

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, August 6, 2001 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.

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

### **APPROVAL OF AGENDA**

**08-01-498** MOTION by Campbell, seconded by McShane, to approve the agenda as amended. MOTION CARRIED UNANIMOUSLY.

### **MINUTES OF PREVIOUS MEETING**

**08-01-499** MOTION by Bush, seconded by Mitchell, to approve the minutes of the Special and Regular Meeting of July 2, 2001. MOTION CARRIED UNANIMOUSLY.

### **MINUTES OF OTHER BOARDS**

**08-01-500** MOTION by McShane, seconded by Mitchell, to receive and file the minutes of the following Boards and Commissions:

- Downtown Development Authority minutes of July 3, 2001.
- Traffic and Safety Board minutes of June 21, 2001.
- Planning Commission minutes of July 9, 2001.
- Farmington Employees' Retirement System Board of Trustees meeting of June 22, 2001.
- Farmington Community Library Board of Trustees meeting minutes of June 14, 2001.
- Board of Review minutes of July 17, 2001.
- Governor Warner Mansion Committee minutes of June 20, 2001.

MOTION CARRIED UNANIMOUSLY.

**INTRODUCTION: ELAINE GROHMAN – FARMINGTON ARTIST IN RESIDENCE**

Mayor Hartsock introduced Elaine Grohman, Farmington Artist in Residence, and presented her with a proclamation in recognition of her many artistic and professional achievements.

Ms. Grohman and her family were present and thanked the Council for her recognition.

**PETITIONS AND COMMUNICATIONS**

**CONSIDERATION OF SPECIAL EVENT PERMIT FOR HARVEST TEMPLE WORSHIP CENTER, 23233 DRAKE ROAD, FARMINGTON HILLS, TO PRESENT AN “OLDIES NIGHT” IN SHIAWASSEE PARK.** City Administration advised that a request for a Special Event Permit for use at Shiawassee Park pavilion was submitted by the Harvest Temple Worship Center. Harvest Ministries has agreed to use volunteers to clean the area, thereby eliminating the need for additional fees for maintenance. City Administration recommended City Council grant permission for the Special Event Permit.

Representatives from the Harvest Temple Worship Center were present to answer questions.

Council commended the Center for their positive influence on the Community.

**08-01-501** MOTION by Campbell, seconded by Bush, to grant permission to the Harvest Temple Worship Center for a Special Event Permit for Friday, August 17 from 6:00 – 9:00 pm, with a rain date of Friday, August 24, to hold their “Oldies Night” program at the pavilion at Shiawassee Park. MOTION CARRIED UNANIMOUSLY.

**REQUEST FOR OUTSIDE SEATING IN THE CENTRAL BUSINESS DISTRICT AT 32720 GRAND RIVER, BELLACINO’S PIZZA AND GRINDERS.** City Administration advised that Mr. Kenneth Balcom of Bellacino’s Pizza and Grinders has requested temporary outdoor seating during the months of April through October with furniture being stored offsite when not in use.

In response to a question from Council, Mr. Balcom stated that chairs would not be taken in after business hours every night. Council recommended that the chairs be turned over at the end of business hours to prevent customers lingering after hours. Mr. Balcom responded that he would try turning over the chairs, but if that proved ineffective he would bring them in each night.

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Council questioned whether there would be screening for the seating area south of the building. Mr. Balcom responded that some type of screening would be installed.

Mr. Balcom indicated Bellacino's Pizza and Grinders would be open in September.

**08-01-502** MOTION by McShane, seconded by Mitchell, to grant permission for temporary outdoor seating to Bellacino's Pizza and Grinders at 32720 Grand River from April 1 through October 31 during the planned business hours of 11:00 a.m. – 10:00 p.m.; seating to include 7 tables and 28 chairs. MOTION CARRIED UNANIMOUSLY.

**COMMUNICATION FROM MICHIGAN MUNICIPAL LEAGUE RE: WORKERS COMPENSATION TRUSTEE ELECTION.** Administration recommended that City Council cast votes supporting 8 members who are each an official of a Fund Member and an incumbent trustee.

**08-01-503** MOTION by Campbell, seconded by Mitchell, to vote supporting the following 8 members who effectively represent the constituency of the Workers' Compensation Fund and direct the City Clerk to complete the ballot and return it to the League prior to August 16, 2001.

1. Kenneth Babich, Mayor, City of Marlette
2. Gretchen Driskell, Mayor, City of Saline
3. Jeffrey Fitch, President, Village of Kalkaska
4. Ralph Maccarone, Supervisor, Shelby Township
5. Gerald Peterson, City Manager, City of Marquette
6. Carole Pettijohn, Mayor Pro-Tem, City of Grandville
7. John Thomas, Councilman, City of Ithaca
8. Karl Tomion, City Manager, City of Midland

MOTION CARRIED UNANIMOUSLY.

**LETTER FROM KATHY PENNYWITT, 23672 CASS, RE: BLOCK PARTY.**

**08-01-504** MOTION by Bush, seconded by McShane, to authorize the closing of Cass and Macomb Streets from 12:00 noon until 11:00 p.m. on Saturday, September 8, 2001, 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 RESIGNATION FROM PLANNING COMMISSION.**

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**08-01-505** MOTION by Campbell, seconded by Mitchell, to accept the resignation of Ms. Mardy Stirling from the Farmington Planning Commission and to send a letter thanking her for her service to the City. MOTION CARRIED UNANIMOUSLY.

Mayor Hartsock read a portion of Ms. Stirling's letter of resignation.

**REPORTS FROM CITY MANAGER**

**CONSIDERATION OF PUBLIC INFORMATION PLAN RE: SEWER REHABILITATION PROJECT.** City Administration advised that the primary sanitary sewer interceptor pipe that connects Farmington to the City of Detroit's wastewater treatment system is in need of repair. City Administration further advised that the current condition of the pipe requires action to be taken as soon as possible in order to ensure that it continues to operate efficiently. In order to pay for the \$2.5 million repair estimate, Council has decided to place this issue before the voters at the November election. The ballot proposal will ask voters to decide whether the City should borrow approximately \$1.8 million for this project. If the voters approve this ballot question, then this cost can be assessed against real property, which is deductible for many tax payers, otherwise the cost would be included in water rates.

Council deferred decision on the timing of the Mayor's letter to residents on this matter until it can be reviewed at the August 21, 2001 Special Meeting.

**08-01-506** MOTION by Mitchell, seconded by Bush, to receive and file the Public Information Plan for the communication of the ballot proposal regarding repair costs of the sanitary sewer interceptor pipe. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF REZONING REQUEST FOR PARCEL NO. 23-27-427-033 AT 22700 LAKEWAY STREET FROM R-1 to C-2 AND INTRODUCTION OF ORDINANCE NO. C-685-2001.** Administration advised that Mr. Dave Russell, Manager of the Suburban Family Credit Union at 31617 Grand River, is requesting rezoning of the property at 22700 Lakeway Street in order to expand the existing building by approximately 3,000 square feet. The City Planning Commission process regarding this issue has involved 3 separate meetings including a public hearing.

City Administration further advised that the City's Master Plan allows for expansion of rear parking into adjacent residential areas when certain conditions can be satisfied. These conditions include shifts in the lines between commercial and residential when a logical relationship exists. The Planning Commission has also addressed the issues of appropriate screening, landscaping, brick wall requirement between commercial and residential, and parking lot access to the residential street. As a result of the public hearing and subsequent review of the request for rezoning, the Planning Commission

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has found that the proposal, as submitted, is compatible with the City's Master Plan and is an appropriate use.

City Manager Lauhoff indicated that additional screening was added to the original site plan. He also noted that the Traffic and Safety Board would review a proposed "no right turn" provision in response to concerns by local neighbors.

Dave Russell, Manager and CEO of Suburban Family Credit Union, and the architect of the proposed site plan were present to discuss the proposed site plans and answer questions.

Council member Bush acknowledged that the Suburban Family Credit Union has been in business in Farmington for 48 years and endorsed the upgrading and expansion of the building.

Mayor Hartsock invited public comment and none were received.

**08-01-507** MOTION by Campbell, seconded by Bush, to introduce Ordinance No. C-685-2001 which will be amendment No. 27 to the City's Zoning Map and will rezone the property at 22700 Lakeway Street from R-1 single-family residential to C-2 commercial. [SEE ATTACHED ORDINANCE]. MOTION PASSED UNANIMOUSLY.

**CONSIDERATION OF COST PARTICIPATION AGREEMENT WITH THE ROAD COMMISSION FOR OAKLAND COUNTY RE: FARMINGTON ROAD**

**CONSTRUCTION PROJECT NO. 43471.** City Administration advised that Mr. Thomas Blust, Director of Engineering for the Road Commission for Oakland County, has submitted a cost participation agreement to the City of Farmington for the repaving and widening of Farmington Road. The total project includes the repaving of Farmington Road from Eight Mile Road to Grand River Avenue with a center left turn lane from Slocum Street south to Eight Mile Road, and repaving of Nine Mile Road west of Farmington Road to the exit from M-5. The project also includes decorative crosswalks for the Grand River and Farmington Road intersection. The total project cost is \$7,574,260 and federal funding for this project is \$6,140,462. The City of Farmington's total estimated share of this construction project is \$500,760.

City Administration, in concurrence with the Director of Public Services, recommends Council authorize the Mayor to sign this agreement.

**08-01-508** MOTION by Bush, seconded by McShane, to authorize the Mayor to sign a cost participation agreement with the Road Commission for Oakland County, Project No. 43471, for the reconstruction and widening of Farmington Road from Grand River to

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Eight Mile Road; funds provided in the fiscal year Budget 2001-2002.

**ROLL CALL:**

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

NAYS: None.

ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDER APPROVAL OF PURCHASE OF PROTECTIVE FIRE GEAR FOR DEPARTMENT OF PUBLIC SAFETY.** City Administration advised that the Public Safety Department obtained competitive quotes for purchase of protective fire gear and the lowest bid was provided by Apollo Fire Equipment.

**08-01-509** MOTION by Campbell, seconded by Mitchell, to approve the purchase of personal protective fire apparel and equipment for the Public Safety Department and issue payment to Apollo Fire Equipment in the amount of \$6,014.00; funds provided in the FY2000-01 budget.

**ROLL CALL:**

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

NAYS: None.

ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF MANAGEMENT INFORMATION SYSTEM UPGRADES.**

City Administration advised that the City would need to purchase replacement computer system hardware, including installation on the network, as a result of technological advances. Administration advised that City policy permits purchases from existing governmental price lists or contracts that resulted from open competitive bidding. Administration further advised that prices of individual items included in this recommendation have been extended to Farmington from a special government/education price list recently selected by the City of Livonia.

**08-01-510** MOTION by Mitchell, seconded by McShane, to approve the purchase and installation of computer hardware from Peripheral Vision in an amount not to exceed \$17,500; funds provided in the FY2001-02 budget.

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**ROLL CALL:**

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

MOTION CARRIED UNANIMOUSLY.

**CONSIDER BID AWARD FOR MOWER, DEPARTMENT OF PUBLIC SERVICES.**

City Administration concurred with the Public Services Department and recommended bid award to the lowest bidder.

**08-01-511** MOTION by Campbell, seconded by Bush, to approve the purchase of a Dixie Chopper mower for the Public Services Department from Wayne Lawn & Garden Center, Inc. in the amount of \$7,650.00; funds provided in the FY2001-02 budget.

**ROLL CALL:**

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

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION OF CONSTRUCTION ESTIMATE NO. 2 FOR 2001 BEL-AIRE PAVING PROGRAM.** City Administration concurred with the City Engineer and Public Services Director and recommended payment of Construction Estimate No. 2 for work performed for the 2001 Paving Program in the Bel-Aire subdivision for period ending July 7, 2001.

**08-01-512** MOTION by Campbell, seconded by Mitchell, to approve Construction Estimate No. 2 for the 2001 Bel-Aire Paving Program and authorize payment to Detroit Concrete Products in the amount of \$144,611.15; funds provided in the fiscal year 2000-01 budget.

**ROLL CALL**

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

MOTION CARRIED UNANIMOUSLY.

City Manager Lauhoff indicated that the paving in the Bel-Aire subdivision is almost complete and commended the contractor for excellent work.

**CONSIDERATION TO AMEND RC PLAN ADOPTION AGREEMENT.** City Administration advised that Council wishes to maintain the 401A Plan for the City Manager position and amend the contribution amount in 2002.

**08-01-513** MOTION by Bush, seconded by McShane, to amend the ICMA Retirement Corporation 401A Plan Adoption Agreement for the City Manager, Section 7, Subsection 1, and adjust the annual contribution from \$2,500 to \$3,000 effective January 1, 2002; and authorize the Mayor to sign the agreement on behalf of the City. [SEE ATTACHMENT].

**ROLL CALL:**

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

MOTION CARRIED UNANIMOUSLY.

**CITY ATTORNEY REPORT**

**STATUS OF EVERGREEN-FARMINGTON SEWER CORRECTIVE ACTION PLAN.**

City Attorney Donohue was present to discuss recent developments with regard to the Evergreen-Farmington Sewage Disposal System. Attorney Donohue explained that in the early 1990's the Drain Commissioner's office commissioned Hubbell, Roth & Clark to identify the source of the problems of sewer overflow and basement back-ups. He stated that in 1999 Phase I of this study was completed and Phase II would be completed in August or September. He further stated that as a result of these studies the County would engage in serious meetings with the Michigan Department of Environmental Quality (MDEQ) to determine a comprehensive solution and time frame for completion. Mr. Donohue indicated that MDEQ is in disagreement with the Oakland County Drain Commissioner and member communities over the time frame for a corrective action plan. He stated that he would participate in all discussions and will continue to keep Council updated.

In response to a question from Council, City Attorney Donohue stated that although federal funding would be sought for this project, he was not optimistic it would be provided.

**MISCELLANEOUS**

**PUBLIC COMMENT.**



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Brian Thornton, representing Haven for Oakland County, was present to discuss programs and services of Haven. He stated that the City of Farmington is a model community in domestic violence prevention. He asked that community leaders participate in communicating the services of Haven for greater program utilization.

In response to a question from Council, Mr. Thornton stated that Haven is beginning to use cable television to further advance their programs.

August Blomquist, 33953 Schulte, inquired about possible accommodations for seniors or disabled individuals who do not have climate controlled environments during the very hot days of summer. City Manager Lauhoff responded that he would have to investigate whether the senior center may offer options to individuals in these circumstances.

**COUNCIL COMMENTS AND ANNOUNCEMENTS.**

Council commended the Departments of Public Services and Public Safety for their excellent job during the Farmington Founders Festival.

City Manager Lauhoff discussed a book of theatre paintings by Davis Cone that includes acrylic paintings of the Civic Theatre.

**CONFIRMATION OF APPOINTMENT OF DEPUTY CLERK.**

**08-01-514** MOTION by Mitchell, seconded by Campbell, to confirm the appointment of Susan Halberstadt as Deputy City Clerk effective August 13, 2001. MOTION CARRIED UNANIMOUSLY.

**BUILDING DEPARTMENT QUARTERLY REPORT – APRIL 1, 2001 THROUGH JUNE 30, 2001.**

**08-01-515** MOTION by McShane, seconded by Mitchell, to receive and file the Building Department Quarterly Report, April 1, 2001 to June 30, 2001. MOTION CARRIED UNANIMOUSLY.

**DEPARTMENT OF PUBLIC WORKS & WATER AND SEWER DEPARTMENT QUARTERLY REPORT – APRIL 1, 2001 TO JUNE 30, 2001.**

**08-01-516** MOTION by Mitchell, seconded by Bush, to receive and file the Department of Public Works & Water and Sewer Department Quarterly Report, April 1, 2001 to June 30, 2001. MOTION CARRIED UNANIMOUSLY.

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**APPROVE MONTHLY PAYMENTS REPORT**

**08-01-517** MOTION by Campbell, seconded by Bush, to approve Monthly Payments Report for July, 2001. MOTION CARRIED UNANIMOUSLY.

**ADJOURNMENT**

**08-01-518** MOTION by McShane, seconded by Mitchell, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:20 p.m.

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WILLIAM S. HARTSOCK, MAYOR

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PATSY K. CANTRELL, CITY CLERK/TREASURER