

FARMINGTON CITY COUNCIL
REGULAR MEETING

A regular meeting of the Farmington City Council was held on Monday, November 7, 2005 in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 8:00 p.m. by Mayor Pro Tem McShane.

PRESENT: Bush, Knol, McShane, Mitchell.

ABSENT: Campbell.

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

Cub Scout Pack #110 from Our Lady of Sorrows Church led the Pledge of Allegiance.

APPROVAL OF AGENDA

11-05-240 MOTION by Bush, seconded by Mitchell, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

11-05-241 MOTION by Knol, seconded by Mitchell, to approve the regular meeting minutes of October 17, 2005 and the special meeting minutes of October 8, 2005. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS/PUBLIC HEARINGS

CUB SCOUT PACK #110 – OUR LADY OF SORROWS CHURCH

Jeff McGowan, leader of Cub Scout Pack #110, indicated that the scouts were present as part of their endeavor to earn their citizen activity badge and also in recognition of the Pack's 50th anniversary.

PRESENTATION – FISCAL YEAR 2004-05 AUDIT, PLANTE & MORAN, LLP

Present: Gordon Krater, Bill Brickey

Mayor Pro Tem McShane invited representatives from Plante & Moran, LLP to give their presentation on the Fiscal Year 2004-05 audit.

Gordon Krater advised that once again the audit went well, financial records were in good shape and Farmington received an unqualified opinion. He discussed the condition of the City's Major Funds, noting that they are in good, fiscal shape.

COUNCIL PROCEEDINGS -2-
November 7, 2005

Bill Brickey provided a short presentation on the notable items relative to the financial audit.

Krater offered comments and recommendations for Council's review and consideration relating to several areas including: Downtown Development Authority (DDA), Civic Theatre and State Shared Revenue. He stated that Farmington is a well-run community whose records are in excellent shape.

Councilmember McShane asked about the possibility of the DDA capturing one hundred percent of eligible taxes. Pastue responded that at a minimum the City needed to update the tax increment plan and conduct a cost analysis.

PUBLIC HEARING – 2006 COMMUNITY DEVELOPMENT BLOCK GRANT

Administration reported on the 2006 Community Development Block Grant application. Administration indicated that the funding for PY2006 is estimated by Oakland County to be \$27,911. Administration proposed allocating \$11,164 for senior services and \$16,747 for the senior center.

Mayor Pro Tem McShane opened the public hearing for public comment.

Upon hearing no public comment, Mayor Pro Tem McShane requested a motion to close the public hearing.

11-05-242 MOTION by Mitchell, seconded by Bush, to close the public hearing. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING – VACATE BLANCHARD STREET

Administration reported on the proposed vacation of Blanchard Street, a street exclusively in a large apartment complex. Administration advised that due to economics, the City is in the process of vacating such streets. City Manager Pastue confirmed that proper notice of this hearing had been provided.

Mayor Pro Tem McShane opened the public hearing for public comment.

Upon hearing no public comment, Mayor Pro Tem McShane requested a motion to close the public hearing.

11-05-243 MOTION by Knol, seconded by Bush, to close the public hearing. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING - VACATE DRAKESHIRE STREET

Administration reported on a proposed vacation of Drakeshire Street, a street exclusively in a large apartment complex. Administration advised that due to economics, the City is in the process of vacating such streets. City Manager Pastue confirmed that proper notice of this hearing had been provided.

COUNCIL PROCEEDINGS -3-
November 7, 2005

Mayor Pro Tem McShane opened the public hearing for public comment.

Upon hearing no public comment, Mayor Pro Tem McShane requested a motion to close the public hearing.

11-05-244 MOTION by Mitchell, seconded by Knol, to close the public hearing. MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

CONSIDERATION TO APPROVE FARMINGTON YOUTH ASSISTANCE BOARD OF DIRECTORS

Administration advised that the Farmington Youth Assistance requested Council's ratification of their board of directors for fiscal year 2005-06.

Councilmember Mitchell advised that the Farmington Youth Assistance Board recently went through a bylaw change. He stated that Oakland County, one of four sponsors, requested that the other three sponsors ratify the Board of Directors. He confirmed that this is a new procedure and would likely continue in the future.

11-05-245 MOTION by Knol, seconded by Bush, to ratify Farmington Youth Assistance Board of Directors for fiscal year 2005-06 as presented. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION TO APPROVE REQUEST FOR PROPOSAL TO REPLACE THE BALUSTRADE AT THE GOVERNOR WARNER MUSEUM

Administration advised that the City received only one bid from Long Lake Building Company for the replacement of the Warner Museum balustrade. Administration further advised that the bid was within the project budget.

Responding to a question, Director Gushman stated that it has been thirty years or more since the balustrade has been replaced.

RESOLUTION 11-05-246 Motion by Bush, seconded by Mitchell, accept a bid from Long Lake Building Company in the amount of \$24,860 to replace the balustrade at the Governor Warner Museum.

ROLL CALL

Ayes: Knol, McShane, Mitchell, Bush.

Nays: None.

Absent: Campbell.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE #4 FOR DOWNTOWN CENTER IMPROVEMENTS PROJECT AND CHANGE BULLETINS

COUNCIL PROCEEDINGS -4-
November 7, 2005

Administration advised that Director Gushman and the City's consulting engineers have reviewed the pay request for construction estimate #4 for the Downtown Center Improvements Project and recommended its approval.

Administration further advised of three change orders related to the landscape/streetscape aspect of the project.

RESOLUTION 11-05-247 Motion by Knol, seconded by Bush, to approve payment of construction estimate #4 in the amount of \$234,977.69 to ABC Paving Company for work completed on the Downtown Center Improvements Project; and to approve change order no. 1, change order no. 2 and change order no. 3 that increase the contract amount by \$5,014.40.

ROLL CALL

Ayes: McShane, Mitchell, Bush, Knol.

Nays: None.

Absent: Campbell.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CHATHAM HILLS FOOTING DRAIN DISCONNECT PROGRAM ESTIMATE #2

Administration advised that construction estimate #2 covering work completed through October 24, 2005 on the Chatham Hills Footing Drain Disconnect Project has been reviewed and approved by Director Gushman and the City's consulting engineers.

RESOLUTION 11-05-248 Motion by Mitchell, seconded by Knol, to approve payment of construction estimate #2 in the amount of \$39,521.05 to Bidigare Contractors for work completed on the Chatham Hills Footing Drain Disconnect Project.

ROLL CALL

Ayes: Mitchell, Bush, Knol, McShane.

Nays: None.

Absent: Campbell.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE 2006 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

RESOLUTION 11-05-249 Motion by Bush, seconded by Mitchell, to approve a resolution authorizing the Mayor to submit an application for participation in the 2006 Community Development Block Grant Program. [\[SEE ATTACHED RESOLUTION\]](#).

ROLL CALL

Ayes: Bush, Knol, McShane, Mitchell.

Nays: None.

Absent: Campbell.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE FISCAL YEAR 2005-06 BUDGET AMENDMENTS

Administration briefly reviewed proposed Budget Amendments, No. 1-11.

RESOLUTION 11-05-250 Motion by Bush, seconded by Mitchell, to adopt a resolution approving Budget Amendments, No. 1-11, amending the 2005-2006 fiscal year budget. **[SEE ATTACHED RESOLUTION].**

ROLL CALL

Ayes: Knol, McShane, Mitchell, Bush.

Nays: None.

Absent: Campbell.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF ESTABLISHING DDA BOUNDARY REVIEW COMMITTEE

Administration advised that one of Council's 2005-06 goals was to initiate the process to consider expanding the Downtown Development Authority (DDA) boundaries and to update the plan. Administration discussed the composition of the committee, noting that a representative from Main Street Oakland County would act as a liaison, and further identified two positions that remain open: City Council member and an at-large member.

RESOLUTION 11-05-251 Motion by Knol, seconded by Bush, to adopt a resolution to establish a Downtown Development Review Committee and to appoint Mayor Pro Tem McShane as Council representative on the Committee. **[SEE ATTACHED RESOLUTION].**
MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ADOPT RESOLUTION TO VACATE DRAKESHIRE STREET

Attorney Schultz discussed the process that would follow the adoption of a resolution to vacate Drakeshire and Blanchard Streets. He stated that a copy of each resolution would be recorded with the Oakland County Register of Deeds, appropriate notice would be sent to the property owners, and the City Assessor would be directed to change City records to reflect the actions.

RESOLUTION 11-05-252 Motion by Mitchell, seconded by Knol, to adopt a resolution to vacate Drakeshire Street in the Drakeshire Apartment Complex. **[SEE ATTACHED RESOLUTION].**

ROLL CALL

Ayes: McShane, Mitchell, Bush, Knol.

Nays: None.

Absent: Campbell.

MOTION CARRIED UNANIMOUSLY

CONSIDERATION TO ADOPT RESOLUTION TO VACATE BLANCHARD STREET

COUNCIL PROCEEDINGS -6-
November 7, 2005

RESOLUTION 11-05-253 Motion by Knol, seconded by Bush, to adopt a resolution to vacate Blanchard Street in the Jamestown Apartment Complex. [SEE ATTACHED RESOLUTION].

ROLL CALL

Ayes: Mitchell, Bush, Knol, McShane.

Nays: None.

Absent: Campbell.

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

ACCEPT AND FILE FISCAL YEAR 2004-05 ANNUAL AUDIT

11-05-254 MOTION by Mitchell, seconded by Bush, to receive and file the 2004-05 annual financial statements and the annual audit report. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PAYMENTS REPORT

11-05-255 MOTION by Knol, seconded by Mitchell, to approve the monthly payments report for October 2005. MOTION CARRIED UNANIMOUSLY.

FINANCIAL REPORT: QUARTER ENDED SEPTEMBER 30, 2005

11-05-256 MOTION by Knol, seconded by Bush, to receive and file the financial report for quarter ended September 30, 2005. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PUBLIC SAFETY REPORT

Councilmember Bush noted that the stamps at the Post Office are now being kept behind the counter due to previous thefts.

Councilmember Mitchell expressed appreciation for the action taken by the Public Safety Department with regard to the two young girls missing from Rainbow Rehabilitation. He noted the success of the technology used to notify residents of this occurrence.

Councilmember Knol noted two occurrences, within a week of each other, at the Malsia Social Club. Director Nebus stated that both incidences were currently under investigation and involved the same person.

11-05-257 MOTION by Bush, seconded by Mitchell, to receive and file the Public Safety Report for October 2005. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT

Hank Borgman, 34011 Grand River, expressed his opposition to "traffic calming" changes proposed for Grand River in the Downtown area. He expressed concern

COUNCIL PROCEEDINGS -7-
November 7, 2005

regarding angled parking in the Downtown Center and questioned the engineering of that project.

Borgman questioned the Grand River project and cost to taxpayers.

City Manager Pastue responded that the project has not yet been approved and is in the preliminary phase.

McShane thanked Mr. Borgman for his comments. She noted that the parking lot in the Downtown Center is not yet completed. She stated that directional signs will be installed and the City is monitoring the parking lot to identify and address potential problems. She noted that the City does not intend to close Grand River, but is making an effort to make it safer for both pedestrians and traffic. She noted that Grand River is going to be resurfaced anyway and Council agreed to look at how it could be enhanced and improved.

Responding to Mr. Borgman, Council confirmed that the bump-outs on Grand River and those located near the pavilion were an improvement to traffic flow and parking.

Nancy Leonard, 33309 Shiawassee, asked about the boundaries regarding the proposed expansion of the DDA District. Pastue responded that the DDA Boundary Review Committee would review and make their recommendations. McShane stated that the Committee would review options based on what the law allows.

Tom Buck, Councilmember-elect, expressed his appreciation to Council and City Administration for the time and information they have given him over the last few months.

Annabelle Gabel, 23089 Violet, expressed her appreciation to Council for making her feel a part of the City and the community. She remarked on the good job Council has done and stated that attending Council meetings has made her a better member on boards she has served.

COUNCIL COMMENT

Councilmember Mitchell made the following comments:

As with most things in life, there is a beginning and an end. This is my last meeting as a member of our city council ending 10 years of service. I would like to reflect for a few minutes on what this has meant to me.

Having lived here for 50 years, I have seen dramatic changes in Farmington and our sister city, Farmington Hills. When my family moved here from Detroit in 1955, the inter-urban tracks were still at the intersection of Grand River and Orchard Lake; our family purchased grass seed at the Farmington Roller Mills, and ate meals at Himmelspoch's Farmington Dairy- all are now just a memory. I can go on, but take my word for it--- the changes are huge.

COUNCIL PROCEEDINGS -8-
November 7, 2005

My first memory of city politics was knowing the names Lindbert, Brotherton and Yoder- and knowing where they lived. I started following local politics as I entered high school and had an opportunity to interview several Council members, along with City Manager Bob Deadman, and others, for a college paper I wrote for a political science class- the topic was "consolidation." It is interesting that some of the issues and distinctions between Farmington and the Township then, still exist today- we are unique, even though we share much in the way of history and services.

Our City Council has played a major role in the development of the character of our city. Some accomplishments are worth noting.

The gift of the Warner house from the Slocum family was significant because acceptance was not a slam dunk- much discussion was held. I was in the council chambers during deliberations and heard comments from the public. It was recognized then, that there would be an expense to the taxpayers and we would need to maintain an educational purpose and use for the house. Ten years ago as I started my career on Council we were talking about it- and 25 years after the acceptance of the gift and purchase of adjacent vacant lots, we are still talking about it.

The development of Farmington Place, our senior citizen complex, at the former site of the Farmington Lumber Company, met with skepticism and strong opposition. The City Council members at that time are to be congratulated for their courage to allow that development- it is one of smartest moves we have made and if you think about it, this was visionary. Today we hear that we need more residential development in the downtown- but if we didn't allow Farmington Place then, we'd just be getting started now.

The community has long recognized that the Civic Theatre, is a gem and a key to night life in the downtown. But for the City Council to make that purchase could have been a huge political risk- we were not just buying a building- we were entering into a business venture- And because we were buying property and an ongoing business- not selling it- the meetings were in closed session. Council was bound to secrecy and could not test community reaction. The community only knew about our intentions when we released a statement to the press a few days before the public hearing when the Council was to make a decision. The favorable reaction at the Council meeting was overwhelming, but not surprising. And why is that- it is because the Council Members, all long time residents, knew what was important to the community. And I believe that Council Members with a sense of history and understanding of the community based on long term residency, have a clear advantage when dealing with decisions such as this.

It was a goal of the City Council, that the DDA obtain a National Main Street grant from Oakland County. I was proud to represent the city leadership as Mayor, in September 2002, to present our case. There was no guarantee- we had been denied the year before and the County knew our DDA Executive Director was retiring. But our presentation and response to questions from the

COUNCIL PROCEEDINGS -9-
November 7, 2005

decision makers hit the mark. Three years later we have seen a resurgence of excitement from the citizenry. Exactly what we knew the Main Street program was designed to do. And as we have been told, our local program is far ahead

of others sponsored by Oakland County. But we know we can do better and there is still a lot of work to do.

It has been said that those who know the past will master the future. We need to keep our history in mind as we move forward.

It is true that Farmington is on the cusp of some great things...well how do you think we got there! It was by being fiscally conservative. Our Standard and Poors rating is AA, which only a few cities our size can brag about. We are recognized as a city with strong financial management and having short and long term planning in place. Our sound financial position gives us the opportunity to make purchases such as the Civic Theatre or consider other purchases to protect our downtown and help stimulate private investment.

Before taking action on significant matters, we engage in careful and thoughtful discussion- a knee jerk reaction is not the way we do things. The payoff for being deliberate is well worth it. The Riley Park and Sundquist Pavilion- built with donated funds- could not have been completed without the careful review of our fiscal position and legal obligations. Something only a City Council can decide after significant input from our City Manager, Attorney, Clerk/Treasurer and Public Services Director. Had we built the Pavilion a few years ago, at the proposed site, at the urging of others, we would not have a Park, and it would not be visible from Grand River. It would have been sitting in the middle of a parking lot- generally used as a covered carport. Think about that for a moment.

I see the role of a Council Member as a "trustee". A person who makes decisions in the best interest of the whole community. I tried to be a trustee during my time on Council. To be a trustee one cannot take direction from a vocal minority. To do so is wrong. To act as a "delegate" is to give up your own thinking for that of others- as a delegate you are always questioning your own thinking- as if you cannot make up your own mind. A Council Member's role is also that of a member of a Board of Directors. Our responsibility is to set Policy and give direction to the City Manager, but not micro-manage.

I urge the new City Council to deal quickly and decisively with the Warner Mansion. It is and has been a distraction for many years. A part-time Museum Director, like we had until recently, is a prudent approach to managing the property, until a decision is reached on a possible non-profit corporation to operate the Mansion.

I believe we should concentrate our efforts on redevelopment of the downtown- and expand the DDA boundaries. This will have a greater impact on the community than how we utilize the mansion; and the additional tax base will offset any cost the citizens now bear to maintain this stately home.

COUNCIL PROCEEDINGS -10-
November 7, 2005

I also urge the new City Council to pass an ordinance to ban smoking from the downtown park and pavilion, and tie permission for outside seating to a ban on smoking. Other cities across the nation are banning smoking at outdoor public places. I believe this will be a positive message to our youth and good for the community.

I echo the comments of Mayor Campbell in describing our City Manager, Directors and staff. He said it best. We are very fortunate as a community to have such professional personnel, who are clearly committed to the best interests of Farmington. From the bottom of my heart, I thank all of you for your dedicated service.

I would also like to thank my mother, Mary Mitchell and her constant companion, Ed Brockhaun for your support and understanding.

Finally I would like to thank my girlfriend, Dulane Whinnery, for always being there, listening to me and standing by me as I pursued my community service as a Council Member.

It is personally fulfilling to have served as a Council member for the last ten years. I wish Arnie and Mary well as we each seek other ways to serve the community. I also wish Jo Anne and Valerie good luck as you continue your work with new council colleagues. I am confident that the City of Farmington is and will be in good hands.

Councilmember Bush made the following comments:

I would like to take a moment to first extend my thanks to the residents of Farmington because without their support I would not have had this opportunity to serve the City for the past twelve years.

Next my thanks goes to the entire staff of the City of Farmington including: Vince Pastue, Bill Richards, Kevin Gushman and Chuck Nebus, representing your respective departments. The City is very blessed to have you in your positions. You keep us very safe and keep the City running well. My thanks also goes to our City Assessor, John Sailor and Patsy Cantrell and her staff and all the employees of the City. We have quite a team and I recognize how well the City is run.

Included in my expression of gratitude are the Boards and Commission members. Truly each of these folks, on a daily basis, reminds us of what volunteering is all about.

Secondly it has been a pleasure to work with my fellow Council Members, JoAnne McShane, Valerie Knol, Jim Mitchell and Arnie Campbell and City Attorney Tom Schultz. I am sure we will continue to work together one way or another.

COUNCIL PROCEEDINGS -11-
November 7, 2005

To the new Council Members yet to be elected, you along with JoAnne and Valerie have much work ahead of you. The future of the City of Farmington is in your hands.

I would like to share a couple of other things that Jim touched on as well. Matters that have been left undone by this Council, but are very important to me. Some of those matters I have brought to Council personally and they need to be addressed in a timely manner. I list the following items in no specific order:

- Stronger code enforcement is very important
- Improving the City website
- Improving cable programming
- Overall comprehensive review of nonsmoking versus smoking in the Pavilion area and City Parks
- Review and emphasis of the Governor Warner Mansion including use, funding and fundraising
- Review and enactment of a City ethics ordinance
- Review and enactment of a new historic ordinance
- Establishment of an Economic Redevelopment and Restructuring Committee

I sincerely believe that these are all tools that will make the City a better place in which to live and work. In my opinion they need to be placed at the top of the priority list for the new Council that will be seated on November 21, 2005.

It has truly been my honor and privilege to be part of this community and serve on this Council for the past twelve years. Farmington will always be a part of who I really am.

Mayor Pro Tem McShane recognized the momentous occasion of three Councilmembers leaving at the same time. She further recognized the dedication, loyalty and fine work of Councilmembers Mitchell and Bush. She noted that they both served as fine Mayors. She expressed heartfelt appreciation on behalf of the staff and the citizens of Farmington for their service and wished them peace and success in their future endeavors. She saluted them.

Councilmember Knol echoed McShane's sentiments and thanked Councilmembers Bush and Mitchell for their many years of service and for welcoming her to Council as a new member two years ago. She stated that it has been a pleasure to work with them.

ADJOURNMENT

11-05-258 MOTION by Mitchell, seconded by Bush, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:25 p.m.

COUNCIL PROCEEDINGS -12-
November 7, 2005

Arnold T. Campbell, Mayor

Patsy K. Cantrell, City Clerk/Treasurer

Susan K. Halberstadt, Recording Secretary

APPROVED: NOVEMBER 21, 2005