

FARMINGTON CITY COUNCIL
REGULAR MEETING
JANUARY 18, 2011

A special meeting of the Farmington City Council was held on Tuesday, January 18, 2011, 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 7:15 p.m. by Mayor Pro Tem Wiggins.

COUNCIL MEMBERS PRESENT: Knol, McShane, Wiggins, Wright.

COUNCIL MEMBERS ABSENT: Buck.

CITY ADMINISTRATION: Director Gushman, City Clerk Halberstadt, City Manager Pastue, Attorney Schultz, Director Schulz, Treasurer Weber.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

01-11-007 MOTION by McShane, seconded by Knol, to approve the consent agenda as submitted. MOTION CARRIED UNANIMOUSLY.

- A. Special Meeting Minutes of December 6, 2010
- B. Special Meeting Minutes of December 13, 2010
- C. Special Meeting Minutes of December 20, 2010
- D. Special Meeting Minutes of January 3, 2011
- E. Farmington Monthly Payments Report, December 2010
- F. City of Farmington Building Department 2nd Quarter Report October 1, 2010 through December 31, 2010
- G. Monthly Public Safety Report, December 2010
- H. Special Event Request – Farmington Run for the Hills

REGULAR AGENDA

01-11-008 MOTION by Knol, seconded by Wright, to approve the regular agenda as presented. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS/PUBLIC HEARINGS

**APPROVE SPECIAL EVENT REQUEST – KNIGHTS OF COLUMBUS
ANNUAL FUND DRIVE**

Norm Pranger, representing the Knights of Columbus, requested approval to solicit for their annual drive in Farmington.

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Pastue advised solicitation is not allowed in the streets.

Pranger requested permission to enter roadways with stipulations as allowed in Farmington Hills.

Pastue responded more research would need to be done before responding to Mr. Pranger's request.

Wiggins pointed out the City has an ordinance preventing street solicitation. He shared an incident that occurred in Livonia where a street solicitor was struck by a vehicle. He stated Farmington along with other communities adopted an ordinance in response to this tragedy.

Pranger inquired whether it is necessary to request permission from Council if solicitation is restricted to sidewalks only.

Pastue responded permission is necessary for public safety awareness.

McShane commented that if permission to solicit in the streets is granted to one organization than others would request the same. She stated if the City granted approval to more than one organization it would be necessary to change the ordinance.

Wiggins advised City Administration will take a close look at the Farmington Hills ordinance.

01-11-009 MOTION by Wright, seconded by Knol, to approve a request from the Knights of Columbus, St. Francis Council No. 4401, to solicit for their annual fund drive on the weekend of April 15, 16, and 17, 2011 in the City of Farmington with the exception of soliciting in the streets. MOTION CARRIED UNANIMOUSLY.

SPECIAL EVENT REQUEST – AMERICAN CANCER SOCIETY RELAY FOR LIFE

Felicia McMullen, Community Representative for the American Cancer Society, reviewed the purpose and process for the Relay for Life event.

01-11-010 MOTION by Wright, seconded by Knol, to approve the American Cancer Society Relay for Life special event request beginning Saturday, May 21, 2011 and concluding Sunday, May 22, 2011. MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

CONSIDERATION TO ADOPT ORDINANCE C-751-2010 AMENDING CHAPTER 35, ZONING CODE, DEALING WITH ADULT AND CHILD DAY CARE REGULATIONS.

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Wright inquired whether it would be necessary to move forward with the proposed ordinance if the property in question is not used for said purpose.

Pastue responded a review by the Planning Commission revealed that it makes sense to adopt the ordinance in any case.

01-11-011 MOTION by Wright, seconded by McShane, to adopt Ordinance C-751-2010 amending Chapter 35, Zoning Code, dealing with adult and child day care regulations. **[SEE ATTACHED ORDINANCE]**.

Roll Call

Ayes: McShane, Wiggins, Wright, Knol.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

CONSIDERATION TO APPROVE AGREEMENT FOR BALLOT LAYOUT AND PROGRAMMING SERVICES WITH OAKLAND COUNTY.

RESOLUTION 01-11-012 Motion by McShane, seconded by Knol, to adopt a resolution approving an Interlocal Agreement for Ballot Layout and Coding Services with Oakland County for all elections as presented and authorize the City Clerk to sign the agreement on behalf of the City. **[SEE ATTACHED RESOLUTION AND AGREEMENT]**.

Roll Call

Ayes: Wiggins, Wright, Knol, McShane.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO RENEW SOUTHEAST MICHIGAN COUNCIL OF GOVERNMENTS MEMBERSHIP

Knol expressed support for renewal of the SEMCOG membership citing the organization's benefit to the community.

Wright pointed out the membership renewal letter referred to a number of cost reductions taken, however, he noted membership fees remained the same.

Pastue responded the fees were much higher in past years.

01-11-013 MOTION by Wright, seconded by Knol, to authorize payment in the amount of \$1,166.00 to the Southeast Michigan Council of Governments (SEMCOG) to continue the City's membership.

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Roll Call

Ayes: Wright, Knol, McShane, Wiggins.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADOPT RESOLUTION OF INTENT FOR PROPOSED 2011 CAPITAL IMPROVEMENTS BOND

McShane expressed her support for the bond issuance and stated the importance of continued infrastructure improvements.

Knol discussed the importance and need for the sewer liner in the Floral Park subdivision. She stated this liner preserves the life of the sewer system.

Responding to a question from Wright, Pastue advised payment for the project will be part of the water and sewer bills. Wright requested the City quantify costs for residents.

Wiggins pointed out the efficiency of sewer lining in that it is performed thru manholes.

RESOLUTION 01-11-014 Motion by Knol, seconded by McShane, to adopt a *Resolution of Intent* for a proposed 2011 Capital Improvements Bond. [SEE ATTACHED RESOLUTION].

Roll Call

Ayes: Knol, McShane, Wiggins, Wright.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADOPT RESOLUTION AMENDING CIVIC THEATER FEE SCHEDULE

McShane inquired about a reasonable timeframe in which Council would be informed of proposed fee changes in order to allow adequate time for discussion and input to those changes.

Pastue stated an effort would be made to inform Council of proposed changes in a timely manner.

McShane expressed support that any changes would take place within the context of the Civic being a family-oriented theater. She stated this language shows the City's intent in the operations and goals of the theater.

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Pastue advised this language can be limiting to the management of the theater.

Wright asked for clarification on what a “family oriented theater” means. He questioned whether that means movies that are not good for children can be shown.

McShane advised the statement “family oriented theater” provides direction when management is considering alternative entertainment such as a violent boxing event. She stated any statement of intent will be open for interpretation.

Schultz pointed out the contract for the Theater’s General Manager provides Council significant control over what he does. He stated the resolution before Council gives the City Manager and Theater Manager more control over operations, however, if Council does not like what they are seeing another resolution can be adopted to make adjustments.

Pastue noted prior to current theater management a comedy troupe performed at the Civic. He stated children were not allowed at this event due to some of the troupe’s material. He pointed out this was a very successful event, but didn’t necessarily fall under the “family oriented” umbrella.

McShane advised that too much of this type of entertainment might take the theater in a whole new direction. She asked the City Attorney whether it is better to leave “family oriented” language in or take it out.

Schultz shared this type of language is not necessary given the control the Council has over the Theater Manager’s contract and direction of the theater.

Knol noted “family friendly” is left to interpretation. She pointed out Council has oversight of the General Manager and can make policy decisions regarding the theater. She stated Council should be notified in a timely manner to discuss any permanent changes. She advised the Civic Theater should be run as a private enterprise and the General Manager needs the authority to make temporary fee changes to accommodate special circumstances and events.

Wiggins inquired regarding adoption of a previous resolution when the theater was purchased that may have addressed its purpose and intent.

Pastue replied there is just a general understanding of the values of the broader community.

01-11-015 MOTION by Wright, seconded by Knol, to adopt a resolution amending the manner in which admission charges, concessions, rentals and other fees are implemented, repealing Chapter 14 of the City Fee Schedule, and repealing the section in Chapter 1 dealing with admissions. **[SEE ATTACHED RESOLUTION].**

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Roll Call

Ayes: McShane, Wiggins, Wright, Knol.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT

Annabelle Gable, 23089 Violet, commented on a recent article in the Oakland Press regarding sewer repair in Floral Park.

Betty Borgman, 34011 Grand River, complimented David Wallace of the Farmington Press for publicizing approval of a study of intent to narrow and change Farmington Road. She expressed concern regarding the changes to the character of Farmington since the Streetscape project. She suggested the City think long and hard before further work is done.

COUNCIL COMMENT

No Council comment was heard.

ADJOURNMENT

01-11-016 Motion by Knol, seconded by Wright, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 8:15 p.m.

Michael Wiggins, Mayor Pro Tem

Susan K. Halberstadt, City Clerk

APPROVED: February 21, 2011