minutes of September 9, 1999.
- ◆ Farmington Community Library Board of Trustees Regular Meeting minutes of August 19, 1999.
- ◆ Farmington Board of Education Study Session/Regular Meeting minutes of August 17, 1999 and Study Session Meeting minutes of September 7, 1999.

MOTION CARRIED UNANIMOUSLY.

**PRESENTATION: Y2K CITY AND COMMUNITY PREPAREDNESS - PUBLIC
SAFETY DIRECTOR GARY GOSS**

Director Goss reported that the City is in excellent shape regarding Y2K and that the City is following a four step process including awareness, assessment, remediation, and validation. He stated that the financial computer system has been updated and is Y2K compliant. The sewage pumping station and the Chesley and Twin Valley pumps are not date sensitive and the City of Detroit Water Department did not discover any problems after checking their systems. Director Goss reported that all radios and call back systems, traffic control systems, internal computer systems, defibrillators, radar units, in car video cameras, and recording system are compliant. Outside vendors: Detroit Edison, Consumers Power, Ameritech and financial institutions used by the City have been preparing for the year 2000 and do not foresee any problems. Director Goss stated that he has met with Oakland County Emergency Management and other emergency management coordinators throughout the county and they will be active during the date change. The City has a trustworthy emergency generator, battery back up for fuel pumps and a sufficient supply of salt. He reported that a Y2K Committee has been formed to look into Oakland County Law Enforcement preparedness.

Discussion followed regarding providing information updates on the City's website, having Y2K readiness reports available to the public on Channel 15, the City Newsletter and at City Hall. Council asked if there were additional costs for becoming Y2K compliant, administration reported that costs were minimal.

Council thanked Director Goss for his report.

REPORTS FROM CITY MANAGER

CONSIDERATION TO AWARD BIDS FOR CIVIC THEATRE RENOVATION PROJECT - PHASE I. Administration reviewed the bids for Phase I of the Civic Theatre renovation project. Mr. Bill Clark, of M.K.A., Inc. and construction manager for renovations, were present and answered Council's questions regarding the bids.

10-99-265 MOTION by Campbell, seconded by McShane, to award bids 1-5 and 7-12 to the following vendors for Phase I of the Civic Theatre renovation;

- a) Bid No. 1, "Selective Demolition", to Mykron Contracting, in the amount of \$19,591.00 (base bid plus Alternate No. 1, seating removal)
- b) Bid No. 2, "Concrete Work", to Contek, Inc., in the amount of \$14,600.00
- c) Bid No. 3, "Rough Carpentry and Drywall Work", to Mykron Contracting,

COUNCIL PROCEEDINGS -3-
October 4, 1999

in the amount of \$28,779.00 (base plus Alternate No. 2, mirror finish ceiling tile)

- d) Bid No. 4, "Metal Doors and Frames, and Finish Hardware", to Integrated Hardware Consultants, in the amount of \$2,200.00
- e) Bid No. 5, "Ceramic Tile", to Mirage Tile & Marble, in the amount of \$17,626.00
- f) Bid No. 7, "Toilet Partitions and Accessories", to Weis/Robart Partitions, Inc., in the amount of \$3,430.00
- g) Bid No. 8, "Drapery", to Northwest Studios, Inc., in the amount of \$31,750.00
- h) Bid No. 9, "Neon Work", to Planet Neon, in the amount of \$6,100.00
- i) Bid No. 10, "Concession Equipment", to Stein Industries, in the amount of \$19,277.00
- j) Bid No. 11, "Plumbing", to Collins Plumbing, in the amount of \$9,760.00
- k) Bid No. 12, "Seating", to NCS Corporation, in the amount of \$74,235.20

and to reject Bid No. 6, "Painting", the only bid submitted due to an unacceptable bid, and to direct M.K.A., Inc. to re-bid the painting component.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

Mr. Clark stated that renovation work should begin on October 18, 1999 and that the project should take approximately 6 weeks.

CONSIDERATION TO ESTABLISH AN EMPLOYEE ACCRUED BENEFITS FUND AND REPLENISH THE CAPITAL IMPROVEMENT FUND. Administration recommended two budget amendments, retroactive to the 1998-99 fiscal year budget, advising that the amendments do not increase expenditures but approve transfers between the City's accounting funds. The first amendment would establish a new fund, the Employee Accrued Benefits Fund, and transfer funding of the liability for accrued leave time benefits in the amount of \$565,121.94 to this fund effective June 30, 1999.

COUNCIL PROCEEDINGS -4-
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The second amendment would transfer \$72,000 from the City's General Operating Fund to the Capital Improvement Fund. Administration advised that monies were transferred out of the Capital Improvement Fund to finance renovation of the Public Safety Department in 1998-99. This transfer would begin to rebuild the fund's equity to the established funding level.

10-99-266 MOTION by McShane, seconded by Mitchell, to adopt a resolution creating an Employee Accrued Benefits Fund and approve transfer of \$72,000 from the General Operating Fund to the Capital Improvement fund, effective as of June 30, 1999.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AWARD BID FOR OVERHEAD ROLLING COUNTER DOORS.

Administration advised that two bids were received for installation of overhead rolling counter doors to provide security to the Clerk/Treasurer's Office and recommended approval of the low bidder.

10-99-267 MOTION by Campbell, seconded by Hartsock, to award the bid for installation of two overhead rolling counter doors to Jan Overhead Door Mfg. Co., in the amount of \$4,676.00 and, in the best interest of the City, waive the receiving of this bid by facsimile rather than in a sealed envelope.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ACCEPT BID AWARD OF FARMINGTON HILLS FOR ROAD

SALT. Administration advised that the City has previously participated in a joint purchase of road salt through a bid process managed by the City of Farmington Hills, on behalf of seventeen tri-county communities, and recommended continued participation again this year.

10-99-268 MOTION by Mitchell, seconded by McShane, to accept the Farmington Hills bid award for road salt estimated at 1,500 ton usage, at \$18.74/ton from Morton Salt as the prime vendor or \$23.85/ton from Cargill, Inc., as the secondary vendor, in

COUNCIL PROCEEDINGS -5-
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agreement with the City policy for intergovernmental purchasing; funding provided in the 1999-2000 budget.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Annabelle Gabel, 23089 Violet, asked which streets flooded in the City. Manager Lauhoff responded that leaves collect around the catch basin and that residents need to move the leaves off the catch basin. Mrs. Gabel asked what business was going in where the Discovery Shop was located. Manager Lauhoff stated that a furniture store was taking over that store. Mrs. Gabel asked when the candidate debates would take place and if they would be televised. Councilperson McShane responded that one debate had taken place and would be televised. Mrs. Gabel stated that she attended the fall event at the Governor Warner Mansion. She stated that there is a hole in the pavement by Krueger Machine Tool, Inc.

Nancy Leonard, 33309 Shiawassee, asked Director Goss how confident he was that outside vendors were Y2K compliant. Director Goss responded that, where possible, he has verified compliance and the City must otherwise rely on vendor assurances.

Annabelle Gabel, 23089 Violet, stated that she thought Council made the right decision regarding the helmet safety situation.

Mayor Bush recognized students who were in attendance from North Farmington High School.

Councilperson McShane stated that several students from North Farmington High School, as a government class assignment, were working for candidates running for election in the City General Election.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Mayor Bush stated that she is unable to attend the Michigan Municipal League Convention as a voting delegate and requested that Council appoint another delegate.

COUNCIL PROCEEDINGS -6-
October 4, 1999

10-99-269 MOTION by McShane, seconded by Mitchell, to appoint Councilman Campbell to replace Mayor Bush as a delegate to the October Annual Meeting of the Michigan Municipal League. MOTION CARRIED UNANIMOUSLY.

Councilman Mitchell thanked Nancy Leonard and Charles Carvell for all of their work to help make the fall event at the Governor Warner Mansion a great success.

ADOPT ORDINANCE #C-657-99 AND #C-658-99 AMENDING PENALTIES FOR O.U.I.L. AND D.W.L.S. OFFENSES.

10-99-270 MOTION by Hartsock, seconded by Campbell, to adopt Ordinance No. C-657-99 to amend Chapter 31, Traffic and Motor Vehicles Sections 31-303 and 31-303.7 of the City Code, Concerning Operating A Motor Vehicle Under Influence of Alcoholic Liquor and Refusing To Take Chemical Test To Conform The Provisions To State Law And Increase The Penalties Thereof.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

10-99-271 MOTION by Hartsock, seconded by McShane, to adopt Ordinance No. C-658-99 to amend Chapter 31, Traffic and Motor Vehicles, of the City Code , To Provide For A Penalty Of Up To 93 Days Imprisonment, A Maximum Fine Of \$500, Or Both, For A Violation Of The Prohibition Of Driving While License Suspended, Revoked Or Denied.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF COUNCIL TO SET HOLIDAY COUNCIL MEETING SCHEDULE.

10-99-272 MOTION by McShane, seconded by Campbell, to cancel the regular Council meeting of December 20, 1999 due to scheduling conflicts. MOTION CARRIED UNANIMOUSLY.

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FINANCIAL REPORT: QUARTER ENDED JUNE 30, 1999.

10-99-273 MOTION by Mitchell, seconded by Hartsock, to receive and file the Financial Report for the Quarter Ended June 30, 1999. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO SET SPECIAL COUNCIL MEETING FOR APPROVAL OF ADDITIONAL BIDS FOR CIVIC THEATRE RENOVATIONS.

10-99-273 MOTION by McShane, seconded by Mitchell, to schedule a special Council meeting for Friday, October 8, 1999 at 4:00 p.m. to consider additional Farmington Civic Theatre bid proposals. MOTION CARRIED UNANIMOUSLY.


APPROVE MONTHLY PAYMENTS REPORT

10-99-274 MOTION by Campbell, seconded by Mitchell, to approve the Monthly Payments Report for September, 1999. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

10-99-275 MOTION by Hartsock, seconded by Mitchell, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 8:56 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

CITY OF FARMINGTON

RESOLUTION NO. 10-266-99

Motion by McShane, seconded by Mitchell, to adopt the following resolution:

WHEREAS, the City Council of the City of Farmington wishes to create a fund in which to account for employee accrued leave time benefits and to transfer funding of the liability for employee accrued leave time benefits as of June 30, 1999 to this fund, and the Council further wishes to make a contribution to the Capital Improvement Fund toward it's target funding level, and

WHEREAS, monies are now reserved in the City's General Operating Fund equal to the accumulated liability for employee accrued leave time, and

WHEREAS, this accounting and funding of such accrued benefits would be in conformance with generally accepted accounting principles,

THEREFORE BE IT RESOLVED, that the City of Farmington Council establishes a fund called the Employee Accrued Benefits Fund effective June 30, 1999, and directs the City Treasurer to transfer the amount of \$565,121.94 from the General Operating Fund to the Employee Accrued Benefits Fund,


BE IT FURTHER RESOLVED, that the City of Farmington Council directs the City Treasurer to transfer \$72,000 from the General Operating Fund to the Capital Improvement Fund, approval effective as of June 30, 1999.

RESOLUTION DECLARED ADOPTED.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....

I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, October 4, 1999, in the City of Farmington, Michigan, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

CITY OF FARMINGTON

ORDINANCE NO. C- 657 -99

AN ORDINANCE TO AMEND CHAPTER 31, TRAFFIC AND MOTOR VEHICLES SECTIONS 31-303 AND 31-303.7 OF THE CITY CODE, CONCERNING OPERATING A MOTOR VEHICLE UNDER INFLUENCE OF ALCOHOLIC LIQUOR AND REFUSING TO TAKE CHEMICAL TEST TO CONFORM THE PROVISIONS TO STATE LAW AND INCREASE THE PENALTIES THEREOF

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Sec. 31.303, Chapter 31, Traffic and Motor Vehicles of the City Code is hereby amended to read as follows:

Sec. 31-303 OPERATING UNDER INFLUENCE OF ALCOHOLIC LIQUOR OR CONTROLLED SUBSTANCE; OPERATING WITH UNLAWFUL ALCOHOL CONTENT; OPERATING WHILE VISIBLY IMPAIRED; ALCOHOL CONTENT OF MINORS; ATTEMPTS; PENALTIES.

(a) A person, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this city, if either of the following applies:

(1) The person is under the influence of intoxicating liquor, a controlled substance, or a combination of intoxicating liquor and a controlled substance.

(2) The person has an alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(b) 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 or generally accessible to motor vehicles, including an area designated for the parking of motor vehicles, within this township, by a person who is under the influence of intoxicating liquor, a controlled substance or a combination of intoxicating liquor and a controlled substance, who has an alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or whose ability to operate the motor vehicle is visibly impaired due to the consumption of intoxicating liquor, a controlled substance, or a combination of intoxicating liquor and a controlled substance.

(c) A person, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this township, when, due to the consumption of intoxicating liquor, a controlled substance, or a combination of intoxicating liquor and a controlled substance, the person's ability to operate the vehicle is visibly impaired. If a person is charged with violating subsection (1), a finding of guilty under this subsection may be rendered.

(d) A person who is less than 21 years of age, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this township, if the person has any bodily alcohol content. As used in this subsection "any bodily alcohol content" means either of the following:

- (1) An alcohol content of not less than 0.02 grams or more than 0.07 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.
- (2) Any presence of alcohol within a person's body resulting from the consumption of intoxicating liquor, other than consumption of intoxicating liquor as a part of a generally recognized religious service or ceremony.

(e) A person, whether licensed or not, shall not operate a vehicle in violation of subsection (4) while another person who is less than 16 years of age is occupying the vehicle. A person who violates this subdivision is guilty of a misdemeanor punishable as follows:

- (1) Community service for not more than 60 days
- (2) A fine of not more than \$500
- (3) Imprisonment for not more than 93 days

In the judgment of sentence under this section, the court may, unless the vehicle is ordered forfeited under the state law, MCL 257.625b order vehicle immobilization as provided in the state law, MCL 257.904d.

(f) If a person is convicted for violating subsection (a) the person is guilty of a misdemeanor punishable by one or more of the following:

- (1) Community service for not more than 45 days.
- (2) Imprisonment for not more than 93 days.
- (3) A fine of not less than \$100 or more than \$500.

(g) A person who is convicted of violating subsection (b) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not less than \$100 or more than \$500, or both.

(h) A person who is convicted of violating subsection (c), is guilty of a misdemeanor punishable by one or more of the following:

- (1) Community service for not more than 45 days.
- (2) Imprisonment of not more than 93 days.
- (3) A fine of not more than \$300.

(i) If a person is convicted of violating subsection (d), all of the following apply:

(1) Except as otherwise provided in subdivision (b), the person is guilty of a misdemeanor punishable by one or more of the following:

- (i) Community service for not more than 45 days.
- (ii) A fine of not more than \$250.

(2) If the violation occurs within seven years of one or more prior convictions, the person may be sentenced to one or more of the following:

- (i) Community service for not more than 60 days.
- (ii) A fine of not more than \$500.
- (iii) Imprisonment of not more than 93 days.

(j) In addition to imposing the sanctions prescribed under this section, the court may order the person to pay the costs of the prosecution under the code of criminal procedure, 1927 PA 175, MCL 760.1 to 776.22.

(k) A person sentenced to perform community service under this section shall not receive compensation and shall reimburse the state or appropriate local unit of government for the cost of supervision incurred by the state or local unit of government as a result of the person's activities in that service.

(l) If a person is charged with a violation of subsection (a), (c), or (e), or sections 5.15h, the court shall not permit the defendant to enter a plea of guilty or nolo contendere to a charge of violating subsection (d) in exchange for dismissal of the original charge. This subsection does not prohibit the court from dismissing the charge upon the prosecuting attorney's motion.

(m) Except as otherwise provided in subsection (o), if a person is charged with operating a vehicle while under the influence of a controlled substance or a combination of intoxicating liquor and a controlled substance in violation of subsection (a), the court shall require the jury to return a special verdict in the form of a written finding or, if the court convicts the person without a jury or accepts a plea of guilty or nolo contendere, the court shall make a finding as to whether the person was under the influence of a controlled substance or a combination of intoxicating liquor and a controlled substance at the time of the violation.

(n) Except as otherwise provided in subsection (o), if a person is charged with operating a vehicle while his or her ability to operate the vehicle was visibly impaired due to his or her consumption of a controlled substance or a combination of intoxicating liquor and a controlled substance in violation of subsection (c), the court shall require the jury to return a special verdict in the form of a written finding or, if the court convicts the person without a jury or accepts a plea of guilty or nolo contendere, the court shall make a finding as to whether, due to the consumption of a controlled substance or a combination of intoxicating liquor and a controlled substance, the person's ability to operate a motor vehicle was visibly impaired at the time of the violation.

(o) A special verdict described in subsections (m) and (n) is not required if a jury is instructed to make a finding solely as to either of the following:

(1) Whether the defendant was under the influence of a controlled substance or a combination of intoxicating liquor and a controlled substance at the time of the violation.

(2) Whether the defendant was visibly impaired due to his or her consumption of a controlled substance or a combination of intoxicating liquor and a controlled substance at the time of the violation.

(p) If a jury or court finds under subsection (m), (n) or (o) that the defendant operated a motor vehicle under the influence of or while impaired due to the consumption of a controlled substance or a combination of a controlled substance and an intoxicating liquor, the court shall do both of the following:

(1) Report the finding to the secretary of state.

(2) On a form or forms prescribed by the state court administrator, forward to the department of state police a record that specifies the penalties imposed by the court, including any term of imprisonment, and any sanction imposed under the state law, MCL 257.625N or MCL 257.904d.

(q) Except as otherwise provided by law, a record described in subsection (16)(b) is a public record and the department of state police shall retain the information contained on that record for not less than seven years.

(r) In a prosecution for a violation of subsection (d), the defendant bears the burden of proving that the consumption of intoxicating liquor was a part of a generally recognized religious service or ceremony by a preponderance of the evidence.

Sec. 2.

Section 31.303.7 of the City Code is hereby amended to read as follows:

SEC. 31.303.7 DUTIES OF PEACE OFFICER OF PERSON REFUSES CHEMICAL TEST OR IF TEST REVEALS UNLAWFUL ALCOHOL CONTENT

(a) If a person refuses a chemical test offered pursuant to MCL 257.625a(6) or UTC Sec. 5.15a(6), or submits to a chemical test or a chemical test is performed pursuant to a court order and the test reveals an unlawful alcohol content, the peace officer who requested the person to submit to the test shall do all of the following:

(1) On behalf of the secretary of state, immediately confiscate the person's license or permit to operate a motor vehicle and, if the person is otherwise eligible for a license or permit, issue a temporary license or permit to the person. The temporary license or permit shall be on a form provided by the secretary of state.

(2) Except as provided in subsection (b), immediately do all of the following:

(i) Forward a copy of the written report of the person's refusal to submit to a chemical test required under MCL 257.625d and UTC Sec. 5.15d to the secretary of state.

(ii) Notify the secretary of state by means of the law enforcement information network that a temporary license or permit was issued to the person.

(iii) Destroy the person's driver's license or permit

(b) If a person submits to a chemical test offered pursuant to MCL 257.625a(6) or UTC Sec. 5.15a(6), that requires an analysis of blood or urine and a report of the results of that chemical test is not immediately available, the peace officer who requested the person to submit to the test shall comply with subsection (1)(a) pending receipt of the test report. If the report reveals an unlawful alcohol content, the peace officer who requested the person to submit to the test shall immediately comply with subsection (1)(b). If the report does not reveal an unlawful alcohol content, the peace officer who requested the person to submit to the test shall immediately notify the

person of the test results and immediately return the person's license or permit by first-class mail to the address given at the time of arrest.

(c) A temporary license or permit issued under this section is valid for one of the following time periods:

(1) If the case is not prosecuted, for 90 days after issuance or until the person's license or permit is suspended pursuant to MCL 257.625f or UTC Sec. 5.15f, whichever occurs earlier. The prosecuting attorney shall notify the secretary of state if a case referred to the prosecuting attorney is not prosecuted. The arresting law enforcement agency shall notify the secretary of state if a case is not referred to the prosecuting attorney for prosecution.

(2) If the case is prosecuted, until the criminal charges against the person are dismissed, the person is acquitted of those charges, or the person's license or permit is suspended, restricted, or revoked.

(d) As used in this section, "unlawful alcohol content" means any of the following, as applicable:

(1) If the person tested is less than 21 years of age, 0.02 grams or more of alcohol per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(2) If the person tested was operating a commercial motor vehicle within this state, 0.04 grams or more of alcohol per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters or urine.

(3) If the person tested is not a person described in subsection (a) or (b), 0.10 grams or more of alcohol per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

Section 3. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 4. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance; but the remainder of this Ordinance shall stand and be in full force and effect.

SECRET, WARDLE, LYNCH, HAMPTON, TRUAX AND MORLEY

Section 5. Repealer.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 6. Public Inspection.

A complete copy of the City Traffic and Motor Vehicle Code is available at the office of the City Clerk for inspection by the public at all times. No further or additional publication of the Uniform Traffic Code for Cities, Townships and Villages is required or contemplated.

Section 7. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City.

Section 8. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Farmington at a meeting thereof duly called and held on the 4th day of October, 1999, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Hartsock and supported by Campbell

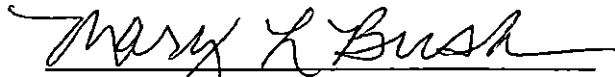
YEAS: Bush, Campbell, Hartsock, McShane, Mitchell.

NAYS: None.

ABSENTS: None.

ABSTENTIONS: None.

Ordained this 4th day of October, 1999, by the City Council of the City of Farmington.


MARY L. BUSH

Its: Mayor


PATSY CANTRELL

Its: City Clerk

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of an Ordinance adopted at a regular meeting of the City Council of the City of Farmington held on the 4th day of October, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 4th day of October, 1999.


PATSY CANTRELL

Its: City Clerk

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SECRET, WARDLE, WARDLE, LYNCH, HAMPTON, TRUAX AND MORLEY

CITY OF FARMINGTON

ORDINANCE NO. C- 658 -99

DWLS INCREASE PENALTY AMENDMENT

AN ORDINANCE TO AMEND CHAPTER 31, TRAFFIC AND MOTOR VEHICLES, OF THE CITY CODE OF FARMINGTON TO PROVIDE FOR A PENALTY OF UP TO 93 DAYS IMPRISONMENT, A MAXIMUM FINE OF \$500, OR BOTH, FOR A VIOLATION OF THE PROHIBITION OF DRIVING WHILE LICENSE SUSPENDED, REVOKED OR DENIED.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 31, Traffic and Motor Vehicles, of the City Code is hereby amended to add a new Section 31.366.1 to read as follows:

Sec. 31.366.1 (a) A person whose operator's or chauffeur's license or registration certificate has been suspended or revoked and who has been notified as provided by MCL 257.212 of that suspension or revocation, whose application for license has been denied, or who has never applied for a license, shall not operate a motor vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of motor vehicles, within this city.

(b) A person shall not knowingly permit a motor vehicle owned by the person to be operated upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this state by a person whose license or registration certificate is suspended or revoked, whose application for license has been denied, or who has never applied for a license, except as permitted under this act.

(c) Except as otherwise provided in this section, a person who violates subsection (a) or (b) is guilty of a misdemeanor punishable as follows: For a first violation, by imprisonment for not more than 93 days or a fine of not more than \$500, or both. Unless the vehicle was stolen or used with the permission of a person who did not knowingly permit an unlicensed driver to operate the vehicle, the registration plates of the vehicle shall be canceled by the secretary of state upon notification by a peace officer.

(d) Before a person is arraigned before a district court magistrate or judge on a charge of violating this section, the arresting officer shall obtain the person's driving record from the secretary of state and shall furnish the record to the court. The driving record of the person may be obtained from the secretary of state's computer information network.

(e) This section does not apply to a person who operates a vehicle solely for the purpose of protecting human life or property if the life or property is endangered and summoning prompt aid is essential.

(f) A person whose vehicle group designation is suspended or revoked and who has been notified as provided by MCL 257.212 of that suspension or revocation, or whose application for a vehicle group designation has been denied as provided in this act, or who has never applied for a vehicle group designation and who operates a commercial motor vehicle within this state, except as permitted under this act, while any of those conditions existing is guilty of a misdemeanor punishable, except as otherwise provided in this section, by imprisonment for not less than 3 days or more than 93 days or a fine of not more than \$100, or both.

(g) For purposes of this section, a person who never applied for a license includes a person who applied for a license, was denied, and never applied again.

(h) When a peace officer detains the driver of a motor vehicle for a violation of a law of this state or local ordinance for which vehicle immobilization is required, the peace officer shall do all of the following:

(1) Immediately confiscate the vehicle's registration plate and destroy it.

(2) Issue a temporary vehicle registration plate for the vehicle in the same form prescribed by the secretary of state for temporary registration plates issued under MCL 257.226a or .226b.

(3) Place the temporary vehicle registration plate on the vehicle in the manner required by the secretary of state.

(4) Notify the secretary of state through the law enforcement information network in a form prescribed by the secretary of state that the registration plate was confiscated and destroyed, and a temporary plate was issued.

(i) A temporary vehicle registration plate issued under this section is valid until the charges against the person are dismissed, the person pleads guilty or nolo contendere to those charges, or the person is found guilty of or is acquitted of those charges.

(j) A court shall order a vehicle immobilized under MCL 257.904d by the use of any available technology approved by the court that locks the ignition, wheels, or steering of the vehicle or otherwise prevents any person from operating the vehicle or that prevents the defendant from operating the vehicle. If a vehicle is immobilized under this section, the court may order the vehicle stored at a location and in a manner considered appropriate by the court. The court may order the person convicted of violating UTC Sec. 5.15 or MCL 257.625, or a suspension, revocation, or denial under MCL 257.904 to pay the cost of immobilizing and storing the vehicle.

(k) A vehicle subject to immobilization under this section may be sold during the period of immobilization, but shall not be sold to a person who is exempt from paying a use tax under section 3(3)(a) of the use tax act, 1937 PA 94, MCL 205.93 without a court order.

(l) A defendant who is prohibited from operating a motor vehicle by vehicle immobilization shall not purchase, lease, or otherwise obtain a motor vehicle during this immobilization period.

(m) A person shall not remove, tamper with, or bypass or attempt to remove, tamper with, or bypass a device that he or she knows or has reason to know has been installed on a vehicle by court order for vehicle immobilization or operate or attempt to operate a vehicle that he or she knows or has reason to know has been ordered immobilized.

(4) A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.

(5) To the extent that a local ordinance regarding the storage or removal of vehicles conflicts with an order of immobilization issued by the court, the local ordinance is preempted.

(6) If a peace officer stops a vehicle that is being operated in violation of an immobilization order, the vehicle shall be impounded pending an order of a court of competent jurisdiction.

(7) The court shall require the defendant or a person who provides immobilization services to the court under this section to certify that a vehicle ordered immobilized by the court is immobilized as required.

Section 2. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

SECRET, WARDLE, LYNCH, HAMPTON, TRUEX AND MORLEY

Section 3. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance; but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Repealer.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5. Public Inspection.

A complete copy of the City Traffic and Motor Vehicle Code is available at the office of the City Clerk for inspection by the public at all times. No further or additional publication of the Uniform Traffic Code for Cities, Townships and Villages is required or contemplated.

Section 5. 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 and shall become effective October 1, 1999. It shall be repealed upon the effective date of Ord C- -99.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Farmington at a meeting thereof duly called and held on the ____ day of _____, 1999, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Hartsock and supported by

McShane

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

NAYS: None.

ABSENTS: None.

ABSTENTIONS: None.

**CITY OF FARMINGTON
SPECIAL COUNCIL MEETING**

A special meeting of the Farmington City Council was held on Friday, October 8, 1999, 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 4:00 p.m. by Mayor Bush.

PRESENT: Bush, Hartsock, McShane, Mitchell.

ABSENT: Campbell.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards (left at 4:14 p.m.)

APPROVAL OF AGENDA

10-99-276 MOTION by McShane, seconded by Hartsock, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

REPORT FROM CITY MANAGER

CONSIDERATION TO AWARD BIDS FOR CIVIC THEATRE RENOVATION - PHASE I. Administration reviewed bids for Phase I of the Civic Theatre renovation project. Mr. Bill Clark, of M.K.A., Inc., and construction manager for the renovations of the Theatre, was present and answered Council's questions regarding the bids.

10-99-277 MOTION by Hartsock, seconded by McShane, to award bids 13-21 to the following vendors for Phase I of the Civic Theatre renovation:

- a) Bid No. 13, "Glass, Glazing and Aluminum Framing", to Carlson Glass, in the amount of \$9,500.00
- b) Bid No. 14, "Porcelain Panels", to Wm. Scarlett & Associates, in the amount of \$15,484.00
- c) Bid No. 15, "Carpeting and Sheet Vinyl", to Cohn's Commercial Floor Covering, in the amount of \$2,857.00
- d) Bid No. 16, "Wood Flooring", to Allcourt Floor Finishing, Inc., in the amount of \$2,975.00

- e) Bid No. 17, "Painting", to Shetland Painting, in the amount of \$16,900.00
- f) Bid No. 18, "Electrical Work", to Lakes Electric Co., Inc., in the amount of \$32,900.00
- g) Bid No. 19, "HVAC Work/Exhaust Fan", to Dynamic Air, Inc., in the amount of \$4,225.00
- h) Bid No. 20, "Curtains and Sidewall Lights", to Northwest Studios, Inc., in the amount of \$17,950.00
- i) Bid No. 21, "Theatre Equipment", to Hitchfield Enterprises, in the amount of \$6,513.65

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

Manager Lauhoff asked Mr. Clark to provide an update on the renovation project. Council asked about potential problems which might escalate renovation costs.

Mr. Clark stated that he does not expect problems but there is always the possibility with renovations that there will be unexpected problems. He stated that his biggest concern had been the electrical system but that it had been redone about ten years ago. The other big concern is the condition of the sewer system. In response to Council's questions, it was confirmed that the roof had been replaced about ten years ago, had been recently inspected by Director Gushman, and is in good condition.

Discussion continued regarding the condition of back stairs and if additional lighting was needed; use of windows in back of the Theatre for advertising; size of tile being placed in the lobby and other details of the renovation.

Administration responded to Council's questions regarding accounting and reporting for the Theatre, confirming that the Theatre will be accounted for in a separate fund and financial reports will be available on the same basis as other City funds.

Discussion continued regarding selection of movies to be shown and ideas for promoting the Theatre.

MISCELLANEOUS

PUBLIC COMMENT.

There were no public comments.

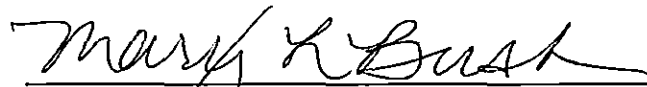
COUNCIL COMMENTS AND ANNOUNCEMENTS.

There were no Council comments and announcements.

ADJOURNMENT

10-99-278 MOTION by Hartsock, seconded by Mitchell, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 4:50 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Special Council Meeting
October 18, 1999
1

**SPECIAL COUNCIL MEETING
STUDY SESSION**

A special meeting of the Farmington City Council was held on Monday, October 18, 1999, 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 6:15 p.m.

COUNCIL MEMBERS PRESENT: Bush, Campbell, Hartsock, McShane (arrived at 6:30 p.m.,) Mitchell.

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff, Assistant City Manager Richards.

OTHERS PRESENT: Suzanne Paul, Denise Tawyea.

Mayor Bush opened the meeting advising Council that Suzanne Paul and Denise Tawyea had volunteered to coordinate a "Grand Opening" event for the Civic Theatre. Mayor Bush asked Manager Lauhoff for an update on the status of renovations at the Theatre.

Manager Lauhoff reviewed the status of planning for renovations, advised that around mid November the completion date should be known, but that renovations would not be completed before December 1st.

Discussion followed regarding an appropriate time to schedule a reopening. Council discussed the possibility of holding an auction to raise funds for the Theatre by selling artifacts from the Theatre.


Ms. Tawyea asked Council what their expectations were for the reopening event for the Theatre. Discussion followed regarding ideas for the event. Manager Lauhoff stated that one goal would be to get media attention. Councilman Hartsock stated that he would like to see one day focused on residents of the community and then expanded to the media and general public. Discussion on details of the event continued and included which movies to show; level of fees to charge; what role Council would play in the event; possible use of a heated tent for an auction; involving local businesses and asking that they stay open; and including a "food crawl," etc.

Council asked Paul and Tawyea to take Council suggestions under consideration and come back with a final plan for the "Grand Opening". Possible dates were considered with January 7th or 8th appearing to be the best time. Further discussion of details followed with consideration of recruiting a "recognizable name" to participate in the activities.

Tawyea asked for a list of items for an auction. Discussion followed on holding an auction.

Council concurred to meet with Paul and Tawyea on November 1, 1999 at 7:00 p.m. to finalize plans for the Theatre reopening. Council asked that research be done on available movies; use of spotlights, purchase of a signature board, red carpet for the event and to see if people in period costume could be used.

Meeting adjourned at 7:05 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Special Council Meeting
October 18, 1999
1

**SPECIAL COUNCIL MEETING
STUDY SESSION**

A special meeting of the Farmington City Council was held on Monday, October 18, 1999, 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 7:10 p.m.

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

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff, Assistant City Manager Richards.

OTHERS PRESENT: Senator Bill Bullard, Jr.

Mayor Bush opened the meeting and allowed Clerk/Treasurer Cantrell to take a few minutes to thank Senator Bullard for his assistance with Senate Bill 587. This legislation expands investment options for retiree health care funds and which will benefit the City of Farmington.

Mayor Bush asked Manager Lauhoff to summarize the City's concerns with the current state revenue sharing distribution formula. Manager Lauhoff explained that the City of Farmington had received less than a quarter of one percent increase in revenue sharing distributions for fiscal year 98-99. He questioned this as prior estimates provided the City and Senator Bullard had indicated an increase in excess of two percent.

Senator Bullard discussed the revenue projections provided his office early in the process of revising the state revenue sharing formula, the compromises arrived at in passing the legislation changing the revenue sharing formula, and stated that he does not believe the formula will be changed again. Discussion continued with City Officials asking Senator Bullard to pursue changes which will mitigate the negative effect of the new formula on the City of Farmington. Suggestions included a legislative appropriation guaranteeing a minimum distribution to local units, especially during the transition period from the old to the new formula. Senator Bullard stated that he plans to look into the changes in the formula.

Mayor Bush asked Manager Lauhoff to discuss the City's position on Act 51 funding for roads. Manager Lauhoff reviewed a 15 point plan which is being advocated by a coalition of six local organizations and which will be presented to the Public Act 51 Study Committee. He advised that a resolution supporting the 15 point plan will be acted on by Council at a meeting later in the evening.

Senator Bullard discussed road funding and his support of a needs study in the distribution of Act 51 funds. He advised Council that the time frame for expiration of the current formula, September of 2000, would make it necessary to implement a new formula before a needs study could be completed, but that any such changes could be temporary.

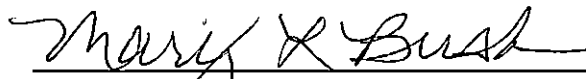
Manager Lauhoff advised Senator Bullard that increased funding is important to Farmington. Senator Bullard stated that he supports additional Act 51 funding for those local governments which already dedicate a millage to maintaining roads. He indicated that he probably will take a lead in revising the Act 51 distribution formula.

Mayor Bush asked for discussion on election law changes. Discussion followed regarding consolidating elections.

The issue of local government residency requirements including the effect of eliminating residency requirements on the City of Farmington were discussed. Senator Bullard stated that he supports elimination of a residency requirement but would support reasonable mileage requirements. Discussion continued on the pros and cons of residency requirements.

Council thanked Senator Bullard for meeting with them to discuss issues important to the City.

Meeting adjourned at 7:49 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CLERK/TREASURER

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, October 18, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

Benjamin and Sarah Grace led the Pledge of Allegiance.

APPROVAL OF AGENDA

10-99-276 MOTION by Campbell, seconded by Mitchell, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETINGS

10-99-277 MOTION by McShane, seconded by Hartsock, to approve the minutes of the Special and Regular meetings of October 4, 1999 and the Special meeting of October 8, 1999 as submitted. MOTION CARRIED UNANIMOUSLY.

RECOGNITION: 80TH ANNIVERSARY - GRACE INSURANCE AGENCY

Mayor Bush introduced Angie Fishel, daughter of Marge Grace, and other members of the Grace family who were in attendance. Mayor Bush reviewed the history of the Grace Insurance Agency noting that the same family had owned the business eighty years. Marge Grace, mother of Angie Fishel and Glenn and Craig Grace, was introduced and commented on the family's history in the City of Farmington. Mayor Bush presented a corsage to Mrs. Grace. Glenn and Craig Grace were presented with a proclamation in recognition of the 80th anniversary of the Grace Insurance Agency.

Mayor Bush presented Benjamin and Sarah Grace with Farmington pins and spoke to them about the importance of the event that was being celebrated.

REPORT FROM GIRLS STATE REPRESENTATIVE: LAURICE THRASHER

Laurice Thrasher was present to review her participation in the 1999 Girls State Program. She stated that she gained knowledge by participating in the program and

COUNCIL PROCEEDINGS -2-
October 18, 1999

stated that she has an interest in becoming active in government as a result of her experiences.

PRESENTATION: AUDIT REPORT - PLANTE & MORAN - GORDON KRATER, MICHELLE WATERWORTH. Gordon Krater, Michelle Waterworth and Chris Weber were present to review the audit report for fiscal year 1998-99.

Gordon Krater discussed a Year 2000 readiness footnote included in the report and a new fund, "The Employee Accrued Benefit Fund". He advised that the City remains in sound financial condition. Ms. Waterworth showed slides that focused on the General Fund and noted increases and decreases for specific categories of revenues and expenditures. Mr. Krater complimented Council and Administration on the City's control of expenditures and reviewed the management letter noting areas of general concern which included issues relating to revenue sharing, road monies, and the pension fund administration. Mr. Krater stated that the City records are in excellent shape.

10-99-278 MOTION by Hartsock, seconded by Campbell, to accept the 1998-99 Audit Report as presented by Plante & Moran, LLP. MOTION CARRIED UNANIMOUSLY.

10-99-279 MOTION by Mitchell, seconded by Hartsock, to receive and file the minutes of the following Boards and Commissions:

- ◆ Downtown Development Authority minutes of October 5, 1999.
- ◆ Beautification Commission minutes of September 8, 1999.
- ◆ Historical Commission minutes of September 15, 1999.
- ◆ Traffic and Safety Board minutes of September 23, 1999.
- ◆ Farmington Election Commission minutes of October 4, 1999.
- ◆ Governor Warner Mansion Development Committee minutes of August 18, 1999 and September 15, 1999.
- ◆ Farmington Community Arts Council minutes of August 19, 1999 and September 9, 1999.

MOTION CARRIED UNANIMOUSLY.

Mayor Bush presented a Farmington pin to Adriane Grace who arrived late due to a prior commitment.

PETITIONS AND COMMUNICATIONS

CONSIDERATION OF RESOLUTION REGARDING THE DISTRIBUTION OF STATE ACT 51 HIGHWAY FUNDS. Administration advised that a coalition of six organizations had been formed and this group will represent local interests before a Public Act 51 Legislative Study Committee. The coalition presented a 15-point recommendation to the study committee recommending that the State first conduct a needs study before

COUNCIL PROCEEDINGS -3-
October 18, 1999

any determination of funding. Administration recommended that Council adopt a resolution in support of the 15 points recommended by the coalition.

10-99-280 MOTION by McShane, seconded by Campbell, to adopt a resolution to support the 15 points recommended by the coalition of six state organizations and forward the resolution to the Act 51 Study Committee, Governor Engler, State Senator Bullard and State Representative Raczkowski. [SEE ATTACHED RESOLUTION].
MOTION CARRIED UNANIMOUSLY.

**REQUEST FOR RESOLUTION IN SUPPORT OF THE FARMINGTON HILLS/
FARMINGTON COMMUNITY FOUNDATION.** Administration advised that the cities of Farmington and Farmington Hills support a Commission on Children, Youth and Families that has developed a youth program and that the Farmington Community Foundation was organized to generate funding to support "after school" youth centers. One of the funding events, the Fifth Annual Cornucopia Ball will be held Friday, November 12, 1999.

10-99-281 MOTION by Hartsock, seconded by Mitchell, to adopt a resolution in support of the Commission for Children, Youth and Families and the Cornucopia Ball, and to declare the month of November as Community Foundation Month in Farmington.
MOTION CARRIED UNANIMOUSLY. [SEE ATTACHED RESOLUTION].

REPORTS FROM CITY MANAGER

CONSIDERATION OF 2000 TRI-PARTY PROGRAM. Administration recommended approval of the 2000 Tri-Party Program as proposed.

10-99-282 MOTION by Mitchell, seconded by McShane, to authorize the City Manager to inform the Road Commission for Oakland County that the Farmington Road Widening Improvement Project has been selected as the 2000 Farmington Tri-Party Program and to approve the City's local share of \$7,308.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CIVIC THEATRE RENOVATION ESTIMATE ADJUSTMENT - PHASE I.

Administration discussed a report from the construction manager M.K.A., Inc., regarding changes from the original renovation plans and advised Council that there would be

COUNCIL PROCEEDINGS -4-
October 18, 1999

additional savings if some of the work from Phase II were moved into Phase I. Administration advised Council of these changes in the original estimates and advised that no action was required on the report.

10-99-283 MOTION by Campbell, seconded by Mitchell, to receive and file the report from Administration on changes in the Phase I renovations to the Civic Theatre increasing the total cost from \$343,562 to \$472,000. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AWARD BIDS FOR CIVIC THEATRE RENOVATION - PHASE

I. Administration advised that one vendor was able to manufacture the design and color of carpet and deliver the carpet to meet the renovation schedule, and recommended approval of the proposal.

10-99-284 MOTION by McShane, seconded by Mitchell, to award Civic Theatre Bid Award No. 22, "Carpet", to Flooring Design, Inc. in the amount of \$8,341.75 and waive the bid process in the best interest of the City.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Annabelle Gabel, 23089 Violet, asked when the new sign at Farmington Downtown Center had been put up and was told about two weeks. She also questioned who would fill the vacancy that would be created by Damman Hardware when they move and was told that it was unknown.

Donald Kenely, 23101 Lakeway, stated that he lives across the street from Farmington High School and stated his concerns regarding communication with the school lighting committee regarding the parking lot lights. He stated that his family has had to contend with the lights being left on from Sunday to Sunday from 7:30 p.m. to 7:00 a.m. He has called the school several times and was told that the lights were left on for custodial staff safety. Mr. Kenely stated that the parking lot is empty during those hours. He has attempted to contact the Board of Education and the High School and has not received answers. He also voiced concern regarding the noise, and dust, as a result from the

COUNCIL PROCEEDINGS -5-
October 18, 1999

construction at the school. He stated that his family is not against the projects, but felt frustrated with the school administration regarding courtesy shown to their neighbors and asked advice from Council. Mayor Bush requested a list of Mr. Kenely's complaints be given to Manager Lauhoff. Manager Lauhoff stated that between Administration, Departments of Public Safety and Public Services the matter will be addressed and the City will try to resolve the situation.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilman Mitchell voiced his concern regarding parking on both sides of Shiawassee, east of Lakeway, on Friday game nights.

ANNUAL REPORT ON INVESTMENTS - FY 1998-99. Clerk/Treasurer Cantrell reviewed the Fiscal Year 1998-99 Report On Investments submitted in compliance with state statute. The City's investment policy limits investments to those considered appropriate for short term operating funds and stipulates that return on investment is of secondary importance compared to the safety and liquidity of invested principal. Schedules were provided regarding the amount of investment earnings for the fiscal year, the rate of return on investments, benchmark comparisons, and the status of investments at June 30, 1999.

Discussion followed regarding City investments.

10-99-285 MOTION by McShane, seconded by Mitchell, to receive and file the Annual Report on Investments for the Fiscal Year 1998-99. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO SET MEETING FOR COUNCIL MISSION STATEMENT AND 2000 GOALS.

10-99-286 MOTION by Campbell, seconded by Hartsock, to set a goal setting session for Monday, November 29, 1999 at 5:00 p.m. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADJUST SPECIAL MEETINGS SCHEDULE FOR CITY COUNCIL.

10-99-287 MOTION by Mitchell, seconded by McShane, to cancel the meeting with the 47th District Court for 7:00 p.m. on November 1, 1999 and schedule a special joint meeting with the Farmington and Farmington Hills Councils to hear the report and recommendations of the Court Planning Committee on Thursday, November 18, 1999 at 7:00 p.m. at the Farmington Hills Fire Station No. 5 in the multi-purpose room on Eleven Mile and Orchard Lake. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -6-
October 18, 1999


**DEPARTMENT OF PUBLIC WORKS AND WATER & SEWER DEPARTMENT
QUARTERLY REPORT - JULY 1, 1999 TO SEPTEMBER 30, 1999.**

10-99-288 MOTION by Hartsock, seconded by Mitchell, to receive and file the Department of Public Works and Water & Sewer Department Quarterly Report for July 1, 1999 to September 30, 1999. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

10-99-289 MOTION by Hartsock, seconded by McShane, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:07 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

CITY OF FARMINGTON

RESOLUTION NO. 10-280-99

Motion by McShane, seconded by Campbell, to adopt the following resolution:

WHEREAS, Public Act 51 of 1951, as amended, is the law governing the distribution of state-collected road revenues from the Michigan Transportation Fund (MTF). The Act 51 Committee was established by the Legislature and appointed by the governor to make recommendations to the Legislature; and

WHEREAS, maintaining an accessible system of safe and convenient roads will be a key element in the continued economic success of not only Oakland County, but communities throughout the State of Michigan; and

WHEREAS, a coalition of six local organizations – the Michigan Association of Counties, the County Road Association of Michigan, the Michigan Municipal League, the Michigan Public Transit Association (represented by SMART), the Michigan Farm Bureau and all of the metropolitan planning organizations in the state (represented by SEMCOG) – presented a 15-point recommendation to the Act 51 Committee; and

WHEREAS, this coalition recommended that a comprehensive, objective, statewide roads needs study be undertaken to establish a baseline of current road needs.

WHEREAS, the coalition further urged that road funding take into consideration equitable distribution, as well as, the adequacy of current funding to meet statutory mandates to provide reasonably safe and convenient roads.

IT IS THEREFORE RESOLVED that I, Mary L. Bush, Mayor of the City of Farmington, on behalf of the Farmington City Council, do hereby endorse the recommendations of the Road Commission for Oakland County and the local coalitions and joins in calling for the conduction of a roads needs study in Michigan prior to the legislature making any determination that will impact the distribution of state-collected road funds; and

BE IT FURTHER RESOLVED that copies of this adopted resolution be forwarded to Governor John Engler, State Senator Bullard, State Representative Raczkowski, the Oakland County legislators, the Oakland County legislative lobbyists, the Act 51 Committee, the Michigan Department of Transportation, the Road Commission for Oakland County, SEMCOG, SMART, the Michigan Association of Counties, the County Road Association of Michigan, the Michigan Municipal League, the Michigan Township Association and all other County Commissions in Michigan.


PATSY K. CANTRELL, CLERK/TREASURER


MARY L. BUSH, MAYOR

.....
I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, October 18, 1999, in the City of Farmington, Oakland County, Michigan.


Patsy K. Cantrell, Clerk/Treasurer

CITY OF FARMINGTON

RESOLUTION NO. 10-281-99

WHEREAS, it has long been true that a strong family is one of the most important elements in the fabric of any society; and

WHEREAS, promoting healthy families will help reduce the number of at-risk children; and

WHEREAS, healthy communities recognize that a wide variety of programs and services are the key to delinquency prevention; and

WHEREAS, the Farmington Hills/Farmington Commission for Children, Youth, and Families has developed and implemented a youth program with the assistance of Farmington Public Schools which provides an opportunity for all youth to get assistance in making positive decisions that will enhance their lives, long-term, and

WHEREAS, the Farmington Hills/Farmington Community Foundation has been organized to generate funding to support the continuation of the after-school youth centers and a wide variety of other programs, and

WHEREAS, the Fifth Annual Cornucopia Ball scheduled for Friday, November 12, 1999, is the Foundation's major fundraiser.

IT IS THEREFORE RESOLVED that I, Mary L. Bush, Mayor of the City of Farmington, on behalf of the Farmington City Council, do hereby support the establishment of the month of November as Community Foundation Month.

BE IT FURTHER RESOLVED that the City of Farmington encourages residents to give thoughtful consideration to participating in the Fifth Annual Cornucopia Ball.


PATSY K. CANTRELL, CLERK/TREASURER


MARY L. BUSH, MAYOR

.....
I, Patsy K. Cantrell, duly authorized Clerk/Treasurer 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 Monday, October 18, 1999, in the City of Farmington, Oakland County, Michigan.


Patsy K. Cantrell, Clerk/Treasurer

Special Council Meeting

November 1, 1999

1

**SPECIAL COUNCIL MEETING
STUDY SESSION**

A special meeting of the Farmington City Council was held on Monday, November 1, 1999, 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 7:03 p.m.

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

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, City Manager Lauhoff, Assistant Manager Richards.

OTHERS PRESENT: Suzanne Paul, Denise Tawyea.

Mayor Bush opened the meeting and invited Ms. Paul and Ms. Tawyea to present their ideas for a "Grand Opening" of the Civic Theatre.

Ms. Paul explained that she and Ms. Tawyea worked independently to formulate ideas for an opening event so that Council would have more options from which to pick and choose. Ms. Paul provided a handout summarizing her ideas. Council reviewed Ms. Paul's ideas providing input on the suggestions presented.

Ms. Tawyea then presented her plan, also providing a handout, which Council reviewed with Ms. Tawyea.

Various details of both plans were further discussed including ticket prices, an auction of memorabilia from the Theatre, facilities for the event, refreshments and entertainment.

Council discussed using Salon Legatos for refreshments, having the auction open to the public, having a covered walkway from Salon Legatos to the Theatre, seeking a celebrity to act as announcer, using a spotlight, using the Theatre tile floor mural as a template for a logo, and whether or not to serve wine. Council approved of the idea of staging a moving location for the event. It was decided that wine should only be served at Salon Legatos and only before the movie. Council discussed holding the formal event on Friday night, an auction on Saturday and free movies for the rest of the weekend.

Ms. Tawyea asked Council for a consensus on proposed details of the event.

Council continued discussions considering if movies shown during the event should be priced at 1940's levels; having the reception/movie on Friday evening, the auction on Saturday and an open house at the Theatre all day Sunday with movies and concessions at reduced prices. Council considered having those participating in the event use vintage costumes and vehicles; providing the option for attendees to have their picture taken with celebrities or in the Theatre; and including a 1940's cartoon and newsreel with the movie.

Manager Lauhoff advised Council that it would be expensive to try to save the old seats from the Theatre. Council concurred to save a limited number of seats to be sold at the auction.

Council decided to work with local businesses to see which would be interested in staying open during the event. Manager Lauhoff stated that this should be coordinated with the Farmington Downtown Development Authority.


After previous discussions to hold the formal event Friday evening, Council decided on Saturday evening and to begin the event at Salon Legatos. Discussions continued on using valet parking, having attendees walk from Salon Legatos to the Theatre, providing gourmet "goodie bags" to attendees, advertising the event on the theatre movie screen prior to the event and on seeking to recruit a celebrity master of ceremonies such as Jeff Daniels or Kelly Garver.

Council concurred to schedule a meeting with Ms. Paul and Ms. Tawyea for December 6, 1999 at 6:30 p.m. to finalize plans for the grand opening of the Civic Theatre.

Meeting adjourned at 7:57 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: November 15, 1999

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, November 1, 1999, 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 Bush.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards, Deputy Director Wiggins.

APPROVAL OF AGENDA

11-99-290 MOTION by McShane, seconded by Mitchell, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

11-99-291 MOTION by Hartsock, seconded by Mitchell, to approve the minutes of the Special and Regular meeting of October 18, 1999 as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

11-99-292 MOTION by McShane, seconded by Campbell, to receive and file the minutes of the following Boards and Commissions:

- ◆ Commission on Children, Youth and Families minutes of October 7, 1999.
- ◆ Farmington Area Arts Commission minutes of September 16, 1999.
- ◆ Farmington Board of Education minutes of September 21, 1999 and Study Session minutes of October 5, 1999.
- ◆ Farmington Community Library Board of Directors Regular Meeting minutes of September 16, 1999.

MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -2-
November 1, 1999

PETITIONS AND COMMUNICATIONS

LETTER FROM SUZANNE PAUL RE: RESIGNATION FROM BEAUTIFICATION COMMISSION. Administration advised that Ms. Paul is resigning from the Beautification Commission due to other volunteer and professional commitments.

11-99-293 MOTION by Campbell, seconded by Hartsock, to receive and file the resignation from Suzanne Paul from the Beautification Commission effective November 1, 1999. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION TO SCHEDULE PUBLIC HEARING ON 2000-2001 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. Administration advised that it is necessary to hold a public hearing on the proposed Community Development Block Grant Program before submitting a completed application.

11-99-294 MOTION by Hartsock, seconded by McShane, to schedule a public hearing for November 15, 1999 at 8:00 p.m. to hear comment on the 2000-2001 CDBG program application. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AMEND CITY FEE SCHEDULE. Administration recommended changes to the City Fee Schedule for Chapters relating to Rubbish and Recycling and Park Fees.

Councilperson McShane stated that she would like to set January and February as the time frame for Farmington/Farmington Hills residents to reserve the PlayScape pavilion. She suggested that there be a block of hours that the PlayScape can be used to allow for cleanup. Discussion followed regarding nonprofit groups and whether or not to charge a fee. Councilperson McShane stated that she is concerned about the cost of maintaining the PlayScape.

City Manager Lauhoff stated that this proposal follows current policy and requested that Council consider approval of the fees, and that Administration would review the numbers and report back to Council.

11-99-295 MOTION by Hartsock, seconded by Campbell, to approve changes to Chapter 8, Rubbish and Recycling, and Chapter 13, Park Fees of the City Fee Schedule. [SEE ATTACHED SCHEDULE].

COUNCIL PROCEEDINGS -3-
November 1, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDER PURCHASE OF ADMINISTRATIVE VEHICLE. Administration requested approval to purchase an administrative vehicle through the State Extended Purchasing Program and in accordance with the City's vehicle replacement schedule.

11-99-296 MOTION by Mitchell, seconded by McShane, to purchase one administrative vehicle for the City Manager's use in the amount of \$20,368.85, from Snethkamp Lansing Dodge, through the State Extended Purchasing Program.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Annabelle Gabel, 23089 Violet, stated that she enjoys coming to Council meetings.

Nancy Leonard, 33309 Shiawassee, requested that the box holding information pamphlets regarding the afghan be replaced.

COUNCIL COMMENTS.

Councilman Campbell, in regards to the issue on school parking lot lighting brought to Council's attention at their last meeting, stated that Council is put in a difficult position by hearing one side of a story, that there are two sides to every story, and that Council can't over react until they have all the facts. Councilperson McShane stated that Council serves as a good mediator.

City Manager Lauhoff stated that on November 2, 1999 at 10:30 a.m., through Congressman Joe Knollenberg's office, the President of the Philippines Parliament will be at the Warner Mansion. He invited Council to attend.

COUNCIL PROCEEDINGS -4-
November 1, 1999

Mayor Bush commented on the Halloween Funfest and what a great success it was.

Councilman Hartsock asked if there were any problems in the Downtown Area with all of the people that were in attendance. Deputy Director Wiggins stated that a bike patrol officer was available and there were no problems. City Manager Lauhoff requested that an officer be placed at the Warner and Grand River location from 10:30 a.m. to 1:30 p.m. for pedestrian safety during Halloween Funfests.

FINANCIAL REPORT: QUARTER ENDED SEPTEMBER 30, 1999.

11-99-297 MOTION by Campbell, seconded by Hartsock, to receive and file the Financial Report for the Quarter Ended September 30, 1999. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE BUDGET AMENDMENT NO. 1 FOR FISCAL YEAR 1999-2000. Administration advised that two amendments are proposed to the 1999-2000 Budget; Budget Amendment No. 1; including an amendment to the Downtown Development Authority Budget for curb and sidewalk repairs and funding for general repair and maintenance work; and an amendment to the General Operating Fund to complete the PlayScape at Shiawassee Park.

11-99-298 MOTION by Mitchell, seconded by Hartsock, to approve Budget Amendment No. 1 for the 1999-2000 fiscal year. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

BUILDING DEPARTMENT QUARTERLY REPORT: JULY 1, 1999 THROUGH SEPTEMBER 30, 1999. Director Gushman stated that there was a forty percent increase in building permits over last year.

11-99-299 MOTION by Hartsock, seconded by McShane, to receive and file the Building Department Quarterly Report from July 1, 1999 through September 30, 1999. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PAYMENTS REPORT

11-99-300 MOTION by Campbell, seconded by Hartsock, to approve the Monthly

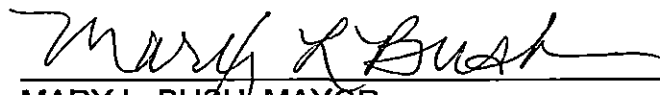
COUNCIL PROCEEDINGS -5-
November 1, 1999

Payments Report for the month of October, 1999. MOTION CARRIED
UNANIMOUSLY.


ADJOURNMENT

11-99-301 MOTION by Campbell, seconded by Mitchell, to adjourn the meeting.

Meeting adjourned at 8:25 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

CHAPTER 8
RUBBISH AND RECYCLING

	Single Family	Condominium
	<u>Residential</u>	<u>Residential</u>
*Per year annual recycling fees:	\$ 56.35	\$ 43.00

Annual fees are not prorated for vacancy!

Fees collected through tax rolls.

*Amended 11-1-99

RESERVATION POLICY – SHIAWASSEE PARK PAVILION

1. Reservations for a calendar year will be taken beginning January 1 of that year.
2. Reservations are on a first-come, first-serve basis.
3. Fees must be paid before reservation permit will be issued.
4. Farmington and Farmington Hills residents will be charged the resident fee:
\$20.00 per hour/\$100.00 maximum per day

Non-resident fee:

\$25.00 per hour/\$125.00 maximum per day

Exempt: Farmington/Farmington Hills non-profit groups (only) are exempt from the fee.

5. Cancellation requests will be reviewed by administration.
6. Any event or activity not specifically allowed or provided for in the Rules & Regulations requires City approval (moonwalk, dunking machines, etc.).

Revised
11/1/99

CITY OF FARMINGTON

RESERVATION POLICY: KIDS WORLD PLAYSCAPE PAVILION

1. Reservations for a calendar year will be taken beginning January 1 of that year.
2. Reservations are on a first-come, first-serve basis.
3. Fees must be paid before the reservation permit will be issued.
4. Reservations will be limited to a maximum of two (2) hours per day to any group or individual.
5. Farmington and Farmington Hills residents will be charged the resident fee.
6. Resident fee: \$15.00 per hour
Non-resident fee: \$20.00 per hour

Exempt: Farmington and Farmington Hills nonprofit groups only are exempt from the fee.
7. Cancellation and refund requests will be reviewed by the administration.
8. Kids World PlayScape and Shiawassee Park rules must be followed at all times.
9. Any event or activity not specifically allowed or provided for in the City Code or Park/PlayScape rules requires City approval.
10. Pavilion capacity is twenty (20) persons.
11. Reservation permit must be in the possession of the group/individual reserving/using the pavilion and must be shown upon request.

RESERVATIONS ARE FOR THE PAVILION ONLY

THE PLAYSCAPE MUST REMAIN OPEN TO THE PUBLIC

Revised 11/1/99

CITY OF FARMINGTON

RESOLUTION

Motion by, **Hartsoc** seconded by, **Campbell**

BE IT RESOLVED that the Farmington City Council hereby adjusts the 1999-2000 budget as shown below, Budget Amendment No. 1,

BE IT FURTHER RESOLVED that the following adjustments to revenues and expenditures are hereby approved in accordance with the supporting line item detail as presented to Council:

REVENUES

FROM TO

GENERAL FUND:

Local Taxes	\$3,335,755	\$3,335,755
Licenses & Permits	\$53,270	\$53,270
Intergovernmental Revenues	\$141,438	\$141,438
State Shared Revenues	\$1,182,100	\$1,182,100
Charges For Services	\$358,920	\$358,920
Sales	\$9,500	\$9,500
Fines/Forfeits/Court Costs	\$507,600	\$507,600
Investment Income	\$130,000	\$130,000
Miscellaneous	\$134,985	\$134,985
Transfers From Other Funds	\$324,774	\$324,774
Appropriation of Fund Balance	\$3,205	\$54,805
Total Revenues	\$6,181,547	\$6,233,147

STREET FUNDS:

MAJOR STREET FUND:

State Shared Revenue	\$343,355	\$343,355
Contracts and Grants	\$83,160	\$83,160
Other Revenue	\$5,000	\$5,000
Total Revenues	\$431,515	\$431,515

LOCAL STREET FUND:

State Shared Revenue	\$147,945	\$147,945
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Transfer, Municipal Street Fund	\$574,020	\$574,020
Other Revenues	\$2,500	\$2,500
Total Revenues	\$724,465	\$724,465

MUNICIPAL STREET FUND:

Property Taxes	\$498,280	\$498,280
Other Income	\$24,000	\$24,000
Appropriation, Fund Balance	\$51,740	\$51,740
Total Revenues	\$574,020	\$574,020

SPECIAL REVENUE FUNDS:

MUNICIPAL SIDEWALK FUND:

Property Taxes	\$31,140	\$31,140
Investment Income	\$1,100	\$1,100
Total Revenues	\$32,240	\$32,240

CAPITAL IMPROVEMENT FUND:

Investment Income	\$70,000	\$70,000
Miscellaneous	\$1,770	\$1,770
Transfer, Court Facility	\$50,270	\$50,270
Total Revenues	\$122,040	\$122,040

DNTN DEV AUTHORITY FUND:

Property Taxes	\$153,101	\$153,101
Special Assessments	\$127,351	\$127,351
Other Revenues	\$11,500	\$11,500
Appropriation, Fund Balance	\$17,176	\$42,176
Total Revenues	\$309,128	\$334,128

DEBT SERVICE FUNDS:

General Debt Service Fund	\$887,475	\$887,475
Special Assessment Debt Serv. Fund	\$800	\$800
1987 MTA 175 Debt Fund	\$76,965	\$76,965
1992 MTA Debt Fund	\$33,930	\$33,930
1995 MTA Debt Fund	\$36,520	\$36,520
Total Debt Service Revenues	\$1,035,690	\$1,035,690

TOTAL BUDGETED REVENUES	\$9,410,645	\$9,487,245
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INFORMATIONAL SUMMARIES

ENTERPRISE FUNDS:

WATER & SEWER FUND:

Water & Sewer Sales	\$2,230,890	\$2,230,890
Service Fees	\$29,200	\$29,200
Miscellaneous	\$82,500	\$82,500
Total Operation & Maintenance Revenue	\$2,342,590	\$2,342,590

FARMINGTON COMMUNITY THEATRE FUND:

Admission Fees	\$133,335	\$133,335
Sales, Concessions	\$83,335	\$83,335
Miscellaneous Revenue	\$4,170	\$4,170
Advance, Capital Improvement Fund	\$12,595	\$12,595
Total Revenues	\$233,435	\$233,435

INTERNAL SERVICE FUNDS:

SELF INSURANCE FUND

Transfers, Other Funds	\$117,000	\$117,000
Investment Income	\$9,000	\$9,000
Other Income	\$1,000	\$1,000
Appropriation, Fund Balance	\$3,360	\$3,360
Total Revenues:	\$130,360	\$130,360

RETIREE HEALTH INSURANCE FUND:

Transfers, Other Funds	\$174,976	\$174,976
Investment Income	\$44,400	\$44,400
Total Revenues:	\$219,376	\$219,376

DISABILITY HEALTH INSURANCE FUND:

Employee & Employer Contribs	\$2,640	\$2,640
Other Income	\$1,650	\$1,650
Total Revenues:	\$4,290	\$4,290

EMPLOYEE FRINGE BENEFIT FUND:

Transfers, Other Funds	\$27,471	\$27,471
Other Income	\$1,015	\$1,015
Total Revenues:	\$28,486	\$28,486

TOTAL REVENUES NON-BUDGETARY :

\$2,958,537 \$2,958,537

EXPENDITURES

GENERAL FUND:

General Government	\$1,245,146	\$1,245,146
Court	\$302,737	\$302,737
Public Safety	\$1,970,144	\$1,970,144
Public Services	\$906,930	\$906,930
Parks & Recreation	\$291,724	\$343,324
Library	\$258,238	\$258,238
Miscellaneous	\$213,618	\$213,618
Insurance & Benefits	\$785,852	\$785,852
Interfund Transfers	\$207,158	\$207,158
Total Expenditures	\$6,181,547	\$6,233,147

STREET FUNDS:

MAJOR STREET FUND:

Operation & Maintenance	\$239,590	\$239,590
Debt Service	\$110,895	\$110,895
Transfer, Fund Balance	\$81,030	\$81,030
Total Expenditures	\$431,515	\$431,515

LOCAL STREET FUND:

Road Improvements	\$500,000	\$500,000
Operation & Maintenance	\$182,850	\$182,850
Debt Service	\$36,520	\$36,520
Transfer, Fund Balance	\$5,095	\$5,095
Total Expenditures	\$724,465	\$724,465

MUNICIPAL STREET FUND:

Transfers, Local Street Fund	\$574,020	\$574,020
Total Expenditures	\$574,020	\$574,020

SPECIAL REVENUE FUNDS:

MUNICIPAL SIDEWALK FUND:

Transfer, Fund Balance	\$32,240	\$32,240
Total Expenditures	\$32,240	\$32,240

CAPITAL IMPROVEMENT FUND:

Transfer, Fund Balance	\$122,040	\$122,040
Total Expenditures	\$122,040	\$122,040

DNTN DEV AUTHORITY FUND:

Operating & Capital Outlay	\$309,128	\$334,128
Total Expenditures	\$309,128	\$334,128

DEBT SERVICE FUNDS:

General Debt Service Fund	\$887,475	\$887,475
Spec. Assessment Debt Fund	\$800	\$800
1987 MTA 175 Debt Fund	\$76,965	\$76,965
1992 MTA 175 Debt Fund	\$33,930	\$33,930
1995 MTA 175 Debt Fund	\$36,520	\$36,520
Total Debt Service Expenditures:	\$1,035,690	\$1,035,690

TOTAL BUDGETED APPROPRIATIONS	\$9,410,645	\$9,487,245
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INFORMATIONAL SUMMARIES

ENTERPRISE FUNDS:

WATER & SEWER FUND:

Operating & Maintenance	\$2,132,403	\$2,132,403
Trans, Retained Earnings	\$210,187	\$210,187
Total Operation & Maintenance Expenditures	\$2,342,590	\$2,342,590

FARMINGTON COMMUNITY THEATRE FUND:

Operating & Maintenance	\$233,435	\$233,435
Total Operation & Maintenance Expenditures	\$233,435	\$233,435

INTERNAL SERVICE FUNDS:

SELF INSURANCE FUND:

Claims Expense	\$35,000	\$35,000
Admin & Reinsurance	\$95,360	\$95,360
Total Expenditures:	\$130,360	\$130,360

RETIREE HEALTH INSURANCE FUND:

Insurance Premiums	\$92,905	\$92,905
Transfer, Fund Balance	\$126,471	\$126,471
Total Expenditures	\$219,376	\$219,376

DISABILITY HEALTH INSURANCE FUND:

Transfer, Fund Balance	\$4,290	\$4,290
Total Expenditures:	\$4,290	\$4,290

EMPLOYEE FRINGE BENEFIT FUND:

Optical Benefits	\$5,500	\$5,500
Dental Benefits	\$18,500	\$18,500
Transfer, Fund Balance	\$4,486	\$4,486
Total Expenditures:	\$28,486	\$28,486

TOTAL EXPENDITURES NON-BUDGETARY :	\$2,958,537	\$2,958,537
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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 City Officer authorized to make such expenditures, and

BE IT FURTHER RESOLVED that the City Treasurer shall prepare for the Council a financial report each quarter on the status of City funds as contained within the City budget.

Roll Call:

Ayes: Campbell, Hartsock, McShane, Mitchell, Bush.
Nays: None.
Absent: None.

RESOLUTION DECLARED ADOPTED

PATSY K. CANTRELL, CLERK/TREASURER

.....
I, Patsy K. Cantrell, duly authorized Clerk for the City of Farmington, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Farming City Council at a regular meeting held Monday, November 1, 1999, in the City of Farmington, Oakland County, Michigan.


Patsy K. Cantrell, Clerk/Treasurer

**SPECIAL COUNCIL MEETING
WITH TRAFFIC AND SAFETY BOARD**

A special meeting of the Farmington City Council with the Traffic and Safety Board was held on Monday, November 15, 1999 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 7:00 p.m.

COUNCIL MEMBERS PRESENT: Bush, Campbell, Hartsock (arrived at 7:14 p.m.), McShane (arrived at 7:03 p.m.), Mitchell.

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff.

FARMINGTON TRAFFIC AND SAFETY BOARD MEMBERS PRESENT: Chiara, DeCorte, Goss, Mehas, Reynolds, Wepman.

Mayor Bush opened the meeting and invited Chairman Wepman to discuss the first agenda item. Wepman reviewed the recommendations for a parking study for the Central Business District indicating that the Traffic and Safety Board had turned the issue over to the City with a list of items to be considered. DeCorte talked about the difficulty in determining the number of vehicles indicating decisions on the timing of counts is difficult to make and influences the results obtained. If the count does not include all time periods, the results are not accurate and if you do count all time periods it is expensive.

Goss advised that the City's Geographic Information System (GIS) has been an invaluable tool in the study.

(Councilwoman McShane arrived at this time.)

Discussion continued regarding efforts to date on a parking study. Goss stated that to complete the study would require the services of an engineer. Manager Lauhoff stated that Council will review the issue during their next goal setting session. Manager Lauhoff advised that a full study could cost as much as \$25,000 and that Council may want to do a partial study.

Council expressed concern regarding the cost but felt that parking should be looked at, that the issue needs consideration. Councilwoman McShane stated that other cities should be surveyed to see if such studies have helped them and how.

DeCorte stated that the City may want to be selective and look only at critical areas, define what the City is looking for, review parking needs and consider how to balance competing needs. Discussion continued including the view that adequate parking enhances the City and Council questioned if tenants have complained about available parking.

Mayor Bush asked to move to the next agenda item on timed parking issues and employee parking:

Discussion continued regarding employees parking close to businesses and if "customer only" signs might help. Goss stated that he does not believe that timed parking is a solution, that it only shifts the problem to a new location. Reynolds added that some parking spaces in front of businesses is privately owned. DeCorte stated that he feels this is an employer/employee issue and that the businesses need to resolve it.

(Hartsock arrived at this time.)

Council asked about timed parking at Page's and how enforcement is being handled. Goss discussed enforcement measures noting that the area is surveyed and if vacant parking spaces are available compliance is assumed. He stated that timed parking seems to be working.

Council concurred to wait for parking study results before taking any additional steps. Discussion continued regarding recent changes, business relocations, which may change future parking needs.

Mayor Bush called for discussion of the next agenda item regarding a left turn signal installed at Grand River/Orchard Lake/Nine Mile. Wepman stated that the Board feels problems at this location have been resolved by the new traffic light. Goss stated that he has observed the location at peak back-up hours and has not noticed significant problems. DeCorte stated that it has resolved the concerns with traffic cutting through the Floral Park Subdivision. Discussion followed regarding the positive effect the new signal has had.

Mayor Bush asked for comment on the next agenda item regarding the areas of responsibilities of the Traffic and Safety Board.

Reynolds asked for clarification regarding the responsibilities questioning the name Traffic and Safety Board as opposed to Traffic Safety Board.

Manager Lauhoff noted that the name was a deliberate choice. It was intended that the Board would deal with issues related to pedestrian and vehicle traffic and safety issues. Councilman Campbell asked Manager Lauhoff to review the by-laws of the Board; Manager Lauhoff clarified the areas handled indicating that those areas include any


traffic and safety issues related to pedestrian and vehicular traffic.

Manager Lauhoff complimented the Traffic and Safety Board on how they handled the helmet law issue. DeCorte commented that the Board appreciates the support they have from Council and the lack of pressure in their decision making process.

DeCorte commented on the "Walkable Communities" program by SEMCOG stating that in some instances wrong information has been provided in the traffic safety area. Council stated that SEMCOG had been complimentary to Farmington making only minor suggestions for improvements when they visited the community.

Discussion followed regarding new businesses opening in the community and related changes in traffic flow.

Meeting adjourned at 7:40 p.m.



MARY L. BUSH, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: December 6, 1999

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, November 15, 1999, 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 Bush.

PRESENT: Mary L. Bush, Arnold T. Campbell, William S. Hartsock, JoAnne M. McShane, James K. Mitchell.

ABSENT: None.

CITY REPRESENTATIVES: Clerk/Treasurer Cantrell, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

11-99-302 MOTION by McShane, seconded by Hartsock, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

ORGANIZATION OF COUNCIL

City Clerk/Treasurer Cantrell administered the Oath of Office to newly elected Councilpersons William S. Hartsock, JoAnne M. McShane, and James K. Mitchell.

Outgoing Mayor Bush recognized former Mayor Richard Tupper who was in the audience; applauded all Council members for their help and guidance and thanked the City Manager, Assistant City Manager and all Department Heads who run the community on a day to day basis. Mayor Bush reviewed accomplishments that were made over the past two years: a new City Master Plan, completion of the Downtown Community Visioning Process; renovation of the Public Safety Department; acquisition of two liquor licenses for businesses in the DDA District; creation of the Governor Warner Mansion Development Committee and renaming of the Museum to Governor Warner Mansion - Home of Farmington History; construction of the Kids' World PlayScape in Shiawassee Park; and the Monday night car cruises. She also mentioned new businesses that have moved into the City, improvements that have been made to existing businesses and the City's purchase of the Civic Theatre. Mayor Bush stated: "There is an old saying that there are three kinds of people.....those who make things happen, those who watch things happen and those who wonder what the heck just happened. I'm pleased to say here in Farmington, this City Council and community is made of people who make things happen! I'm proud to be part of it and I personally thank the City Council for allowing me the opportunity, and privilege, to be Mayor of this fine community. As I have said often, local government works here in Farmington; we all strive hard to do our very best every day, and I will continue to do so as I serve this City."

COUNCIL PROCEEDINGS -2-
November 15, 1999

Councilman Hartsock presented Mayor Bush with an engraved gavel; Councilman Mitchell presented Mayor Bush with a dozen roses for her years of service as Mayor; and Councilwoman McShane, stating that Mayor Bush was an excellent diplomat for the City and a role model for young women in the community, presented her with a yellow rose as a sign of friendship.

Mayor Bush called for reorganization of the Council.

11-99-303 MOTION by Campbell, seconded by Mitchell, to appoint City Manager Lauhoff to act as temporary chairman for the organization of Council. MOTION CARRIED UNANIMOUSLY.

City Manager Lauhoff called for nominations from Council for the office of Mayor.

11-99-304 MOTION by Bush, seconded by Mitchell, to nominate and elect William S. Hartsock for the Office of Mayor. MOTION CARRIED UNANIMOUSLY.

City Manager Lauhoff called for nominations for the Office of Mayor Pro Tem.

11-99-305 MOTION by McShane, seconded by Hartsock, to nominate and elect James K. Mitchell for the Office of Mayor Pro Tem. MOTION CARRIED UNANIMOUSLY.

Mayor Hartsock thanked the voters who voted for him, his family, friends and Council for their support. He commented that serving the City is an honorable thing to do and that Council members serve with honor and distinction by what they do and say.

MINUTES OF PREVIOUS MEETING

11-99-306 MOTION by Campbell, seconded by McShane, to approve the minutes of the Special and Regular meetings of November 1, 1999. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING - RE: 2000-2001 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

City Manager Lauhoff reviewed the proposed Community Development Block Grant (CDBG) Program for 2000-2001 advising that the estimated amount to be received is \$32,816. He stated that as part of the application process the City must hold a public hearing and that the application must be accompanied by a resolution of Council's approval.

11-99-307 MOTION by Mitchell, seconded by Campbell, to open the public hearing. MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -3-
November 15, 1999

Mayor Hartsock opened the public hearing and invited public comment.

William Liba, 33640 Hillcrest, asked if the City uses any of the CDBG money for housing repairs for senior citizens. Manager Lauhoff replied that there is assistance available through the County and that the City helps seniors apply for assistance through this program.

11-99-308 MOTION by Bush, seconded by McShane, to close the public hearing.
MOTION CARRIED UNANIMOUSLY.

11-99-309 MOTION by Mitchell, seconded by Campbell, to adopt a resolution authorizing the City Manager to submit an application for participation in the Community Development Block Grant Program. [SEE ATTACHED RESOLUTION].
MOTION CARRIED UNANIMOUSLY.

REPORT FROM BOYS STATE REPRESENTATIVE: BENJAMIN YORK

Benjamin York was present to review his participation in the Boy's State Program which provides an opportunity for youths to study state government. He reviewed his involvement in the program, stated that he found the experience to be rewarding and recommended continued support of the Boy's State Program.

Council thanked Mr. York for the presentation.

**INTRODUCTION: NANCY COUMOUNDOUROS, NEW CULTURAL ARTS
COORDINATOR FOR FARMINGTON/FARMINGTON HILLS**

Mayor Hartsock introduced Nancy Coumoundouros as the new Cultural Arts Coordinator for Farmington/Farmington Hills.

Ms. Coumoundouros reviewed her accomplishments as Executive Director of the Waterford Cultural Council and stated she was looking forward to working for Farmington and Farmington Hills.

**PRESENTATION: UPDATE ON CODE ENFORCEMENT - DIRECTOR OF PUBLIC
SERVICES KEVIN GUSHMAN**

Director Gushman reviewed the status of commercial property inspections. He stated that the areas which had been cited are now in compliance except for the Hong Kong Restaurant for which he is trying to establish a greenbelt area on the vacant property. He stated that landscaping issues are being worked out with other businesses in the City and listed businesses that have recurring violations.

COUNCIL PROCEEDINGS -4-
November 15, 1999

Richard Tupper asked Director Gushman about the status of outside storage at the Old Mills Products location at Eight Mile and Farmington Road. Mr. Gushman stated that they have been cited and court action is pending.

Discussion followed regarding Foremost Duct Company and future changes at the Grand River and Orchard Lake area.

11-99-310 MOTION by Bush, seconded by Mitchell, to receive and file the report on Code Enforcement. MOTION CARRIED UNANIMOUSLY.

MINUTES OF OTHER BOARDS

11-99-311 MOTION by McShane, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

- ◆ Beautification Commission minutes of October 13, 1999;
- ◆ Historical Commission minutes of October 20, 1999.
- ◆ Governor Warner Mansion Development Committee minutes of October 20, 1999.
- ◆ Board of Canvassers minutes of November 3, 1999.

MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

REQUEST FOR PROCLAMATION: NATIONAL FAMILY WEEK, NOVEMBER 21-28, 1999.

11-99-312 MOTION by Campbell, seconded by Bush, to issue a proclamation declaring the week of November 21-28, 1999 as National Family Week. MOTION CARRIED UNANIMOUSLY.

Councilwoman McShane introduced Joan McGlincy, member of the Commission on Children, Youth, and Families, who thanked Council for the proclamation and their support and commitment to families.

RESIGNATION OF ARTS COMMISSION MEMBER, ELLEN WALLIS.

11-99-313 MOTION by Mitchell, seconded by Campbell, to accept the resignation of Ellen Wallis, member of the Arts Commission, and to send a letter of appreciation for her long standing service to the City. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION OF RESOLUTION REGARDING THE FORMAL PROCESS FOR CABLE FRANCHISE RENEWAL. Administration advised Council that Time Warner requested that the City conduct an administrative hearing to determine whether the Cable TV Franchise Renewal Proposal submitted should be granted. A resolution is required to establish the process for the hearing, the first meeting of the panel to be held January 5, 2000. Administration advised that Richard Tupper has agreed to represent the City on the panel.

11-99-314 MOTION by McShane, seconded by Mitchell, to adopt a resolution establishing the procedure, and appointing a representative, for an administrative hearing to determine whether the Cable TV Franchise Renewal Proposal submitted by Time Warner should be granted. [SEE ATTACHED RESOLUTION].

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE BUDGET ADJUSTMENT FOR THE 47TH DISTRICT COURT FOR ROOF REPAIRS. Administration advised that the 47th District Court Building needs the 20 year old roof replaced before the winter season. Farmington Hills Central Services requested bids and accepted the bid from Lutz Roofing at a cost of \$185,680. Manager Lauhoff recommended approval of the City's contribution advising that a portion of the cost can be covered under the original 1999-2000 appropriation to the Court.

11-99-315 MOTION by Campbell, seconded by Bush, to authorize City participation in the replacement of the 47th District Court Building roof and approval of the necessary funding which amount is to be included in the next quarterly budget amendment.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -6-
November 15, 1999

MISCELLANEOUS

PUBLIC COMMENT.

Nancy Leonard, 33309 Shiawassee, congratulated the newly reelected Council members.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilman Campbell thanked Councilwoman Bush for her leadership over the last two years and stated that he will continue to support her in her endeavors.

Assistant City Manager Richards discussed the 2000 Calendar indicating the cover will be composed of pictures of the City sign, Warner Mansion sign, marquee of the Civic Theatre and the PlayScape dedication. Mr. Richards suggested that the back cover mirror the four picture front cover with four pictures of staff operating departments; Public Safety Department, Public Services Department, and Clerk/Treasurer's Office. He invited members of the City Council to join the staff of the City Manager's office. Mayor Hartsock stated that there are already pictures of the Council inside the calendar and thanked Mr. Richards for the invitation.

MASTER BANK DEPOSITORY SIGNATURE RESOLUTION.

11-99-316 MOTION by Campbell, seconded by Bush, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes that the name of William S. Hartsock be added as an authorized signer on all accounts and negotiable instruments, requiring the signature of the Mayor, which are maintained by the City of Farmington at Bank One, Comerica, Metrobank, MBI/Municipal Investors Service Corp. Investment Pool or at any other financial institution authorized by the City Council to accept deposits for the City of Farmington; and that the name of Mary L. Bush be removed effective November 15, 1999.

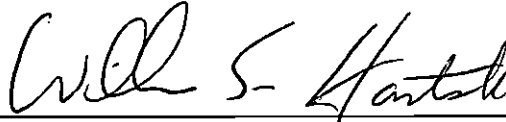
RESOLUTION DECLARED ADOPTED NOVEMBER 15, 1999.

ADJOURNMENT

11-99-317 MOTION by McShane, seconded by Bush, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -7-
November 15, 1999

Meeting adjourned at 8:53 p.m.



WILLIAM S. HARTSOCK, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: December 6, 1999

CITY OF FARMINGTON

RESOLUTION NO. 11-99-309

Motion by Mitchell, seconded by Campbell, to adopt the following resolution:

WHEREAS, the Farmington City Council has agreed to participate in the Community Development Block Grant Program for the year 2000-2001 through the County of Oakland, and

WHEREAS, the public has had an opportunity to review and comment on the objectives proposed for 2000-2001,

THEREFORE BE IT RESOLVED, that the City Manager be authorized and directed to submit an application to the Oakland County Community Development division for participation in the 2000-2001 Block Grant Program as follows:

\$16,408	Senior Citizen Programs and Services
16,408	Senior Center Equipment and/or Furnishings

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....

I, Patsy K. Cantrell, duly authorized City Clerk/Treasurer 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 Monday, November 15, 1999, in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer

STATE OF MICHIGAN
COUNTY OF OAKLAND

CITY OF FARMINGTON

RESOLUTION NO. 11-99-314

At a regular meeting of the City of Farmington City Council, held at 23600 Liberty Street, Farmington, Michigan 48335 on the 15th day of November, 1999 at 8:00 p.m. Eastern Standard time.

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

ABSENT: None.

The following resolution was offered by McShane and seconded by Mitchell.

WHEREAS, the City of Farmington has preliminarily denied Time Warner Cable's proposal of April 26, 1999, for renewal of its franchise, and

WHEREAS, Time Warner Cable has requested the City conduct an administrative hearing as provided by Section 626(c)(1) of the Communications Act of 1934, as amended, 47 USC 546(c)(1) to determine whether the cable television franchise renewal proposal submitted by it should be granted, and

WHEREAS, the Federal Act leaves the specific procedures to be followed in such administrative hearing to the discretion of the franchise authority, and

WHEREAS, the City believes it to be in its best interests to coordinate and cooperate in this administrative process with its fellow members in the Southwest Oakland Cable Commission.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

SECRET, WARDLE, LYNCH, HAMPTON, TRUJEX AND MORLEY

1. The City, upon the concurrent adoption of a substantially identical resolution of the Cities of Farmington Hills and Novi, establishes a panel of three hearing officers, one representative from each city to conduct the administrative hearing required under federal law. The representative of the City of Farmington shall be MR. RICHARD TUPPER.

2. The first meeting of the panel shall be held on Wednesday, January 5th at _____ p.m. E.S.T. at the City of (TO BE DESIGNATED) City Hall. The panel shall select a chairperson from among them and preside at a conference of Time Warner and municipal representatives to establish a schedule of proceedings.

3. The administrative process and hearings shall be conducted in accordance with the provisions of the Michigan Administrative Procedures Act of 1969, as amended, 1969 PA 306, MCLA 24.201 et seq.

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

NAYES: None.

ABSENT: None.


ABSTENTIONS: None.

The resolution was adopted.

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council held on the 15th day of November, 1999, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this
15th day of November, 1999.


PATSY K. CANTRELL
City Clerk
City of Farmington

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SECRET, WARDLE, LYNCH, HAMPTON, TRUEX AND MORLEY

CITY OF FARMINGTON
COUNCIL PROCEEDINGS

A special meeting of the Farmington City Council was held on Monday, November 29, 1999 at 5:30 p.m. in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff, Assistant City Manager Richards.

Mayor Hartsock opened the meeting at 5:30 p.m. and invited Assistant Manager Richards to lead the planning/goal setting session.

Assistant City Manager Richards began the discussion by reviewing the prior year policies, goals and objectives and reviewing the environmental scan of February, 1996. Discussion followed regarding amendments to the environmental scan document.

Council discussed ways of improving right-of-way appearance, especially in commercial areas. Council concurred that a lack of greenbelts in the City presents a problem. According to City Manager Lauhoff, Attorney Donohue has advised that an ordinance could be developed which would address this concern. Administration advised that the Planning Commission is currently working on three ordinances for improving right-of-ways and other public areas including the location of dumpsters. Council noted that the "Visioning Process" resulted in the suggestion for more green spaces in commercial areas.

Council reviewed their mission statement, policies, goals and standard operating procedures for the 1999-2000 year. Council added and/or deleted goals moving some goals to the status of standard operating procedures. City Manager Lauhoff stated that his office will incorporate the changes approved by Council and distribute a draft document for Council's review before the final version is placed on a future agenda for Council approval.

Mayor Hartsock suggested meeting with the Farmington School principals to discuss common issues and develop lines of communication. He expressed interest in broadening student government day activities. Manager Lauhoff stated that he feels such meetings would have value. Council discussed the merit of such meetings and also ideas on how to improve student government day.

Council appointments were decided for the 1999-2001 year to the various Boards and Commissions. Council discussed a concern that the original plan to award the

"Mayor's Trophy" to a particular company only once was not being followed. It was felt that the Beautification Commission could be more proactive in encouraging beautification efforts. Manager Lauhoff stated he felt it important to have Council representation on the Commission. Discussion continued regarding organization of the Commission and parameters for appointing Commission members. Council discussed the need to assess the functioning of the Commission since so many members are leaving. Council concurred to extend current appointments for six months in order to allow time for an evaluation of the Commission. Manager Lauhoff stated that he will advise members of the appointment extensions and explain the reasons. Council appointed Councilwoman Bush to represent Council on the Beautification Commission.

Council discussed organization of the Mansion Development Committee and possible changes in the responsibilities of the Historical Commission. Manager Lauhoff informed Council that Attorney Donohue has advised that Council has the authority to form a Committee, which could have non-resident members, to operate the Mansion.

Discussion followed regarding monies raised for the Mansion; current use of monies on hand; that monies should be reserved for the same uses as previously and not used for events; and that the monies should follow the responsibility. Mayor Hartsock stated that overlapping responsibilities create a problem and should be clarified. Council concurred that funds on hand should be spent on the Mansion, under the control and discretion of the Historical Commission, and within a specified time. Council further concurred that all new monies raised should be under the control of the Mansion Committee.

Manager Lauhoff advised Council of the need to appoint members to the Mansion Committee, first confirming that all current members wish to be appointed. Council considered the number of members which should be appointed and the need for by-laws. Manager Lauhoff stated that he will discuss membership and by-laws with Attorney Donohue and present a draft document for Council approval. Manager Lauhoff, responding to Council questions, stated that the Historical Commission by-laws may have to be amended. Discussion continued regarding functioning of the Historical Commission.

Council discussed staffing in the Clerk/Treasurer's Office. Manager Lauhoff advised Council of expected staff turnover in this Office indicating that over a period of five to six years it is anticipated that as much as ninety percent of the current staff may retire or terminate. Council continued discussions concurring that planning for these probable changes was critical and that the budget adjustments for this activity may become necessary.

Manager Lauhoff asked Council for direction regarding user charges for use of the park pavilions by non-profit groups. Council asked regarding clean up for use of the park. Manager Lauhoff explained City procedures for cleanup of parks and asked if Council would like him to track use of the park pavilions for the next season and report back to Council. Council concurred to continue the fee exemption for Farmington/Farmington Hills non-profit groups and review the decision after receiving a report on use for the next season.

Manager Lauhoff advised Council of participation and activity on the Zoning Board of Appeals and the Planning Commission. Discussion followed regarding membership on the Zoning Board of Appeals and the Planning Commission and the legal parameters for appointments to these bodies. Council determines the number of members on the bodies but cannot appoint for a probationary period nor shorten a members term without cause. Council discussed operation of the two bodies as residents have complained about how they have been treated. Discussion continued regarding concern with how staff and proponents are treated; Council expressed concern that the public is well treated before any City Board or Commission. Discussion followed regarding complaints and the proper protocol in handling these issues. Mayor Hartsock will discuss Council's concern with the Zoning Board of Appeals. Council further considered looking at the number of members on the ZBA and Planning Commission and possibly reducing the number of members, looking at attendance on Boards and Commissions in regards to reappointment.

Manager Lauhoff asked if Council wished to go forward with the a traffic study, and if so, should a full study be done or limited to critical areas. Council asked if sources are out there to fund a study with discussion following regarding the benefit of such a study. Councilman Mitchell stated that in looking at a list of components of the study it appears that much of the work could be done by the City possibly with the use of students.

Mayor Hartsock stated that if the City could identify specific problem areas, look at perception versus actual parking problems and identify the problems; define what it is the City is trying to accomplish; look at major changes occurring in the business makeup; narrowly define the involvement of a vendor completing such a study; could then ask the Traffic and Safety Board to qualify the problems and possibly use students to complete part of the work involved in a study to reduce costs.

Manager Lauhoff asked Council about their perceptions regarding problems; vehicular traffic flow, pedestrian traffic flow, employee parking, interest in reconfiguring parking lots, identifying new parking lots; and any other input regarding parking problems. Manager Lauhoff asked if Council would ever consider moving into residential areas, buying residential properties and demolishing buildings to create more parking. Council concurred that this is not an option. Councilwoman McShane stated that she would like to look at timed parking and voiced her concern that there may be seniors who cannot walk from current parking to their desired destinations.

Manager Lauhoff showed Council the new Channel 15 Logo.

Manager Lauhoff discussed the possibility of a City wide sidewalk sale in late summer and advised Council of pending revision of the Civic Theatre budget as fire and safety issues have increased construction costs.

Councilwoman Bush discussed Channel 15 programming and suggested a team approach in developing programming, suggesting that each Councilmember take two shows per month. Discussion continued regarding potential topics, possible assistance from the SWOCC staff, involving City Boards and Commissions and other community organizations and businesses. Bush noted that there has been a good response from previous programs.

Mayor Hartsock asked the Manager for an update on offering medical insurance to Councilmembers. Discussion continued regarding the pros and cons of allowing Council to purchase medical insurance through the City group plan with the full cost paid by the Councilmember.

Meeting adjourned at 10:20 p.m.



WILLIAM S. HARTSOCK, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: December 6, 1999

**JOINT MEETING OF FARMINGTON
AND FARMINGTON HILLS CITY COUNCILS
THURSDAY, NOVEMBER 18, 1999**

The joint budget meeting of the Farmington and Farmington Hills City Councils was called to order by Dave Walsh, 47th District Court Administrator at 7:00 p.m.

FARMINGTON COUNCIL PRESENT: Hartsock, Mitchell and Campbell.

FARMINGTON HILLS COUNCIL
PRESENT: Barnett, Bates, Brickner, Ellis, Grant and Oliverio.

OTHERS PRESENT: City Managers Brock and Lauhoff, Assistant City Manager Whinnery, City Clerk Cantrell, Deputy Clerk Sibley, Finance Director Rosch, Court Administrator Walsh, Judges Harris and Parker; Mike McGee and Robert Bendzinski, Bond Counsel; Doug Laferle and Ken Jandura, Architects; and Dave Allan, Construction Manager

PRESENTATION BY THE 47TH DISTRICT COURT FACILITY PLANNING COMMITTEE:

Dave Walsh, Court Administrator, explained that approximately 1 ½ years ago the Cities of Farmington and Farmington Hills appointed a Building Planning Committee to review the options for a new 47th District Court building. He explained that the committee began reviewing the needs of the court facility and looked at other facilities in the area. The committee suggested selecting an architect partnership and construction manager and the City Councils approved the hiring of these people and approved the first phase of the project in the amount of \$36,000 + to conduct a needs analysis.

Doug Laferle, architect, discussed his partnership with French Associates a local architectural firm and explained that the two firms would be involved in the design aspects of the project. He indicated that the role of the construction manager would be to review the systems and costs and keep the architects within budget and then take over when the bidding process begins and oversee the construction of the project.

Ken Jandura, French Associates and Doug Laferle, made a presentation outlining the assessment process they went through to determine the best site for the building, spacial needs, etc.

They explained that the existing needs of the building are 2 courtrooms/2judges and 36,126 square feet of space and the projected needs are 3 courtrooms/3 judges and 43,603 square feet. The projected needs were arrived at using National and State standards. They indicated that they

Charles Rosch, Finance Director for Farmington Hills, indicated that before the Councils can finance this project, 3 prerequisites must be met. They are as follows:

- Have to have the legal authority to issue the debt
- Ability to repay the debt
- Bonds must be marketable

He noted that there are several options for the type of bonds to be used; those being revenue bonds, general obligation bonds or building authority bonds. He further explained that general obligation bonds would have to be voted on by voters in both Farmington and Farmington Hills and pass by a simple majority in both communities in order to issue the bonds. Building Authority bonds could be issued through a joint authority or through the Farmington Hills Building Authority.

Robert Bendzinski, Bond Counsel, stated that his company has done extensive research on the ratings for both the Cities of Farmington and Farmington Hills. He noted that revenue bonds are generally issued for utility bonds whereby the community can raise the rates if necessary in order to pay the debt on the bonds. He commented that rating agencies did not look favorably on utilizing revenue bonds to fund the court building, therefore, he believes building authority bonds are the best alternative. Mr. Bendzinski reiterated that general obligation bonds would require a separate vote in each community and would have to pass by a simple majority in both communities.

Mr. Bendzinski indicated that he would recommend using the Farmington Hills Building Authority to issue the bonds as Farmington Hills has good ratings and is already a recognized authority. He explained that if Farmington Hills Building Authority was used, an agreement could be entered into between the cities whereby Farmington would pay a portion of the operational service and debt service. This figure could fluctuate based on population or caseload. Mr. Bendzinski reviewed projected debt service rates assuming the bonds would be issued for 20-25 years.

Several Farmington Hills Councilmembers inquired if the City of Farmington Hills could afford to utilize the Farmington Hills Building Authority to issue these bonds. Mr. McGee and Mr. Bendzinski indicated that the City of Farmington Hills could afford to do this project. Mr. Bendzinski added that some of the debt could also be covered by court revenue monies. Charles Rosch, Finance Director agreed that Farmington Hills could afford to issue the bonds through their Building Authority.

Mr. McGee, Bond Counsel, indicated that the City of Farmington has court funds that would need to be transferred to the Farmington Hills Building Authority should the Councils determine to proceed in this direction. He referred to a document he distributed outlining the legal steps to accomplish Building Authority financing for the project.

Mayor Bates inquired if the existing courthouse building would be sold. City Manager Lauhoff stated that the building would be sold, however, the current zoning is residential. He added that the only interest for residential zoning at this time would probably be the schools.

Mr. Lauhoff added that the committee was looking for a consensus of the Councils to move forward with the design phase and the commitment with regard to costs for the architects and construction manager and to begin transferring funds to the Farmington Hills Building Authority. He added that formal approval for continuing with the project in this direction would come before the City Councils as agenda item at one of their regular meetings.

Councilmember Barnett inquired at what point the process can be stopped before the cities are obligated to construction costs. It was noted that the cities would be committing between \$450,000 and \$480,000 to get to the bidding process.

Mayor Pro-Tem Ellis stated that he supports moving forward with the project and feels that if any issues arise, the Councils can stop the process and review the plans to determine how to proceed.

Councilmember Campbell inquired if the same committee would be working with the architects on setting the design standards. City Manager Brock suggested that he and City Manager Lauhoff and Judges Harris and Parker work with the architects on design standards.

Mayor Bates inquired when the Building Authority would become active. Mr. McGee responded that when the funds are transferred from the City of Farmington to the Authority it would be active, but no further action would take place until the bonds are issued.

Councilmember Brickner questioned the style of building the committee had in mind. Mr. Walsh indicated that the City of Farmington Hills would obviously want the exterior design to be compatible with the other buildings on site and as for the interior, the court is most interested in the facility being functional.

Mr. Lauhoff added that the facility will be a two-story building for security reasons and this would be most cost effective.

Councilmember Mitchell questioned the square footage and cost of the Canton courthouse facility. Mr. Walsh indicated that the building is approximately 47,000 square feet. Mr. Bendzinski stated that he believes total project costs were 8.8 million, however, he would verify those figures.

Mr. Allan explained that the cost estimates also include a furnished building and take into consideration ancillary costs, technology and future needs.

Assistant City Manager Whinnery inquired if the costs included the proposed tunnel on the Farmington Hills site and if there were plans for a basement for storage purposes on this site.

Mr. Jandura confirmed that costs include the proposed tunnel and a basement on the Farmington Hills site.

believe it would be difficult and expensive to renovate the existing building to address the operational needs of the court facility.

Mr. Jandura and Mr. Laferle discussed the existing floor plan and the importance of separating the public, private and secure areas of the court, which does not exist in the current building. Mr. LaFerle explained that the design process would take approximately 6 ½ months, and the actual construction could take anywhere from 14-18 months.

Mr. Allan added that once the budget is known, he can accelerate some of the bidding process to allow them to construct the building and enclose it for the winter months. He stated that this would keep costs down and maintain the quality of the project.

Mr. LaFerle next reviewed site options with the Councils and indicated that the existing site would be difficult to improve and costly and staff would still be left with a compromise. They felt a new facility on the Farmington Hills site was the better option. The three options reviewed were to build a facility consisting of 43,603 square feet with 3 courtrooms, 2 courtrooms and a shell for a third courtroom or 2 courtrooms and room for an addition to accommodate a 3rd courtroom when needed. The costs ranged from approximately \$10,700,000 to \$9,400,000 respectively.

The architects made the following conclusions:

- There is a need for additional space for the court to operate
- Continued use of the existing facility would be functionally difficult and expensive
- The existing courthouse lacks the dignity of a courthouse facility in its architecture
- The Farmington Hills site is most compatible with the use of the facility, it would create a government campus and would have direct connection to the Police Headquarters facility.

Recommendation: For a new courthouse facility consisting of 43,603 square feet on the Farmington Hills site, but keeping in mind the need for future expansion no matter which site is ultimately used.

Mr. Walsh explained that this recommendation made to the committee is the same recommendation the committee would like to place before both councils this evening. The committee would suggest bidding out all options in order to determine the most cost effective option. He indicated that it would be the committee's desire to build the 3 courtrooms, if this is financially feasible, but at the very least allow for this expansion. Mr. Walsh added that the committee comes before both Councils this evening looking for a consensus to move forward with the design phase of the project.

Discussion was held on the need for a 3rd courtroom and how it could be used even though the court does not have a 3rd judge at this time.

Judge Harris commented that back in 1988 a 3rd judge was authorized for the 47th District Court although he does not know why this was never acted upon.

Charles Rosch, Finance Director for Farmington Hills, indicated that before the Councils can finance this project, 3 prerequisites must be met. They are as follows:

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- Bonds must be marketable

He noted that there are several options for the type of bonds to be used; those being revenue bonds, general obligation bonds or building authority bonds. He further explained that general obligation bonds would have to be voted on by voters in both Farmington and Farmington Hills and pass by a simple majority in both communities in order to issue the bonds. Building Authority bonds could be issued through a joint authority or through the Farmington Hills Building Authority.

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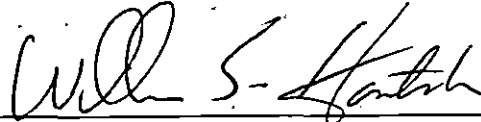
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Mayor Bates inquired if the existing courthouse building would be sold. City Manager Lauhoff stated that the building would be sold, however, the current zoning is residential. He added that the only interest for residential zoning at this time would probably be the schools.

The consensus of the Farmington and Farmington Hills City Councils was to move forward with the design phase of the project for a 2-3 courtroom facility between approximately 36,000 and 43,000+ square feet on the Farmington Hills site and to utilize the Farmington Hills Building Authority to issue bonds. This issue will be brought to the City Councils at one of their regular meetings in December, 1999, for formal approval.

ADJOURNMENT: The joint meeting adjourned at 8:45 p.m.

Pbs/cc minutes 1999/joint meeting 11/18/99 47th Dist Court Issues



WILLIAM S. HARTSOCK, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Pamela B. Sibley
Recording Secretary

Approved: January 3, 2000

Special Council Meeting
December 6, 1999
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**SPECIAL COUNCIL MEETING
STUDY SESSION**

A special meeting of the Farmington City Council was held on Monday, December 6, 1999, 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 order at 6:30 p.m.

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

COUNCIL MEMBERS ABSENT: None.

FARMINGTON CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, City Manager Lauhoff, Assistant City Manager Richards.

OTHERS PRESENT: Suzanne Paul, Denise Tawyea.

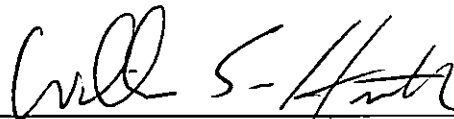
Mayor Hartsock opened the meeting and discussions began with review of proposed plans for a grand re-opening of the Civic Theatre. Ms. Paul and Ms. Tawyea presented a detailed schedule of events providing options for Council consideration. Council decided that the re-opening event would be held over a three day period beginning Friday evening, January 7, 2000 and concluding on Sunday, January 9th.

Council concurred in deciding that expenses for the "Gala" on Saturday night should be covered by ticket revenue discussing the price to set for a ticket and expressing concern that the City not spend money on the event. Council discussed ways of keeping costs down while still having a "classy" event. The price of a ticket for the Saturday night "Gala" was set at \$50.00 with all other activities open to the public. Admission to the Theatre will be at reduced prices during the three day period. Council decided that this should be a local event and limited the number of complimentary tickets which will be issued to an estimated twenty-seven tickets. The City of Farmington Hills City Manager and Council who wish to attend the event will be among those provided complimentary tickets.

Council concluded by asking Ms. Paul and Ms. Tawyea to keep Council informed on the progress and details of the event and offering to provide assistance with the preparations.

Special Council Meeting
December 6, 1999
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Meeting adjourned at 7:47 p.m.



WILLIAM S. HARTSOCK, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

Approved: January 3, 2000

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, December 6, 1999, in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 8:00 p.m. by Mayor Hartsock.

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

The Pledge of Allegiance was led by Weebelo Dens No. 2 and 3, Pack 45, from Longacre Elementary School. Mayor Hartsock presented City of Farmington pins to the Weebelo scouts.

12-99-318 MOTION by Campbell, seconded by McShane, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

12-99-319 MOTION by Bush, seconded by Mitchell, to approve the minutes of the Special and Regular meetings of November 15, 1999 and the Special meeting of November 29, 1999 as submitted. MOTION CARRIED UNANIMOUSLY.

DOWNTOWN DEVELOPMENT AUTHORITY QUARTERLY REPORT

Director Downey was present to provide an update on the Downtown Development Authority activities and projects. Director Downey reported that Great Harvest Bread Company is doing well; that the "Halloween Fun Fest" event is one of the best attended events and gets bigger each year; and that attendance was down for the "Celebrating Holidays Around the World" event and she would like to change the event. The DDA Board's Director Downey reported ways to help businesses get involved with e-commerce marketing which they believe would be helpful in marketing the City's Downtown.

Discussion followed regarding coordinating movies at the Civic Theatre with DDA events.

COUNCIL PROCEEDINGS -2-
December 6, 1999

PRESENTATION: VIDEO AWARD - SWOCC EXECUTIVE DIRECTOR, CAREN COLLINS AND VIDEO PRODUCTION SPECIALIST PAUL MUCZYNSKI

Director Collins, of the Southwestern Oakland Cable Commission, stated that the City of Farmington took first place in the instructional category of the Philo T. Farnsworth Award with the video entitled "Intro to the AED". Director Collins introduced SWOCC Video Production Specialist, Paul Muczynski, who was the producer of the video and showed a portion of the video. Director Collins reviewed other projects that SWOCC is working on. Council congratulated Mr. Muczynski on work well done.

Councilman Campbell requested that the PlayScape Dedication video be completed soon.

PRESENTATION: SEMCOG JOINT PUBLIC SERVICES AWARD - MICHAEL CSAPO, GENERAL MANAGER, RRRASOC

Michael Csapo, General Manager of Resource Recovery and Recycling Authority of Southwest Oakland County (RRRASOC) presented the City with a Merit Award for its Household Hazardous Waste Collection Program on behalf of the Center for Joint Public Services. Mr. Csapo stated that the awards are judged on project outcome, continuing impact and transferability and credited the City, its residents and Waste Management for working with RRRASOC to make recycling successful.

PRESENTATION: BICYCLE PATH - DIRECTOR OF PUBLIC SERVICES KEVIN GUSHMAN

Director of Public Services, Kevin Gushman, reviewed a proposed bike path plan route in the City of Farmington and stated that the Department of Public Services will sign and identify the route in the spring of 2000. Director Gushman stated that existing sidewalks, with the exception of the west side of Power Road between Grand River and Shiawassee, will be used as the route. Signing materials will cost approximately \$300 and striping and stenciling of the pavement will cost \$500. He stated that Heritage, Shiawassee and Founder's Parks will be in the proposed network.

Discussion followed regarding routes, restriping of crosswalks and special marking of areas that are located in busy traffic areas such as Shiawassee and Power Roads.

MINUTES OF OTHER BOARDS

12-99-320 MOTION by McShane, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

COUNCIL PROCEEDINGS -3-
December 6, 1999

- ◆ Planning Commission minutes of November 8, 1999.
- ◆ Traffic & Safety Board minutes of October 21, 1999 and November 18, 1999.
- ◆ Farmington Board of Education minutes of October 19, 1999 and Study Session minutes of November 2, 1999.
- ◆ Farmington Community Library Board of Trustees Regular Meeting minutes of October 21, 1999.
- ◆ Farmington Community Arts Council minutes of October 14, 1999 and November 11, 1999.
- ◆ Farmington Area Arts Commission minutes of October 21, 1999.
- ◆ Commission on Children, Youth and Families minutes of November 4, 1999.

MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

CONSIDERATION OF RESIGNATIONS FROM BOARDS AND COMMISSIONS.

12-99-321 MOTION by Bush, seconded by Mitchell, to receive and file the resignation notices of Joan Harrison from the Beautification Commission, Shirley Smith from the Board of Review and James M. Patton from the Historical Commission and to send letters of appreciation for their service to the City. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF REAPPOINTMENTS TO BOARD OF CANVASSERS.

12-99-322 MOTION by Campbell, seconded by McShane, to reappoint Reta Mosshamer and Alton L. Bennett to the Board of Canvassers to terms expiring December, 2003. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO EXTEND EXPIRING TERMS ON THE BEAUTIFICATION COMMISSION. Administration stated that Council had reviewed the operation and function of the City's Boards and Commissions and had concurred to appoint Council member Bush as a member of the Beautification Commission to assist Council in determining the future direction of the Commission.

12-99-323 MOTION by Mitchell, seconded by Campbell, to extend the expiring terms of Patricia Shelton and Aaron Ambinder for six months and to review terms for reappointment in June 2000. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION TO AMEND SOLID WASTE REMOVAL AGREEMENT.

Administration advised that Waste Management, Inc. requested an amendment to the original agreement between Waste Management, Inc. and the City to eliminate only the requirement for Waste Management to provide household hazardous waste (HHW) services. Mr. Tom Horton, representing Waste Management, was present to answer questions from Council.

Discussion followed regarding RRRASOC's contract with Clean Harbors, Inc. to provide HHW services to its member communities.

12-99-324 MOTION by McShane, seconded by Bush, to approve an amendment to the original 1993 agreement with Waste Management of Michigan, Inc. to eliminate references to household hazardous waste (HHW) services, relieving Waste Management of Michigan, Inc. from providing such services and to authorize the Mayor to sign the amendment.

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADJUST CIVIC THEATRE PHASE I RENOVATION ESTIMATE.

Administration advised that the original budget estimate of Phase I renovations for the Civic Theatre was \$472,000 and the expected total cost will be \$497,000 which is 5.5% over the original estimate which included improvements to the Theatre's fire safety system and additional items required by the Oakland County Health Department. Manager Lauhoff stated that the Capital Improvement Fund loan approved for theatre operations can be used toward construction costs, but adjustment of the approved loan amount for FY 2000-01 may be needed.

Discussion followed regarding theatre renovations.

12-99-325 MOTION by Campbell, seconded by Mitchell, to amend the original Phase I Civic Theatre renovation estimate from \$472,000 to \$497,000; funds to be provided from the Theatre bond proceeds or approved loan from the Capital Improvement Fund.

COUNCIL PROCEEDINGS -5-
December 6, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF RECOMMENDATION RE: 47TH DISTRICT COURT FACILITY PLANNING COMMITTEE. Administration advised that the estimated cost for the new court facility is between 9 -10 million dollars. Michael McGee, from Miller, Canfield, Paddock and Stone, P.L.C. municipal financial advisor Robert Bendzinski, Jr. From Bendzinski & Co., and City administration recommended using the existing Farmington Hills Building Authority to issue building authority bonds to fund the project. Manager Lauhoff stated that in order to move into the design phase of the project new contracts with the architects and the construction manager must be approved. Estimated costs for architectural fees for the design phase is expected to be between \$475,000 and \$500,000. The Farmington and Farmington Hills City Councils at a joint meeting held November 18, 1999, concurred to move forward with the design phase of the project. Administration recommended that Council approve several project related actions before the project can move forward.

12-99-326 MOTION by Mitchell, seconded by McShane, to approve:

- ◆ the general project scope
- ◆ the Farmington Hills site as recommended by the 47th District Court Facility Planning Committee
- ◆ the Planning Committee to enter into the design phase of the project
- ◆ designate the Farmington Hills Building Authority as the funding authority for the project
- ◆ authorize design contracts with French Associates/Spillis, Candela & Partners for a sum not to exceed 7% of construction costs and with Monal, Inc., construction manager, for a sum not to exceed 2.25% of construction costs
- ◆ authorize transfer of the funds accrued for court building construction, including the Michigan Justice Training Funds reimbursement and those funds set aside from fines and forfeits from the 47th District Court, to the Farmington Hills Building authority for this phase of the project as needed, and
- ◆ that all costs for the design phase of this project be charged to the cities of Farmington and Farmington Hills according to the formula that is used by the two cities for the general operation of the 47th District Court.

COUNCIL PROCEEDINGS -6-
December 6, 1999

ROLL CALL

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

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE COUNCIL REPRESENTATION REGARDING
BOARDS/COMMISSIONS AND OTHER ORGANIZATIONS.**

12-99-327 MOTION by Campbell, seconded by McShane, to appoint the following Councilpersons to City Boards and Commissions for the balance of 1999 through November 2001 and to acknowledge Council memberships in other organizations.

Farmington Employee Retirement System Board of Trustees

JoAnne M. McShane
William S. Hartsock, Mayor, alternate to Councilmember

Planning Commission

Arnold T. Campbell

Southwestern Oakland Cable Commission

William S. Hartsock

Board of Zoning Appeals

William S. Hartsock
James K. Mitchell

S.E.M.C.O.G (Southeast Michigan Council of Governments)

JoAnne M. McShane

8 Mile Road Boulevard Association

William S. Hartsock
James K. Mitchell

Multicultural/Multiracial Community Council

William S. Hartsock
Joanne M. McShane, Community Member
City Manager

COUNCIL PROCEEDINGS -7-
December 6, 1999

Michigan Municipal League

Arnold T. Campbell
Finance and Taxation Committee

Special Assessment Deferred Payment Review Committee

William S. Hartsock
JoAnne M. McShane
James K. Mitchell

Subcommittee to Review Applicants for Boards and Commissions

Arnold T. Campbell
JoAnne M. McShane

Cable Access Committee

James K. Mitchell

Farmington Area Foundation on Children, Youth & Families

Mary L. Bush

Botsford Health Care Fund Development Council

Mary L. Bush
William S. Hartsock

Farmington Families in Action

JoAnne M. McShane

Governor Warner Mansion Committee

JoAnne M. McShane
James K. Mitchell

Beautification Commission

Mary L. Bush

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ORDINANCE #C-659-99 TO AMEND TRAFFIC CONTROL

ORDERS. Administration advised that the Traffic and Safety Board reviewed the "No Parking" regulations on Thomas Street between School and Warner Streets as requested by Mr. Bill Laverty of the Magic Brain located at 33023 Thomas. The Traffic and Safety Board recommended that Council establish a 15-minute loading zone while maintaining sufficient clearance for emergency vehicle access.

COUNCIL PROCEEDINGS -8-
December 6, 1999

12-99-328 MOTION by McShane, seconded by Campbell, to introduce Ordinance No. C-659-99 to amend traffic control orders of the City of Farmington, Chapter 4 adding Section 4.5, subsection (b), to provide that the north side of Thomas Street be designated for a distance of 50 feet in front of the main entrance to 33000 Thomas Street as a 15-minutes loading zone. [SEE ATTACHED]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ORDINANCES #C-660-99 AND #C-661-99 TO AMEND TRAFFIC CONTROL ORDERS. Administration advised that Mr. Barrett, principal of Farmington High School, requested that the City review on-street parking on Shiawassee Street near the high school since parked vehicles on Shiawassee are creating a hazard. The Traffic and Safety Board reviewed the situation and recommended that Council approve additional parking restrictions for this area.

12-99-329 MOTION by Campbell, seconded by Bush, to introduce Ordinance No. C-660-99 to amend Chapter 4, (limited parking by hours), section 4.7, as provided for in Section 31-196 of the City Code, Section 4.7 - Shiawassee (a) south side from Prospect to Mooney "No Parking Monday through Friday, 8 a.m. to 5 p.m. (b) north side from Prospect to Mooney "No Parking Monday through Friday, 8 a.m. to 5 p.m.: and to introduce Ordinance No. C-661-99 to amend Chapter 5, (prohibited parking) adding section 5.3, as provided for in Section 31-196 of the City Code, Section 5.3 - Shiawassee (e) north and south sides from Mooney Street to Orchard Lake Rd. [SEE ATTACHED]. MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

There were no public comments.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

Councilmember Bush asked if the owner of the property behind the Catholic Credit Union on Lakeway and Grand River was planning an expansion. Director Gushman stated that they have not contacted the Building Department about any plans.

PUBLIC SAFETY OPERATIONS REPORT - THIRD QUARTER. Public Safety Director Goss stated that crimes are down again in the City and reviewed statistics regarding crime rates in the City.

COUNCIL PROCEEDINGS -9-
December 6, 1999

12-99-330 MOTION by McShane, seconded by Mitchell, to receive and file the Public Safety Operation Report for the Third Quarter. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF COUNCIL MEETING SCHEDULE FOR 2000.

12-99-331 MOTION by Campbell, seconded by Bush, to establish the Regular Council Meeting schedule for 2000. [SEE ATTACHED SCHEDULE]. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PAYMENTS REPORT

12-99-332 MOTION by Campbell, seconded by Mitchell, approve the Monthly Payments Report for November, 1999. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

12-99-333 MOTION by Bush, seconded by Mitchell, to adjourn the meeting.

The meeting adjourned at 9:10 p.m.



WILLIAM S. HARTSOCK, MAYOR



PATSY K. CANTRELL, CITY CLERK/TREASURER

ORDINANCE C- 659-99

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Director of Public Safety of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 4, add Section 4.5 subsection (b) as provided for in Section 31-196 of the code of Ordinances of the City of Farmington.

CHAPTER 4 - PARKING REGULATIONS:

ADD:

Section 4.5 - Thomas Street subsection (b)

North side for a distance of fifty feet directly in front of the main entrance to 33000 Thomas Street. "15 Minute Loading Zone".

ORDINANCE C-660-99

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Director of Public Safety of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 4, AMEND section 4.7 as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

CHAPTER 4 – PARKING REGULATIONS

AMEND:

Section 4.7 – Shiawasse

- (a) south side from Prospect to *Mooney* “No Parking Monday through Friday, 8 a.m. to 5 p.m.”
- (b) (b) north side from Prospect to Mooney “No Parking Monday through Friday, 8 a.m. to 5 p.m.”

ORDINANCE C- 661-99

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Director of Public Safety of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 5, ADD to section 5.3 as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

Chapter 5 – PROHIBITED PARKING

ADD:

Section 5.3 – Shiawassee

- (e) north and south sides from Mooney Street to Orchard Lake Road.

CITY OF FARMINGTON
RESOLUTION NO. 12-99-331

Motion by Campbell, seconded by Bush, to adopt the following resolution:

WHEREAS, the Open Meetings Act, MCL 15.261 et. seq. requires "for regular meetings of a public body, there shall be posted within 10 days after the first meeting of the public body in each calendar or fiscal year, a public notice stating the dates, times, and places of its regular meetings."

WHEREAS, Section 6.1 of the City Charter states that Council provides by resolution for the time and place of its regular meetings.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the following are dates of Regular City Council meetings for the year of 2000 at 8:00 p.m. in Council Chambers of Farmington City Hall, 23600 Liberty Street, Farmington, Michigan.

MEETING DATES

Monday, January 3, 2000
Tuesday, January 18, 2000
Monday, February 7, 2000
Monday, February 21, 2000
Monday, March 6, 2000
Monday, March 20, 2000
Monday, April 3, 2000
Monday, April 17, 2000
Monday, May 1, 2000
Monday, May 15, 2000
Monday, June 5, 2000
Monday, June 19, 2000

Monday, July 3, 2000
Monday, July 17, 2000
Monday, August 7, 2000
Monday, August 21, 2000
Tuesday, September 5, 2000
Monday, September 18, 2000
Monday, October 2, 2000
Monday, October 16, 2000
Monday, November 6, 2000
Monday, November 20, 2000
Monday, December 4, 2000
Monday, December 18, 2000

RESOLUTION DECLARED ADOPTED DECEMBER 6, 1999.

PATSY K. CANTRELL, CITY CLERK/TREASURER

.....
I, Patsy K. Cantrell, duly authorized Clerk/Treasurer for the City of Farmington, do hereby certify that the foregoing is a true and correct copy of a motion adopted by the Farmington City Council at a regular meeting held on Monday, December 6, 1999, in the City of Farmington, Oakland County, Michigan.



Patsy K. Cantrell, City Clerk/Treasurer