

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, May 03, 2004 in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 8:00 p.m. by Mayor Campbell.

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

ABSENT: None.

OTHERS PRESENT: Clerk/Treasurer Cantrell, Director Gushman, City Manager Pastue, Assistant City Manager Richards, Attorney Schultz, Interim Director Wiggins.

### **APPROVAL OF AGENDA**

**05-04-093** Motion by McShane, seconded by Bush, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

### **MINUTES OF PREVIOUS MEETING**

**05-04-094** Motion by Mitchell, seconded by Knol, to approve the regular meeting minutes of April 19, 2004. MOTION CARRIED UNANIMOUSLY.

### **PROCLAMATION – MENTAL HEALTH MONTH**

Mayor Campbell read into the record a proclamation recognizing May 2004 as “Mental Health Month” and presented the proclamation to Mr. James Strode, a representative from the Oakland County Community Mental Health Authority.

### **PETITIONS AND COMMUNICATIONS**

#### **FIRST UNITED METHODIST CHURCH – REQUEST FOR BANNERS**

Administration advised that a sign variance request was received from the First United Methodist Church to hang two banners on the church building and premises commemorating its 175<sup>th</sup> anniversary, for a period from May 15, 2004 to November 15, 2004.

Rena Swanson, representing the Church, was present to answer questions. Responding to a question, Ms. Swanson stated that the two banners could not be combined because of where they would be placed and that one banner was left over from another function.

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Council member McShane expressed concern regarding the long time period in which the banners would be hung. Ms. Swanson responded that the extended time period was established to include both the Founders' Festival in July and the Church's anniversary celebration in November.

Council member Mitchell asked about the extended time period with regard to City Ordinance. Administration responded that City Ordinance provides for a 30-day period once every six months. Council member Mitchell suggested allowing display of the banners over 30 nonconsecutive days during the proposed time period. Discussion followed regarding the length of time the banners should be hung.

Council member Knol expressed support for extending beyond the 30-day ordinance provision. She suggested granting a sign variance to allow two 30-day display periods during the six-months between May 15 and November 15, 2004.

Discussion continued regarding timing of the banner display. City Attorney Schultz advised that the question is whether the Council wants to hold the proponent to the spirit of the ordinance. He further advised that what Council has proposed is a slight deviation from the ordinance and Council has the authority to grant it as a small variance. He stated, however, that extending the time period is a more significant deviation and Council must determine to what lengths it is willing to go to accommodate the Church's historical event. He further stated that it is absolutely a policy question for Council.

**RESOLUTION 05-04-095** Motion by Knol, seconded by Bush, to approve a sign variance request from the First United Methodist Church, 33112 Grand River, and allow the display of two banners; one measuring 18' x 34" and the other measuring 8' x 34", both made of heavy vinyl material; for a period of 60 days in blocks of time determined by the proponent, during a six month period from May 15, 2004 to November 15, 2004. MOTION CARRIED UNANIMOUSLY.

### **FARMINGTON CENTER FLORIST, REQUEST FOR OUTSIDE SALES**

Administration advised that a request for outside sales was received from Farmington Center Florist. Administration further advised that the request is for outdoor sales of flowers from May 1 through November 30 and pumpkin sales from September 30 through November 1, 2004.

Linda Batzloff, owner of Farmington Center Florist, was present to answer questions.

Responding to a question from Council, City Manager Pastue stated that there has been no review by the Main Street Design Committee or DDA regarding outside display and sales.

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**RESOLUTION 05-04-096** Motion by Bush, seconded by McShane, to grant permission for outside sales and displays, as described in the request for Council approval, to Farmington Center Florist, 23340 Farmington Road; outside flower display and sales from May 4 through November 30, 2004; and pumpkin display and sales from September 30 through November 1, 2004. MOTION CARRIED UNANIMOUSLY.

**SIGN VARIANCE REQUESTS – 22420 FARMINGTON ROAD**

Administration advised that a sign variance request was received from the Oscar W. Larson Co., for the gas station at the northeast corner of Farmington Road and Nine Mile, which is converting from Amoco to BP. Administration further advised that the applicant is requesting three variances that include a request for an additional sign, a sign greater in height than 24' and a sign exceeding the area limitations.

James Hillman, representing Oscar W. Larson Company, was present to answer questions.

Mayor Campbell stated that tall signs such as the one requested by the proponent are typically at an exit off from a freeway, however, he questioned whether this would apply to the proposed sign.

Council member Knol asked if a sign designating gas, food, etc. could be installed on M-5 for the gas station exit. City Manager Pastue responded that MDOT is responsible for the signs on M-5.

Council member Mitchell concurred with Knol that such an exit sign would be useful and should be followed up on. He questioned the visibility and effectiveness of the proposed sign from the freeway. He also noted that the corner on which the gas station is located is an entryway to the City and a tall ground sign would not be in keeping with the City's long term goals.

Council member McShane noted that on the new Master Plan, gateways to the City would have much lower ground signs. She further stated that the City is trying to decrease the number of monument signs. She also stated that the other two gas stations on that corner might like to have high signs also.

Mr. Hillman responded that the tall BP sign would indirectly provide business for the other stations since some cars exiting might choose them over BP.

**RESOLUTION 05-04-097** Motion by Mitchell, seconded by Knol, to deny the sign variance request from Oscar W. Larson Company for property at 22420 Farmington Road, based on the fact that the proponent has not shown a unique or unusual condition affecting the property that denies the applicant rights afforded to other properties in the area under the Sign Ordinance. MOTION CARRIED UNANIMOUSLY.

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Council member Knol requested that Administration provide the Oscar W. Larson Company with the process by which a sign can be installed on M-5 directing traffic to the BP station.

**SIGN VARIANCE REQUEST – ANOTHER WAY PREGNANCY CENTER**

Administration advised that a sign variance request was received from Another Way

Pregnancy Center to hang a temporary banner for a 30-day period to promote a walk-a-thon fundraising event scheduled on June 5, 2004.

A representative from the Center was present to answer questions.

**RESOLUTION 05-04-098** Motion by McShane, seconded by Bush, to approve a sign variance as requested from Another Way Pregnancy Center; to hang a 3' x 5' temporary banner on their building located at 33100 Grand River, to advertise a walk-a-thon fundraising event, for a 30-day period prior to the event. MOTION CARRIED UNANIMOUSLY.

**STREET CLOSURE REQUEST FOR BLOCK PARTY**

**RESOLUTION 05-04-099** Motion by Knol, seconded by Mitchell, to authorize the City Manager to approve block party/street closing requests. MOTION CARRIED UNANIMOUSLY.

**REPORTS FROM CITY MANAGER**

**APPROVAL OF PUBLIC HEARING NOTICE FOR PROPOSED FY 2004/2005 BUDGET AND PROPERTY TAX RATE**

Administration advised that City Charter and state statutes require a public hearing to be held on the budget prior to its adoption.

**RESOLUTION 05-04-100** Motion by Mitchell, seconded by Knol, to schedule a public hearing to review the FY 2004-05 proposed budget and the proposed 2004 tax millage rate on Monday, June 7, 2004 and to authorize the City Clerk to publish a notice of the public hearing. [SEE ATTACHED NOTICE] MOTION CARRIED UNANIMOUSLY.

**SCHEDULE PUBLIC HEARING FOR 2004 PRINCIPAL SHOPPING DISTRICT ASSESSMENT ROLL**

**RESOLUTION 05-04-101** Motion by Bush, seconded by McShane, to adopt a resolution to schedule a public hearing for Monday, June 7, 2004, regarding the proposed 2004 Principal Shopping District Special Assessment and to authorize the City Clerk to publish a notice of the public hearing. [SEE ATTACHED RESOLUTION] MOTION CARRIED UNANIMOUSLY.

**MISCELLANEOUS**

**PUBLIC COMMENT**

None were heard.

**COUNCIL COMMENT**

Council member McShane congratulated Ram's Horn owners, Kirk Ramsey and Pat Alderman, for making their restaurant a non-smoking establishment. She expressed

her hope that this action would set a precedent in the City of Farmington. She recommended that Council send a letter of commendation acknowledging the owners for taking this positive step.

Council member McShane recommended that the City make use of displays provided by SEMCOG on such topics as Ozone Action Day. She stated that SEMCOG would deliver, set-up and remove the displays.

Council member McShane stated, for the record, that the City was reimbursed for her registration fee to the National League of Cities conference, referring to documentation provided by the Treasurer's Office. She further stated that at no time during her tenure has she failed to reimburse the City for expenses where appropriate.

Council member Bush stated that as a result of an earlier budget study session an additional session is needed to further discuss Council's budget.

**05-04-102** Motion by Bush, seconded by Knol, to plan an additional budget study session in order to further discuss funds allocated for City Council. MOTION CARRIED UNANIMOUSLY.

**FINANCIAL REPORT: QUARTER ENDED MARCH 31, 2004**

**05-04-103** Motion by McShane, seconded by Bush, to receive and file the financial report for quarter ending March 31, 2004. MOTION CARRIED UNANIMOUSLY.

**APPROVAL MONTHLY PAYMENTS REPORT**

**05-04-104** Motion by Mitchell, seconded by Knol, to approve the monthly payments report for April 2004. MOTION CARRIED UNANIMOUSLY.

**ADJOURNMENT**

**05-04-105** Motion by Bush, seconded by McShane, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

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Meeting adjourned at 8:53 p.m.

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ARNOLD T. CAMPBELL, Mayor

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PATSY K. CANTRELL, City Clerk/Treasurer