

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, January 7, 1991, 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 Yoder.

PRESENT: Hartsock, McShane, Tupper, Yoder.

ABSENT: Richardson.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, City Attorney Donohue, Adm. Assistant Schultz, City Clerk Bushey.

Mayor Pro-Tem Yoder asked that the minutes reflect that Mayor Richardson is out of town.

### MINUTES OF PREVIOUS MEETING

1-91-001

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of December 17, 1990, as written. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

1-91-002

Motion by Councilwoman McShane, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards and Commissions:

- Farmington Beautification Committee minutes of November 14, 1990;
- Farmington Area Arts Commission minutes of November 15, 1990;
- Board of Education minutes of December 4, 1990.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR SIGN VARIANCE

#### OAK FARMS MARKET, 31550 GRAND RIVER

Council was advised that Mr. Lipa requests on behalf of Oak Farms Market, authorization to use temporary outside signs in excess of what is permitted under Section 25-4, 7 (b) of the Sign Ordinance. The City Manager reminded Council that Mr. Lipa's previous permit for temporary signs expires January 14, 1991. Mr. Lipa, who was present, stated that he would like to use these signs permanently and would change them approximately once a month.

COUNCIL PROCEEDINGS -2-  
January 7, 1991

Following considerable discussion, Councilman Tupper suggested that this request be granted for six months and then reviewed.

1-91-003

Motion by Councilman Tupper, supported by Councilman Hartsock, to grant Mr. Lipa's request for a variance to Section 25-4, 7 (b) of the Sign Ordinance to allow the use of temporary outside signs for a period of six months at Oak Farms Market, 31550 Grand River, subject to further Council review at the end of this period. Motion carried, all ayes.

NOTICE FROM LIQUOR CONTROL COMMISSION  
RE: TRANSFER OF SDD/SDM LICENSE

Council was advised that the City received a 15-day notice from the Department of Commerce, Liquor Control Commission, on the application from Alwan, Inc., requesting transfer of a 1990 SDD/SDM licensed business from Cambridge Drugs, Inc., 31614 Grand River to Maple Drug Stores, Inc.

The City Manager stated that the Public Safety Department's investigation provided no basis to object to the transfer.

1-91-004

Motion by Councilwoman McShane, supported by Councilman Hartsock, to receive and file the 15-day notice from the Michigan Liquor Control Commission for the transfer of the 1990 SDD/SDM licensed business from Cambridge Drugs, Inc., 31614 Grand River to Maple Drug Stores, Inc. Motion carried, all ayes.

LETTER FROM GROVES-WALKER POST 346  
RE: 1991 BOYS STATE PROGRAM

The City Manager advised that this year's Boys State Program will be conducted on the Michigan State University campus from June 14 to June 20. He stated that the City budgeted \$185.00 to sponsor a representative. He further stated that the Boys State Chairman asks that a contact person be appointed for the boy to report to after the session.

1-91-005

Motion by Councilwoman McShane, supported by Councilman Hartsock, to adopt the following resolution:

WHEREAS, the Farmington City Council has approved the expenditure of \$185.00 to sponsor a local candidate to participate in the 1991 Boys State Program;

NOW, THEREFORE, BE IT RESOLVED that Councilwoman McShane be appointed as the candidate's contact person.

COUNCIL PROCEEDINGS -3-  
January 7, 1991

ROLL CALL

AYES: McShane, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: Richardson.

RESOLUTION DECLARED ADOPTED JANUARY 7, 1991.

REPORTS FROM CITY MANAGER

NOTICE OF

DETROIT WATER AND SEWER RATE INCREASE

Council was advised that the Detroit Board of Water Commissioners has notified suburban customers of proposed water/sewer rates for fiscal year 1991-92. The City Manager stated that the proposed water rate increase of 8.4% would bring the cost per 1,000 cubic feet from \$4.53 to \$4.91. He indicated that the City would need to increase its rates by approximately five cents per 1,000 gallons to offset this increase.

Council was further advised that the sewer rates will increase 4.8% from \$4.42 per MCF to \$4.63, which will be somewhat offset in the first year by a look-back adjustment credit of \$16,995.00. The City Manager stated the impact of the increase will be approximately one-half cent in local rates.

City Manager Deadman advised that Director Billing will attend Detroit's public hearing on January 23 to gain more information on these increases. He indicated that he was surprised by the rather major increase in water rates. The City Attorney stated that the City of Novi challenged the Detroit water rates and was upheld by the State Supreme Court.

GENERAL FUND TRANSFER TO CAPITAL IMPROVEMENT

The City Manager advised that the Farmington Economic Development Corporation recently authorized transfer of \$28,300.00 from the EDC to the City's General Fund so the City could use these monies to aid in funding capital improvements.

Manager Deadman pointed out that the current fund balance of \$614,760.00 in the next twelve months will pay the Oakland County Road Commission an estimated \$508,000.00 toward the City's share of improvements to Orchard Lake Road. He further indicated that many other projects will require funding in the next two to three years, including repaving Drake and Freedom Roads.

1-91-006

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

R E S O L U T I O N

NO. 1-91-006

Motion by Hartsock, supported by Tupper,  
to adopt the following resolution.

WHEREAS, the Farmington Economic Development Corporation has declared \$28,300 of their funds to be surplus and has authorized the transfer of these funds to the city's General Fund for use in funding capital projects, and

WHEREAS, the city's Capital Improvement Program has many capital needs which are currently unfunded, including improvements to Drake and Freedom Roads, park improvements, fire truck replacement and local street repair programs;

THEREFORE BE IT RESOLVED the Farmington City Council approves the transfer of \$28,300 from the Economic Development Corporation funds and \$122,000 from the General Fund balance to the General Fund Capital Improvement Fund.

ROLL CALL:

AYES: Tupper, Yoder, Hartsock, McShane.

NAYS: None.

ABSENT: Richardson.

RESOLUTION DECLARED ADOPTED JANUARY 7, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, 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 on January 7, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

PROPOSED TRAFFIC CONTROL ORDINANCE  
DESIGNATED PARKING AREAS

The City Manager recommended that Ordinance C-579-91 be introduced to allow vehicles improperly parked in designated parking areas to be cited rather than towed.

1-91-007

Motion by Councilman Hartsock, supported by Councilwoman McShane, to introduce Ordinance C-579-91 which would amend Section 31-530 of the City Code by adding a new subsection (23) relative to Designated Parking Areas. Motion carried, all ayes.

CITY ATTORNEY'S REPORT ON PENDING LITIGATION

City Attorney Donohue advised that he filed a notice of appearance and a notice of summary disposition in the case of Boco Services Inc., vs. City of Farmington, asking the court to dismiss the claim and awarded the city \$500.00 in costs because of the City's belief that this is a frivolous claim. He stated that this motion is currently pending before District Court Judge Schaeffer. He indicated the possibility that the case may be dismissed.

Relative to Bevan vs. Township of Brandon, copies of the firm's brief were submitted to Council for review. Attorney Donohue advised that since a contribution of \$500.00 was requested of each municipality involved, the Michigan Municipal League agreed to participate, so that the contribution per municipality will be reduced to around \$100.00.

CONTRACTOR PAYMENT: MUSEUM PORCH

The City Manager advised that Oak Builders, Inc., submitted an invoice for installing the balustrade on the museum and replacing the porch roof. He indicated that the total amount requested slightly exceeds the estimated amount approved by Council on October 15, 1990, as follows:

<u>Item</u>	<u>Invoiced</u>	<u>Approved</u>
Install railing	\$6,050.00	\$6,050.00
Repair roof and cornice	-0-	5,100.00
Replace roof covering	3,900.00	
Repair cornice	550.00	
Repair decayed roof members	930.00	
	<hr/>	
	\$11,430.00	\$11,150.00

Council was advised that the roof decay was more extensive than anticipated.

COUNCIL PROCEEDINGS -6-  
January 7, 1991

The City Manager stated that the additional \$280.00 can be provided by the Museum Trust Fund. He further stated that since the 1990-91 budget allocated \$4,000.00 for roof repairs the museum received a substantial gift which can be used to pay the city's portion of these repairs.

1-91-008

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the additional expenditure for repairing decayed roof members on the Farmington Museum, and

BE IT FURTHER RESOLVED that City Council authorizes the immediate payment of \$9,477.50, or 85% of the contractor's invoice, to Oak Builders, Inc., and

FURTHER BE IT RESOLVED that the balance is to be paid when the roof drainage is approved by the architect; funds to be provided by the Museum Trust Fund and from the Quakertown Questers' gift.

ROLL CALL

AYES: Yoder, Hartsock, McShane, Tupper.  
NAYS: None.  
ABSENT: Richardson.

RESOLUTION DECLARED ADOPTED JANUARY 7, 1991.

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard, Shiawassee Street, asked what the 15% was held back for on the payment to Oak Builders. She was advised that the balance will be paid when certain adjustments are made in roof drains which must be coordinated with the gutter installation.

Thomas DeWard was present relative to the contamination caused by underground gasoline storage tanks found on his property at 33604 Grand River. He presented packets of correspondence on the problem for Council review.

Mr. DeWard advised that when he was here in October, he had expended \$33,000.00 to remove three tanks and contaminated soil from his property. He stated that while doing test borings in front of the building, he found three more tanks of 4,000 gallon capacity each.

COUNCIL PROCEEDINGS -7-  
January 7, 1991

He advised that to date he has expended \$105,000.00 most of which was recovered from MUSTFA (Michigan Underground Storage Tank Financial Assistance) and Unical, the previous owner of the building. He pointed out that based on additional information recently obtained from the City, there may be more tanks under the building. He stated that he is confident there is contamination under the building. He stated that one option is to tear down the building; that remediation is not a very viable option in this case because the soil is clay.

Mr. DeWard went through the individual documents included in his packet and commented on each. He stated that based on the documents presented, his position is:

1. "The City has some responsibility in this because the 1970 inspection process was not proper.
2. "The City ought to get involved in other areas of the community which may have underground storage tanks and which may be contaminated."

He pointed out that one site in particular is the city park across from his building.

Mr. DeWard stated that he takes issue with the City Manager's statement in his letter of January 3, 1991: "Your lack of due diligence or due care and caution prior to the purchase of an old gas station cannot be transferred to the city".

Mr. DeWard pointed out that at the time he purchased the building there was nothing to indicate there was any problem on the property. He stated that in rejecting any claim of negligence in any inspection process, the City Attorney has stated that the doctrine of governmental immunity bars recovery if litigation is pursued against the city.

Mr. DeWard stated: "I think you ought to reconsider if your inspection process was not proper. I don't think you should hide behind governmental immunity, and give me a helping hand." He further stated: "You must have some guidelines as to why you required a permit in 1962 to install two tanks."

City Attorney Donohue advised Mr. DeWard that he has all the information the City has.

Attorney Donohue stated: "I would simply caution Council not to discuss this matter any further with Mr. DeWard due to possible pending litigation."

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Mr. Donohue pointed out to Mr. DeWard that in addition to the letters he submitted in the packet, he has received letters from "myself", John Sailer and Mr. Deadman which are not included.

Mr. DeWard asked: "Did you have a guideline as to whether or not you needed a permit to install underground tanks?"

Mayor Pro-Tem Yoder replied: "We have been cautioned by our Attorney, and I feel that probably we will have heard your comments, and that is the extent of it for the moment."

Mr. DeWard was reminded that the City has no real authority in this matter; that it is the State's responsibility to regulate these matters.

Councilman Hartsock expressed concern relative to other possible sites and asked: "Is there anything that as a city we should be doing in terms of notifying the State?"

Attorney Donohue advised that this is a situation that has come to light rather recently, and now no one will purchase commercial property without an environmental audit, because of the liability involved in the cleanup.

Mr. DeWard referred to the list of former gasoline station sites included in his packet. City Manager Deadman stated that sometime ago, even before Mr. DeWard presented this list, the City sent a letter to those who occupied sites that were identified as potential problems so they would be aware that they should register with the State.

Referring to possible contamination that he stated has possibly spread under Grace Street, Mr. DeWard asked: "What do you want me to do about Grace Street?"

He was advised that if his property is causing a problem, it is his responsibility.

Attorney Donohue advised Mr. DeWard that the City's position would be stated to him in writing.

Councilwoman McShane stated that Dave Justus was on the sledding hill recently and estimated about 500 people used the hill in one day. She pointed out that the only problem has been in the school parking lot on top of the hill.

City Manager Deadman advised that the Department of Parks and Recreation is putting as many as three or four people on the hill when it gets very busy.



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Councilwoman McShane reported that she talked to Standard Constuction Company relative to the closed Kroger store at the Halsted Shopping Center. She pointed out that The Kroger Company wants to eliminate any other grocery store competition and that they hold a 40-year lease on the building with 20 years remaining.

Mrs. McShane expressed concern that the senior citizens in the area need a grocery store and asked if Council could contact the Kroger Company in an attempt to persuade them not to close this store.

The City Manager was instructed to send a letter to the Kroger Company relative to the closing of their store in Farmington.

City Manager Deadman reported that the foundations for the new pumping station are now in place; also that Shiawassee Street has been completed.

FINANCIAL REPORTS:  
FIVE MONTHS ENDED NOVEMBER 30, 1990

1-91-009

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the General Fund and the 47th District Court financial reports for the five months ended November 30, 1990. Motion carried, all ayes.

WARRANT LIST

1-91-010

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$63,538.62; Water & Sewer Fund \$27,575.28.

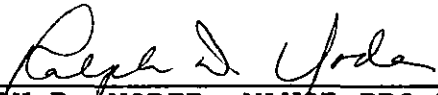
ROLL CALL:

AYES: Hartsock, McShane, Tupper, Yoder.  
NAYS: None.  
ABSENT: Richardson.

MOTION CARRIED.

ADJOURNMENT

The meeting adjourned at 9:33 p.m.

  
RALPH D. YODER, MAYOR PRO-TEM

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: January 21, 1991.

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, January 21, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson.

ABSENT: Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, Acting City Attorney McKeeney, Adm. Assistant Schultz, City Clerk Bushey.

Mayor Richardson noted that Councilmen Tupper and Yoder are out of town.

### MINUTES OF PREVIOUS MEETING

1-91-011

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of January 7, 1991, as written. Motion carried, all ayes.

### PRESENTATION

#### AAA PEDESTRIAN SAFETY AWARD

Mayor Richardson called upon Director Lauhoff to introduce the AAA representative, April Morrison-Harkey.

Ms. Morrison-Harkey advised that Farmington, one of 2,500 cities which participated in a National Pedestrian Safety Inventory Contest, scored very well. She presented the award plaque on behalf of the American Automobile Association and the Automobile Club of Michigan.

### MINUTES OF OTHER BOARDS

1-91-012

Motion by Councilwoman McShane, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards and Commissions:

- Planning Commission minutes of January 14, 1991;
- Farmington/Farmington Hills Joint Special Planning Commission minutes of January 16, 1991;
- Downtown Development Authority minutes of January 2, 1991;
- Traffic and Safety Board minutes of November 15, 1990;
- Farmington Beautification Committee minutes of January 9, 1991.

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--Farmington Community Library minutes of December 12, 1990;  
--Board of Education minutes of December 18, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR RECONSIDERATION OF  
FENCE VARIANCE, 32965 CLOVERDALE

1-91-013

Motion by Councilman Hartsock, supported by Councilwoman McShane, to reconsider the fence variance at 32965 Cloverdale. Motion carried, all ayes.

Council was advised that Mr. Robinson attempted to redesign the affected portion of his fence and examined many alternatives. Mr. Robinson concluded that the artistic appeal could not be achieved, and that to rebuild the entire fence would be a financial hardship.

It was the consensus of Council that Mr. Robinson's situation is unique since he is on a dead end street.

1-91-014

Motion by Councilman Hartsock, supported by Councilwoman McShane, to grant Mr. Robinson's request for a variance to Section 13-2, of the Fence Ordinance to allow the installation of a 4 ft. 9 in. fence forward of the rear building line at 32965 Cloverdale. Motion carried, all ayes.

LETTER OF RESIGNATION FROM  
FARMINGTON BOARD OF CANVASSERS

Council was advised that Thomas Carr tendered his resignation from the Farmington Board of Canvassers, effective January 1, 1991, because he will soon be moving out of the city. As his term does not expire until December 31st of this year, it is necessary to find a replacement.

1-91-015

Motion by Councilman Hartsock, supported by Councilwoman McShane, to accept Mr. Carr's resignation from the Farmington Board of Canvassers, with regret, and to send him a letter of appreciation for his service to the community. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE  
BELLE TIRE, 22843 ORCHARD LAKE ROAD

Council was advised that since Belle Tire sold property to the Oakland County Road Commission for the Orchard Lake Road expansion, the present ground sign must be moved from the purchased property to the remaining portion of Belle Tire property.

COUNCIL PROCEEDINGS -3-  
January 21, 1991

The City Manager pointed out that in the interim, the Sign Ordinance was amended, reducing the maximum size of ground signs from 160 to 100 sq. ft.; the current sign is 134 sq. ft.

City Manager Deadman suggested two options: to grant the variance allowing the continued use of the sign, or to deny the variance, then the City would have to buy a new sign for Belle Tire.

1-91-016

Motion by Councilwoman McShane, supported by Councilman Hartsock, to grant the requested variance to Section 25-4 (1) c of the City's Sign Ordinance No. C-571-90, allowing Belle Tire, 22843 Orchard Lake Road, 34 sq. ft. on each side of the ground sign. Motion carried, all ayes.

REQUEST FOR EXTENSION OF TEMPORARY SIGN  
PERMIT: MAPLE DRUG, 31614 GRAND RIVER

Council was advised that the Maple Drug application for variance asks for a 45-day extension of their temporary sign permit which is to expire January 29, 1991.

The City Manager pointed out that permanent signage is not permitted by the Liquor Control Commission until they approve transfer of the license.

1-91-017

Motion by Councilman Hartsock, supported by Councilwoman McShane that the the temporary sign permit #10458 for 31614 Grand River (formerly Cambridge Drugs), be extended for sixty days from January 21, 1991. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

Council was advised that proclamations are requested by Farmington Area JayCees and the Quakertown Chapter of National Society Daughters of the American Revolution.

1-91-018

Motion by Councilwoman McShane, supported by Councilman Hartsock, to issue a proclamation designating January 20 - 26, 1991, as JAYCEE WEEK. Motion carried, all ayes.

1-91-019

Motion by Councilman Hartsock, supported by Councilwoman McShane, to issue a proclamation designating February as AMERICAN HISTORY MONTH. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED AMENDMENT TO CITY'S TREE ORDINANCE

Council was advised that an extensive review of Chapter 32 of the City Code, Vegetation, updated the Code relative to concerns over controlling removal of large trees and providing clearer direction to the public regarding responsibility for planting and caring for trees.

The City Manager pointed out that the new ordinance changes the responsibility of controlling trees in public spaces from the City Manager to the Director of Public Services. He further stated an evaluation system is also included relative to "Landmark" trees.

Manager Deadman suggested that Ordinance No. C-578-91 be introduced.

Arnold Campbell, who assisted in formulating the amendment, suggested that the City look into setting up a Tree Planting Committee.

Beautification Committee member Carol Kurth expressed the hope that some other program be set up by the City, perhaps a Volunteer Forestry Program or a Tree Planting Program.

1-91-020

Motion by Councilwoman McShane, supported by Councilman Hartsock, to introduce Ordinance No. C-578-91, which would amend the City's Tree Ordinance. Motion carried, all ayes.

The City Manager advised that he will have a resolution ready relative to trees that are permitted and those which are not permitted at the time Council considers adopting this ordinance.

CONTRACTOR PAYMENTS: SEWER PROJECT

The City Manager requested that Council authorize change orders and payments for work completed on the Sewer Project.

1-91-021

Motion by Councilwoman McShane, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves Posen Construction, Inc., Change Order No. 2 for Contract No. 1 (Wastewater Pumping Station and Retention Basin) for the increased cost of \$10,285.79, and authorizes the second estimated payment to Posen Constuction, Inc., in the amount of \$159,557.21 for work completed through December 31, 1990, and

COUNCIL PROCEEDINGS -5-  
January 21, 1991

BE IT FURTHER RESOLVED that the City Council approves Dan's Excavating, Inc., Change order No. 3, reducing the contract cost by \$63,488.32, and authorizes the third estimated payment to Dan's Excavating in the amount of \$455,495.44 for work completed between November 25 and December 31, 1990, on the Sewer Separation Project.

ROLL CALL

AYES: McShane, Richardson, Hartsock.  
NAYS: None.  
ABSENT: Tupper, Yoder.

RESOLUTION DECLARED ADOPTED JANUARY 21, 1991.

LOCAL APPROVAL, NOTICE OF TRANSFER  
CLASS "C" LIQUOR LICENSE TO HUB, INC.

The City Manager advised that the Public Safety Department's investigation into this request revealed information that causes the Department to recommend against the transfer of the Class "C" license at 31030 Grand River to Hub, Inc.

Following considerable discussion with the prospective owner, who was present, Mayor Richardson called for a motion.

1-91-022

Motion by Councilman Hartsock, supported by Councilwoman McShane to adopt the following resolution:

[SEE ATTACHED RESOLUTION]

RENEWAL OF TAXICAB LICENSES

Council was advised that the Northwest Transport Company requests renewed licensing of eleven vehicles: six for Suburban Checker Cab Company and five for Yellow & Red Cab Company.

Council was further advised that the ABC Cab Company requests 1991 licensing for three vehicles.

The City Manager recommended renewal of these fourteen licenses.

1-91-023

Motion by Councilwoman McShane, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the issuance of six (6) licenses for 1991 Taxicab Service in the City of Farmington to Suburban Checker Cab Company, and five (5) licenses to Yellow & Red Cabs, both located at 31376 Industrial Road, Livonia, Michigan, and

COUNCIL PROCEEDINGS -6-  
January 21, 1991

BE IT FURTHER RESOLVED that Council authorizes the issuance of three (3) licenses for 1991 Taxicab Service in the City of Farmington to the ABC Cab Company, 36977 Amrheim, Livonia, Michigan.

ROLL CALL

AYES: Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: Tupper, Yoder.

RESOLUTION DECLARED ADOPTED JANUARY 21, 1991.

MISCELLANEOUS

PUBLIC COMMENT

Carol Kurth, mentioned that the City of Farmington will celebrate its 65th Anniversary next month. She suggested that perhaps a proclamation be issued or a birthday party be held noting the date.

Councilwoman McShane said she received a telephone call from a neighbor stating that she hopes Farmington is successful in bringing more businesses to the City like Cargo Express.

Mrs. McShane stated that the City of South Lyon is flying American flags in the downtown area in support of our armed forces in the Middle East. She suggested this would be a nice thing to do in Farmington.

The City Manager advised that at one time there were pole holders in the downtown area. He stated they were never replaced after the sidewalks were repaired.

Councilman Hartsock suggested that a rather sizable depression in the sledding hill be modified.

APPOINTMENT TO BOARD OF REVIEW

The City Manager advised that Rae Rockafellow's term on the Board of Review has expired. He stated that she has indicated her willingness to continue serving, if Council wishes to reappoint her.

1-91-024

Motion by Councilman Hartsock, supported by Councilwoman McShane, to appoint Rae Rockafellow to a 3-year term on the Board of Review, said term to expire December 31, 1993. Motion carried, all ayes.

COUNCIL PROCEEDINGS -7-  
January 21, 1991

DEPARTMENT OF PUBLIC WORKS AND WATER/SEWER  
QUARTERLY REPORT: OCTOBER - DECEMBER, 1990

Councilman Hartsock called attention to a \$4,000.00 charge relative to the Magic Squares and Ice Skating Rink. Director Billing will look into this.

1-91-025

Motion by Councilwoman McShane, supported by Councilman Hartsock to receive and file the Department of Public Works and Water & Sewer Department Quarterly Report for October - December 1990. Motion carried, all ayes.

BUILDING DEPARTMENT QUARTERLY REPORT  
OCTOBER - DECEMBER 1990

1-91-026

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the Building Department Quarterly Report for October - December 1990. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

ADOPT ORDINANCE NO. C-579-91

1-91-027

Motion by Councilwoman McShane, supported by Councilman Hartsock, to adopt the following ordinance:

[SEE ATTACHED ORDINANCE].

WARRANT LIST

1-91-028

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$60,141.50; Water & Sewer Fund \$25,376.32.

ROLL CALL:

AYES: Richardson, Hartsock, McShane.  
NAYS: None.  
ABSENT: Tupper, Yoder.

MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:05 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: February 4, 1991.



MICHIGAN DEPARTMENT OF COMMERCE  
LIQUOR CONTROL COMMISSION

**RESOLUTION**  
#1-91-022

At a Regular meeting of the Farmington City Council  
(Regular, or Special) (Township Board, City or Village Council)

called to order by Mayor Richardson on January 21, 1991 at 8:00 P.M.

the following resolution was offered:

Moved by Councilman Hartsock and Supported by Councilwoman McShane

That the request from HUB, INC. to transfer ownership of 1990 Class C licensed business, located at 31030 Grand River, Farmington, MI 48024, Oakland County, from RUSTIC PUB, INC.

be considered for Disapproval  
(Approval or Disapproval)

Approval

Disapproval

Yeas:

Yeas: Richardson, Hartsock,  
McShane.

Nays:

Nays: None.

Absent:

Absent: Tupper, Yoder.

It is the consensus of this legislative body that the application be not recommended for issuance.  
(Recommended or not Recommended)

State of Michigan )  
County of Oakland ) SS

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the

Farmington City Council at a Regular  
(Regular or Special)

meeting held on the January 21, 1991  
(Date)

(Signed) \_\_\_\_\_  
(Township, City, or Village Clerk)  
Josephine M. Bushey, City Clerk  
23600 Liberty Street  
(Address of Township, City or Village Board)  
Farmington, MI. 48335

SEAL

ORDINANCE NO. C-579-91

AN ORDINANCE TO AMEND THE FARMINGTON CITY CODE BY  
ADDING SUBSECTION (23) TO CHAPTER 31, TRAFFIC AND MOTOR VEHICLES,  
SECTION 31-530, TO PROVIDE FOR ENFORCEMENT OF  
PARKING VIOLATIONS IN PUBLIC AND PRIVATE PARKING LOTS

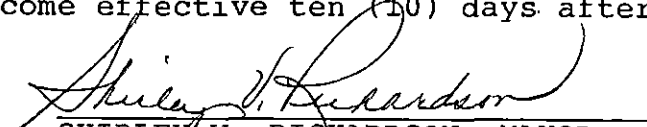
THE CITY OF FARMINGTON ORDAINS:

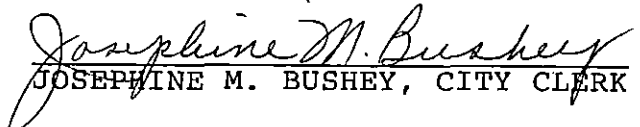
Section 31-530. Parking Prohibited in Specified Places. (8.10)

(a) A vehicle shall not be parked, except if necessary to avoid conflict with other traffic or in compliance with the law or the directions of a public safety officer or traffic-control device, in any of the following places:

ADD: (23) In any public parking lot or private parking lot that is open to the public, unless the vehicle is parked, and positioned properly in an area designated for parking by official pavement markings.

This ordinance was introduced at a regular meeting of the Farmington City Council on January 7, 1991, was adopted and enacted at the next regular meeting of the City Council on January 21, 1991, and will become effective ten (10) days after publication.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

AYES: McShane, Richardson, Hartsock.  
NAYS: None.  
ABSENT: Tupper, Yoder.

Published: January 31, 1991.  
Effective: February 11, 1991.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, February 4, 1991, 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 8:30 p.m. by Mayor Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper.

ABSENT: Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, City Attorney Donohue, City Clerk Bushey.

The meeting was preceded by a presentation recognizing the City's 65th Anniversary.

MINUTES OF PREVIOUS MEETING

2-91-029

Motion by Councilwoman McShane, supported by Councilman Hartsock, to approve the minutes of the previous meeting of January 21, 1991, as written. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

2-91-030

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and/or file the minutes of the following Boards and Commissions:

--Downtown Development Authority minutes of Special meeting of January 17, 1991;

--Farmington Area Arts Commission minutes of January 10, 1991.

Motion carried, all ayes.

REPORTS FROM CITY MANAGER

SANITARY SEWER EASEMENT  
FARMINGTON SEWER PROJECT

Council was advised of the necessity to construct a new sanitary sewer eastward from the sewer pumping station as part of the retention basin and pumping station construction.

The City Manager stated that the County acquired property adjacent to the current sewer easement to construct a filtration pond for the Orchard Lake Road drain. He advised that he requested a 40 ft. sewer easement from the Road Commission, which the Commission agreed to provide without cost because the City made a financial contribution toward the purchase of the property when the Commission obtained it.

Manager Deadman recommended that the easement be accepted and the City Clerk instructed to register the easement on behalf of the City.

2-91-031

Motion by Councilwoman McShane, supported by Councilman Hartsock, to accept the sanitary sewer easement described as Orchard Lake Road, 40541, Parcel 4, and instruct the City Clerk to record the easement with the Oakland County Register of Deeds. Motion carried, all ayes.

EVERGREEN/FARMINGTON SEWER DISPOSAL  
SYSTEM CONTRACT, SEGMENT I, STAGE 2  
C O N S T R U C T I O N

The City Manager advised that Oakland County requests that City Council agree to enter into a contract pertaining to the improvement of the Evergreen/Farmington sewer system. He pointed out that the contract provides for the City to contribute \$102,267.00 towards the estimated construction costs which would increase the system's capacity.

Council was advised that the expansion of the system would eliminate overflows during wet weather; further that Farmington's capacity was increased from .80 CFS to 1.35 CFS.

Manager Deadman stated that the County is asking those communities benefiting from the improvements to pay their share plus interest by April 1, 1991, if they have not yet paid.

The City Manager recommended the resolution be adopted approving the contract and its exhibits, and that the Mayor and the City Clerk be directed to execute and deliver the contract on the City's behalf.

The City Attorney suggested that Council's motion include a proviso that all communities involved in the system sign the contract as written.

2-91-032

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the resolution approving the contract and its exhibits, directing the Mayor and the City Clerk to execute and deliver the contract on behalf of the City, provided that all other communities benefiting from the construction project sign the contract as written.

ROLL CALL

AYES: McShane, Richardson, Tupper, Hartsock.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED FEBRUARY 4, 1991.

[SEE ATTACHED RESOLUTION].

ADDITIONAL FURNACE PURCHASE  
PUBLIC SERVICES BUILDING

Council was advised that the oil fired furnace unit serving the firearms range is no longer serviceable.

The City Manager advised that bids were taken from other contractors to determine if the replacement price proposed by D & G Heating is competitive at \$7,000.00. He stated that All Weather Mechanical's bid was \$11,300.00 and Thermal Controls, \$9,980.00.

City Manager Deadman stated that D & G Heating & Cooling Company's bid was contingent upon their doing this work while replacing the other furnaces in the building. He pointed out that if the contractor had to return later, this would add another \$650.00.

2-91-033

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the replacement of the furnace at the Public Services Building, and awards the contract to D & G Heating & Cooling Company in the amount of \$7,000.00, and

BE IT FURTHER RESOLVED that funds be provided from the Buildings and Grounds Capital Improvement account.

ROLL CALL

AYES: Richardson, Tupper, Hartsock, McShane.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED FEBRUARY 4, 1991.

MISCELLANEOUS

PUBLIC COMMENT

The following individuals protested the City's enforcement of snow removal as being very selective:

Henry Borgman	34011 Grand River
James Meredith	34017 Grand River
Geoffrey Lawrence	34029 Grand River
David Nitz	23925 Wilmarth
Robin Anderson	34021 Grand River

Councilman Hartsock stated that the area of Grand River and Farmington Road is vital to the City's image and function. He agreed with attorney Donohue that selective enforcement is common practice. He advised that several years ago Council directed the

Public Services Department to enforce snow removal in these two vital areas. He further stated that he appreciates the problem this enforcement imposes on the residents and businesses of that area, but that they have to recognize the difficulty it poses in terms of the number of people using those sidewalks and streets. Mr. Hartsock further stated that he would like to look into this situation more thoroughly, and asked that Council bring it up at the next meeting. He pointed out that the intent of the ordinance was not to punish people who don't shovel an insignificant amount of snow.

Ben Marks, 25287 Briarwicke, Farmington Hills, commended Council for hiring a contractor for the Orchard Lake Road sewer work who is trying diligently to minimize the public's inconvenience during construction.

2-91-034

Motion by Councilman Hartsock, supported by Councilwoman McShane, to review the snow removal violations issued to individuals along Grand River on January 4, 1991, relative to City policy, what the City is trying to accomplish and the best way to enforce it. Motion carried, all ayes.

City Manager Deadman was instructed to ask the Court to put off rescheduling this matter until Council can look into the situation at the next meeting.

Mayor Richardson referred to an article in today's issue of the FARMINGTON OBSERVER relative to a spruce tree donated to City Park by the Oak Hill Nursing Home. She asked that a Thank You note be sent on Council's behalf.

The Mayor announced that State Representative Jan Dolan, a member of the House Republican Task Force Campaign Finance Reform Committee, will be at the Twelve Mile Farmington Community Library in Farmington Hills on Friday, February 8, 1991, from 10:00 a.m. to Noon.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Construction Board of Appeals

Council was advised that the terms of David Mariner and William Ingalls expire on February 5, 1991. Both individuals indicated a willingness to continue serving in this capacity if Council chooses to appoint them.

2-91-035

Motion by Councilman Hartsock, supported by Councilwoman McShane, to appoint David Mariner and William Ingalls to a two-year term on the Construction Board of Appeals, this term to expire February 5, 1993. Motion carried, all ayes.

COUNCIL PROCEEDINGS -5-  
February 4, 1991

Downtown Development Authority

Council was advised that the terms of Robert Heinrich and Ronald Oglesby expire on February 17, 1991. Both individuals indicated they are willing to continue serving in this capacity if Council chooses to appoint them.

2-91-036

Motion by Councilman Hartsock, supported by Councilwoman McShane, to appoint Robert Heinrich and Ronald Oglesby to a four-year term on the Downtown Development Authority, this term to expire February 17, 1995. Motion carried, all ayes.

The City Manager advised that Anthony Smolek feels he should resign from the Planning Commission as he is out of town a great deal.

2-91-037

Motion by Councilwoman McShane, supported by Councilman Hartsock, to accept the resignation of Anthony Smolek from the Farmington Planning Commission and canvass other potential candidates for the next meeting. Motion carried, all ayes.

The City Manager called attention to a report from the City Clerk relative to two prospective candidates for the vacancy on the Board of Canvassers. Council asked that this item be placed on the next Agenda.

FINANCIAL REPORTS

PERIOD ENDED DECEMBER 31, 1990

2-91-038

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the General Fund and the 47th District Court financial reports for the six months ended December 31, 1990 and the Water and Sewer Department Quarterly report for the same period.

ROLL CALL

AYES: Tupper, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: Yoder.

MOTION CARRIED.

RESOLUTIONS AND ORDINANCES

PERMITTED AND PROHIBITED VEGETATION

2-91-039

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

R E S O L U T I O N

NO. 2-91-039

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

WHEREAS, the Council of the City of Farmington has adopted Ordinance No. C-578-91 to establish regulations pertaining to vegetation within parks, public rights-of-ways and private property adjacent to public property, and

WHEREAS, Section 32-5 provides that City Council shall establish the species of trees permitted to be planted within parks and public rights-of-ways;

THEREFORE BE IT RESOLVED that Council establishes the following list of trees which are permitted and those trees which are prohibited to be planted:

Permitted Trees for Planting Within Right-of-Way  
and Public Places Within the City of Farmington

Ash, European "Hesse" (fraxinus)

Ash

Ash -Green

Ash - Summit

Ash - White

Ash - Autumn Purple

Crabapple (Malus)

Crabapple, Siberian (Malus baccata)

Gingko, Mal "Sentry"

Hawthorne, Washington (Crataegus phaenopvrum)

Honeylocust, Gladitsia

Hornbeam, European Pyramidal (Carpinus betulus)

Horsechestnut, Bauman

Japanese Pagoda tree, Regent (Sophora japonica)

Linden, Little Leaf (Tilia cordata)

Linden, "Redmond" (Tilia americana)

London Planetree (Platanus acerfolia) "Bloodgood"

Maple, Black (Acer nigrum) - to 80 ft.



Maple, Hedge (*Acer campestre*)  
Maple, Norway (*Acer platanoides*)  
Maple, Red (*Acer rubrum*) "Red sunset"  
Oak, Pyramidal English (*Quercus robur*)  
Oak, Red Northern (*Quercus borealis*)  
Pear "Aristocrat"  
Redbud, Eastern (*Cercis canadensis*) - GMM.  
Redwood, Dawn  
Sweetgum (*Liquidambar styraciflus*) "Moraine"

Recommended for Planting under Utility Service Lines  
on rear of Private Property  
(10 ft. away from Utility Lines)

Crabapple, Snowdrift, Indian Magic, White Angel, American Beauty,  
Baccata Jackii, Coral Burst, Floribunda, Centurion, Baccata

Prohibited Trees Within Right-of-Way  
Within the City of Farmington

Alder, Speckles  
Ash, Mountain European  
Ash, Oakleaf Mountain  
Aspen - Big-tooth (*Populus sp.*)  
Aspen, Quaking (*Populus sp.*)  
Basswood  
Birch  
Birch, River  
Birch, White  
Box Elder  
Buckeye  
Catalpa  
Cedar, Red  
Vegetation Resolution

Cherry, Black (*Prunus serotina*)

Cottonwood or any tree contributing to the detriment of the health and safety of the citizens of Farmington. Fast growing, weak wooded, messy seed pods in spring.

Elm, Siberian (*Ulmus pumila*)

Elm, American (*Ulmus american*)

Evergreens

Fruit

Gingko, Female

Hemlock

Hickory, Shagbark (*Carva ovata*)

Horsechestnut - Large fruit (poisonous)

Ironwood

Locust, Black

Maple, Silver (*Acer saccharinum*)

Maple, Sugar (*Acer saccharum*)

Mulberry

Oak, Pin (*Q. palustris*)

Oak, White (*Quercus alba*)

Pear, Callery Bradford (*Pyrus callervana*)

Pine, Austrian

Pine, Eastern White

Pine, Japanese Black

Pine, Pitch

Pine, Red (*Pinus resinosa*)

Spruce, White

Sycamore

Tree of Heaven (*Ailanthus*)

Walnut, Black (*Juglans nigra*)

Willow (Salix spp.)

Yew

Prohibited on Public or Private Property in the City

Any species of tree with poisonous fruit, such as Buckeye, Golden Chain Tree, Horsechestnut or any tree contributing to the detriment of the health and safety of the citizens of Farmington, such as the Cottonwood.

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper.

NAYS: None.

ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED FEBRUARY 4, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, 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 on February 4, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

Permitted Trees for Planting Within Right-of-Way  
and Public Places Within the City of Farmington

Ash, European "Hesse" (fraxinus) - Vigorous upright oval; glossy green leaf.

Ash - FP.

Ash - Green - PDC.

Ash - Summit - FP.

Ash. White - ST.

Ash. Autumn Purple - FP.

Crabapple (Malus) - Shape depends on variety. Choose one of the many new disease resistant varieties: Snowdrift (white, upright growing, one of the finest flowering crabs). Other good varieties: Indian Magic, White Angel, American Beauty, Baccata Jackii, Coralburst, Floribunda, Centurion. Choose for small fruit.

Crabapple, Siberian (Malus baccata) - A disease resistant variety producing pink flowers in spring. Has yellow foliage in fall and red berries in winter.

Gingko, Mal "Sentry" - Upright, columnar, prune for clearance. Gangly when young. To 70', 15' spread.

Hawthorne, Washington (Crataegus phaenopyrum) - White flowers in spring and bright red berries all winter. UPL.

Honeylocust, Gladitsia - Thornless improved varieties such as Imperial, Shademaster. Fine leaved foliage permits better lawn growth underneath. Tolerates wide range of soil conditions. Yellow fall color. Requires heavy pruning when young. 50 - 60 feet.

Hornbeam, European Pyramidal (Carpinus betulus) - Grows to 10 ft. in 10 years, to 40 - 60 ft. at maturity. Handsome tree, pyramidal in youth, oval rounded at maturity. Transplant in spring. Rich green summer foliage, yellow fall color. FP.

Horsechestnut, Bauman. Shade and ornamental with spreading elliptical to rounded crown, stout branches, coarse foliage. 70' high. Leaves compound, dark green above, pale green below. Gray or brown bark, thin, smooth becoming fissured and scaly. Likes rich moist soils. Bauman is a seedless variety. Other members of the horsechestnut family have poisonous seeds. This is the only variety of the horsechestnut family permitted on property, public and private within the city.

Japanese Pagoda tree, Regent (*Sophora japonica*) - Deep green lustrous leaves; hanging clusters of creamy yellow flowers which open for several weeks in late summer. Upright spreading habit and broadly rounded open crown. Grows slowly when young, medium to fast with age, to 50 - 80 ft. Dense shade when young, more open at maturity. Best transplanted when young. Prefers loamy well drained soil. "Regent" a fast grower, best of species. FP.

Linden, Little Leaf (*Tilia cordata*) - Straight trunk, pyramidal form, dense foliage, small heart shaped leaves. Tiny fragrant flowers in spring. to 45 ft. 20' spread. FP, MWD.

Linden, "Redmond" (*Tilia americana*) - Dense pyramidal tree. Shape of tree and leaves same as little leaf linden except leaves larger. to 55'. MWD.

London Planetree (*Platanus acerfolia*) "Bloodgood" - Rapid growing, pyramidal, adaptable to adverse situations. Tolerates heat, drought as well as severe pruning. Very resistant to anthracnose.

Maple, Black (*Acer nigrum*) - to 80 ft.

Maple, Hedge (*Acer campestre*) - One of the finest small trees, round headed, dense tree grows slowly to 35 ft. in height and spread. Yellow fall color. Possibly the best maple for dry alkaline soils. Corky stems of winter interest. UPL.

Maple, Norway (*Acer platanoides*) - Round headed; dense dark green foliage; withstands drought and city conditions. Shallow roots. Subject to cytospora annulata fungus. To 60'. FP.

Maple, Red (*Acer rubrum*) "Red sunset" - Medium sized green leaves, less dense than Norway. Noted for brilliant red fall color and one of the first to turn. Tolerates wetter soils than other maples. Bright orange red fall color effective for 1 - 2 weeks. Good upright oval habit. Good crotch development. Grows fairly fast. Best maple selection for city planting. To 60 ft. GMM, SI.

Oak, Pyramidal English (*Quercus robur*) - Pyramidal, handsome oak with good growth rate. Problem with oaks is transplanting (spring) loss, higher than other trees because of deep tap root. Takes longer to establish. Dark green leaves, no fall color, leaves drop in fall while still green. SL.

Oak, Red Northern (*Quercus borealis*) - Same transplanting problems as English oak. Otherwise good street tree. Does not have problem with iron chlorosis as does pin oak. Lustrous leaves turn rich red in fall. Is pyramidal when young but has broad crown when mature. 60 - 90 ft. FP, ST, SL.

Pear "Aristocrat" - Upright oval to pyramidal, low canopy, but accepts pruning for clearance. White flowers in spring, negligible fruit. To 45', 20' spread. FP.

Redbud, Eastern (*Cercis canadensis*) - GMM.

Redwood, Dawn (*Metasequoia glyptostroboides*) - Deciduous conifer, 70 - 115'. 25' spread. A good ornamental that seldom requires pruning. Good for large areas, lining streets or walkways. Member of a genus thought to be extinct until discovered in China in 1941. Species is 50 million years old.

Sweetgum (*Liquidambar styraciflua*) "Moraine" - Upright oval, star shaped medium green leaf; seedless variety. Fall color stunning: red, gold, purple combined. Relatively slow growing. Difficult to establish. No cones. To 50', 30' spread.

Recommended for Planting under Utility Service Lines  
on rear of Private Property  
(10 ft. away from Utility Lines)

Crabapple, choose from one of the many new disease resistant varieties: Snowdrift, Indian Magic, White Angel, American Beauty, Baccata Jackii, Coral Burst, Floribunda, Centurion, Baccata. Choose from a disease resistant variety with small fruit. Determinate height - 15 feet.

Prohibited Trees Within Right-of-Way and Public Places  
Within the City of Farmington

Alder, Speckles - SI.

Ash, Mountain European - Fireblight big problem, not long lived because of this.

Ash, Oakleaf Mountain (*sorbus thuringiaca*) - Oak shaped glossy green foliage and orange berries in fall. UPL.

Aspen - Big-tooth (*Populus sp.*) - ST.

Aspen, Quaking (*Populus sp.*) - ST.

Basswood - SI

Birch - ST.

Birch, River - PDC.

Birch, White - Insect problems such as bronze birch borer, best growth farther north.

Box Elder - Fast growing and weak wooded.

Buckeye - Messy, poisonous fruit.

Catalpa - Short lived; messy fruit.

Cedar, Red - ST.

Cherry, Black (*Prunus serotina*) - ST, SL.

Cottonwood or any tree contributing to the detriment of the health and safety of the citizens of Farmington. Fast growing, weak wooded, messy seed pods in spring.

Elm, Siberian (*Ulmus pumila*) - Subject to Dutch Elm Disease, but not as susceptible as American Elm. Fast growing and weak wooded.

Elm, American (*Ulmus american*) - Dutch Elm Disease. GMM, SI.

Evergreens - Density causes traffic vision problems.

Fruit - Fruit too messy for use on tree lawns.

Gingko, Female - Messy fruit with highly unpleasant odor.

Hemlock - SI.

Hickory, Shagbark (*Carva ovata*) - SI.

Horsechestnut - Large fruit (poisonous) and disease problems; except for Red Horsechestnut which is a valuable ornamental tree, although it also has 1 and 1/2 inch prickly fruit.

Ironwood - SI.

Locust, Black - ST.

Maple, Silver (*Acer saccharinum*) - OK as shade tree in open area. Keep away from adjacent structures, sidewalks, driveways, sewers, etc. due to roots. Poor branching habit results in brittle limbs. Weak wood, fast growing, roots seek out water mains. GMM, PDC.

Maple, Sugar (*Acer saccharum*) - Upright oval to round high canopy. Likes moist soil, protected sites. To 60', 50' spread. GMM, SI, MWD.

Mulberry - Messy fruit.

Oak, Pin (*Q. palustris*) - Chlorotic, ie. cannot use the iron in the soil due to the alkaline soil in our area. GMH, FP.

Oak, White (*Quercus alba*) - ST, SL.

Pear, Callery Bradford (*Pvrus callervana*) - No longer recommended due to bad branching habit which requires heavy pruning. White flowers in spring and red or yellow fall foliage.

Pine, Austrian - ST.

Pine, Eastern White - SI.

Pine, Japanese Black - ST.

Pine, Pitch - ST.

Pine, Red (Pinus resinosa) - SI.

Spruce, White - ST, SL.

Sycamore - Very susceptible to anthracnose. PDC

Tree of Heaven (Ailanthus) - Fast growing and weak wooded.

Walnut, Black (Juglans nigra) - Toxic roots, fruit.

Willow (Salix spp.) - Fast growing, weak wooded, roots seek out water mains. GMH.

Yew - ST.

Prohibited on Public or Private Property in the City

Any species of tree with poisonous fruit, such as Buckeye, Golden Chain Tree, Horsechestnut or any tree contributing to the detriment of the health and safety of the citizens of Farmington, such as the Cottonwood.

Explanation of Codes

FP - Fall Planting.

GMH - Highly susceptible to Gypsy Moth.

GMM - Medium susceptibility to Gypsy Moth.

GML - Low susceptibility to Gypsy Moth.

MWD - Requires moist well drained sites.

PDC - Will tolerate poorly drained and compacted soil.

SI - Salt-intolerant, not recommended for areas exposed to salt spray from traffic or salt in water runoff.

SL - Requires sunny location.

ST - Salt-tolerant, recommended for areas exposed to salt spray from traffic or salt in water runoff.



COUNCIL PROCEEDINGS -15-  
February 4, 1991

2-91-040

Motion by Councilwoman McShane, supported by Councilman Hartsock, to adopt the following Ordinance:

ORDINANCE NO. C-578-91

[SEE ATTACHED ORDINANCE].

SUPPORT OF TROUPS IN PERSIAN GULF

2-91-041

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

WARRANT LIST

2-91-042

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$95,022.67; Water and Sewer Fund \$130,163.32.

ROLL CALL

AYES: Tupper, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: Yoder.

MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:31 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: February 18, 1991.

At a Regular meeting of the City Council of the City of Farmington Oakland County, Michigan (the "City"), held on the 4th day of February, 1991, at 8:30 p.m., Michigan Time.

PRESENT: Hartsock, McShane, Richardson, Tupper.

ABSENT: Yoder.

The Clerk stated to the Council that the City has contracted with the County of Oakland (the "County") and fourteen other municipalities within the County in a Contract entitled EVERGREEN AND FARMINGTON SEWAGE DISPOSAL SYSTEMS INTERMUNICIPAL CONTRACT CONCERNING WASTEWATER TREATMENT AND POLLUTION CONTROL PROJECTS dated as of September 30, 1989 (the "Intermunicipal Contract"), relative to the acquisition and construction of certain pollution control facilities by the County as additions to the Evergreen and Farmington Sewage Disposal System in the County, and thereby approved and adopted Exhibit A to the Intermunicipal Contract on which portions of said pollution control facilities are described, the construction of which has been mandated by a series of Final Orders of Abatement issued by the Michigan Department of Natural Resources to this City and the fourteen other municipalities which are parties to the Intermunicipal Contract. The Clerk reminded the Council that at the time of approval of the Intermunicipal

Contract the County had advised the Council that the County had contracted with the Cities of Southfield and Farmington Hills in a Contract dated as of March 1, 1988, (the "Segment 1 Contract") for the construction and financing of the portions of pollution control facilities described on said Exhibit A to the Intermunicipal Contract, which are designated in the Segment 1 Contract as Stage 1 and Stage 2, East and West, and described with estimates of cost on Project Exhibits "A", "B" and "C" to said Segment 1 Contract, on which exhibits it is shown that part of the costs of Stage 2 East and of Stage 2 West is to be paid by moneys advanced in part by the City of Southfield and the City of Farmington Hills in the aggregate amount of \$1,860,000. This advancement of moneys by these Cities was made pursuant to Section 12 of the Segment 1 Contract which reads, in part, as follows:

"xxxx Even though the cities are the only units of local government now contracting with the county, it is understood that by reason of the Evergreen Agreement and the Farmington Agreement and because of the Step I Facilities Planning, all of the units of local government named hereinabove as parties to those Agreements (herein "system participants") or as users or potential users of the systems are entitled to a share of capacity in, and may be obligated to participate in sharing the cost of, and in using, the Proposed Pollution Control Facilities or any part or parts thereof (including this Project). Such participation shall be administered by the county in dividing and assigning (1) shares of population to be served, (2) capacity to be available and (3) costs to be shared and the decisions of the county in this regard shall be final. However, no system participant shall be permitted by the county to use

any increased systems capacity made available to it beyond its originally purchased system capacity as a result of the construction of the facilities provided for herein and paid for by the cities or by action of the county in dividing and assigning, as above, nor to add to or enlarge the Districts within the boundaries of such system participant unless and until said system participant has made payment in such amount as is determined by the county. xxxx Said payment shall be made in cash to, or by contract to pay with, the county. Payments so received by the county shall be credited as appropriate to the cities. xxxx"

The Clerk further stated that the County of Oakland, acting through its County Drain Commissioner as County Agency pursuant to Act No. 342 of Michigan Public Acts of 1939, as amended, has advised this City that its share of the moneys advanced pursuant to the Segment 1 Contract, which this City is obligated to pay pursuant to the Intermunicipal Contract is shown on Exhibit B-1 to the form of Contract presented herewith.

The Clerk then presented a form of Contract between this City and the County of Oakland concerning payment of the foregoing amounts of money to the County and requested a resolution by this City Council approving said Contract and authorizing the Mayor and the City Clerk to execute and deliver said Contract.

The following resolution was offered by Tupper and seconded by Hartsock:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON OAKLAND COUNTY, MICHIGAN, as follows:

1. The City Council hereby approves and adopts the form of Contract dated as of February 1, 1991, providing for the payment to the County by this City of the amounts shown on Exhibit B-1 to said Contract.

2. The Mayor and City Clerk are hereby authorized and directed to execute and deliver said Contract in the name and on behalf of the City, in as many counterparts as may be deemed necessary.

3. A copy of the Contract as presented to this City Council and as herein approved and authorized to be executed and delivered, shall be attached to the minutes of this meeting and made a part hereof and shall be placed on file with the City Clerk. The Contract and this Resolution shall be available for examination by any interested person during normal business hours.

AYES: McShane, Richardson, Tupper, Hartsock,

NAYS: None.

ABSENT: Yoder.



EVERGREEN AND FARMINGTON SEWAGE DISPOSAL SYSTEMS  
POLLUTION CONTROL FACILITIES  
CITY OF FARMINGTON

CONTRACT

THIS CONTRACT, made and entered into as of the first day of February, 1991, by and between the COUNTY OF OAKLAND, a county corporation in the State of Michigan (hereinafter sometimes referred to as the "County"), by and through its Drain Commissioner, County Agency, party of the first part, and the CITY OF FARMINGTON a Home Rule city corporation in said county and state (hereinafter sometimes referred to as the "City"), party of the second part.

W I T N E S S E T H:

WHEREAS, the Oakland County Board of Supervisors by resolution, Misc. No. 3269, adopted August 12, 1957, as amended by resolution, Misc. No. 3435, adopted October 13, 1958, did approve the establishment of the Evergreen Sewage Disposal System (herein called the "Evergreen System") to serve the Evergreen Sewage Disposal District (herein called the "Evergreen District"), within which District are included areas in each of the municipal corporations hereinafter named; and

WHEREAS, pursuant to the Evergreen Sewage Disposal System Agreement, dated November 10, 1958, as amended by amendatory agreements dated December 22, 1958 and February 9, 1959, all between the County of Oakland and the Cities of Southfield, Birmingham, Bloomfield Hills, Lathrup Village and Troy, the Village of Westwood (now Village of Beverly Hills), and the Townships of Bloomfield and Pontiac, municipal corporations in said County of Oakland, the said county acting through its Department of Public Works, did acquire the original Evergreen Sewage Disposal System and did finance such acquisition by the issuance of bonds in anticipation of payments to be made by said municipal corporations to the county in accordance with the provisions of said Agreement, as amended (herein referred to as the "Evergreen Agreement"); and

WHEREAS, the Oakland County Board of Supervisors by resolution, Misc. No. 4115, adopted March 6, 1963, did enlarge the Evergreen District to include all of the Village

of Franklin and all of the Village of Bingham Farms within the area to be served by the Evergreen System; and

WHEREAS, the Oakland County Board of Supervisors by resolution, Misc. No. 3270, adopted August 12, 1957, as amended by resolution, Misc. No. 3339, adopted January 24, 1958, did approve the establishment of the Farmington Sewage Disposal System (herein called the "Farmington System") to serve the Farmington Sewage Disposal District (herein called the "Farmington District") within which District are included areas in each of the municipal corporations hereinafter named; and

WHEREAS, pursuant to the Farmington Sewage Disposal System Agreement, dated November 1, 1957, as amended by amendatory agreements dated December 22, 1958 and February 9, 1959, all between the County of Oakland and the Cities of Southfield and Keego Harbor and the Townships of West Bloomfield and Farmington (now City of Farmington Hills), municipal corporations in said County of Oakland, the said county acting thru its Department of Public Works, did acquire the original Farmington Sewage Disposal System and did finance such acquisition by the issuance of bonds in anticipation of payments to be made by said municipal corporations to the county in accordance with the provisions of said Agreement, as amended (herein referred to as the "Farmington Agreement"); and

WHEREAS, by annexation of part of the former Township of Farmington the City of Farmington has become a user of the Farmington System and has area included in the Farmington District; and

WHEREAS, by contractual relationships with members of the Farmington System, the City of Sylvan Lake and the City of Orchard Lake Village have become users of the Farmington System; and

WHEREAS, the State of Michigan Department of Natural Resources designated the areas and districts served by the Oakland County Evergreen and Farmington Sewage Disposal Systems as a single plan of study area for the purposes of Step I Facilities Planning and determined that there is a need to obtain studies, reports, plans and estimates for the abatement of pollution, control of pollutants and polluting discharges, and the relief of both the Evergreen and Farmington Sewage Disposal Systems; and

WHEREAS, the County established under and pursuant to Act No. 342, Public Acts of Michigan, 1939, as amended, a system of sewage disposal improvements and services to serve



the areas and the districts heretofore designated and described in Oakland County, Michigan, in Resolutions No. 3269, 3435 and 4115 as the Evergreen Sewage Disposal District and in Resolutions No. 3270 and 3339 as the Farmington Sewage Disposal District, which system as so established was designated as the "Evergreen and Farmington Sewage Disposal System" and the Oakland County Drain Commissioner was designated and appointed as the "County Agency" for said County systems with all the powers and duties with respect to said County systems as are provided by law and especially by said Act 342; and

WHEREAS, under and subject to the terms of Act 342, the County was authorized, through the County Agency, to acquire and construct the sewage disposal improvements and pollution control facilities hereinafter described as the County systems, the county and the townships, villages and cities were authorized to enter into contracts, as hereinafter provided, for the acquisition and construction of the systems by the County which Contract is entitled Evergreen and Farmington Sewage Disposal Systems Intermunicipal Contract Concerning Wastewater Treatment and Pollution Control Projects, dated as of September 30, 1989, and executed and delivered by the County and this City and fourteen other municipalities in the Districts and the Systems therein described (herein the "Intermunicipal Contract").

WHEREAS, the County acting pursuant to the Intermunicipal Contract with the townships, cities and villages served by the County systems has proceeded with acquisition and construction of facilities using a combination, of Federal and State grant moneys and County bonds and local funds as needed for parts of the proposed Pollution Control Facilities as shown on Exhibit "A" hereto attached and the County Agency has obtained plans for such parts of the County systems and also an estimate of \$16,430,000 as the total cost thereof and an estimate of forty (40) years and upwards as the period of usefulness thereof, all of which have been prepared by Hubbell, Roth & Clark, Inc. (hereinafter sometimes referred to as the consulting engineers) said estimates being set forth in Project Exhibit B hereunto attached; and

WHEREAS, as shown on said Project Exhibit B a portion of the cost of said Project was paid by a cash advance in the amount of \$1,860,000 which amount was temporarily advanced in part by the Cities of Southfield and Farmington Hills and of which amount this City is obligated to make reimbursement to the County and in addition to pay to the County its share of administrative costs, all as

shown on Exhibit B-1 hereto attached and by this reference made a part hereof, and it is necessary for the parties hereto to enter into this Contract.

THEREFORE, IN CONSIDERATION OF THE PREMISES AND THE COVENANTS OF EACH OTHER, THE PARTIES HERETO AGREE AS FOLLOWS:

1. The parties hereto do hereby approve and ratify the establishment, acquisition, construction and financing of the Evergreen and Farmington Sewage Disposal Systems, as provided in the Intermunicipal Contract, under and pursuant to Act 342. The City by way of compliance with Section 29, Article VII, Michigan Constitution of 1963, consent and agree to the establishment and location of the systems within its corporate boundaries and to the use by the County of its streets, highways, alleys, lands, rights-of-way or other public places for the purpose and facilities of the systems and any improvements, enlargements or extensions thereof, and the City further agrees that, in order to evidence and effectuate the foregoing agreement and consent, it will execute and deliver to the County such grants of easement, right-of-way, license, permit or consent as may be requested by the County.

2. The Evergreen and Farmington Sewage Disposal Systems Pollution Control Facilities acquired, constructed and financed hereunder shall consist of the facilities shown on Exhibit A which is hereunto attached and which is hereby made a part hereof, and as are more particularly set forth in the plans which have been prepared and submitted by the consulting engineers, which plans are on file with the County Agency and are hereby approved and adopted. The particular facilities herein involved are as follows:

Segment #1

Stage 2(E) and Stage 2(W)

These segment stages are herein sometimes referred to as the "Project". The estimate of cost of the Project and the estimate of period of usefulness thereof as set forth in Project Exhibit B are likewise hereby approved and adopted.

3. The County hereby asserts that it has secured, and will maintain during the period of construction adequate property damage and public liability insurance covering all facilities to be constructed in the City pursuant to this Contract. All policies and memoranda of insurance shall provide that the County and the City shall be insured parties thereunder and shall contain a provision requiring that the City be notified at least ten days prior to

cancellation thereof. One copy of each policy and memorandum of insurance shall be filed with the City.

4. It is understood and agreed by the parties hereto that the systems facilities are to serve the City and not the individual property owners and users thereof, unless by special arrangement between the County Agency and the City. It is the responsibility of the City to require connection to and use of the facilities of the systems and to provide such additional facilities, as may be needed, so that the City shall cause to be constructed and maintained, directly or through the County, any such necessary additional facilities. The County shall not be obligated hereunder to acquire or construct any facilities other than those designated in paragraph 2 hereof.

5. The City shall pay to the County on or before April 1, 1991, as its share of the total cost of the Project, (less such funds as may become available from Federal and/or State grants or from other sources) the amount shown on Exhibit B-1.

6. In the event that it shall become necessary to increase the estimated cost of the Project as hereinbefore stated, or if the actual cost of the system shall exceed the estimated cost, whether as the result of variations or changes permitted or needed to be made in the approved plans or otherwise, then (without execution of any further Contract or amendment of this Contract) the Council of the City may, by resolution adopted within fifteen days after the receipt of notification of such increase, direct that a portion of the Project not yet acquired or constructed and not under contract to acquire or construct be deleted sufficient to reduce the total cost to an amount which shall not exceed the total estimated cost of the Project, as hereinbefore stated, by more than 5%; provided that such deletion shall not materially change or terminate the eligibility of the Project for Federal and/or State grants, or change the general scope, overall design, and purpose of the Project. In the adoption of such a resolution the City shall pay or procure the payment of the increase or excess up to said 5% in cash or shall agree that County bonds in an increased or additional amount shall (upon adoption of an authorizing resolution therefor by the Board of Commissioners) be issued to defray such increased or excess cost, to the extent that funds therefor are not available from other sources. Where the effect of any increase in estimated cost of the Project or of any excess of actual cost over estimated cost would be to cause the total cost of the Project to exceed by more than 5% its total estimated cost as hereinbefore stated, the County shall not enter into

any new or further contract or change order for acquisition or construction of the Project or any part thereof or incur any new or further obligation for or pay any new or further item of cost thereof until the Council of the City shall have adopted a resolution approving such increase or excess and agreeing that the same (or such part thereof as is not available from other sources) shall be paid or its payment procured by the City in cash or be defrayed by the issuance of increased or additional County bonds in anticipation of increased or additional payments agreed to be made by the City to the County in the manner hereinbefore provided: Provided, further, that the adoption of such resolution by the Council of the City shall not be required prior to or as a condition precedent to the issuance of additional bonds by the County, if the County has previously issued or contracted to sell bonds to pay all or part of the cost of the Project and the issuance of the additional bonds is necessary (as determined by the County) to pay such increased, additional or excess costs as are essential to completion of the Project according to the plans as last approved prior to the time when the previous bonds were issued or contracted to be sold.

7. In the event that the actual cost of the Project is less than the total estimated cost, then any surplus available to the County shall, at the option of the Commission of the City, be used either to improve, enlarge or extend the systems in the City, provided that such surplus shall be used to improve, enlarge or extend the systems only if authorized by the Board of Commissioners. Any such surplus may, for the purpose of improving, enlarging or extending the systems, be supplemented by cash payments to be made by the City or by the proceeds of additional County bonds, or such improvements, enlargements or extensions may be financed entirely from such cash payments, where authorized by the councils of the City.

8. Should the City fail for any reason to pay the County at the time specified, the amounts herein required to be paid, the City does hereby authorize the State Treasurer or other official charged with the disbursement of unrestricted state funds returnable to the City pursuant to the Michigan constitution to withhold sufficient funds to make up any default or deficiency in funds.

The foregoing shall not operate to limit the County's right to pursue any other legal remedies for the reimbursement of moneys advanced on account of the default of the City.

9. As shown on Exhibit A, the Pollution Control Facilities to be acquired by completion of the Project are to supplement, improve, extend and enlarge the systems as parts of the Evergreen System and the Farmington System and the provisions of the Evergreen Agreement and of the Farmington Agreement, to the extent not specifically amended or eliminated hereby, shall apply to the total systems when completed and placed in operation and shall continue in full effect including any rights now or hereafter existing by contract on behalf of the systems by the County with the City of Detroit and/or the County of Wayne relative to treatment or transportation of sanitary wastewater and other pollution control activities.

10. Upon completion of the Project the County and the City hereby agree that the operation and maintenance of all of the facilities of the systems shall be carried on and continued in the same fashion and manner as integral parts of the systems as provided in paragraph 4 hereof and as are now in existence and in effect pursuant to the Evergreen Agreement and the Farmington Agreement, with costs thereof billed, collected and paid as at present.

If a grant, advance or payment becomes available from the State or Federal governments or any other source, the City hereby agrees to adopt such resolutions or ordinances as may be required by State or Federal laws, regulations or orders to make the County of Oakland and the systems and Districts eligible to accept and receive the grant, advance or payment, and if the terms of the grant, advance or payment require a local contribution, the City hereby agree to raise and contribute its share thereof as herein provided.

11. The County shall have no obligation or responsibility for providing facilities except as herein expressly provided with respect to the acquisition of the Project or as otherwise provided by Contract. The City shall have the authority and the responsibility to provide such other facilities and shall have the right to expand the facilities of the systems by constructing or extending sewers or related facilities, connecting the same to the systems, and otherwise improving the systems. It is expressly agreed, nevertheless, that no such connection shall be made to the systems and no improvements, enlargements or extensions thereof shall be made without first securing a permit therefor from the County Agency. Any such permit may be made conditional upon inspection and approval of new construction by the County Agency. It is further agreed that the systems shall be used for collection and conveyance of sanitary sewage only and that the City

shall take all necessary action to prevent entry into the systems of storm waters (except as permitted in the Evergreen Agreement or the Farmington Agreement) and also to prevent entry of sewage or wastes of such a character as to be injurious to the system or to the public health and safety.

12. All powers, duties and functions vested by this contract in the County shall be exercised and performed by the County Agency, for and on behalf of the County, unless otherwise provided by law or in this contract.

13. In the event that any one or more of the provisions of this Contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof, but this Contract shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein.

14. This Contract shall become effective upon its execution by each party hereto. This Contract shall terminate forty (40) years from the date hereof or on such earlier date as shall be mutually agreed. The provisions of this Contract shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed and delivered by the undersigned, being duly authorized by the respective governing bodies of such parties, all as of the day and year first above written.

CITY OF FARMINGTON

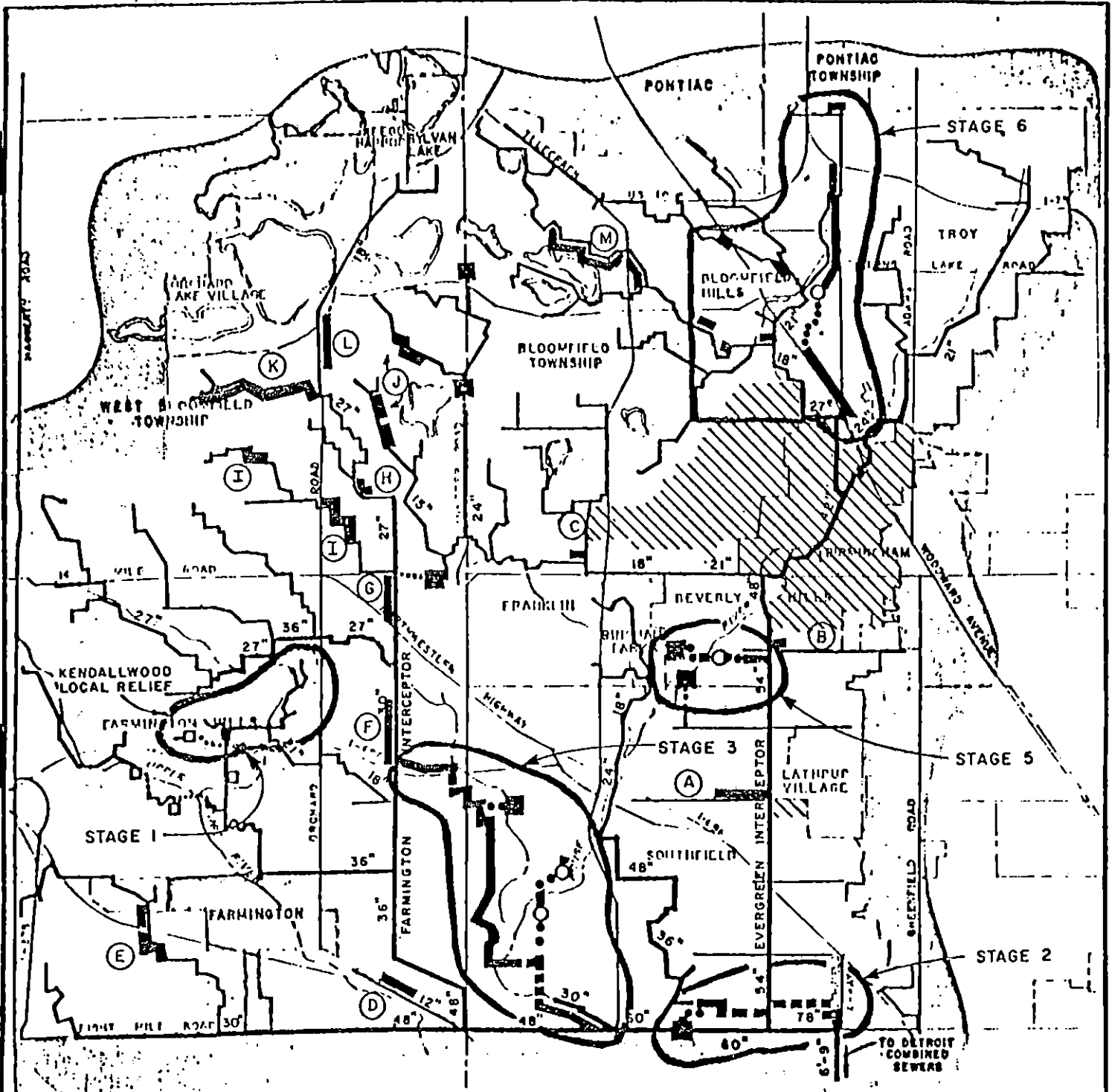
COUNTY OF OAKLAND

By Arthur J. Richardson  
Mayor

By Josephine M. Busbey  
City Clerk

By  
County Drain Commissioner  
(County Agency)

CRM/09192/0056/AH6/1



**LEGEND**

- 48" ——— EXISTING INTERCEPTORS
- \*\* EXISTING MAJOR PUMP STATION AND FORCE MAIN
- \*\* PROPOSED PUMP STATION IMPROVEMENTS
- \*\* PROPOSED PUMP STATION AND FORCE MAIN
- ▬▬▬▬▬▬ PROPOSED TUNNEL SEWER
- ▬▬▬▬▬▬ RECOMMENDED INTERCEPTOR IMPROVEMENTS
- ▨▨▨▨▨▨ NO PIPE SIZES COMBINED SEWER AREA

(A) PROJECT IDENTIFICATION

SEGMENT	STAGES
I	1 & 2
II	3 & 5



**PROJECT - SEGMENT I**  
**EXHIBIT - A**  
**MAY 23, 1989**

**EXHIBIT "A"**

COMPREHENSIVE FACILITIES PLAN  
 OAKLAND COUNTY, MICHIGAN  
 EVERGREEN-FARMINGTON  
 POLLUTION CONTROL FACILITIES

**PROPOSED POLLUTION CONTROL FACILITIES**

PREPARED BY

HUBBELL, ROTH & CLARK, INC.

EVERGREEN-FARMINGTON SEWAGE DISPOSAL SYSTEM  
POLLUTION CONTROL FACILITIES  
SEGMENT I

ESTIMATE OF COST  
(Based on Construction Bids May 10, 1989)

CONTRACTED SERVICES - CONSTRUCTION

Stage 1 - Kendallwood-Westbrooke Area Retention Tank	= \$ 3,796,000
Stage 2 - Relief Sewer East of Evergreen Road	= 3,306,163
Stage 2 - Relief Sewer West of Evergreen Road	= <u>3,956,689</u>
TOTAL CONSTRUCTION COST	= \$11,058,852

CONTRACTED SERVICES - PROJECT DEVELOPMENT

Engineering	= \$ 3,124,000
Consulting Engineer - Step 1, Fac. Plan	
Update & UCS & SUO	\$ 435,000
Consulting Engineer - Step II, Design	\$1,165,000
Consulting Engineer - Step III, Construction	\$1,524,000
Bond Counsel	= \$ 36,000
Financial Advisor	= 18,000
Official Statement	= 4,500
Rating Fees	= 9,000
Bond Printing	= 3,000
Bond Advertisement	= 2,000
C.P.A. Report	= 5,000
Bond Discount	= 186,000

COUNTY SERVICES - PROJECT MANAGEMENT

Engineering	= \$ 203,300
Administration	= 52,100
Right-of-Way (including Legal)	= 496,000
Construction Inspection	= 169,700
Soil Erosion Permit (Act 347)	= 7,000

CONTINGENCY = \$ 1,055,548

TOTAL ESTIMATED PROJECT COST - SEGMENT I = \$16,430,000

Less: Federal Grants (Estimated) C26 2912 03 = \$ 5,270,000  
Less: Cash Advance = 1,860,000

Total Bond Issue = \$ 9,300,000

NOTE: I hereby estimate the period of usefulness of this facility to be forty (40) years and upwards.

HUBBELL, ROTH & CLARK, INC.

By:   
M. David Waring



EVERGREEN/FARMINGTON SEWAGE DISPOSAL SYSTEM  
POLLUTION CONTROL FACILITIES  
SEGMENT I - STAGE 2

ESTIMATE OF COST  
(Based Upon Construction Bids and  
including Federal Grant Participation)

CITY OF FARMINGTON

PROJECT COST SHARE - EVERGREEN/FARMINGTON S.D.S. P.C.F.  
SEGMENT I, STAGE 2, INTERCEPTOR RELIEF

Relief Stage 2 East	L.S.	=	\$ 31,923
Relief Stage 2 West	L.S.	=	53,715

SUB-TOTAL ESTIMATED PROJECT LOCAL SHARE COST = \$ 85,638

LEGAL & FINANCIAL

Legal Counsel		=	\$ 1,000
Interest (7-25-83 through 4-1-91)		=	13,587

COUNTY SERVICES - PROJECT MANAGEMENT

Engineering & Administration		=	<u>\$ 2,142</u>
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TOTAL ESTIMATED COST SHARE = \$102,367

NOTE: This Estimate of Cost does not include cost to finance by County bond issue or other means.

CITY OF FARMINGTON

ORDINANCE NO. C-578-91

AN ORDINANCE TO AMEND CHAPTER 32 OF THE FARMINGTON CITY CODE TO REVIEW THE REGULATIONS PERTAINING TO VEGETATION WITHIN PARKS, PUBLIC RIGHTS-OF-WAY AND PRIVATE PROPERTY ADJACENT TO PUBLIC PROPERTY.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 32, Vegetation, of the Farmington City Code is hereby amended to read as follows:

32-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Diameter Breast Height (D.B.H.) shall mean a tree's diameter in inches measured by diameter tape at four and one-half (4-1/2) feet above the ground. On multi-stem trees, the largest diameter stem shall be measured.

Director shall mean the Director of Public Services.

Maintenance shall mean any act, except watering, for the purpose of preserving and protecting the beauty and health of a tree.

Park shall mean and include all public parks having individual names and all areas owned by the City, or to which the public has free access as a park.

Person shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

Plants shall mean any non-woody vegetation as distinguished from trees as defined herein.

Public Right-of-Way shall mean any street, highway, road, alley, or other way, the use of which by law or dedication, is for the public.

Public Utility shall mean any person conducting electrical, natural gas, telephone, telegraph or cable television services within public rights-of-way or private easements for public utilities, or the installation(s) itself (pipe, main, pole, etc.), as the context may indicate.

Trees shall mean any self-supporting woody vegetation, including shrubs and bushes, but excluding plants as defined herein.

32-2. Scope of Chapter; Departmental Responsibility.

The terms of this chapter shall apply to parks and public rights-of-way only unless otherwise specifically stated. The Department of Public Services, acting through its Director or his designated representative(s), shall have control over all trees and plants within parks and public rights-of-way and shall have the duty of enforcing the provisions of this chapter.

32-3. Permits for Tree Planting, Maintenance and Removal.

No person may plant, maintain or remove any tree, the trunk of which is located in a park or public right-of-way, without having first obtained a permit therefor from the Department of Public Services. Such permits may be obtained, with payment of a fee as may be provided by resolution of City Council, only by a person who is the owner of land abutting a public right-of-way as indicated by the tax rolls of the City or a licensed professional tree contractor designated by such owner.

Before issuance of any permit, the Director shall inspect the work proposed and determine whether it may be completed without harm to the public safety or to any public or private property and that such work will benefit the public safety or the health and condition of the tree(s) involved or eliminate a private nuisance to the owner. To accomplish these objectives, the Director may condition the issuance of any permit upon the applicant's meeting reasonable requirements directed to the protection of public health, safety and/or the

health of any tree. The permit shall specify the extent of the work authorized and any conditions to which it is subject.

In the event the Director determines that the work proposed requires the services of a licensed professional tree contractor, the contractor shall apply for and be issued the permit and, in addition to any other conditions as provided for in this chapter, shall provide a liability insurance policy from an insurance company licensed to do business in this state with a minimum coverage of \$250,000.00.

When the work proposed involves the removal of a tree, the Director shall determine whether the tree should be replaced at the same or another nearby location within the public right-of-way. The permittee shall be required as a condition of the permit to pay the cost of the purchase and planting of a replacement tree having a D.B.H. of one and one-half (1-1/2) inches, in the event the Director determines the tree proposed for removal is alive and does not threaten public safety.

32-4. City Tree Planting, Maintenance and Removal.

The Director shall have the right and responsibility for tree planting, maintenance and removal in all parks and public rights-of-way. Such activities shall be undertaken for the purpose of protecting public safety and providing for the symmetry and beauty of such public places.

32-5. Spacing of Shade Trees.

The Director shall establish a plan for the future plantings of trees within parks and public rights-of-way which shall be implemented consistent with the terms of this chapter and expenditure limits established in the City's annual budget.

No tree may be planted within parks and public rights-of-way which is not a species listed on a Permitted Species Resolution adopted by City Council. Trees shall be planted so as to provide a minimum of thirty (30) feet between trunks, except for trees of the "oak" species which shall be a minimum of thirty-five (35) feet from another tree trunk. This minimum requirement may be reduced to a

twenty (20) foot separation for non-oak species in order to provide for one tree to be located adjacent to each tax parcel of land abutting a public right-of-way, but only when the Director determines the wider separation requirement cannot be met.

Trees shall be planted as near as practicable to the midpoint between the curb and the sidewalk within a public right-of-way. Where the distance between curb and sidewalk is between three (3) and five (5) feet, only certain species as denoted in the Permitted Species Resolution shall be planted. Where the distance is less than three (3) feet, no trees may be planted. Where there are no existing curbs and/or sidewalk, trees shall be planted in such location as provided herein to allow for the future placement of such improvements.

32-6. Tree Protection.

No person shall place within a public right-of-way any stone, brick, sand, concrete or other material which will in any way impede the full and free passage of water, air or fertilizer to the roots of any tree, except a sidewalk of authorized width and location. No person shall break, injure, mutilate, kill or destroy any tree or set any fire within ten (10) feet of any tree, or permit any fire or the heat thereof to injure any portion of any tree. No toxic chemicals or other injurious materials shall be allowed to seep, drain or be emptied on, near or about any tree. No electric wires or any other lines or wires shall be permitted to come in contact with any tree in any manner that shall cause damage thereto, and no person shall attach any electric insulation to any tree. No person shall use any tree as an anchor except by special written permit from the Director, and no material shall be fastened to or hung on any tree. All persons having under their care, custody or control any facilities which may interfere with the trimming or removal of any tree shall after notice thereof by the Director promptly abate such interference in such a manner as shall permit the trimming or removal of such tree by the Department of Public Services (Code 1977, Sec. 3-16).

32-7. Decorative Displays.

Nothing contained in this chapter shall be deemed to prohibit the placement or construction of any decorative display by the City or other person upon approval by the council. Such displays shall be only in commemoration of a national holiday or some other civic purpose of general public interest. (Code 1977, Sec. 8-39).

32-8. Excavations Near Trees.

Excavations and driveways shall not be placed within five (5) feet of any tree without a written permit from the Director. Any person making such excavation or construction shall guard any tree within six (6) feet thereof with a substantial frame box to be approved by the Department of Public Services, and all building material or other debris shall be kept at least four (4) feet from any tree. (Code 1977, Sec. 3-17).

32-9. Public Utilities.

Public utilities shall be maintained so as to avoid any damage to trees, shrubs, bushes or vegetation. Damage resulting from utility installation, repair or disrepair shall be repaired; and the cost of the work, including the cost of removal and the replacement of any trees, shall be levied against the public utility causing the damage.

The Director shall grant permission to public utilities to trim and keep trimmed all trees within the street, alleys, parks and public places of the City, in such a manner as shall keep the overhead lines of such public utilities safe and accessible. Such trimming shall be done in accordance with approved practices and under the general direction of the Department of Public Services. The permission, as provided for in this section, shall require reasonable prior notice to the City before any work is commenced thereunder. However, if an emergency requiring immediate maintenance work on the overhead lines of public utilities should occur, prior notice of commencing work under the permit shall not be required. The word "emergency" as used in this section shall be defined to mean the occurrence or happening of an event which could not be

foreseen by the exercise of reasonable care and foresight and which might cause damage to the overhead lines of the public utilities. (Code 1977, Sec. 3-28).

32-10. Corner Clearance.

All shrubs and bushes located on the triangle formed by the two (2) right-of-way lines at the intersection of two (2) streets and extending for a distance of twenty (20) feet each way from the intersection of the right-of-way lines on any corner lot within the City shall not be permitted to grow to a height of more than thirty (30) inches from the top of curb at street level, in order that the view of the driver of a vehicle approaching a street intersection shall not be obstructed. Trees may be planted and maintained on public and/or private property in this area, provided that all branches are trimmed to maintain a clear vision for a vertical heights of ten (10) feet above the roadway surface. (Code 1977, Sec. 3-21).

32-11. Private Trees - Clearance.

Owners of trees on private property which overhang any right-of-way within the City shall trim the branches so that such branches shall not obstruct the light from any public streetlamp or obstruct the view in any right-of-way intersection and so that there shall be a clear space of ten (10) feet above the surface of the street or right-of-way. Owners shall remove all dead, diseased or dangerous trees, or any broken or decayed limbs which threaten the safety of the public. Any owner of any property failing to maintain or remove trees in conformity with this section or Section 32-12 shall be notified by the Director, in the manner provided in Section 1-9, to do so; and such notice shall require maintenance or removal in conformity with this section within ten (10) days after the date of such notice. Upon the expiration of such period, the Director may cause the maintenance or removal to be done, and the cost thereof may be collected from the owner of the property as a single-lot assessment in accordance with the charter of the City. The City shall have the right to maintain any tree on private property when it interferes with the proper spread of light along the street from a public

streetlight, or interferes with visibility of any traffic-control device or sign, such maintenance to be confined to the area immediately above the right-of-way. (Code 1977, Sec. 3-20).

32-12. Private Trees - Diseases and Infestations.

When the Director shall discover that any tree growing on private property within the City is afflicted with any dangerous and communicable insect infestation or tree disease, he shall forthwith serve a written notice upon the owner or his agent, or the occupant of the property in the manner specified in Section 1-9, describing the tree, its location and the nature of the infestation or tree disease and ordering the owner, agent and occupant to take such measures as may be reasonably necessary to cure such infestation or disease and to prevent the spreading thereof, specifying the measures required to be taken. Such order may require the pruning, spraying or destruction of trees as may be reasonably necessary. Every such notice shall be complied with within ten (10) days after service thereof, upon the owner, agent or occupant of the property on which the afflicted tree is located, or within such additional time as may be stipulated in such notice. (Code 1977, Sec. 3-22).

32-13. "Dutch Elm" Disease.

Every elm tree, regardless of species or variety, infected with the fungus *ceratostomella ulmi*, popularly called Dutch Elm Disease, shall be destroyed; if on public property, within ten (10) days after the Director shall learn of the condition and, if on private property, within ten (10) days after notice as specified in Section 32-12. No person shall possess, sell, give away or transport any elm tree afflicted with the fungus *ceratostomella ulmi* nor any wood from, or parts of, any tree so afflicted, except that wood, branches and roots of any tree so afflicted may be transported to a place for burning. (Code 1977, Sec. 3-23).

32-14. Inspection - Private Trees.

The Director and his assistants and employees shall have authority to enter upon



private premises for the purpose of examining any trees, shrubs, plants or vines for the presence of destructive insects or plant diseases. No damages shall be awarded for the destruction of any tree, shrub, plant or fruit or any injury to the same, if done by the Director or under his direction, in accordance with this chapter. (Code 1977, Sec. 3-26).

32-15. Appeal.

In case the owner, agent or occupant of the property shall feel himself aggrieved at an order of the City requiring the treatment or destruction of any tree, he may within forty-eight (48) hours make an appeal to the council by communication filed with the City Clerk. The council shall hear such appeal at its next regular meeting, unless another time shall be set, and shall determine the matter under such expert advice as may be necessary. (Code 1977, Sec. 3-24).

32-16. Private Trees - Owner's Failure to Comply.

In case the owner, agent and occupant of the property should refuse to carry out the order of the Director within the time directed, or in case of an appeal, within five (5) days after the council shall have affirmed such order, the Director shall carry out the pruning, spraying or destruction of the trees as deemed necessary by him, and he shall bill the owner, agent or occupant of the property for the cost thereof. In case the owner of such property shall fail to pay such bill within sixty (60) days after the same has been rendered, the Director shall report the same to the council for collection as a single-lot assessment against the property in accordance with the charter. The Director may, without serving the above notice, when the owner or occupant of any private property shall consent thereto and pay the reasonable cost thereof, cause trees growing on private property to be sprayed when he deems the same necessary on account of any infestation, disease or threat thereof. (Code 1977, Sec. 3-25).

32-17. Lawn Extensions.

An owner or occupant abutting a public right-of-way shall maintain the area between the sidewalk and curb and may plant grass,

plants and trees therein in conformity with this chapter. No person shall willfully injure or destroy any grass, plants or trees upon any such area or throw any papers, refuse or other thing thereon. No person shall drive an automobile, bicycle or other vehicle upon or over any such area which has been planted with vegetation. (Code 1977, Sec. 3-27).

32-18. Landmark Trees.

The following trees possessing the D.B.H. indicated shall be considered landmark trees:

<u>Common Name</u>	<u>Species</u>	<u>Size D.B.H.</u>
Ash	Fraxinus spp.	18"
American Beech	Fagus grandifolia	18"
American Chestnut	Castanea dentata	8"
Birch	Betula spp.	18"
Black Alder	Alnus glutiosa	12"
Black Tupelo	Nyssa sylvatica	12"
Black and White Walnut	Juglans nigra, J. cinerea	20"
Buckeye	Aesculus glabra	18"
Cedar, Red	Juniperus spp.	12"
Crabapple (cultivar)	Malus spp.	12"
Douglas Fir	Pseudotsuga menziesii	18"
Eastern Hemlock	Tsuga canadensis	12"
Flowering Dogwood	Cornis florida	8"
Ginkgo	Ginkgo biloba	18"
Hickory	Carya spp.	18"
Horsechestnut	Aesculus carnea	18"
Kentucky Coffeetree	Bymnociadus dioicus	18"
Larch/Tamarack	Larix laricina (Eastern)	12"
London Planetree/ Sycamore	Plantanus spp.	18"
Maple	Acer spp.	18"
Oak	Quercus spp.	16"
Pine	Pinus spp.	18"
Sassafras	Sassafras albidum	15"
Spruce	Picea spp.	18"
Tuliptree	Liriodendron tulipifera	18"
Choke Cherry	Prunus spp.	18"

A tree of a species not listed above but possessing a D.B.H. of 24" or greater shall also be considered a landmark tree.

Landmark trees located on private property proposed for development requiring site plan approval from the Planning Commission under Chapter 23 shall be identified on the proposed site plan. The Director shall inspect the subject site to rate the trunk condition,

growth rate, structure, insects and diseases, crown development and life expectancy of each landmark tree pursuant to the following schedule:

<u>Factor</u>	<u>5 or 4</u>	<u>3 or 2</u>	<u>1</u>	<u>Ranking</u>
Trunk	Sound and solid	Sections of bark missing	Extensive and hollow	
Growth/Rate	More than 6" twig elongation	2" - 6" twig elongation	Less than 2" twig elongation	
Structure	Sound	One major or several minor limbs dead	2 or more limbs dead	
Insects/ Diseases	No pests present	One pest present	2 or more pests present	
Crown/ Development	Full and balanced	Full but unbalanced	Unbalanced and lacking a full crown	
Life Expectancy	Over 30 years	15 - 20 years	Less than 5 years	

A landmark tree having a rating of "16" or greater shall be preserved and protected as a condition of site plan approval unless in the reasonable discretion of the Planning Commission, the preservation and protection of such tree could impose a unique and unnecessary hardship upon the owner of the property.

Landmark trees located in parks and public rights-of-way under the jurisdiction of the City may not be removed without approval of the Director and only when necessary to provide for public improvements or to ensure public health, safety and/or welfare.

### 32-19. Supplementary Rules and Regulations.

The Director shall make such rules and regulations supplementary to this chapter and not in conflict herewith as he may from time to time deem necessary. Until changed pursuant to this section, the rules and regulations in effect at the adoption of this code shall continue in effect. No person shall fail to obey any rule or regulation effective under this chapter. (Code 1977, Sec. 3-29).

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.

This ordinance shall become effective ten (10) days following its enactment and upon its publication as provided by the Charter of the City of Farmington.

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 4th day of February, 1991, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Councilwoman McShane and supported by Douncilman Hartsock.

YEAS: McShane, Richardson, Tupper, Hartsock.

NAYS: None.

ABSENTS: Yoder.

ABSTENTIONS: None.

Ordained this 4th day of February, 1991, by the City Council of the City of Farmington.

\_\_\_\_\_  
SHIRLEY V. RICHARDSON,  
Mayor

\_\_\_\_\_  
JOSEPHINE M. BUSHEY,  
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 held on the 4th day of February, 1991, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 5th day of February, 1991.

\_\_\_\_\_  
JOSEPHINE M. BUSHEY,  
City Clerk

Published: February 14, 1991.  
Effective: February 25, 1991.

R E S O L U T I O N  
No. 2-91-041

WHEREAS, the young men and women of the United States military and their families are putting forth great effort on behalf of our nation in the Persian Gulf region to enforce the United Nations resolutions which call for the removal of an aggressor nation from a neighboring country, and

WHEREAS, those individuals serving on behalf of the many nations which have been brought together in the operation "Desert Storm" to stop this aggressor deserve our support and gratitude for their sacrifice and valor as they confront the dangers of an armed conflict, and

WHEREAS, the Farmington Mayor and City Council encourage the people of the city of Farmington to pray for the safety of those in the service of our nation and to show their support for the men and women who are serving in this operation, and

WHEREAS, the Mayor and City Council, on behalf of the citizens of Farmington, extend their support to the President of the United States and the members of the United Nations as they have made this courageous stand against aggression of a free standing nation within the community of nations;

THEREFORE BE IT RESOLVED that the Mayor and Council encourage the Farmington residents and business community to display the American flag and yellow ribbons indicating their support for the brave men and women and their families until the conflict has been resolved.

ROLL CALL:

AYES: Richardson, Tupper, Hartsock, McShane.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED FEBRUARY 4, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....  
I, Josephine M. Bushey, 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 on February 4, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

COUNCIL PROCEEDINGS

A special meeting of the Farmington City Council was held at 7:30 p.m. prior to the regular meeting on February 18, 1991, in Meeting Room "A", 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

PRESENT: Hartsock, McShane, Richardson, Tupper (arrived at 7:35 p.m.), Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, City Clerk Bushey, C. Han, Farmington Observer, residents Nancy Leonard. *and John Cotton.*

Council discussed violations that were issued to residents on Grand River and the objections that were voiced at the last Council meeting.

Director Billing was present to show pictures of the ticketed owners' sidewalks.

Manager Deadman stated that over the last couple of years he has attempted to comply with the instructions given by City Council. He indicated that it appears residents do not want any enforcement and neither do businesses. He pointed out that special attention has always been paid to Grand River and Farmington Road when residents complained about snow removal. He stated he would like to find a middle ground, and suggested that Council give some instructions in this regard.

Director Billing showed pictures of the sidewalks of those who were at the last Council meeting. He pointed out that these were evidence to be used in Court. He stated that 27 tickets were issued on the 7th and 9th of January on a storm that took place on the second of January.

Mr. Billing pointed out that the ordinance specifically indicates that sidewalks are supposed to be clear. He stated that he sent out a letter relative to what the Code Enforcement Officer would look at. He pointed out that the Code states the residents have 24 hours after a storm ceases to have their sidewalks cleared, and we expect them to be safe for pedestrian movement. He further pointed out that on the sidewalks cited there was ice underneath the snow.

Mr. Deadman stated that he did not know of any case where 24 hours after the storm we are out there with our people. He indicated that it was the 3d of January when the city went out to do the inspection. He stated that from the 23d of December to January 2, our employees were out clearing streets.

Councilman Hartsock stated that you can't gauge what happens in Farmington by a metro airport weather report. The difficulty is that you can set a measure of snow, but you can't see the ice underneath.

*Corrected  
3/4/91  
JMB*

Special Meeting  
COUNCIL PROCEEDINGS -2-  
February 18, 1991

Mayor Richardson pointed out that at the last Council meeting one resident voiced his concern that the City sidewalks were not cleared.

Director Billing stated that he cannot understand this. He suggested that this comment was directed toward the pie-shaped area on Grand River and Shiawassee that the City maintains. He pointed out that there was a different man on the machine than the one who usually operates it.

Councilman Hartsock stated that the pictures show many small patches on the sidewalks where you could see the tractor had gone up on the sidewalk and back down again.

Manager Deadman stated that we have to use our Water & Sewer employees to help clear snow away, and there are miles of sidewalks in the city. He pointed out that the 24-hour time limit is usually expired when we begin enforcing the ordinance.

Councilman Hartsock said the ordinance is not specific in terms of measurement, but somewhat objective in terms of who issues the violation. He stated that he is not sure what can be done to quantify it, but he agreed that we must provide safe passage on the sidewalks.

Councilwoman McShane suggested that if residents are given a certain time period to clear the snow off their sidewalks and they do not comply, the city should just issue a ticket and go ahead and clear the sidewalk.

Manager Deadman advised that the city does not have the people or the machinery to do this and is really unable to take this over.

Councilman Hartsock stated that selective enforcement is a necessity.

Councilwoman McShane stated that we need to do something about the situation. She asked if any thought has been given to hiring a snow removal service. She was advised that the DDA tried for two years to do this, but could not find a single bidder for the job. She was further advised that they will clear subdivisions but not Grand River and Farmington Road due to the liability involved.

Councilman Tupper asked if we can identify the streets and the area where we want to enforce the ordinance. He stated that he does not believe selective enforcement is right unless Council as a body indicates the reason for it. He stated that he is in favor of identifying Grand River and Farmington Road and whatever other streets are indicated so that the people will know what is expected.



Special Meeting  
COUNCIL PROCEEDINGS -3-  
February 18, 1991

Council was advised that the City sends the people on Grand River and Farmington Road a letter and a copy of the ordinance annually before the winter season begins.

Councilman Hartsock asked how much enforcement Council wants, primarily on Grand River and Farmington Road.

Council was advised that the first notification that the individuals who were cited will appear before the Judge is March 19, and some may have already paid their fines.

Councilman Yoder stated that everyone in the subdivisions should also be sent a letter reminding them of keeping their sidewalks clear of snow.

Councilman Tupper asked if Council was in agreement that we should enforce the ordinance on Grand River/Farmington Road?

He received an affirmative reply. Mayor Richardson pointed out that we are trying to create a pedestrian type community in the downtown area, and this should be made known to the residents.

Manager Deadman stated that there are a lot of options, among them: issuing a warning and enforcement along major thoroughfares.

Councilman Hartsock pointed out that the real question is that we want the sidewalks clear, particularly along Grand River and Farmington Road. He asked at what measure we say this is cleared and this is a violation issue? He stated that he is not sure there is a formula or specific answer.

Councilman Yoder said: "If the walk has not been shoveled after a couple of days, then it doesn't pass the test."

Mayor Richardson asked: "Is it the consensus of City Council that we would like to continue enforcement as we have been doing on Grand River and Farmington Road?"

Councilman Yoder answered: "Yes," and Councilman Hartsock answered: "Yes, to what degree?"

Director Billing passed around pictures taken today showing sidewalks on which he would have issued citations but did not.

Manager Deadman stated that most of the people do a good job; that we are struggling with those who don't. He suggested that City Council give the administration a policy that would extend the time to 48 hours, giving residents a longer grace period to clean up

Special Meeting  
COUNCIL PROCEEDINGS -4-  
February 18, 1991

after a snowfall. He further suggested that if Council wishes, we will be less diligent in terms of the quantity of snow to be removed. He indicated that he was looking for some direction from Council.

Director Billing stated that he was looking for Council to support the Code Enforcement Officer on those citations that have already been issued.

The City Manager pointed out that in this particular case, there are many people who feel they were unjustly treated. He stated that it is not the problem it used to be and suggested that if we back off now, we return to the problem we had several years ago. He indicated that the Judge can do what he wants in regard to the citations placed before him, but that Council can make suggestions to the Judge.

Council decided that the tickets already issued should go through the system.

Mayor Richardson indicated that she would like to support the staff relative to the tickets already issued. She stated that in the future, Council may want to be just a bit more lenient. Councilman Hartsock agreed.

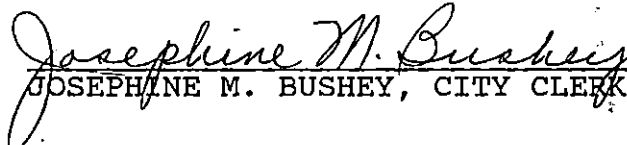
Councilman Tupper stated that he feels comfortable with John Koncsol's judgment, and he will back John.

PUBLIC COMMENT

Nancy Leonard, Shiawassee Street resident, stated that as a senior citizen she would rather walk on a sidewalk that is not all cleared off, as it is easier to walk on the snow than on ice.

Meeting adjourned at 8:24 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved as corrected  
3/4/91. *JMB*

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, February 18, 1991, 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 8:30 p.m. by Mayor Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, Adm. Assistant Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

2-91-043

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of February 4, 1991, as written. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

2-91-044

Motion by Councilwoman McShane, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards and Commissions:

- Planning Commission minutes of February 11, 1991;
- Downtown Development Authority minutes of February 5, 1991;
- Board of Education minutes of January 8 and January 22, 1991.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### NOTICE FROM LIQUOR CONTROL COMMISSION RE: TRANSFER OF SDM LICENSE FROM STOCKER'S MKT.

Council was advised that a notice from the Liquor Control Commission was received pertaining to the proposed transfer of ownership of the 1989 SDM licensed business from Stocker's Market to Fresh Approach, Inc. The Department of Public Safety background investigation determined that one of the persons involved in the partnership had an extensive criminal record prior to 1981. The Department believes that if this individual applied for a Class C liquor license it would advise Council to deny the request.

2-91-045

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and file the Liquor Control Commission notice of transfer of SDM license from Stocker's Market to Fresh Approach. Motion carried, all ayes.

COUNCIL PROCEEDINGS -2-  
February 18, 1991

LETTER RE: MEMORIAL DAY PARADE

Council was advised that this year's parade is scheduled for May 27, 1991, beginning at 10:00 a.m., and will honor the Army and the Michigan National Guard.

The City Manager recommended that the Public Safety Director be authorized to apply for a permit to close Grand River for this event.

2-91-046

Motion by Councilwoman McShane, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the Department of Public Safety to acquire a parade permit from the Michigan Department of Transportation for the closing of Grand River Avenue on May 27, 1991, from 9:00 a.m. to 1:00 p.m. for the annual Memorial Day parade, and

BE IT FURTHER RESOLVED that the City of Farmington will indemnify the State of Michigan against all liabilities arising out of the operations authorized by said permit.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 18, 1991.

REQUEST FOR PROCLAMATION

Council was advised that the president of Jr. Achievement of Detroit/Southeastern Michigan requests that Farmington proclaim February as JUNIOR ACHIEVEMENT MONTH.

2-91-047

Motion by Councilman Hartsock, supported by Councilman Tupper, to issue a proclamation designating February as JUNIOR ACHIEVEMENT MONTH in Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

AMENDMENT TO FARMINGTON/FARMINGTON HILLS  
SELECTIVE MUTUAL AID AGREEMENT

Council was advised that for many years this mutual aid agreement provided higher levels of service in both communities and has been very beneficial to citizens in the service areas covered by the agreement.

COUNCIL PROCEEDINGS -3-  
February 18, 1991

Director Lauhoff advised that Farmington Hills agrees that a modification to the agreement is in order and would eliminate a portion of Farmington's response area in Section 34 and add a Farmington response for emergency medical runs in Section 22.

The City Manager pointed out that the amendment to the agreement reduces response times in certain Farmington Hills areas and increases the availability of personnel and specialized equipment to Farmington.

2-91-048

Motion by Councilman Tupper, supported by Councilwoman McShane, to authorize the Mayor, the City Manager and the Director of Public Safety to enter into the amended Selective Mutual Aid Agreement with the City of Farmington Hills. Motion carried, all ayes.

1991 MUTUAL CREDIT AGREEMENT

Manager Deadman advised that the City has used these credit funds for the operation of Senior Citizen and handicapped transportation coordinated by the City of Livonia. He pointed out that this program expanded considerably since its beginning in the early 1970's, with very few complaints relative to level of service or cost.

He recommended that Farmington continue to participate in the program with the Cities of Farmington Hills, Livonia, Plymouth, Northville and Northville Township.

2-91-049

Motion by Councilwoman McShane, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes continued participation in the Municipal Credit joint transportation agreement, and

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager and the City Clerk to enter into an agreement with SMART (Suburban Mobility Authority for Regional Transportation) and the Northwest Wayne Transportation Programs to transfer \$8,170.00 of municipal credit funding to the program.

ROLL CALL

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 18, 1991.

STATE REVOLVING LOAN FUND, PHASE II

The City Manager advised that to protect the 2% interest rate the State is offering to the City for the Sewer Improvement Project, it would be expedient to authorize that bonds be sold through the Michigan Bonding Authority for the full amount of the bid, or \$13,030,000.00. He pointed out that due to soil conditions the project could exceed the \$12,000,000.00 in G. O. Bonds approved by the voters. He stated that if the city expends more than this amount on the project, the debt service on the additional amount borrowed would be paid from Water & Sewer Funds.

Manager Deadman recommended that City Council introduce and adopt Ordinance No. C-580-91, which authorizes the issuance of \$1,030,000.00 of water supply and sewage disposal revenue bonds, series 1991, to be sold by the Michigan Bonding Authority.

He pointed out that the City is trying to lock in the 2% interest rate for 1992 or 1993, if needed.

2-91-050

Motion by Councilman Yoder, supported by Councilman Hartsock, to introduce and adopt the following ordinance as having immediate effect:

ORDINANCE NO. C-580-91

[SEE ATTACHED ORDINANCE]

CONTRACTOR PAYMENTS  
SEWER IMPROVEMENT PROJECT

Contract No. 1, Wastewater Pumping Station/Retention Basin:  
Council was advised that Posen Construction Company requests payment No. 3 for January 1 - 25, 1991 on the wastewater pumping station and retention basin, in the amount of \$217,000.00.

Council was further advised that the engineers recommend payment and the City Manager concurs.

2-91-051

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the third estimated payment to Posen Construction, Inc., in the amount of \$217,000.00 for the period from January 1 - 25, 1991 on the wastewater pumping station/retention basin.

COUNCIL PROCEEDINGS -5-  
February 18, 1991

ROLL CALL

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 18, 1991.

Contract No. 2, Sewer Separation Project:

Council was advised that Dan's Excavating requests payment for work completed between December 22, 1990 and January 25, 1991, including installation of storm drains in amount of \$14,775.30. The engineers recommend payment and the City Manager concurs.

2-91-052

Motion by Councilwoman McShane, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that City Council hereby authorizes the fourth estimated payment to Dan's Excavating in the amount of \$14,775.30 for work completed between December 22, 1990 and January 25, 1991 on the Sewer Separation Project.

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 18, 1991.

Engineering Payment:

Council was advised that Black & Veatch requests payment for design work on the retention basin in the amount of \$2,394.65. The City Manager recommended payment in the requested amount.

2-91-053

Motion by Councilman Tupper, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black & Veatch, Architects/Engineers, in the amount of \$2,394.65 for the design work on the retention basin, Sewer Separation Project.

ROLL CALL:

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 18, 1991.

MISCELLANEOUS

PUBLIC COMMENT

Councilman Tupper expressed concern about residents jogging in the subdivisions and particularly on Farmington Road where he recently had to get off the road to let a jogger pass. He also noted that he recently saw someone jogging down the middle of Eight Mile Road. Mr. Tupper asked if something can be done about this.

Public Safety Director Lauhoff advised that there have been no accidents involving joggers. He stated that the Department has issued tickets to some joggers.

Councilman Tupper stated that people are still visiting the recycling center on Saturdays when it is closed. He asked Director Billing if any consideration is being given to reopening the center on weekends. He was advised that our contract requires the City to close the yard if there is no one available to supervise.

Mr. Tupper suggested that on evenings when there is an early meeting Council should endeavor to adjourn the early meeting even if the discussion is not completed so that the regular meeting can start on time, at 8:00 p.m. Councilman Yoder and Mayor Richardson agreed.

Councilwoman Mcshane called attention to the State budget cut relative to Day Care Centers, and asked what is to be done about complaints now that the State will no longer license these facilities. She was advised that this will probably place an added burden on local government.

Dr. Angela Seiter, 34029 Grand River, pointed out that the City ordinance relative to snow removal calls non-compliance a misdemeanor, and her State licensing applications ask if she has ever been cited on a criminal action. She expressed concern that a ticket might put her license in jeopardy.

Mayor Richardson mentioned that at the last joint session of Boards and Commissions, it was suggested that Council should meet with them at least once a year. She suggested that a meeting be set on March 7, 1991, at 7:30 p.m. with Board and Commission Chairpersons.

2-91-054

Motion by Councilman Yoder, supported by Councilman Hartsock, to establish a meeting with Board and Commission Chairpersons on March 7, 1991, at 7:30 p.m. Motion carried, all ayes.



COUNCIL PROCEEDINGS -7-  
February 18, 1991

Mayor Richardson announced that the Public Safety Department has set March 14, 1991, at 7:30 p.m. for the annual awards presentation to members of the Department. Director Lauhoff stated that he will have a brief summary of the event for Council at the next meeting.

Mayor Richardson stated that there are two vacancies <sup>one</sup> on the Planning Commission and one on the Board of Canvassers. She asked Council members if they would like to interview candidates before the next meeting.

*corrected  
3/4/91  
JMB*

Councilman Hartsock pointed out that Council already interviewed Tim Zajaros for the Planning Commission.

Council asked that the press place an article in the Farmington Observer as soon as possible relative to these openings.

The Mayor suggested that an early meeting be set prior to the next Council meeting for these interviews.

Mayor Richardson called attention to a draft of the Sledding Hill rules and regulations and stated that it has not yet been reviewed by the City Attorney.

SNOW REMOVAL POLICY

Mayor Richardson read a letter dated December 3, 1990, which Earl Billing sent to the residents and businesses along Grand River and Farmington Road. She pointed out that it was a warning type letter.

Mrs. Richardson indicated that at the last Council meeting, a number of residents expressed their concerns relative to violations issued on January 7 or January 9, 1991, requiring them to appear before the 47th District Court for not clearing their sidewalks of snow. She stated that Council voted to notify the Court to hold these citations in abeyance until Council had a chance to discuss the method or policy they would like to pursue in the future.

Regarding the Special meeting this evening, the Mayor stated that it is Council's feeling that we have a very capable Department and Code Enforcement Officer. She pointed out that Council feels that although these are judgment calls, Council supports the Code Enforcement Officer relative to the violations he issued.

Mayor Richardson stated that in the future, since we are warning people along Grand River and Farmington Road that we still would like to make enforcement of the ordinance maybe not quite as stringent, but we still want to make our streets very safe for our pedestrians. She stated that we are trying to create a

COUNCIL PROCEEDINGS -8-  
February 18, 1991

pedestrian type city, and we want to make sure that safety is number one in our community.

The Mayor called for comments from fellow Council members.

Councilman Hartsock stated that since the tickets are issued, regardless of how Council feels about them, the matter is now in the hands of the Court. He feels that further attention should be given to how the existing ordinance should be enforced. He pointed out that the ordinance does not give a measurement of how much snow has fallen, and because of changing weather conditions, it becomes a subjective decision of the code enforcer to say whether or not certain types of conditions should be ticketed. He questioned whether or not there is any way to improve what the ordinance says in providing for the general welfare and safety of the community.

Dr. Seiter stated that she has no quarrel with the ordinance, but feels it is questionable when everybody on the block gets a citation.

Councilwoman McShane stated that she doesn't know whether or not we can find a perfect solution to this problem. She pointed out that although the city has tried, we can't get a snow removal company that is willing to accept the liability involved.

Jim Meredith, 34017 Grand River, insisted that his sidewalk and those of his neighbors are always cleared.

Mr. Borgman, 34011 Grand River, complained about a vacant lot on Grand River not being cleared of snow and insisted that the City should clear it. He took exception to being given a Court date on which the Court was not open.

Councilman Hartsock pointed out that we have asked the Court to hold these violations in abeyance until new Court dates can be set.

The City Manager agreed that the single lot problem referred to by Mr. Borgman will have to be taken care of in a particular manner, but he stated that the City does not have the ability to clear everybody's lots. He advised that he made Judge Harris aware of the situation, and everyone who was cited will have a hearing before either Judge.

David Nitz, 23925 Wilmarth, stated that he cannot accept that only the main streets were affected when there are those in the subdivisions who are constantly in violation. He asked how often Grand River is ticketed. He stated that by now at least five violations should have been issued on Grand River today.

COUNCIL PROCEEDINGS -9-  
February 18, 1991

<sup>1867</sup>  
ESTABLISH PLANNING COMMITTEE FOR  
VILLAGE 125TH ANNIVERSARY

*Corrected  
3/4/91  
JMS*  
Mayor Richardson stated that in ~~1967~~ Farmington was incorporated as a Village. She suggested that we start planning now for 1992. Since we have a great deal of history in this area, she suggested that Council decide if they wish to set up a committee. She stated that since she has a great deal of interest and will not be Mayor next year, if someone does not come forward to chair the committee, she would be happy to serve as Chairman. She said that she would also hope that we can extend the invitation to the City of Farmington Hills to have a member of their City Council on the Committee.

2-91-055

Motion by Councilwoman McShane, supported by Councilman Hartsock, to establish a Planning Committee for the 125th Anniversary of the Village of Farmington. Motion carried, all ayes.

2-91-056

Motion by Councilman Yoder, supported by Councilman Hartsock, to appoint Mrs. Richardson to serve as Chairperson of the Planning Committee for the 125th Anniversary of the Village of Farmington. Motion carried, all ayes.

WARRANT LIST

2-91-057

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$40,895.11; Water & Sewer Fund \$105,793.98.

ROLL CALL:

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

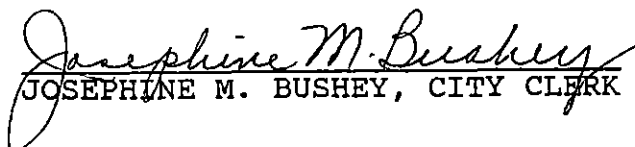
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:40 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved as corrected  
3/4/91. *JMS*

ORDINANCE NO. C-580-91

AN ORDINANCE TO PROVIDE FOR THE CONSTRUCTION, INSTALLATION, FURNISHING AND EQUIPPING OF IMPROVEMENTS TO THE WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM OF THE CITY; TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BONDS TO PAY THE COST THEREOF; TO PRESCRIBE THE FORM OF THE BONDS; 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 FOR THE SEGREGATION AND DISTRIBUTION OF THE REVENUES; TO PROVIDE FOR THE RIGHTS OF THE HOLDERS OF THE BONDS IN ENFORCEMENT THEREOF; AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE BONDS AND THE SYSTEM.

THE CITY OF FARMINGTON ORDAINS:

Section 1. 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.

(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) "Bonds" mean the Series 1991 Bonds, together with any additional Bonds of equal standing hereafter issued.

(d) "Issuer" means the City of Farmington, County of Oakland, State of Michigan.

(e) "Project" means the additions, extensions and improvements to the System consisting generally of an approximately 3.2 million gallon retention facility, new sanitary and storm sewer lines, the repair and upgrade of existing sanitary and storm sewer lines, the repair and upgrade of existing sanitary lines and existing sewerage pump stations, together with appurtenances and attachments thereto.

(f) "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.

(g) "Series 1991 Bonds" means the Water Supply and Sewage Disposal System Revenue Bonds, Series 1991 (Limited Tax

General Obligation), of the Issuer in the principal amount of not to exceed \$1,090,000 authorized by this Ordinance.

(h) "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.

(i) "System" means the Water Supply and Sewage Disposal System of the Issuer, including such facilities thereof as are now existing, are acquired and constructed as the Project, and all enlargements, extensions, repairs and improvements thereto hereafter made.

Section 2. Necessity; Approval of Plans and Specifications.

It is hereby determined to be a necessary public purpose of the Issuer to acquire and construct the Project in accordance with the plans and specifications prepared by Black & Veatch of Detroit,

Michigan, which plans and specifications are hereby ratified and approved.

Section 3. Costs; Useful Life. The total cost of the Project is estimated to be Thirteen Million Ninety Thousand Dollars (\$13,090,000) including the payment of incidental expenses as specified in Section 4 of this Ordinance, which estimate of cost is hereby approved and confirmed, and the period of usefulness of the Project is estimated to be not less than thirty (30) years.

Section 4. Payment of Cost; Bonds Authorized. To pay part of the cost of acquiring and constructing the Project, including payment of legal, engineering, financial and other expenses incident thereto and incident to the issuance and sale of the Series 1991 Bonds, the Issuer shall borrow the sum of not to exceed One Million Ninety Thousand Dollars (\$1,090,000) and issue the Series 1991 Bonds therefor pursuant to the provisions of Act 94. The remaining cost of the Project shall be defrayed from Federal and State grants and loans received and to be received and from Issuer funds on hand and legally available for such use.

Section 5. Bond Details, Issuance in Series, Registration and Execution. The Series 1991 Bonds hereby authorized shall be designated WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM REVENUE BONDS, SERIES 1991 (LIMITED TAX GENERAL OBLIGATION), shall be payable primarily out of the Net Revenues, as set forth more fully in Section 6 hereof, shall consist of a single bond in the full aggregate principal amount thereof, dated as of the date of delivery thereof to the Michigan Municipal Bond Authority (the

"Authority") or such other date as the Authority shall require as provided in the Purchase Contract (hereinafter defined), but in no event later than the date of disbursement to the Issuer of the first installment of principal thereof. The Series 1991 Bonds shall be payable in the years and amounts as shown on Schedule I to the Purchase Contract.

The Series 1991 Bonds shall bear interest from the date of disbursement to the Issuer of the first installment of principal at the rate of two percent (2%) per annum, payable semiannually on April 1 and October 1 of each year, commencing October 1, 1991, except as may otherwise be provided in the Purchase Contract. It is expected that principal will be disbursed in more than one installment and each installment of principal disbursed will bear interest from the date of disbursement as noted by the Authority on the registration grid attached as Exhibit A to the form of bond set forth in Section 17 hereof. Principal of and interest on the Series 1991 Bonds shall be payable, and principal of the Series 1991 Bonds will be subject to prepayment prior to maturity, in the manner provided in the form of Bond set forth in Section 17 hereof.

The Series 1991 Bonds shall be executed in the name of the Issuer with the manual or facsimile signatures of the Mayor and the City Clerk and shall have the Issuer's seal printed or impressed on them. The Bonds shall be delivered by the City Treasurer to the Authority in accordance with the Purchase Contract.

Section 6. Payment of Bonds. The Series 1991 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 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 principal of and interest on Bonds of a series then outstanding to maturity, or, if called for redemption, to the date fixed for redemption together with the amount of the redemption premium, if any. Upon deposit of cash or Sufficient Government Obligations, as provided in the previous sentence, the statutory lien shall be terminated with respect to that series of Bonds, the holders of that series shall have no further rights under this Ordinance except for payment from the deposited funds, and the Bonds of that series shall no longer be considered to be outstanding under this Ordinance.

In addition, the Issuer hereby pledges its limited tax full faith and credit for the payment of the principal of and interest on the Series 1991 Bonds. Should the Net Revenues of the System at any time be insufficient to pay principal of and interest on the Series 1991 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, charter and statutory 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 7. Bondholders' Rights; Receiver. The holder or holders of the 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, 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 shall have all other rights and remedies given by Act 94 and law, for the payment and enforcement of the Bonds and the security therefor.

Section 8. Management; Fiscal Year. The operation, repair and management of the System and the acquiring of the Project shall

continue to be under the supervision and control of the Issuer. The Issuer 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 Issuer may make such rules and regulations as it deems advisable and necessary to assure the efficient management and operation of the System.

Section 9. Rates and Charges. The rates and charges for service furnished by and the use of the System and the methods of collection and enforcement of the collection of the rates shall be those in effect on the date of adoption of this Ordinance.

Section 10. 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 11. Fixing and Revising Rates; Rate Covenant. The rates now in effect are estimated 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 as the same become due and payable, and to provide for all other obligations, expenditures and funds for the System required by law and this Ordinance. 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. Nothing herein shall be construed so as to prevent any increase in rates that the Issuer shall determine necessary or advisable for the proper administration and operation of the System.

Section 12. Funds and Accounts; Flow of Funds. Commencing on the date of delivery of the Series 1991 Bonds, all funds belonging to the System shall be transferred as herein indicated and all Revenues of the System shall be set aside as collected and credited to a fund to be designated WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM RECEIVING FUND (the "Water and Sewer Fund" or "Receiving Fund"). In addition, on the date of delivery of the Series 1991 Bonds, all Revenues in any accounts of the System shall be transferred to the Receiving Fund and credited to the funds and accounts as provided in this section. 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"), quarterly a sum sufficient to provide for the payment of the next quarter'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 Issuer 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, if any) 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 five business days prior to each October 1 and April 1 (or as otherwise required by the Authority), commencing with October 1, 1991, in the Redemption Fund a sum proportionately sufficient to provide for the payment when due

of the 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. Commencing with October 1, 1991, the amount set aside for interest on the Bonds shall be the total amount of interest on the Bonds coming due on the corresponding interest payment date. The amount set aside each April 1 and October 1 for principal, commencing April 1, 1993, shall be 1/2 of the amount of principal next coming due by maturity. If there is any deficiency in the amount previously set aside, because of multiple disbursements of principal of the Series 1991 Bonds or otherwise, that deficiency shall be added to the next succeeding semi-annual 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, is necessary to pay principal and interest due on the Bonds on the next succeeding October 1.

C. REPLACEMENT FUND:

There shall next be established and maintained a fund, designated REPLACEMENT FUND (the "Replacement Fund"), the money credited thereto to be used solely for the purpose of making repairs and replacements to the System. On or before the date of delivery of the Series 1991 Bonds there shall be credited to the Replacement Fund the sum of Seventy Five

Thousand Dollars (\$75,000). Out of the Revenues and moneys of the System remaining in the Receiving Fund each April 1 and October 1 after provision has been made for the deposit of moneys in the Operation and Maintenance Fund and the Redemption Fund (including the Bond Reserve Account, if any), there may be deposited in the Replacement Fund such additional funds as the City Manager 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 or the Redemption Fund (including the Bond Reserve Account, if any).

D. IMPROVEMENT FUND:

Out of the remaining Revenues in the Receiving Fund, after meeting the requirements of the Operation and Maintenance Fund, the Redemption Fund and the Replacement Fund, there may be next set aside in or credited to a fund to be designated IMPROVEMENT FUND (the "Improvement Fund"), which Improvement Fund may have several subaccounts therein, such sums each April 1 and October 1 as the City Manager may deem advisable to be used for additions, improvements, enlargements or extensions to the System, including the planning thereof.

E. 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 Section 5 of this Ordinance.
3. Any other use permitted by law.

Section 13. 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 or the 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 14. Depository and Funds on Hand. Moneys in the several funds and the accounts established pursuant to this Ordinance, except moneys in the Redemption Fund and moneys derived from the proceeds of sale of the Bonds, may be kept in one or more bank accounts at a bank or banks designated by the City Treasurer, and if kept in one bank account the moneys shall be allocated on the books and records of the Issuer as directed by the City Manager in the manner and at the times provided in this Ordinance.



Section 15. 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 hereafter permitted by law, and moneys derived from the proceeds of sale of the Bonds may also be invested in certificates of deposit of any bank whose deposits are insured by the Federal Deposit Insurance Corporation. Investment of moneys in the Redemption Fund being accumulated for payment of the next maturing principal or interest payment of the Bonds shall be limited to obligations bearing maturity dates prior to the date of the next maturing principal or interest payment on the Bonds. 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 Receiving Fund, Operation and Maintenance Fund and Improvement Fund shall be deposited in or credited to the Receiving Fund at the end of each fiscal year. Profit realized on interest income earned on investment of moneys in the Redemption Fund shall be credited as received to the Redemption Fund.

Section 16. Bond Proceeds. From the proceeds of the sale of the Bonds there shall be immediately deposited in the Redemption Fund an amount equal to the accrued interest and premium, if any, received on the delivery of the Bonds. The balance of the proceeds

of the sale of the Bonds shall be deposited as received from the Authority in a bank or banks, designated by the Issuer, qualified to act as depository of the proceeds of sale under the provisions of Section 15 of Act 94, in an account designated WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM 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 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 Bonds on the open market at not more than the fair market value thereof, but not more than the price at which the Bonds may next be called

for redemption, or used for the purpose of paying principal of the Bonds upon maturity or calling Bonds for redemption.

Section 17. Bond Form. The Series 1991 Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF OAKLAND

## CITY OF FARMINGTON

WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM REVENUE BOND  
SERIES 1991  
(LIMITED TAX GENERAL OBLIGATION)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
2.00%	October 1, serially, as provided herein	March 28, 1991
REGISTERED OWNER:	Michigan Municipal Bond Authority (the "Authority")	
PRINCIPAL AMOUNT:	One Million Ninety Thousand Dollars (\$1,090,000.00)	

The City of Farmington, County of Oakland, State of Michigan (the "Issuer"), for value received, hereby promises to pay, out of the hereinafter described Net Revenues of the Issuer's Water Supply and Sewage Disposal System (hereinafter defined), the Principal Amount shown above, or so much thereof as shall have been advanced to the Issuer pursuant to a Purchase Contract between the Issuer and the Authority and a Supplemental Agreement by and among the Issuer, the Authority and the State of Michigan acting through the Department of Natural Resources, as shown on the Registration Grid attached as Exhibit A hereto, in lawful money of the United States of America, to the Registered Owner shown above, or registered assigns, on the dates and in the principal installments indicated on the Payment Schedule attached as Exhibit B hereto, unless prepaid prior thereto as hereinafter provided, with interest thereon until paid from the date each such installment of principal is disbursed by the Authority to the Issuer, at the Interest Rate per annum shown above, payable on October 1, 1991, and semiannually thereafter.

Notwithstanding any other provision of this bond, so long as the Authority is the holder of this bond, (a) this bond is payable as to principal, premium, if any, and interest at the corporate trust office of the Michigan National Bank, Grand Rapids, Michigan or to such other place as shall be designated in writing to the Issuer by the Authority (the "Authority's Depository"); (b) the Issuer 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 Issuer and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

This bond is subject to redemption prior to its stated maturity only at such times, in such amounts, and at such redemption prices as shall be approved in writing by the Authority.

For prompt payment of principal and interest on this bond, the Issuer has irrevocably pledged the revenues of the Water Supply and Sewage Disposal System of the Issuer, 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 first lien thereon is hereby recognized and created.

This bond is the single bond in the full authorized principal sum of \$1,090,000, issued pursuant to Ordinance No. C-580-91 duly adopted by the City Council of the Issuer, 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 improvements to the System.

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 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 Ordinance.

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 Issuer'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 Issuer shall and hereby agrees to pay on demand only the Issuer's pro rata share (as determined by the Authority) of such deficiency as additional interest on this bond.

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 Issuer has pledged its limited tax full faith and credit for payment of the principal of and interest on all bonds of this issue, if necessary, within applicable constitutional, charter and statutory limitations. The pledge of the Issuer's full faith and credit does not exceed any constitutional, charter or statutory debt limit.

The Issuer 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 on and the principal of the bonds of this issue and any additional bonds of equal standing as and when the same shall become due and payable, and to create and maintain a bond redemption fund 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 the Ordinance.

This bond is transferable only upon the books of the Issuer by the registered owner hereof in person, or by 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 Issuer duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered 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 the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law 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 by its Mayor and its City Clerk and its corporate seal to be impressed on this bond, all as of the Date of Original Issue.

CITY OF FARMINGTON  
COUNTY OF OAKLAND  
STATE OF MICHIGAN

By \_\_\_\_\_  
Mayor

(Seal)

Countersigned:

\_\_\_\_\_  
City Clerk

EXHIBIT A

REGISTRATION GRID

The following registration grid indicates disbursement of principal from the Michigan Municipal Bond Authority to the Issuer. NOTHING IS TO BE WRITTEN HEREON EXCEPT BY THE AUTHORITY OR ITS DEPOSITORY.

<u>Date of Registration</u>	<u>Principal Disbursement</u>	<u>Signature of Authority or its Depository</u>
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
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_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____



EXHIBIT B

PAYMENT SCHEDULE

The following payment schedule indicates repayment by the Issuer of principal due on this Water Supply and Sewage Disposal System Revenue Bond, Series 1991 (Limited Tax General Obligation). Repayment of principal shall be made according to this schedule until the full amount delivered to the Authority as shown on Exhibit A is repaid, unless prepaid as otherwise provided in the Bond. In the event that less than \$1,090,000 in principal is disbursed to the Issuer as shown on Exhibit A, the Authority may prepare a new payment schedule which shall be approved by resolution of the City Council. NOTHING IS TO BE WRITTEN HEREON EXCEPT BY THE AUTHORITY OR ITS DEPOSITORY.

<u>Due Date</u>	<u>Amount of Principal Installment Due</u>	<u>Date Paid</u>	<u>Signature of Authority or its Depository</u>
10/01/93	\$20,000	_____	_____
10/01/94	\$25,000	_____	_____
10/01/95	\$50,000	_____	_____
10/01/96	\$50,000	_____	_____
10/01/97	\$50,000	_____	_____
10/01/98	\$50,000	_____	_____
10/01/99	\$50,000	_____	_____
10/01/00	\$50,000	_____	_____
10/01/01	\$50,000	_____	_____
10/01/02	\$50,000	_____	_____
10/01/03	\$50,000	_____	_____
10/01/04	\$50,000	_____	_____
10/01/05	\$50,000	_____	_____
10/01/06	\$65,000	_____	_____
10/01/07	\$65,000	_____	_____
10/01/08	\$65,000	_____	_____
10/01/09	\$75,000	_____	_____
10/01/10	\$75,000	_____	_____
10/01/11	\$75,000	_____	_____
10/01/12	\$75,000	_____	_____

Section 18. 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 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 City 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, and a copy of the audit shall be mailed to the manager of each syndicate or account originally purchasing any issue of the Bonds. 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.

(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 water and sewer systems, 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 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.

(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 19.            Additional Bonds.        Except as hereinafter provided, the Issuer shall not issue additional Bonds of equal or prior standing with the Series 1991 Bonds.

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 Series 1991 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.

Section 20. Sale to Michigan Municipal Bond Authority.

The proposed form of Purchase Contract between the Issuer and the Authority (the "Purchase Contract"), the proposed form of Supplemental Agreement among the Issuer, the Authority and the Michigan Department of Natural Resources (the "Supplemental Agreement") and the proposed form of Issuer's Certificate to be delivered to the Authority upon delivery of the Series 1991 Bonds on file with the City Manager are hereby approved. The Mayor, the City Clerk or the City Manager are each hereby authorized and directed to execute and deliver the Purchase Contract, Supplemental

Agreement and Issuer's Certificate in the form approved, with such changes as may be necessary or desirable and not materially adverse to the Issuer. The Mayor, City Clerk or the City Manager are each hereby authorized to execute and deliver such other certificates, documents, instruments and other papers as may be required by the Authority or otherwise necessary or convenient to effect the approval, sale or delivery of the Series 1991 Bonds as contemplated herein. The City Manager is hereby authorized to make such changes to the form of Series 1991 Bond contained in Section 17 of this Ordinance as may be necessary to conform to the requirements of 1988 PA 317 ("Act 317") or 1985 PA 227 ("Act 227") or otherwise to effect the approval, sale or delivery of the Series 1991 Bonds including, but not limited to, changes in the principal maturity schedule and principal and interest payment dates and references to additional security required by Act 317 or Act 227. The taxes collected by the State of Michigan and returned to the Issuer may be pledged for payment of the Series 1991 Bonds, and the City Manager is further authorized to negotiate 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.

Section 21. 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, and to prevent the Bonds from being or becoming "private activity bonds" as that term is used in Section 141 of the Code.

Section 22. Ordinance Shall Constitute Contract. The provisions of this Ordinance shall constitute a contract between the Issuer and the Authority as the bondholder. After the issuance of the Series 1991 Bonds, the Ordinance shall not be repealed or amended in any respect which will adversely affect the rights and interests of the bondholder, nor shall the Issuer adopt any law, ordinance or resolution in any way adversely affecting the rights of the holders of the Series 1991 Bonds so long as the Series 1991 Bonds or interest thereon remains unpaid.

Section 23. 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 24. 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 25. 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 City Clerk.

Section 26. Effective Date. This Ordinance shall be effective upon its adoption.

Adopted and signed this 18th day of February, 1991.

Signed \_\_\_\_\_  
Mayor

Signed \_\_\_\_\_  
City Clerk

Published: February 28, 1991.

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 18th day of February, 1991, 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 Members were present at said meeting: Hartsock, McShane, Richardson, Tupper, Yoder.

\_\_\_\_\_ and that the following Members were absent: NONE.

I further certify that Member Yoder moved adoption of said Ordinance, and that said motion was supported by Member Hartsock.

I further certify that the following Members voted for adoption of said Ordinance: Tupper, Yoder, Hartsock, McShane, Richardson and that the following 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 City Clerk.

---

City Clerk

DEIB60026196.1\27756-00-00016

COUNCIL PROCEEDINGS

A special meeting of the Farmington City Council was held at 7:00 p.m. prior to the regular meeting on March 4, 1991, in Meeting Room "A", 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

PRESENT: Hartsock, Richardson, Tupper, Yoder.

ABSENT: McShane.

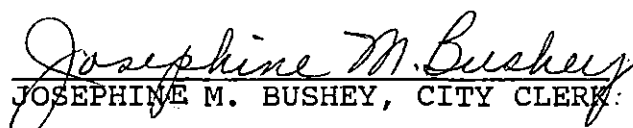
The purpose of this meeting was to interview interested applicants for membership on Boards and Commissions.

The following interviews were conducted for an opening on the Planning Commission:

<u>Time</u>	<u>Applicant</u>
7:00 p.m.	Timothy G. Zajaros. 33237 Cloverdale
7:15 p.m.	Richard Kuzma 36015 Smithfield
7:30 p.m.	James W. Stark 32930 Valley View
7:45 p.m.	Alfred Freude 22930 Manning

Meeting adjourned at 7:50 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: April 1, 1991

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, March 4, 1991, 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 Richardson.

PRESENT: Hartsock, Richardson, Tupper, Yoder.

ABSENT: McShane.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff; Director Billing, City Attorney Donohue, Adm. Assistant Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

Mayor Richardson pointed out that John Cotton also attended the special meeting of February 18, 1991.

The Mayor also pointed out that the minutes of the regular meeting of February 18, 1991, page 7, paragraph 2, line 1, should read:

"Mayor Richardson stated that there are two vacancies, one on the Planning Commission and one on the Board of Canvassers...."

The Mayor noted that on page 9 of these minutes, paragraph 1, line 1, the date of the incorporation of the Village of Farmington was 1867 rather than 1967.

3-91-058

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the previous meetings of February 18, 1991, as corrected. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

Referring to the Historical Commission minutes of October 17, 1990, relative to the Haunted House at Winery, Mayor Richardson asked what the proceeds were. She was advised that there was around \$1,200.00 to \$1,300.00 in admissions and about \$60.00 to \$70.00 collected in the canister.

3-91-059

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards and Commissions:

- Traffic and Safety Board minutes of January 17, 1991;
- Historical Commission minutes of October 17 and November 14, 1990;

COUNCIL PROCEEDINGS -2-  
March 4, 1991

- Farmington Area Commission on Aging minutes of January 22, 1991;
- Farmington Community Library minutes of January 10, 1991;
- Board of Education minutes of February 5, 1991.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

APPLICATION FOR SIGN VARIANCE: CHARLESTOWNE  
COURT CONDOMINIUMS, 33109 ORCHARD STREET

Council was advised that the owner/developer of the Charlestowne Court Condominiums requested a variance to leave in place two 36" x 84" banners on the condominium building. One banner advertises the hours the models are open; the other reads "Model Open".

Council was further advised that a second variance would allow installation of an A-frame sign to be located on public property at Orchard Street and Farmington Road.

3-91-060

Motion by Councilman Tupper, supported by Councilman Yoder, to approve the variances to Section 25-13 (10) and subsections (1) and (4) of the same section of the Sign Ordinance to allow the continued use of advertising banners on the Charlestowne Court condominium building at 33109 Orchard Street, and to allow the use of the A-frame sign at Orchard Street and Farmington Road during the hours of "Open House" at these condos; both ordinances being granted for a period of 90 days, to be reviewed at the end of that time. Motion carried, all ayes.

APPLICATION FOR SIGN VARIANCE: ENTERTAINMENT  
TIME VIDEO, 23330 FARMINGTON ROAD

Council was advised that the owners of the video store requested a variance to Section 25-13 (2) of the Sign Ordinance to permit the flashing lights around the perimeter of two window signs to remain.

The City Manager pointed out that although these signs are within the size permitted by ordinance, they incorporate flashing lights which are prohibited.

3-91-061

Motion by Councilman Yoder, supported by Councilman Hartsock, to deny the variance to Section 15-13 (2) of the Sign Ordinance prohibiting the flashing lights around the perimeter of two window signs at 23330 Farmington Road. Motion carried, all ayes.

REQUEST FOR PROCLAMATION

Council was advised that the chairperson of the Friends of Freedom requested a proclamation supporting their efforts to

collect and deliver certain items to the servicemen in Saudi Arabia.

3-91-062

Motion by Councilman Yoder, supported by Councilman Hartsock, to issue a proclamation supporting the cause of Friends for Freedom. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

RESCHEDULE PUBLIC HEARING VALLEYVIEW/PROSPECT  
STREETS SPECIAL ASSESSMENT DISTRICT

Council was advised that the contractors would like to be nearer the construction period before bidding the project, due to asphalt emulsion prices which are expected to be higher than last year.

The City Manager recommended that bids be postponed and the special assessment hearing be rescheduled from March 18 to April 15, 1991.

3-91-063

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

RENEWAL 1991 CLASS C LIQUOR LICENSES

Manager Deadman advised that as a result of Public Safety inspection activities for the past year, violations were issued to five SDD and SDM licensed businesses and one Class C establishment.

He pointed out that in 1990 six violations were issued involving sale of alcohol to minors. He stated that the violations involved 26% of licensed businesses as compared to 74% in 1986.

Council was advised that the Public Safety Department finds no reason to disapprove the renewal of the seven Class C licensed establishments presently operating in the city.

Manager Deadman recommended that Council take no action on this matter, leaving the opportunity up until the April 30 renewal date to object to the renewals.

3-91-064

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the report on renewal of the 1991 Class C liquor licenses. Motion carried, all ayes.

COUNCIL PROCEEDINGS -4-  
March 4, 1991

CONTRACTOR PAYMENT: ENGINEERING SERVICES

Council was advised that engineers Black and Veatch submitted a payment request in the amount of \$58,866.30 for work completed on the retention basin for January 18 through February 12, 1991.

3-91-065

Motion by Hartsock, supported by Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black and Veatch, Architects/Engineers, in the amount of \$58,866.30 for the work completed on the retention basin, Sewer Separation Project, from January 18 through February 12, 1991.

ROLL CALL

AYES: Tupper, Yoder, Hartsock, Richardson.  
NAYS: None.  
ABSENT: McShane.

RESOLUTION DECLARED ADOPTED MARCH 4, 1991.

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard, Shiawassee Street resident, asked how Mr. DeWard's excavations are progressing. She was advised that he may have to try a different type of program to get rid of the material which is thought to be underneath the building.

Mayor Richardson advised that Council is invited to the Greater Detroit annual Mayors' Breakfast on May 2, 1991. She asked that anyone who is interested make reservations through the City Manager's office.

The Mayor stated that since several Council members will be unavailable for the March 18 meeting, it is suggested it be cancelled, as a quorum will not be present.

3-91-066

Motion by Councilman Yoder, supported by Councilman Hartsock, to cancel the regular Council meeting of March 18, 1991. Motion carried, all ayes.

The City Manager recommended that Council authorize payment to Dan's Excavating and Posen Construction, sewer project contractors, in accordance with the construction estimates approved by the City Manager and the project engineers.

COUNCIL PROCEEDINGS -5-  
March 4, 1991

3-91-067

Motion by Councilman Hartsock, supported by Councilman Tupper, to authorize payment to sewer project contractors Dan's Excavating and Posen Construction in accordance with construction estimates approved by the City Manager and the project engineers for the sewer improvement project.

ROLL CALL

AYES: Yoder, Hartsock, Richardson, Tupper.  
NAYS: None.  
ABSENT: McShane.

MOTION CARRIED.

Mayor Richardson advised that she received a request from District Court Judges Schaeffer and Harris relative to a meeting with Farmington Hills.

The City Manager stated he will attempt to set a tentative date sometime during the first two weeks in April. He will send everyone involved a note to see if he can get a majority.

3-91-068

Motion by Councilman Hartsock, supported by Councilman Yoder, to schedule a meeting with the District Court Judges and the City of Farmington Hills Council. Motion carried, all ayes.

Mayor Richardson reported on the February 21, 1991, Vision 2010 Summit Meeting set up through County Commissioner Murphy's office. She stated that it was very well attended, that 57 out of the 61 Oakland County municipalities were represented. She suggested that if anyone is interested, they are asking for volunteers for their Steering Committee. Mrs. Richardson said she will loan out any of the information she brought back from the meeting to interested parties.

The Mayor advised that she received a complimentary copy of a new book entitled: Oakland County: Making it Work in Michigan, which after sharing it with Council members, she would be glad to donate to the Library.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Planning Commission:

Council was advised that an opening exists to fill the unexpired term of Tony Smolek, term to expire in June, 1991.

3-91-069

Motion by Councilman Hartsock, supported by Councilman Yoder, to appoint Timothy Zajaros to fill the unexpired term of Tony Smolek

COUNCIL PROCEEDINGS -6-  
March 4, 1991

on the Planning Commission, said term to expire in June, 1991.  
Motion carried, all ayes.

Farmington Historical Commission:

Council was advised that the terms of Judith Cook, Nancy Brado and Barbara Butler will expire March 13 of this year.

The City Manager stated that both Ms. Cook and Ms. Butler will serve another term, if appointed. He advised that Ms. Brado is moving out of state shortly and can no longer serve on the Commission.

3-91-070

Motion by Councilman Yoder, supported by Councilman Hartsock, to appoint Judith Cook and Barbara Butler to the Farmington Historical Commission for another three years, said terms to expire March 13, 1994. Motion carried, all ayes.

Council instructed the City Clerk to write to Ms. Brado thanking her for the time she spent on the Historical Commission.

Mayor Richardson asked if Council wishes to appoint someone this evening to fill the vacancy left by Ms. Brado.

Councilman Yoder stated that he preferred to wait awhile to make this appointment.

Mayor Richardson asked the Farmington Observer representative to place an article in the paper relative to this opening.

Farmington Community Library Board of Trustees:

Council was advised that the term of Dorothy Stoutjesdyk will expire this month, and she is willing to serve another term, if appointed.

3-91-071

Motion by Councilman Tupper, supported by Councilman Hartsock, to appoint Dorothy Stoutjesdyk to another 4-year term on the Farmington Community Library Board of Trustees, said term to expire in March 1995. Motion carried, all ayes.

Farmington Board of Canvassers:

City Attorney Donohue advised that if applicant James K. Mitchell accepts an appointment on the Board of Canvassers, he will probably have to resign his position on the Planning Commission. Mr. Donohue pointed out that Chapter 23, Article II, Planning Commission, Sec. 23-28 of the City Code states: "...the other eight (8) members ... shall hold no other public office."



COUNCIL PROCEEDINGS -7-  
March 4, 1991

The City Clerk advised that she spoke to the other prospective applicant, C. Christian Stiehl, who is interested in the vacancy on this Board. She advised that his application is forthcoming.

Mayor Richardson suggested that Council wait to fill this vacancy until they have an opportunity to review Mr. Stiehl's application.

FARMINGTON PUBLIC SAFETY DEPARTMENT  
ANNUAL OPERATIONS REPORT, DECEMBER 1990

Director Lauhoff commented on the Department's Annual Operations Report, pointing out the success of the School Liaison Program, the Sting operation and the Neighborhood Watch Program.

3-91-072 (a)

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the Public Safety Department Annual Operations Report for December 1990. Motion carried, all ayes.

FINANCIAL REPORTS: GENERAL FUND AND  
47TH DISTRICT COURT, SEVEN MONTHS  
ENDED JANUARY 31, 1991

3-91-072 (b)

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and file the General Fund and 47th District Court financial reports for the seven months ended January 31, 1991. Motion carried, all ayes.

WARRANT LIST

3-91-073

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$40,302.97; Water & Sewer Fund \$28,557.50.

ROLL CALL:

AYES: Hartsock, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: McShane.

MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Yoder, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:10 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: April 1, 1991.

RESOLUTION NO. 3-91-063

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 90-78

AMENDED

RESOLUTION SETTING HEARING ON

SPECIAL ASSESSMENT ROLL

At a regular meeting of the City Council of the City of Farmington, Oakland County, Michigan, held at the City Hall, on the 4th day of March, 1991, at 8:00 o'clock P.M. Eastern Standard Time.

PRESENT: Hartsock, Richardson, Tupper, Yoder.

ABSENT: McShane.

The following resolution was offered by Tupper and seconded by Hartsock:

The Council amended Resolution No. 12-90-345 (b) as follows:

WHEREAS, the special assessment roll in the amount of \$122,500 heretofore made by the Assessor was presented to the City Council for the following improvement:

Construction of paving and storm drain improvements to be located in the City as follows:

Prospect Street from Shiawassee to Valleyview Street and on Valleyview Street from Prospect to Lakeway Street

be filed in the office of the City Clerk for public examination, and

WHEREAS, said special assessment roll and, likewise, the special assessment improvement and the special assessment district to which said roll pertains, hereby are designated as Street Improvement Special Assessment Roll No. 90-78, and

WHEREAS, the Council established a public hearing to be held on the 18th day of March, 1991 at 8:00 p.m. Eastern Standard Time for the purpose of reviewing said special assessment roll;

THEREFORE BE IT RESOLVED that the Council amends the public hearing date to the date of 15th day of April, 1991, at 8:00 p.m., Eastern Standard Time for the purpose of reviewing said special assessment roll and to hear and consider any objections thereto, and that notice of said hearing shall be given by publishing the same once prior to said hearing in the Farmington Observer, a newspaper circulated in said city, and by mailing the

same to all persons whose names appear on said special assessment roll as the owners of property in the special assessment district at the address shown thereon. The first publication and such mailing shall be at least 10 days prior to the time of said hearing.

ADOPTED: YEAS: Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: McShane.

STATE OF MICHIGAN )  
 )SS.  
COUNTY OF OAKLAND )

I, the undersigned, the duly qualified and acting 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 in said city on the 4th day of March, 1991, and the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 4th day of March, 1991.

---

JOSEPHINE M. BUSHEY  
City Clerk  
City of Farmington

NOTICE OF SECOND HEARING

PHONE: 474-5500

CITY OF FARMINGTON  
23600 Liberty, Farmington, Michigan 48335  
Oakland County

NOTICE OF HEARING ON SPECIAL ASSESSMENT IMPROVEMENT

NOTICE IS HEREBY GIVEN that Street Improvements Special Assessment Roll No. 90-78 in the amount of \$122,500 for the construction of paving and storm drains to be located in said city to be located as follows:

Prospect Street from Shiawassee to Valleyview Street  
and on Valleyview Street from Prospect to Lakeway Street

has been filed in the office of the City Clerk for public examination.

NOTICE IS FURTHER GIVEN that the City Council will meet in the City Hall, 23600 Liberty, Farmington, Michigan, on the 15th day of April, 1991, at 8:00 o'clock P.M., Eastern Standard Time, to review said special assessment roll and to hear any objections thereto.

Appearance and protest of the special assessment at the hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. An owner of or party in interest in property to be assessed, or his or her agent, may appear in person to protest the special assessment, or may protest the special assessment by letter filed with the City Clerk at or prior to the time of the hearing, in which case appearance in person is not required. If the special assessment is protested as provided above, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal or other court of competent jurisdiction within 30 days after the confirmation of the special assessment roll.

THIS NOTICE IS GIVEN BY ORDER OF THE CITY COUNCIL.

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JOSEPHINE M. BUSHEY  
City Clerk  
City of Farmington

Mailed:  
Published:

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, April 1, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

ABSENT: None.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Deputy Director Goss, Director Billing, City Attorney Donohue, Adm. Assistant Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

#### 4-91-074

Motion by Councilman Yoder, supported by Councilwoman McShane, to approve the minutes of the previous meetings of March 4, 1991, as submitted. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

Referring to the Historical Commission minutes of January 16, 1991, Mayor Richardson pointed out that the proceedings indicate the meeting was at 8:00 p.m., but was called to order at 7:00 p.m.

She was advised that this was a joint meeting; that the Commission met at 7:00 p.m. and at 8:00 p.m. with Farmington Hills.

Councilman Hartsock referred to the Planning Commission minutes of March 11, 1991, relative to Frank's Nursery and Oak Farms Market. He stated that he understood that Oak Farms Market was granted a variance for plant sales.

The City Attorney advised that Frank's Nursery filed a claim with the Circuit Court against the Zoning Board's decision. He pointed out that the Oak Farms Market's future outdoor sales will be determined by the Court, as the Court can uphold, overturn or modify the Board's decision.

#### 4-91-075

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and/or file the minutes of the following Boards and Commissions:

- Planning Commission minutes of March 11, 1991;
- Downtown Development Authority minutes of March 5, 1991;
- Board of Zoning Appeals minutes of March 6, 1991;
- Traffic and Safety Board minutes of February 21, 1991;

COUNCIL PROCEEDINGS -2-

April 1, 1991

- Farmington Historical Commission minutes of January 16 and February 20, 1991;
- Farmington Beautification Committee minutes of February 13, 1991;
- Farmington Area Commission on Aging minutes of February 26, 1991;
- Farmington Area Arts Commission minutes of February 7, 1991;
- Farmington Community Library minutes of February 14, 1991;
- Board of Education minutes of February 12, 1991.

Motion carried, all ayes.

Mayor Richardson noted that on April 5, 1951, Farmington electors voted to set up a City Manager form of government. She paid special tribute to Manager Deadman in commemoration of that historic date.

PETITIONS AND COMMUNICATIONS

LETTER FROM JODY SORONEN,

RE: FARMINGTON FESTIVAL PERMITS

Council was advised that Festival Administrator Jody Soronen states that the 1991 Farmington Founders Festival will be held from July 11 through 13. She further advised that Kids' Day is scheduled for July 9th at Shiawassee Park.

Council was further advised that the Festival Committee seeks Council permission to erect tents and use traffic barriers in the downtown parking lot. Further requested were closing Grove Street for kids rides, closing Grand River for the Parade on July 13 and the use of certain city-owned items during the Festival.

The City Manager recommended Council authorization of the requested services; also authorization to file for a State permit to close Grand River.

4-91-076

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

LETTER FROM MS. SCHIKORA

RE: CROP WALK FOR HUNGER

Council was advised that the sponsors of the Crop Walk for Hunger will provide the required liability insurance for this event scheduled for Sunday, April 14, 1991, at 2:00 p.m.

The City Manager stated that the organization requests the use of City sidewalks, and Public Safety Officers will be assigned to assist crossings at major intersections.

COUNCIL PROCEEDINGS -3-  
April 1, 1991

4-91-077

Motion by Councilwoman McShane, supported by Councilman Yoder, to approve the use of City sidewalks for the annual Crop Walk for Hunger on Sunday, April 14, 1991, with the stipulation that the CROP organization provide the necessary liability insurance to cover this event. Motion carried, all ayes.

LETTER FROM WYNSET CONDOMINIUMS  
RE: TREE REPLACEMENT

Council was advised that the president of the Wynset Condominium Association requests City Council and the administration to reconsider their prior position relative to replacing two trees on the Farmington Road right-of-way. Mr. Hurren stated that some years ago when five trees were removed for new sewer construction on Farmington Road, two out of the five trees did not survive when replaced.

The City Manager stated that at the second and third replacement of the two trees, the nursery involved advised that the trees were being drowned. He advised that he was reluctant to have them replaced again, because the Association was unwilling to redirect its lawn sprinkling system.

Manager Deadman noted that the Association has altered its position and is now willing to control the surface water when the two trees are properly installed.

Following considerable discussion, Mayor Richardson called for a motion by Council.

4-91-078

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolutions:

BE IT RESOLVED that the Farmington City Council hereby authorizes the purchase of two trees through the Beautification Committee Tree Planting Program at an amount not to exceed \$320.00, and

BE IT FURTHER RESOLVED that before planting these trees at Wynset Condominiums, the City will have the soil tested by the Michigan State Extension Service, and

FURTHER BE IT RESOLVED that this will be the last time the City will be involved in this tree planting.

ROLL CALL

AYES: Richardson, Tupper, Yoder, Hartsock.  
NAYS: McShane.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 1, 1991.

COUNCIL PROCEEDINGS -4-  
April 1, 1991

LETTER FROM THOMAS DeWARD  
RE: 33604 GRAND RIVER

4-91-079

Motion by Councilman Hartsock, supported by Councilwoman McShane, to table Mr. DeWard's request until the first meeting in May. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

Council was advised that the Moslem Shrine Temple and the Oakland County Department of Community and Economic Development request proclamations.

4-91-080

Motion by Councilman Yoder, supported by Councilman Hartsock, to issue the following proclamation:

MOSLEM SHRINE TEMPLE  
ANNUAL HOSPITAL FUND DRIVE - June 7 and 8, 1991

Motion carried, all ayes.

4-91-081

Motion by Councilwoman McShane, supported by Councilman Yoder, to issue the following proclamation:

FAIR HOUSING MONTH - April, 1991

Motion carried, all ayes.

PRESENTATION

DOWNTOWN DEVELOPMENT AUTHORITY ANNUAL REPORT

DDA Executive Director Strip-Sittsamer summarized the report and expanded on three major challenges for the coming year. She stated that the Authority will continue an aggressive promotional program, will continue to serve as a resource to community businesses, and will work to complete the streetscape program.

4-91-082

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the Downtown Development Authority Annual Report. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PRESENTATION: SIX-YEAR CAPITAL IMPROVEMENT PROGRAM 1991-1996

The City Manager advised that the Planning Commission approved the Six-Year Capital Improvement for 1991-96. He stated that it is a realistic plan calling for the construction of facilities that will better serve the community's needs.



COUNCIL PROCEEDINGS -5-  
April 1, 1991

Mayor Richardson suggested that a letter be sent to the Planning Commission thanking them for the part they played in updating the Six-Year Capital Improvement Program.

4-91-083

Motion by Councilman Hartsock, supported by Councilman Tupper, to address a letter to the Planning Commission thanking them for their part in updating the Six-Year Capital Improvement Program. Motion carried, all ayes.

JOINTLY FUNDED AGENCY BUDGETS

Manager Deadman advised that the jointly funded agency budgets for the next fiscal year include requested increases of 4% to 12%. He suggested that several alternate dates be chosen by Council so he can arrange a joint budget session with the Farmington Hills Council.

The dates suggested were: Tuesday, May 7, Wednesday, May 8 and Thursday, May 9.

ANIMAL BOARD AND DISPOSAL CONTRACT - 1991

Council was advised that the proposed rates for disposing of animals, effective January 1, 1991 through December 31, 1991, are \$9.93 for disposal of live animals and \$8.73 for disposal of dead animals, a 4% increase over last year.

4-91-084

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the Mayor and the City Clerk to enter into a one-year renewal contract between the City and the Oakland County Animal Care Center for the disposal of alive and dead animals according to the 4% rate increases over the previous year's costs designated in the 1991 agreement, and

BE IT FURTHER RESOLVED that this contract is effective as of January 1, 1991 and will expire December 31, 1991.

ROLL CALL

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 1, 1991.

COUNCIL PROCEEDINGS -6-  
April 1, 1991

PROPOSED PARKING ORDINANCE

Council was advised that the Traffic and Safety Board, the Traffic Engineer and the Director of Public Safety found that parked cars on Lakeway Street near Grand River create safety hazards.

The Traffic and Safety Board recommends prohibiting parking on the east side of Lakeway Street to a point 108 feet north of Grand River and on the west side of Lakeway 182 feet north of Grand River, thus removing six parking spaces from Lakeway Street.

4-91-085

Motion by Councilwoman McShane, supported by Councilman Yoder, to introduce Ordinance No. C-581-91, which would amend Chapter 5, Subsection 5.15 (B) of the City's Traffic Control Ordinances by prohibiting parking on Lakeway Street near Grand River. Motion carried, all ayes.

CONTRACTOR PAYMENTS  
SEWER IMPROVEMENT PROJECT

The City Manager advised that as previously authorized by City Council, he approved contractor payments submitted for work completed in February, 1991. He submitted a status report on the Sewer Improvement Project to inform Council of the payments made to contractors and to request a Change Order for the engineers.

The following payments were reported to Council:

Contract No. 1:	Posen Construction	-	\$278,935.10
Contract No. 2:	Dan's Excavating, Inc.	-	14,509.80

The City Manager further advised that the two actions required of Council this evening are payment to the engineers and Amendment No. 1 to the engineer's contract.

4-91-086

Motion by Yoder, supported by Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black and Veatch, Architects/Engineers, in the amount of \$50,546.44 for engineering construction services, testing services, review of shop drawings and resident engineer's services, Contract No. 1 and Contract No. 2, Sewer Improvement Project for period ended February 15, 1991, and

BE IT FURTHER RESOLVED that Council further authorizes Amendment No. 1 in the amount of \$782.70 to Black and Veatch for employing an outside survey crew.

COUNCIL PROCEEDINGS -7-  
April 1, 1991

ROLL CALL

AYES: Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 1, 1991.

PUBLICITY: HAZARDOUS MATERIAL COLLECTION DAY

Council was advised that the first semi-annual hazardous material collection day [HAZMAT] is set for April 20, 1991. The administration recommended that Farmington distribute a notice similar to Farmington Hills' printed flyer to be delivered to each household.

Manager Deadman stated that the flyer will cost about \$400.00 plus \$713.95 postage for all businesses and residences. He added that allowing 8% for contingency, the total cost will be about \$1,200.00 per flyer, and two will be required.

4-91-087

Motion by Tupper, supported by Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes an expenditure of up to \$2,400.00 for two community flyers to publicize HAZMAT (Hazardous Material Collection Day), and the beginning of curbside recycling, and

BE IT FURTHER RESOLVED that funds be provided from the General Fund Reserve.

ROLL CALL

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 1, 1991.

DEPARTMENT OF PUBLIC SERVICES  
EQUIPMENT REPAIR

Council was advised that while rebuilding the engine of the 1977 Case tractor, it was discovered that the engine head was cracked, increasing the repair bill above the amount that may be allocated without Council authorization.

The City Manager stated that Case Power and Equipment's original low quote was \$3,500.00 to rebuild the engine plus \$1,750.00 to rebuild the backhoe boom attachment. He advises that now the estimated cost to rebuild with a new head is \$4,900.00 plus the \$1,750.00 to rebuild the boom attachment, totalling \$6,650.00.

COUNCIL PROCEEDINGS -8-  
April 1, 1991

4-91-088

Motion by Hartsock, supported by Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the repair of the City's 1977 Case tractor with backhoe attachment by Case Power and Equipment in an amount not to exceed \$6,600.00, and

BE IT FURTHER RESOLVED that funds be provided from the General Fund.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 1, 1991.

MISCELLANEOUS

PUBLIC COMMENT

Burton Bristow, 22822 Warner, asked what action is being taken relative to the lawn damage to replace the grass between the sidewalk and curb, and will it be seed or sod. The City Manager advised that he has no firm date on the final cleanup. Director Billing stated that the contractor started back today, but the sod farms are not yet open. He will check with the contractor.

Mr. Bristow was further advised that the payment on this will be part of the City's overall Debt Service.

Director Billing advised that Dan's Excavating began work today on Nine Mile Road.

Councilwoman McShane called attention to resolutions from the Cities of Novi and Oak Park relative to H. B. 4122 pertaining to school construction, reconstruction or remodeling. She stated that she is in favor of Farmington issuing a resolution supporting the House Bill.

4-91-089

Motion by Councilwoman McShane, supported by Councilman Yoder, to instruct the City Manager to prepare a resolution supporting H.B. 4122.

Councilman Hartsock stated that he would like to see a copy of H.B. 4122 before endorsing such a resolution.

COUNCIL PROCEEDINGS -9-  
April 1, 1991

Amended motion by Councilwoman McShane, supported by Councilman Yoder, to instruct the City Manager to prepare a resolution on H.B. 4122 for consideration at the next Council meeting. Motion carried, all ayes.

Mayor Richardson displayed a picture postcard just recently produced by the Farmington Beautification Committee showing four scenes of Farmington surrounding the City's sign in front of City Hall. She advised that the postcard will be sold in certain Farmington business establishments for 35¢ each.

Mrs. Richardson asked Mr. Deadman when the Oak Hill Annex will be torn down. She was advised that it has to be demolished before the Oak Hill project can continue. Mr. Billing will check relative to a demolition permit.

The Mayor stated that we have been encouraged by the press and through Commissioner Donn Wolf to promote Health-O-Rama.

Mayor Richardson advised that she received a letter from someone offering to serve on the Historical Commission, and she anticipates receiving another such letter. She asked that Council meet at 7:30 p.m. on the night of the next Council meeting, April 15th, to interview these candidates.

She called Council's attention to the meeting tomorrow evening with the Judges and the Farmington Hills Council.

FINANCIAL REPORTS: GENERAL FUND AND  
47TH DISTRICT COURT, EIGHT MONTHS  
ENDED FEBRUARY 28, 1991

4-91-090

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the General Fund and the 47th District Court financial reports for the eight months ended February 28, 1991. Motion carried, all ayes.

WARRANT LIST

4-91-091

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$39,463.90; Water & Sewer Fund \$115,248.49.

ROLL CALL:

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

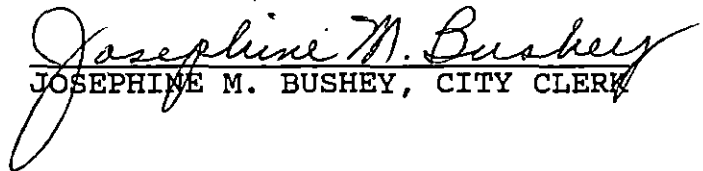
COUNCIL PROCEEDINGS -10-  
April 1, 1991

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Yoder, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 10:00 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: 4/15/91.

R E S O L U T I O N

NO. 4-91-076

Motion by Tupper, supported by Hartsock,  
to adopt the following resolution:

WHEREAS, the Farmington City Council has granted permission to the Founders Festival Committee to conduct the Founders Festival Parade in the city of Farmington on July 13, 1991, and

WHEREAS, the Department of Public Safety is authorized to apply to the State of Michigan, Department of Transportation, for a permit to close Grand River Avenue in the city of Farmington from its intersection with M-102 to Gill Road from 8:45 a.m. to 1:00 p.m. to accommodate the parade;

NOW, THEREFORE BE IT RESOLVED that the city of Farmington agrees to faithfully fulfill all permit requirements, and will indemnify the State of Michigan for any liability resulting from the closing of Grand River.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 1, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....  
I, Josephine M. Bushey, 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 on Monday, April 1, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

MEETING MINUTES  
CITY OF FARMINGTON HILLS - CITY OF FARMINGTON  
JOINT CITY COUNCIL STUDY SESSION MEETING  
APRIL 2, 1991

The joint study session meeting of the Farmington Hills and Farmington City Councils was called to order at 7:35 p.m. by Farmington Hills Mayor Vagnozzi.

ROLL CALL OF THOSE PRESENT:

FARMINGTON HILLS COUNCIL:	Bates, Fox, Lichtman, Marks, Sever and Vagnozzi
STAFF:	Costick, Dornan, Call, Brock, Rosch
FARMINGTON COUNCIL:	Hartsock, McShane, Richardson, Tupper and Yoder
STAFF:	Deadman
OTHERS:	District Court Judges Schaeffer and Harris, Court Administrator Duguid, and Attorney John Everhardus

Mayor Vagnozzi announced that the purpose of the joint study session was for discussion relative to the needs for the future of the District Court. Mayor Vagnozzi acknowledged the background materials submitted for consideration of this issue which included a letter to each of the Mayor's dated February 8, 1991 from Judge's Schaeffer and Harris, court activity reports for 1990, statistics regarding other district courts, and enabling legislation that authorizes the addition of a third judge for the 47th district court. Mayor Vagnozzi asked for a presentation by the judges relative to this material.

Judge Schaeffer described the current case load at the court, indicating that the three magistrates are used to the utmost, along with the judges, but that the court still cannot keep up with the case load. Discussion was held on amount/number of cases being handled by the two judges of the 47th District Court as compared with other district court caseloads, etc. Judge Schaeffer stressed the need for a third judge at the court, indicating that cases were being dismissed because they could not be handled in a timely manner.

Judge Harris began his presentation, indicating that in the City of Farmington Hills recently completed Year 2000 report, the first item of priority for maintaining court services to the community was to fill the third judge position. He quoted the rise in the number of court cases over the past few years, indicating the tremendous need for a third judge. He noted several items which has and will increase the courts caseload pursuant to new legislation enacted. He compared statistics on average court case loads vs. the cases being handled by Judges Schaeffer and Harris



and advised the Councils of the increases in small claims court processes and fact that they now require two trials rather than one. He indicated the need to make the court facility handicapped accessible within five years to be in compliance with law requirements. He indicated that new legislation relative to crime victims funds and collections of these monies necessitate the need for special room arrangements and even escort personnel for those victims, all of which the court does not have room for and cannot provide currently. He stressed the need for expansion of the building facility, indicating the lack of space for all persons involved.

Discussion was held on the revenues generated from the court for both cities. Judge Harris addressed the caseload history for 1990 by various type cases; the activity of the probation department and its caseload increase; and the work and cases being handled by the part-time magistrates. Discussion was held on the magistrates and it was questioned whether the judge's caseload would be lessened if there was a full-time magistrate. The judges indicated that this would not alleviate the caseload problem, as most of the backlog problems are items that cannot be handled by the magistrates.

Discussion was held on the space problems at the court and where a third judge could be located. It was indicated that if a third judge were to be approved, room would be found somewhere; that even a portable trailer could be used on a temporary basis. Discussion was held on the current remodeling being done at the building, and its status. Judge Harris showed a blueprint of the proposed court expansion, explaining the renovations and expansion planned, stating the total cost at \$1,800,000. Discussion was held on financing options for the court renovation proposed; on possible bond issue, etc.

Bond Attorney John Everhardus addressed the group, indicating that two options may be considered for financing of this project; one being a Limited Tax Obligation done by a building authority from within the charter limit of the two cities which could be done without a vote of the people, or two, a voted millage increase in excess of the charter limit.

Discussion was held on the two options proposed, and it was explained that if the financing were to be done through building authority bonds, these monies would be subject to roll-back provisions, while if put to the vote of the people, the payback of the debt would not be under the rollback provisions. City Manager Costick indicated that both Councils need to recognize the growth of the area and subsequently the growth of the court and its needs, and that much discussion needs to take place by the two groups on determining the needs of the future of the court and the financing of those needs. Discussion was held on the election process of a third judge, and the group was advised that the final decision on this issue would need to be made in 1991; that if a third judge

were approved, the judge candidates would have to file petitions for the position by April of 1992, with the election to be held in August 1992. It was added that the new judge would take office in January, 1993.


Discussion was held on the financing of a court expansion and additional staffing through building authority bonds vs. the vote of the people, with pros and cons indicated as to both options. After discussion, it was determined that this issue would be pursued further; and City Manager Costick and City Manager Deadman were instructed to review this issue and be prepared to make a recommendation to the Councils, with this issue to be discussed further at the joint cities budget meeting in May.

Question was raised as to whether the two communities could form one Building Authority and Attorney Everhardus indicated that he did not think this was possible, however, he would check the law on this issue and report back to the managers at a future date.

Discussion was held on the joint Council's budget study session for jointly funded organizations and it was determined that the Councils would meet on Wednesday, May 8th, at 6:00 p.m.

There being no further business, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

  
Kathryn A. Dornan, City Clerk  
City of Farmington Hills

/kad/wp/cc4291

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, April 15, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

ABSENT: None.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, City Engineer Mariner, Adm. Assistant Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

4-91-092

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the previous meeting of April 1, 1991, as submitted. Motion carried, all ayes.

### PUBLIC HEARING ON ASSESSMENT ROLL

#### VALLEY VIEW AND PROSPECT STREET PAVING SAD 90-78

Mayor Richardson explained the public hearing procedure to those present. She called upon the City Manager to report on the special assessment.

The City Manager reported that Council received petitions requesting consideration of the paving of Valley View and Prospect Streets. He noted that a public hearing was previously held on the necessity for the street improvement, that Council confirmed the necessity and ordered the City Assessor to draft a special assessment roll for the district affected. He pointed out that this evening's public hearing is to review the special assessment roll and to receive oral and written comments from the affected homeowners.

Manager Deadman advised that financing for the project is to be provided from three sources:

Community Development Block Grant funds	- \$42,000.00
Local Street Fund	- 38,000.00
Special Assessment District 90-78	- 110,000.00

Mr. Deadman further advised that front lots will be assessed at \$3,283.58 and side lots at \$1,641.79, or 50% of the front lot assessment. He pointed out that the total cost of the project, \$209,925.00, was reduced by \$19,925.00 due to favorable bids, allowing sod rather than seed for lawn repairs. He stated that the project will be financed over 15 years at 7.50% interest.

COUNCIL PROCEEDINGS -2-  
April 15, 1991

The City Manager called upon City Engineer Mariner to discuss how he proposes to build this project.

Mr. Mariner showed a layout of the project area, pointing out that the street is 28 ft. wide with concrete curb and gutters and new gravel underneath the roadway. He stated that the driveways will be removed and replaced to allow for proper drainage.

Mayor Richardson opened the Public Hearing.

Robert Yurk, 32010 Valley View, was advised that he was correct in understanding that there is only one share per property owner.

Bill Goba, 32117 Valley View, asked if there is any possibility of installing a dead-end sign near Prospect. City Engineer Mariner agreed that this would be a good idea. Mr. Goba also asked about the possibility of speaking with the contractor about having his entire driveway done. He was advised that as soon as the contract is let he will be advised so he can ask the contractor about this.

Jim Stark, 32024 Valley View asked how long the project would take and if the residents will have access to their homes. He was advised that it will take the contractor approximately 60 days to do the required work; that the construction will not begin until the third week in June and will be done in August. Mr. Mariner advised that residents should be able to get in and out every evening and every morning, although there will be some inconveniences.

Jeff Scott, 23218 Prospect, was advised about the penalty clause in the contract.

Don Raitzer, 32048 Valley View, was advised that he will pay for only one share even though his house is on a corner.

Boll Goba, was advised when the initial payment is due.

Barry Hirsch, 23215 Prospect, asked about the drainage because some water has been maintained along his property. He was advised the road will be graded so that there should be no standing water.

Councilman Tupper was advised that the driveway approaches will be put back in kind. He also asked if there is anything that will be torn up and not be replaced. He was advised that some parking spots will be eliminated. Mr. Tupper asked if the residents will be advised of this. Mr. Deadman stated that we typically do not advise residents, and he pointed out that the design is available for everyone's review.

COUNCIL PROCEEDINGS -3-  
April 15, 1991

There being no further comments, the Mayor called for a motion.

4-91-093

Motion by Councilwoman McShane, supported by Councilman Hartsock, to close the Public Hearing. Motion carried, all ayes.

4-91-094

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

[SEE ATTACHED RESOLUTION]

Manager Deadman stated that we will attempt to deliver a flyer to each house to notify the residents when the project work will begin.

MINUTES OF OTHER BOARDS

4-91-095

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and/or file the minutes of the following Boards and Commissions:

- Planning Commission minutes of April 8, 1991;
- Downtown Development Authority minutes of April 2, 1991;
- Farmington Historical Commission minutes of March 20, 1991;
- Farmington Beautification Committee minutes of March 13, 1991;
- Farmington Area Commission on Aging minutes of March 25, 1991;
- Farmington Area Arts Commission minutes of March 21, 1991;
- Board of Education minutes of March 5, 1991.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR ADDITIONAL OUTDOOR SALES PERMIT  
FARMER JACK, 22128 FARMINGTON ROAD

Council was advised that a representative of Farmer Jack requests additional time for outdoor sales of bedding plants at 22128 Farmington Road.

The City Manager pointed out that City Council granted prior approval of a 10-day permit from May 18 - 27 each year subject to a site plan approved by the Building Department. He advised that Farmer Jack's representative is requesting an additional five days to begin the sale on May 13 and continue it through May 27 each year.

Council was advised that the prior approval permitted the sale to be conducted on the sidewalk area in front of Farmer Jack, so as not to block ingress/egress.

COUNCIL PROCEEDINGS -4-  
April 15, 1991

4-91-096

Motion by Councilwoman McShane, supported by Councilman Yoder, to continue the existing ten day permit of May 18 - 27 each year at the Farmer Jack store at 22128 Farmington Road, subject to site plan approved by the Building Department, and an additional five days beginning May 13 so the outdoor sale of bedding plants may continue through May 27 annually on the sidewalk in front of this Farmer Jack location so as not to block ingress and egress. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE

RAM'S HORN RESTAURANT, 32435 GRAND RIVER

Council was advised that the owner of the Ram's Horn Restaurant requests a variance to the City's Sign Ordinance to allow an additional 90 days to display a temporary banner for a new menu promotion.

Mayor Richardson stated that 90 days seems like a long period to allow a temporary sign just for a menu change.

Councilman Tupper pointed out that usually a 90-day period is allowed by Council for a temporary sign. He suggested granting the variance for an additional 60 days.

4-91-097

Motion by Councilman Tupper, supported by Councilman Yoder, to grant a variance to Section 25-4 (7) b of the Sign ordinance permitting the Ram's Horn Restaurant at 32435 Grand River an additional 60 days, to July 1, 1991, for the display of a cloth banner presently displayed under a temporary permit issued by the Building Department on April 1, 1990. Motion carried, all ayes.

APPLICATION FOR SIGN VARIANCE

KELLY BROS. ENTERPRISES, NINE MILE ROAD

Council was advised that Mr. Kelly requests permission to leave in place two "For Lease" signs on buildings at 33350 and 33400 Nine Mile Road for a period of six months or until the buildings are leased.

The City Manager pointed out that these are not ordinary times when it comes to leasing apartments.

4-91-098

Motion by Councilman Hartsock, supported by Councilman Tupper, to grant a variance to Section 25-4 (6) of the Sign Ordinance, allowing Kelly Bros. Enterprises, Inc., to leave in place two "For Lease" signs advertising buildings at 33350 and 33400 Nine Mile Road; these signs not to exceed 48 sq. ft. and for the period of time not to exceed six months, or until such time as the buildings are leased, whichever comes first. Motion carried, all ayes.

COUNCIL PROCEEDINGS -5-  
April 15, 1991

NOTICE FROM LIQUOR CONTROL COMMISSION RE:  
TRANSFER OF SDM LICENSE, 32330 GRAND RIVER

Council was advised that a Liquor Control Commission notification indicates application was received from David Davis to transfer ownership of an SDM licensed business from Najat T. Asmar at 32330 Grand River.

The City Manager stated that the Woodhaven Police Department is in the process of obtaining a warrant for Mr. Davis for violation of the state's controlled substance laws.

Director Lauhoff recommended that City Council request an extension of the 15-day notice requirement to determine if Mr. Davis is charged. The City Manager concurred with Director Lauhoff's recommendation.

4-91-099

Motion by Councilman Yoder, supported by Councilman Hartsock, to delay consideration of Mr. Davis's request for transfer of the SDM licensed business at 32330 Grand River until such time as it is determined whether or not a warrant will be issued in Wayne County for the applicant, and to request an extension of the 15-day notice until this is established. Motion carried, all ayes.

REQUEST FROM HISTORICAL COMMISSION RE:  
ANNUAL WINERY HAUNTED HOUSE EVENT

Council was advised that the owners of the Winery building offered to allow the Farmington Historical Museum to participate in their annual Winery Haunted House and to share 10% of the profits with the Museum.

The City Manager reported that last year's participation resulted in a \$1,300.00 contribution which allowed the Museum to create a historical fashion room highlighting many garments from the Governor Warner era. He indicated that if allowed to participate this year, the Historical Commission will designate proceeds from this event toward another specific Museum project.

Council was advised that there are no other participants in this event.

4-91-100

Motion by Councilwoman McShane, supported by Councilman Tupper, to permit continued participation of the Farmington Historical Commission in the annual Winery Haunted House event, with the stipulation that insurance be provided by Mr White adding the City of Farmington and the Farmington Historical Commission as added insureds prior to the use of the facility as a Haunted House from October 18 - 31, 1991, and further that all required

COUNCIL PROCEEDINGS -6-  
April 15, 1991

permits and inspections be acquired prior to the beginning of the event. Motion carried, all ayes.

SEMCOG NOTICE RE: FARMINGTON HILLS  
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

The City Manager advised that notice from SEMCOG was received regarding the City of Farmington Hills Community Development Block Grant application for FY 1991-92. He stated that SEMCOG solicits comments on the proposed project which consists primarily of housing rehabilitation, capital improvements, code enforcement and administrative expenses.

Manager Deadman pointed out that Farmington Hills does not receive any of their Block Grant monies through the County; that they are direct recipients of monies because of their size. Therefore, they must file a specific application with the federal government.

4-91-101

Motion by Councilman Hartsock, supported by Councilwoman McShane, to send a letter to SEMCOG supporting the application of the City of Farmington Hills for federal Community Development Block Grant funding as being consistent with the CDBG goals of improving living standards in low and moderate income areas. Motion carried, all ayes.

REQUEST FROM FARMINGTON MUSIC PATRONS  
RETURNABLE BOTTLE AND CAN FUND DRIVE

Council was advised that the Farmington High School Music Patrons request permission to use the parking lot on Orchard Street behind the A & P store for collecting returnable bottles and cans on April 27, 1991. The organization states that proceeds will be used for orchestra and band equipment, music department activities and scholarships for Farmington High School students.

4-91-102

Motion by Councilman Hartsock, supported by Councilman Yoder, to grant permission for the Farmington High School Music Patrons to conduct a returnable bottle and can fund drive in the parking lot on Orchard Street behind the A & P Store in the downtown center on April 27, 1991, from 9:00 a.m. to 5:00 p.m. Motion carried, all ayes.

LETTER RE: OPENING DAY PARADE  
SOUTH FARMINGTON BASEBALL, INC.

The City Manager advised that a parade permit was requested for the South Farmington Baseball, Inc., opening day parade on Saturday, May 4, 1991.



COUNCIL PROCEEDINGS -7-  
April 15, 1991

4-91-103

Motion by Councilman Tupper, supported by Councilwoman McShane, to grant permission to close off the appropriate streets for the South Farmington Baseball, Inc., opening day parade on Saturday, May 4, 1991. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

The following proclamations were issued by Council:

4-91-104

Motion by Councilman Yoder, supported by Councilman Hartsock, to issue a proclamation designating April 14 - 20, 1991, as MICHIGAN TORNADO SAFETY WEEK. Motion carried, all ayes.

4-91-105

Motion by Councilman Tupper, supported by Councilman Hartsock, to issue a proclamation designating May 16, 17 and 18, 1991, as POPPY DAYS in the City of Farmington. Motion carried, all ayes.

4-91-106 (a)

Motion by Councilwoman McShane, supported by Councilman Yoder, to issue a proclamation recognizing a "Child's Garden" day care center and designating April as the MONTH OF THE YOUNG CHILD. Motion carried, all ayes.

4-91-106 (b)

Motion by Councilman Yoder, supported by Councilman Tupper, to issue a proclamation recognizing the Wingerter's 30 years of business in Farmington at the Bon Ton Shoppe. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROGRESS REPORT: HOUSE BILL 4122

The City Manager submitted a copy of H. B. 4122 for Council review as requested at the last meeting. He pointed out that this legislation would return the site plan approval process to local government. He recommended that City Council support the resolutions of the cities of Novi and Oak Park relative to H.B. 4122.

4-91-107

Motion by Councilman Tupper, supported by Councilwoman McShane, to adopt a resolution supporting H.B. 4122 which would return the site plan approval process to local government, and to forward the resolution to Governor Engler, Senator Faxon, Representative Dolan and the Michigan Municipal League. Motion carried, all ayes.

DRAKE ROAD RENOVATION

Manager Deadman advised that out of four bids received on the Drake Park renovation, Nationwide Fence & Supply of New Haven, Michigan, was the low bidder. He stated that this bid is acceptable, and requested that Council authorize a contract with Nationwide pending approval of the Michigan Department of Natural Resources (MDNR). He pointed out that whatever the final project cost, the MDNR will pay 75% to a maximum of \$30,000.00.

4-91-108

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

[SEE ATTACHED RESOLUTION]

CONTRACTOR PAYMENTS: SEWER IMPROVEMENT

Council was advised that the contractors requested payment on Contract No. 1 and Contract No. 2 for the Sewer Improvement Project.

4-91-109

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the fifth estimated payment to Posen Construction, Inc., in the amount of \$204,140.12 for work completed through March 31, 1991, on the Farmington Pump Station and Retention Basin.

ROLL CALL

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 15, 1991.

4-91-110

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that City Council hereby authorizes the sixth estimated payment to Dan's Excavating, Inc., in the amount of \$23,965.97 for work completed through March 29, 1991, on the Sewer Improvement Project.

ROLL CALL

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 15, 1991.

MANAGER'S RECOMMENDED BUDGET FOR 1991-92

The City Manager recommended that the operating millage rate of 10.05 mills not be increased in the coming year. He pointed out that it will be necessary to increase the debt service millage rate to provide funding for the voter approved bonds sold to finance the sewer separation program. He further indicated that the budget recommends that a portion of the cost of providing rubbish removal and collection services be funded by a utility charge.

Manager Deadman suggested that Council establish a series of budget review sessions so that the dates can be posted in compliance with the Open Meetings Act. He pointed out that Council is required by City Charter to adopt the budget and set the local millage rate by the first Council meeting in June.

The City Manager advised that if H. B. 4109 on the property tax limitation passes, the City will experience a short fall in the budget of about \$120,000.00 to \$125,000.00. He stated that the Senate has already acted on this bill and that the House is scheduled to vote on it tomorrow afternoon.

4-91-111

Motion by Councilman Tupper, supported by Councilman Yoder, to establish special budget review sessions at 6:30 p.m. on Thursday, May 2, and Thursday, May 9, 1991. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard, Shiawasse Street resident, was advised that Farmington is paired with the City of Clawson for Mayor Exchange Day.

Mrs. Leonard asked what happened to the lighted map of the city that used to be in the Council Chambers. She also asked about the plaque that hung in Council Chambers before the room was remodeled.

She was advised that the plaque will be rehung, but that the map would have to be redone and brought up-to-date. She was further advised that Council feels this would be too costly at the present time.

4-91-112

Motion by Councilman Yoder, supported by Councilman Tupper, to place the memorial plaque in the same area in Council Chambers as before the remodeling. Motion carried, all ayes.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilman Tupper suggested that the Code Enforcement Officer's activities report be included in the Council package monthly. The City Manager stated that he will send it on to Council.

Mayor Richardson reminded those present about Hazardous Waste Day, April 20th.

Mrs. Richardson stated that we need to enforce the ordinance relative to cars for sale parked on lawns.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Board of Canvassers

Council was advised that there are openings on the Farmington Board of Canvassers, the Historical Commission and the Commission on Aging.

4-91-113

Motion by Councilwoman McShane, supported by Councilman Hartsock, to appoint Mr. C. Christian Stiehl, 31975 Lee Lane, to fill the unexpired term of Thomas Carr on the Board of Canvassers, said term to expire December 31, 1991. Motion carried, all ayes.

Historical Commission

Mayor Richardson stated that Council met prior to this evening's meeting to interview a candidate for this opening.

4-91-114

Motion by Councilman Tupper, supported by Councilman Hartsock, to appoint Thomas Lyczkowski, 23925 Farmington Road, to a three-year term on the Farmington Historical Commission, said term to expire March 13, 1994. Motion carried, all ayes.

Famington Area Commission on Aging

4-91-115

Motion by Councilman Yoder, supported by Councilwoman McShane, to appoint Carole Hund to another three-year term on the Farmington Area Commission on Aging, said term to expire May 15, 1994. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

ADOPT ORDINANCE NO. C-581-91

4-91-116

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following ordinance:

ORDINANCE C-581 - 91

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 Sub-Section 5.15 (B) as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

CHAPTER - PROHIBITED PARKING

ADD: Sub-Section 5.15 (B)

LAKeway STREET

- 1) East side 108' north from Grand River.
- 2) West side 182' north from Grand River.

This ordinance was introduced at a regular meeting of the Farmington City Council on April 1, 1991, was adopted and enacted at the regular meeting of the City Council on April 15, 1991, and will become effective ten (10) days after publication.

SHIRLEY V. RICHARDSON, MAYOR

JOSEPHINE M. BUSHEY, CITY CLERK

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

Published: April 25, 1991.  
Effective: May 4, 1991.

COUNCIL PROCEEDINGS -12-  
April 15, 1991

WARRANT LIST

4-91-117

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$36,463.90; Water & Sewer Fund \$25,811.95.

ROLL CALL:

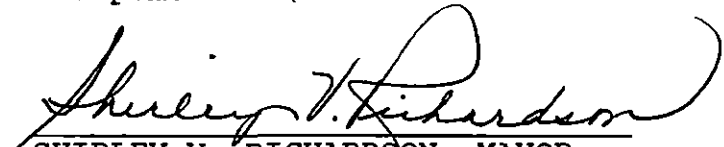
AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

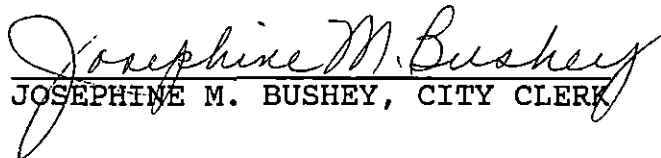
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:37 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: May 6, 1991.

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 90-78

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

At a regular meeting of the City Council of the City of Farmington, Oakland County, Michigan, held at the City Hall in said City, on the 15th day of April, 1991, at 8:00 o'clock P.M. Daylight Savings Time.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

ABSENT: None.

The Mayor announced that this was the time fixed for reviewing and hearing objections to Special Assessment Roll No. 90-78 made to defray the cost of construct of street paving and storm drain improvements in the City to be located as follows:

Prospect Street from Shiawassee to Valley View Street and on Valley View Street from Prospect to Lakeway Street

and asked if there were any objections to said roll.

No written objections were filed with the City Clerk, and no oral objections were made at the hearing, except as follows:

Thomas Stumpo, 31817 Valley View  
Eleanor L. Peterson, 23255 Prospect  
Sara E. Ross, 23231 Prospect

The Mayor thereupon declared the hearing closed.

The following resolution was offered by Yoder  
and seconded by Tupper:

BE IT RESOLVED by the City Council of the City of Farmington, Oakland County, Michigan, as follows:

WHEREAS, Special Assessment Roll No. 90-78 made to defray the cost of construction of a street improvement in said City to be located as follows:

Prospect Street from Shiawassee to Valley View Street and on Valley View Street from Prospect to Lakeway Street

has heretofore been prepared and filed with the City Clerk in the aggregate amount of \$110,000; and

WHEREAS, a hearing has now been held on said special assessment roll, as required under the City Charter and special assessment ordinance;

THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That said Special Assessment Roll No. 90-78 is hereby adopted and confirmed in the aggregate amount of \$110,000, and the City Clerk is hereby directed to endorse thereon the date of said confirmation.

2. That the special assessments on said roll against each parcel of land shall be payable in 15 approximately equal annual installments, the first of which shall be due and payable on July 1, 1991, and the several subsequent installments shall be due and payable successively on each first day of July thereafter. Assessments paid in installments will bear interest from July 1, 1991 at a rate not to exceed 7.50% per annum.

3. That the said installments shall be collected by the City Treasurer, together with the City taxes, and shall be subject to the same penalties and interest as provided in the City's charter for the collection of taxes.

4. That the City Clerk is hereby directed to deliver said roll to the City Treasurer. The City Treasurer shall thereupon collect the said special assessments in accordance with the terms of this resolution and the City's charter and special assessment ordinance.

ADOPTED: AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

STATE OF MICHIGAN )  
 )SS.  
COUNTY OF OAKLAND )

I, the undersigned, the duly qualified and acting 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 in said City on the 15th day of April, 1991, and the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 17th day of April, 1991.

*Josephine M. Bushey*  
JOSEPHINE M. BUSHEY  
City Clerk  
City of Farmington



CITY OF FARMINGTON


NOTICE OF ASSESSMENT AND RIGHT TO APPEAL

RE: Street Paving and Storm Drain  
Improvement Special Assessment

On April 15, 1991 the City Council of the City of Farmington confirmed a special assessment roll with respect to the above referenced special assessment district. Pursuant to such special assessment roll, the amount assessed against property located at SEE ATTACHED LIST, Farmington, Michigan, is \$110,000.

The assessment may be paid on or before July 1, 1991 without interest. Assessments not paid on or before August 15, 1991 are payable in 15 approximately equal annual installments of principal due on July 1, 1991 and on July 1 of each year thereafter. Assessments paid in installments will bear interest from July 1, 1991 at a rate not to exceed 7.50% per annum.

The owner of or any person having an interest in the real property described herein may file a written appeal of the special assessment with the Michigan Tax Tribunal within thirty (30) days of confirmation of special assessment roll, if that special assessment was protested at the hearing held for the purpose of confirming the special assessment roll.

  
JOSEPHINE M. BUSHEY  
City Clerk  
City of Farmington

-----  
 PROSPECT/VALLEY VIEW

ROAD IMPROVEMENT

SPECIAL ASSESSMENT ROLL  
 -----

ESTIMATED  
 PROJECT COST = \$110,000.00

PROPERTY ADDRESS	PARCEL NUMBER	LOT NO.	ACTUAL NO. OF BLDG. SITES	ADJUSTED NO. OF BLDG. SITES	PERCENT ALLOCA-TION	ESTIMATED COST PER PROPERTY
23255 Prospect	2327252012	pt. 23	1	0.50	1.49%	\$1,641.79
23247 Prospect	2327252029	24 & 25	1	1.00	2.99%	\$3,283.58
23241 Prospect	2327252023	26	1	1.00	2.99%	\$3,283.58
23231 Prospect	2327252024	27 & pt 28	1	1.00	2.99%	\$3,283.58
23223 Prospect	2327252025	29 & pt 28	1	1.00	2.99%	\$3,283.58
23219 Prospect	2327252026	n pt of 30	1	1.00	2.99%	\$3,283.58
23215 Prospect	2328252027	s pt of 30	1	1.00	2.99%	\$3,283.58
23250 Prospect	2327254014 /015	21 & 22	1	1.00	2.99%	\$3,283.58
23230 Prospect	2327254003	20	1	1.00	2.99%	\$3,283.58
23224 Prospect	2327254004	19	1	1.00	2.99%	\$3,283.58
23218 Prospect	2327254012	18 & 17	1	1.00	2.99%	\$3,283.58
32048 Prospect	2327402005	31	1	1.00	2.99%	\$3,283.58
32040 Valley View	2327402006	32	1	1.00	2.99%	\$3,283.58
32034 Valley View	2327402007	33	1	1.00	2.99%	\$3,283.58
32030 Valley View	2327402008	34	1	1.00	2.99%	\$3,283.58
32024 Valley View	2327402009	35	1	1.00	2.99%	\$3,283.58
32014 Valley View	2327402010	36	1	1.00	2.99%	\$3,283.58
32012 Valley View	2327402011	37	1	1.00	2.99%	\$3,283.58
32010 Valley View	2327402012 /013	38 & 39	1	1.00	2.99%	\$3,283.58

## PROSPECT/VALLEYVIEW

## SPECIAL ASSESSMENT ROLL, continued

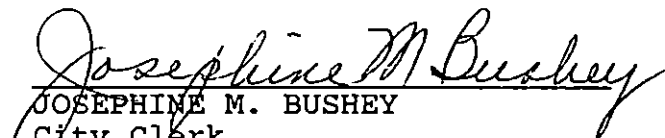
PROPERTY ADDRESS	PARCEL NUMBER	LOT NO.	ACTUAL NO. OF BLDG. SITES	ADJUSTED NO. OF BLDG. SITES	PERCENT ALLOCA-TION	ESTIMATED COST PER PROPERTY
32004 Valley View	2327402014	40	1	1.00	2.99%	\$3,283.58
23015 Lakeway	2327402024	1	1	0.50	1.49%	\$1,641.79
32117 Valley View	2327403133	57 & pt 58	1	1.00	2.99%	\$3,283.58
32105 Valley View	2327403131	56 & 55	1	1.00	2.99%	\$3,283.58
32045 Valley View	2327403134	54 & 53	1	1.00	2.99%	\$3,283.58
32037 Valley View	2327403012	52	1	1.00	2.99%	\$3,283.58
32035 Valley View	2327403013	51 & pt 50	1	1.00	2.99%	\$3,283.58
32029 Valley View	2327403014	50 & pt 49	1	1.00	2.99%	\$3,283.58
32015 Valley View	2327403015	48 & pt 49	1	1.00	2.99%	\$3,283.58
32013 Valley View	2327403016	47	1	1.00	2.99%	\$3,283.58
32011 Valley View	2327403017	46	1	1.00	2.99%	\$3,283.58
32009 Valley View	2327403018	45	1	1.00	2.99%	\$3,283.58
32007 Valley View	2327403019	44	1	1.00	2.99%	\$3,283.58
32003 Valley View	2327403020	43 & pt 42	1	1.00	2.99%	\$3,283.58
31831 Valley View	2327403021	41 & pt 42	1	1.00	2.99%	\$3,283.58
31817 Valley View	2327403042	111	1	0.50	1.49%	\$1,641.79
TOTAL			35	33.50	100.00%	\$110,000.00

AFFIDAVIT OF MAILING  
NOTICE OF ASSESSMENT AND RIGHT TO APPEAL  
SPECIAL ASSESSMENT DISTRICT

STATE OF MICHIGAN    )  
                          )SS.  
COUNTY OF OAKLAND   )

JOSEPHINE M. BUSHEY, being first duly sworn, deposes and says that she is the duly appointed City Clerk of the City of Farmington, Oakland County, Michigan, that on the 18th day of April, 1991, she prepared for mailing a Notice of Assessment and Right to Appeal to be mailed to all persons whose names appear on the special assessment roll referred to in said notice as the owners of property in the special assessment district at the addresses shown on said roll.

Further deponent saith not.

  
JOSEPHINE M. BUSHEY  
City Clerk  
City of Farmington

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_.

Josephine M. Bushey, being duly sworn, deposes and says that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, she did mail by first class mail with postage fully prepaid.

\_\_\_\_\_  
Notary Public

CITY OF FARMINGTON

RESOLUTION NO. 4-91-108

Motion by Hartsock, supported by McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby awards a contract for fencing, Drake Park Renovation, to Nationwide Fence and Supply for \$11,998.00, pending approval of the Michigan Department of Natural Resources, and

BE IT FURTHER RESOLVED that the project authorization for the Drake Park Renovation be increased from \$40,000.00 to \$42,128.00, and

FURTHER BE IT RESOLVED that Council waive the bid process and authorize the City Manager to solicit proposals and negotiate contracts for the remaining work without seeking further Council approval for the individual contracts.

ROLL CALL

AYES: Ricardson, Tupper, Yoder, Hartsock, McShane.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 15, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, 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 on Monday, April 15, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

COUNCIL PROCEEDINGS

A Special Meeting of the Farmington City Council was held on May 2, 1991, in Meeting Room A, 23600 Liberty Street, Farmington. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 6:30 p.m. by Mayor Richardson.

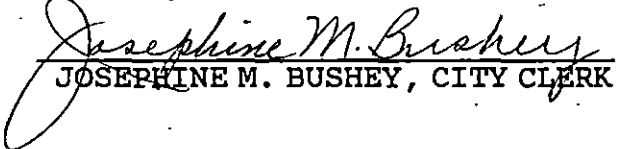
PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

OTHERS PRESENT: City Manager Deadman.

Council began the review of the City Manager's recommended budget revenues and expenditures for FY 1990-91 and FY 1991-92.

Meeting adjourned at 9:00 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: June 3, 1991.

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, May 6, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

ABSENT: None.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, City Attorney Donohue, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

5-91-118

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of April 15, 1991, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

5-91-119

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and/or file the minutes of the following Boards and Commissions:

- Board of Zoning Appeals meeting minutes of April 3, 1991;
- Traffic and Safety Board minutes of March 21, 1991;
- Farmington Community Library minutes of March 14, 1991;
- Board of Education minutes of March 19 and April 9, 1991.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR SIGN VARIANCE

#### JAX KAR WASH, 31500 GRAND RIVER

Council was advised that Mr. Gort, Manager of Jax Kar Wash, requests permission to install a second temporary sign within a six month period at 31500 Grand River.

The City Manager stated that the current permit expired on March 21, 1991, and Mr. Gort wishes to display the same sign at this location for an additional 30 days.

Mr. Gort advised that he is attempting to promote business since Orchard Lake has been closed.

Councilman Tupper suggested that Mr. Gort maintain the banners in good order and not allow them to become unsightly.

COUNCIL PROCEEDINGS -2-  
May 6, 1991

5-91-120

Motion by Councilman Hartsock, supported by Councilman Yoder, to grant a variance to Section 15-4, (7) b of the City's Sign Ordinance, allowing Mr. Gort to use the existing banner at Jax Kar Wash, 31500 Grand River, for an additional 30 days. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE  
SWEATS AND MORE, 33185 GRAND RIVER

Council was advised that the manager of Sweats and More requests a variance to the City's Sign Ordinance to allow a temporary 3 ft. x 6 ft. grand opening banner for 30 days. She also wishes to use 20 ft. of red, white and blue pennants in front of the store.

5-91-121

Motion by Councilwoman McShane, supported by Councilman Tupper, to grant a variance to Section 25-13 (10) of the Sign Ordinance permitting the installation of a temporary 3 ft. x 6 ft. grand opening banner and 20 ft. of pennants to be hung in front of the store at 33185 Grand River for 30 days. Motion carried, all ayes.

APPLICATION FOR SIGN VARIANCE  
DIMITRI'S, 33200 GRAND RIVER

Council was advised that permission is requested for the installation of a canopy awning along the Grand River frontage of Dimitri's Restaurant.

5-91-122

Motion by Councilman Yoder, supported by Councilman Tupper, to grant a variance to the Sign Ordinance, allowing Dimitri's Restaurant to install a canopy awning along the Grand River frontage with "Dimitri's" in script lettering. Motion carried, all ayes.

The City Manager pointed out that when the two new sections were added to the Sign Ordinance, the 9 inch limitation was not removed. He recommended a motion instructing the Code Officer not to enforce the ordinance section which applies to the lettering until a new amendment can be prepared.

5-91-123

Motion by Councilman Hartsock, supported by Councilwoman McShane, to instruct the Code Officer not to enforce Section 25-4 (5) b of the Sign Ordinance until such time as the City Attorney can prepare an amendment to the ordinance removing this section. Motion carried, all ayes.



REQUEST FOR FINANCIAL ASSISTANCE FROM  
THOMAS C. DE WARD, PROFESSIONAL REALTY  
INVESTMENTS, INC.

Mr. De Ward was present to submit a request for financial assistance to help him recover losses incurred in removing underground storage tanks from his property at 33604 Grand River. He stated that the City failed to take proper action in 1970 by allowing underground fuel tanks to remain and by further allowing the owner to construct a walkway and a portion of the building on top of the tanks.

The City Manager pointed out that Mr. De Ward appeared before Council on more than one occasion requesting financial assistance. He further stated that that City Council has held a consistent position that the City is not responsible for his current situation. He indicated that apparently Mr. De Ward is requesting that the City Council formally approve or deny his request.

Council was informed that the City Attorney has advised Council not to debate the issue with Mr. De Ward due to his threat of litigation. The attorney further advised that the City has no moral or legal responsibility to contribute to the cleanup cost of the property involved.

Mr. De Ward advised that his insurance is being cancelled. He pointed out that none of the seven tanks discovered under the property were properly abandoned. He stated that this has destroyed his property.

Mr. De Ward pointed out that in 1986 the City notified owners to register tanks. He stated that his property was not on that list; that he bought it in 1983. He states that the property is worth nothing now because of the liability involved.

Attorney Donohue stated that Mr. De Ward's comments this evening have not changed his advice to Council. He asked that Council authorize him to transmit a letter submitting Council's position in final form.

The Mayor stated: "I have reviewed the report which is very extensive. I am sorry for all the inconveniences that Mr. De Ward has gone through in the loss of dollars on this property. However, I feel that there certainly is no negligence on the part of the City. We have opened up the records. Everything has been shown. I could not be involved in expending any city funds for anything that has happened on private property."

5-91-124

Motion by Councilman Yoder, supported by Councilwoman McShane, to deny Mr. De Ward's request for financial assistance, and to instruct the City Attorney to transmit a letter to Mr. De Ward setting forth Council's position in this matter, which is that the City is not responsible for the placement on or removal of the fuel tanks from the property at 33604 Grand River; that the City is preempted by state and federal legislation regarding the regulation of such tanks, and further, since the City has no legal responsibility for this condition, it is barred by state law from expending public funds for private purposes. Motion carried, all ayes.

REQUEST FROM DOWNTOWN DEVELOPMENT AUTHORITY  
RE: SUMMER PROGRAMS

The DDA Director advised that the Authority wishes to erect a tent in the northeast corner of the Downtown Center parking lot for a 10-week summer program schedule to run on Wednesdays from 10 a.m. to 2 p.m. beginning June 14th. She asked that they not be restricted to that location as they may be required to move the tent during the Farmington Festival.

Ms. Strip-Sittsamer discussed examples of the proposed programs and asked further for permission to post a vinyl sign on the tent listing the schedule of events for each program.

5-91-125

Motion by Councilwoman McShane, supported by Councilman Hartsock, to permit the Downtown Development Authority to erect a tent in the Downtown Center parking lot to conduct scheduled events during the summer beginning June 14, 1991, and further, to allow the Authority to post a vinyl sign on the tent listing the scheduled events for each program. Motion carried, all ayes.

LETTER FROM MS. CORNWELL, LONGACRE PTA  
PRESIDENT RE: SKATEBOARDING ON  
PUBLIC AND SCHOOL PROPERTY

Council was advised that older students arrive by automobile near the Longacre School building and use the curbing and the school's front porch as a skateboard jump. Ms. Cornwell advised that the skateboarders are damaging the metal park benches on the school's new patio as well as the porch.

The City Manager stated that Ms. Cornwell is concerned that the posted signs prohibiting this activity will be ineffective if the City has no laws to enforce them, and asks that the City take a position on this matter.

Manager Deadman pointed out that offenses occurring on school property are enforceable only when the School Board makes a

COUNCIL PROCEEDINGS -5-  
May 6, 1991

formal request to the City to institute local ordinances and grants the City permission to enforce those ordinances on school property.

He advised that the City has received no such request from the Farmington School Board.

The Director of Public Safety stated that there have been no reports of serious injury resulting from skateboarding on public properties although several complaints were received from public areas of city parking lots, library parking lots and interference on public sidewalks.

The City Manager suggested that the Longacre School PTA be directed to the Farmington School Board to determine if they wish to prohibit skateboarding on school properties. He also suggested that Council may wish to consider limitations on this activity on the sidewalks and public areas throughout the community.

The City Attorney advised that the City needs a resolution from the School Board relative to this matter before an ordinance can be enacted.

The City Manager stated that many cities have adopted ordinances relative to skateboarding. It was suggested that he obtain information on what other cities have done for Council review.

Manager Deadman suggested that Council might like to have a model ordinance provided so that they can add or delete as they wish. Council thought this a good idea.

5-91-126

Motion by Councilwoman McShane, supported by Councilman Hartsock, to request the City Manager's office to draft a model ordinance relative to skateboarding for Council review. Motion carried, all ayes.

REQUEST FROM GREENERY EXTENDED CARE CENTER  
RE: PARADE

Council was advised that the Activities Director of the Greenery Extended Care Center requests permission to conduct a wheelchair parade on Wednesday, May 15, 1991 on city sidewalks. She advised that the route would begin at the nursing home, then south on Gill Road, Gill Road to Alta Loma, to Cass, to Oakland Street and back to the nursing home. The Director also asked that the streets be closed as residents are wheeled on the sidewalks.

The City Manager stated that this event was permitted in the past, but the streets were not closed. He advised that to close

COUNCIL PROCEEDINGS -6-  
May 6, 1991

the streets would require city barricades and signing; also posting officers to assure that traffic does not go around barricades. He further stated that this would require officers' overtime.

The City Manager suggested that the Public Safety Department provide an escort for the wheelchair residents and assist in crossing where necessary without actually closing the streets.

5-91-127

Motion by Councilman Yoder, supported by Councilman Tupper, to grant permission for the Greenery Extended Care Center to conduct a wheelchair parade as requested, with the understanding that the parade be conducted on the sidewalks and that an escort be provided by the Public Safety Department. Motion carried, all ayes.

RESOLUTION FROM CITY OF FERNDALE RE:  
SUPPORT OF S.B. 28, ORDINANCE PUBLICATION

The City Manager advised that S.B. 28 provides that a municipality may publish a summary of an ordinance rather than a true copy before it becomes operative, whether or not provided in its charter. He pointed out that the only stipulation, if the city elects to publish a summary, is that it include in the publication the location where a true copy can be inspected or obtained.

Manager Deadman stated that during the current fiscal year Ferndale was required to pay \$4,500.00 for publication of two ordinances. He indicated that when cities were required to publish the Sewer Usage and Industrial Pollution Control ordinance, Farmington experienced similar costs.

The City Manager further pointed out that it is very costly to republish ordinances whenever they must be amended according to federal requirements.

5-91-128

Motion by Councilman Tupper, supported by Councilwoman McShane, to adopt a resolution supporting S.B. 28, which provides that a municipality may publish a summary of an ordinance rather than a true copy; and further that copies of the resolution be forwarded to Senator Faxon, the sponsors of the Bill, Representative Dolan and the Michigan Municipal League. Motion carried, all ayes.

RESOLUTION FROM CITY OF BERKLEY RE:  
SUPPORT OF SENATE BILLS 96-110,  
ORDINANCE VIOLATION/CIVIL CITATIONS

Council was advised that Senate Bills 96-110 would permit cities, villages and townships to treat ordinance violations the way a traffic violation is handled.

COUNCIL PROCEEDINGS -7-  
May 6, 1991

The City Manager stated that the local community would have the option of adopting ordinance violations that would generate a ticket/civil infraction and not require a criminal/misdemeanor prosecution in court. He suggested that there are certain ordinances that Council may wish to make civil infractions which would not require the officer to arrest the violator but merely to issue a civil citation.

5-91-129

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt a resolution supporting Senate Bills 96-110, permitting cities, villages and townships to treat ordinance violations as civil infractions and not require arresting the violator. Motion carried, all ayes.

REQUEST FOR PROCLAMATION

Council was advised that the Farmington Beautification Committee requests a proclamation designating May as KEEP FARMINGTON BEAUTIFUL MONTH.

5-91-130

Motion by Councilman Yoder, supported by Councilwoman McShane, to issue a proclamation designating May as KEEP FARMINGTON BEAUTIFUL MONTH. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

RENOVATIONS DEPARTMENT OF PUBLIC SERVICES  
OFFICES AND FACILITIES

The City Manager stated that the current budget provides funding for renovating the Department of Public Services offices. He also advised that the metal on the entire building exterior needs painting.

Council was advised that architect Robert Allen has a sketch of the redesigned offices for more efficient use of space. Mr. Allen estimates that it will cost \$19,500.00 to renovate the building including replacement of the carpeting, painting, replacing the ceiling tiles and relocating walls and doors throughout the office area.

Council was further advised that Mr. Allen estimates it will cost \$2,700.00 to repaint all of the exterior metal including garage doors, fire training tower and decorative entranceway metal.

5-91-131

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

COUNCIL PROCEEDINGS -8-  
May 6, 1991

BE IT RESOLVED that the Farmington City Council hereby approves the renovation of the Department of Public Services offices at an estimated cost of \$19,500.00, and

BE IT FURTHER RESOLVED that the construction management method be used with the design construction manager being the firm of John A. Allen, Architect, and

FURTHER BE IT RESOLVED that Council approves waiving the bid process as being in the City's best interest, and permit the City Manager to let individual subcontracts based on the best proposals acquired by the construction manager, and

FURTHER BE IT RESOLVED that funds be provided from the General Fund and the Water & Sewer Fund.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 6, 1991.

RRRASOC 1991-92 BUDGET

Council was advised that in accordance with the bylaws of RRRASOC (Resource Recovery and Recycling Authority of Southwest Oakland County), the approved budget for 1991-92 must be submitted to each member community's City Council for consideration.

The City Manager advised that effective July 1, 1991, RRRASOC will offer a billing system for those communities which elect to begin funding all or a portion of their solid waste disposal services on a utility based system. He noted that the cost of providing billing services is estimated at \$4.70 per customer per year; this cost includes a computer system supplied by RRRASOC and the quarterly preparation, mailing and receipt of the bills.

5-91-132

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the City Manager's report on the RRRASOC budget for fiscal year 1991-92. Motion carried, all ayes.

PROPOSED RECYCLING, COMPOSTING AND  
SOLID WASTE DISPOSAL ORDINANCE

Council was advised that beginning July 1, 1991, Waste Management, Inc., will provide each single family residence and condominium residence a container for collection of recyclable materials.

COUNCIL PROCEEDINGS -9-  
May 6, 1991

The City Manager stated that the contractor will also begin collecting lawn clippings and other compostable materials from single family residential customers in specifically marked containers or in clear plastic bags provided by the customers.

Council was informed that to implement this new program it is necessary to amend Chapter 16 of the City Ordinance. The City Manager pointed out that the new ordinance establishes regulations for licensing contractors in the business of collecting and disposing of solid waste within the city. He advised that many of the ordinance requirements are mandatory as the State will soon prohibit disposal of compostable and other types of materials in landfills and incinerators.

The City Manager stated that it is the city's plan to begin an intensive educational program until general compliance is obtained before any code enforcement is instituted.

5-91-133

Motion by Councilwoman McShane, supported by Councilman Tupper, to introduce Ordinance No. C-582-91, which redefines many of the definitions which were traditionally a part of the old rubbish collection system. Motion carried, all ayes.

PURCHASE OF PLASTIC TRASH BAGS

The City Manager advised that bids for plastic trash can liners and compostable trash bags were opened on May 1, 1991, with the three lowest bids as follows:

	Regular Trash Bag: Opaque <u>Quantity: 100,000</u>	Compostable Bag: Clear <u>Quantity: 150,000</u>
Arrow Industries	\$6,190.00	\$10,155.00
Bay Valley Plastics	7,000.00	10,500.00
Steindler Paper Co.	7,050.00	11,610.00

Manager Deadman suggested that since the low bidder's sample bags did not arrive in time for this meeting, the low bid be accepted contingent upon the samples meeting City specifications. He also recommended that Council set resale prices for the trash bags.

5-91-134

Motion by Councilman Yoder, supported by Councilwoman McShane, to adopt the following resolution:

COUNCIL PROCEEDINGS -10-  
May 6, 1991

BE IT RESOLVED that the Farmington City Council hereby accepts the low bid of Arrow Industries, Inc. of Dallas, Texas for 100,000 regular opaque plastic trash bags at \$6,190.00 and 150,000 compostable clear plastic trash bags at \$10,155.00 packaged in quantities of 100 on condition that they meet the City's specifications, and

BE IT FURTHER RESOLVED that failing to meet the City's specifications, the bid be awarded to the second lowest bidder, Bay Valley Plastics, Bay City, Michigan at \$7,000.00 for 100,000 opaque bags and \$10,500.00 for 150,000 clear bags, and

FURTHER BE IT RESOLVED that the Farmington City Council hereby sets a resale price for these bags as follows:

	<u>Per box of 100</u>
Opaque bags	\$10.00
Clear bags	10.50

ROLL CALL

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 6, 1991.

PROPOSED TRAFFIC CONTROL ORDER AMENDMENTS  
SCHOOL BUSES/MANDATORY SAFETY BELTS

Council was advised that recent changes in the state law relative to school buses and mandatory use of safety belts and child restraints make it necessary for the city to have ordinances that would implement the new regulations.

5-91-135

Motion by Councilman Hartsock, supported by Councilwoman McShane, to introduce the following Ordinances amending certain sections of Chapter 31, Traffic and Motor Vehicles, Article II, Division 5 of the City Code:

- Ordinance No. C-583-91, would amend Section 31-409 relative to stopping for school buses;
- Ordinance No. C-584-91, would amend Section 31-294 relative to mandatory child restraints; and
- Ordinance No. C-585-91, would amend Section 31-395 relative to wearing seat belts.

Motion carried, all ayes.



CONSTRUCTION ENGINEERING PAYMENT  
SEWER SYSTEM IMPROVEMENT

Council was advised that Black and Veatch submitted invoices for work completed through March 15 and April 12, 1991, on the Sewer System Improvement, including construction engineering on the retention basin and pumping station and work completed by Orchard, Hiltz and McCliment.

The City Manager recommended payment of \$80,012.58 as the invoices are consistent with the contracts between the engineers and the city.

5-91-136

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

[SEE ATTACHED RESOLUTION]

RATIFICATION OF 3-YEAR AGREEMENTS  
PUBLIC SAFETY OFFICERS AND COMMAND OFFICERS

Council was advised that bargaining committees from the City of Farmington, the Public Safety Officers Association and the Public Safety Command Officers Association successfully completed negotiations on new 3-year contracts which expire on June 30, 1993.

The City Manager discussed various changes in both contracts. He stated that both are fair contracts and recommended ratification by Council.

5-91-137

Motion by Councilman Yoder, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby ratifies the new three-year agreements between the City of Farmington, the Public Safety Officers Association and the Command Officers Association, and

BE IT FURTHER RESOLVED that these agreements will expire on June 30, 1993.

RESOLUTION UNANIMOUSLY ADOPTED MAY 6, 1991.

ESTABLISH PUBLIC HEARING FY 1991-91 BUDGET  
AND TRUTH IN TAXATION HEARING

Council was advised that as a result of the reduction in city population and state shared revenues, it will be necessary for the city to continue to levy its current operating millage rate.

COUNCIL PROCEEDINGS -12-  
May 6, 1991

The City Manager recommended that City Council adopt a resolution approving a notice of public hearing to increase property taxes and to review the 1991-92 budget. He noted that the resolution also instructs the City Clerk to publish the notice of public hearing which is scheduled for May 20, 1991, at 8:00 p.m.

5-91-138

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

[SEE ATTACHED RESOLUTION]

MISCELLANEOUS

PUBLIC COMMENT

Mr. De Ward asked if the City plans to take any environmental tests on the park between Oakland and Grand River where there was a gas station at one time. He asked if the tanks were removed with all the contaminated soil.

City Attorney Donohue advised that the testing of these tanks for contamination is occasioned by the sale of the property and a requirement for financing the sale, if one has knowledge and is put on notice. Otherwise, there is no obligation to conduct such testing.

Mr. De Ward said he will be going to the Department of Natural Resources, and he thinks it is important for the City to be concerned about the environment.

The City Manager stated that the City does test all of its active gasoline tanks in the community. He stated that the City has not gone back and tested every place where there was previously a gas station.

Mr. De Ward stated that the City sent out letters in 1986 to those who owned property over gas tanks, but they were not sent to everyone who was formerly on gasoline sites. He stated that the letter was not adequate. He advised that he will be sending out a letter to all of these people and all former gasoline sites and that if the City wants to hide behind the law, that's fine.

The City Manager stated that Mr. De Ward was fully aware when he purchased the property that it was formerly a gas station.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Mayor Richardson advised that she has set a meeting at 7:00 p.m. on May 23, to start planning for the City's 125th Anniversary. She stated that the meeting will be held in Council Chambers and will be an open meeting for the community. She said there will be some letters of invitation going out by the end of this week.

COUNCIL PROCEEDINGS --13--  
May 6, 1991

FINANCIAL REPORTS  
PERIOD ENDED MARCH 31, 1991

5-91-139

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and file the General Fund and 47th District Court financial reports for the nine months ended March 31, 1991; also the Water & Sewer Fund Quarterly Report for the same period.

DEPARTMENT OF PUBLIC SAFETY  
QUARTERLY OPERATIONS REPORT - MARCH, 1991

5-91-140

Motion by Councilwoman McShane, supported by Councilman Tupper, to receive and file the Department of Public Safety Quarterly Operations Report for the period ended March, 1991. Motion carried, all ayes.

BUILDING DEPARTMENT QUARTERLY REPORT  
JANUARY - MARCH, 1991

5-91-141

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Building Department Quarterly Report for January - March, 1991. Motion carried, all ayes.

DEPARTMENT OF PUBLIC WORKS AND  
WATER & SEWER DEPARTMENT QUARTERLY  
REPORT, JANUARY - MARCH, 1991

5-91-142

Motion by Councilman Hartsock, supported by Councilwoman McShane to receive and file the Department of Public Works and Water & Sewer Department Quarterly Report for January - March, 1991. Motion carried, all ayes.

WARRANT LIST

5-91-143

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$28,775.16; Water & Sewer Fund \$139,843.73.

ROLL CALL:

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

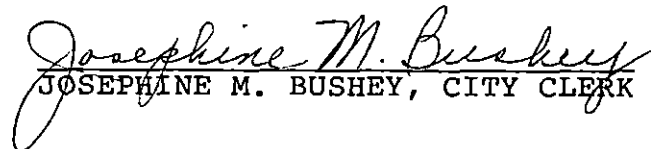
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:59 p.m.

  
SHIRLEY W. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: May 20, 1991.

CITY OF FARMINGTON

RESOLUTION NO. 5-91-136

Motion by Yoder, supported by Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black & Veatch, Architects/Engineers, in the amount of \$80,012.58 for the work completed on the retention basin and pumping station, Sewer System Improvement through March 15 and April 12, 1991, and

BE IT FURTHER RESOLVED that funds be provided from the Project Construction Account.

ROLL CALL

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 6, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, 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 on Monday, May 6, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 5-91-138

Motion by Hartsock, supported by McShane,  
to adopt the following resolution:

- WHEREAS, the Farmington City Council has received the City Manager's recommended city budget for Fiscal 1991-92, and
- WHEREAS, the budget proposes to maintain essential city services to the citizens of the community, and
- WHEREAS, Public Act 5 of 1982 requires the millage rate be reduced from the prior year's rate, unless the City Council adopts a higher rate after holding a public hearing in accordance with P.A. 5 of 1982, and
- WHEREAS, the revenue needed to continue essential city services will require increasing property tax revenues, and
- WHEREAS, the City is required to hold a public hearing to review the increase in property taxes and the proposed budget for 1991-92,

NOW, THEREFORE, BE IT RESOLVED that the Council authorizes the City Clerk to publish a Notice of Public Hearing on increasing property taxes and to review the city's proposed budget for 1991-92 as provided for in the attached notice.

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.

NAYS: None.

RESOLUTION DECLARED ADOPTED MAY 6, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

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I, Josephine M. Bushey, 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 on Monday, May 6, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

CITY OF FARMINGTON

NOTICE OF PUBLIC HEARING  
ON INCREASING PROPERTY  
TAXES  
AND TO REVIEW 1991-92  
PROPOSED BUDGET

The City Council of the City of Farmington will hold a Public Hearing at 8:00 p.m. on Monday, May 20, 1991, in the Council Chambers in City Hall, 23600 Liberty Street, on the proposed 1991 city tax levy and on the proposed 1991-92 city operating and debt service millage rates.

In the previous year the city levied 10.5941 mills (\$10.5941 per \$1,000 of State Equalized Valuation, SEV) for city operation and Charter limited debt service and an additional .4359 mills (\$.4359 per \$1,000 SEV) was levied for city unlimited debt service for a total millage rate of 11.03 mills (\$11.03 per \$1,000 SEV). State law, (Act 5 of 1982) provides that the base tax rate for 1991 city operating taxes be reduced to 10.0951 mills (\$10.0951 per 1,000 SEV). This is a .4990 mill (\$.4990 per \$1,000 SEV) lower tax rate than the 1990 operating tax rate.

The recommended budget will increase the cost of delivering city services this year. The cost of personnel, solid waste removal and disposal, health insurance, employee salaries and fringe benefits, and general inflationary increases in goods and services purchased by the city will increase the General Fund operating expenditures in Fiscal Year 1991-92. Michigan's inflation rate was 5.4% in the prior year. Revenues from other sources will not be adequate to offset the increased cost of providing services.

The increased cost of essential services will make it necessary to restore the reduction in the base rate for 1991. The debt service for the voter approved sewer improvement bonds will require 2.69 mills of additional millage to be levied this year for a total debt service millage rate of \$3.67 per \$1,000 SEV. The total proposed millage rate for operational and debt service will be 13.67 mills (\$13.67 per \$1,000 SEV). The millage rate provides a 4.93% increase in the operating and limited debt service property tax revenues.

Public comments, oral or written, are welcome at the hearing on the proposed millage rate and on the proposed budget for FY 1991-92.

Summary of the FY 1991-92 budget follows:

GENERAL FUND REVENUES

Local Taxes	\$2,526,500	
Intergovernmental Revenues	1,104,515	
State Shared Revenues	791,285	
Federal Revenues	39,000	
Transfers from Other Funds	202,515	
Appropriation from Unappropriated Funds	<u>7,470</u>	
Total General Fund Revenues:		\$4,671,285

HIGHWAY FUND REVENUES

Gas & Weight Taxes	\$ 309,940	
Contracts & Grants	66,050	
Transfers & Assessments	<u>935,280</u>	
Total Highway Fund Revenues:		\$1,311,270

DEBT SERVICE FUND REVENUES

General Debt Service	\$ 979,290	
Special Assessment Debt Service	<u>611,305</u>	
Total Debt Service Fund Revenues:		\$1,590,595

CAPITAL IMPROVEMENT FUND REVENUES

Investment & Interest Income	\$ 65,000	
Appropriation, Fund Equity	<u>65,000</u>	
Total Capital Improvement Fund Revenues:		\$ 130,000

WATER & SEWER FUND REVENUES

Water & Sewer Sales	\$1,530,275	
Service Fees	21,800	
Miscellaneous Revenues	<u>61,700</u>	
Total Water & Sewer Fund Revenues:		\$1,613,775
TOTAL REVENUES - ALL FUNDS		\$9,316,925

GENERAL FUND EXPENDITURES

General Government	\$ 966,170	
Public Safety	1,524,400	
Public Services	808,720	
Parks & Recreation	118,645	
Library	191,595	
Miscellaneous	79,935	
Insurance, Fixed Expenditures	810,920	
Interfund & Debt Service Transfers	<u>170,900</u>	
Total General Fund Expenditures:		\$4,671,285

HIGHWAY FUND EXPENDITURES

Construction	\$ 545,800	
Operating & Maintenance	688,580	
Debt Service	<u>76,890</u>	
Total Highway Fund Expenditures:		\$1,311,270

DEBT SERVICE FUND EXPENDITURES

General Debt Service	\$ 979,290	
Special Assessment Debt Service	<u>611,305</u>	
Total Debt Service Fund Expenditures:		\$1,590,595

CAPITAL IMPROVEMENT FUND EXPENDITURES

Transfers - Other Funds	\$ <u>130,000</u>	
Total Capital Improvement Fund Expenditures:		\$ 130,000

WATER & SEWER FUND EXPENDITURES

Operating & Maintenance	\$1,542,845	
Transfer to Capital Replacement	<u>70,930</u>	
Total Water & Sewer Fund Expenditures:		\$1,613,775
TOTAL EXPENDITURES - ALL FUNDS:		\$9,316,925



JOINTLY FUNDED AGENCIES' BUDGETS  
SPECIAL MEETING  
MAY 8, 1991

The special meeting of the Farmington Hills and Farmington City Councils was called to order at 6:08 p.m.

FARMINGTON HILLS

Council Members Present: Mayor Vagnozzi, Mayor Pro-Tem Grant, Bates, Fox, Lichtman, Marks and Sever.

FARMINGTON

Council Members Present: Mayor Richardson, Hartsock, McShane and Yoder (Tupper absent)

Others Present:

City Manager Costick, City Clerk Dornan, Assistant City Manager Call, Assistant to the City Manager Brock, and Director of Finance Rosch (Farmington Hills Staff) and Farmington City Manager Robert Deadman

FARMINGTON AREA ARTS COMMISSION

Beverly Ellis, Arts Commission Chairperson, indicated that the Arts Commission budget had been completely consumed, with the exception of some funding left in the Arts to Schools budget. She noted that the largest increase requested in the Arts Commission budget for 91-92 is for new programming. She stated that the Commission is hoping to publicize artistry and have this work appraised through a volunteer in the community, and they are also attempting to contact all art organizations to create an informational newsletter to consolidate the artwork in the community in one publication. Ms. Ellis pointed out that any money left over from last year's budget will be placed back into this year's budget.

Mayor Richardson inquired if the state cut-backs will affect the Arts Commission in any way. Ms. Ellis responded that all of their monies come from the cities and most of the arts organizations hold their own fund raisers and are not totally dependent upon grants from the state for their budgets.

Mayor Vagnozzi thanked Ms. Ellis and the Arts Commission for their budget report and for helping to pass the Parks and Recreation millage. Ms. Ellis thanked the Arts Commission members for their support to her.

FARMINGTON YOUTH ASSISTANCE

Cindy Papo, Farmington Youth Assistance Chair, summarized the various programs that are offered by Farmington Youth Assistance

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(FYA) such as the P.L.U.S. Program, Family Education Program, Camp Committee, Teen Center, etc., and discussed their role in helping the youth in the community.

Kristine Ritter, Caseworker for Farmington Youth Assistance, indicated that FYA had a total of 144 clients this past year and 75 percent of them were referred to FYA by the Police Department. She discussed the violations committed and indicated that most clients are sent to FYA for shoplifting. Ms. Ritter stated that Farmington Youth Assistance performs quality services which are cost effective.

Debbie Hyde, Caseworker for Farmington Youth Assistance, commented that Farmington Youth Assistance is successful because it is funded through Tri-Sponsorship, where businesses provide office space, office supplies, bus transportation, etc. She indicated that the Oakland County Probate Court provides staff as well as the Cities, who are the backbone of support for community programs. She stated that FYA has updated their budget, and they are not asking for a budget increase despite the demand for services in the community.

Council Member Marks inquired if FYA works with Farmington Families in Action. Debbie Hyde responded that FYA does work with Farmington Families in Action as well as the Farmington Advisory Council in cooperating with each other and exchanging ideas.

Mayor Richardson asked the representatives of FYA to explain the increase in the case load. Ms. Ritter indicated that they are not sure why the case load has increased dramatically, however, she stated that it could be a reflection on the number of young people that live in the community or the change in how retail fraud is handled. She mentioned that more stores are prosecuting young offenders rather than releasing them to their parents. Ms. Hyde added that the Police are also taking a stronger stand with youngsters who are driving while intoxicated.

Council member Sever mentioned that there used to be only one caseworker for FYA and asked them to explain the time that is spent between the two caseworkers. Ms. Ritter responded that having two caseworkers is working very well as it is enabling them to handle the higher case load and work more intensely with their clients.

Farmington Council Member McShane inquired if the drug/alcohol related cases increased or decreased. Ms. Ritter responded that these cases have increased and their procedure is to meet with the family and, in most cases, refer them to the Farmington Advisory Council. Ms. McShane inquired if FYA felt that the teen center at Larkshire School was a good, central location. Cindy Papo replied that the teen center is not being utilized as much at this

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location, and they intend to move the teen center back to William Grace School as soon as plans can be completed.

Council Member Bates complimented FYA on the Youth Breakfast that was held at which several young citizens received awards.

Mayor Vagnozzi suggested publicizing the Farmington Youth Assistance programs and services in the Farmington Hills Newsletter. City Manager Costick agreed that this was a good idea and asked the FYA to write an article on their organization, and he would see that it is published in the Farmington Hills Newsletter.

Mayor Vagnozzi inquired if the participants of the teen center have to be referred by the Police Department. Ms. Ritter responded that the youths do not have to be referred by the Police Department but must meet the age requirements and be a Farmington/Farmington Hills resident. Mayor Vagnozzi thanked the representatives of Farmington Youth Assistance for their report.

FARMINGTON ADVISORY COUNCIL

Betty Arnold, Executive Director, passed out a budget update to both City Councils and showed a video tape of excerpts from a presentation by their Community Education Coordinator, Suzanne Dreaan.

Council member McShane inquired what the fringe benefits were that were referred to in the budget. Ms. Arnold indicated that those benefits consisted primarily of health insurance.

Council member Marks inquired if there is a fee for the services provided by the Farmington Advisory Council. Ms. Arnold indicated that there is a fee for in-house counseling services. Discussion was held regarding future budget cuts and if the fees for these services would then be raised. Ms. Arnold stated that the Farmington Advisory Council has no plans to increase fees for services rendered in the next year.

Discussion was held on substance abuse in the community and it was noted that there is a better awareness of substance abuse and even though there is an increase in clients, they are being reviewed at an earlier stage which is resulting in a higher success rate for controlling it.

Mayor Vagnozzi thanked the Farmington Advisory Council representatives for their budget report and information.

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FARMINGTON AREA COMMISSION ON AGING

Karen Ross, Commission on Aging Chairperson, thanked the Farmington Hills City Council for their support in passing the Parks and Recreation Millage which will allow for monies to be used for the seniors. Council member Fox thanked the Commission on Aging in return for their support of the millage renewal.

Ms. Ross indicated that the Commission on Aging (COA) redistributed monies in the budget because they deleted a publication that was sent out and added a program called the Diamond Award, which recognizes citizens over 75 years of age who contribute to the community. She stated that they are also proposing to add a community workshop for the community as well as employees from both Farmington and Farmington Hills on working with and assisting older residents.

Mayor Richardson inquired if the community workshops would be held at the senior center. Ms. Ross responded that it is the Commission's intention to hold the workshops at the senior center in order to get people to visit the center.

Council member McShane questioned the community's participation in the healthorama that was held. Ms. Ross commented that there was an increase in participation this year, and the Commission feels that this is still a worthwhile event.

Mayor Vagnozzi thanked Ms. Ross for her report and work with the senior programs and adults of the community.

FARMINGTON COMMUNITY LIBRARY

Robert Plummer, Library Board President, introduced the Library Board Members.

City Manager Costick stated that after he and City Manager Deadman reviewed the Library Board's budget, they contacted Beverly Papai, Library Board Director, and asked her to revisit the budget issue and requested her to cut \$50,000 from the proposed budget. Mr. Costick briefly discussed the cuts that were made.

City Manager Deadman indicated that the Library Board may be facing some expenditures that they did not anticipate due to the fact that businesses must pay social security on all part-time employees as of July 1, 1991. He noted that this cost will amount to approximately \$26,000 for the Library, and the Board will be discussing how they intend to fund this money.

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Mr. Plummer indicated that the library is being used more often which is causing expenses to rise. He stated that the Board is in agreement with the budget which incorporates the City Managers' recommendations. He commented that the library has experienced a 6.3 percent revenue increase and Staff will continue to seek grants throughout the year. Mr. Plummer mentioned the social security monies to be paid for part-time employees and asked that this \$26,000 be added to their proposed budget request as they have no control over these additional costs and have cut the budget to the fullest. He indicated that he was not aware of the \$26,000 social security monies needed and does not know where they could be found within this proposed budget, which has already been drastically reduced.

Council member Fox questioned if the Library Board was planning to fix the leaking roof in the library. Ms. Papai responded that the roof will be fixed by June 30, 1991, that monies were allocated in this year's budget for this work.

Council member Marks stated that he is in favor of funding the \$26,000 for social security. He pointed out that the Library Board allowed \$20,000 in the budget for an architect, and he inquired what the architect would be used for. Mr. Plummer responded that the Board is in the process of looking for an architect, and the \$20,000 would be used to review the Peltz/MDOT property and render a design of the proposed building on the Peltz property site, which the Board feels is necessary to do before going to the voters for approval. Mr. Marks expressed concern with the same architect reviewing the site that drew up the original plans for the existing building. He stated that he would like to have further review and discussion with regard to expanding on the existing site before spending money to review a new site, and he is not ready at this point to approve \$20,000 for an architect until all options have been exhausted.

Mayor Vagnozzi commented that Council has already discussed this issue and it was his understanding that a majority voted to reserve the Peltz/MDOT property for a possible new library site and that the voters would make the final decision. He added that he is satisfied with this conclusion and is in full support of budgeting the \$20,000 for an architect.

Council member Bates stated that she has anxieties about building a library on the Peltz/MDOT property due to the traffic situation at that location, however, it is her feeling that this decision should lie with the voters.

Council member Lichtman indicated that he also believed this issue had been discussed and it was determined that a portion of the

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Peltz/MDOT property should be reserved for the use of a possible library site, and he would not only support budgeting the \$20,000 for an architect but would hope that the City and Library Board could move forward with this issue expeditiously. He encouraged the Library Board to come back to Council if they need any further assistance.

Mayor Pro-Tem Grant reinforced Mayor Vagnozzi's comments and indicated that this issue was revisited and it was determined that the best option was to build a new library on a new site as expanding on the existing site was not the best use of tax dollars.

Council member Marks commented that he agrees the library is in need of more footage, but he feels very strongly that a new architect should review the issue. He stated that he believes there is a possibility that the library can be expanded sufficiently on the existing site, and he is not in favor of building a library on the Peltz/MDOT property and putting the people on Farmington Road in jeopardy because of the traffic situation.

(Council member Jean Fox left the meeting at 7:25 p.m.)

Council member Yoder inquired when the Library Board plans to take this issue to the voters. Mr. Plummer responded that the Board is hoping to take this issue to the voters in early 1992. He added that the Board did not rely on the advice of just two architects, an Engineer also reviewed the project; and the Board is convinced that the best option is to build a new library on the Peltz/MDOT property.

Council member Sever questioned the need to spend the \$20,000 on an architect before the site is even approved (by the voters). He stated that he supports the direction that the Library Board is taking, however, he questioned if there was a way to pursue the issue without spending the money ahead of time. Mr. Plummer stated that he believes it would be difficult to take this issue to the voters without giving them an idea of what the building would look like, how it would be located on the property, etc.

City Manager Costick suggested, now that the Parks and Recreation millage has been approved, forming a special Ad Hoc Committee to study the Peltz/MDOT property and determine where the library should be built.

Council member Sever stated that he feels money should not be put into the project until after the voters have approved a new library on that site.

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Discussion ensued with regard to building a new library and when the election could be held on this issue.

Council member Lichtman commented that he feels the \$20,000 should be left in the budget as there have been numerous discussions on this issue and Council determined to reserve a portion of the Peltz/MDOT property for this purpose. He stated that if the City wants people to approve the project, they need to know what they will be getting.

Mayor Richardson commented that the City of Farmington is in an awkward position on this issue because of the proposed location for the new library being in Farmington Hills. She indicated that the City of Farmington does not have a substantial fund balance, and it has already made numerous cutbacks to meet its budget. City Manager Costick pointed out that the City of Farmington will only be responsible for 9 percent of the cost.

Council member Marks concurred with Mr. Sever in that the Cities should wait to see if the project is approved by the voters before any money is spent. He stated that he does not feel this will put the Library Board behind schedule.

Discussion ensued on whether or not to expend the \$20,000 for an architect for this project.

Council Member Hartsock commented that he feels both Council's should consider the \$20,000 as promoting the relocation of the library, and he does not believe it would be in the City's best interest to start changing information that is going to the public. He stated that for these reasons and because of the City of Farmington's proportional share to be expended, he feels that the \$20,000 should be utilized as suggested by the Library Board.

Mr. Plummer suggested that the Library could possibly maintain its book budget at the current level in order to save money towards the \$26,000 to pay social security for part-time employees.

Discussion was held and it was the consensus of the two Council's for the Library to maintain its book budget at the current level and put the money that is saved in the 91-92 budget towards the monies owed for social security.

Council member Sever stated that he feels strongly against adding the extra money for social security to the budget along with budgeting \$20,000 for an architect and that it should be revised so as not to expend the money at this time, and he will not support the library budget for this reason. Mr. Marks concurred with Mr. Sever and clarified that he is not against expending the money, but

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he is against expending it at this time before the voters have approved the project.

City Manager Costick stated that the library should not do any detailed planning until all factors are known about the property. He noted that the planning will be done for the entrance drive to the Peltz property by the City since this drive will be constructed whether the Library is located there or not, which may be utilized by the Library later.

The City Councils took a ten minute recess at 8:00 p.m.

47TH DISTRICT COURT

City Manager Deadman began discussion on the District Court budget, indicating that this budget will also have to be increased to cover the new social security monies required for part-time employees. He indicated this would be approximately \$13,000. City Manager Costick indicated that the City Managers are suggesting that the Judges delay the hire dates for the proposed new staff for a couple of months in order to save the money on that line item to use towards the social security costs.

Judge Schaeffer commented that the Court may not be able to work without the new personnel for a couple of months as suggested due to the amount of paperwork to be done. She mentioned that she and Judge Harris have reviewed their budget with the City Managers and some cuts were made, but they feel they can still operate with these recommended cut-backs. She asked that the \$13,000 for social security be added to their budget by the cities.

Mayor Vagnozzi inquired if the Court could recoup some money on the overtime expenditures by adding the two new Clerks immediately. Judge Schaeffer responded that the addition of the two Clerks should alleviate some of the overtime, however, there are times when overtime expenditure is unavoidable.

Discussion was held on hiring two new Clerks and the amount of overtime expenditures. City Manager Costick suggested reducing the overtime budget by \$5,000 and delaying the hiring of the two Clerks until approximately August, 1991. Discussion ensued with regard to Mr. Costick's suggestion. The Judges commented on the amount of paperwork that passes through the Courts and the need for more personnel. Judge Schaeffer suggested that the Cities budget \$10,000 and the Court would fund the remaining \$3,000. Several Council members stated that they feel the full \$13,000 should be paid by the cities as the Court is already an overburdened system.



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Discussion was held on expenditures and revenues, and Mr. Costick suggested reducing the overtime in the budget by \$3,000 and adding \$10,000 from the cities for social security expenses. Both Councils concurred with Mr. Costick's suggestion, and both Judge Schaeffer and Judge Harris agreed with this recommendation. The proposed budget was tentatively approved with this change.

City Manager Costick pointed out that two issues still need to be discussed with regard to the Court, those being the approval of a third Judge to be seated January 1, 1993, which will have to go to the voters for approval and a determination needs to be made relative to expansion of the existing court facilities. He suggested setting a meeting date to discuss the conditions of the court rooms.

There was a consensus of both Councils to approve the concept of an additional third Judge to be seated January 1, 1993, and to attempt to place the issue on the November, 1991 ballot. It was determined that a resolution would have to be prepared by the City Attorney, for subsequent approval by the Council's, in order for this to be placed on the November ballot.

ADJOURNMENT

The special meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Kathryn A. Dornan, City Clerk  
CITY OF FARMINGTON HILLS

/pbw

COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was held on Thursday, May 9, 1991, in Meeting Room A, 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 6:30 p.m. by Mayor Richardson.


PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

OTHERS PRESENT: City Manager Deadman.

Council completed the review of the City Manager's recommended budget and the proposed Capital Equipment and Program budgets for FY 1991-92.

Meeting adjourned at 9:00 p.m.

  
SHIRLEY W. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: June 3, 1991.

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, May 20, 1991, 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 8:02 p.m. by Mayor Richardson.

PRESENT: Hartsock, McShane, Richardson, Yoder.

ABSENT: Tupper.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

5-91-144

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the previous meeting of May 6, 1991, as printed. Motion carried, all ayes.

### PUBLIC HEARING

#### 1991-92 BUDGET

Mayor Richardson called upon the City Manager to briefly review the budget document.

Manager Deadman advised that there have been some changes in the budget document since it was presented to Council. He indicated these changes were primarily in the accounting procedure as recommended by the City's auditing firm.

Council was advised that the City will lose about 8% of state shared revenues for the coming year; also that replacement of capital equipment is deferred to future years.

Manager Deadman stated that the only change in this budget in terms of funding is that the City will begin to establish a utility billing system for portions of the solid waste removal system. He pointed out that this will include recycling, composting, household hazardous waste disposal and the operation of RRRASOC.

The City Manager pointed out that the millage rate for the coming year is the same as last year, 10.05 mills per thousand, which was a reduction over the previous two years.

He stated that the Debt Service will increase substantially, as it will be raised to 3.62 mills to pay the first Debt Service payment on the bonds that were issued to fund the Sewer Separation Program.

The Mayor explained the procedure for those who wished to comment on the budget, and opened the Public Hearing. Fifteen people were present.

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Henry Borgman, 34011 Grand River, pointed out that the City Manager talked about tax increases being about the same, but Mr. Borgman noted that property taxes have gone up considerably, and that it seems one of the biggest reasons is to separate the trash. He maintained that this is not cost effective, nor productive, as he feels people will dump their trash in fields and elsewhere to keep from paying the pickup fees as they do in some other states.

The City Manager pointed out that more paper mills are beginning to process recyclable paper, and that the markets are building to handle glass and plastics.

August Blomquist, 33953 Schulte, asked how much of the 8% loss in state shared revenues is being taken up by the 7% increase in property assessments. He asked: "If it is only a small percentage, then what is the remaining percentage increase designated for?"

The City Manager advised that there was only a 5% increase in assessments across the board. He pointed out that some of the other sources of revenue are diminishing; that building permits are down. He indicated that the budget calls for a 4% increase in salaries and more than that in the fringe benefits due to a 15% increase in Blue Cross/Blue Shield premiums.

Mr. Blomquist also asked if the City has made any cost reduction improvements.

Manager Deadman advised that the City has converted most of its operation to computers and as a result, has fewer employees than most neighboring communities.

Mr. Blomquist asked if the recycling charge is part of the budget or is really an added tax?

Mr. Deadman explained that it is a utility charge. He further stated that we don't have a choice in some of the things we have to do. He noted that eventually it will be against the law to take grass clippings to a landfill.

Mr. Blomquist stated that the federal government has awarded \$46 million to clean up the Rouge River. He asked if Farmington is going after any of this money to offset City costs.

Manager Deadman advised that this grant went to the State of Michigan. He pointed out that the City obtained a 2% loan from the State for the Sewer Separation Program, which was also part of a State grant program.

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5-91-145

Motion by Councilman Hatsock, supported by Councilwoman McShane, to close the Public Hearing. Motion carried, all ayes.

Councilman Hartsock stated that a considerable amount of time was spent during the special budget sessions on the question of solid waste billing, regarding whether it should be added into the millage or be a separate billing. He advised that Council decided that to bill this item separately was the only way to go in terms of a point of law brought to their attention.

PRESENTATION

PROCLAMATION TO CLARICE V. URBIEL

Mayor Richardson presented a proclamation to Mrs. Urbiel, 1991 Social Worker of the Year, in recognition of her dedicated service to abused children.

MINUTES OF OTHER BOARDS

5-91-146

Motion by Councilwoman McShane, supported by Councilman Yoder, to receive and/or file the minutes of the following Boards and Commissions:

- Planning Commission minutes of May 13, 1991;
- Downtown Development Authority minutes of May 7, 1991;
- Farmington Area Arts Commission minutes of April 18, 1991;
- Farmington Community Library minutes of April 11, 1991;
- Board of Education minutes of April 16 and April 22, 1991.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR TENT SALE WORLD WIDE APPLIANCE

Council was advised that Gene O'Dowd of World Wide Appliance on Grand River requested permission to erect a tent in their parking lot for a promotional sale from May 31 through June 2, 1991.

The City Manager stated that City Council has granted such permission in the past, and recommended that permission be granted for this sale.

5-91-147

Motion by Councilman Yoder, supported by Councilman Hartsock, to grant permission to World Wide Appliance to erect a 30 ft. x 30 ft. tent in the World Wide Shopping Center parking lot for a promotional sale from May 31 through June 2, 1991. Motion carried, all ayes.

RESOLUTION FROM CITY OF BERKLEY RE:  
PRESIDENTIAL PREFERENCE PRIMARY ELECTION

Council was advised that the Berkley City Council is asking that the state legislature either eliminate this election or escrow \$1,000.00 per precinct deposit towards the cost of the election.

Berkley and other cities feel that because of the State's financial difficulty, cuts have been made in local state shared revenues; that the presidential primary is estimated to cost the state between \$5 and \$8 million with local governmental units spending like amounts.

Councilman Hartsock stated that he was in favor of tabling a decision on this matter.

5-91-148

Motion by Councilman Hartsock, supported by Councilwoman McShane, to table a decision relative to the Presidential Preference Primary Election. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

5-91-149

Motion by Councilman Hartsock, supported by Councilman Yoder, to issue a proclamation designating June 14, 1991, as FLAG DAY. Motion carried, all ayes.

Mayor Richardson suggested that she would like for City Council to consider making the Pledge of Allegiance a part of future Council meetings.

5-91-150

Motion by Councilwoman McShane, supported by Councilman Yoder, to issue a proclamation designating May 19 - 25, 1991 as AMERICAN PUBLIC WORKS WEEK. Motion carried, all ayes.

5-91-151

Motion by Councilman Yoder, supported by Councilman Hartsock, to issue a proclamation designating June 3 - 8, 1991 as EIGHT MILE CLEANUP CAMPAIGN WEEK. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

TRANSFER OF SDM LIQUOR LICENSE

The City Manager advised that at a previous meeting, City Council instructed that an extension be requested of the Liquor Control Commission relative to the transfer of the SDM license at 32330 Grand River.

Council was advised that since that time, the applicant has been charged with possession with the intent to deliver a controlled

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substance, which is a felony with maximum possible sentence of four years and/or \$2,000.00 fine.

Based on the pending charge, the City Manager recommended that an objection be submitted to the Liquor Control Commission on this transfer.

5-91-152

Motion by Councilman Hartsock, supported by Councilwoman McShane, that City Council's objection to the transfer of the SDM Liquor License at 32330 Grand River be submitted to the Liquor Control Commission asking that this transfer be denied. Motion carried, all ayes.

SKATEBOARDING ORDINANCE

The City Manager submitted a Draft ordinance on Skateboarding, stating that it was not ready for adoption since the City Attorney has not reviewed it.

Mayor Richardson asked what the normal procedure would be to take this matter to the School Board.

The City Manager advised that at this point, the City has not been contacted by the School District relative to skateboarding on their property.

Councilman Yoder stated that he is not certain the City needs such an ordinance.

Director Lauhoff pointed out that when his officers attempt to handle a situation where skateboarding youngsters are a problem, they presently have very little authority to do much to resolve the problem. He stated that this is not a major problem at this time.

Councilwoman McShane stated that she likes the idea of a skateboarding ordinance.

Manager Deadman stated that if Council proceeds with the ordinance, he can write the School Board, advising them that we are going ahead with the ordinance.

Councilman Hartsock stated that he sees no problem with this.

5-91-153

Motion by Councilman Yoder, supported by Councilman Hartsock, to table a decision on the Skateboarding Ordinance until the City Manager contacts the School Board relative to this matter. Motion carried, all ayes.

TRAFFIC CONTROL ORDINANCE  
FARMINGTON OAKS APARTMENT COMPLEX

The Director of Public Safety advised that the Farmington Oaks Apartment Complex has no Traffic Control Order to allow the Department to issue citations for vehicles parked in violation of restricted areas within the Complex.

The Director recommended that a Traffic Control Order be adopted to include traffic lanes within the Complex as part of the City's fire lane regulations.

The City Manager recommended that Council introduce and adopt as an emergency ordinance, Ordinance No. C-586-91, prohibiting parking in the Farmington Oaks Apartment Complex on all roadways and other areas posted as fire routes.

5-91-154

Motion by Councilwoman McShane, supported by Councilman Yoder, to introduce and adopt the following ordinance:

ORDINANCE NO. C-586-91

[SEE ATTACHED ORDINANCE].

RECYCLING ORDINANCE:  
SCHEDULE OF FEES/RULES AND REGULATIONS

The City Manager explained how the City's recycling, composting and hazardous waste disposal program will work. He proposed the following schedule for Council consideration:

1. June 17, 1991: City will mail detailed flyer to residents.
2. June 24, 1991: Farmington/Farmington Hills will establish Hot Line for program information in basement of Farmington City Hall.
3. June 24 - 28, 1991: Waste Management, Inc. will deliver recycling containers at curbside, containing recycling kits.
4. Latter part of June, 1991: City will place on sale clear plastic bags for composting.

Cable Channel 18 will carry information on the recycling/composting program.

Manager Deadman stated that the ordinance under consideration this evening mandates participation in the recycling/composting



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program. He pointed out that no enforcement is anticipated for noncompliance during the first six months of the program. He stated that during the first year, the City may begin sending advisory notices to those who have neglected to participate. He indicated that only after adequate written notices are issued will the City consider issuing violations.

Manager Deadman also submitted for Council review a proposed service fee schedule for those who are currently serviced on an individual basis.

He recommended that City Council adopt Ordinance No. C-582-91, that Council approve the fee schedule and concur with administrative enforcement as stated in the City Manager's report.

Councilwoman McShane asked if the \$15.96 Single family residential fee for compostable collection includes the City's leaf pickup program. She was advised that it does not, but that the City will continue to pick up the leaves as in the past.

Councilman Yoder pointed out that the City really has no choice in what it proposes to do as incineration in Oakland County is a dead issue.

The City Manager stated that the object of the recycling/composting program is to reduce the waste stream by 50%, as the DNR has new regulations for landfills.

5-91-155

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following ordinance, to approve the Fee Schedule, Chapter 16, City Code, Recycling, Composting and Household Hazardous Waste, and to concur with the administrative enforcement policy as stated in the City Manager's report:

ORDINANCE NO. C-582-91

[SEE ATTACHED ORDINANCE and Fee Schedule].

CONTRACTOR PAYMENT: DRAKE PARK FENCING

Council was advised that Nationwide Fence and Supply Co., Inc., installers of backstops and fencing at Drake Park, request payment for work completed on this project.

Manager Deadman estimated that 75% of the work is completed and recommended payment of \$10,817.65

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He pointed out that the City is not happy with the players' bench area and that some additional piping needs to be installed at the backstops.

5-91-156

Motion by Councilman Yoder, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment of \$10,817.65 to Nationwide Fence and Supply Co., Inc., for installation of backstops and fencing at the Drake Park ball fields, and

BE IT FURTHER RESOLVED that this represents completion of 75% of the work at Drake Park.

ROLL CALL

AYES: Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: Tupper.

RESOLUTION DECLARED ADOPTED MAY 20, 1991.

CONTRACTOR PAYMENT:  
SEWER IMPROVEMENT PROJECT

The City Manager advised that Posen Construction, Inc. submitted payment request No. 6 for work completed on the Sewer Improvement Project through April 30, 1991, Contract No. 1; also that Dan's Excavating, Inc. requested payment No. 7 for work completed through April 26, 1991 on this project. He concurs with the City Engineer and recommends payment to both companies in the requested amounts.

5-91-157

Motion by Councilwoman McShane, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the sixth estimated payment to Posen Construction, Inc., in the amount of \$382,505.40 for work completed through April 30, 1991, on the wastewater pumping station and retention basin, Sewer Improvement Project, Contract No. 1.

ROLL CALL

AYES: Hartsock, McShane, Richardson, Yoder.  
NAYS: None.  
ABSENT: Tupper.

RESOLUTION DECLARED ADOPTED MAY 20, 1991.

COUNCIL PROCEEDINGS -9-  
May 20, 1991

5-91-158

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that City Council hereby authorizes the seventh estimated payment to Dan's Excavating, Inc., in the amount of \$204,928.93 for work completed through April 26, 1991, on the Sewer Improvement Project, Contract No. 2.

ROLL CALL

AYES: McShane, Richardson, Yoder, Hartsock.  
NAYS: None.  
ABSENT: Tupper.

RESOLUTION DECLARED ADOPTED MAY 20, 1991.

BIDS: VALLEY VIEW, PROSPECT  
AND ASTOR STREETS

The City Manager advised that the low bidder, Cadillac Asphalt Paving Company erred in their calculations, resulting in their becoming the second low bidder.

Council was advised that the low bid for Contracts 1A and 1B, was submitted by Thompson-McCulley Company of Belleville, Michigan at \$144,911.00 for the base bid and \$151,762.00 for the Alternate bid.

The City Manager pointed out that the Alternate bid was the one proposed for the Special Assessment District.

Council was further advised that the low bidder for Contract 2, Astor Street, was submitted by South Hill Construction Company, Inc., of Wixom, Michigan at \$26,827.04.

The City Manager advised that both contractors are equipped and qualified to perform the work specified.

5-91-159

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that City Council hereby authorizes the City Manager and the City Clerk to enter into contracts 1A and 1B with Thompson-McCulley Company, Belleville, Michigan in the Alternate bid amount of \$151,762.00 for paving Valley View and Prospect Streets.

COUNCIL PROCEEDINGS -10-  
May 20, 1991

ROLL CALL

AYES: Richardson, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: Tupper.

RESOLUTION DECLARED ADOPTED MAY 20, 1991.

5-91-160

Motion by Councilwoman McShane, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that City Council hereby authorizes the City Manager and the City Clerk to enter into a contract with South Hill Construction, Wixom, Michigan, in the amount of \$26,827.04 for Contract 2, paving Astor Street.

ROLL CALL

AYES: Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: Tupper

RESOLUTION DECLARED ADOPTED MAY 20, 1991.

PURCHASE OF LEAF LOADER

Council was advised that out of five bids solicited, three vendors bid as follows on a leaf loader:

BURKE EQUIPMENT	Big-T-Vac Model TM3-62WD-25	\$17,202.00
W. F. MILLER CO.	Giant Vac Model 6800-TR-25	17,595.00
MILLER EQUIPMENT CO.	American Road Machinery ARM-25	19,866.00

The City Manager concurred with the Director of Public Services that the low bidder's equipment is satisfactory, and recommended the acceptance of Burke Equipment's low bid.

5-91-161

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that City Council hereby accepts the low bid of Burke Equipment for one Big-T-Vac Leaf Loader, Model TM3-62WD-25, and

BE IT FURTHER RESOLVED that funds be provided from the 1990-91 General Fund budget.

COUNCIL PROCEEDINGS -11-  
May 20, 1991

ROLL CALL

AYES: Hartsock, McShane, Richardson, Yoder.  
NAYS: None.  
ABSENT: Tupper.

RESOLUTION DECLARED ADOPTED MAY 20, 1991.

MISCELLANEOUS

PUBLIC COMMENT

Frank Valencic, 23888 Fairview, asked if anyone can use a ball diamond in one of the parks if it is not in use. He stated that the last time he took a group of youngsters to one of the diamonds they were told to leave. Director Billing advised that as long as the diamond has not been prepared for league play anyone can use it.

Bill Liba, 33640 Hillcrest, was advised that everyone will pay the same amount for the recycling program regardless of the amount of material discarded.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilwoman McShane asked Director Billing for an update on paper window signs. She specifically mentioned Maple Village Drug and Drakeshire Shopping Center. She was advised that there is no enforcement unless there is a complaint.

The City Manager stated that the Code Enforcement Officer sent warning letters to a number of businesses relative to this matter.

Mayor Richardson stated that she would like City Council to consider reciting the Pledge of Allegiance at the beginning of each Council meeting.

Councilman Yoder said he has no problem with this. He suggested that perhaps this should be considered at the next meeting with the full body present.

RESOLUTIONS AND ORDINANCES

5-91-162

Motion by Councilman Yoder, supported by Councilwoman McShane, to adopt the following ordinance:

ORDINANCE NO. C-583-91

[SEE ATTACHED ORDINANCE].

5-91-163

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following ordinance:

COUNCIL PROCEEDINGS -12-  
May 20, 1991

ORDINANCE NO. C-584-91

[SEE ATTACHED ORDINANCE].

5-91-164

Motion by Councilwoman McShane, supported by Councilman Hartsock, to adopt the following ordinance:

ORDINANCE NO. C-585-91

[SEE ATTACHED ORDINANCE].

ADOPT RESOLUTION  
CERTIFYING DELINQUENT PAYMENTS

5-91-165

Motion by Councilman Yoder, supported by Councilwoman McShane, to adopt the following resolution certifying delinquent special assessment payments, invoices and water bills:

[SEE ATTACHED RESOLUTION].

WARRANT LIST

5-91-166

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$76,550.72; Water & Sewer Fund \$17,313.92.

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Yoder.  
NAYS: None.  
ABSENT: Tupper.

MOTION CARRIED.

Mayor Richardson announced that Councilman Tupper is currently recovering from eye surgery.

Manager Deadman advised that next week he and Mayor Richardson will participate with Farmington Hills in a simulated emergency, a Tornado. He stated that this is an opportunity to practice the communities' emergency plan. He indicated it will be basically a "paper" drill and the first time they have done this.


ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Yoder, to adjourn the meeting. Motion carried, all ayes.

COUNCIL PROCEEDINGS -13-  
May 20, 1991

The meeting was adjourned at 9:50 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: June 3, 1991.

ORDINANCE C- 586- 91

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 10, Add Section 10.11(A) as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

CHAPTER 10 - FIRE ROUTES

ADD:

- (a) All roadways and other areas posted as fire routes in the Farmington Oaks Apartment complex located at 21900 Farmington Road.

This ordinance is declared to be an emergency ordinance which is immediately necessary for the preservation of the public peace, health and safety.

This ordinance was introduced, adopted and enacted at a regular meeting of the Farmington City Council on May 20, 1991, and will become effective immediately.

SHIRLEY V. RICHARDSON, MAYOR

JOSEPHINE M. BUSHEY, CITY CLERK

AYES: McShane, Richardson, Yoder, Hartsock.  
NAYS: None.  
ABSENT: Tupper.

Published: May 30, 1991.  
Effective: May 20, 1991.



CITY OF FARMINGTON  
ORDINANCE NO. C-582-91

AN ORDINANCE TO AMEND THE FARMINGTON CITY CODE BY REPEALING EXISTING CHAPTER 16, GARBAGE AND RUBBISH, AND ADDING A NEW CHAPTER 16, RECYCLING, COMPOSTING AND SOLID WASTE DISPOSAL, TO REGULATE AND PROVIDE RULES AND PROCEDURES FOR THE DISPOSAL OF SOLID WASTE INCLUDING RECYCLABLE MATERIALS AND COMPOSTABLE MATERIALS IN THE CITY OF FARMINGTON AND TO REQUIRE THAT RESIDENTS AND OCCUPANTS OF CERTAIN RESIDENTIAL PROPERTY IN THE CITY OF FARMINGTON PARTICIPATE IN RECYCLING AND COMPOSTING PROGRAMS.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

The Farmington City Code is hereby amended to repeal existing Chapter 16, Garbage and Rubbish, and to add a new Chapter 16, Recycling, Composting and Solid Waste Disposal to read as follows:

CHAPTER 16  
RECYCLING, COMPOSTING AND SOLID WASTE DISPOSAL

Section 16.1. Definitions.

The following words, terms and phrases when used in this Chapter shall have the meanings ascribed to them in this section:

*Approved container* means a container, approved by the City for the purpose of collecting all recyclables and/or compostable/yard waste.

*Ashes* means residue from fires, including, but not limited to, fires used for cooking and/or heating buildings.

*Bulk items* means large pieces of furniture, bed springs, refrigerators, stoves and other such items incidental to the major routine of housekeeping. Bulk item does not include discarded appliances and other equipment resulting from an appliance or other equipment replacement program in a multiple family residence.

*Compostables/yard waste* means the miscellaneous waste material resulting from landscaping and/or maintenance of a home including, but not limited to, grass clippings, weed clippings, leaves, shrub clippings, twigs and other items as outlined in the rules and regulations promulgated by the City Manager and/or his designee.

*Construction waste* means and includes waste materials resulting from alteration, repair or construction of buildings or structures.

*Garbage* means rejected food wastes and all refuse of animal, fruit or vegetable matter including that used or intended for food or that attends the preparation, use, cooking, handling, processing or storing of meat, fish, fowl, fruit or vegetables.

*Hazardous waste* means any material or substance which by reason of its composition or characteristics is: (1) Hazardous waste as defined in the Solid Waste Disposal Act, 42 USC, §6907, et seq., as amended, replaced or superseded, and the regulations implementing the same; or (2) Material the disposal of which is regulated by the Toxic Substance Control Act, 15 USC, §2601, et seq., as amended, replaced or superseded, and the regulations implementing the same; or (3) Special nuclear or by-products material within the meaning of the Atomic Energy Act of 1954; or (4) Hazardous waste as defined in Act No. 64 of the Public Acts of Michigan, 1979, as amended from time to time, and as identified in the reasonable rules and regulations promulgated by the City Manager and/or his designee and/or by regulations adopted by the Department of Natural Resources.

*Industrial special waste* means non-hazardous wastes generated by industrial users, which due to their size or composition, require special handling and/or disposal procedures including, but not limited to, foundry, sand, incinerator/boiler bottom ash, fly ash, sludge, scrap pallets and other wastes from manufacturing processes which require special handling and/or disposal procedures.

*Mixed waste* means a mixture of rubbish and garbage.

*Person* means any individual, firm, public or private corporation, partnership, trust, public or private agency or any other entity or any group of such persons.

*Premises* means any property used for single-family residential purposes as defined in Chapter 35, Zoning, of the Farmington City Code, to which a separate street address, postal address or box or tax roll description or other similar identification has been assigned. Premises shall not include single-family dwellings which do not have a separate distinct individual entrance from the dwelling unit to an open area which abuts a public or private street

and/or access easement and shall also not include any property used for multiple-family residential purposes as defined in Chapter 35, Zoning, of the Farmington City Code.

*Recyclables* means presorted materials that are separated from solid waste prior to collection. Materials may include, but are not limited to, newspapers, tin, glass bottles and jars and plastic containers and any other materials and items designated in the reasonable rules and regulations promulgated and published by the City Manager and/or his designee.

*Rubbish* means miscellaneous materials including, but not limited to, paper, magazines, ashes, glassware, dishes and other items incidental to the usual routine of housekeeping but not including dirt, gravel, sand or construction debris.

*Solid waste* means garbage, rubbish, compostables/yard wastes and recyclables and/or a mixture thereof. Solid waste does not include hazardous waste and/or industrial special waste.

#### Section 16-2 Collection Schedule.

The City Manager and/or his designee shall establish a schedule for the collection of solid waste, compostables/yard waste and recyclables throughout the City and shall provide or contract for the proper labor and equipment for carrying out such schedule. The City Manager shall change the schedule for collection of solid waste, compostables, yard waste and recyclables whenever he deems such change advisable however, notice of any such change shall be published at least once in a newspaper of general circulation or notice shall be delivered to the residences or businesses effectuated by the change.

#### Section 16-3. Disposal/Scavenging.

- (a) No solid waste, hazardous waste, industrial special waste, animal waste or vegetable waste shall be disposed of within the City by burial or by dumping nor shall solid waste, hazardous or industrial special waste be used as fill. No solid waste or hazardous waste or industrial special waste shall be disposed of into a lake, stream or other body of water.
- (b) It shall be unlawful for any person, other than the owner or occupant, his or her employees or agents, City employees and/or the City's contractor to tamper or meddle with, take, carry away, pick through or scavenge any container, bundle or approved container

for recyclables and remove the contents thereof from the location where the same has been properly placed pending collection.

Section 16-4. Containers.

It shall be the duty of owners, proprietors or persons in charge of every home or other building authorized by the City to receive solid waste, compostables/yard waste and recyclable collection services to place or cause to be placed all solid waste accumulating on the property in suitable containers provided by such owner or such other persons. Those persons who are subject to the mandatory separation of recyclable materials and/or compostables/yard waste provisions of this Chapter shall use the approved containers provided by the City for the collection of the recyclables and the containers approved by the City for the collection of compostables/yard waste. Any solid waste placed outside of buildings, whether it be on public or private property, shall be placed in suitable tightly covered containers or other containers approved by the City. All containers for solid waste shall be water tight containers. Receptacles shall not be larger than 30 gallons in size unless approved by the City Manager and/or his designee. Containers constructed of rigid materials shall be equipped with handles by which they may be lifted. The combined weight of the container and its contents shall not exceed 60 pounds. All bulk refuse such as cardboard containers, wooden crates and other similar refuse shall be flattened and tied in bundles or packed in suitable containers of a size that may be readily handled by one solid waste collector, and in no case shall such bundle or container be larger than 3' X 4'. Brush shall be cut into lengths not exceeding 4' and tied into bundles which can be readily handled by an individual solid waste collector. Tree limbs exceeding 8" in diameter will not be collected by the City and/or its contractor.

Section 16-5. Owner's Duty As To Solid Waste.

It shall be the duty of the owner, occupant or person in charge of any dwelling unit, manufacturing company or other building where solid wastes accumulate to provide suitable containers and to cause to be placed therein the solid waste created or accumulated on the property owned or controlled by him. It shall be the further duty of such owner, occupant or other person in charge of a dwelling unit or other building that is approved by the City to receive solid waste disposal collection services and/or recyclable and compostable/yard waste disposal collection services to place or cause to be placed on the day scheduled for collection the required and approved containers containing solid waste and/or where required by

this Chapter recyclables and/or compostables/yard waste at the curb side in front of the building. Such containers shall not be placed out for collection prior to 12:00 noon preceding the day for collection and shall be removed by 12:00 noon the next day following collection, provided that such containers shall not be set out for collection or be allowed to remain at the curb side either before or after collection between the hours of 7:00 a.m. and 7:00 p.m. on Sundays.

Section 16-6. Collection Business License.

Commencing on July 1, 1992, no person shall engage in the business of collecting, transporting or disposing of solid waste within the City without first obtaining a license therefor. Licenses shall be issued upon application to the City Clerk upon forms provided by the City Clerk and upon payment of such fee as required by Chapter 8, Business Registration and Licensing, of the Farmington City Code. No such license shall be issued except upon certification by the City Manager and/or his designee that the equipment and the ability of the licensee is such that the licensee is able to conduct a solid waste collection business in accordance with the terms of this Chapter and rules and regulations adopted by the City Manager and/or his designee hereunder. The City Manager and/or his designee shall promulgate and publish such reasonable rules and regulations governing the operation of the business of solid waste collection, transportation and disposition as may be deemed necessary to effectuate the intent of this Ordinance. The City Manager and/or his designee may revoke the license of any solid waste collector who fails to abide by any such rule or regulation promulgated and published by the City Manager and/or his designee or any provision of this Chapter after giving the solid waste collector reasonable written notice and an opportunity to be heard.

Section 16-7. Mandatory Separation of Recyclable Materials into Approved Containers.

- (a) Commencing on July 1, 1991, all persons who are owners, lessees or occupants of any premises shall separate all recyclable materials and place them in an approved container at the curb on their designated collection day and in the manner set forth by the provisions of this Chapter and the rules and regulations promulgated and published by the City Manager and/or his designee.
- (b) If a container is lost, stolen or damaged, it shall be the responsibility of the property owner to replace the receptacle with a container approved by the City

unless such loss, theft or damage is the fault of the solid waste collection contractor. All containers shall remain the property of the City. Any unauthorized possession of containers shall be a violation of this Ordinance.

- (c) Nonrecyclable materials shall not be placed in the recycling containers.
- (d) Failure to separate recyclables as required in this section excuses the City and/or its contractors from any obligation to remove the solid waste from the curb in addition to the other penalties imposed pursuant to this Chapter.

Section 16-8. Separation Of Compostables/Yard Waste.

- (a) Commencing on July 1, 1991 all persons who are the owners, lessees or occupants of any detached single-family residences located on acreage parcels, or in subdivisions or in condominium developments wholly comprised of such detached single-family residences, shall either dispose of compostables/yard waste on their property in a manner which will not create a nuisance and/or be injurious to the public health or shall participate in the compostable/yard waste program and separate compostables/yard waste from solid waste. If participating in the compostables/yard waste program, compostables/yard waste must be placed at the curb in approved containers on pick up day and in the manner set forth by the provisions of this Chapter and in the rules and regulations promulgated and published by the City Manager and/or his designee.
- (b) Failure to separate compostables/yard waste as required in this section excuses the City and/or its contractors from any obligation to remove the solid waste from the curb, in addition to other penalties imposed pursuant to this Chapter.

Section 16-9. Construction Wastes.

It shall be the duty of the owner, contractor or other person responsible for construction work to remove from the property within a reasonable time after completion of such construction work, all surplus construction material and refuse building material. Such materials shall be removed outside the City limits or disposed of within the City in accordance with the directions of the City Manager and/or his designee.

Section 16-10. Uncollectable Materials.

It shall be unlawful for any person to place at curb side and/or place in his container for collection any material that might endanger the collection personnel including, but not limited to, hazardous wastes, industrial special waste, hot ashes, gaseous, solid or liquid poisons, ammunition, explosives, concrete, dirt or any other material that possesses heat sufficient to ignite any other collected materials.

Section 16-11. Littering And Accumulation.

No paper, lawn cuttings, rakings, leaves, weeds, ashes or any other waste material whatsoever shall be thrown or swept into any street, gutter, intake, alley, vacant lot, park, greenbelt or other property whether public or private. It shall be the duty of every tenant, lessee, owner or occupant of any property at all times to maintain the property in a clean and orderly condition, permitting no deposit or accumulation of materials other than those ordinarily attendant upon the day-to-day use for which the premises are legally intended. It shall be unlawful to deposit, throw or leave solid waste and/or other refuse on the property of any other person.

Section 16-12. Unlawful Transportation Of Waste.

It shall be unlawful for any person, other than a solid waste disposal collector licensed by the City, to transport, cart, carry or convey through or over any of the streets, alleys or public places in the City any solid waste and/or other waste materials except under a permit granted by the City Manager and/or his designee.

Section 16-13. Medical Waste.

- (a) *Disposal.* Needles, syringes, scalpels and intravenous tubing with needles attached which are generated from households, homes for the aged or home health care agencies shall be disposed of in a waste container that is constructed to prevent injury to those persons involved in waste collection and/or disposal.
- (b) *Breaking.* Needles, syringes, scalpels and intravenous tubing with needles attached which are generated from households, homes for the aged and home health care agencies shall be rendered useless by breaking the needle, syringe, scalpel and/or intravenous tubing with needles attached prior to disposal in an appropriate waste container.

(c) Medical waste as defined in the Medical Waste Regulatory Act, MCLA 333.13801, et seq., shall be disposed of pursuant to the procedures and requirements set forth in said Act.

Section 16-14. Fees.

- (a) The fees to be charged for solid waste disposal and collection and other services provided pursuant to this Ordinance shall be established by resolution of the City Council. The fees shall be billed as provided for in the reasonable rules and regulations to be promulgated and published by the City Manger and/or his designee and all fees shall be timely paid.
- (b) Unpaid fees for solid waste disposal and collection and other services provided pursuant to this Ordinance shall be a lien against the property for which the services have been provided and amounts delinquent for three months or more may be certified annually by the City Assessor to be entered upon the next tax roll against the property to which the services have been provided. Fees shall be collected and the lien enforced in the same manner as provided for in the collection of taxes assessed upon the tax roll and the enforcement of the lien for unpaid taxes. The time and manner of certification and other details with respect to the collection of the fees is to be established by resolution of the City Council. This lien remedy does not preclude any other remedy provided for by law.

Section 16-15. Promulgation Of Rules.

The City Manager and/or his designee shall have the authority to promulgate and publish rules and regulations concerning the implementation of this Ordinance.

Section 16-16. Authority To Delegate.

The City may by resolution of the City Council transfer, assign and/or delegate the administration and/or implementation of the collection and disposal of solid waste, recyclables and compostables/yard waste and the collection of fees and billings with respect thereto to the Resource Recovery And Recycling Authority Of Southwest Oakland County and/or other similar body and/or agency and may further transfer, assign and/or delegate any contract between the City and a contractor for the collection and disposal of solid waste, recyclables and compostables/yard waste to the Resource Recovery And Recycling Authority Of Southwest Oakland County and/or other similar body and/or agency.

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Section 16-17. Enforcement.

Authorized employees and representatives of the Public Safety Department, Department of Public Services and Code Enforcement Officer are herein authorized to issue citations to any person violating the provisions of this Ordinance.

Section 16-18. Penalties.

Any person violating any of the provisions of this Ordinance shall be subject to the penalties set forth in Section 1-8 of the Farmington City Code.

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

This Ordinance shall become effective ten (10) days following its enactment and upon its publication as provided by the Charter of the City of Farmington.

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 May, 1991, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Councilman Hartsock and supported by Councilman Yoder.

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\_\_\_\_\_  
Shirley V. Richardson  
Mayor

\_\_\_\_\_  
Josephine M. Bushey  
City Clerk

YEAS: Richardson, Yoder, Hartsock, McShane.

NAYS: None.

ABSENTS: Tupper.

ABSTENTIONS:

Ordained this 20th day of May, 1991, by the City Council of the City of Farmington.

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 held on the 20th day of May, 1991, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 21st day of May, 1991.

\_\_\_\_\_  
Josephine M. Bushey, City Clerk  
City of Farmington

1741MUNLIBRY

Introduced: May 6, 1991.  
Adopted: May 20, 1991.  
Effective: June 10, 1991.  
Published: May 30, 1991.

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May 20, 1991

FEE SCHEDULE  
CHAPTER 16, CITY CODE  
RECYCLING, COMPOSTING AND HOUSEHOLD HAZARDOUS WASTE

ANNUALLY		
Services	Single Family Residential	Condominium Residential
Recyclable collection transportation and processing	\$31.20	\$31.20
Compostable collection, transportation and processing	\$15.96	\$00.00
Household hazardous waste	\$11.62	\$11.62
Bulk item pick up	\$00.00	\$ 1.98
Administrative services and billing (RRRASOC)	\$ 6.24	\$ 6.24
TOTAL	<u>\$65.02</u>	<u>\$51.04</u>

Note: The costs are based on contractual prices and RRRASOC cost for services.

Recommended Fee: (per year)	\$66.00	\$52.00
(per half year)	\$33.00	\$26.00

CITY OF FARMINGTON  
OAKLAND COUNTY, MICHIGAN

An ordinance to amend Chapter 31, Traffic and Motor Vehicles, Article II, Division 5, Section 31-409, School buses, of the City Code to proscribe, permit and penalize drivers overtaking or meeting a school bus under certain circumstances.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 31, Traffic and Motor Vehicles, Article II, Division 5, Section 31-409, School buses; is hereby amended to read as follows:

31-409. School buses.

(a) A school bus shall be painted and shall contain signs on the back and front of the school bus, as approved by the state transportation department and the superintendent of public instruction.

(b) The driver of a vehicle overtaking a school bus from the rear or meeting from the front a school bus which has stopped and is displaying 2 alternately flashing red lights located at the same level shall bring the vehicle to a full stop not less than 20 feet from the school bus and shall not proceed until the school bus resumes motion or the visual signals are no longer actuated. At an intersection where traffic is controlled by an officer or a traffic stop-and-go signal a vehicle need not be brought to a full stop before passing a stopped school bus, but may proceed past the school bus at a speed not greater than is reasonable and proper but not greater than 10 miles an hour and with due caution for the safety of passengers being received or discharged from the school bus. The driver of a vehicle who fails to stop for a school bus as required by this subsection, who passes a school bus in violation of this subsection, or who fails to stop for a school bus in violation of an ordinance that complies with this subsection, is guilty of a civil infraction.

(c) Passengers who cross a road upon being discharged from a school bus shall cross in front of the stopped school bus.

(d) At an intersection where traffic is controlled by an officer or a traffic stop-and-go signal, a vehicle need not be brought to a full stop before passing a stopped school bus, but may proceed past the school bus at a speed not greater than is reasonable and proper, but not more than ten (10) miles an hour, and shall proceed with due caution for the safety of passengers being received or discharged from the school bus.

(e) The driver of a vehicle who fails to stop for a school bus as required by subsections (b) to (d), who passes a school bus in violation of subsections (b) to (d) is responsible for a civil infraction. In addition to the civil fine and costs provided for a civil infraction, the judge, district court referee, or district court magistrate may order a person to perform not to exceed 100 hours of community service at a school.

(f) A school bus driver shall not stop the bus for the purpose of receiving or discharging passengers unless the bus is completely visible in its stopped position to approaching or overtaking drivers of vehicles for a distance of at least four hundred (400) feet.

(g) The driver of a vehicle on a highway that has been divided into two (2) roadways by leaving an intervening space, by a physical barrier or by clearly indicated dividing sections constructed so as to impede vehicular traffic need not stop upon meeting a school bus which has stopped across the dividing space, barrier or section.

(h) A school bus, in addition to other equipment and distinctive marking required by law, shall be equipped with signal lamps mounted as high and as widely spaced laterally as practicable. The lamps shall be capable of displaying to the front two (2) alternately flashing red lights located at the same level and to the rear two (2) alternately flashing red lights located at the same level. The lights shall have sufficient intensity to be visible from a distance of not less than five hundred (500) feet in normal sunlight and shall be actuated by the driver of the school bus when, but only when, the vehicle is stopped and for a distance of not less than two hundred (200) feet in advance of a stop for the purpose of receiving or discharging schoolchildren.

(i) A school bus shall be equipped with a mirror, convex in shape, which is not less than seven and one-half (7 ½) inches in diameter and which is firmly mounted at hood or fender top height in front of the bus. The mirror shall be located on either the left or right side of the bus in a manner so that the seated driver may observe the road from the front bumper forward to the point where direct observation is possible.

(j) In a proceeding for a violation of subsection (b), proof that the particular vehicle described in the citation \*\*\* was in violation of subsection (b), together with proof that the defendant named in the citation \*\*\* was, at the time of the violation, the registered owner of the vehicle, shall constitute in evidence a presumption that the registered owner of the vehicle was the driver of the vehicle at the time of the violation.

Section 2. Repealer.

All ordinances or parts of ordinances 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, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

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 in force when they were commenced.

Section 5. Effective Date.

The provisions of this ordinance are ordered to take effect twenty-one (21) days after enactment.

Section 6. Enactment.

This ordinance is declared to have been enacted by the City Council of the City of Farmington at a meeting called and held on the 20th day of May, 1991, and ordered to be given publication in the manner prescribed by law.

Moved by Yoder and supported by  
McShane.

YEAS: McShane, Richardson, Yoder, Hartsock.

NAYS: None.

ABSENTS: Tupper.

ABSTENTIONS:None.

Ordained this 20th day of May, 1991, by the City Council of the City of Farmington.

\_\_\_\_\_  
SHIRLEY V. RICHARDSON,  
Mayor

\_\_\_\_\_  
JOSEPHINE M. BUSHEY,  
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 held on the 20th day of May, 1991, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 21st day of May, 1991.

\_\_\_\_\_  
JOSEPHINE M. BUSHEY,  
City Clerk

Introduced:       May 6, 1991.  
Adopted:         May 20, 1991.  
Effective:        June 10, 1991.  
Published:        May 30, 1991.

CITY OF FARMINGTON  
OAKLAND COUNTY, MICHIGAN

An ordinance to amend Chapter 31, Traffic and Motor Vehicles, Article II, Division 5, Section 31-394, of the City Code to provide for mandatory child restraints and penalize violators.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 31, Traffic and Motor Vehicles, Article II, Division 5, Section 31-394, Mandatory child restraints; violation as a civil infraction, is hereby amended to read as follows:

Section 31-394. Mandatory Child Restraints; Violation as Civil Infraction.

(a) Except as provided in this section, or as otherwise provided by law, a rule promulgated pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.328 of the Michigan Compiled Laws, or federal regulation, each driver transporting a child in a motor vehicle shall properly secure each child in a child restraint system as follows:

(1) Any child less than 1 year of age in a child restraint system which meets the standards prescribed in 49 C.F.R. 571.213, except as provided in subsection (f).

(2) Any child 1 year of age or more but less than 4 years of age, when transported in the front seat, in a child restraint system which meets the standards prescribed in 49 C.F.R. 571.213, except as provided in subsection (f).

(3) Any child 1 year of age or more but less than 4 years of age, when transported in the rear seat, in a child restraint system which meets the standards prescribed in 49 C.F.R. 571.213, unless the child is secured by a safety belt provided in the motor vehicle, except as provided in subsection (f).

(b) This section does not \*\*\* apply to any child being nursed.



(c) This section does not apply if the motor vehicle being driven is a bus, school bus, taxicab, moped, motorcycle, or other motor vehicle not required to be equipped with safety belts under \*\*\* federal law or regulations.

(d) A person who violates this section is responsible for a civil infraction.

(e) Points shall not be assessed for a violation of this section. An abstract shall not be submitted to the secretary of state regarding a violation of this section.

(f) The secretary of state may exempt by rules promulgated pursuant to Act No. 306 of the Public Acts of 1969, as amended, a class of children from the requirements of this section, if the secretary of state determines that the use of the child restraint system required under subsection (a) is impractical because of physical unfitness, a medical problem, or body size. The secretary of state may specify alternate means of protection for children exempted under this subsection.

## Section 2. Repealer.

All ordinances or parts of ordinances 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, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

## 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 in force when they were commenced.

## Section 5. Effective Date.

The provisions of this ordinance are ordered to take effect twenty-one (21) days after enactment.

## Section 6. Enactment.

This ordinance is declared to have been enacted by the City Council of the City of Farmington at a meeting called and held on the 20th day of May, 1991, and ordered to be given publication in the manner prescribed by law.

Moved by Hartsock and supported by  
McShane.

YEAS: Richardson, Yoder, Hartsock, McShane.

NAYS: None.

ABSENTS: Tupper.

ABSTENTIONS: None.

Ordained this 20th day of May, 1991, by the City Council of the City of Farmington.

SHIRLEY V. RICHARDSON,  
Mayor

JOSEPHINE M. BUSHEY,  
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 held on the 20th day of May, 1991, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 21st day of May, 1991.

JOSEPHINE M. BUSHEY,  
City Clerk

Introduced: May 6, 1991.  
Adopted: May 20, 1991.  
Effective: June 10, 1991.  
Published: May 30, 1991.

CITY OF FARMINGTON  
OAKLAND COUNTY, MICHIGAN

An ordinance to amend Chapter 31, Traffic and Motor Vehicles, Article II, Division 5, Section 31-395, of the City Code to provide for the wearing of seat belts and penalize violators.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 31, Traffic and Motor Vehicles, Article II, Division 5, Section 31-395, Safety belts, is hereby amended to read as follows:

Section 31-395. Safety Belts.

(a) This section shall not apply to a driver or passenger of:

(1) A motor vehicle manufactured before January 1, 1965.

(2) A bus.

(3) A motorcycle.

(4) A moped.

(5) A motor vehicle if the driver or passenger possesses a written verification from a physician that the driver or passenger is unable to wear a safety belt for physical or medical reasons.

(6) A motor vehicle which is not required to be equipped with safety belts under federal law.

(7) A commercial or United States postal service vehicle which makes frequent stops for the purpose of pickup or delivery of goods or services.

(8) A motor vehicle operated by a rural carrier of the United States postal service while serving his or her rural postal route.

(b) This section shall not apply to a passenger of a school bus.

(c) Each driver and front seat passenger of a motor vehicle operated on a street or highway in this state shall wear a properly adjusted and fastened safety belt, except that a child less than 4 years of age shall be protected as required in section 31-394.

(d) Each driver of a motor vehicle transporting a child 4 years of age or more but less than 16 years of age in a motor vehicle shall secure the child in a properly adjusted and fastened safety belt.

(e) Enforcement of this section by state or local law enforcement agencies shall be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of another section of this act.

(f) A person who violates this section is responsible for a civil infraction.

(g) Points shall not be assessed for a violation of this section.

(h) This section does not apply if the motor vehicle is transporting more children than there are safety belts available for use and if all safety belts available in the motor vehicle are being utilized in compliance with this section.

Section 2. Repealer.

All ordinances or parts of ordinances 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, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

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 in force when they were commenced.

Section 5. Effective Date.

The provisions of this ordinance are ordered to take effect twenty-one (21) days after enactment.

Section 6. Enactment.

This ordinance is declared to have been enacted by the City Council of the City of Farmington at a meeting called and held on the 20th day of May, 1991, and ordered to be given publication in the manner prescribed by law.

Moved by McShane and supported by  
Hartsock.

YEAS: Richardson, Yoder, Hartsock, McShane.

NAYS: None.

ABSENTS: Tupper.

ABSTENTIONS: None.

Ordained this 20th day of May, 1991, by the City Council of the City of Farmington.

\_\_\_\_\_  
SHIRLEY V. RICHARDSON,  
Mayor

\_\_\_\_\_  
JOSEPHINE M. BUSHEY,  
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 held on the 20th day of May, 1991, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 21st day of May, 1991.

\_\_\_\_\_  
JOSEPHINE M. BUSHEY,  
City Clerk

Introduced: May 6, 1991.  
Adopted: May 20, 1991.  
Effective: June 10, 1991.  
Published: May 30, 1991.

CITY OF FARMINGTON

RESOLUTION NO. 5-91-165

Motion by Yoder, supported by McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby directs that the Delinquent Special Assessment payments, unpaid service invoices and water bills as certified by the City Treasurer in the amount of \$33,006.61 be placed on the 1991 City of Farmington tax roll in accordance with the Farmington City Code, Chapter 27, Section 27-18, Chapter 34, Section 34-187 and Chapter 19, Section 19-33, and

FURTHER BE IT RESOLVED that the attached list be made a part of this resolution.

ROLL CALL

AYES: Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: Tupper.

RESOLUTION DECLARED ADOPTED MAY 20, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, 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 on Monday, May 20, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

CITY OF FARMINGTON  
MAY 20, 1991

CERTIFICATION OF DELINQUENT SPECIAL ASSESSMENT PAYMENTS, INVOICES AND  
WATER BILLS

I, Patsy Cantrell, Treasurer for the City of Farmington, Oakland County, Michigan, do hereby certify that as of May 10, 1991, the following Special Assessment Invoices, City Services Invoices, and Water Bills were delinquent and should be placed on the 1991 City of Farmington tax roll in accordance with the Farmington City Code, Chapter 27, Section 27-18, Chapter 34, Section 34-187, Chapter 19, Section 19-33; and I further certify that the property owners have been notified of the action.

<u>PARCEL NO</u>	<u>ACCOUNT NAME</u>	<u>ROLL NO</u>	<u>AMOUNT DUE</u>
23-26-304-018	S. DAVIS	19-88	\$ 198.83
23-26-377-003	K. MAGEE	19-88	184.99
23-27-251-004	R. DUGGAN	19-88	173.38
23-27-252-008	R. HOST	19-88	158.54
23-27-427-019	C & S WOOD	19-88	167.61
23-27-305-035	D. KREGOSKI	19-89	183.30
23-27-329-042	E. WALKER	19-89	152.26
23-27-330-016	P. RAGAN	19-89	69.89
23-27-330-038	F. ROGERS	19-89	43.68
23-27-451-014	S. MC AULEY	19-89	115.60
23-27-451-025	C. COTTER	19-89	76.44
23-27-451-043	D. WINSTON	19-89	169.73
23-27-478-006	J. WHITE	19-89	237.12
23-27-204-005	R. ANDERSON	19-89	229.32
23-28-204-008	D. NITZ & TAWYEA-NITZ	19-89	258.44
23-28-204-042	J. VITLAR	19-89	139.78
23-28-252-009	D. BRADO	19-89	43.68
23-28-254-017	J. STEIN	19-89	82.37
23-28-256-006	G. YASTIC	19-89	137.09
23-28-256-013	D. NIEHAUS	19-89	54.60
23-28-256-014	P. LORENZ	19-89	109.20
23-28-257-008	J. TRACEY, JR.	19-89	109.20
23-28-257-009	L. SPERANZA	19-89	158.34
23-28-279-012	J. PATTON	19-89	239.20
23-28-280-005	W. DOBES, JR.	19-89	221.00
23-28-403-009	K. TURNER	19-89	54.60
23-34-101-010	FARMINGTON 9 MILE	19-89	224.95
23-34-301-008	J. ZANN	19-89	109.20
23-34-301-012	L. COLE	19-89	163.80
23-34-304-009	D. MC AREE	19-89	218.40
23-34-351-011	R. KOSHOWSKY	19-89	54.60
23-34-353-024	K. MAURICE	19-89	49.14
23-28-204-041	OAK HILL NURSING HOME	82-72	68.99
23-28-252-009	D. BRADO	82-72	111.62
23-28-256-006	G. YASTIC	82-72	212.94

<u>PARCEL NO</u>	<u>ACCOUNT NAME</u>	<u>ROLL NO</u>	<u>AMOUNT DUE</u>
23-28-256-013	D. NIEHAUS	82-72	244.84
23-28-258-004	R. MACKEY	82-72	229.63
23-28-278-014	D. BOYCE & E. MC GEE	82-72	33.32
23-28-280-005	W. DOBES, JR	82-72	182.43
23-27-305-035	A. KREGOSKI	85-75	84.41
23-29-127-012	E. PALINKO	87-76	442.68
23-29-153-018	C. TANGORA	87-76	442.68
23-29-176-009	C. SULLIVAN, JR	87-76	442.68
23-29-177-001	R. ZIMMER	87-76	442.68
23-29-177-003	A. BYLSKI	87-76	221.34
23-29-177-022	J. SOPHA	87-76	442.68
23-29-178-009	T. MOORE	87-76	442.68
23-29-201-004	H. YOUNGS	87-76	442.68
23-29-203-013	P. DAUM	87-76	442.68
23-29-226-019	R. ANTON	87-76	442.68
23-29-254-002	R. HEINLE	87-76	442.68
23-29-254-003	J. KRONK	87-76	442.68
TOTAL DELINQUENT SPECIAL ASSESSMENTS			\$10,847.28
TOTAL DELINQUENT CITY SERVICE INVOICES			900.37
TOTAL DELINQUENT WATER BILLS			<u>21,258.96</u>
GRAND TOTAL *****			<u>33,006.61</u>



CERTIFICATION OF DELINQUENT CITY SERVICES INVOICES

<u>PARCEL NO</u>	<u>ACCOUNT NAME</u>	<u>INVOICE NO</u>	<u>AMOUNT</u>
23-27-326-009	CHARLES D. HANNON 32580 Grand River weed cutting 6/90 weed cutting 8/90	9904 9950	\$ 66.00 66.00
23-27-404-009	CARL J. THORPE Powers Rd/Vacant weed cutting 6/90 weed cutting 8/90	9905 9952	66.00 66.00
23-27-404-011	PETER W Y WONG 32316 Grand River	9953 9906	66.00 66.00
23-26-355-020	WASH HUT 31200 Grand River	9811	207.90
23-27-155-040	DOWNTOWN FARMINGTON CENTER ASSOC. P. O. BOX 51 ROYAL OAK, MI 48068	10078	271.47
23-27-276-029	MRS. RICHARD BOSTON 31461 Lamar	9930	25.00
			\$900.37 =====

CITY OF FARMINGTON DELINQUENT WATER ACCOUNTS  
MAY 20, 1991

<u>ACCOUNT NO.</u>	<u>PARCEL NO.</u>	<u>SERVICE ADDRESS</u>	<u>AMOUNT</u>
01-1215-01	23-27-252-008	32301 Shiawassee	\$ 270.18
02-0300-01	23-27-451-043	22731 Brookdale	241.41
02-0490-01	23-27-330-038	22827 Power	119.60
02-0620-01	23-27-451-032	22518 Power	269.68
02-0800-01	23-27-128-004	23850 Power	315.16
03-0065-01	23-28-278-014	23621 Farmington	1,194.67
03-0135-01	23-27-302-015	22840 Farmington	321.85
03-0190-01	23-27-302-004	23100 Farmington	401.22
03-0230-01	23-27-155-038	23310 Farmington	434.52
03-0280-01	23-27-155-026	23346 Farmington	842.20
03-0335-01	23-27-106-013	23906 Farmington	130.82
03-1160-01	23-27-404-007	32330 Grand River	107.73
03-1535-01	23-27-177-094	32734 Grand River	268.48
04-0135-01	23-27-427-015	22810 Lakeway	554.46
04-0255-01	23-27-252-027	23215 Prospect	239.26
04-0540-01	23-27-478-004	31610 Shaw	35.80
04-0560-01	23-27-477-016	31721 Sherwood	52.56
05-0150-01	23-26-357-017	22481 Lilac	92.44
05-0205-01	23-26-358-007	22500 Lilac	467.54
05-0825-01	23-26-354-010	22839 Hawthorne	106.59
05-0890-01	23-26-359-024	22427 Hawthorne	381.08
05-0915-01	23-35-126-003	22116 Hawthorne	34.68
05-0955-01	23-26-377-003	22460 Hawthorne	511.75
05-1070-01	23-27-226-038	24109 Orchard Lake	64.88
05-1090-01	23-27-226-038	24077 Orchard Lake	612.60
05-1210-01	23-26-351-007	22772 Orchard Lake	43.85
05-1295-01	23-26-301-011	23118 Orchard Lake	545.26
05-1395-01	23-26-301-033	23155 Violet	130.07
05-1525-01	23-26-355-009	22487 Violet	216.80
05-1665-01	23-26-302-017	23076 Violet	297.29
07-0770-01	23-27-303-028	22905 Hayden	312.94
07-1035-01	23-27-303-005	23016 Warner	493.18
08-0030-01	23-27-202-038	32118 Loomis	426.51
08-0125-01	23-27-251-024	23561 Loomis Ct.	199.68
08-0225-01	23-27-251-003	23779 Ely Ct.	310.69
08-0640-01	23-27-228-010	31785 Folkstone	131.55
08-0740-01	23-27-226-022	31664 Folkstone	264.88
08-1350-01	23-27-204-018	31979 Lamar	369.53
08-1535-01	23-27-231-017	31710 Lamar	153.92
08-1555-01	23-27-231-013	31790 Lamar	281.81
08-1755-01	23-27-229-007	23854 Beacon	160.97
09-0290-01	23-28-403-009	33939 Moore	361.72
09-0780-01	23-28-257-008	34043 Schulte	44.75
09-0845-01	23-28-256-014	33744 Schulte	236.96
11-0245-01	23-27-101-005	24160 Twin Valley Ct.	252.29

Cont'd

CITY OF FARMINGTON DELINQUENT WATER ACCOUNTS  
MAY 20, 1991

<u>ACCOUNT NO.</u>	<u>PARCEL NO.</u>	<u>SERVICE ADDRESS</u>	<u>AMOUNT</u>
12-0120-01	23-34-355-003	20750 Farmington	118.48
12-0400-01	23-34-151-005	33137 Maplenut	233.21
12-0910-01	23-34-354-013	33107 Meadowlark	440.68
12-1165-01	23-34-351-011	33254 Meadowlark	169.52
12-1200-01	23-34-301-010	21367 Larkspur	446.57
12-1210-01	23-34-301-012	21341 Larkspur	268.95
12-1345-01	23-34-302-011	21110 Larkspur	85.84
12-1435-01	23-34-328-023	21009 Laurelwood	692.05
12-1610-01	23-34-353-024	20931 Robinwood	197.86
12-1640-01	23-34-328-011	20942 Robinwood	308.42
12-1690-01	23-34-328-001	21144 Robinwood	291.32
12-1860-01	23-34-352-012	21073 Birchwood	372.50
12-2160-01	23-34-301-008	33042 Annewood	335.27
12-2180-01	23-34-355-010	32777 Chesley	161.65
12-2370-01	23-34-355-007	33094 Eight Mile	163.56
15-0185-01	23-29-127-012	36619 Vicary Lane	321.48
15-0325-01	23-29-177-001	36599 Saxony	86.48
15-0340-01	23-29-177-004	36545 Saxony	420.95
15-1855-01	23-29-203-013	35836 Smithfield Ct.	172.51
16-0045-01	23-28-101-009	24100 Drake Rd.	302.93
16-7120-01	23-28-252-012	33918 Macomb	323.84
16-7300-01	23-28-256-006	33725 State	182.17
16-7370-01	23-28-204-008	23925 Wilmarth	147.96
16-7465-01	23-28-230-005	33615-17 Adams	496.14
16-8075-01	23-28-230-005	33614 Grand River	239.53
16-8330-01	23-28-252-009	33705 Oakland	152.62
16-8350-01	23-28-276-003	33615 Oakland	251.47
16-8465-01	23-28-253-002	34235 Cortland	186.71
16-9050-01	23-28-179-007	34529 Arundel	366.99
16-9135-01	23-28-126-026	34731 Grand River	285.49

\$ 21,528.96  
=====

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, June 3, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, City Attorney Donohue, Adm. Assistant Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETINGS

6-91-167

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the previous meetings of April 2, May 2, May 9 and May 20, 1991, as printed. Motion carried, all ayes.

PRESENTATION

FARMINGTON AREA ARTS COMISSION

Nanette Reid, representing the Farmington Area Arts Commission, paid special tribute to the 1980 Artist in Residence, Gail Yurasek, for her recent gift to the Commission of one of her works, a ceramic wall hanging. Mayor Richardson added her appreciation and the thanks of the City Council to the artist and all members of the Arts Commission.

MINUTES OF OTHER BOARDS

6-91-168

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and/or file the minutes of the following Boards and Commissions:

- Board of Zoning Appeals minutes of May 1, 1991;
- Traffic and Safety Board minutes of April 18, 1991;
- Beautification Committee minutes of May 7, 1991;
- Farmington Area Arts Commission minutes of May 9, 1991;
- Board of Education minutes of May 7, 1991.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

APPLICATION FOR SIGN VARIANCE:

METROBANK, 33205 GRAND RIVER

Council was advised that bank president Robert Heinrich requests a variance to construct a ground sign in their downtown location to facilitate building identification, as the new building sits back 50 feet from Grand River.

COUNCIL PROCEEDINGS -2-  
June 3, 1991

The City Manager stated this would require a variance to Section 25-13 (10) of the Sign Ordinance prohibiting ground signs in the Central Business District. He pointed out that Metrobank would have the option of leaving the present ground sign in place, as it is grandfathered by the current ordinance.

Mayor Richardson expressed disappointment that the bank's original intent to replace the ground sign with a clock tower structure incorporating the sign is no longer feasible due to limited space.

Councilman Hartsock suggested that if the bank plans to lower the arch provided by the ground sign, steps be taken to keep people from passing through it.

Mr. Heinrich advised that they plan to use plantings at the base of the ground sign to prevent this.

6-91-169

Motion by Councilman Hartsock, supported by Councilman Tupper, to grant the requested variance to Section 25-13 (10) of the Sign Ordinance to allow construction of a ground sign at the Metrobank location at 33205 Grand River according to the drawings presented for Council review. Motion carried, all ayes.

APPLICATION FOR FENCE VARIANCE:  
32230 NINE MILE ROAD

Council was advised that Walter Zemaïduk, who was present, requested a variance to Section 13-2 of the Fence Ordinance to permit a 2 foot variance to a rear yard fence as indicated on his site plan.

Mr. Zemaïduk's neighbor Ron Haenke, 22410 Power, was also present to indicate that he has no objection to the variance. He further stated that it was not their understanding that the existing chain link fence would be removed when the new fence is installed. Council was advised that the new fence would be parallel to the existing cyclone fence on the inside of Mr. Zemaïduk's property line.

Councilman Tupper expressed concern that the 8 ft. wooden fence would be more susceptible to wind and that it should stay at the 6 ft. height.

Councilman Yoder stated that he had no problem with the 8 ft. fence.

Mayor Richardson expressed concern about the 8 ft. height.

COUNCIL PROCEEDINGS -3-  
June 3, 1991

Councilman Hartsock commented that the lattice top shown in the drawing, does not seem to accomplish Mr. Zemaiduk's plan for privacy.

6-91-170

Motion by Councilman Tupper, supported by Councilman Hartsock, to deny the request for variance to Section 13-2 of the Fence Ordinance to allow construction of an 8 ft. privacy fence along a portion of the west and north property line at 32230 Nine Mile Road. Motion carried, 4 ayes, 1 nay (Yoder).

RESIGNATION FROM COMMISSION ON AGING

Council was advised that Nell Young states she wishes to resign from the Farmington Area Commission on Aging.

6-91-171

Motion by Councilman Tupper, supported by Councilwoman McShane, to accept, with regret, the resignation of Nell Young from the Farmington Area Commission on Aging. Motion carried, all ayes.

LETTER FROM DAVID JUSTUS RE:  
KID'S DAY, JULY 9, 1991

Council was advised that the annual Kid's Day celebration is scheduled for July 9 from 12:00 Noon to 5:00 p.m. The Recreation Supervisor requests that Raphael and Shiawassee be closed in the Shiawassee Park area as a safety measure.

6-91-172

Motion by Councilman Yoder, supported by Councilwoman McShane, to approve the use of Shiawassee Park for Kid's Day, July 9, 1991, and to authorize the closing of Raphael Street and Shiawassee Road in the park area from 12:00 Noon to 5:00 p.m. for this event. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

ADOPT FY 1991-92 BUDGET AND  
ESTABLISH TAX RATE

The City Manager advised that the total proposed expenditures in the FY 1991-92 budget are \$9,364,170.00 and include the General Fund, Debt Service Fund, Capital Improvement Fund, Water and Sewer Fund and the Highway Fund. He pointed out that following Council's review and the required public hearing on the budget, adjustments were made in the General Fund and the Highway Fund to reflect accounting changes required by the State of Michigan's recapture of state shared revenues in the current fiscal year and reductions proposed for FY 1991-92.

Council was advised that consideration should be given to establishing the General Fund operation millage rate of

COUNCIL PROCEEDINGS -4-  
June 3, 1991

10.05 mills per \$1,000.00 SEV and the Debt Service millage rate of 3.62 mills per \$1,000.00 SEV.

The City Manager pointed out that the 2 mill rate per \$1,000.00 SEV will continue for the operation of the Downtown Development Authority, which applies only within the DDA District.

6-91-173

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

6-91-174

Motion by Councilwoman McShane, supported by Councilman Hartsock, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

AMENDMENTS TO FY 1990-91 BUDGET

The City Manager advised that the largest adjustments in the 1990-91 budget will occur in the Capital Improvement Fund, resulting from the Orchard Lake Road construction project which is less than anticipated.

He pointed out that the General Fund reductions occur in general government, public safety and public services accounts. He indicated that the budget expenditures for all funds will be reduced from \$9,132,661.00 to \$8,625,230.00, a 5 1/5% reduction.

6-91-175

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

RECOMMENDED DISCONTINUANCE

USE OF FARMINGTON WATER RESERVOIRS

Council was advised that the Director of the Detroit Water and Sewer Department recommends that Farmington consider a proposal to discontinue use of its water reservoirs.

Manager Deadman reported that as a result of his meeting with Detroit representatives on May 8, it was decided that the tanks are not being used for storage, only to place pressure on the city's water system. He pointed out that the normal fluctuation in the tanks consists only of the top six feet of the tank.

The City Manager presented the City of Detroit's plan of action to City Council. He recommended that the City go forward with

COUNCIL PROCEEDINGS -5-  
June 3, 1991

the proposed experiment presented in Detroit's plan before doing anything with the larger tank; also that we get rid of the smaller 50 year old tank.

6-91-176

Motion by Councilman Yoder, supported by Councilman Hartsock, to authorize the Plan of Action as proposed by the City of Detroit relative to the Farmington Water Reservoirs, as stated in the City Manager's report of June 3, 1991. Motion carried, all ayes.

[SEE ATTACHED REPORT].

MISCELLANEOUS

PUBLIC COMMENT

Carol Kurth, Vice-Chairperson of the Farmington Beautification Committee, complimented the Department of Public Services for the floral plantings around the city.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Mayor Richardson announced that the next meeting of the City's 125th Anniversary Committee is scheduled for June 20, 1991, at 7:00 p.m. in Council Chambers.

The Mayor advised that the Quakertown Questers recently dedicated the balustrade at the Farmington Museum. She advised that the funds for this project were obtained through the Quakertown, State and International Questers' grants. She pointed out that Farmington is grateful that they saw fit to raise the necessary funds and suggested that a letter of appreciation be sent on behalf of City Council to the Quakertown Questers for taking on this project and seeing it through. Mayor Richardson further stated that this is one of many Museum projects the Questers have taken on.

ADOPTION OF CITY SYMBOLS

The City Manager advised that the Farmington Beautification Committee, after acceptance by the Farmington Hills Beautification Committee, recommended the adoption of four natural city symbols.

6-91-177

Motion by Councilman Tupper, supported by Councilwoman McShane, to adopt the following natural city symbols:

Tree:	Oak
Flower:	Day Lily
Bird:	Cardinal
Butterfly:	Giant Swallowtail

Motion carried, all ayes.



APPOINTMENTS TO BOARDS/COMMISSIONS

Council was advised of openings on the Planning Commission, the Board of Zoning Appeals, Farmington Employees' Retirement System Board of Trustees, the Farmington Traffic and Safety Board, the Farmington Beautification Committee and the Farmington Area Commission on Aging.

Planning Commission

6-91-178

Motion by Councilman Tupper, supported by Councilman Yoder, to appoint J. Lee Ratliff, Michele Rhoton and Timothy Zajaros to a 3-year term on the Farmington Planning Commission, said term to expire on June 15, 1994. Motion carried, all ayes.

Board of Zoning Appeals

6-91-179

Motion by Councilman Hartsock, supported by Councilman Yoder, to appoint Arnold T. Campbell to a 3-year term on the Board of Zoning Appeals, said term to expire on June 15, 1994. Motion carried, all ayes.

Farmington Employees' Retirement System Board of Trustees

6-91-180

Motion by Councilwoman McShane, supported by Councilman Hartsock, to appoint Harry Lapham, Sr. to a 3-year term on the Farmington Employees' Retirement System Board of Trustees, said term to expire June 30, 1994. Motion carried, all ayes.

Farmington Traffic and Safety Board

6-91-181

Motion by Councilman Hartsock, supported by Councilman Tupper, to appoint Kenneth Chiara and Duane Reynolds to a 3-year term on the Farmington Traffic and Safety Board, said term to expire July 1, 1994. Motion carried, all ayes.

Farmington Beautification Committee

6-91-182

Motion by Councilman Tupper, supported by Councilwoman McShane, to appoint Jacqueline Steuer and Joan Lorenz to a 2-year term on the Farmington Beautification Committee, said term to expire June 15, 1993. Motion carried, all ayes.

Farmington Area Commission on Aging

Mayor Richardson pointed out that consideration should be given to a replacement for Mrs. Young who resigned from the Farmington Area Commission on Aging. Several names were presented for the vacancy. It was suggested that Nancy Kuzma be contacted as she expressed an interest in this Commission. Interviews of prospective candidates were suggested, but all Council members except Mrs. McShane recommended that the City Manager contact

COUNCIL PROCEEDINGS -7-  
June 3, 1991

Mrs. Kuzma to see if she is still willing to serve; otherwise he should set up interviews prior to next Council meeting.

6-91-183

Motion by Councilman Yoder, supported by Councilman Hartsock, to instruct the City Manager to contact Nancy Kuzma to see if she is still interested in serving on the Farmington Area Commission on Aging, and if not, to set up interviews of prospective candidates prior to the next Council meeting. Motion carried, 4 ayes, 1 nay (McShane).

FINANCIAL REPORTS:  
GENERAL FUND AND 47TH DISTRICT COURT  
TEN MONTHS ENDED APRIL 30, 1991

6-91-184

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and file the General Fund and the 47th District Court financial reports for the ten months ended April 30, 1991. Motion carried, all ayes.

WARRANT LIST

6-91-185

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$41,449.10; Water & Sewer Fund \$27,812.30.

ROLL CALL:

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

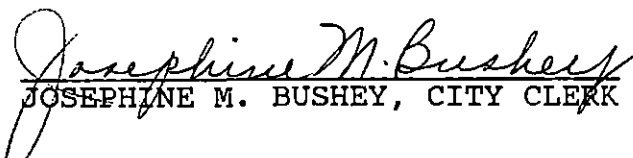
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:20 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: June 17, 1991.

R E S O L U T I O N

NO. 6-91-173

Motion by Yoder, supported by Hartsock, to adopt the following resolution.

BE IT RESOLVED that the Farmington City Council hereby adopts the 1991-92 budget as shown in the budget document on Page 5 and

BE IT FURTHER RESOLVED that the following sums are hereby appropriated as the budget for the operation of the City of Farmington for fiscal year 1991-92 beginning July 1, 1991 and ending June 30, 1992.

GENERAL FUND EXPENDITURES

General Government	\$ 960,565
Public Safety	1,524,400
Public Services	824,320
Parks & Recreation	118,645
Library	189,725
Miscellaneous	79,985
Insurance, Fixed Expenditures	815,990
Inter-Fund & Debt Service Transfers	<u>213,895</u>

TOTAL GENERAL FUND EXPENDITURES: \$4,727,525

DEBT SERVICE FUND EXPENDITURES

General Debt Service	\$ 979,290
Special Assessment Debt Service	<u>611,305</u>

TOTAL DEBT SERVICE FUND EXPENDITURES: \$1,590,595

CAPITAL IMPROVEMENT FUND EXPENDITURES

Transfers - Other Funds	<u>\$ 130,000</u>
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TOTAL CAPITAL IMPROVEMENT FUND EXPENDITURES: \$ 130,000

WATER & SEWER FUND EXPENDITURES

Operating & Maintenance	\$1,542,845
Transfers to Capital Replacement and Retained Earnings	<u>70,930</u>

TOTAL WATER & SEWER FUND EXPENDITURES: \$1,613,775

HIGHWAY FUND EXPENDITURES

Construction	\$ 545,800
Operating & Maintenance	679,585
Debt Service	<u>76,890</u>

TOTAL HIGHWAY FUND EXPENDITURES: \$1,302,275

TOTAL EXPENDITURES - ALL FUNDS: \$9,364,170

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 officer authorized to make such expenditures.

BE IT FURTHER RESOLVED that the City Treasurer shall report to the Council quarterly the status of the amounts as shown in the budget document on pages 7 through 11.

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 3, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, 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 on Monday, June 3, 1991, in the City of Farmington, Oakland County, Michigan.

JOSEPHINE M. BUSHEY, CITY CLERK

RESOLUTION

NO. 6-91-174

Motion by McShane, support by Hartsock, to adopt the following resolution:

WHEREAS, the City Manager has presented to the Council a proposed budget for fiscal year beginning July 1, 1991 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 Statutes and the City Charter; and

WHEREAS, the city of Farmington Council, in accordance with provisions of Public Act 5 of 1982 has advertised that the property taxes will be higher;

THEREFORE, BE IT RESOLVED, that the General Fund budget for fiscal year beginning July 1, 1991 in the amount of \$4,727,525, as prepared by the City Manager, is hereby approved and adopted; and

BE IT FURTHER RESOLVED, that to meet the portion of the General Fund budget cost, the City Treasurer is hereby directed to spread taxes on real and personal property in the amount of ten dollars and five cents (\$10.05) per thousand of State Equalized Assessed Valuation; and

BE IT FURTHER RESOLVED, that to meet portions of the Debt Service cost, the City Treasurer is hereby directed to spread taxes on real and personal property in the amount of three dollars and sixty-two cents (\$3.62) per thousand of State Equalized Assessed Valuation; and

BE IT FURTHER RESOLVED, that the budget of the Farmington Downtown Development Authority is hereby approved and to meet a portion of the budgeted cost 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 two (\$2.00) dollars per thousand of State Equalized Assessed Valuation; 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 (1%) percent 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 (4%) percent 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 (3%) percent penalty in accordance with the provisions of the State of Michigan Statutes.

ROLL CALL:

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 3, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....  
I, Josephine M. Bushey, 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 on Monday, June 3, 1991, in the City of Farmington, Oakland County, Michigan.

\_\_\_\_\_  
Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 6-91-175

Motion by Hartsock supported by McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby adjusts the 1990-91 budget as shown in the budget document on page 4, and

BE IT FURTHER RESOLVED that the following adjustments to revenues and expenditures are hereby approved in accordance with the line item detail as shown in the 1991-92 budget document as ESTIMATED CURRENT YEAR amounts.

<u>GENERAL FUND REVENUES</u>	<u>FROM</u>	<u>TO</u>
LOCAL TAXES	2,395,855	2,414,542
LICENSE & PERMITS	64,170	74,870
INTERGOVERNMENTAL REVENUES	156,565	154,325
STATE SHARED REVENUES	812,600	749,620
CHARGES FOR SERVICES	251,300	294,285
SALES	12,000	12,700
MISCELLANEOUS	615,675	618,285
TRANSFER - OTHER FUNDS	341,585	271,290
APPROPRIATION - FUND BALANCE	<u>144,985</u>	<u>75,258</u>
TOTAL GENERAL FUND REVENUES	4,794,735	4,665,175
 <u>HIGHWAY FUND REVENUES</u>		
GAS & WEIGHT TAXES	327,500	311,440
CONTRACTS & GRANTS	74,785	74,785
TRANSFERS & ASSESSMENTS	<u>869,986</u>	<u>764,860</u>
TOTAL HIGHWAY FUND REVENUES	1,272,271	1,151,085
 <u>DEBT SERVICE FUND REVENUES</u>		
GENERAL DEBT SERVICE	312,335	313,330
SPECIAL ASSESSMENT DEBT SERVICE	<u>647,695</u>	<u>674,850</u>
TOTAL DEBT SERVICE FUND REVENUES	960,030	988,180
 <u>CAPITAL IMPROVEMENT FUND REVENUES</u>		
INVESTMENT & INTEREST INCOME	57,750	79,720
TRANSFER, GENERAL FUND	-0-	150,300
APPROPRIATION, FUND EQUITY	<u>570,195</u>	<u>45,445</u>
TOTAL CAPITAL IMPROVEMENT FUND REVENUES	627,945	275,465
 <u>WATER &amp; SEWER FUND REVENUES</u>		
WATER & SEWER SALES	1,395,280	1,457,250
SERVICE FEES	21,900	23,975
MISCELLANEOUS REVENUES	<u>60,500</u>	<u>64,100</u>
TOTAL WATER & SEWER FUND REVENUES	1,477,680	1,545,325
TOTAL REVENUES - ALL FUNDS:	9,132,661	8,625,230

R E S O L U T I O N

NO. 6-91-175

Page 2

GENERAL FUND EXPENDITURES

GENERAL GOVERNMENT	1,005,195	971,140
PUBLIC SAFETY	1,449,230	1,402,985
PUBLIC SERVICES	925,995	801,210
PARKS & RECREATION	145,685	141,695
LIBRARY	183,090	183,090
MISCELLANEOUS	103,090	103,140
INSURANCE, FIXED EXPENDITURES	739,850	746,515
INTERFUND & DEBT SERVICE TRANSFERS	242,600	315,400
TRANSFER TO FUND BALANCE	<u>-0-</u>	<u>-0-</u>
TOTAL GENERAL FUND EXPENDITURES	4,794,735	4,665,175

HIGHWAY FUND EXPENDITURES

CONSTRUCTION	253,000	233,000
OPERATING & MAINTENANCE	939,381	838,195
DEBT SERVICE	<u>79,890</u>	<u>79,890</u>
TOTAL HIGHWAY FUND EXPENDITURES	1,272,271	1,151,085

DEBT SERVICE FUND EXPENDITURES

GENERAL DEBT SERVICE	312,335	313,330
SPECIAL ASSESSMENT DEBT SERVICE	<u>647,695</u>	<u>674,850</u>
TOTAL DEBT SERVICE FUND EXPENDITURES	960,030	988,180

CAPITAL IMPROVEMENT FUND EXPENDITURES

TRANSFERS, OTHER FUNDS	<u>627,945</u>	<u>275,465</u>
TOTAL CAPITAL IMPROVEMENT FUND EXPENDITURES	627,945	275,465

WATER & SEWER FUND EXPENDITURES

OPERATING & MAINTENANCE	1,452,135	1,460,485
TRANSFER TO CAPITAL REPLACEMENT	<u>25,545</u>	<u>84,840</u>
TOTAL OPERATING & MAINTENANCE EXPENDITURES	1,477,680	1,545,325
TOTAL EXPENDITURES - ALL FUNDS:	9,132,661	8,625,230

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 officer authorized to make such expenditures.

R E S O L U T I O N

NO. 6-91-175

Page 3

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: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 3, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, 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 on Monday, June 3, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk



Mayor and City Council  
City of Farmington, Michigan

June 3, 1991

Recommendation to Discontinue Use of Farmington Water Reservoir

Mr. Charlie J. Williams, Director of the Detroit Water and Sewer Department, is recommending that the city consider a proposal to discontinue use of the Farmington water reservoirs.

The small tank reservoir which holds 250,000 gallons of water was constructed more than 50 years ago. Over the past few years it has begun to leak at the seams. The tank is an old steel riveted design which may be cheaper to replace than to repair.

Based on an agreement which was reached between the city of Farmington and Detroit in the early 1960's Detroit has the responsibility of maintaining the city's water tanks and pumping station on Nine Mile Road. Their repair crews have attempted to weld the old tank to stop the leaks. They found there is insufficient material left in the tank to make an acceptable repair. This problem led Detroit to study the feasibility of removing the tanks from service and placing the city on a pumped pressure system rather than a gravity system.

City engineer Kenneth Oscarson and this office held a meeting with the city of Detroit representatives on May 8 to discuss the feasibility of their proposal. It was determined that the tanks are not being used as a storage facility, but rather they are only being used to place pressure on the city's water system. Once the tanks begin to be used the Nine Mile pumps come on immediately to refill them. The normal fluctuation in the tanks consists only of the top 6 feet of the tank.

I was concerned as to what affect the removal of the tanks would have on the city maximum day/maximum hour water usage as these two factors have a substantial affect on Detroit's wholesale water rate to Farmington. City engineer Oscarson stated he believed that the tanks, as they are presently being operated, probably have an adverse effect rather than a positive effect on the city's maximum day/maximum hour usage. When the city begins to call for water from Detroit not only do we use the water actually being drained from the tanks to the system, but we also call for water to refill the tanks. Therefore after the water has been used at the maximum rate we continue to call for water in an effort to refill the tanks.

As a result of our meeting it was agreed that we would present to the City Council the following action plan for Council consideration. First the city of Detroit would install valves necessary to close off the two tanks from the city's water system. They would install temporary pressure recording gauges and sensors at key locations in the Farmington distribution system and the Nine Mile pumping station to allow the system central center to monitor the pressure in the Farmington system. The reservoir would then be drained and will remain out of service indefinitely unless required by emergency conditions, but at least through the peak summer demand period of 1991.

Mayor and City Council  
Re: Recommendation to Discontinue Use of  
Farmington Water Reservoir

-2-

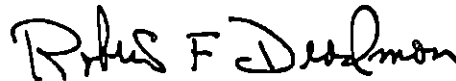
June 3, 1991

The smaller of the tanks would be removed by the Detroit Water and Sewer Department at no cost to the city. The larger 1 million gallon storage tank would be drained to determine its condition and any maintenance required to ensure its continuing serviceability. The larger tank would remain in place so it could be placed back in service in the future if this experiment failed to produce the desired results.

To place the tank back in service would require the tank to be inspected and treated for bacteria and the valves to be opened. If for some reason during this pending summer the city should suffer low water pressure we would have the ability to open valves to the Farmington Hills system which should meet our pressure needs until the tank can be placed back in operation.

This office would recommend City Council authorize the plan of action as proposed by the city of Detroit with the stipulation that the larger tank will remain in ready condition as soon as it has been cleaned.

Respectfully submitted,



Robert F. Deadman  
City Manager

RFD/cm  
Attachment

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, June 17, 1991, 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 Richardson.

PRESENT: Hartsock, (arrived at 8:08 p.m.), McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, Adm. Assistant Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

6-91-186

Motion by Councilman Yoder, supported by Councilwoman McShane, to approve the minutes of the Farmington/Farmington Hills joint meeting of May 8 and Farmington's regular meeting of June 3, 1991 as presented. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

6-91-187

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and/or file the Planning Commission minutes of June 10, 1991. Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### APPLICATION FOR FENCE VARIANCE:

22743 BROOKDALE

Council was advised that Enzo Campagnolo requests permission to install a 6 ft. high wooden screening fence forward of the rear building line to the front building line at 22743 Brookdale. Mr. Campagnolo states that he wishes privacy along the driveway between his house and his neighbor's.

Manager Deadman stated that this fence would require a variance to Section 13-2 of the City Code.

Councilman Tupper did not believe Mr. Campagnolo's situation was unique and that a 4 ft. fence would do just as well.

Councilman Yoder asked to hear from Mr. Campagnolo's neighbors before deciding.

Dale Winston, 22731 Brookdale and Kenneth Nichols, 22755 Brookdale opposed the requested variance.

COUNCIL PROCEEDINGS -2-  
June 17, 1991

6-91-188

Motion by Councilman Tupper, supported by Councilwoman McShane, to deny the requested variance to Section 13-2 of the City Code to allow installation of a 6 ft. privacy fence at 22743 Brookdale. Motion carried, all ayes.

APPLICATION FOR SIGN VARIANCE:  
22856 ORCHARD LAKE ROAD

Council was advised that the owner of the Farmington Bike Shop requests a variance to Section 25-4 (c) to allow him to keep the existing ground sign with the new face panels recently installed without permit; a Court citation was issued.

Manager Deadman pointed out that the city requires that when any changes are made in a ground sign, it must be brought into conformity with the sign ordinance. He further indicated that the change in the sign was apparently made to comply with a Schwinn Company requirement to update all of their old style sign faces.

Councilman Hartsock stated that Mr. Reed's situation is unique in that the business south of him has such a large sign.

Councilman Tupper expressed concern that these variance requests continue after the fact because sign companies fail to pull permits. He stated that although he would have liked to see the sign lowered, he could not vote against the variance.

6-91-189

Motion by Councilman Yoder, supported by Councilwoman McShane, to grant the request for variance to Section 25-4 (c) of the City's Sign Ordinance to allow Mr. Reed to retain the existing ground sign, which is 4 ft. higher than his building at 22856 Orchard Lake Road. Motion carried, all ayes.

LETTER FROM JOYCE WEARY, 32806 ANNEWOOD  
RE: STRAY CATS

Council was asked by Joyce Weary, 32806 Annewood, to take action to promote responsible cat ownership. She objects to her neighbor's cat digging up her flowers, vegetables and shrubbery.

It was Council's consensus that the City Manager should look into what other cities are doing in this regard.

6-91-190

Motion by Councilman Yoder, supported by Councilman Tupper, to have the City Manager check with other communities relative to the control of cats and report back at the next Council meeting or shortly thereafter. Motion carried, all ayes.

COUNCIL PROCEEDINGS -3-  
June 17, 1991

LETTER FROM LAURA DUSEK RE:  
CONROY CT. BLOCK PARTY

Council was advised that Ms. Dusek requests the closing of Conroy Ct. for a Block Party on June 22, 1991, from 3:00 p.m. to 10:00 p.m.

The City pointed out that if permission is granted, the Public Services Department will be instructed to provide the necessary barricades.

6-91-191

Motion by Councilman Hartsock, supported by Councilwoman McShane, to grant permission for closing Conroy Ct. on June 22, 1991, from 3:00 p.m. to 10:00 p.m. for a Block Party. Motion carried, all ayes.

LETTER FROM DDA DIRECTOR  
RE: TIFA LEGISLATION

Council was advised that DDA Director Strip-Sittsamer states that the State legislature is currently considering a number of bills dealing with property tax reform which would affect the TIFA district and the DDA laws. The Director's report pointed out that most of this legislation deals with the elimination or restriction of revenues from these two funding sources.

The City Manager stated that the DDA Board adopted a resolution objecting to this legislation. He pointed out that much of this legislation would restrict the ability of the DDA district to repay a long-term obligation to the City of Farmington. He advised that the DDA asks that City Council take a general position opposing legislative changes which would adversely affect TIFA districts.

6-91-192

Motion by Councilwoman McShane, supported by Councilman Tupper, to take a general position as opposed to legislative changes which would adversely affect TIFA districts. Motion carried, all ayes.

OAK PARK RESOLUTION RE:  
DETROIT LIBRARY FUNDING

Council was advised that the Oak Park resolution supports the full funding of public libraries and specifically objects to the reduction of funding to the Detroit main library from the State Equity Grant program.

The City Manager pointed out that the Detroit Public Library is the State's most valuable library resource because of the types of collections it houses for research.

COUNCIL PROCEEDINGS -4-  
June 17, 1991

6-91-193

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Oak Park resolution pertaining to Detroit Public Library funding. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

SEWER PROJECT CHANGE ORDER RE:  
REMOVAL OF CONTAMINATED SOIL

The City Manager advised that while excavating for the retention basin, the contractor found an ash deposit mixed with the remains of a possible old landfill. He further advised that a required soil test indicated the material is not hazardous but contains higher than allowable levels of heavy metals.

Council was informed that this material must be moved to a landfill designed to handle contaminated materials, thus adding substantial cost to the Sewer Improvement Project.

The City Manager reported that out of four landfill proposals the least costly is the Waste Management proposal at \$20.50 per cu. yd., including trucking. He recommended approval of a change order to provide this removal and approval of a proposal to provide further required soil testing.

6-91-194

Motion by Councilman Hartsock, supported by Councilwoman McShane to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council waives the bid process as being in the best interest of the City and hereby accepts the low proposal of Waste Management, Inc., to truck and dispose of contaminated soil from the City's sewer pumping station and retention basin site on Nine Mile Road at a cost of \$20.50 per cubic yard, and

BE IT FURTHER RESOLVED that Council authorizes the issuance of a Purchase Order to Waste Management, Inc., for the work and amount set forth in this approval.

ROLL CALL:

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

6-91-195

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

COUNCIL PROCEEDINGS -5-  
June 17, 1991

BE IT RESOLVED that the Farmington City Council hereby authorizes the change order contract with Testing Engineers and Consultants in the amount of \$23,357.50 to provide for an environmental assessment and other services contained in their proposal of June 14, 1991, relative to the Wastewater Pumping Station and Retention Basin.

ROLL CALL:

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

ENGINEER/CONTRACTOR PAYMENTS AND CHANGE  
ORDERS: SEWER IMPROVEMENT PROJECT

Contract No. 1 - Change Order No. 4

The City Manager advised that the storm sewer pipe location on Nine Mile Road was relocated to a new easement acquired from the Oakland County Road Commission to accommodate the connection between the new pumping station and the Farmington Interceptor Sewer. He stated that this added more cost to the project.

6-91-196

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes Posen Construction, Inc., Change order No. 4, Contract No. 1, in the amount of \$29,634.81 for 48 inch storm sewer modifications on the Sewer Improvement Project.

ROLL CALL:

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

Contract No. 1 - Payment

Council was advised that payment requested by Posen Construction, Inc., for work completed to date on the Sewer Improvement Project is as follows:

Work completed to date	\$2,055,807.95
Less Retention	( 205,580.80)
Less previous payments	<u>(1,593,250.33)</u>
Authorized payment No. 7	\$ 256,967.82

COUNCIL PROCEEDINGS -6-  
June 17, 1991

6-91-197

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the seventh estimated payment to Posen Construction, Inc., in the amount of \$256,967.82 for work completed on the Sewer Improvement Project, Contract No. 1.

ROLL CALL:

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

Contract No. 2 - Change Order No. 5

Council was advised that the engineers recommend increasing the sand quantity by 3,533.1 cu. yds. at a cost of \$35,441.00; also an adjustment in additional water valve boxes and reconstructing an existing sanitary structure at a combined cost of \$940.00, totaling \$36,381.00.

6-91-198

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes Dan's Excavating, Inc., Change Order No. 5, Contract No. 2 in the amount of \$36,381.00 for additional backfill sand and structures, Sewer Improvement Project.

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

Contract No. 2 - Payment

6-91-199

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment of construction estimate No. 8, Contract No. 2, in the amount of \$157,608.93 to Dan's Excavating, Inc., for work completed on the Sewer Improvement Project, Thomas, Warner and Oakland Streets.



COUNCIL PROCEEDINGS -7-  
June 17, 1991

ROLL CALL:

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991:

Engineer Payment

6-91-200

Motion by Councilman Yoder, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black and Veatch, Architects/Engineers, in the amount of \$44,980.58 for engineering services on the Retention Basin and Sewer Separation Project.

ROLL CALL:

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

Mayor Richardson asked the City Manager to prepare an updated financial report on this project for Council review.

ALLOCATION OF MUNICIPAL CREDIT PROGRAM FUNDS

The City Manager advised that based on the 1990 census and the distribution formula, Farmington will receive \$7,769.00 in Municipal Credit Program funds for fiscal year 1992. He stated that these funds may be used to purchase services from the SMART system and to participate in a joint municipal program which provides transportation services to senior citizens and handicapped persons.

Council was further advised that the City of Farmington Hills has asked that Farmington consider a contribution to help support the senior van service during the next fiscal year.

6-91-201

Motion by Councilwoman McShane, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes that \$1,000.00 be provided to the City of Farmington Hills from the Municipal Credit Program for Farmington's share of the senior van service, and

COUNCIL PROCEEDINGS -8-  
July 17, 1991

BE IT FURTHER RESOLVED that the \$6,769.00 balance of Farmington's 1992 Municipal Credit Program funds be allocated to participate in the jointly funded Municipal Program administered by the City of Livonia.

ROLL CALL:

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

ESTABLISHMENT OF SPECIAL ASSESSMENT DISTRICT  
PARKING LOT IMPROVEMENTS

Council was advised that the Downtown Development Authority has approved a bid schedule and working drawings for Phase IV of the Downtown Streetscape Improvement Program. The City Manager stated that this phase includes work on parking lot "A" and landscaping the strip on Grand River west of Grove; also included is landscaping and lighting of the State Street parking lot located east of the Library.

Council was informed that the total cost of the special assessment district for the parking is \$26,572.00 plus \$23,491.00 for private work and utility hookups. The City Manager advised that further private work behind the stores facing Farmington Road will cost \$6,912.00, making the grand total for the special assessment \$56,975.00.

The City Manager recommended that Council hold a public hearing on July 15, 1991, at 8:00 p.m. on the necessity of establishing this special assessment district.

6-91-202

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

RESOLUTION FOR PUBLIC FUND INVESTMENT  
TRUST WITH MICHIGAN NATIONAL BANK

Council was advised that the Resource Recovery and Recycling Authority of Southeast Oakland County will begin billing for recycling services in July of this year. The City Manager stated that funds collected by RRRASOC on behalf of the City of Farmington will be deposited in Michigan National Bank, which will necessitate opening an account to receive RRRASOC deposits.

The City Manager recommended that City Council adopt a resolution to open a public fund investment trust account at Michigan National Bank in accordance with the City's banking procedures.

COUNCIL PROCEEDINGS -9-  
June 17, 1991

6-91-203

Motion by Councilman Yoder, supported by Councilwoman McShane, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT; None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

RECOMMENDATION TO INCREASE  
WATER AND SEWER RATES

Council was advised that effective July 1, 1991, the City of Detroit and the Oakland County Water and Sewer rates will be increased as follows:

	<u>Detroit</u>	<u>Oakland Co.</u>
Water Rates:	from \$4.53 to \$4.91/MCF	
Sewer Rates:	from 4.42 to 4.63/MCF	From \$5.91/MCF To 6.20/MCF

The City Manager recommended that Farmington's water/sewer rates be increased as follows:

Water Rate: from \$1.21 to \$1.29 per 1,000 gallons  
Sewer Rate: from 1.50 to 1.56 per 1,000 gallons

The City Manager also discussed adjustments for wholesale and outside customer water and sewer rates and recommended adoption of a rate adjustment resolution, effective July 1, 1991.

6-91-204

Motion by Councilman Yoder, supported by Councilman Haftsock, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

RESIDENTIAL LOT SPLIT  
LOT 30, ASSESSOR'S PLAT NO. 7

Council was advised that joint owners of a residential lot request that the lot be split into two separate parcels.

The City Assessor found that the split would not violate the provisions of the Subdivision Control Act. He pointed out that the current use is nonconforming as the lot contains two residential structures on a single residential lot. He further noted that after the split, each parcel will be smaller than required in the R1 District.

COUNCIL PROCEEDINGS -10-  
June 17, 1991

The City Attorney's review found that the split is in order, but that the property will be no more nonconforming after the split than it was before.

The City Manager recommended that Council authorize the split requested.

6-91-205

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

CONTRACT FOR CAR WASHING

The City Manager advised that Jax Kar Wash is the only facility within the city limits that does both exterior and interior cleaning, and city policy dictates that marked vehicles do not leave the city for maintenance services. For these reasons he recommended that the bid process be waived and the contract for car washing be awarded to Jax.

6-91-206

Motion by Councilman Tupper, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby waives the bid process as being in the best interest of the City and awards a contract for FY 1991-92 to Jax Kar Wash in the amount of \$4,060.00 for washing the City's fourteen vehicles, and

BE IT FURTHER RESOLVED that funds be provided from the City's General Fund.

ROLL CALL:

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

ROAD SALT CONTRACT

Council was advised that the State of Michigan Purchasing Department will again make the road salt contract available to municipalities. The City Manager reported that bids for the 1991-92 year will be opened in early July. He indicated that Farmington estimates it may need up to 1,400 tons of road salt.

6-91-207

Motion by Councilwoman McShane, supported by Councilman Yoder, to adopt the following resolution:

COUNCIL PROCEEDINGS -11-  
June 17, 1991

BE IT RESOLVED that the Farmington City Council hereby authorizes participation in the State of Michigan salt bid process for the 1991-92 winter season.

ROLL CALL:

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

AMENDMENT TO CITY MANAGER'S CONTRACT

The City Manager advised Council that he elected not to accept a salary increase this year, but instead to amend the annual contribution to the ICMA Deferred Compensation Program from \$7,350.00 to \$10,850.00.

6-91-208

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby amends the agreement between the City and the City Manager as follows:

Paragraph 1. COMPENSATION: That the City agrees to pay the Manager at a bi-weekly rate of \$2,578.23 (expressed as an annual rate of \$67,034.00 for budget purposes) as compensation for rendering services as City Manager, or such other compensation thereafter as the parties may from time to time agree upon. The City further agrees to contribute the sum of \$10,850.00 annually to the Deferred Compensation Program managed and operated by the International City Manager's Association Retirement Corporation.

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

MISCELLANEOUS

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilman Tupper asked about the status of Mr. DeWard's building. The City Manager advised that it will be back together by August. He stated that Mr. DeWard is considering putting in a basement. Building Inspector Billing stated that the plans have been submitted to his office.

Councilman Tupper commented that the area around the Downtown Center seems to be very dirty. Councilwoman McShane agreed. The

COUNCIL PROCEEDINGS -12-  
June 17, 1991

City Manager advised that it is the responsibility of the Center owner. Council was informed that the owner's latest thinking is that if all of the containers are removed from the Center, people won't litter.

The Mayor asked Mr. Billing to check the gazebo area for trash.

Councilman Tupper asked about the July 1 beginning of recycling. The City Manager advised that notices will go out in tomorrow's mail. He stated that the bins containing an instruction kit will be delivered next month. He further stated that if anyone will not be home the last week of the month, they should ask their neighbor to take in their container.

Councilwoman McShane stated that she received a request from New Horizons of Oakland County inviting Council to visit one of their facilities. She advised that New Horizons provide sheltered workshops for the handicapped and are basically asking for support.

Councilman Hartsock pointed out certain items in the June 3, 1991 issue of the MML Legislative Bulletin. He suggested that we contact our State Representative urging her support of Senate Bills 96-110, which authorize local governments to choose whether an ordinance is a criminal or civil infraction.

6-91-209

Motion by Councilman Hartsock, supported by Councilwoman McShane, to contact State Representative Dolan, urging her to support Senate Bills 96-110. Motion carried, all ayes.

Councilman Hartsock also referred to a Legislative Bulletin item on S.B. 161, which proposes a fundamental change in Headlee rollback calculations. He recommended that Council send a resolution to Senator Faxon opposing this Senate Bill, with a copy to the City of Oak Park.

6-91-210

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt a resolution opposing S.B. 161, and send this resolution to Senator Faxon and to the City of Oak Park. Motion carried, all ayes.

Mayor Richardson announced that she received a letter from Mary Airress, Mayor of the City of Clawson, thanking Farmington for its hospitality on Mayor's Exchange Day.

APPOINTMENT TO FARMINGTON AREA  
COMMISSION ON AGING

The City Manager reported that he contacted Nancy Kuzma to determine if she is still interested in an appointment to the Farmington Area Commission on Aging. He advised that Ms. Kuzma has a degree in Gerontology and has been actively involved in the field of aging for the past five years.

Mayor Richardson pointed out that Ms. Kuzma's initial letter expressing interest in the Commission came to City Council on October 7, 1988. The Mayor advised that at that time, Ms. Kuzma was informed she would be kept in mind for the first opening on this Commission.

6-91-211

Motion by Councilman Hartsock, supported by Councilman Yoder, to appoint Nancy Kuzma, 36015 Smithfield, to the Farmington Area Commission on Aging to fill the unexpired term of Nell Young, who recently resigned, said term to expire June 15, 1992. Motion carried, all ayes.

Councilwoman McShane stated that there is no formal procedure for making appointments, and she would like to see rules in place relative to this procedure.

Councilman Yoder asked what this procedure should be.

Ms. McShane stated that we should advertise, pointing out that by not advertising more qualified candidates are automatically left out.

It was the consensus of the other Council members that in this case there was no reason to advertise as a well qualified candidate was already available.

WARRANT LIST

6-91-212

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$110,076.38; Water & Sewer Fund \$11,841.34.

ROLL CALL:

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

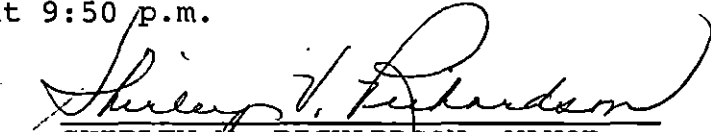
MOTION CARRIED.

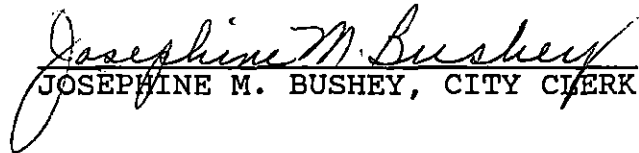
COUNCIL PROCEEDINGS -14-  
June 17, 1991

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:50 p.m.

  
SHIRLEY W. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: July 1, 1991.



CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 91-79

At a regular meeting of the Council of the City of Farmington, Oakland County, Michigan, held on the 17th day of June, 1991, at eight o'clock P.M., Daylight Saving Time.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

ABSENT: None.

The City Manager presented to the Council preliminary plans and specifications showing the improvements described in the following resolution, the location thereof, and an estimate of \$57,000.00 as the cost thereof, prepared by the City of Farmington.

The City Manager also presented to the Council his recommendation concerning what portion of the cost of said improvements should be paid by special assessments, and what part, if any, should be a general obligation of the City, the number of installments in which such special assessments may be paid, and the lands which should be included in the special assessment district.

The following resolution was offered by Hartsock and supported by McShane:

BE IT RESOLVED by the Council of the City of Farmington, Oakland County, Michigan, as follows:

1. That this Council hereby tentatively declares its intention to make the following public improvements:

Construction of improvements to the City parking lot, to-wit:

City parking lot located between Farmington Road and Grand River and State Street and the Library (hereafter referred to as State Street Lot). Resurface the parking lot, bury the power and cable lines, and install curb and landscaping

and to assess 100 percent of the cost thereof to a special assessment district consisting of the properties to be benefitted by such improvements. That such assessment may be payable in 10 yearly installments.

2. That this Council does hereby tentatively designate the following lands as the special assessment district against which the cost of said improvements is to be assessed, to-wit:

Property Description:

- 20-23-27-155-026
- 20-23-27-155-025
- 20-23-27-155-024
- 20-23-28-278-002
- 20-23-28-278-004
- 20-23-28-278-005
- 20-23-28-278-006
- 20-23-28-278-012
- 20-23-28-278-013
- 20-23-28-278-014
- 20-23-28-278-015
- 20-23-28-278-016

All located in the City of Farmington, Oakland County, Michigan.

3. That the plans and specifications and cost estimate with respect to said improvements be filed with the City Clerk for public examination.

4. That this Council shall meet in the City Hall on the 15th day of July, 1991, at 8:00 o'clock P.M., Daylight Saving Time, to hear and consider any objections to said special assessment improvement, and that notice of said hearing be given by publishing the same once prior to said hearing in the Farmington Observer, a newspaper circulated in said City, and also by mailing a copy of said notice to each person who, according to the most recent tax assessment roll of the City of Farmington, is the owner of any property in said proposed special assessment district, at the address appearing on said roll, the publication and the mailing of said notice to take place at least ten days prior to the time of said hearing.

ADOPTED: YEAS: Yoder, Hartsock, McShane, Richardson, Tupper.  
 NAYS: None.  
 ABSENT: None.

STATE OF MICHIGAN )  
 )SS  
 COUNTY OF OAKLAND )

I, the undersigned, the duly qualified and acting 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 in said City on the 17th day of June, 1991, and the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 18th day of June, 1991.

\_\_\_\_\_  
 JOSEPHINE M. BUSHEY, City Clerk  
 City of Farmington

CITY OF FARMINGTON  
23600 Liberty, Farmington, Michigan 48335  
Oakland County

NOTICE OF HEARING ON SPECIAL ASSESSMENT IMPROVEMENT

NOTICE IS HEREBY GIVEN:

1. That the Council of the City of Farmington, Oakland County, Michigan, has tentatively declared its intention to make the following improvement:

Resurfacing the parking lot, bury the power lines, install curbs and landscaping in City parking lot located between Farmington Road and Grand River and State Street and the Library (hereafter referred to as State Street Lot).

2. That plans and specifications showing the aforesaid improvement and the location thereof and an estimate of \$57,000.00 as the cost thereof are on file with the City Clerk for public examination.

3. That the City Council has tentatively designated the following special assessment district against which the cost of 100% of said improvement is to be assessed, being \$57,000.00, to-wit:

Property Description:

20-23-27-155-026	20-23-28-278-006
20-23-27-155-025	20-23-28-278-012
20-23-27-155-024	20-23-28-278-013
20-23-28-278-002	20-23-28-278-014
20-23-28-278-004	20-23-28-278-015
20-23-28-278-005	20-23-28-278-016

All located in the City of Farmington, Oakland County Michigan.

4. That the City Council will meet in the City Hall, 23600 Liberty, Farmington, Michigan, on the 15th day of July, 1991, at eight o'clock P.M., Daylight Saving Time, to hear and consider any objections to the said improvements.

5. If the City Council approves the making of the improvements, a special assessment may be levied against properties that benefit from the improvements. Act 186 of the Public Acts of Michigan, 1973, as amended, provides that the special assessment must be protested at the hearing held for the purpose of confirming the special assessment roll before the Michigan Tax Tribunal may acquire jurisdiction of any dispute involving the special assessment. The hearing for the purpose of confirming the special assessment roll will be held, if at all, at some time in the future pursuant to notice given as required by law. Appearance and protest

at such hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. An owner of or party in interest in property to be assessed, or his or her agent, may appear in person to protest the special assessment, or may protest the special assessment by letter filed with the City Clerk at or prior to the time of the hearing, in which case appearance in person is not required.

THIS NOTICE IS GIVEN BY ORDER OF THE CITY COUNCIL.

---

JOSEPHINE M. BUSHEY, City Clerk

Mailed:  
Published:



## Resolution for Public Fund Investment Trust

**Resolved:**

1. That Michigan National Bank, A National Banking Association (hereinafter referred to as "Bank") be and hereby is designated as Trustee on behalf of the City of Farmington  
(Name of Political Subdivision) ("Local Unit") and authorized to accept the Local Unit's surplus funds for deposit as defined in Michigan Public Act 367 of the Public Acts of 1982 ("Act") or other appropriate regulation.
2. That the Bank is currently listed as an approved depository for such funds.
3. That the Treasurer, Chief Financial Officer, and/or two of the Local Unit be and hereby are authorized to enter into a trust agreement with the Bank providing for the investment of surplus funds in accordance with the Act or other appropriate regulation.
4. That any agreements, authorized or directions required to be signed or given in connection with the intent of this resolution may be signed or given by the Treasurer and/or any one of the following:  
(insert number, if any)

Name	Title
<u>Patsy K. Cantrell</u>	<u>City Treasurer</u>
<u>Robert F. Deadman</u>	<u>City Manager</u>
<u>Shirley V. Richardson</u>	<u>Mayor</u>

whose signature(s) shall be duly certified to the Bank, and the Bank hereby is authorized to accept any surplus funds for investment in accordance with the Act and any agreement entered into between the Local Unit and Bank in connection therewith.

5. That the authority given by this resolution is in addition to and shall not amend or repeal any depository or investment authority granted by any other resolution of the Local Unit.

### Certificate of Resolution

I, the undersigned, do hereby certify that I am the duly elected, qualified and acting City Clerk  
(Clerk-Secretary) of the City Council of City of Farmington, that the foregoing is a true and correct copy  
(Name of governing body) (Name of Political Subdivision) of resolutions duly adopted by said body at a duly convened meeting of said body held on the 17th day of June, 19 91, and that the same are in full force and effect as of the date hereof.

In witness whereof, I have hereunto set my hand as City Clerk  
Clerk-Secretary (Title)  
this 18th day of June, 19 91.

\_\_\_\_\_  
Clerk-Secretary (Signature)

CITY OF FARMINGTON  
RESOLUTION NO. 6-91-204

Motion by Yoder, supported by Hartsock, to adopt the following resolution:

WHEREAS the Code of the City provides that water and sewer rates, fees and service charges shall be established by the City Council;

WHEREAS increased costs require a revision in the rates, fees and charges

Therefore be it resolved the City Council, in accordance with the provisions of Chapter 34 of the City Code, herein establishes the following rates, fees and charges and the following rules and regulations pertaining to the operation of the water and sewer utility such rates, fees and charges and rules and regulations to be effective as of July 1, 1991.

RATES, FEES AND CHARGES:

Farmington Metered Users:

Water Billing Charge:	\$ 1.29 per 1,000 gallons of water used
Sewer Billing Charge:	\$ 1.56 per 1,000 gallons of water used
Quarterly Meter and Service Charge:	\$ 4.40 per premise served

Wholesale and Outside Customer Water Rates:

Farmington System to Other Systems:	\$ 6.69 per thousand cubic feet
Farmington to Outside Customers:	\$ 1.47 per 1,000 gallons of water used plus \$4.40 per premise served
Farmington Evergreen System to Other System:	\$ 5.77 per thousand cubic feet

Wholesale and Outside Customer Sewer Rates:

Farmington District to Other Systems:	\$22.21 per thousand cubic feet
Farmington Evergreen District to Outside Customer:	\$ 3.14 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.

## Connection Fees:

Residential	- Water	\$ 250.00
	- Sewer	350.00
Non-Residential	- Water	Based on unit factor water consumption schedule published by Oakland County times the residential rate.
	- Sewer	Based on the unit factor sewer consumption schedule published by Oakland County times the residential rate.

## Water Tap-Ins

5/8 to 1 in. Water Tap & Meter Set	\$ 925.00
1 1/2 in. Water Tap & Meter Set	\$1300.00
2 in. Water Tap & Meter Set	\$2500.00
Other Size Taps	Time & Material plus 20%

## Sewer Tap-Ins:

Time & Material  
plus 20%

## Meter Removal:

\$ 45.00

## Meter Testing:

Up to 1 in.	\$ 30.00
1 in. and over	Cost + 10%

## Hydrant Use:

Permit	\$ 20.00
Deposit	100.00
Water-Usage	\$1.29 per 1,000 gals Plus 20% Special Handling & Processing

## Construction Water:

Residential	\$ 60.00
Commercial	85.00

## Pool Fillings:

Hydrant Meter, Hose (Pick-up & Delivery)	\$ 50.00
Water-Usage	\$1.29 per 1,000 gals Plus 20% Special Handling & Processing

Penalty on Delinquent Accounts	10%
Water Turn-on	\$ 20.00
Account Set Up Fee	\$ 15.00
Transfer of Delinquent Accounts to Tax Roll	\$ 25.00
Bad Check Charge	\$ 30.00
IWC Charges & Industrial Surcharges	As Follows

INDUSTRIAL WASTE CONTROL CHARGE

<u>Meter Size</u>	<u>Quarterly Charge</u>
5/8"	\$ 5.76
3/4"	8.64
1"	14.40
1 1/2"	31.68
2"	46.08
3"	83.52
4"	115.20
6"	172.80
8"	288.00
10"	403.20
12"	460.80
16"	691.20
18"	806.40

INDUSTRIAL SURCHARGE RATES, PER  
EXCESS POUND

	RATE
1. Biochemical Oxygen Demand (BOD) in excess of 275 mg/l	\$ .112
2. Total Suspended Solids (TSS) in excess of 350 mg/l	.134
3. Phosphorus (P) in excess of 12 mg/l	1.454
4. Fats, Oils, & Grease (FOG) in excess of 100 mg/l	.035



## RULES AND REGULATIONS:

## 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. 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 two-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 non-refundable.
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.

## 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 which, on the thirtieth day of April preceding, have remained unpaid for a period of six (6) months, 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 commenced 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 recommenced 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.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

..... JOSEPHINE M. BUSHEY, CITY CLERK .....

I, Josephine M. Bushey, 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 on Monday, June 17, 1991, in the City of Farmington, Oakland County, Michigan.

\_\_\_\_\_  
Josephine M. Bushey, City Clerk

CITY OF FARMINGTON

RESOLUTION NO. 6-91-204

EXHIBIT A

WHOLESALE AND/OR OUTSIDE USER CHARGES:

WATER ONLY

<u>Farmington System</u>		<u>Wholesale</u>
Detroit Cost		\$ 4.91 MCF
Transportation		.43
Debt G.O.		<u>1.35</u>
		\$ 6.69 MCF
		<u>Direct Service</u>
City Rate		\$ 1.29 M
Debt G.O.		.18 M
Meter Service Charge		<u>4.40</u> per bill
Meter Service Charge	\$1.47 M +	\$ 4.40 per bill
<u>Farmington-Industrial Arm</u>		<u>Wholesale</u>
Detroit Cost		\$ 4.91 MCF
Oakland/Farmington Hills Transportation		.43
Farmington Transportation		<u>.43</u>
		\$ 5.77 MCF

WHOLESALE AND/OR OUTSIDE USER CHARGES:

SEWER ONLY

<u>Farmington System</u>		<u>Wholesale</u>
Cost Detroit		\$ 4.63 MCF
Farmington System Cost O & M		4.61
G.O. Debt		11.86
Excess Flow		<u>1.11</u>
Total City Wholesale Rate:		\$22.21 MCF
		<u>Direct Service</u>
City Rate		\$ 1.56 M
G.O. Debt Service		1.58 M
Meter Service Charge		<u>4.40</u> per bill
	\$3.14 M +	\$ 4.40 per bill
<u>Farmington Evergreen</u>		\$ 6.20 MCF
Oakland/Farmington Hills Cost		\$ 6.20 MCF
Farmington Rate:		

CITY OF FARMINGTON

RESOLUTION NO. 6-91-205

Motion by Yoder, supported by Tupper, to adopt the following resolution:

WHEREAS, a request has been reviewed by City Council to split Lot 30 of Assessor's Plat No. 7 (Parcel No. 23-28-231-010), located at 23910 Grace and 33437 Adams into two separate parcels;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby authorizes the redivision of Parcel No. 23-28-231-010 as requested by the present owners Henry Mahaney and Rebecca Mahaney Brown for estate and tax billing purposes, as shown on the attached survey made a part of this resolution.

ROLL CALL

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 17, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

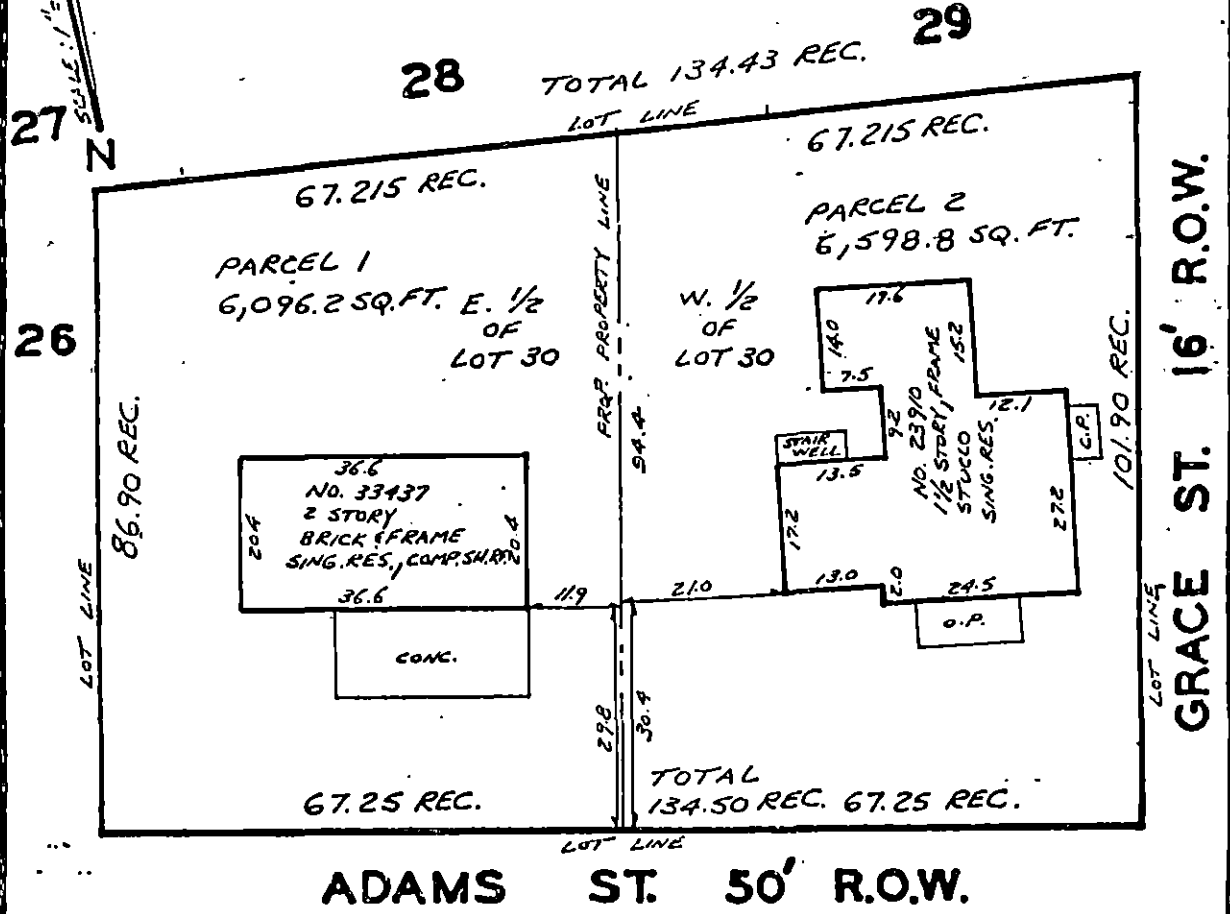
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I, Josephine M. Bushey, duly authorized Clerk for the City of Farmington, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Farmington City Council at a regular meeting held on Monday, June 17, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

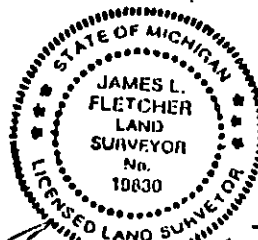
# PROPOSED LOT SPLIT



Parcel 1: The East 1/2 of LOT #30 of Assessor's Plat No. 7, being part of the NE 1/4 of Section 28 and Replat of William L. Powers Plat and Daily's Plat, T. 1N., R. 9E., City of Farmington, Oakland Co., Michigan. Rec'd L. 54 A, P. 91 Plats, Oakland County Records.

Parcel 2: The West 1/2 of LOT #30 of Assessor's Plat No. 7, being part of the NE 1/4 of Section 28 and Replat of William L. Power's Plat and Daily's Plat, T. 1N., R. 9E., City of Farmington, Oakland Co., Michigan. Rec'd L. 54 A, P. 91 Plats, Oakland County Records.

Prepared By:  
James L. Fletcher  
3300 Sutcliff  
Union Lake, MI  
(313) 547-3077



*James L. Fletcher*

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, July 1, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Assistant Director Gushman, Acting City Attorney T. Schultz, Adm. Assistant R. Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

7-91-213

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of June 17, 1991, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

Councilman Hartsock noted that in the Beautification Committee minutes of April 10, 1991, Welcome letters were sent to several new businesses. He questioned whether this committee should be the body representing the City in this regard, rather than City Council.

7-91-214

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and/or file minutes of the following boards and commissions:

- Downtown Development Authority minutes of June 4, 1991;
- Farmington Historical Commission minutes of April 17 and May 6, 1991;
- Farmington Beautification Committee minutes of April 10 and June 12, 1991;
- Farmington Area Commission on Aging minutes of April 23, 1991;
- Farmington Community Library minutes of May 9, 1991;
- Board of Education minutes of May 21, 1991.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### APPLICATION FOR SIGN VARIANCE:

#### SILVER DAIRY, 32323 GRAND RIVER

Council was advised that the owner of Silver Dairy requests a variance to Section 25-4 (7) h of the Sign Ordinance due to being in violation of the 25% guidelines for indoor window signage included in the City's Sign Ordinance.

COUNCIL PROCEEDINGS -2-  
July 1, 1991

Mr. Ross was present and indicated that the window signs are vital to his business; that because his is an outside service business, he cannot post signage in the store. He pointed out that soft ice cream stores all over the nation use the same type of signs.

The City Manager stated that this is the first request for a variance on this issue, but that many other businesses could make the same request.

Tim Doyle, attorney for Mr. Ross, stated that it appears that his outside service may be excluded from the ordinance, and Mr. Ross may not need the variance requested under Section 25-4 (7) h.

Councilman Tupper asked if Mr. Ross could display plastic replicas of his products. Mr. Ross advised that it is impossible to find these items.

Councilwoman McShane stated that the posters have a lot of wasted space at the bottom, including the white backing and all of this is taking up space. Mr. Ross advised that this is meant to give the signs an appealing look and he doesn't consider this a part of the sign.

Councilman Tupper asked for what percentage of window area Mr. Ross is in violation. He was advised that 87% of the front window and 68% on either side is used for advertising; 66% of the east side window area and 65% of the west side window area.

Mayor Richardson stated that Mr. Ross's situation is unique as an outside service, but she pointed out that the overage of window signage is considerable.

Councilman Tupper indicated that if Mr. Ross is asking for the variance with the signs as they are today, we are looking at a 70% to 80% variance.

Mr. Ross stated that 70% to 75% coverage of the windows would be acceptable.

Mr. Tupper suggested that the size of the menu board could be reduced.

Councilman Hartsock stated that he was having difficulty trying to relate the ordinance to this specific situation and still keep with the intent of the ordinance, which was to clean up window displays, while at the same time not hurting the business person by drastically cutting down displays. He said he would like to work in terms of a reasonable display, in terms of percentage of window space.

COUNCIL PROCEEDINGS -3-  
July 1, 1991

Councilman Tupper stated that he would like to see pictures of the items of the same size and placed in a more orderly fashion. Attorney Doyle advised that may be something that Mr. Ross can do when he purchases his new signs next year.

Councilman Yoder thought the attorney made a point that should be considered relative to the purchase of new signs.

Councilwoman McShane stated that in order to consider this variance, she has to look at duplication and wasted space relative to the signs.

Councilman Hartsock pointed out that Council gave those with free standing signs time to comply with the ordinance. He asked if it is unreasonable to allow Mr. Ross to finish the remainder of the season with his present signs with the understanding that he will come back before Council next year.

Councilman Tupper stated that he does not think the Sign Ordinance addresses merchandising. He pointed out that merchandising is the responsibility and the design of the store owner. He stated that Council can possibly work with Mr. Ross. He said that conformity should be in the near distant future, after this season.

7-91-215

Motion by Councilman Yoder, supported by Councilman Hartsock, to grant the requested variance to Section 25-4 (7) h of the City's Sign Ordinance to allow Mr. Ross to continue using the present signage at 32323 Grand River for the remainder of this season, with the stipulation that he returns to Council before he opens in 1992. Motion carried, all ayes.

APPLICATION FOR SIGN VARIANCE:  
MAPLE DRUG STORES

Council was advised that the owner of the three Maple Drug Stores in Farmington requests a variance to Section 25-4 (7) h of the City's Sign Ordinance which limits temporary window signs to 25% of the window area contained in the wall.

The City Manager stated that Mr. Wander's request would increase the allowable window signage area from the ordinance requirement of 25% to 50% of the windows, with 25% limited to advertising products and 25% limited to permanent window signage which does not advertise products but general consumer information or information concerning a service offered to the general public.

Mr. Wander stated that these signs are necessary to remain in Farmington and compete with other businesses that have the resources to advertise in other ways.



COUNCIL PROCEEDINGS -4-  
July 1, 1991

Manager Deadman pointed out that this would set a precedent by allowing a permanent increase in window signage from 25% to 50% of the window space. He suggested that if the variance is granted, Council reconsider the ordinance provisions pertaining to window signs.

Mr. Wander submitted photographs of the window signs for Council's review. He stated that he is willing to create some sort of a compromise which would at least place him on an even keel to compete with larger companies.

Mayor Richardson called for Council's comments on the situation.

Councilman Yoder suggested that a possible compromise would be between 25% and 50%.

Councilman Hartsock suggested that each store be considered separately.

Councilman Tupper stated that he believes the revision of the ordinance and the 25% window coverage was done basically for this type of business.

7-91-216

Motion by Councilman Tupper, supported by Councilwoman McShane, to deny the request for variance to Section 25-4 (7) h of the City's Sign Ordinance for the Maple Drug Stores at the three locations in Farmington.

Discussion of the Motion:

To arrive at some understanding of the situation, Councilman Hartsock asked how the window space would be counted at Arbor Drug.

The City Manager pointed out that there are two separate definitions involved: Permanent signs and temporary signs, which can be 25% of the window area.

Councilman Yoder stated: "If we lose any businesses because of this Sign Ordinance, I for one am going to have a clear conscience, because of the way I am going to vote."

Mr. O'Bradovich, Farmington West Apartments, said he is considering opening a business in Farmington. He agrees with Councilman Yoder that some businesses might leave Farmington because they are being told how they should advertise. He feels that these window signs are very important.

John Richardson, 33936 Oakland, owner of a business on Mooney Street, asked if Council ever had a citizen call to complain

COUNCIL PROCEEDINGS -5-  
July 1, 1991

about the signs. He stated that it's hard to dictate when you have never been in the retail business. He suggested that it is better to have thriving businesses with window signs than more vacant stores.

W. O'Bradovich, 32777 Grand River, stated that she moved here a year ago and those signs helped her, and she never heard anyone complain about the signs.

The Vice-President of Maple Drug Stores stated that retailers don't want to make the area ugly; that they are trying to work with the City.

Mayor Richardson commended Mr. Wander on the remodeling of the former Cambridge Drug site, stating that customers are once again being attracted into this store.

Bill Liba, 33640 Hillcrest, commented on the window signs.

Councilman Hartsock stated that when people talk about signs, it is usually the garish type. He stated that the signs should be tasteful. He feels tastefulness can be accomplished and still help the business person.

Councilman Tupper recalled the question.

Mayor Richardson agreed with Councilman Hartsock's suggestion that each store be considered separately.

ROLL CALL

AYES: Tupper.  
NAYS: McShane, Richardson, Yoder, Hartsock.  
ABSENT: None.

MOTION FAILED.

Councilman Hartsock requested that the square footage of the window space be taken into consideration.

Manager Deadman gave Council the square footage of each store's window space as follows:

Uptown Maple Drug Store	-	576 sq. ft.
Downtown Center Drug Store	-	264 sq. ft.
Drakeshire Center Drug Store	-	217 sq. ft.

Councilman Hartsock stated his concern that granting the variance will change the whole intent of the ordinance. He suggested tabling the variance request for further consideration by Council because there has been a lot of discussion and the Planning

COUNCIL PROCEEDINGS -6-  
July 1, 1991

Commission put a lot of effort into amending the ordinance which is now being tested.

7-91-217

Motion by Councilman Hartsock, supported by Councilman Yoder, to table the Maple Drug Stores' requested variance to Section 25-4 (7) h of the Sign Ordinance and return it to the Agenda within the next 30 days.

Discussion of the Motion:

Manager Deadman stated that more time is necessary to review the situation.

It was suggested that the motion be amended stating a longer and more definite time period, specifically the agenda of the second meeting in August.

The City Manager stated that if the motion passes, it would be helpful for Council to know the square footage in other stores near the Maple Drug Stores.

Councilman Tupper stated that he would like to see the ordinance amended rather than giving this type of variance.

Manager Deadman pointed out that enforcement of the ordinance will be withheld until Council's decision.

The motion was amended to bring this matter back on the Agenda of August 19, 1991. Motion carried, all ayes.

REQUEST FOR BLOCK PARTY  
TOVE BAESSLER, 23001 MAPLE STREET

Council was asked to close Maple Street between Grand River and Cloverdale for a block party on July 4th.

The City Manager stated that if permission is granted, the Department of Public Services will provide the necessary barricades.

REQUEST FOR BLOCK PARTY  
DEBRA PETERSON, 21212 BIRCHWOOD

Council was asked to close Birchwood Street between Flanders and Annewood for a Block Party on July 27th.

The City Manager stated that the Department of Public Services will provide the necessary barricades if permission is granted.

COUNCIL PROCEEDINGS -7-  
July 1, 1991

7-91-218

Motion by Councilman Yoder, supported by Councilwoman McShane, to grant permission for closing Maple Street between Grand River and Cloverdale for a Block Party on July 4th from 4:00 p.m. to 10:00 p.m., and for closing Birchwood Street between Flanders and Annewood for a Block Party on July 27th from 2:00 p.m. to 10:00 p.m. Motion carried, all ayes.

LETTER FROM CITY OF FARMINGTON HILLS RE:  
INSTALLATION OF 72" TRANSMISSION WATER MAIN

Council was advised that local communities request that the Oakland County Road Commission issue permits for construction of a new water main to permit these communities to extend water mains to their residents.

Manager Deadman stated that the City of Farmington Hills requests the Road Commission to immediately authorize a construction permit in accordance with the health and welfare of Farmington Hills and other residents within the County.

The City Manager pointed out that the new Detroit main may indirectly assist the City of Farmington by increasing the capacity of the 14 Mile pumping station. He recommended Council's adoption of a resolution similar to the one adopted by the City of Farmington Hills.

7-91-219

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt a resolution similar to that adopted by Farmington Hills calling for the installation of a 72" transmission water main by the City of Detroit with a copy of said resolution to be sent to the Oakland County Road Commission. Motion carried, all ayes.

REQUEST FOR TENT PERMIT:  
HURON RIVER HUNTING AND FISHING CLUB

Council was advised that the Manager of the Huron River Hunting and Fishing Club requests permission to erect a tent for the annual lobster/clam bake.

7-91-220

Motion by Councilman Tupper, supported by Councilwoman McShane, to grant permission for the Huron River Hunting and Fishing Club to erect a tent in their parking lot on August 18, 1991, for the annual lobster/clam bake. Motion carried, all ayes.

NOTICE FROM SMART RE:  
BUDGET AND SERVICE PLANNING

Council was advised that SMART made certain cuts in its budget in an effort to reduce expenses, and still has insufficient funds to continue the existing level of service.

COUNCIL PROCEEDINGS -8-  
July 1, 1991

Council was further advised that SMART proposes to increase general fares on large buses and small bus connections.

The City Manager stated that the adjustment of two current large bus routes will reduce service to Farmington.

7-91-221

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the notice from SMART relative to their budget for 1992. Motion carried, all ayes.

RESOLUTION FROM WEST BLOOMFIELD TOWNSHIP RE:  
H.B. 4057, ADULT FOSTER CARE FACILITIES

Council was advised that if adopted H.B. 4057 would leave essentially no location standards for the issuance of licenses for adult foster care facilities in Michigan. The City Manager pointed out that this legislation would also lessen local zoning power.

The City Attorney advised that this bill is a policy issue not mandated by the Federal government.

7-91-222

Motion by Councilman Hartsock, supported by Councilwoman McShane, to support West Bloomfield Township's resolution opposing H.B. 4059 by adopting a similar resolution. Motion carried, all ayes.

NOTICE FROM SEMCOG RE: ENVIRONMENTAL IMPACT  
STATEMENT FOR PROPOSED HAGGERTY ROAD  
CONNECTOR PROJECT IN OAKLAND COUNTY

Council reviewed a summary of Alternate 4A relative to the construction of the proposed Haggerty Road Connector Project.

The City Manager discussed the impact of the selected alternate, stating that it will have a positive influence on Farmington's road system by providing an alternative route from the west to the expressway system and the northern part of Farmington Hills. He pointed out that this may provide some relief to the traffic using the Grand River corridor and its intersecting major streets.

7-91-223

Motion by Councilwoman McShane, supported by Councilman Hartsock, to support Alternate 4A for the proposed Haggerty Road Connector project. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

WASTEWATER PUMPING STATION/RETENTION  
BASIN CHANGE ORDER NO. 5

Council was advised that the Farmington Hills water system has insufficient flow pressure for the retention basin wash down.

COUNCIL PROCEEDINGS -9-  
July 1, 1991

The City Manager advised that the least expensive solution would be to construct a 30,000 gallon water storage basin to be drawn upon whenever the retention basin requires cleaning.

Council was advised that a previous estimated cost to construct the basin was \$100,000.00, but the contractor quoted a cost of \$109,959.30.

The City Manager reported that this would require an adjustment to Contract No. 1 and recommended authorization of Change order No. 5.

Manager Deadman provided Council with their previously requested update of the project costs.

7-91-224

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes an adjustment to Contract No. 1 in the amount of \$109,959.30, and

BE IT FURTHER RESOLVED that City Council further authorizes Change Order No. 5 to Contract No. 1, Wastewater Pumping Station/Retention Basin.

ROLL CALL:

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 1, 1991.

Mayor Richardson thanked the City Manager for his update on these project costs.

OAKLAND COUNTY VISION 2010 PROJECT

Council was advised that Vision 2010 would build on past experiences by involving all segments of the County in the strategic planning process. It was noted that a committee of 150 delegates be established to formulate the Vision 2010 Strategic Plan for Oakland County.

The City Manager reported that this endeavor would cost approximately \$350,000.00, \$175,000.00 of which Oakland County would contribute, with remaining costs to be shared by state grants and utility companies in the amount of \$100,000.00. He advised that local governments are asked to provide \$75,000.00, \$701.02 of which is Farmington's estimated share.

COUNCIL PROCEEDINGS -10-  
July 1, 1991

7-91-225

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes participation in the Oakland County Vision 2010 Strategic Planning Program, and

BE IT FURTHER RESOLVED that the City of Farmington contribute \$701.02 as the City's proportionate share of the cost of this program.

ROLL CALL:

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 1, 1991.

CONTRACTOR PAYMENT: DRAKE PARK

The City Manager advised that the contractor for the Drake Park project has completed work and requested final payment in the amount of \$5,315.39. He reported that approval of this payment is recommended, as the architect states the work is in compliance with city specifications.

7-91-226

Motion by Councilwoman McShane, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes final payment of \$5,315.39 to Nationwide Fence and Supply Co., Inc., for work done at Drake Park, and

BE IT FURTHER RESOLVED that funds are provided from the 1990-91 General Fund, and that 75% of the cost is to be paid from the Recreation Bond Grant.

ROLL CALL:

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 1, 1991.

The City Manager advised that all of the recycling bins were distributed, but the contractor either misplaced a packet of material or never received the information from the City. He stated that 500 Farmington residents received nothing but Farmington Hills information. These include all of the residents

COUNCIL PROCEEDINGS -11-  
July 1, 1991

north of Shiawassee and west of Warner. He advised that the City will mail the proper information, even though it is a Holiday week.

Manager Deadman also advised Council that the cement contractors are on strike in part of the metropolitan area and the City's contractor, Clawson, is affected. He stated there is a possibility that the entire State of Michigan will go out on strike. He advised that other drivers are refusing to deliver and the City will try to get some product from patch plants if possible.

MISCELLANEOUS

PUBLIC COMMENT

Mr. Campbell, 21080 Birchwood, asked if there is some way of marking the opaque trash bags if they are used for yard debris. He was advised that stickers are provided for the trash cans only; that the contractors will not check every bag. They will not be picked up as the City's recycling contract is very specific that opaque bags are for garbage only.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilman Tupper was advised that the Oak Hill Annex will be demolished shortly.

Councilman Tupper asked what is being done to assist handicapped residents to get their recycling bins to the curb. He was advised that this matter is being considered.

The City Manager advised that the recycling hot line received over 1,000 telephone calls thus far and the majority of callers asked "how to" questions. He stated that 10% were complaints either that they have to participate or related to the fees.

The Mayor asked about preparations for Council's participation in the Festival Parade.

Mayor Richardson referred to a list of the proposed schedule of events for the 1992 City celebration. She advised that the next committee meeting is scheduled for July 26th.

47th DISTRICT COURT AUDIT REPORT

7-91-227

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and file the 47th District Court Audit Report for the year ended December 31, 1990. Motion carried, all ayes.

FINANCIAL REPORTS

ELEVEN MONTHS ENDED MAY 31, 1991

The City Manager reported that the City received notice from the State of Michigan that there will be delays in payments on State



COUNCIL PROCEEDINGS -12-  
July 1, 1991

Shared Revenue funds by at least a month, but the State will pay interest on late payments.

7-91-228

Motion by Councilwoman McShane, supported by Councilman Hartsock, to receive and file the General Fund and the 47th District Court financial reports for the eleven months ended May 31, 1991. Motion carried, all ayes.

WARRANT LIST

7-91-229

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$124,462.69; Water & Sewer Fund \$42,220.86.

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

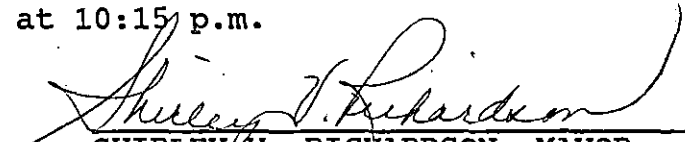
MOTION CARRIED.

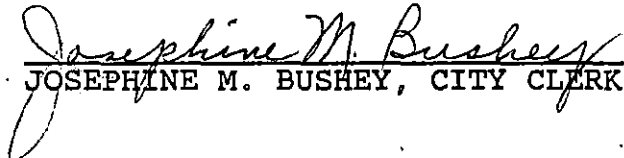
Mayor Richardson thanked Acting City Attorney Tom Schultz for his assistance at tonight's meeting.

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Yoder, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 10:15 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: July 15, 1991.

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, July 15, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Deputy Director Goss, Director Billing, Adm. Assistant R. Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

7-91-230

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of July 1, 1991, as printed. Motion carried, all ayes.

### PUBLIC HEARING

#### SPECIAL ASSESSMENT DISTRICT 91-79 NECESSITY, PARKING LOT IMPROVEMENTS

Mayor Richardson called upon the City Manager to explain the proposed Special Assessment District for Parking Lot Improvements.

The City Manager explained that a portion of the parking lot improvements designated by the Downtown Development Authority will be special assessed against benefitting property owners. He advised that the State Street parking lot is badly deteriorated, creating liability problems for the City. He pointed out that the DDA will construct other improvements at no cost to adjacent property owners. He stated that the DDA investment in this project to bury the utilities and make other improvements is estimated at \$200,000.00.

Council was advised that the total cost of the special assessment will be \$50,063.00 for the State Street parking lot, and landscaping improvements in the downtown parking lot to be special assessed will be \$6,912.00 for a total special assessment district of \$56,975.00.

The City Manager submitted resolutions confirming the necessity of the parking lot improvements and establishing a public hearing to review the proposed special assessment roll.

The Mayor explained the procedure for those who wished to speak, and opened the Public Hearing to the eighteen people present.

COUNCIL PROCEEDINGS -2-  
July 15, 1991

Mr. Chattha, owner of the building at 33401 Grand River advised that it will be extremely difficult for Detroit Edison to approach meters where they are presently located. He pointed out that this area faces stairs going to the basement and physically limits easy access.

The City Manager stated that the electrical engineer already looked at each building, but will reexamine this one.

There were no further comments from the audience.

7-91-231

Motion by Councilman Yoder, supported by Councilwoman McShane, to close the public hearing. Motion carried, all ayes.

Councilman Hartsock asked if the private property owners are going to improve their lots. He was advised that they would like to do so during this project due to the price advantage.

7-91-232 a

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

7-91-232 b

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

The City Manager advised that the public hearing on the assessment roll will take place at the next Council meeting.

MINUTES OF OTHER BOARDS

7-91-233

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and/or file minutes of the following boards and commissions:

- Planning Commission minutes of July 8, 1991;
- Downtown Development Authority minutes of July 2, 1991;
- Traffic and Safety Board minutes of May 16, 1991;
- Farmington Area Commission on Aging minutes of June 25, 1991;
- Board of Education minutes of June 4 and June 18, 1991.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

APPLICATION FOR SIGN VARIANCE: FIRST  
FEDERAL OF MICHIGAN, 23220 FARMINGTON ROAD

Council was advised that Vivid Sign and Graphics, Inc., requests a variance to modify the existing ground sign at First Federal of Michigan, 23220 Farmington Road.

The City Manager pointed out that the existing ground sign is 28 feet 6 inches high, or fourteen inches over the height limitation required by ordinance. He further indicated that the sign ordinance provides that when signs are modified, they shall be brought into conformity with the ordinance.

Councilman Tupper asked if Mr. Morrison could lower the sign to bring it into conformance. He was advised that the cost would be astronomical.

The Mayor pointed out that Council attempts to downsize signs when variances come before them for new businesses, and this sign is twice as high as it should be.

Mr. Morrison stated that to finish the project, First Federal wants to make the sign look better, but he said "We could do nothing and leave the sign as is".

Councilman Hartsock pointed out that the purpose of the ordinance is to allow existing signs that are not in conformance to remain, but once there is a change in the sign, Council tries to bring it into conformance.

Councilman Yoder stated that he does not consider this request unreasonable and has no objection to the variance.

Councilwoman McShane was advised that this approximately thirty-year old sign is structurally sound.

7-91-234

Motion by Councilman Yoder, supported by Councilman Hartsock, to grant the requested variance to Section 25-4 (7) h of the City's Sign Ordinance to allow Mr. Ross to modify the existing ground sign at First Federal of Michigan, 23220 Farmington Road.

Discussion of the Motion

Mayor Richardson indicated that she would vote "No" on this particular motion, primarily because the sign is twice the size it should be. She pointed out that others have come before Council asking for variances and Council has tried to work with them for downsizing.

COUNCIL PROCEEDINGS -4-  
July 15, 1991

Councilman Hartsock asked: "If this motion does not pass, do you have other ground signs that are supported by brick. Perhaps this might be a consideration as opposed to taking a 28 ft. sign and cutting it in half to comply with the ordinance."

Mr. Morrison stated that no action would be taken until something happens to the sign.

ROLL CALL

AYES: Yoder, Hartsock.  
NAYS: Richardson, Tupper, McShane.  
ABSENT: None.

Motion failed for lack of a quorum.

APPLICATION FOR SIGN VARIANCE:  
OAK FARMS MARKET, UPTOWN PLAZA

Council was advised that Mr. Lipa requests a continuing sign variance for the one which expired on July 7, 1991, for Oak Farms Market.

The City Manager suggested that if a variance is granted it should be limited because of other ongoing problems with the operation of this market. He recommended one year.

Councilman Yoder stated that the variance should be limited to six months.

Mr. Lipa stated that he has had no problems and no complaints regarding the signs; they have worked well for the market.

Councilwoman McShane stated that as of yesterday, the sign to the south was missing; that it has been down for at least eight days. She asked if Mr. Lipa plans to put up a new sign. He advised that there was a sign there as of 9 o'clock this morning. Ms. McShane agreed with Councilman Yoder that the variance, if granted, should be limited to six months.

7-91-235

Motion by Councilman Yoder, supported by Councilman Tupper, to grant an extension of the variance to Section 25-4 (7) b which expired on July 7, 1991, for a period of six months, to January 7, 1992. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

APPLICATION FOR REZONING  
LOTS 113/114 FLORAL PARK SUBDIVISION

Mayor Richardson stated that since her husband owns a business close to this site and is likewise a veterinarian, there might be

COUNCIL PROCEEDINGS -5-  
July 15, 1991

a slight conflict regarding this issue. She asked City Council's permission to allow her to abstain regarding this agenda item, and asked that the meeting be turned over to Mayor Pro Tem Yoder.

Mayor Pro Tem Yoder called upon the City Manager to report on this matter.

Council was advised that Dr. Siraj Baig submitted an application to the Planning Commission to rezone lots 113 and 114 of the Floral Park Subdivision so that a veterinary clinic can be constructed on the property.

The City Manager advised that the Planning Commission held a public hearing. He indicated that only one person was opposed to the rezoning; many had questions about the development but did not indicate they either supported or opposed the plan.

Mayor Pro Tem Yoder asked if Council would like to have another public hearing on this rezoning.

Councilman Tupper stated that another public hearing was unnecessary and that Council should continue with the discussion. Council Members McShane and Hartsock agreed.

The Consultant/Developer representing the Baigs, advised that the present building will be replaced by a one story veterinarian's clinic, that dogs will be there only over night if in surgery, and there will be no outdoor facilities. He stated that the present building will be taken down to the foundation and they will be working within these limits. There will be no boardings, no sales. It would be an air conditioned, closed building.

Manager Deadman stated that he does not know whether the footings under the garage are sufficient to support the new structure. He also stated that if they would exceed any setback requirements, they would have to obtain a variance.

7-91-236

Motion by Councilwoman McShane, supported by Councilman Hartsock, to introduce Ordinance No. C-587-91 which would amend the City's zoning map by rezoning lots 113 and 114, Floral Park Subdivision from R-1-P, One Family Parking to R-1-O, One Family Office. Motion carried, 4 ayes, one abstention (Richardson).

Mayor Pro Tem Yoder turned the meeting back to Mayor Richardson.

APPOINTMENT OF THIRD JUDGE

Council was advised that since a third judge was not appointed during the state legislature's 1990 appointment period, the

COUNCIL PROCEEDINGS -6-  
July 15, 1991

legislative authority expired and the appointment will have to be reauthorized.

Judge Schaeffer stated that the 47th District Court definitely needs more space and another Judge. She advised that it is the third busiest District Court in Oakland County and the 14th busiest in the State. She submitted photographs showing the Court's crowded condition for Council's review.

7-91-237 (a)

Motion by Councilman Hartsock, supported by Councilwoman McShane to adopt the following resolution:

WHEREAS, prior legislation permitted a third judgeship for the 47th District Court, and

WHEREAS, such legislation has expired, and

WHEREAS, the Council of the City of Farmington agrees that a third judgeship is necessary for the 47th District Court, and further agrees to provide and maintain facilities, personnel and equipment to operate the Court in accordance with the statutes of Michigan;

NOW, THEREFORE BE IT RESOLVED that the City of Farmington Council requests the state legislature to adopt legislation that would authorize a third judgeship for the 47th District Court of the State of Michigan.

ROLL CALL:

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 15, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

7-91-237 (b)

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City of Farmington Hills bonding attorney to prepare appropriate ballot language for the issuance of bonds in the amount of \$1.8 million to finance the expansion and renovation of the 47th District Court Building, and

BE IT FURTHER RESOLVED that this proposal be placed on the ballot of the November 5, 1991, Regular City Election.

COUNCIL PROCEEDINGS -7-  
July 15, 1991

ROLL CALL:

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 15, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL POLICY ON ADDRESS CURB PAINTING

Council was advised that a violation was issued to two persons for painting street addresses on curbs without permission from the City.

The City Manager advised that it is the opinion of Director Lauhoff that the majority of addresses are currently displayed by distinctive street numbers, which are used by delivery persons and emergency service providers to locate a specific address.

Director Lauhoff indicated that numbers painted on curbs are not used by the Public Safety Department or other emergency service providers because they usually wear off quickly, are obstructed during the winter and are further obstructed by parked cars. Consequently, these numbers cannot be relied on and provide little advantage to the residents.

After due consideration, Director Lauhoff recommended that City Council establish a policy prohibiting curb painted addresses.

7-91-238

Motion by Councilman Tupper, supported by Councilman Hartsock, that the Farmington City Council adopts a policy prohibiting the painting of addresses on the City's curbs. Motion carried, all ayes.

EVERGREEN-FARMINGTON SEWER DISPOSAL SYSTEM  
POLLUTION CONTROL PROJECT

Council was advised that the City will participate in the installation and management of meters through the Evergreen-Farmington Sewer Disposal System, which will certify that the system performs within the allocated sewerage flow permit. The City Manager stated that the total project cost is \$5,300,000.00, and Farmington's share will be \$36,517.00.

Manager Deadman recommended that City Council adopt the resolution submitted, which would amend the original authorization to participate in the project by accepting the amended Exhibits C-1, D and E to the contract which describe the project, establish the budget and establish the community's share of the cost.



COUNCIL PROCEEDINGS -8-  
July 15, 1991

7-91-239

Motion by Councilman Yoder, supported by Councilwoman McShane, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

CONTRACTOR PAYMENTS SEWER IMPROVEMENT PROJECT

The City Manager recommended payment of \$60,666.18 to Black and Veatch for work completed through June 7, 1991 on the Sewer Improvement Project, Contract No. 2. Payment of \$453,871.80 to Posen Construction, Inc., was also recommended for work completed from May 1 to June 30, 1991.

7-91-240

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black and Veatch, Architects/Engineers, and Orchard, Hiltz and McCliment, Inc., in the amount of \$60,666.18 for work completed on Contract No. 2, Sewer Improvement Project through June 7, 1991.

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 15, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

7-91-241

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the eighth payment to Posen Construction, Inc., in the amount of \$435,871.80 for work completed from May 1 to June 30, 1991, on the Sewer Improvement Project, Contract No. 1.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 15, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

MISCELLANEOUS

PUBLIC COMMENT

Arnold Campbell, 21080 Birchwood, asked if a resident repainted his curb on his own he could be ticketed under the new Council policy? The City Manager said that he could at least be asked to remove it.

Mr. Campbell asked if adding a third District Court Judge will reduce the magistrates' time. Manager Deadman stated that he is uncertain, although the Court has a backlog of trial cases which the magistrates cannot try.

Mr. Campbell also asked how much of the \$1.8 million for the Court expansion bonds would be for Farmington residents. He was advised about 10%.

Director Billing advised that the concrete strike is settled, and the contractor has already brought equipment in to begin tomorrow completing the work previously begun on the City streets.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilman Yoder asked when digging will begin on Grand River. Director Billing stated this should be soon. He advised that there is a permit from the Highway Department, and work is presently being done on the Orchard Lake Road water main.

The Departments of Public Safety and Public Services were commended for the manner in which they handled the Farmington Festival events and cleanup, also the recent serious storm damage.

Mayor Richardson extended a special thanks to the City's residents for their cooperation and understanding during the power restoration process.

APPOINTMENTS TO BOARDS/COMMISSIONS

Council was advised that the term of Ralph Yoder expires next month on the Economic Development Corporation as well as the term of Evanthia Samra on the Farmington Area Arts Commission.

Manager Deadman pointed out that Council has not been making reappointments to the EDC because the corporation is presently without a mission. He stated that based on current laws, those members appointed thus far will continue to serve until replaced.

Mr. Deadman continues to recommend that Council does not reappoint members to EDC, as the corporation's assets have been transferred to the City, and it has very limited authority to authorize funding for new projects.

COUNCIL PROCEEDINGS -10-  
July 15, 1991

7-91-242

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and file the City Manager's report relative to appointments to the Economic Development Corporation. Motion carried, all ayes.

Farmington Area Arts Commission

The City Manager stated that Mrs. Samra is interested in continuing on this commission, if Council so appoints.

7-91-243

Motion by Councilman Tupper, supported by Councilwoman McShane, to appoint Evanthia Samra for a new 3-year term on the Farmington Area Arts Commission, said term to expire in August, 1991. Motion carried, all ayes.

WARRANT LIST

7-91-244

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$54,987.01; Water & Sewer Fund \$39,319.76.

ROLL CALL:

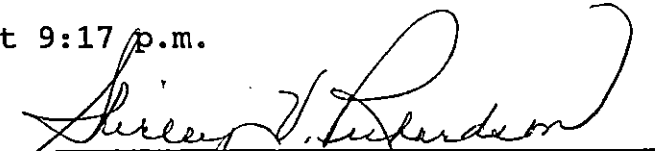
AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

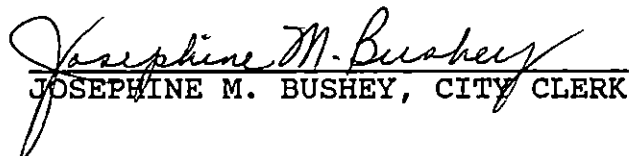
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Yoder, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:17 p.m.

  
SHIRLEY W. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: August 5, 1991.

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 91-79

RESOLUTION OF NECESSITY

At a regular meeting of the City Council of the City of Farmington, Oakland County, Michigan, held at the City Hall, on the 15th day of July, 1991, at 8:00 o'clock P.M. Daylight Saving Time.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

ABSENT: None.

The Mayor announced that this was the time fixed for hearing and considering any objections to the following improvements:

Construction of improvements to city parking lot located between Farmington Road, Grand River, State and Liberty Streets "State Street Lot" and improvements to the main downtown lot including resurface the lot, bury all power and cable lines, and install curbs and landscaping

and to the special assessment district as tentatively established for said parking lot improvements.

No written or oral objections were received except as follows:

The Mayor thereupon declared the hearing closed.

The following resolution was offered by McShane and seconded by Tupper:

WHEREAS, this Council has been requested to consider the construction of parking lot improvements in said City to be located as follows:

Between Farmington Road, Grand River, State and Liberty Streets

and

WHEREAS, this Council has obtained preliminary plans and specifications for such improvement, a cost estimate therefor, a recommendation concerning the percentage of such cost to be paid by the City, and a recommendation concerning the number of installments of such special assessments, the rate of interest on such installments and a proposed special assessment district therefor; and

WHEREAS, this Council has met on this date for the purpose of hearing and considering any objections to said improvement.

BE IT FURTHER RESOLVED by the Council of the City of Farmington, Oakland County, Michigan, as follows:

1. That this Council hereby determines that the improvement described in the preamble hereto should be made.

2. That this Council does hereby approve the plans and specifications and the cost estimate for such improvement on file with the City Clerk.

3. That this Council does hereby determine that 100% of the cost of such improvement shall be paid by the special assessment district.

4. That this Council does hereby determine that such special assessment shall be paid in 15 installments, and that the rate of interest on such installments shall be in an amount not to exceed 8.5% per annum.

5. That the special assessment district for such improvement shall include the following properties:

Parcel Numbers:	20-23-27-155-026	20-23-28-278-006
	20-23-27-155-025	20-23-28-278-012
	20-23-27-155-024	20-23-28-278-013
	20-23-27-278-002	20-23-28-278-014
	20-23-27-278-004	20-23-28-278-015
	20-23-27-278-005	20-23-28-278-016

6. That the City Assessor is hereby directed to make a special assessment roll assessing the cost of said improvement in the sum of \$57,000.00 against the lands in said special assessment district, in which roll shall be entered and described all parcels of land to be assessed, with the names of the respective owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all of the lands in said special assessment district as the benefit to such parcel of land bears to the total benefit of all parcels of land in said special assessment district.

7. That when the City Assessor shall have completed said special assessment roll, he shall affix thereto his certificate as required by law, and shall file such roll with the City Clerk, who shall then present the same to this Council.

ADOPTED: YEAS: McShane, Richartson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

STATE OF MICHIGAN )  
                          )SS.  
COUNTY OF OAKLAND )

I, the undersigned, the duly qualified and acting 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 in said City on the 15th day of July, 1991, and the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 16th day of July, 1991

---

JOSEPHINE M. BUSHEY  
City Clerk  
City of Farmington

12.1

CITY OF FARMINGTON  
23600 Liberty, Farmington, Michigan 48335  
Oakland County

NOTICE OF HEARING ON SPECIAL ASSESSMENT IMPROVEMENT

NOTICE IS HEREBY GIVEN that Street Improvements Special Assessment Roll No. 91-79 in the amount of \$57,000.00 for the construction of improvements to be located in said city to be located as follows:

Construction of improvements to city parking lot located between Farmington Road, Grand River, State and Liberty Streets "State Street Lot" and improvements to the main downtown lot including resurface the lot, bury all power and cable lines, and install curbs and landscaping

has been filed in the office of the City Clerk for public examination.

NOTICE IS FURTHER GIVEN that the City Council will meet in the City Hall, 23600 Liberty, Farmington, Michigan, on the 5th day of August, 1991, at 8:00 o'clock P.M., Daylight Saving Time, to review said special assessment roll and to hear any objections thereto.

Appearance and protest of the special assessment at the hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. An owner of or party in interest in property to be assessed, or his or her agent, may appear in person to protest the special assessment, or may protest the special assessment by letter filed with the City Clerk at or prior to the time of the hearing, in which case appearance in person is not required. If the special assessment is protested as provided above, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal or other court of competent jurisdiction within 30 days after the confirmation of the special assessment roll.

THIS NOTICE IS GIVEN BY ORDER OF THE CITY COUNCIL.

---

JOSEPHINE M. BUSHEY  
City Clerk  
City of Farmington

Mailed: July 16, 1991.  
Published: July 22, 1991.

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 91-79

RESOLUTION SETTING HEARING ON

SPECIAL ASSESSMENT ROLL

At a regular meeting of the City Council of the City of Farmington, Oakland County, Michigan, held at the City Hall, on the 15th day of July, 1991, at 8:00 o'clock P.M. Daylight Saving Time.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

ABSENT: None.

The following resolution was offered by McShane and seconded by Tupper:

WHEREAS, the special assessment roll in the amount of \$57,000 heretofore made by the Assessor was presented to the City Council for the following improvement:

Construction of improvements to city parking lot located between Farmington Road, Grand River, State and Liberty Streets "State Street Lot" and improvements to the main downtown lot including resurface the lot, bury all power and cable lines, and install curbs and landscaping

be filed in the office of the City Clerk for public examination, and

WHEREAS, said special assessment roll and, likewise, the special assessment improvement and the special assessment district to which said roll pertains, hereby are designated as Parking Lot Improvement Special Assessment Roll No. 91-79, and

THEREFORE BE IT RESOLVED the Council established a public hearing to be held on the 5th day of August, 1991 at 8:00 p.m. Daylight Saving Time for the purpose of reviewing said special assessment roll and to hear and consider any objections thereto, and that notice of said hearing shall be given by publishing the same once prior to said hearing in the Farmington Observer, a newspaper circulated in said city, and by mailing the same to all persons whose names appear on said special assessment roll as the owners of property in the special assessment district at the address shown thereon. The first publication and such mailing shall be at least 10 days prior to the time of said hearing.

ADOPTED: YEAS: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.





At a Regular meeting of the City Council of the City of Farmington, Oakland County, Michigan (the "City"), held on the 15th day of July, 1991, at 8:00 p.m., Michigan Time.

PRESENT: Hartsock, McShane, Richardson, Tupper. Yoder.

ABSENT: None.

The Clerk stated to the Council that the City has contracted with the County of Oakland (the "County") and fourteen other municipalities within the County in a Contract entitled EVERGREEN AND FARMINGTON SEWAGE DISPOSAL SYSTEMS INTERMUNICIPAL CONTRACT CONCERNING WASTEWATER TREATMENT AND POLLUTION CONTROL PROJECTS dated as of September 30, 1989 (the "Contract"), relative to the acquisition and construction of certain pollution control facilities, including performance certification and permanent meter improvements and interceptor rehabilitation improvements, by the County as additions to the Evergreen and Farmington Sewage Disposal System in the County and that it is now necessary to approve and adopt revised Exhibits C-1, D and E to the Contract, a copy of each of which is dated as of June 27, 1991, presented at this meeting for purposes of reflecting performance certification requirements and an increase in the number of permanent sanitary sewage meters to be acquired and constructed pursuant to the provisions of the Contract and

revising cost estimates of the performance certification and permanent meter improvements and interceptor rehabilitation improvements.

The following resolution was offered by Yoder  
and seconded by McShane:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, OAKLAND COUNTY, MICHIGAN, as follows:

1. The City Council hereby approves and adopts revised Exhibits C-1, D and E to the Contract, each dated as of June 27, 1991. The revised Exhibits C-1, D and E replace Exhibits C-1, D and E dated as of August 21, 1989, and shall become parts of the Contract.
2. The Mayor and the City Clerk are hereby authorized and directed to endorse approval on the revised Exhibits C-1, D and E as parts of the Contract in the name and on behalf of the City, in as many counterparts as may be deemed necessary.
3. A copy of each of the revised Exhibits C-1, D and E, as presented to this City Council and as herein approved and authorized to be endorsed and delivered, shall be attached to the minutes of this meeting and made a part hereof and shall be



**EVERGREEN-FARMINGTON SEWAGE DISPOSAL SYSTEM  
POLLUTION CONTROL FACILITIES**

**PERMANENT METER INSTALLATION - PERFORMANCE CERTIFICATION PROGRAM  
AND INTERCEPTOR REHABILITATION**

---

**PROJECT DESCRIPTIONS**

---

**PERMANENT METER INSTALLATION - PERFORMANCE CERTIFICATION PROGRAM**

Install permanent sanitary sewerage meters at sixty-eight (68) select locations within the Evergreen-Farmington Sewage Disposal System to provide perpetual and continuous flow monitoring for total community capacity verification and to implement the performance certification. In addition to the meter installations, the project will provide a central computer and associated equipment, software, software licenses and operator training. The Performance Certification Program will be conducted to certify that the Evergreen-Farmington Pollution Control Facilities meets its design criteria. This entails metering approximately 60 subdistricts within the Evergreen-Farmington District and utilizing data from the 68 permanent flow meters. Metering will be performed after SSES system rehabilitation has been completed to quantify the amount of infiltration/inflow reduction achieved. Certification is based on the comparison of first year operational actual flows (from meter data) to first year anticipated design flows established by the Evergreen-Farmington Facilities Plan.

**INTERCEPTOR REHABILITATION - OAKLAND COUNTY INTERCEPTORS  
(System-Wide)**

Removal of inflow in the County Interceptors is detailed in the Sewer System Evaluation Survey Report of May 1989, as amended, prepared for Oakland County by Hubbell, Roth & Clark, Inc., Consulting Engineers. Rehabilitation, repair and associated work will be performed at 315 manhole locations within the County Interceptor System.

**EVERGREEN-FARMINGTON SEWAGE DISPOSAL SYSTEM  
 POLLUTION CONTROL FACILITIES  
 PERMANENT METER INSTALLATION - PERFORMANCE CERTIFICATION PROGRAM  
 AND INTERCEPTOR REHABILITATION  
 ESTIMATE OF COST**

**PERMANENT METER INSTALLATION - PERFORMANCE CERTIFICATION PROGRAM**

**CONTRACTED SERVICES - CONSTRUCTION - METER INSTALLATION**

68 Meter Installations, complete with Base Station Computer and Software License	L.S.	\$2,142,096
--	------	-------------

**CONTRACTED SERVICES - PERFORMANCE CERTIFICATION,  
 PROJECT DESIGN & MANAGEMENT**

Performance Certification Program		\$1,279,000
Consulting Engineer-Design (Step I)	\$126,400	
Consulting Engineer-Constr (Step II)	<u>\$283,600</u>	\$ 410,000
Meter Purchase Cost		\$ 381,000

**COUNTY SERVICES - PROJECT MANAGEMENT**

Engineering		\$ 46,200
Administration		\$ 22,000
D.P.W. - Installation and Maintenance Services		\$ 268,317
D.P.W. - Installation of Ground Water Monitoring Right-of-Way (including legal)		\$ 20,000 \$ 30,000

**CONTINGENCY**

\$ 394,887

**SUB-TOTAL - ESTIMATED PROJECT COST**

\$4,993,500

**INTERCEPTOR REHABILITATION**

**CONTRACTED SERVICES - CONSTRUCTION - INTERCEPTOR REHABILITATION**

Manhole Rehabilitation, complete with all incidental work	L.S.	\$ 159,819
--	------	------------

**CONTRACTED SERVICES - PROJECT DESIGN & MANAGEMENT**

Consulting Engineer-Design (Step II)	\$ 18,150	
Consulting Engineer-Constr (Step III)	<u>25,000</u>	\$ 43,150

**EVERGREEN-FARMINGTON SEWAGE DISPOSAL SYSTEM  
POLLUTION CONTROL FACILITIES  
PERMANENT METER INSTALLATION - PERFORMANCE CERTIFICATION PROGRAM  
AND INTERCEPTOR REHABILITATION  
ESTIMATE OF COST**

**COUNTY SERVICES**

Engineering	\$ 2,900
Administration	\$ 1,200

**CONTINGENCY** \$ 22,931

**SUB-TOTAL - ESTIMATED PROJECT COST** \$ 230,000

**Less: Federal Grant Amount** \$ 100,000

**SUB-TOTAL - ESTIMATED PROJECT COST** \$ 130,000

**BOND ISSUANCE**

**COST OF ISSUANCE**

Bond Counsel	\$ 26,000	
Financial Advisor	\$ 25,000	
Official Statement	\$ 10,000	
Rating Fee	\$ 12,000	
Accountant's Fee	\$ 15,000	
Bond Discount (1.5%)	\$ 81,000	
Printing & Publishing	<u>\$ 7,500</u>	<u>\$ 176,500</u>

**SUB-TOTAL - ESTIMATED BOND COSTS** \$ 176,500

**TOTAL ESTIMATED PROJECT COST/AMOUNT OF ISSUE** \$5,300,000

**NOTE:** An application for Federal Grant Assistance has been filed, but the amount of the Grant Assistance has not been determined. The Total Estimated Project Cost will be adjusted by the amount of any Grant Assistance received.

I hereby estimate the period of usefulness of the Evergreen-Farmington Sewage Disposal System Pollution Control Facilities, of which these are a part, to be forty (40) years and upwards.

HUBBELL, ROTH & CLARK, INC.

By: *Paul Waring*

**EVERGREEN-FARMINGTON SEWAGE DISPOSAL SYSTEM  
POLLUTION CONTROL FACILITIES**

**PERMANENT METER INSTALLATION - PERFORMANCE CERTIFICATION PROGRAM  
AND INTERCEPTOR REHABILITATION**

**PROJECT COST SHARES BY COMMUNITY**

<u>Community</u>	<u>Cost Allocation By Percentage</u>	<u>Estimated Cost Share</u>
AUBURN HILLS	.873	\$ 46,269
BEVERLY HILLS	4.435	235,055
BINGHAM FARMS	.556	29,468
BIRMINGHAM	3.557	188,521
BLOOMFIELD HILLS	2.031	107,643
BLOOMFIELD TOWNSHIP	10.763	570,439
FARMINGTON	.689	36,517
FARMINGTON HILLS	23.916	1,267,548
FRANKLIN	.750	39,750
KEEGO HARBOR	.893	47,329
LATHRUP VILLAGE	1.710	90,630
ORCHARD LAKE VILLAGE	.699	37,047
SOUTHFIELD	30.770	1,630,810
TROY	4.348	230,444
WEST BLOOMFIELD TOWNSHIP (Includes Portion of Sylvan Lake)	14.010	742,530
	<u>100.000%</u>	<u>\$5,300,000</u>



COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, August 5, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, City Attorney Donohue, Adm. Assistant R. Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

8-91-245

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of July 15, 1991, as printed. Motion carried, all ayes.

PUBLIC HEARING

SPECIAL ASSESSMENT DISTRICT 91-79  
CONFIRMING SPECIAL ASSESSMENT ROLL

Mayor Richardson called upon the City Manager to explain the proposed Special Assessment District for Parking Lot Improvements.

The City Manager explained the proposed improvements include resurfacing the State Street parking lot and removing the overhead Edison, telephone and cable system wires in this lot. He pointed out that these wire systems will be placed underground.

Council was advised that the property owners request that the cost of repaving their private parking facilities adjacent to the State Street lot be included in the special assessment district. Council was further advised that these property owners agree to assume their proportionate share of the assessment district based on a formula taking into consideration the parking needs for each property.

The City Manager stated that the bids received for this project were within 1% of the engineering estimate, and the city is now able to establish the special assessment amount for each property.

The Mayor explained the procedure for those who wished to speak, and opened the Public Hearing to the fifteen people present.

COUNCIL PROCEEDINGS -2-  
August 5, 1991

There were no comments from the audience, so the Mayor called for a motion to close the Public Hearing.

8-91-246

Motion by Councilman Tupper, supported by Councilman Yoder, to close the public hearing. Motion carried, all ayes.

8-91-247

Motion by Councilman Yoder, supported by Councilwoman McShane, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

MINUTES OF OTHER BOARDS

8-91-248

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and/or file minutes of the following boards and commissions:

- Downtown Development Authority minutes of July 17, 1991;
- Traffic and Safety Board minutes of June 20, 1991;
- Board of Review minutes of March, 1991.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

APPLICATION FOR FENCE VARIANCE:  
33355 SLOCUM

Council was advised that the owner, Van Michaels, requests approval to retain a split rail fence that was installed forward of the front building line at 33355 Slocum without a permit. Mr. Michaels submitted photographs for Council review showing the old fence and the new fence, stating that the fence is to discourage people from cutting across the grass.

8-91-249

Motion by Councilman Tupper, supported by Councilman Yoder, to grant the requested variance to Section 13-3 (a) of the City's fence ordinance, allowing Mr. Michaels to retain the split rail fence installed forward of the front building line at 33355 Slocum. Motion carried, all ayes.

REQUEST FROM SALEM UNITED CHURCH OF CHRIST  
RE: USE OF CITY PARK

Council was advised that the Church requests permission to use the Memorial Monument park grounds for an ice cream social on Sunday, August 18. They also request permission to display outside banners to publicize the event.

COUNCIL PROCEEDINGS -3-  
August 5, 1991

The City Manager pointed out that City Council granted the Salem Church permission to use this park for the past two years.

8-91-250

Motion by Councilman Tupper, supported by Councilwoman McShane, to grant permission to the Salem United Church of Christ to use the Memorial Monument park grounds for an ice cream social on Sunday, August 18, 1991. Motion carried, all ayes.

OAK PARK RESOLUTION RE: H.B. 6208  
AMENDING WETLANDS PROTECTION ACT

Council was advised that Oak Park opposes adoption of H.B. 6208 which would amend the Wetland Protection Act, because it would restrict and limit local governmental units from enacting regulations to protect wetlands. Oak Park states that local government should be allowed to adopt regulatory ordinances that relate to wetlands' protection. H. B. 6208 would prohibit regulations of this type.

8-91-251

Motion by Councilwoman McShane, supported by Councilman Hartsock, to oppose the adoption of H.B. 6208 which would amend the Wetland Protection Act. Motion carried, all ayes.

REQUEST FOR USE OF CITY FIELD  
FARMINGTON ROCKETS JUNIOR FOOTBALL, INC.

Council was advised that the Athletic Director of the Farmington Rockets requests permission to use the baseball diamond in the western portion of Shiawassee Park for their practice field through October 25, 1991.

The City Manager advised that if the city grants this permission, it would be necessary to close the baseball diamonds for the requested time period; that there are sufficient diamonds at other locations to accommodate the needs of baseball players.

Council was advised that if allowed to use this park area, the Farmington Rockets would provide the City with \$1 million in liability insurance and repair any damage done to the field due to their activities.

8-91-252

Motion by Councilwoman McShane, supported by Councilman Tupper, to grant permission to Farmington Rockets Junior Football, Inc., to use the outfield area of the baseball diamond in the western portion of Shiawassee Park from August 12 through October 25, 1991, with the stipulation that the league provides the City with \$1 million in liability insurance and repairs whatever damage occurs to the field as a result of their practice activities. Motion carried, all ayes.

REQUEST FOR POWER ROAD BLOCK PARTY

Council permission was requested for closing Power Road for a Block Party on September 1, 1991 between 10:00 a.m. and 4:00 p.m. to benefit Muscular Dystrophy.

The City Manager recommended that Public Services representatives meet with Mr. Schemmel, who requested the street closing, so that proper barricades can be positioned prior to 10:00 a.m. on September 1.

8-91-253

Motion by Councilman Yoder, supported by Councilwoman McShane, to grant permission to close Power Road on Sunday, September 1, 1991, between 10:00 a.m. and 4:00 p.m. for a Block Party, and further, that representatives of the Public Services Department meet with the coordinator, Mr. Schemmel, so that proper barricades can be placed prior to the 10:00 a.m. street closing on September 1, 1991. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

SKATEBOARDING ORDINANCE

Council was advised that a letter was received in early July from the Farmington Public Schools Board of Trustees stating that the Board requests the Cities of Farmington and Farmington Hills to approve an ordinance prohibiting skateboards, rollerblades and rollerskis on school property.

The City Manager reported that after reviewing similar ordinances from eleven other communities, he requested that the City Attorney draft a proposed Skateboarding Ordinance for Council consideration. He suggested that the ordinance be introduced if it is acceptable to Council.

8-91-254

Motion by Councilman Yoder, supported by Councilman Hartsock, to introduce Ordinance No. C-588-91 relative to Skateboarding. Motion carried, all ayes.

CAT CONTROL ORDINANCE

Council was advised that the Director of Public Safety reviewed cat control ordinances from eight communities, which are similar relative to:

- Limiting number of animals that may be kept;
- Regulating conditions for maintaining cats to eliminate nuisance (noise, odor, etc.);
- Requiring licensing and immunization against rabies;
- Permitting police to take action against owners if animal is found to be vicious, injures persons or damages property.

After considerable discussion, the following motion was made.

8-91-255

Motion by Councilman Yoder, supported by Councilman Hartsock, to request the City Attorney to draft a proposed Cat Control Ordinance for Council review within the next thirty days. Motion carried, all ayes.

PARTICIPATION IN OAKLAND COUNTY  
EMERGENCY ASSISTANCE PLAN

Council was advised that with present concerns relative to transportation of chemical and radioactive materials, there has been ongoing discussion among fire chiefs on the development of a county-wide hazardous materials response team. Council was informed that to implement this service and others, the fire chiefs recommend that a single county-wide mutual aid agreement be adopted by all communities in Oakland County.

The City Manager stated that Director Lauhoff concurs with this recommendation. The Director also stated that Farmington's agreement with Farmington Hills will continue. He indicated that the county-wide plan would merely consolidate all departments in Oakland County.

8-91-256

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

STATE CRIME PREVENTION GRANT  
VEHICLE PURCHASE

Council was advised that the State funds originally authorized to purchase a van through the Oakland County purchasing program were reduced from \$15,000.00 to \$10,200.00 and are now approved for distribution.

The City Manager pointed out that because of the time that expired since the grant was originally presented to Council in December, 1990, vehicles are no longer available through the County. He advised that this vehicle must be purchased from vendor stock to assure delivery by the end of the State's fiscal year.

Council was informed that out of six quotations, the low quotation was from Town and Country Dodge for a five passenger van at \$12,876.00.

8-91-257

Motion by Councilman Yoder, supported by Councilman Tupper to adopt the following resolution:

COUNCIL PROCEEDINGS -6-  
August 5, 1991

BE IT RESOLVED that the Farmington City Council hereby accepts the State Grant of \$10,200.00 and waives the bid process as being in the best interest of the City, and

BE IT FURTHER RESOLVED that City Council authorizes the purchase of a Dodge van from Town and Country Dodge, Farmington Hills, Michigan, at a cost of \$12,876.00, the low quotation, and

FURTHER, BE IT RESOLVED that funds in excess of the State Grant be provided from the City's General Fund.

ROLL CALL:

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 5, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

OAKLAND COUNTY PERSONAL PROPERTY CONTRACT

The City Manager recommended that Council authorize a contract with Oakland County to continue providing personal property assessment services for 1992 at a cost of \$8.00 per parcel. He advised that the contract would have an estimated cost of \$6,000.00 for the city's approximately 750 parcels.

8-91-258

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager and the City Clerk to enter into a contract with Oakland County to provide personal property assessment services at a cost of \$6,000.00 for the tax year of 1992, and

BE IT FURTHER RESOLVED that funds be provided from the City's General Fund.

ROLL CALL:

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 5, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

GRAND RIVER/FARMINGTON RD. INTERSECTION

Council was advised that the County and the State recently agreed

COUNCIL PROCEEDINGS -7-  
August 5, 1991

to implement the original design of the traffic controllers and markings in the intersection of Farmington Road and Grand River that was brought before Council in March of 1990.

The City Manager advised that the combined cost of all the work is estimated at \$7,459.60 and will be shared by the City, the Oakland County Road Commission and the State Highway Department, with Farmington's share estimated at \$1,766.67.

Council was advised that the redesign is an effort to reduce backup of northbound traffic at Grand River during peak periods.

The City Manager stated that the Traffic and Safety Board recommends approval of the new design.

8-91-259

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the approval of a design change at the Farmington Road/Grand River intersection; also the change of the signal controllers at Farmington Road and Alta Loma, and

BE IT FURTHER RESOLVED that funds be provided from the Major Street Fund, at an estimated cost of \$1,766.67 for the City's share of this project.

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 5, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

MISCELLANEOUS

PUBLIC COMMENT

Arnold Campbell, 21080 Birchwood, advised that the contractor's solid waste trucks are coming around about twenty minutes to seven in the morning. The City Manager said he would check into this.

Mr. Campbell commented that Farmington Hills is putting together two committees: one on a recreation facility, the other on a senior citizens facility. He asked if Farmington has been approached about having representatives on these committees. The City Manager stated that Farmington has not been asked about being represented on these committees.

COUNCIL PROCEEDINGS -8-  
August 5, 1991

Joseph Iaquinto, 23950 Fairview, gave numerous reasons for supporting a Cat Control Ordinance, stating that he favors an ordinance similar to the one for dogs.

Nancy Leonard, 33309 Shiawasse, was advised that the recycling program is going very well.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilman Tupper asked that the Planning Commission take a look at the Fence Ordinance and suggested the elimination from the ordinance of fences that are 80% or more open.

Councilwoman McShane asked if the recycling center hours could now be cut. Director Billing stated that he sees no problem with keeping to the present hours since apartments do not have curbside recycling.

Mayor Richardson announced that three Council members attended a ceremony at the Senior Center today during which a Van was presented to the Cities of Farmington and Farmington Hills which will take seniors to the new Kroger store Farmington Hills.

BUILDING DEPARTMENT QUARTERLY REPORT

8-91-260

Motion by Councilman Yoder, supported by Councilwoman McShane, to receive and file the Building Department Quarterly Report for April through June, 1991. Motion carried, all ayes.

PUBLIC WORKS AND WATER/SEWER  
QUARTERLY REPORT

8-91-261

Motion by Councilwoman McShane, supported by Councilman Yoder, to receive and file the Department of Public Works and Water & Sewer Department quarterly report for April through June, 1991. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

8-91-262

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following ordinance:

ORDINANCE NO. C-587-91  
AMENDMENT NO. 23 TO THE ZONING MAP

[SEE ATTACHED ORDINANCE].

WARRANT LIST

8-91-263

Motion by Councilman Tupper, supported by Councilman Yoder, to



COUNCIL PROCEEDINGS -9-  
August 5, 1991

approve the monthly bills as submitted: General Fund \$59,025.69;  
Water & Sewer Fund \$150,589.74.

ROLL CALL:


AYES: Tupper, Yoder, Hartsock, McShane.  
ABSTAINED: Richardson.  
NAYS: None.  
ABSENT: None.

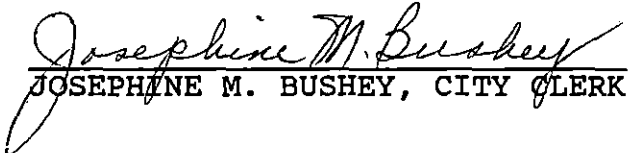
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Yoder, to  
adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:35 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: August 19, 1991.

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 91-79

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

At a regular meeting of the City Council of the City of Farmington, Oakland County, Michigan, held at the City Hall in said City, on the 5th day of August, 1991, at 8:00 p.m. Daylight Savings Time.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

ABSENT: None.

The Mayor announced that this was the time fixed for reviewing and hearing objections to Special Assessment Roll No. 91-79 made to defray the cost of construction of parking lot improvements in the City to be located as follows:

City parking lot located between Farmington Road, Grand River, State and Liberty Streets, "State Street Lot" and to the main city parking lot near Orchard Street and Grand River Avenue"

and asked if there were any objections to said roll.

No written objections were filed with the City Clerk, and no oral objections were made at the hearing, except as follows:

N O N E.

The Mayor thereupon declared the hearing closed.

The following resolution was offered by Yoder and seconded by McShane:

BE IT RESOLVED by the City Council of the City of Farmington, Oakland County, Michigan, as follows:

WHEREAS, Special Assessment Roll No. 91-79 made to defray the cost of construction of a parking lot in said City to be located as follows:

City parking lot located between Farmington Road, Grand River, State and Liberty Streets, "State Street Lot" and main to the main City parking lot near Orchard Street and Grand River Avenue

has heretofore been prepared and filed with the City Clerk in the aggregate amount of \$57,000; and

WHEREAS, a hearing has now been held on said special assessment roll, as required under the City Charter and special assessment ordinance;

THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That said Special Assessment Roll No. 91-79 is hereby adopted and confirmed in the aggregate amount of \$57,000, and the City Clerk is hereby directed to endorse thereon the date of said confirmation.

2. That the special assessment on said roll against each parcel of land shall be payable in 10 approximately equal annual installments, the first of which shall be due and payable on October 1, 1991, and the several subsequent installments shall be due and payable successively on each first day of July thereafter. Assessments paid in installments will bear interest from October 1, 1991 at a rate not to exceed 7.50% per annum.

3. That the said installments shall be collected by the City Treasurer, together with the City taxes, and shall be subject to the same penalties and interest as provided in the City's charter for the collection of taxes.

4. That the City Clerk is hereby directed to deliver said roll to the City Treasurer. The City Treasurer shall thereupon collect the said special assessments in accordance with the terms of this resolution and the City's charter and special assessment ordinance.

ADOPTED: AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

STATE OF MICHIGAN )  
 )SS.  
COUNTY OF OAKLAND )

I, the undersigned, the duly qualified and acting 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 in said City on the 5th day of August, 1991, and the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 6th day of August, 1991.

\_\_\_\_\_  
JOSEPHINE M. BUSHEY  
City Clerk  
City of Farmington

CITY OF FARMINGTON

NOTICE OF ASSESSMENT AND RIGHT TO APPEAL

RE: Parking Lot Improvement  
Special Assessment, SAD 91-79

On August 5, 1991 the City Council of the City of Farmington confirmed a special assessment roll with respect to the above reference special assessment district. Pursuant to such special assessment roll, the amount assessed against property located at SEE ATTACHED LIST, Farmington, Michigan is \$57,000.

The assessment may be paid on or before October 1, 1991 without interest. Assessments not paid on or before October 1, 1991 are payable in 10 approximately equal annual installments of principal due on July 1, 1992 and on July 1 of each year thereafter. Assessments paid in installments will bear interest from October 1, 1991 at a rate not to exceed 7.50% per annum.

The owner of or any person having an interest in the real property described herein may file a written appeal of the special assessment with the Michigan Tax Tribunal within thirty (30) days of confirmation of special assessment roll, if that special assessment was protested at the hearing held for the purpose of confirming the special assessment roll.

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JOSEPHINE M. BUSHEY  
City Clerk  
City of Farmington

AFFIDAVIT OF MAILING  
NOTICE OF ASSESSMENT RIGHT TO APPEAL  
SPECIAL ASSESSMENT DISTRICT 91-79

STATE OF MICHIGAN )  
                          )SS.  
COUNTY OF OAKLAND )

JOSEPHINE M. BUSHEY, being first duly sworn, deposes and says that she is the duly appointed City Clerk of the City of Farmington, Oakland County, Michigan, that on the 12th day of August, 1991, she prepared for mailing a Notice of Assessment and Right to Appeal to be mailed to all persons whose names appear on the special assessment roll referred to in said notice as the owners of property in the special assessment district at the addresses shown on said roll.

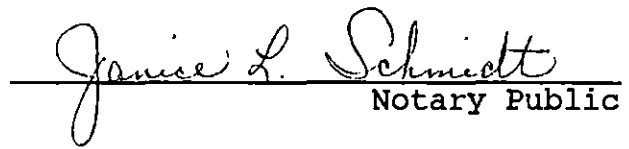
Further deponent saith not.

  
JOSEPHINE M. BUSHEY  
City Clerk  
City of Farmington

Subscribed and sworn to before me this 12th day of August 1991.



Josephine m. Bushey, being duly sworn, deposes and says that on the 12th day of August, 1991, she did mail by first class mail with postage fully prepaid.

  
Notary Public

JANICE L. SCHMIDT  
Notary Public, Wayne County, Michigan  
Acting in Oakland County  
My Commission Expires April 11, 1994

**RESOLUTION**

**OAKLAND COUNTY EMERGENCY ASSISTANCE PLAN**

At a REGULAR (~~Your City of Township~~) Farmington COUNCIL ~~XXXX~~ MEETING,  
held at the City Municipal Building, 23600 Liberty Street, Farmington, MI.  
Oakland County, Michigan, on (Date) August 5, 1991.

Present: Hartsock, McShane, Richardson, Tupper, Yoder.

Absent: None.

Quorum Present

**MOTION** by McShane, supported by Tupper, to adopt the following resolution:

**WHEREAS**, it is considered to be the interest of all participating Fire Departments that an outside aid agreement be established to cover the fighting of fires and other emergencies occurring in the communities, and

**WHEREAS**, that in the event of a fire or other emergency of an extraordinary nature in any of the participating communities so endangered, may call for fire apparatus, manpower, and other necessary equipment of any other participating Fire Department.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That said agreement be mutual with the municipality calling for assistance.
2. The Fire Chief or his subordinates of the agency at which the emergency occurs is designated as the individual in charge.
3. The discretion shall be used in order that available fire apparatus be called from the nearest participating Fire Department.
4. The call must come from the Chief or his authorized subordinates.
5. That each community shall assume its own liability for its men and apparatus going to, during, and returning from mutual aid assistance, whether in its own community, or in a community covered by this resolution.
6. Services rendered in outside aid will be on a non-reimbursable basis for all parties except in the event the responding party is required to use any of its own chemical agents, foam, water additives, or other materials or

RESOLUTION - Oakland County Emergency Assistance Plan

substances that must be replaced at an expense to that responding party; then in such event, the requesting party shall either replace or reimburse the cost of the replacement of the same to the responding party.

- 7. Calls for service shall be subject to the called community having equipment and manpower available to assist.
- 8. Equipment and personnel from outside Fire Departments will work directly under officers from their own Department.
- 9. Any party to this agreement may at any time withdraw from further participation in this agreement by giving 60 days written notice to the other parties of this agreement.
- 10. There shall be a Board of Directors comprised of one voting member for each Department. The voting member shall be the Chief or his designated representative. The Board shall be responsible for administering the provisions of the Emergency Assistance Plan and shall adopt rules of procedure to govern its operation.

BE IT FURTHER RESOLVED, that the Farmington City Council Board hereby authorizes the City of Farmington Fire Department to participate in the Oakland County Emergency Assistance Plan.

Made and Passed August 5, 1991.

Ayes: Richardson, Tupper, Yoder, Hartsock, McShane.

Nays: None.

Absent: None.

MOTION CARRIED.

I (Clerk) Josephine M. Bushey, City of Farmington Clerk, do hereby certify that the foregoing is a true and complete copy of a Resolution, the original of which is on file in my office, adopted by the Farmington City Council at a Regular Meeting thereof held ~~Wednesday~~ Monday, August 5, 1991 in the City of Farmington, Oakland County, Michigan.

(City ~~XXXXXXXXXX~~ Clerk  
Josephine M. Bushey  
dated: August 6, 1991.  
cor91.oceap.mlb

ORDINANCE NO. C-587-91

AMENDMENT NO. 23 TO THE ZONING MAP  
CITY OF FARMINGTON, OAKLAND COUNTY, MICHIGAN

THE CITY OF FARMINGTON ORDAINS:

Section 1: That the territory lying within the City of Farmington, Oakland County, Michigan, be rezoning as follows:

Description: . .

A parcel of land being described as T1N R9E, Section 26, Floral Park Subdivision, Lots 113 and 114, City of Farmington, Oakland County, Michigan.

FROM: R1P One Family Parking

TO: R10 One Family Office

Section 2: The attached map showing the property affected by this amendment is made part of this ordinance.

Section 3: This ordinance shall be known as Amendment No. 23 to the Zoning Map as revised.

This ordinance was introduced at a regular meeting of the Farmington City Council on July 15, 1991, was adopted and enacted at the next regular meeting of the Council on August 5, 1991, and will become effective ten (10) days after publication.

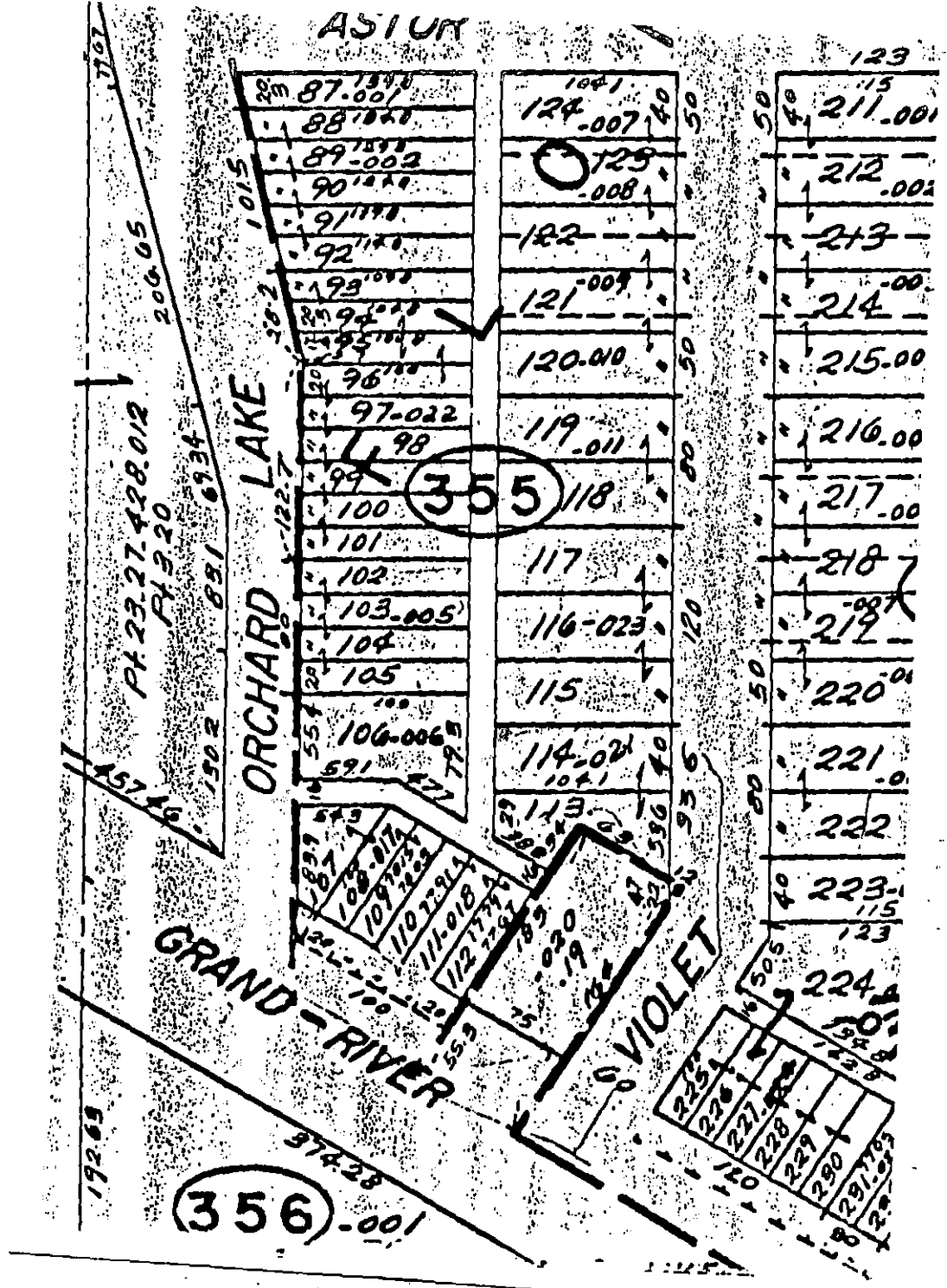
SHIRLEY V. RICHARDSON, MAYOR

JOSEPHINE M. BUSHEY, CITY CLERK

AYES: McShane, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.  
ABSTAINED: Richardson.

Published: August 15, 1991.  
Effective: August 26, 1991.





FARMINGTON TWP.  
W.1/2 S.W.1/4 SEC. 26 T.1N. R.9E.

REVISIONS	
DATE	BY
2-72	WES
11-72	ZU
6-76	WJ
5-77	WJ
8-77	WJ
2-78	WJ
5-78	WJ
5-79	ZU
5-80	WJ
3-84	T.L.
7-84	T.L.

COUNCIL PROCEEDINGS.

A Regular meeting of the Farmington City Council was held on Monday, August 19, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, Adm. Assistant R. Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

8-91-263 (a)

Motion by Councilman Yoder, supported by Councilman Tupper, to approve the minutes of the previous meeting of August 5, 1991, as printed. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

8-91-263 (b)

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and/or file minutes of the following boards and commissions:

- Planning Commission minutes of August 12, 1991;
- Downtown Development Authority minutes of August 6, 1991;
- Beautification Committee minutes of July 10, 1991;
- Farmington community Library minutes of June 13, 1991.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

TABLED REQUEST FOR SIGN VARIANCE:  
MAPLE DRUG STORES

8-91-264

Motion by Councilwoman McShane, supported by Councilman Yoder, to remove this item from the table. Motion carried, all ayes.

The City Manager noted that Council reviewed the request of Al Wander, Maple Pharmacy Stores, for a variance to the City's sign ordinance section pertaining to the use of temporary window signs. He pointed out that Mr. Wander asked to be allowed to use 25% of the window area for signs which are more permanent in nature.

Manager Deadman recommended that if Council wishes to consider a variance in this regard, they may wish to consider changing the ordinance so as not to establish the type of precedent that could cause businesses to seek a variance to allow more signage.

COUNCIL PROCEEDINGS -2-  
August 19, 1991

Mayor Richardson agreed that when people continually ask for variances, the ordinance should be reviewed.

Dr. Richardson, 33925 Oakland Street, strongly urged that Council look at the ordinance. He stated that he is not in favor of granting these variances, and he pointed out that city residents do not find these signs as offensive as Council members do.

Nancy Leonard, 33309 Shiawassee, stated that she finds a lot of the signs offensive. She noted that a few signs are fine, but most have too many.

Councilman Hartsock agreed with Dr. Richardson that the sign ordinance should be considered for amending.

Councilman Tupper advised that he contacted several businesses relative to window signs, and all but one was in favor of remaining with the existing 25% coverage for temporary signs. He pointed out that out of 69 businesses within the CBD, only six or seven are in violation of the 25%. He stated that this is not an indication that we need to change the ordinance.

Mayor Richardson asked Manager Deadman to review the modifications that he had suggested as being an equitable solution to this matter.

Manager Deadman reviewed a suggested four point formula relative to window sign coverage.

Councilwoman McShane pointed out that when she previously reviewed all businesses in Farmington, better than 70% were in compliance with 25% coverage or less. She indicated that now over 90% are in compliance. She stated that businesses should get rid of duplication of signs and downsize them.

Councilman Hartsock pointed out that the two areas most affected by this limitation are drug stores and grocery stores. He stated that they need an effective way of advertising, particularly if they are not part of a national chain. He indicated that the issue of unsightly signs is already addressed in the ordinance. He stated that he would be in favor of allowing the merchant to use 50% of the window.

Mayor Richardson pointed out that the Planning Commission made a great effort when they designed this ordinance; that there was a great deal of discussion of these amendments by City Council. She stated that adhering to the existing sign ordinance is not going to shut down a business, nor will the percentage of coverage. She stated that she has no substantial evidence to show her that now is the time to change the ordinance.

COUNCIL PROCEEDINGS -3-  
August 19, 1991

8-91-265

Motion by Councilman Tupper, supported by Councilwoman McShane, to deny Maple Drug Stores' requested variance to Section 25-4 (7) h of the City's sign ordinance, which limits temporary window signs to 25% of the area of windows contained within a wall.

The Mayor asked for a Roll Call vote:

AYES: McShane, Richardson, Tupper.  
NAYS: Yoder, Hartsock.  
ABSENT: None.

MOTION CARRIED.

Councilman Hartsock stated: "In an effort to refine this ordinance, we had suggested that the City Manager consider the impact of the ordinance on various sizes of windows. The recommendation is that we would have a graduated ordinance that would take into consideration a smaller window."

8-91-266

Motion by Councilman Hartsock, supported by Councilman Yoder, to draft a proposed ordinance amendment relative to the formula presented by the City Manager concerning window signs.

Discussion of the Motion:

Councilman Tupper: "Are you suggesting tht we make that part of our ordinance? Should we not have a Public Hearing on such a major change?"

Mr. Tupper pointed out that there is no provision in the sign ordinance to notify any adjacent property owners. He stated: "We are making these changes almost wholesale, without bringing the people affected by it into the discussion."

Manager Deadman asked: "You are not suggesting that this is the amendment? It would go to the City Attorney, who would draft it into an amendment and bring it back to the City Council for review.

ROLL CALL VOTE:

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

REQUEST FOR FENCE VARIANCE  
33718 GRAND RIVER

Council was advised that Mrs. Ann Sherlock requests a variance to

COUNCIL PROCEEDINGS -4-  
August 19, 1991

Section 13-2 of the City Code, allowing her to retain a fence section installed without a permit.

Councilman Yoder stated that he had no problem with this request.

Councilwoman McShane noted that this is a unique situation and the fence section is not visible to anyone but the proponent.

8-91-267

Motion by Councilwoman McShane, supported by Councilman Hartsock, to grant the requested variance to Section 13-2 of the City Code, allowing Mrs. Sherlock to retain the existing 24 feet of 8 ft. fence installed without a permit at 33718 Grand River. Motion carried, all ayes.

REQUEST FOR USE OF RIGHT-OF-WAY  
TALL PINE SUBDIVISION

Council was advised that David and Joyce Cornwell, representing Tall Pine Subdivision, request the use of the right-of-way at the corner of Tall Pine Drive and Drake Road for a landscaped area including a subdivision identification sign.

The City Manager suggested that if this request is granted, there be a stipulation attached if in the future the road must be widened.

8-91-268

Motion by Councilman Hartsock, supported by Councilwoman McShane, to grant permission to Tall Pine Subdivision to use the Tall Pine Drive/Drake Road right-of-way for a subdivision identification sign, with the stipulation that should the City need the right-of-way, the sign would be removed at no expense to the City. Motion carried, all ayes.

REQUEST FROM FIRST CHURCH OF CHRIST SCIENTIST  
RE: RIGHT-OF-WAY ENCROACHMENT

Council was advised that the First Church of Christ Scientist requests encroachment of city property on Grand River to permit widening of the driveway approach to the Church property.

The City Manager states that the encroachment will not be detrimental to the city's use of its property, as it is not currently being used by the Museum, nor is it foreseen that it will be used in the future.

8-91-269

Motion by Councilman Yoder, supported by Councilman Hartsock, to authorize the City Clerk to write the Michigan Department of Transportation stating that the City will allow encroachment on the State Highway right-of-way in front of the city property at

COUNCIL PROCEEDINGS -5-  
August 19, 1991

33805 Grand River to permit widening the driveway approach of the First Church of Christ Scientist, 33321 Grand River. Motion carried, all ayes.

REQUEST FROM FARMINGTON PUBLIC SCHOOLS  
RE: USE OF SHIAWASSEE PARK

The City Manager advised that the Farmington Public Schools would like the use of the east and west baseball outfields in Shiawassee Park for soccer and football practice during the fall this year.

Council was assured that the schools will coordinate activities between the teams, the Rockets and the Farmington Hills Recreation Department to prevent conflict between programs.

8-91-270

Motion by Councilman Hartsock, supported by Councilman Tupper, to permit the Farmington Public Schools use of the east and west outfield areas at Shiawassee Park during the fall of 1991 with the stipulations that the activities will be coordinated with the Farmington Rockets and the Farmington Hills Recreation Department, and further, that the schools will repair all damage to the practice areas caused by these activities. Motion carried, all ayes.

MICHIGAN MUNICIPAL LEAGUE REQUEST RE:  
DESIGNATING VOTING DELEGATE

Council was advised that the Michigan Municipal League wishes the City Council to designate a Voting Delegate and an Alternate for the annual meeting in October.

8-91-271

Motion by Councilman Yoder, supported by Councilwoman McShane, to appoint Councilman Hartsock as Voting Delegate and Councilman Tupper as Alternate for the Michigan Municipal League Annual Meeting to be held in Grand Rapids on October 3, 1991. Motion carried, all ayes.

MICHIGAN MUNICIPAL LEAGUE NOTICE RE:  
WORKER'S RE: WORKER'S COMPENSATION FUND  
BOARD OF TRUSTEES ELECTION

Council was advised that the Michigan Municipal League wishes the City to vote for the nominees designated for the Worker's Compensation Fund Board of Trustees.

8-91-272

Motion by Councilwoman McShane, supported by Councilman Yoder, to have the ballot cast for the nominees as proposed by the Michigan Municipal League for the Worker's Compensation Fund Board of Trustees. Motion carried, all ayes.

COUNCIL PROCEEDINGS -6-  
August 19, 1991

RESOLUTION FROM BIRMINGHAM RE: COMMUNITY  
DEVELOPMENT BLOCK GRANT PROGRAM STRUCTURE

Council was advised that the City of Birmingham opposes the concept of turning over programs of national significance to the states to be distributed without regard to the integrity of the individual programs.

The City Manager stated that there is little likelihood that Farmington would qualify for funding if all federal programs were lumped together with the funding given to the state.

8-91-273

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Birmingham resolution relative to the structure of Community Development Block Grant Programs. Motion carried, all ayes.

REQUEST FOR PROCLAMATION

Council was advised that the Farmington Chapter and General Richardson Chapter of the D.A.R. request a proclamation designating September 17-23, 1991 as CONSTITUTION WEEK.

8-91-274

Motion by Councilman Tupper, supported by Councilman Hartsock, to issue a proclamation designating September 17 - 23, 1991, as CONSTITUTION WEEK in the City of Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

CONTRACTOR/ENGINEERING PAYMENTS  
SEWER IMPROVEMENT PROJECT

Contract No. 1

Council was advised that Posen Construction, Inc., requests payment for work completed through July 31, 1991, in the amount of \$296,084.34.

The City Manager concurred with the engineers and recommended payment in the requested amount.

8-91-275

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the ninth estimated payment to Posen Construction, Inc., in the amount of \$296,084.34 for work completed on the Sewer Improvement Project, Contract No. 1, and

BE IT FURTHER RESOLVED that this payment includes Change order Nos. 6 and 7.

COUNCIL PROCEEDINGS -7-  
August 19, 1991

ROLL CALL

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 19, 1991.

Contract No. 2

Council was advised that Dan's Excavating, Inc., requests payment for work completed through July 26, 1991 in the amount of \$387,556.58.

The City Manager found the work to be consistent with the engineer's estimate and recommended payment in the requested amount.

8-91-276

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that City Council hereby authorizes the ninth estimated payment to Dan's Excavating, Inc., in the amount of \$387,556.58 for work completed through July 26, 1991, on the Sewer Improvement Project, Contract No. 2.

ROLL CALL

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 19, 1991.

Engineering Payment

Council was advised that Black and Veatch requests payment for work completed through July 5, 1991. The City Manager recommended that payment be authorized in the requested amount of \$30,830.64.

8-91-277

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black and Veatch, Architects/Engineers, in the amount of \$30,830.64 for the work completed through July 5, 1991, on the Sewer Improvement Project, and

BE IT FURTHER RESOLVED that funds be provided from the project fund.



COUNCIL PROCEEDINGS -8-  
August 19, 1991

ROLL CALL

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 19, 1991.

TRANSFER OF SDM LICENSE, ORCHARD 10, INC.  
24065 ORCHARD LAKE ROAD

Council was advised that the the City received a Liquor Control Commission notice that the owners of the IGA Store, Orchard 10, Inc., request transfer of their SDM liquor license.

Director Lauhoff's report indicates that he finds no basis to object to the transfer requested in the application.

8-91-278

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and file the Liquor Control Commission notice relative to the transfer of the Orchard 10, Inc., SDM liquor license. Motion carried, all ayes.

BOND PROPOSAL: DISTRICT COURT  
EXPANSION AND RENOVATION

The City Manager advised that the firm of Dickinson, Wright, Moon, VanDusen and Freeman, bonding attorneys for the City of Farmington Hills, have provided the ballot language for the November 5, 1991, City Election as follows:

"Shall the City of Farmington borrow an amount not to exceed One Hundred Seventy-Five Thousand Dollars (\$175,000) and issue its general obligation bonds for the purpose of defraying the City's share of the cost of expanding and renovating the existing 47th District Court building and site to accommodate the addition of a third District Court judge?"

Manager Deadman recommended that City Council adopt a resolution permitting the question to go before the Farmington electorate on November 5, 1991.

8-91-279

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution approving submission of the bond proposition to electors:

WHEREAS, pursuant to Act No. 279, Public Acts of Michigan, 1909, as amended, the City of Farmington (the "City") is authorized to borrow money and issue its bonds for the purpose of defraying the

COUNCIL PROCEEDINGS -9-  
August 19, 1991

City's share of the cost of expanding and renovating the existing 47th District Court building and site; and

WHEREAS, this City Council has determined that it is appropriate to submit a bond proposition to the electors of the City at the Regular City Election to be held on November 5, 1991.

NOW, THEREFORE, BE IT 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 Regular City Election to be held in the City on November 5, 1991, to-wit:

BOND PROPOSITION

Shall the City of Farmington borrow an amount not to exceed One Hundred Seventy-Five Thousand Dollars (\$175,000) and issue its general obligation bonds for the purpose of defraying the City's share of the cost of expanding and renovating the existing 47th District Court building and site to accommodate the addition of a third District Court judge?

2. The City 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 the Regular City Election on November 5, 1991.

3. That all resolutions and parts of resolutions, insofar as the same may be in conflict herewith, are hereby rescinded.

YEAS: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 19, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

STATE OF MICHIGAN)  
                                  )SS  
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and acting 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 19th

COUNCIL PROCEEDINGS -10-  
August 19, 1991

day of August, 1991, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 20th day of August, 1991.

City Clerk, City of Farmington

PROPOSED AMENDMENTS TO RECYCLING ORDINANCE  
EXEMPTION FROM RECYCLING REQUIREMENTS

Council was advised that in reviewing calls received on the recycling hotline, it became evident that some community residents will be unable to participate in the program because of physical handicaps.

The City Manager stated that others have problems concerning ability to pay. He recommended that the current ordinance be amended to allow for exceptions to the ordinance requirements. He indicated that he asked the City Attorney to draft proposed amendments which, if adopted, would provide a procedure for persons wishing to obtain a waiver from the ordinance requirements.

Council was advised that exempt persons will receive a waiver from both participation and fees; others may be exempt from all or part of the fees, but would be required to continue participating in the program.

The City Manager stated that a Board will be established to review applications from those having temporary circumstances, and the Board would have authority to waive participation requirements or part or all fees for twelve months.

Manager Deadman stated that if Council concurs with this approach, he would recommend that the amendment to the recycling ordinance be adopted as an emergency ordinance taking immediate effect.

He also submitted for Council review a proposed administrative policy and a copy of the proposed application for waiver.

8-91-280

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following ordinance:

ORDINANCE NO. C-589-91

[SEE ATTACHED ORDINANCE]

COUNCIL PROCEEDINGS -11-  
August 19, 1991

MISCELLANEOUS

PUBLIC COMMENT

Lee Smith, 22594 Brookdale, asked: "What is the basis for removing the ash from the retention area that has been there for thirty years? Is it a law that says we had to?"

The City Manager stated that this is being done according to a section of Act 307, State of Michigan, which establishes responsibility for the owner of the property to dispose of contaminated material.

Mayor Richardson read a letter presented to her this evening by Mark Tinney, 34000 Glenview, and signed by five other Glenview residents relative to the "...present and past shameful use of the city-owned piece of property located on Grand River between Oakwood Cemetery and Locust Drive..." to store materials and equipment for the sewer project. The residents also expressed concern about the large amounts of dust accumulating on their homes, inside and outside.

The letter asked how the decision was made to use this property in this way, as the residents were never advised. Mr. Tinney states that this poses a potentially hazardous situation, as children are attracted to the mounds of dirt as a play area.

Mayor Richardson called upon the City Manager to address this concern.

Manager Deadman stated that he gave permission for this land to be used as he has done several times before, and each time the land was repaired. He stated that the contractor apparently stored a lot of sandy material used to fill the trenches, and it is this that is causing the dust problem. He pointed out that calcium chloride was applied several times, and that the City has municipal rights to use property in this manner.

Councilwoman McShane stated that she would like to see these residents receive a letter of explanation relative to their concerns.

Councilman Tupper pointed out that there was a similar situation a couple of years ago in Chatham Hills, when the City Manager sent letters to the residents which they very much appreciated.

Mayor Richardson stated that the City Manager will respond to the concerns of the Glenview residents.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilman Hartsock reported that all the street lights are out along Farmington Road between Eight and Nine Mile Road. The City Manager stated that the proper parties will be notified.

COUNCIL PROCEEDINGS -12-  
August 19, 1991

PUBLIC SAFETY DEPARTMENT QUARTERLY REPORT

8-91-281

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Department of Public Safety quarterly report for April through June, 1991. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

ADOPT ORDINANCE NO. C-588-91: SKATEBOARDING

The City Manager pointed out that an article in today's Observer stated that the City of Farmington Hills did not elect to regulate skateboards. He hesitated to say what position this puts Farmington in with children of the same school district being affected by both cities.

Councilwoman McShane suggested that the School Board be contacted before proceeding with an ordinance adoption.

Mayor Richardson agreed that there should be continuity between the two cities.

8-91-282

Motion by Councilman Tupper, supported by Councilwoman McShane, to table any further discussion relative to the Skateboarding Ordinance until the next regular Council meeting. Motion carried, all ayes.

WARRANT LIST

8-91-283

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$91,845.30; Water & Sewer Fund \$25,209.25.

ROLL CALL:

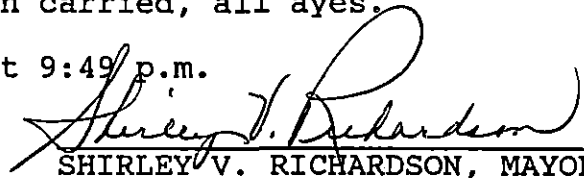
AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

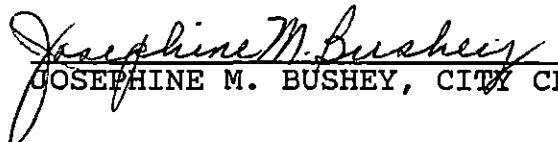
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:49 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: September 3, 1991.

CITY OF FARMINGTON  
ORDINANCE NO. C-589-91

AN ORDINANCE TO AMEND CHAPTER 16, RECYCLING, COMPOSTING AND SOLID WASTE DISPOSAL, OF THE FARMINGTON CITY CODE TO PROVIDE FOR THE WAIVER OF RECYCLING FEES FOR CERTAIN INDIVIDUALS AND TO EXEMPT CERTAIN INDIVIDUALS FROM THE MANDATORY RECYCLING PROVISIONS OF THE CHAPTER.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 16, Recycling, Composting and Solid Waste Disposal, of the Farmington City Code is hereby amended to add Sections 16-7.5 and 16-14.5 to read as follows:

Section 16-7.5 Exemption From Mandatory Separation of Recyclable Materials

The following individuals shall be exempt from the mandatory recycling provisions and requirements of this Chapter:

1. Individuals who are living alone and who have been determined by a physician licensed in the State of Michigan to be blind to the extent that they are unable to distinguish recyclable materials from nonrecyclable materials.
2. Individuals who are living alone and who have been determined by a physician licensed in the State of Michigan to be permanently physically disabled to such an extent to prevent the individual from complying with the mandatory recycling provisions and requirements of this Chapter.
3. Individuals who are living alone and who have been determined by a physician licensed in the State of Michigan to be temporarily physically disabled to such an extent to prevent the individual from complying with the mandatory recycling provisions and requirements of this Chapter shall for the period of their temporary physical disability be exempt from the mandatory recycling provisions and requirements of this Chapter.

Section 16-14.5 Waiver of Recycling Fees

Except as otherwise provided in this Chapter, the following individuals if subject to the mandatory recycling provisions of this Chapter shall comply with said mandatory recycling pro-

visions, but shall be eligible to receive a waiver of recycling fees:

1. An individual that has an annual gross household income of less than or equal to Eight Thousand (\$8,000.00) Dollars and who timely files with the City Clerk an Application For Waiver of Recycling Fees along with proof of annual gross household income from the previous year shall receive a waiver of all of the recycling fees required by this Chapter for the year for which the Application For Waiver of Recycling Fees was filed.
2. An individual that has an annual gross household income of more than Eight Thousand (\$8,000.00) Dollars but less than or equal to Thirteen Thousand Five Hundred (\$13,500.00) Dollars and who timely files with the City Clerk an Application for Waiver of Recycling Fees along with proof of annual gross household income for the previous year shall receive a waiver of one-half (1/2) of all of the recycling fees required by the Chapter for the year for which the Application for Waiver of Recycling Fees was filed.
3. An individual filing an Application For Waiver of Recycling Fees pursuant to Subsections 1 and 2 of this Section shall file said Application For Waiver of Recycling Fees each year on or before July 1 to be eligible for the waiver of recycling fees for the following twelve (12) month period.
4. An individual who does not qualify for a waiver of recycling fees pursuant to Subsection 1 or 2 of this Section and who is affected by special circumstances or hardships which have substantially reduced the individual's annual gross household income thereby significantly affecting said individual's ability to pay the recycling fees required by this Chapter may submit an Application For Waiver of Recycling Fees to the Recycling Board of Review. The Recycling Board of Review shall be comprised of three (3) members who shall be the City Assessor, City Treasurer and Assistant City Manager and the Recycling Board of Review shall review each Application For Waiver of Recycling Fees submitted pursuant to this Subsection. The Recycling Board of Review shall have the authority to waive the recycling fees or any part thereof for a period of up to twelve (12) months if it finds that special circumstances or hardships exist which have substantially reduced the individual's annual

gross household income thereby significantly affecting said individual's ability to pay the recycling fees.

5. Those persons who pursuant to Section 16-7.5(1) and (2) qualify for exemptions from the mandatory recycling provisions and requirements of this Chapter shall be exempt from all recycling fees required by this Chapter. Those persons who pursuant to Section 16-7.5(3) qualify for a temporary exemption from the mandatory recycling provisions of this Chapter shall not be exempt from paying the recycling fees required by this Chapter.

#### Section 2. Repealer

All 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 3. Severability

Should any section, subdivision, clause or phrase of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so invalidated.

#### 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 in force when they are commenced.

#### Section 5. Emergency Ordinance

This Ordinance is declared to be an emergency Ordinance which is immediately necessary for the preservation of the public peace, health and safety.

#### Section 6. Adoption

This Ordinance is hereby declared to have been adopted by the affirmative vote of the minimum number of members required to enact an emergency Ordinance at a meeting thereof duly called and held on the 19th day of August, 1991; and such Ordinance shall be published by posting copies thereof in conspicuous locations in three places in the City, and the Clerk shall, immediately after such posting, enter in the Ordinance book under the record of the Ordinance, a certificate under her hand stating the time and place of such publication by posting. This Ordinance shall also be published in accordance with Section 7.4 of the City Charter.





## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Tuesday, September 3, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, City Attorney Donohue, Adm. Assistant R. Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

9-91-284

Motion by Councilman Yoder, supported by Councilman Tupper, to approve the minutes of the previous meeting of August 19, 1991, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

9-91-285

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the minutes of the Board of Zoning Appeals minutes of August 7, 1991. Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR OUTDOOR TENT SALE: WORLD-WIDE TV AND APPLIANCE

Council was advised that the World-Wide TV management requests permission to conduct an outdoor tent sale from September 13 through September 14, 1991, in the parking lot at 34701 Grand River. The store management states that they wish to erect the tent on September 12 and remove it on September 16.

9-91-286

Motion by Councilman Tupper, supported by Councilman Yoder, to allow the management of World Wide TV Appliance to conduct an outdoor tent sale in the parking lot at 34701 Grand River on September 13 and 14, 1991. Motion carried, all ayes.

#### REQUEST FOR OUTSIDE SALES PROMOTION DOWNTOWN DEVELOPMENT AUTHORITY

The DDA Director requested that Council permit the Authority to conduct sidewalk sales, install large character balloons and temporary signage in the downtown area from October 24 through October 26, 1991. The Director pointed out that this promotion is a cooperative effort on the part of the DDA and the Downtown Farmington Business Association to promote themselves as well as the community.

COUNCIL PROCEEDINGS -2-  
September 3, 1991

At this point in the meeting (8:05 p.m.), there was a power failure, and the meeting paused until sufficient lighting was brought in enabling Council to determine which agenda items must be taken care of before the next regular meeting. Certain agenda items were, therefore, taken out of order after items 4, B and C were completed.

Councilwoman McShane asked about State law concerning the use of overhead banners during these promotions. Ms. Strip-Sittsamer stated that these can remain up for three weeks and the DDA will comply if they decide to use them and a permit will be acquired.

9-91-287

Motion by Councilwoman McShane, supported by Councilman Tupper, to grant permission to the Downtown Development Authority to conduct sidewalk sales, install large character ballons and temporary signage in the downtown area from Thursday, October 24, through Saturday, October 26, 1991. Motion carried, all ayes.

REQUEST FOR PROCLAMATION

Council was advised that the German-American Cultural Center requests that October 6, 1991, be designated as GERMAN-AMERICAN DAY in Farmington.

9-91-288

Motion by Councilman Yoder, supported by Councilman Hartsock, to issue a proclamation designating October 6, 1991, as GERMAN-AMERICAN DAY in the City of Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

CONTRACTOR PAYMENT:

DISPOSAL OF CONTAMINATED MATERIALS

Council was advised that Waste Management of Michigan-North submitted an invoice for removing 18,080 cu. yds. of contaminated materials from the retention basin/pumping station project site during June and July, 1991.

The City Manager concurred with the engineers and recommended payment in the requested amount of \$370,640.00. He stated that the final amount would total around 20,000 cu. yds., and advised that the final cost will be close to the initial estimate of \$410,000.00 to \$420,000.00. He explained that the City had to pay landfill prices to get rid of the material.

Manager Deadman further advised that the State has allowed the City to piggyback this cost on the original project loan at 2% interest.

COUNCIL PROCEEDINGS -3-  
September 3, 1991

9-91-289

Motion by Councilwoman McShane, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment of \$370,640.00 to Waste Management of Michigan-North, Southfield, Michigan, for the removal of 18,080 cubic yards of contaminated materials from the City's retention basin/pumping station portion of the Sewer Improvement Project during June and July of 1991, and

BE IT FURTHER RESOLVED that funds be provided from the project bond proceeds.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED SEPTEMBER 3, 1991.

The Mayor asked for an update on the power outage. She was informed that someone would arrive shortly to check the generator switch.

PROPOSED ORDINANCE AMENDMENT TO ADOPT  
BASIC NATIONAL FIRE PREVENTION CODE,  
1990 EDITION

The City Manager advised that the administration recommends that City Council introduce Ordinance No. C-591-91 to amend the Code by adopting by reference the Basic National Fire Prevention Code, 1990 edition.

9-91-290

Motion by Councilman Tupper, supported by Councilman Hartsock, to introduce Ordinance C-591-91, which would adopt by reference the Basic National Fire Prevention Code, 1990 Edition. Motion carried, all ayes.

RENEWAL OF MAINTENANCE CONTRACT FOR  
FARMINGTON ROAD

Council was advised that the County will reimburse the City in the amount of \$13,053.08, for maintaining Farmington Road from Eight Mile Road north to Grand River during October 1, 1991 through September 30, 1992.

9-91-291

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

COUNCIL PROCEEDINGS -4-  
September 3, 1991

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager and the City Clerk to enter into an agreement with the Oakland County Road Commission for the continued maintenance of Farmington Road from Eight Mile north to Grand River, and

BE IT FURTHER RESOLVED that the County will reimburse the City of Farmington in the amount of \$13,053.08 toward the annual cost of maintaining Farmington Road, effective October 1, 1991 through September 30, 1992.

ROLL CALL

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSEN; None.

RESOLUTION DECLARED ADOPTED SEPTEMBER 3, 1991.

PROGRESS REPORT: ORCHARD LAKE ROAD

Council was advised that effective July 1, 1991, a Michigan statute took effect establishing responsibility for cleanup of contaminated property. The City Manager pointed out that special provisions in the statute protect governments in situations such as those on the Jax Kar Wash property which the County needs to purchase to complete the Orchard Lake Road project. He advised that now if the County acquires the property either through negotiation or condemnation, the responsibility for cleanup remains with the prior owners of the property, Krueger Tool.

Manager Deadman stated that the County can now go forward with the purchase of the property or condemn it and let the matter go to court. He expects that this winter the County will acquire the property.

Councilwoman McShane asked if Locust Drive was being used to store materials for this project. The City Manager replied: "Not to my knowledge".

Manager Deadman advised that funds have been placed in reserve to pay the City's share of this project. He stated that he expects bids to be taken in March of 1992 with construction following in the same year. He estimated the total cost of the remaining portion of the project is \$1,150,000.00, with Farmington's share being \$187,500.00.

9-91-292

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and file the City Manager's progress report on Orchard Lake Road. Motion carried, all ayes.

PROPOSED AMENDMENT TO SIGN ORDINANCE

Council reviewed a proposed Sign Ordinance amendment relative to regulations on the use of temporary window signs.

The City Attorney pointed out that Section 1 of the proposed ordinance corrects a clerical error which should be considered when the amendment is adopted.

Councilman Tupper pointed out that in reviewing the motion adopted at the last meeting he felt that Council was to discuss this as a review, that it would go to the City Attorney and be brought back for review. He stated that he did not expect it to be introduced tonight.

Power was restored at this point (between 8:30 and 9:00 p.m.).

Mr. Tupper stated that he has not seen any evidence to warrant making any changes at this time. He stated he visited two of the shopping centers over the weekend and one today, and there are some situations where the existing sign ordinance will be a plus to our community.

9-91-293

Motion by Tupper, supported by McShane, that Council suspend any further discussion at this time and continue on with the Sign Ordinance as it presently exists.

Discussion of the Motion:

Councilman Yoder referred to the minutes of August 19th, pointing out that the motion stated that a proposed ordinance amendment was to be drafted relative to the formula presented by the City Manager concerning window signs.

Councilman Hartsock stated that we could continue with the existing ordinance, have a public hearing on the amendment, discuss it tonight and introduce it and move on.

Councilwoman McShane pointed out that the Planning Commission studied this for a long time, giving it much thought. She stated that the majority of the Commission members feel the ordinance should stand as there has been no time to prove it.

Mayor Richardson stated that she was not ready to see the amendment introduced. She noted that she has not changed her mind since the last meeting and that she would like to hear from the public.

Councilman Hartsock suggested that because this is such an important ordinance, Council have a public hearing and invite members of the Planning Commission to settle the matter once and

COUNCIL PROCEEDINGS -6-  
September 3, 1991

for all. He suggested that a public hearing be scheduled sometime within the next month or so.

Councilman Tupper felt the ordinance should be sent back to the Planning Commission for review.

ROLL CALL: (on the previous motion)

AYES: Tupper, McShane.  
NAYS: Yoder, Hartsock, Richardson.  
ABSENT: None.

MOTION FAILED for lack of a quorum.

Mayor Richardson asked Councilwoman McShane if she felt that the Planning Commission would like to have the ordinance go back to them, or if Council should make them a part of a meeting to express their viewpoint.

Councilwoman McShane stated that the Planning Commission felt there is no need to change the 25% coverage; that the ordinance should be given a period of time, at least one year, to see what happens.

Council Hartsock stated that the action of the Planning Commission was a recommendation, and "it's up to us to either accept it, deny it, or modify it". He felt that it is up to City Council to enact and consider changes in the ordinance. He stated: "There's nothing that says we can't go back and amend an ordinance."

Councilman Tupper asked if Council was going to vote to have this introduced tonight.

Mayor Richardson stated that at this point if it doesn't go back to the Planning Commission, we need to have some type of public hearing.

9-91-294

Motion by Councilman Hartsock, supported by Councilman Yoder, that in an effort to get as much input for all parties affected Council should hold a public hearing inviting businesses, the public in general and interested members of the Planning Commission for a thorough discussion of the proposed amendment to the existing Sign Ordinance during the first meeting in October.

ROLL CALL:

AYES: Yoder, Hartsock, McShane, Richardson.  
NAYS: Tupper.  
ABSENT: None.

MOTION CARRIED.

COUNCIL PROCEEDINGS -7-  
September 3, 1991

PROPOSED CAT CONTROL ORDINANCE

Council was advised that most of the same problems faced in the management, control and sanitation practices for dogs also pertain to cats.

It was proposed that the dog ordinance, Chapter 5 of the City Code, be amended to add the phrase "and cats" wherever the term "dogs" is found in the current ordinance, except in those cases where new regulations are proposed that specifically pertain to cats.

It was pointed out that a new sanitation regulation is proposed applying to both cats and dogs wherein the owners are responsible for their animals' droppings.

Mayor Richardson called for comments from Council.

Councilman Yoder stated that he thinks the time has come for a Cat Control Ordinance.

Councilman Tupper stated that the ordinance is unenforceable as it is vague. He stated: "If you are going to license an animal and not have the license on the animal, what good is it?" He further stated that he wants the aggrieved property owner to be able to go to the City for relief.

Attorney Donohue pointed out that Sections 5 - 29 of the ordinance take this into consideration. He stated that all that is needed is to extend that obligation to cat owners as well.

Attorney Donohue further stated that he does not see it as an enforcement problem, because someone who has repeatedly complained about a cat knows the animal and its owner.

Councilwoman McShane asked how this has affected other cities. Have they found it to be beneficial?

Attorney Donohue stated that no city has had enough experience thus far, because this is so new.

Councilman Hartsock stated that after looking at all the other cities' ordinances presented by the Attorney, Farmington's is pretty fair and reasonable. He further stated that we are now asking the cat owners to exercise reasonable control over their animals, to have them immunized and to clean up after them.

9-91-295

Motion by Councilman Hartsock, supported by Councilman Yoder, to introduce Ordinance No. C-590-91 relative to Cat Control.



COUNCIL PROCEEDINGS -8-  
September 3, 1991

The Mayor called for comments from the audience.

Robert Siegmund, 32328 Valleyview Circle, stated that cats are impossible to control. He pointed out that raccoons, not cats, do the damage on roofs.

Others who opposed the Cat Ordinance:

Jim McGlincy, 33868 Glenview;  
Larry Hall, 23179 Lilac;  
Nancy Leonard, 33309 Shiawassee.

Robert and Linda Schwartz, 33844 Glenview, approved of the ordinance.

MOTION CARRIED, all ayes.

Councilwoman McShane stated that she was not comfortable in voting for this ordinance initially, but she feels the people need a means to address their problems and without this they don't have one.

PROPOSED LEGISLATION RE:  
POLICE OFFICERS' BILL OF RIGHTS

The City Manager advised that the United States Senate recently passed a controversial "Federal Police Officers' Bill of Rights" as part of an anti-crime bill. He stated that the bill is now in the House of Representatives as three house bills which many organizations have opposed. He pointed out that this legislation is opposed, because it appears to be another attempt to establish a federal law pertaining to police officers rights rather than leaving the employees' personal protection to the local state and collective bargaining agreements.

9-91-296

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

MISCELLANEOUS

PUBLIC COMMENT

Terry Lotz, 22814 Power Road, complained that the September 1 Block Party for which Council granted permission on August 5, 1991, to benefit Muscular Dystrophy got out of hand. He stated that those who chose not to participate could hardly get in and out of their street and were verbally abused. He advised that his property was vandalized, and he felt that his rights as a citizen were violated.

COUNCIL PROCEEDINGS -9-  
September 3, 1991

Mayor Richardson asked Mr. Lotz to leave his information so the City can look into this complaint.

Robert Walker, 33315 Oakland, felt that it was wrong to place small wheeled equipment in the Skateboarding Ordinance. He stated that he supports restrictions in the CBD, but is opposed to including school property as restricted areas.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilwoman McShane called for opposition to proposed changes relative to the routing of funding through the states of Community Development Block Grants. She referred to a resolution from the City of Birmingham opposing these changes which was received and filed at the August 19, 1991 Council meeting.

9-91-297

Motion by Councilwoman McShane, supported by Councilman Yoder, to adopt a resolution opposing the concept of turning over funding of Community Development Block Grant programs of national significance to the states to be distributed without regard to the integrity of the individual programs, and further to send copies of this resolution to Senators Donald Riegle, Jr. and Carl Levin, Representative Broomfield, the Michigan Municipal League, U. S. Conference of Mayors and the National League of Cities.

[SEE ATTACHED RESOLUTION].

Mayor Richardson referred to a discussion relative to Sister Cities which took place at the recent Mayors' Conference. She stated that she would like to see Farmington obtain some information on acquiring a Sister City.

The Mayor pointed out in the interest of recycling that since the Council packets contain a great deal of material, she would like to see the information printed on both sides of the paper. She was advised that this would be very time consuming and not be cost effective in terms of the type of copying machine we have.

RESOLUTIONS AND ORDINANCES

ORDINANCE NO. C-588-91, RE: SKATEBOARDING

The City Manager pointed out that Farmington Hills did not adopt a Skateboarding ordinance at their last meeting.

Councilman Yoder stated that he has a problem with the use of the school parking lots for skateboarding.

The City Manager pointed out that the School District could enforce this as trespassing without an ordinance, but they would rather have some help from the Public Safety Department. He advised that the only way they can get this support is if the City has an ordinance.

COUNCIL PROCEEDINGS -10-  
September 3, 1991

Councilman Tupper expressed concern that the schools' tennis courts and track area are being damaged.

Councilwoman McShane stated that she would like this matter to go back to the School Board.

Councilman Yoder agreed that the City Manager should go back to the School Board one more time asking if they would consider designating certain skateboarding areas.

9-91-298

Motion by Councilman Yoder, supported by Councilwoman McShane, to continue to table a decision on the Skateboarding ordinance until the City Manager can get back to the School Board and ask them to designate a specific area for skateboarding. Motion carried, all ayes.

WARRANT LIST

9-91-299

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$64,496.29; Water & Sewer Fund \$51,635.58.

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

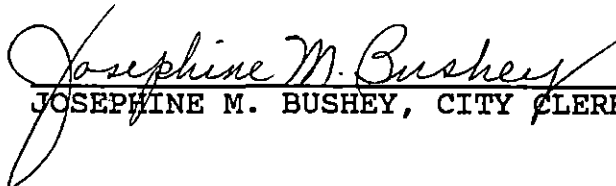
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 10:11 p.m.

  
\_\_\_\_\_  
SHIRLEY V. RICHARDSON, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: September 16, 1991.

R E S O L U T I O N

NO. 9-91-296

Motion by Hartsock, seconded by Yoder, to adopt the follow resolution:

WHEREAS, H.R. 642, H.R. 2946 and H.R. 2537 entitled the "Police Officers Bill of Rights" have been introduced providing protection that far exceeds that afforded to other classes of workers in our country, and

WHEREAS, such legislation, if adopted, would interfere with the proper administration of police agencies throughout the nation by providing extraordinary protection to officers involved in situations that may involve even the simplest discipline, and

WHEREAS, the House Bills would undermine the authority of chiefs of police to manage their department or investigate misconduct or criminal acts that may occur as such investigation may be preempted by the proposed legislation, and

WHEREAS, the House Bills would also preempt most existing collective bargaining agreements, state statutes, city ordinances and agency discipline policies and procedures which have been negotiated, adopted or enacted into ordinances or statutes through many years of painstaking bargaining or the legislative review process;

THEREFORE BE IT RESOLVED the Council of the city of Farmington herein expresses its objection and opposition to H.R. 642, H.R. 2946 and H.R. 2537 and seeks your support in opposing the adoption of these bills into legislation.

RESOLUTION UNANIMOUSLY ADOPTED SEPTEMBER 3, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....  
I, Josephine M. Bushey, 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 on September 3, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 9-91-297

Motion by McShane supported by Yoder to adopt the following resolution:

WHEREAS, the President proposed in his fiscal year 1992 budget to consolidate numerous categorical spending programs into a single block grant to be turned over to the states; and

WHEREAS, recently the National Governors' Association and the National Conference of State Legislatures also released separate updated versions of this proposal with component parts of the proposals which differ from those introduced in the White House Plan, but still maintain the concept of a single block grant to be turned over to the states; and

WHEREAS, funds for locally administered programs have decreased while cities have faced additional costly mandates, and these valuable programs that now exist and have been effective should continue to be provided for through direct funding to communities allowing for local flexibility and control;

NOW, THEREFORE, BE IT RESOLVED, that the Farmington City Council hereby opposes the concept of turning over programs of national significance to the states to be distributed without regard to the integrity of the individual programs for the following reasons:

1. There would be little guarantee that the spending would be directed to the areas of need as outlined by the specific programs currently funded by the federal government.
2. The proposals would allow the commingling between various block grants.
3. The Governors' proposals would eliminate any restrictions on administrative costs.
4. The Legislatures' proposal would include most federally funded transportation programs supported by the Highway Trust Fund.
5. There would be no guarantee of a maintenance of effort.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to U.S. Senator Donald Riegle, Jr., U.S. Senator Carl Levin, U.S. Representative William Broomfield, the Michigan Municipal League, U.S. Conference of Mayors and the National League of Cities.

RESOLUTION ADOPTED UNANIMOUSLY SEPTEMBER 3, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....  
I, Josephine M. Bushey, City Clerk of the City of Farmington, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Farmington City Council at a regular meeting held on Tuesday, September 3, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk  
City of Farmington

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, September 16, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, Acting City Attorney McGee, Adm. Assistant R. Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING.

9-91-300

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of September 3, 1991, as printed. Motion carried, all ayes.

### REPORT FROM GIRLS STATE REPRESENTATIVE

Julie Ritter reported on her recent experience as Farmington's Girls State Representative. She thanked Council for the opportunity to participate in this program.

Mayor Richardson complimented Miss Ritter on her thorough report.

The Mayor introduced Acting City Attorney Michael McGee.

### MINUTES OF OTHER BOARDS

9-91-301

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and/or file the minutes of the following Boards and Commissions:

- Planning Commission minutes of September 9, 1991;
- Downtown Development Authority minutes of September 3, 1991;
- Board of Zoning Appeals minutes of September 4, 1991;
- Farmington Beautification Committee minutes of August 14, 1991;
- Board of Education minutes of July 8 and August 6, 1991.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### LETTER FROM PATRICK ANDERSON RE: RECYCLING FEE

Council was advised that Mr. Anderson of Alexander Hamilton Life and a city resident, 23920 Grace Street, has raised the issue that Farmington's recycling fee is a violation of Article IX, Sections 25 and 31 of the Michigan Constitution. He stated that

COUNCIL PROCEEDINGS -2-  
September 16, 1991

he believes this fee is a tax rather than a user fee. He further stated that he was upset that the Mayor did not stay the recycling fee; already billed to residents, until Council resolves the issue. He indicated that the way the program is being financed is unconstitutional under the Headlee Amendment.

The City Manager pointed out that this question was resolved before the establishment of the city program. He advised that a legal opinion was obtained relative to the City's right to control the solid waste stream and to bill for solid waste services. He further stated that the issues raised by Mr. Anderson have not changed the status of the city program under the law nor the opinion of the City Attorney on this issue, that it is not a tax but a user fee.

Councilman Tupper stated: "I am going to stand by our position until proven otherwise by an authority higher than what we have right now."

Councilman Hartsock stated that Council received three opinions from attorneys, and that it would be irresponsible not to follow that good advice. He expressed concern that Mr. Anderson felt this was not given a fair hearing. He pointed out that a full hearing was conducted almost six months ago and Council spent a full evening discussing, questioning, analyzing and deciding upon the very points that Mr. Anderson brought up.

Mr. Hartsock stated: "Unfortunately, you were not there nor was the press nor was the public, even though it was a public hearing." He further stated: "I believe what we have done is sound and constitutional, and unless we are challenged in Court, we have an obligation to continue. It's important to understand that we did not act before legal opinions were provided to us."

Mayor Richardson stated that she acknowledged the correspondence received from Mr. Anderson by responding in an open letter published in the Farmington Observer, and this is to be considered as the public comment he requested.

9-91-302

Motion by Councilman Tupper, supported by Councilwoman McShane, to receive and file Mr. Anderson's letter of September 16, 1991. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

Council was advised that proclamations were requested by Farmington Families in Action and by the President of the Farmington Council PTA.

COUNCIL PROCEEDINGS -3-  
September 16, 1991

Mayor Richardson announced that the City will fly a special flag (displayed by Councilwoman McShane) during October calling attention to the "Say No to Drugs" theme of the Farmington Families in Action annual Substance Abuse Awareness program.

9-91-303

Motion by Councilman Yoder, supported by Councilwoman McShane, to issue a proclamation designating October as "SAY YES TO LIFE - SAY NO TO DRUGS MONTH" in Farmington. Motion carried, all ayes.

Councilwoman McShane announced that a kickoff breakfast sponsored by the Farmington Families in Action is scheduled for October 2, 1991.

9-91-304

Motion by Councilwoman McShane, supported by Councilman Hartsock, to issue a proclamation designating September 26, 1991, as PTA MEMBERSHIP DAY in the City of Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

CONTRACTOR AND ENGINEERING PAYMENTS:  
SEWER IMPROVEMENT PROJECT

Contract No. 1, Sewer Pumping Station and Retention Basin  
Council was advised that Posen Construction, Inc., requests payment No. 10 for work completed on Contract No. 1.

The City Manager stated that Posen also requests partial payment under Change Order No. 7 relative to extra work involved in removal of contaminated material from the retention basin area.

The City Manager concurred with the engineers and recommended payment in the requested amount of \$262,739.86 and approval of Change Order No. 7 in the amount of \$43,466.00.

9-91-305

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

Contract No. 2, Sewer Improvement Project

Council was advised that the city engineers recommend payment in the amount of \$224,542.63 for Dan's Excavating request for payment estimate No. 10, Contract No. 2.

9-91-306

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:



COUNCIL PROCEEDINGS -4-  
September 16, 1991

BE IT RESOLVED that the Farmington City Council hereby authorizes the tenth estimated payment to Dan's Excavating, Inc., in the amount of \$224,542.63 for work completed from July 27 through August 23, 1991, on the Sewer Improvement Project, Contract No. 2.

ROLL CALL

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED SEPTEMBER 16, 1991.

Change order No. 6, Dan's Excavating, Inc.

The City Manager advised that a combination of additional items added \$37,189.56 to the City's contract with Dan's Excavating.

9-91-307

Motion by Councilwoman McShane, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves Dan's Excavating, Inc., Change Order No. 6 in the amount of \$37,189.56 for added contract items on the Sewer Improvement Project.

ROLL CALL

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED SEPTEMBER 16, 1991.

Engineering Payment

The City Manager recommended payment to Black and Veatch in the requested amount of \$48,205.87.

9-91-308

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black and Veatch, Architects/Engineers, in the amount of \$48,205.87 for the work completed through August 2, 1991, on the Sewer Improvement Project, and

BE IT FURTHER RESOLVED that funds be provided from the project funding.

COUNCIL PROCEEDINGS -5-  
September 16, 1991

ROLL CALL

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED SEPTEMBER 16, 1991.

Addition to Contractor Payments - Astor Street Paving

The City Manager advised that South Hill Construction Company submitted Construction Estimate No. 1 for payment of \$24,221.78 for the Astor Street Paving Program. He concurred with the engineer's recommendation and suggested payment in the requested amount.

9-91-309

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves payment to South Hill Construction, Wixom, Michigan, in the amount of \$24,221.78 for work completed on the Astor Street paving program, and

BE IT FURTHER RESOLVED that funds be provided from the Community Development Block Grant Program.

ROLL CALL

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED SEPTEMBER 16, 1991.

PUBLIC SAFETY DEPARTMENT  
RADIO EQUIPMENT PURCHASES

The City Manager advised that it is necessary to acquire additional radio equipment so that Farmington and Farmington Hills can continue to communicate via radio. He pointed out that Farmington Hills Police and Fire Departments decided to change their equipment and are leaving the present shared radio frequency to use a higher frequency.

Council was advised that to accomplish this, the Public Safety Department budgeted to purchase two radio control stations and replace two radio base stations at a total cost of \$24,749.00.

9-91-310

Motion by Councilman Yoder, supported by Councilman Tupper, to adopt the following resolution:

COUNCIL PROCEEDINGS -6-  
September 16, 1991

BE IT RESOLVED that the Farmington City Council hereby approves the purchase of two control stations for Department of Public Safety dispatch console and two base stations at a cost of \$24,749.99, and

BE IT FURTHER RESOLVED that the bid process be waived as being in the best interest of the City.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSEN; None.

RESOLUTION DECLARED ADOPTED SEPTEMBER 16, 1991.

ESTABLISHMENT OF CITY RISK CONTROL COMMITTEE

Council was advised that the Michigan Municipal Risk Management Authority (MMRMA) requests each member to establish a local Risk Control Committee. The City Manager described the purpose of the committee. He advised that this is an internal committee operated by the city administration, and stated that the first meeting is scheduled for this week. He informed the Mayor that the committee members are:

Gary Goss, Department of Public Safety  
Kevin Gushman, Department of Public Services  
Don Rogers, Department of Public Services  
Robert Schultz, City Manager's Office.

Councilwoman McShane asked: "Would it not be a good idea to have a person from the community at-large involved in the insurance industry on the committee to give it an objective viewpoint?"

The City Manager replied that this is not a disciplinary committee, but a committee of recommendation; that they are looking at incidents such as slip and fall, adequate city signage, safely done construction and whether or not the Planning Commission is following the current state of the law regarding site plans.

9-91-311

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the City Manager's report on the establishment of a City Risk Control Committee. Motion carried, all ayes.

PROPOSED FEE SCHEDULE

The City Manager advised that the administration brought together in one document all of the City's fees and service charges so they can be easily accessed and amended whenever Council wishes. He pointed out that some fees have been increased to reflect the

COUNCIL PROCEEDINGS -7-  
September 16, 1991

increased cost of providing particular services or to reflect the value of the item being offered. He further stated that several fees have not been adjusted for over ten years, and some new charges were added for Council consideration.

9-91-312

Motion by Councilman Yoder, supported by Councilwoman McShane, to delay adoption of the proposed fee schedule until the next regular meeting. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Mayor Richardson introduced Laura Meyers, and publicly thanked her for all of her work on the community quilt she designed for the City's 125th Anniversary celebration.

Ed Thayer, 23605 Warner, asked that something be done to correct the positioning of improperly placed markers on Lots 315, 316 and 361 in Oakwood Cemetery. He was advised that these corrections were made over a year ago.

Mr. Thayer also complained about a strong odor coming from DiMitri's Restaurant garbage container. The City Manager explained that this was caused by an overflowing grease box which they immediately cleaned when the City checked into this. He stated that the situation worsened when the collection company failed to make a pickup on time.

Ken Chiara, 33630 Shiawassee, asked what can be done about the damage to his lawn caused by the excavating company during the current street work. He was advised that the City is meeting on Wednesday with the company to go over a punch list of items to be corrected. The City Manager stated that the final payment will be held until all the damaged areas are put back in order.

James Abernethy, 21256 Birchwood and Board of Education liaison, advised that the School Board still feels it is important to protect the community's investments in the tennis courts and the track area. He stated that the Board is going to post these areas and hopes that both communities will adopt a Skateboarding Ordinance so that police power is available to them for enforcement.

Councilwoman McShane advised Mr. Abernethy that it looks like something other than skateboards has damaged the tennis court and asked if there is something else wrong with that surface. Mr. Abernethy stated that he would check into the matter.

Thomas DeWard, owner of the building at 33604 Grand River, suggested that the City look into a "No Right Turn Allowed" sign

COUNCIL PROCEEDINGS -8-  
September 16, 1991

at Shiawassee for turning south on Farmington Road. He pointed out that there is a green arrow there, which is not always obvious.

Mayor Richardson asked if Mr. DeWard had presented this observation to the Traffic and Safety Board. He stated that he had not done so.

Mr. DeWard further suggested that the City look to its consulting engineers relative to the expense involved in removing the contaminated material from the retention pond area.

Mr. DeWard advised that although there is still some contamination under his building, he can get a Type B closure which will allow him to finish work on this area. He stated that he has been notified that he has to take his plans before the Planning Commission on October 14th as the City wants Grace Street reopened, and he cannot have everything ready by that date. He also objected to the number of flags the City marked off for replacement of sidewalk in front of his building as compared to the property next door.

The City Manager pointed out that there is a City Ordinance that tells the city administration what it must do. He stated that the City is trying to push this along as quickly as possible, but it has to go through site plan approval. He advised that he is comfortable in explaining to the Planning Commission that Mr. DeWard is putting back everything as it was except for the windows which are designed differently. Manager Deadman advised Mr. DeWard that he and Mr. Billing will visit the site tomorrow.

Arnold Campbell, 21080 Birchwood, asked what is included in the recycling fee as some of his neighbors want to know. The City Manager broke down the total fee for him.

Mr. Campbell also pointed out that there is no due date on the recycling bill. The City Manager stated that it is due immediately because it should have been billed in July, but the Ordinance was not in place then. He advised that we will wait until the end of the month, rebill those who have not paid, and put a due date on the bill then.

Mr. Thayer stated he used to be able to mow the grass on Thomas Street, but the excavators piled about a foot of dirt there so he can no longer mow there. The City Manager advised Mr. Thayer that this will be taken care of.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilwoman Mcshane asked Director Lauhoff if there have been any attempted carjackings in Farmington. Director Lauhoff stated

COUNCIL PROCEEDINGS -9-  
September 16, 1991

that there have been none in Farmington and nineteen occurrences in Oakland County since January 1st. He advised that the Oakland County Chiefs have met to discuss preparations for such possibilities.

Mayor Richardson advised that since she will be out of town for the Farmington Families in Action kickoff breakfast on October 2, she asked that Councilwoman McShane be seated at the head table in her place to represent Farmington.

FINANCIAL REPORTS:  
PERIOD ENDED JUNE 30, 1991

Council was advised that the District Court went 1.4% over budget. The City Manager stated that this is not too bad with a construction project going on.

9-91-313

Motion by Councilman Yoder, supported by Councilwoman McShane, to receive and file the General Fund, the 47th District Court and the Water & Sewer Fund financial reports for the period ended June 30, 1991. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

ORDINANCE NO. C-590-91, RE: CAT CONTROL

9-91-314

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following ordinance:

[SEE ATTACHED ORDINANCE].

9-91-315

Motion by Councilwoman McShane, supported by Councilman Yoder, to place a 60-day delay on the implementation of this ordinance so that the necessary licensing supplies can be ordered. Motion carried, all ayes.

ORDINANCE NO. C-591-91 RE: BASIC NATIONAL  
FIRE PREVENTION CODE, 1990 EDITION

9-91-316

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt the following ordinance:

[SEE ATTACHED ORDINANCE].

WARRANT LIST

9-91-317

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$16,122.78; Water & Sewer Fund \$4,821.05.

COUNCIL PROCEEDINGS -10-  
September 16, 1991

ROLL CALL:

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.

NAYS: None.

ABSENT: None.

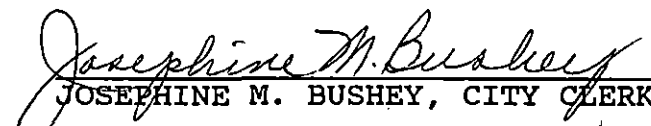
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Yoder, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:55 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: October 7, 1991.

CITY OF FARMINGTON

RESOLUTION NO. 9-91-305

Motion by Yoder, supported by Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the tenth estimated payment to Posen Construction, Inc., in the amount of \$262,739.86 for work completed on the Sewer Improvement Project, Contract No. 1, and

BE IT FURTHER RESOLVED that Council further approves Change order No. 7 for removal of contaminated material from the retention basin area in the amount of \$43,466.00, and

FURTHER BE IT RESOLVED that funds be provided from the Farmington Water and Sewer Department, State loan funds and the City of Farmington Hills.

ROLL CALL

- AYES: McShane, Richardson, Tupper, Yoder, Hartsock.
- NAYS: None.
- ABSENT: None.

RESOLUTION DECLARED ADOPTED SEPTEMBER 16, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, 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 on Monday, September 16, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk



CITY OF FARMINGTON

ORDINANCE NO. C-590-91

CODE AMENDMENT TO ADOPT REGULATIONS  
PERTAINING TO CATS

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF FARMINGTON, MICHIGAN, BY AMENDING ARTICLE II, DOGS, OF CHAPTER 5, ANIMALS, TO PROVIDE ADDITIONAL REGULATIONS PERTAINING TO CATS WITHIN THE CITY.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 5, Article II, Dogs, Section 5-26, Definitions, is hereby amended to read as follows:

ARTICLE II

DOGS AND CATS

Section 5-26. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Owner*, when applied to the proprietorship of a dog or cat, means every person having a right to property in such dog or cat, and every person who keeps or harbors such dog or cat or has it in his or her care, and every person who permits such dog or cat to remain in or about any premises occupied by such person for a period of five (5) days or longer.

*Reasonable control* means keeping a dog or cat on a suitable leash or under the supervision of the owner or custodian in all cases other than on the owner's private property unless the dog or cat is confined in a closed automobile or shipping receptacle.

Section 2.

Chapter 5, Animals, Article II, Section 5-27, Sections 5-29 through 5-37, Sections 5-81 through 5-101 and Sections 5-103 and 5-104 are hereby amended to add the phrase "or cat" wherever the term "dog" is found in the present code section.

Section 3.

Chapter 5, Animals, Article II, Section 5-28, Duty to Keep Confined, is hereby amended to read as follows:

Section 5-28. Duty to Keep Confined.

It shall be unlawful for any owner of any female dog or cat to permit the female dog or cat to go beyond the premises of such owner when she is in heat, unless the female dog or cat is held properly on a leash, or unless the dog or cat is confined in a closed automobile or shipping receptacle, or for any owner to allow any dog or cat to stray beyond his or her premises unless under reasonable control of some person, or for any owner to allow any dog or cat to leave his or her premises under any conditions, unless such dog or cat has been immunized against rabies; provided nothing in this section shall be interpreted to prevent an owner taking his or her dog or cat to the offices of a veterinarian for the purpose of having the dog or cat immunized.

Section 4.

Chapter 5, Animals, Article II, is hereby amended to add a new section, Section 5-38, which section shall read as follows:

Section 5-38. Sanitation.

No owner, as defined in this article, of any dog or cat shall cause, suffer, or allow such dog or cat to soil, defile, defecate or to commit any nuisance on any public thoroughfare, sidewalk, passageway, bypass, play area, park, or any place where people congregate or walk, or upon any public property whatsoever, or upon any private property without the permission of the owner of said property unless:

- (a) The owner of such dog or cat shall immediately remove all droppings deposited by such dog or cat by any sanitary method. The owner shall possess a container of sufficient size to collect and remove the above-mentioned droppings and exhibit the container, if requested, by any official empowered to enforce this article.

- (b) The droppings removed from the aforementioned areas shall be disposed of by the owner of such dog or cat in a sanitary method on the property of the owner of such dog or cat.

Section 5.

Chapter 5, Animals, Article II, Division 2, Dog License, Sections 5-57, 5-58, 5-59, 5-60, and 5-62 only are hereby amended to add the phrase "or cat" wherever the term "dog" is found in the present code section.

Section 6.

Chapter 5, Animals, Article II, Division 2, Sections 5-56 and 5-61 only are hereby amended to add the following phrase at the conclusion of the paragraph: "Cats shall be similarly licensed but shall neither be required to wear a collar or harness, nor to display a license tag. The license shall be kept in the possession of the owner as defined in this article."

Section 7. 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 were commenced.

Section 8. 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 9. 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 10. Effective Date.

This ordinance shall become effective sixty (60) days following its enactment and upon its publication as provided by the Charter of the City of Farmington.



CITY OF FARMINGTON

ORDINANCE NO. C-591-91

CODE AMENDMENT TO ADOPT BY  
REFERENCE THE BASIC NATIONAL FIRE  
PREVENTION CODE, 1990 EDITION.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 14, Article II, Fire Prevention Code, of the City Code of the City of Farmington is hereby amended to read as follows:

ARTICLE II

FIRE PREVENTION CODE

Section 14-26.

There is hereby adopted by reference as applicable within the City of Farmington the Basic National Fire Prevention Code, 1990 Edition, published by the Building Officials and Code Administrators International, Inc., prescribing minimum requirements and controls to safeguard life, property or public welfare from the hazards of fire, or explosions, arising from storage, handling or use of substances, materials or devices and from conditions hazardous to one's life, property or public welfare, and the use or occupancy of buildings, structures, sheds, tents, lots or premises. Printed copies of these codes shall be kept in the office of the City Clerk and made available for inspection by and distribution to the public during normal business hours.

Section 14-27. References in Code.

References in the Basic National Fire Prevention Code, 1990 Edition, to "name of jurisdiction" shall mean the City of Farmington. References to "code official" shall mean the Director of Public Safety, and references to "local ordinances" shall mean the City Code and Ordinances of the City of Farmington.

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 were 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.

This ordinance shall become effective ten (10) days following its enactment and upon its publication as provided by the Charter of the City of Farmington.

Section 6. Adoption.

This ordinance is declared to have been adopted by the City Council of the City of Farmington at a meeting called and held on the 16th day of September, 1991, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Councilman Hartsock and supported by  
Councilwoman McShane.

Yeas: Tupper, Yoder, Hartsock, McShane, Richardson.

Nays: None.

Absents: None.

Abstentions: None.

Ordained this 16th day of September, 1991, by the City Council of the City of Farmington.

\_\_\_\_\_  
SHIRLEY V. RICHARDSON,  
Mayor

\_\_\_\_\_  
JOSEPHINE M. BUSHEY,  
City Clerk

STATE OF MICHIGAN)  
                                  )SS.  
COUNTY OF OAKLAND)

I, the undersigned, the 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 held on the 16th day of September, 1991, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 17th day of September, 1991.

\_\_\_\_\_  
JOSEPHINE M. BUSHEY,  
City Clerk

Introduced: September 3, 1991.  
Adopted: September 16, 1991.  
Published: September 26, 1991.  
Effective: October 7, 1991.

[3239/082891]

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, October 7, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Deputy Director Goss, Director Billing, City Attorney Donohue, Adm. Assistant Schultz, City Clerk Bushey.

Mayor Richardson announced that there would be two additions to the Agenda under Petitions and Communications: the first, a KMart request relative to temporary outside storage and the second, a Farmington Hills request for appointment of an Ad Hoc Committee representative for a senior adult facility.

10-91-318

Motion by Councilwoman McShane, supported by Councilman Tupper, to accept these two additions to the Agenda. Motion carried, all ayes.

### MINUTES OF PREVIOUS MEETING

10-91-319

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the previous meeting of September 16, 1991, as printed. Motion carried, all ayes.

### PRESENTATIONS

#### AAA PEDESTRIAN SAFETY AWARD

The Mayor introduced Lyle Newsted, AAA representative, who presented a AAA Pedestrian Safety Award plaque to the City. He pointed out that Farmington has achieved a record of thirteen consecutive years without a pedestrian traffic fatality.

#### SOUTH FARMINGTON BLUES

#### BASEBALL TEAM PROCLAMATION

Mayor Richardson presented to the team manager a proclamation recognizing the accomplishments of the South Farmington Blues Baseball team as being best in the Nation; also designating the month of October as SOUTH FARMINGTON BASEBALL BLUES TEAM MONTH.

The team manager presented a plaque and an autographed baseball to the Mayor.

Mayor Richardson called for a two minute break so Council members could personally congratulate each young man.

The meeting reconvened at 8:15 p.m.



PUBLIC HEARING

PROPOSED AMENDMENTS TO SIGN ORDINANCE

The Mayor explained the public hearing procedure and called upon the City Manager to give a brief report on the proposed amendments.

The City Manager stated that about ten months ago, City Council amended the sign ordinance, making window signing more restrictive than the current ordinance. He pointed out that since then, a possible amendment was reviewed setting criteria based on the size of the window.

Mayor Richardson opened the Public Hearing to the approximately thirty people present.

James Mitchell, 23211 Floral, stated he was Chairperson of the Sub-Committee that wrote the Sign Ordinance. He pointed out that the purpose of the temporary sign sub-section was to set a standard to encourage better use of space, and to try to clean up temporary signage. He stated that they did not try to legislate aesthetics. Mr. Mitchell pointed out that the ordinance has been in effect less than a year and there has not been much of an opportunity to be able to exact its purpose.

Mr. Mitchell recommended that if City Council feels a review should be made of this portion of the ordinance, it should be sent back to the Planning Commission for further study.

Don Munter, 33309 Oakland, stated that as a consumer, window signage has no effect on any of his purchases. He pointed out that in the last ten years a lot has been done to make the commercial area more attractive, and to add window signage would detract considerably.

Al Wander, president of Maple Drug Stores, listed a number of organizations that have needed assistance and which Maple Drugs has helped, "because we believe that if we support these groups it represents a partnership between ourselves and the business community". Mr. Wander indicated that he still wants to forge a partnership between government, business and community. He advised that at present all three stores are in compliance with the proposed regulations.

Bill Burke, 22716 Floral, member of the Planning Commission appointed to the sign ordinance sub-committee, stated that everyone on the sub-committee was very concerned about the businesses in the community; they felt that 25% coverage is reasonable and should be retained. Mr. Burke urged that the ordinance be left essentially as it is now and let the appeal process be put to use.

COUNCIL PROCEEDINGS -3-  
October 7, 1991

Bob Heinrich, representing the Farmington/Farmington Hills Chamber of Commerce, pointed out that the Farmington Hills suggested 10% (reduced from 50%) was too restrictive, and they are changing their ordinance to allow a 25% signage adjustment. He pointed out that an ordinance can't be drafted that will cover everybody equally. He further indicated that the appeal process is in place for those businesses that require it.

Joan Lorenz, 32744 Schulte, stated that she and many of her friends and neighbors shop Farmington first, so there is a partnership between the citizens and businesses. She further stated that they are proud of the downtown area and the way it looks. She feels that window signs do not show off the City's antique buildings to advantage.

The Vice-President of Maple Drug Stores, stated that their window signs are noticed. He pointed out that they need a medium other than radio or TV to compete with the larger chains.

Ken Chiara, 33630 Shiawassee, stated that he does not understand the value of window signs and does not like them. He felt that 25% is an adequate amount of space for these signs.

10-91-320

Motion by Councilman Yoder, supported by Councilman Tupper, to close the Public Hearing. Motion carried, all ayes.

Council Discussion:

Councilman Yoder stated that the Planning Commission spent a lot of time on the Sign Ordinance. He pointed out that for years we had no restriction whatsoever. He stated that he originally felt the allowable window coverage should be 50% but voted for 25% to retain the appeal process before City Council for signs and fences.

Councilman Tupper discussed a survey he took in September of Farmington's retail establishments in which he found that approximately 12 businesses were in violation of the 25% coverage; on September 26 there were 9 in violation. He stated that he is opposed to the suggested formula because of those businesses that have mansard roofs and canopies which qualify for building frontage. He supported the Planning Commission's recommendation to maintain the 25% coverage for window signs.

Councilwoman McShane said she has shopped at Maple Drug Stores for the past 20 years and it has nothing to do with signs. She stated that the 25% coverage should remain. She felt that by limiting the signs businesses will not be pushed out of Farmington, because Northville has only two business vacancies, Plymouth and Novi have no vacancies and all have the 25% coverage.

COUNCIL PROCEEDINGS -4-  
October 7, 1991

Councilman Hartsock pointed out that the ordinance was enacted only a few months ago. He stated that City Council as well as the Planning Commission spent a significant amount of time on this ordinance. He expressed concern about government legislating beyond what would be a reasonable boundary, that we have to be careful in altering the person's rights. He pointed out that this ordinance has significant impact on our community and that from the business persons' viewpoint, signs are not ugly if they are proud of their business.

Mayor Richardson stated that there is definitely a partnership between the business community and the residents. She said that she asked for this evening's public hearing, because she wanted to be very fair with the business community and with the residents. She commended Mr. Tupper on his survey and stated that extra copies are available if anyone is interested.

The Mayor pointed out that from the information she was able to obtain from other cities at the recent Michigan Municipal League conference, Farmington is very much in line with the 25% coverage for temporary window signs. She indicated that most other communities have this type of ordinance in place, and she concurs with the Planning Commission's report, that we must give it a fair try. She advised that if there is a business that would like to appeal, that is very much in order.

Councilman Tupper stated: "I think we do have to work as close as we can with the merchants, particularly those who have a unique situation." He further stated that Council should pledge to work with every citizen and business in our community.

10-91-321

Motion by Councilman Tupper, supported by Councilwoman McShane, to abandon the proposed amendments and continue on with our Sign Ordinance as it presently exists.

ROLL CALL

AYES: McShane, Richardson, Tupper.

NAYS: Yoder, Hartsock.

ABSENT: None.

MOTION CARRIED.

MINUTES OF OTHER BOARDS

10-91-322

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and/or file the minutes of the following Boards and Commissions:

COUNCIL PROCEEDINGS -5-  
October 7, 1991

- Planning Commission minutes of September 23, 1991;
- Downtown Development Authority minutes of September 17, 1991;
- Farmington Employees' Retirement System Board of Trustees minutes of April 17, 1991;
- Traffic and Safety Board minutes of July 19, 1991;
- Farmington Beautification Committee minutes of September 11, 1991;
- Farmington Community Library minutes of August 8, 1991;
- Board of Education minutes of September 3, 1991.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM THRIFTY FLOWERS

RE: PERMIT FOR OUTSIDE DISPLAYS

Council was advised that the owners of Thrifty Flowers on Orchard Lake Road request permits for outside displays totaling 133 days for the year.

The City Manager advised that the City Code will not allow City Council, the Planning Commission or the Board of Zoning Appeals to authorize these sales or a variance for this time period. He recommended that the request be denied.

Owner Chris Rae stated that the recent road construction put a damper on all the businesses in this area. He advised that he wants to enhance the exterior of his building by displaying seasonal material in a 4 ft. area in front of the store at 22840 Orchard Lake Road and on each side of the door.

10-91-323

Motion by Councilman Yoder, supported by Councilwoman McShane, to grant to Thrifty Flowers two 10-day permits for outside seasonal displays in front of the store from October 10 to 20 and from October 21 to 30, 1991.

Following some discussion with Mr. Rae concerning what dates he would prefer, Councilman Yoder withdrew his motion. With the approval of the supporter, Councilwoman McShane, the motion was withdrawn.

10-91-324

Motion by Councilman Yoder, supported by Councilwoman McShane, to grant to Thrifty Flowers, 22840 Orchard Lake Road, two 10-day permits for outside seasonal displays in front of the store, the first to extend from October 22 through October 31; the second from December 13 to December 23, 1991, subject to the site plan presented for Council review. Motion carried, all ayes.

COUNCIL PROCEEDINGS -6-  
October 7, 1991

LETTER FROM ARLENE LULLOVE, BLINDS & DESIGNS  
RE: TRANSFER OF BUSINESS TO CITY OF WIXOM

Council was advised that the city has insufficient space to meet the needs of this business for expansion, prompting the owner to request city approval for the transfer of the business from Farmington to the City of Wixom. The owner assured Council that the building she sold will be actively used by a Maaco auto refinishing business.

The City Manager submitted a resolution for Council approval authorizing the relocation of the business.

10-91-325

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

[SEE ATTACHED RESOLUTION].

REQUEST FROM FARMINGTON MUSIC PATRONS RE:  
USE OF ORCHARD STREET PARKING LOT

The City Manager advised that the Farmington High School Music Patrons are planning to conduct a fund raising event on October 19, 1991, for orchestra and band equipment. They request the use of the Orchard Street parking lot from 9:00 a.m. to 5:00 p.m. on that date.

10-91-326

Motion by Councilman Yoder, supported by Councilman Hartsock, to grant permission to the Farmington Music Patrons to use the Orchard Street parking lot on October 19, 1991, from 9:00 a.m. to 5:00 p.m. for the school band's annual fund-raiser. Motion carried, all ayes.

LETTERS OF RESIGNATION

Traffic and Safety Board

Council was advised that Bill McCullough regrets that he must resign from the Farmington Traffic and Safety Board due to a transfer of employment to Lansing.

10-91-327

Motion by Councilman Tupper, supported by Councilwoman McShane, to accept, with regret, the resignation of Bill McCullough from the Farmington Traffic and Safety Board, and further, to send him a letter of appreciation. Motion carried, all ayes.

Farmington Planning Commission

Council was advised that Kenne Fenton regrets that he must resign from the Farmington Planning Commission, because his teaching responsibilities prohibit his attending the remaining meetings this year.

COUNCIL PROCEEDINGS -7-  
October 7, 1991

The City Manager pointed out that the City Charter requires that the absence of any Board, Commission or Committee member from four consecutive meetings creates an opening.

10-91-328

Motion by Councilman Yoder, supported by Councilman Tupper, to accept, with regret, the resignation of Kenne Fenton from the Farmington Planning Commission, and further, to send him a letter of appreciation. Motion carried, all ayes.

LETTER FROM MICHIGAN DEPARTMENT OF TRANSPORTATION RE: TRUNKLINE RENUMBERING

Council was advised that the Department of Transportation plans to make trunkline numbering revisions in conjunction with the Haggerty Road Connector project. The City Manager pointed out these revisions and explained the effect of the proposed changes on the City of Farmington. He advised that the Department asks for concurrence, and he indicated that if no response is received from the city within thirty days, concurrence will be assumed.

10-91-329

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the Michigan Department of Transportation letter relative to trunkline numbering revisions. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

Council was advised that proclamations were requested by Michigan's United Nations Day Chairperson, the Carnegie Institute's School of Allied Health Technology and the Farmington Beautification Committee.

10-91-330

Motion by Councilwoman McShane, supported by Councilman Tupper, to designate October 24, 1991, as UNITED NATIONS DAY in Farmington. Motion carried, all ayes.

10-91-331

Motion by Councilman Tupper, supported by Councilwoman McShane, to designate October 14 - 18, 1991 as MEDICAL ASSISTANTS WEEK and October 16, 1991 as MEDICAL ASSISTANTS DAY in Farmington. Motion carried, all ayes.

10-91-332

Motion by Councilman Yoder, supported by Councilman Hartsock, to designate October 17, 1991 as BEAUTIFICATION RECOGNITION DAY in Farmington. Motion carried, all ayes.

COUNCIL PROCEEDINGS -8-  
October 7, 1991

REQUEST FROM K MART CORPORATION RE:  
TEMPORARY OUTSIDE STORAGE FOR TRUCKLOAD SALE

Council was advised that the KMart store at 37175 Grand River requested permission to park a temporary storage semi-trailer in front of the store during an October truckload sale.

10-91-333

Motion by Councilman Tupper, supported by Councilman Yoder, to grant permission to the KMart Store at 37175 Grand River to park a temporary storage semi-trailer in front of the store from October 10 - 17, 1991, for a truckload sale. Motion carried, all ayes.

Mayor Richardson advised that rumors of KMart leaving Farmington are unfounded. She stated that beginning in January, this store will go through extensive renovation according to management.

LETTER FROM BILL COSTICK RE: APPOINTMENT OF  
COUNCIL REPRESENTATIVE TO AD HOC COMMITTEE TO  
DEVELOP SR. ADULT FACILITY

Mayor Richardson stated that Mr. Costick included a list of committee members who have already been appointed and asked that someone be appointed to represent City Council.

10-91-334

Motion by Councilman Tupper, supported by Councilman Hartsock, to appoint Councilwoman McShane as Council representative to the Ad Hoc Committee for developing a Sr. Adult Facility. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED FEE SCHEDULE

The City Manager advised that the fee schedule presented at the last meeting includes one revision relative to the replacement of recycling containers. He indicated that the container replacement cost is \$10.00 rather than the \$17.25 listed at the last meeting.

10-91-335

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the City of Farmington Fee Schedule as presented at this evening's meeting.

ROLL CALL

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

PROPOSED SLEDDING HILL AGREEMENT

The City Manager submitted for Council review a proposed Sledding Hill Agreement reached last year between the Farmington Board of Education and the Cities of Farmington and Farmington Hills. Council was advised that the Board of Education and the Cities' attorneys indicated a written agreement should be executed by all parties concerned so each clearly understands its responsibilities in the operation of the sledding hill.

Councilwoman McShane asked if the signs will remain as they were last winter. She was advised that we won't know until the group meets.

10-91-336

Motion by Councilwoman McShane, supported by Councilman Tupper, to authorize the Mayor to execute the proposed Sledding Hill Agreement on behalf of the City of Farmington. Motion carried, all ayes.

OAKLAND COUNTY PRISONER CARE COSTS

Council was advised that Oakland County has been charging cities a \$25.00 daily boarding fee for housing prisoners sentenced for local offenses, whereas townships are not charged this fee.

The City Manager stated that the County Board of Commissioners has changed this policy, which will lower Farmington's jail housing costs during the last half of this fiscal year as well as for the following eighteen months.

Council was advised that no action is needed at this time. The City Manager stated that when the current two-year county resolution expires, Council may wish to contact the district's County Commissioner so consideration can be given to an extension of the waiver.

10-91-337

Motion by Councilman Yoder, supported by Councilwoman McShane, to receive and file the City Manager's report on Oakland County Prisoner Care Costs. Motion carried, all ayes.

STREET AND PARK CLOSING DURING HALLOWEEN

Council was advised that the Department of Public Safety again requests that the city parks and Raphael Street be closed during the Halloween holiday to prevent possible vandalism to school, district court and park property.

10-91-338

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:



COUNCIL PROCEEDINGS -10-  
October 7, 1991

BE IT RESOLVED that the Farmington City Council hereby authorizes the closing of Shiawassee Park, Drake Park and Raphael Street prior to Halloween, from 6:00 p.m. to 7:00 a.m. daily commencing at 6:00 p.m. on Tuesday, October 29 and terminating at 7:00 a.m. on Friday, November 1, 1991.

ROLL CALL

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 7, 1991.

STATE OF MICHIGAN EXTENDED PURCHASING PROGRAM

The City Manager advised that for the past several years, the City participated in the State of Michigan extended purchasing program, which permits us to buy from state contracts at an annual fee of \$260.00. He recommended that this fee be authorized.

10-91-339

Motion by Councilman Tupper, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment of an annual fee of \$260.00 to the State of Michigan for participation in the extended purchasing program for the period October 1, 1991 through September 30, 1992.

ROLL CALL

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 7, 1991.

SEWER IMPROVEMENT PROJECT ENGINEERING PAYMENT

The City Manager recommended payment to Black and Veatch in the requested amount of \$43,812.40.

10-91-340

Motion by Councilwoman McShane, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black and Veatch, Architects/Engineers, in the amount of \$43,812.40 for the work completed through August 30, 1991, for engineering services on the sewer separation and pumping station and retention basin project.

COUNCIL PROCEEDINGS -11-  
October 7, 1991

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 7, 1991.

MISCELLANEOUS

PUBLIC COMMENT

Don Munter, Chairman of the Historical Commission, stated that Council will have any missing Commission minutes before the next weekend.

Mr. Munter expressed concern about parking on the east side of Farmington Road north of Grand River. The Mayor suggested that he share his concern with the Traffic and Safety Board.

Ed Thayer, 23605 Warner, stated that there has been no change in the cemetery relative to the Howard Thayer and Rev. Cobb lots. Mr. Thayer was advised that the City Manager and the Director of Public Services will set up an appointment with Councilwoman McShane for all to meet with him to settle this matter once and for all.

Richard Hoy, 31582 Lamar, advised that there were sewage backups in his neighborhood on August 19th. He asked what the City's plans are to correct the situation. He stated that he and his neighbors will meet this Thursday to discuss their options. The City Manager advised that the City is aware of the problem.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilman Yoder expressed concern about an old freight box on Gill Road. He was advised that this is a dump site for The Greenery nursing home during construction.

Councilwoman McShane asked if the Traffic and Safety Board has discussed any ring-route sign to keep people from turning left onto Oakland Street. The City Manager promised to refer this to the Board.

Councilman Hartsock referred to a letter sent to our legislature several months ago relative to H. B. 4122, P. A. 159 of 1990, which would reinstate local control over school building development. He pointed out that the House unanimously passed the Bill to reverse it so it is back under local control, and now it's going to the Senate.

The City Manager pointed out that Senator Faxon authored this bill and suggested that it would be wise to inform him regarding the reversal of P.A. 159.

COUNCIL PROCEEDINGS -12-  
October 7, 1991

10-91-341

Motion by Councilman Hartsock, supported by Councilwoman McShane, to inform Senator Faxon regarding the reversal of P. A. 159. Motion carried, all ayes.

Councilman Hartsock called attention to another bill in the House, S.B. 96-110, giving local officials the power to treat an ordinance violation as a civil infraction vs. criminal infraction.

10-91-342

Motion by Councilman Hartsock, supported by Councilman Yoder, to send a letter of support to our State Representative regarding Senate Bill 96-110. Motion carried, all ayes.

Mayor Richardson advised that at the recent Michigan Municipal League conference Farmington was paired with the City of Sturgis for Mayor's Exchange Day, 1992.

The Mayor advised that at the Keep Michigan Beautiful Awards Banquet last Thursday, the Farmington Beautification Committee was honored for the City's post cards and their Tree Ordinance update. She thanked Mr. Campbell for his assistance in updating the ordinance.

FINANCIAL REPORTS:  
PERIOD ENDED JUNE 30, 1991

10-91-343

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and file the General Fund and the 47th District Court financial reports for the two months ended August 31, 1991. Motion carried, all ayes.

WARRANT LIST

10-91-344

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$90,218.52; Water & Sewer Fund \$87,046.09.

ROLL CALL:

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.


ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

COUNCIL PROCEEDINGS -13-  
October 7, 1991

The meeting was adjourned at 10:25 p.m.

  
SHIRLEY V. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: October 21, 1991.

R E S O L U T I O N

NO. 10-91-325

RESOLUTION RE: BLINDS & DESIGNS, INCORPORATED, 32754 WEST EIGHT MILE ROAD, FARMINGTON, MICHIGAN - TRANSFER OF EMPLOYMENT

Motion by Hartsock, supported by Tupper, to adopt the following resolution approving a transfer of employment from Blinds & Designs, Inc. located at 32754 West Eight Mile Road, Farmington, Michigan to a new facility located within the City of Wixom; and

WHEREAS, Blinds & Designs, Inc., located in Farmington, Michigan intends to make application to the City of Wixom, Michigan for an Industrial Facilities Exemption Certificate pursuant to Act 198 and Act 338 of the Public Acts of 1974, as amended, relating to a facility they intend to occupy within the City of Wixom, and

WHEREAS, after reviewing the request, the City of Farmington has determined that there will be no material or adverse impact on the City by reason of such consent, and

WHEREAS, Section 8(3) of the Economic Development Corporations Act, being Act 338 of the Public Acts of 1974, as amended provides that a project of an Economic Development Corporation shall not be approved unless the governing body of a municipality from which the employment will be transferred consents by resolution to the transfer, and

WHEREAS Section 9(2) of the Plant Rehabilitation and Industrial Development Act, being Act 198 of the Public Acts of 1974, as amended, provides that an Industrial Facilities exemption certificate shall not be issued unless the governmental body of a municipality from which the employment shall be transferred consents by resolution to transfer;

BE IT RESOLVED that under the provisions of Section 8(3) of the Economic Development Corporations Act and Section 9(2) of the Plant Rehabilitations and Industrial Development Acts, the City Council of the City of Farmington hereby consents to the transfer of employment from the City of Farmington to the City of Wixom with regard to Blinds & Designs, Inc.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to deliver a certified copy of this resolution the the City of Wixom and Blinds & Designs, Inc.

ROLL CALL:

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None,  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 7, 1991.  
.....

I, Josephine M. Bushey, 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 on Monday, October 7, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, October 21, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, Adm. Assistant Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

10-91-345

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of October 7, 1991, as printed. Motion carried, all ayes.

### PRESENTATION

#### KEEP MICHIGAN BEAUTIFUL AWARDS

The Mayor accepted two Keep Michigan Beautiful distinguished service award plaques: one for the City's new Tree Ordinance, the other, in recognition of the Farmington postcard created by the Beautification Committee.

### MINUTES OF OTHER BOARDS

10-91-346

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards and Commissions:

- Planning Commission minutes of October 14, 1991;
- Downtown Development Authority minutes of October 1, 1991;
- Board of Zoning Appeals minutes of October 2, 1991;
- Farmington Area Commission on Aging minutes of September 24, 1991;
- Farmington Area Arts Commission minutes of September 19, 1991.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

LETTER FROM GROVES-WALKER UNIT #346

RE: 1992 GIRLS STATE PROGRAM

Council was advised that the cost of sponsoring a Girls State candidate is \$200.00 and that this year's budget includes funding for continuing the City's participation in this program.

COUNCIL PROCEEDINGS -2-  
October 21, 1991

10-91-347

Motion by Councilman Yoder, supported by Councilwoman McShane, to appoint Councilman Tupper as the contact person for the 1992 Girls State representative to report to upon completion of the program. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

Council was advised that proclamations were requested by the Layman's National Bible Association and the Uptown Farmington Business Association.

10-91-348

Motion by Councilwoman McShane, supported by Councilman Tupper, to designate November 24 to December 1, 1991, as NATIONAL BIBLE WEEK in Farmington. Motion carried, all ayes.

10-91-349

Motion by Councilman Tupper, supported by Councilman Yoder, to designate October 26, 1991 as KID'S KARNIVAL DAY in Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

CONTRACT PAYMENT

PROSPECT/VALLEY VIEW ROAD IMPROVEMENT

The City Manager recommended that \$127,183.85 be paid on behalf of the contractor, Thompson-McCully Company, for work completed on the Prospect/Valley View Road Improvement. He further recommended that City Council approve Change Order No. 1, reducing the contract by \$135.32.

10-91-350

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that City Council hereby authorizes payment No. 1 in the amount of \$127,183.85 to Thompson-McCully Co., for work completed on the Prospect/Valley View paving project, and

BE IT FURTHER RESOLVED that funds be provided from the Special Assessment Account, Community Development Block Grant Account and the Local Street fund, and

FURTHER BE IT RESOLVED that City Council hereby approves Change order No. 1, which reduces the contract in the amount of \$135.32.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 21, 1991.

COUNCIL PROCEEDINGS -3-  
October 21, 1991

CONTRACT PAYMENTS AND CHANGE ORDERS  
SEWER IMPROVEMENT PROJECT

The City Manager advised that several change orders and requests for contractor payments are being presented for Council's approval on the Sewer Improvement Project.

10-91-351

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves Black and Veatch engineering contract Amendment No. 3, in the amount of \$33,082.50 for work completed on the Sewer Improvement Project.

ROLL CALL

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 21, 1991.

10-91-352

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves payment in the amount of \$26,058.20 to Black and Veatch for work completed through September 27, 1991, on the Sewer Improvement Project.

ROLL CALL

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 21, 1991.

10-91-353

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves Posen Construction, Inc., Change order No. 6 in the amount of \$18,203.43 for modifications to the Chesley pumping station.

ROLL CALL

AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 21, 1991.



COUNCIL PROCEEDINGS -4-  
October 21, 1991

10-91-354

Motion by Councilman Hartsock, supported by Councilman Yoder, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves Posen Construction, Inc., Change order No. 7 in the amount of \$43,466.00 for removal of contaminated material from the Nine Mile Road site, Sewer Improvement Project.

ROLL CALL

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 21, 1991.

10-91-355

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the eleventh estimated payment to Posen Construction, Inc., in the amount of \$460,784.93 for work completed through September 30, 1991, on the Sewer Improvement Project, Contract No. 1.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 21, 1991.

10-91-356

Motion by Councilman Yoder, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the eleventh estimated payment to Dan's Excavating, Inc., in the amount of \$316,043.40 for work completed through September 27, 1991, on the Sewer Improvement Project, Contract No. 2, payment No. 11.

ROLL CALL

AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 21, 1991.

PROGRESS REPORT:

EIGHT MILE/FARMINGTON ROAD SIGNALIZATION

Council was advised that a four-way left turn phasing signal with pedestrian indicators will be installed at Eight Mile and Farmington Road.

The City Manager stated that once the design and estimate of associated costs are completed, cost sharing agreements will be executed between the Oakland County Road Commission and the County of Wayne. He further stated that hopefully, this signal modernization will be completed in the latter half of 1992.

10-91-357

Motion by Councilman Tupper, supported by Councilman Hartsock, to send a Letter of Appreciation to Farmington Hills Traffic Engineer Kevin McCarthy, for his assistance in working to obtain this signalization. Motion carried, all ayes.

APPOINTMENT OF

EMERGENCY MANAGEMENT COORDINATOR

Council was advised that as a result of a change in state statutes, it is necessary for all communities to name, by resolution, the emergency management coordinator and liaison person for the Oakland County Emergency Operations Plan.

The City Manager pointed out that the resolution submitted for Council review would appoint the County Emergency Management Coordinator as Farmington's emergency management coordinator and the Director of Public Safety as the City's Emergency Management Liaison to Oakland County.

10-91-358

Motion by Councilman Tupper, supported by Councilman Yoder, to adopt the following resolution:

[SEE ATTACHED RESOLUTION]

FARMINGTON ROAD/OAKLAND STREET PARKING

The City Manager reported relative to Oakland Street residents' concern about cars parking on Farmington Road which interfere with their vision when exiting Oakland Street.

Director Lauhoff reported that the situation was reviewed as recently as May 17, 1990, and the suggestion to remove all parking was not adopted by the Farmington Traffic and Safety Board at that time.

Director Lauhoff pointed out that the vision problems occur only when large trucks or step vans park near the intersection. He stated that he will have Public Safety personnel contact those

COUNCIL PROCEEDINGS -6-  
October 21, 1991

who park trucks at this location, asking them to park elsewhere. He indicated that if this does not solve the problem, he would suggest that the Traffic and Safety Board be directed to review the situation again with emphasis on eliminating truck parking in this area.

10-91-359

Motion by Councilman Tupper, supported by Councilman Yoder, to receive and file the City Manager's report on Farmington Road/Oakland Street Parking. Motion carried, all ayes.

HOUSEHOLD HAZARDOUS WASTE DAY

The City Manager reported on the second Household Hazardous Waste Day, held on Saturday, October 12, 1991. He noted that 938 residents in Farmington and Farmington Hills disposed of hazardous waste materials, an increase of 28% from the 733 households that participated in the program last April.

Council was advised that so many participated the scheduled opening time was moved forward by fifteen minutes for those who were early.

10-91-360

Motion by Councilwoman McShane, supported by Councilman Hartsock, to receive and file the City Manager's report on Household Hazardous Waste Day. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Hugh Holzknicht, 24172 Elizabeth Court, advised that three or four neighbors west of the District Court Building are concerned about the November 5th Election proposition relative to the court building expansion/renovation. He stated that they feel the value of their property will decline financially as well as aesthetically. He asked what consideration is being given to the affected residents as far as what will be done concerning a barrier or a green area.

Floyd Miller, 24186 Elizabeth Court, asked what type of barrier is being considered.

The City Manager stated that the project is not yet totally designed. He advised that the ordinance requires a wall of imitation brick to screen residential from commercial property. He stated that the residents could ask for a berm area, but would have to get a waiver to do so. He advised that the City will meet with the affected residents as soon as definite plans are formulated.

RESOLUTION REGARDING EMERGENCY MANAGEMENT

Motion by Councilman Tupper, supported by Councilman Yoder, to adopt the following resolution:

**THIS RESOLUTION IS BASED ON THE FOLLOWING:**

Pursuant to Public Act No. 390 of 1976, the City of Farmington on April 4, 1977 adopted a Resolution to participate in Oakland County's Emergency Operations Plan; and

Public Act No. 390 of 1976 was recently amended by Public Act No. 50 of 1990, being the "Emergency Management Act"; and

The Emergency Management Act as recently amended allows/ requires a municipality to appoint a Municipal Emergency Management Coordinator or appoint the coordinator of the County as the Municipal Emergency Management Coordinator; and

The City of Farmington desires to continue and confirm its appointment of the Oakland County Emergency Management Coordinator as the City of Farmington Emergency Management Coordinator and to designate a City of Farmington Emergency Management liaison person to work with the County Coordinator on all matters provided for the "Emergency Management Act", and Oakland County's Emergency Operations Plan;

NOW THEREFORE, IT IS HEREBY RESOLVED, that the City of Farmington hereby appoints the Emergency Management Coordinator for the County of Oakland as the City of Farmington Emergency Management Coordinator.

IT IS FURTHER RESOLVED, that the Director of Public Safety for the City of Farmington is hereby designated as the City of Farmington Emergency Management liaison to the Emergency Management Coordinator for the County of Oakland.

ROLL CALL

AYES: Tupper, Yoder, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 21, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....  
I, Josephine M. Bushey, 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 on Monday, October 21, 1991, in the City of Farmington, Oakland County, Michigan

\_\_\_\_\_  
Josephine M. Bushey, City Clerk

COUNCIL PROCEEDINGS -7-  
October 21, 1991

COUNCIL COMMENTS AND ANNOUNCEMENTS

Mayor Richardson asked Council members if they wish to wait until after the Election to fill the openings on the Safety Board and the Planning Commission. It was the consensus that they will wait.

Councilwoman McShane asked if the Traffic and Safety Board has discussed any ring-route sign to keep people from turning left onto Oakland Street. The City Manager promised to refer this to the Board.

The City Manager advised that the City and some business owners will maintain the trees and grass recently planted on Orchard Lake Road.

APPOINTMENT OF ELECTION COMMISSIONER

The City Manager announced that a Council member who is not on the November 5, 1991, ballot must be appointed to the Election Commission.

10-91-361

Motion by Councilman Yoder, supported by Councilman Hartsock, to appoint Councilman Tupper to the Farmington Election Commission. Motion carried, all ayes.

DEPARTMENT OF PUBLIC WORKS AND  
WATER/SEWER DEPARTMENT QUARTERLY REPORT  
JULY - SEPTEMBER, 1991

10-91-362

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the Department of Public Works and Water/Sewer Department Quarterly Report for July 1 - September 30, 1991. Motion carried, all ayes.

BUILDING DEPARTMENT QUARTERLY REPORT  
JULY - SEPTEMBER, 1991

10-91-363

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Building Department Quarterly Report for July 1 - September 30, 1991. Motion carried, all ayes.

WARRANT LIST

10-91-364

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$35,491.79; Water & Sewer Fund \$87,611.90.

COUNCIL PROCEEDINGS -8-  
October 21, 1991

ROLL CALL:

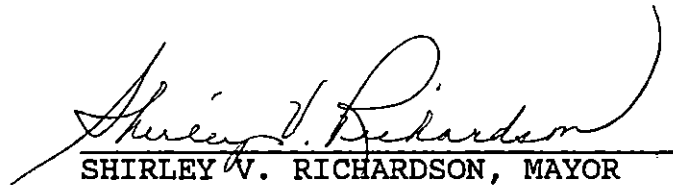
AYES: Yoder, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

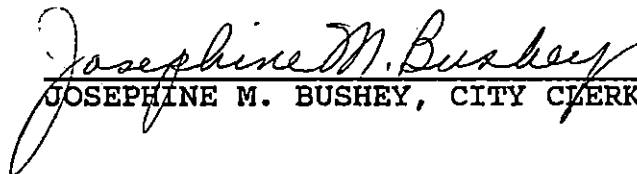
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Yoder, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:05 p.m.

  
SHIRLEY W. RICHARDSON, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: November 4, 1991.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, November 4, 1991, 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 Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, City Attorney Donohue, Adm. Assistant Schultz, Acting City Clerk Murphy.

MINUTES OF PREVIOUS MEETING

11-91-365

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the previous meeting of October 21, 1991, as printed. Motion carried, all ayes.

REMARKS FROM MAYOR RICHARDSON

Mayor Ricardson thanked the members of City Council, the City Department Heads, her family and several regular Council meeting attendees for their support during her term of office.

MINUTES OF OTHER BOARDS

11-91-366

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards and Commissions:

- Farmington Historical Commission minutes of June 19, July 17 and September 18, 1991;
- Farmington Community Library minutes of September 12, 1991;
- Board of Education minutes of September 24, 1991.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

PROCLAMATION: THAYER-ROCK FUNERAL HOME  
"PURSUIT OF EXCELLENCE" AWARD

Mayor Richardson presented a proclamation to Robert Rock, owner of Thayer-Rock Funeral Home, congratulating the Home on receiving this award from the National Funeral Directors Association for their contributions to the industry and to the community.

LETTER FROM RICHARD K. HOY RE:  
FLOODING IN BEL AIRE SUBDIVISION

The following residents of Bel Aire Hills Subdivision were present to explain the sewer backup problems they are experiencing:

COUNCIL PROCEEDINGS -2-  
November 4, 1991

Richard Hoy, 31582 Lamar  
Chris Schaening, 31541 Lamar  
Michele Kramer, 31491 Lamar  
Jerry Kuhnlein, 31561 Lamar

Kevin Hayes, 23639 Beacon  
Dale Smetek, 31641 Lamar  
Larry Massa, 31624 Lamar  
August Bloomquist, 33953 Schulte  
(NOT A BEL AIRE RESIDENT)

*Corrected  
11/18/91  
JMS*  
The Bel Aire Subdivision residents advised Council that their sewers backed up during storms in 1990 and 1991, and asked that the problem be corrected. They also discussed a drainage problem caused by improvements at the high school athletic field.

Manager Deadman stated that the City asked for engineering reports from the City Engineers in cooperation with Black & Veatch, Architects/Engineers.

Council instructed that the Farmington Public Schools liaison, James Abernethy, be invited to the December Council meeting when this subject will be discussed.

11-91-367

Motion by Councilman Yoder, supported by Councilman Tupper, to receive the requested engineering reports at the meeting of December 16, 1991. Motion carried, all ayes.

MARY ANN CATLETT'S LETTER OF RESIGNATION  
FARMINGTON BEAUTIFICATION COMMITTEE

Council accepted Ms. Catlett's resignation, and requested that a letter of appreciation be sent to her.

RESOLUTION FROM TRI-COUNTY CONFERENCE OF  
MAYORS RE: LOCATION OF TIGER STADIUM

City Council was advised of a resolution adopted by the Tri-County Conference of Mayors regarding the relocation of Tiger Stadium from the City of Detroit. Council concurred that it is in the best interest of the Tri-County communities to keep the Detroit Baseball Club in Detroit.

11-91-368

Motion by Councilman Hartsock, supported by Councilwoman McShane, to send copies of the Council resolution supporting the Tri-County position to the Detroit Tigers organization, the City of Detroit Mayor and our state legislative representatives. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PARKING ON LEE LANE STREET

Council was advised that William Winkel, owner of Bel Aire Lanes, requests additional on-street parking on Lee Lane Street in front of his business. The Farmington Traffic and Safety Board reviewed this request and finds no reason to object to allowing parking only on the north side of Lee Lane Street from Orchard Lake Road to the alley behind the Bel Aire Plaza shopping center.



COUNCIL PROCEEDINGS -3-  
November 4, 1991

11-91-369

Motion by Councilman Yoder, supported by Councilwoman McShane, to introduce Ordinance No. C-593-91, amending Traffic Control Orders, Chapter 5, Prohibited Parking, Section 5.9 A, to allow parking on the north side of Lee Lane from Orchard Lake Road to the alley behind the Bel Aire Plaza.

ROLL CALL

AYES: Hartsock, McShane, Richardson, Tupper, Yoder.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

PURCHASE OF POLICE PATROL VEHICLE

The City Manager advised that the low bidder in the Oakland County bid process for police vehicles was Shaheen Chevrolet of Lansing at a cost of \$13,763.94. Council was informed that the Public Safety Department budgeted for this purchase in the 1991-92 budget.

11-91-370

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the purchase of one 1992 Chevrolet Caprice 4-door vehicle with police package options from Shaheen Chevrolet of Lansing, Michigan, through the Oakland County bid process at a cost of \$13,763.94, and

BE IT FURTHER RESOLVED that the usual bid process be waived in favor of the Oakland County bid.

ROLL CALL

AYES: McShane, Richardson, Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 4, 1991.

COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS

The City Manager advised that Oakland County's distribution of Community Development Block Grant funds to Farmington for 1992-93 will be approximately \$43,061.00. He stated that the administration recommends that Council set development objectives for 1992-93 CDBG programs as:

1. Street and drainage improvements to low or moderate income neighborhoods;

COUNCIL PROCEEDINGS -4-  
November 4, 1991

2. Improvements to the Senior Citizen Center;  
\$20,000.00 for street improvements and  
\$13,061.00 for the Senior Citizen Center.

11-91-371

Motion by Councilman Hartsock, supported by Councilman Tupper, to set a Public Hearing for November 18, 1991; at 8:00 p.m. to hear comments on the 1992-93 Community Development Block Grant program. Motion carried, all ayes.

PROGRESS REPORT

PREPARATION OF SLEDDING HILL FOR 1992

Council was given information from the Sledding Hill Committee on last year's experience in operating the sledding hill as well as plans for the coming season's operation. A sledding hill service attendant manual of procedures was also presented, setting forth the duties of the sledding hill attendant, policies and rules for the operation and management of the hill.

A letter from the Farmington Hills Recreation Department included recommendations for setting up the hill earlier this year so the safety material and fencing can be placed prior to the use of the hill.

Council asked that a letter be sent to the Farmington Hills Recreation Department complimenting them on the fine job of supervising the sledding hill operation.

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard, Shiawassee Street resident, was given the information she requested on the use of the Community Development Block Grant funding.

Joan Lorenz, 33744 Schulte, thanked Mayor Richardson for the fine job she has done as Farmington's first woman Mayor.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilman Tupper asked if the sidewalks in front of the National Bank of Detroit and the Library will be repaired this year. Mr. Billing stated that they will be repaired this year.

Councilman Yoder asked when Grace Street will be opened. Mr. Billing stated that he received word from Mr. DeWard advising that Grace Street will be repaved by December 17th.

FINANCIAL REPORTS

THREE MONTHS ENDED SEPTEMBER 30, 1991

11-91-372

Motion by Councilman Yoder, supported by Councilman Hartsock, to

COUNCIL PROCEEDINGS -5-  
November 4, 1991

receive and file the General Fund, the 47th District Court and the Water & Sewer Fund financial reports for the three months ended September 30, 1991. Motion carried, all ayes.

WARRANT LIST

11-91-373

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$45,750.54; Water & Sewer Fund \$1,625.78.

ROLL CALL:


AYES: Richardson, Tupper, Yoder, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

ADJOURNMENT

The meeting was adjourned at 9:37 p.m.

  
SHIRLEY W. RICHARDSON, MAYOR

  
CAROL MURPHY, ACTING CITY CLERK

Approved as corrected,  
November 18, 1991.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, November 18, 1991, 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 Richardson.

PRESENT: Campbell, Hartsock, McShane, Richardson, Tupper.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Asst. Director Gushman, Adm. Assistant Schultz, City Clerk Bushey.

OTHERS PRESENT: Plante & Moran Representatives Doescher and Eagan.

ORGANIZATION OF COUNCIL

OATH OF OFFICE - COUNCILPERSONS ELECT  
CITY ELECTION OF NOVEMBER 5, 1991

City Clerk Bushey administered the Oath of Office to newly elected Councilpersons JoAnne M. McShane, William S. Hartsock and Arnold T. Campbell.

Mayor Richardson called for the City Manager to act as temporary Chairman for the organization of Council.

11-91-374

Motion by Hartsock, supported by Tupper, to appoint City Manager Deadman as temporary Chairman for the election of Mayor and Mayor Pro-Tem. Motion carried, all ayes.

City Manager Deadman called for nominations from Council for the Office of Mayor.

Councilman Tupper nominated William Hartsock for the Office of Mayor.

11-91-375

Motion by Councilwoman Richardson, supported by Councilman Tupper, to close nominations, and cast a unanimous vote for William Hartsock as Mayor. Motion carried, all ayes.

The Chair called for nominations from Council for the Office of Mayor Pro-Tem.

Councilwoman Richardson nominated Arnold Campbell for the Office of Mayor Pro-Tem.

11-91-376

Motion by Councilman Tupper, supported by Councilwoman McShane, to close nominations. Motion carried, all ayes.

COUNCIL PROCEEDINGS -2-  
November 18, 1991

11-91-377

Motion by Councilman Tupper, supported by Councilwoman McShane, to cast a unanimous vote for Arnold Campbell as Mayor Pro-Tem. Motion carried, all ayes.

Outgoing Mayor Richardson passed the gavel to newly elected Mayor Hartsock.

Mayor Hartsock expressed appreciation to all those who worked in his campaign and to all those who voted for him. He complimented Mrs. Richardson for her outstanding term as Mayor and stated that he would endeavor to exhibit the same energy and enthusiasm as she did during her tenure.

MINUTES OF PREVIOUS MEETING

Councilwoman Richardson referred to page two of the minutes of November 4, 1991, indicating that Mr. Bloomquist is not a resident of the Bel Aire Subdivision. The correction was made accordingly.

11-91-378

Motion by Councilwoman McShane, supported by Councilwoman Richardson, to approve the minutes of the previous meeting of November 4, 1991, as corrected. Motion carried, all ayes.

PUBLIC HEARING

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
1 9 9 1 - 1 9 9 3

The City Manager advised that the administration requested that Council hold a public hearing to provide an opportunity for citizens to comment on the city's plan for the use of Community Development Block Grant funds in 1992-93. He presented the administration's recommendation as follows:

\$20,000.00	-	Street improvements
20,000.00	-	Senior Center improvements
3,061.00	-	Administration

Mayor Hartsock opened the public hearing, explaining the procedure for those who wished to speak.

There were no comments from the twenty people present.

11-91-379

Motion by Councilwoman Richardson, supported by Councilman Campbell, to close the public hearing. Motion carried, all ayes.

11-91-380

Motion by Councilman Tupper, supported by Councilwoman McShane, to adopt the following resolution:

COUNCIL PROCEEDINGS -3-  
November 18, 1991

Motion by Tupper, supported by McShane,  
to adopt the following resolution.

WHEREAS, the Farmington City Council has agreed to participate  
in the Community Development Block Grant program for the year 1992-  
93 through the County of Oakland, and

WHEREAS, the public has had an opportunity to review and  
comment on the projects proposed for 1992-93;

THEREFORE BE IT RESOLVED that the city manager be authorized  
and directed to submit an application to Oakland County Community  
Development division for participation in the 1992-93 Block Grant  
program as follows:

- \$20,000 Street improvements
- \$20,000 Senior citizen center
- \$ 3,061 Administration

ROLL CALL:

- AYES: McShane, Richardson, Tupper, Campbell, Hartsock.
- NAYS: None.
- ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 18, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....  
I, Josephine M. Bushey, 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 on November 18, 1991, in the City  
of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

MINUTES OF OTHER BOARDS

11-91-381

Motion by Councilman Tupper, supported by Councilwoman Richardson, to receive and/or file the minutes of the following Boards and Commissions:

- Planning Commission minutes of November 11, 1991;
- Downtown Development Authority minutes of November 6, 1991;
- Beautification Committee minutes of October 9, 1991;
- Farmington Area Arts Commission minutes of October 17, 1991.

Motion carried, all ayes.

Councilman Campbell referred to the Historical Commission's receipt of the \$553.80 donation from the Winery Haunted House, and suggested a letter of recognition be sent to Mr. White.

PRESENTATION

1990-91 FINANCIAL AUDIT REPORT

Using graphs and charts, Plante & Moran representative Eagan reviewed the city's general fund revenues and expenditures for the year ended June 30, 1991. He outlined five major tax proposals that are expected to be on the November 1992 general election ballot, and noted that additional proposals will likely surface in the near future.

Mr. Eagan commented on state-shared revenue overpayments and the city's reflecting the overpayment as a liability in financial statements of June 30, 1991. He reviewed the city's financial planning, encouraging the City to review and modify its financial plan as developments dictate. He briefly commented on internal audit procedures, computer systems, financial records and gave an update on Governmental Accounting Standards Board changes. He recommended that the financial planning for the next few years begin now.

11-91-382

Motion by Councilwoman McShane, supported by Councilman Tupper, to receive and file the Plante & Moran audit report for fiscal year 1990-91. Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

APPLICATION FOR SIGN VARIANCE

SANTA SURPLUS STORE, VILLAGE COMMONS

The owners of this business state that exposure to the public during the Christmas season is critical due to their brief retail venture which will close on December 24, 1991. They believe it is important that they receive some signage at Grand River

COUNCIL PROCEEDINGS -5-  
November 18, 1991

indicating the existence of their new business. They request use of a temporary sign in front of the lease sign on Grand River.

The City Manager pointed out that a variance is necessary as temporary signs are prohibited in the Central Business District.

11-91-383

Motion by Councilman Tupper, supported by Councilwoman Richardson, to approve the use of a temporary sign by the Santa Surplus Store in the Village Commons Shopping Center until December 24, 1991. Motion carried, all ayes.

RESOLUTION FROM CITY OF BERKLEY RE: SUPPORT  
OF H.R. 3601, LOCAL PARTNERSHIP ACT OF 1991

The City Manager stated that if Council believes a return to revenue sharing by the federal government is an appropriate expenditure of federal funds, he would recommend the adoption of a resolution similar to the City of Berkley's.

Mayor Hartsock pointed out that the National League of Cities supports this effort.

11-91-384

Motion by Councilwoman Richardson, supported by Councilman Campbell, to adopt a resolution similar to the City of Berkley's supporting H.R. 3601, and forward same to our federal representatives and senators. Motion carried, all ayes.

[RESOLUTION ATTACHED].

LETTER FROM DDA DIRECTOR  
RE: HOLIDAY PROMOTIONS

Director Strip-Sittsamer's letter advised that the DDA, in co-operation with the Downtown Farmington Merchants Association, is planning a holiday event on Saturday, December 7, 1991, highlighting the arrival of Santa Claus by helicopter.

To advertise this event, the Director requests Council's permission to install banners across Grand River from November 20 through December 11 and twelve trolley stop signs located throughout downtown. Permission is also requested to place a 35 ft. snowman balloon at the Masonic Temple and to land Santa's helicopter at the east end of the large municipal parking lot.

The City Manager advised that the helicopter flying service should provide insurance with the City and the DDA named as added insureds.



COUNCIL PROCEEDINGS -6-  
November 18, 1991

11-91-385

Motion by Councilman Campbell, supported by Councilman Tupper, to approve the requested signs and banners required for the DDA holiday promotions December 7, 1991, as well as to allow the helicopter to land in the downtown center, with the stipulation that the helicopter flying service will provide insurance with the City and the DDA named as added insureds. Motion carried, all ayes.

REQUEST FOR PROCLAMATION

Council was advised that the E.M.S. and Emergency Management Division of Oakland County request that Council proclaim November 17-23, 1991, as MICHIGAN WINTER AWARENESS WEEK.

11-91-386

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to issue a proclamation designating the week of November 17 - 23, 1991, as "WINTER AWARENESS WEEK" in Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

CONSIDERATION OF CLASS C RESORT LICENSE AND  
OUTSIDE SEATING FOR RESTAURANT AT THE  
VILLAGE COMMONS SHOPPING CENTER

Council was advised that the site plan for Mr. B's Border Cafe indicates proposed remodeling of approximately 6,000 sq. ft. of the Village Commons Shopping Center. The City Manager stated that the proposed restaurant will consist of indoor and outdoor seating for 298 customers during the summer and 196 in the winter.

Council was further advised that it will take about five months to complete the restaurant at an estimated cost of \$600,000.00, and it will include a separate carry-out area.

Manager Deadman advised that the owner requests the transfer of a Resort License which he recently purchased. He stated that the license application was filed with the Liquor Control Commission, and the Public Safety Department is awaiting the Commission's approval. He advised Council that the owner wishes to begin remodeling the building while the Commission processes the license, as he would like to open the restaurant in May of 1992.

The City Manager stated that the owners request Council consideration on whether they will permit a Resort License to be transferred into Farmington for the operation of Mr. B's in the Village Commons and whether Council will approve the required outside seating. He noted that the Planning Commission believes the proposed use would be a positive influence on the downtown district.

COUNCIL PROCEEDINGS -7-  
November 18, 1991

Councilman Tupper stated that an additional railing or retaining fence should be installed. The owner, Mr. Nash, agreed and the City Manager noted that appropriate fencing will be added to the site plan.

Manager Deadman explained that the Resort License does not affect those licenses which are ordinarily available to the City based on population. He pointed out that the Resort License is necessary because there are no more liquor licenses available in Farmington.

11-91-387

Motion by Councilwoman Richardson, supported by Councilman Campbell, to indicate that Council will approve the transfer of the Resort License into Farmington for the operation of Mr. B's Border Cafe to be located in the Village Commons Shopping Center, and further, to approve the outside seating as indicated on the site plan. Motion carried, all ayes.

ENGINEERING AND CONTRACTOR PAYMENTS:  
SEWER IMPROVEMENT PROJECT

The City Manager advised that payment requests were submitted by Black and Veatch, Posen Construction, Inc., and Dan's Excavating for work completed on the Sewer Improvement Project.

11-91-388

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black and Veatch, Architects/Engineers, in the amount of \$61,511.21 for work completed through October, 1991, on the Sewer Improvement Project, and

BE IT FURTHER RESOLVED that funds be provided from the State Loan Grant Program.

ROLL CALL

AYES: Richardson, Tupper, Campbell, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 18, 1991.

11-91-389

Motion by Councilwoman McShane, supported by Councilwoman Richardson, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the twelfth estimated payment to Posen Construction, Inc., in the

COUNCIL PROCEEDINGS -8-  
November 18, 1991

amount of \$169,837.20 for work completed through October 31, 1991, on the Sewer Improvement Project, Contract No. 1.

ROLL CALL:

AYES: Tupper, Campbell, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 18, 1991.

11-91-390

Motion by Councilwoman Richardson, supported by Councilman Campbell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the twelfth estimated payment to Dan's Excavating, Inc., in the amount of \$287,039.69 for work completed through October 26, 1991, on the Sewer Improvement Project, Contract No. 2.

ROLL CALL:

AYES: Campbell, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 18, 1991.

PURCHASE OF GASOLINE

Council was advised that the most cost effective way to purchase fuel in the amounts required by the City is to buy a full delivery truckload and store the fuel on our site. The City Manager stated that both the State of Michigan and the County of Oakland have contracts through which Farmington may purchase fuel and obtain better pricing.

Manager Deadman suggested that in the best interests of the City, Council waive the bid process and authorize the purchase of motor vehicle fuel through the State or County contracts for the rest of this fiscal year. He pointed out that the City will retain the option of seeking bids when it appears appropriate.

11-91-391

Motion by Councilwoman McShane, supported by Councilman Tupper, to waive the bid process and authorize the City Manager to purchase motor vehicle fuel through the State or County contract for the balance of this fiscal year, retaining the option of seeking bids when it appears appropriate.

COUNCIL PROCEEDINGS -9-  
November 18, 1991

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper, Campbell.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

MISCELLANEOUS

PUBLIC COMMENT

Mr. Edward Thayer, 23605 Warner, stated that the mound of dirt is still in front of his property and he cannot mow the lawn. He also stated that the cemetery markers have not been moved as he requested. He was advised that the lawn will be taken care of as soon as the contractors finish work, which may not be until next spring. He was also advised that the cemetery markers were taken care of.

Ken Chiara, 33630 Shiawassee, was advised that Dan's Excavating will complete the landscaping at the corner of Shiawassee and Hillcrest in the spring.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilman Campbell presented a bouquet of red roses to Shirley Richardson and voiced appreciation for her dedication to the City as Mayor. He stated that she has set an example for all succeeding mayors to follow.

Mayor Hartsock commended Mrs. Richardson for her style, grace and energy during her tenure and expressed the hope that he would be able to keep up with the pace she set as Mayor.

Mrs. Richardson thanked Council for their commendation. She reminded everyone of the Salute to the Bill of Rights luncheon on December 11th, which is co-sponsored by the City of Farmington.

Mayor Hartsock noted that this is the first time in 26 1/2 years that Mr. Yoder's name was not included in the roll calls. He pointed out that Mr. Yoder made a tremendous contribution and referred to a recent editorial which called him "Mr. Farmington". Mayor Hartsock said that Mr. Yoder set the course for this City Council for years to come.

APPOINTMENTS TO BOARDS AND COMMISSIONS

The following appointments to Boards, Committees and Commissions were made by Council:

11-91-392

Motion by Councilwoman McShane, supported by Councilwoman Richardson, to appoint Councilman Campbell to the Farmington Employees' Retirement System Board of Trustees. Motion carried, all ayes.

COUNCIL PROCEEDINGS -10-  
November 18, 1991

11-91-393

Motion by Councilwoman Richardson, supported by Councilman Campbell, to appoint Councilwoman McShane to a two-year term on the Farmington Planning Commission. Motion carried, all ayes.

11-91-394

Motion by Councilwoman Richardson, supported by Councilman Tupper, to appoint Councilwoman McShane to fill the vacancy on the Special Assessment Deferred Payment Review Committee. Motion carried, all ayes.

11-91-395

Motion by Councilwoman McShane, supported by Councilwoman Richardson, to appoint Mayor Hartsock to the Southwest Oakland Cable Commission. Motion carried, all ayes.

11-91-396

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to appoint Councilman Campbell to the Southeast Michigan Council of Governments. Motion carried, all ayes.

11-91-397

Motion by Councilman Tupper, supported by Councilwoman McShane, to appoint Councilwoman Richardson to the Oakland County Vision 2010 Committee and the Eight Mile Road Corridor Committee. Motion carried, all ayes.

11-91-398

Motion by Councilman Tupper, supported by Councilman Campbell, to appoint Councilwoman McShane to the Senior Citizen Facility Study Ad Hoc Committee. Motion carried, all ayes.

Councilman Tupper recommended that we not only advertise in the local newspaper for prospective board, committee, and commission members, but that City Council should also work to recruit members from the untapped talent in our community.

Councilman Campbell asked if these notices could be put on the City's Cable TV Channel. He was advised that this can be done.

Mayor Hartsock suggested having a special study session in January or February to discuss various means of communicating with the residents of Farmington.

The City Manager stated that several other boards and commissions have openings for citizen members. He noted that the Farmington Observer will run an article in an attempt to attract candidates.

Council was advised that Richard Peters of Longacre Street indicated his willingness to serve on the Board of Zoning Appeals, if Council wishes to consider him.

COUNCIL PROCEEDINGS -11-  
November 18, 1991

11-91-399

Motion by Councilwoman Richardson, supported by Councilman Tupper, to appoint Richard Peters of Longacre Street to the Board of Zoning Appeals for a 3-year term to expire June 15, 1994. Motion carried, all ayes.

It was noted that the appointment of a new Alternate No. 1, representing City Council on the Board of Zoning Appeals, is necessary since Mr. Hartsock was elected Mayor. Councilman Tupper stated that he would be willing to serve in this capacity, if Council so appoints.

11-91-400

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to appoint Councilman Tupper, as Alternate No. 1 on the Board of Zoning Appeals. Motion carried, all ayes.

Council was further advised that Mary Bush indicated her desire to continue serving on the Board of Review, if so appointed.

11-91-401

Motion by Councilman Tupper, supported by Councilwoman McShane, to appoint Mary Bush, 23065 Farmington Road, to a 3-year term on the Board of Review, said term to expire December 31, 1994. Motion carried, all ayes.

DEPARTMENT OF PUBLIC SAFETY  
OPERATIONS REPORT, SEPTEMBER, 1991

Councilwoman McShane commended Director Lauhoff and his department for the job they have done and the concern they have shown. She included the Neighborhood Watch Program in her commendation.

11-91-402

Motion by Councilwoman McShane, supported by Councilman Tupper, to receive the Public Safety Operations Report for the Third Quarter, January - September, 1991. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

ADOPT ORDINANCE NO. C-593-91  
PARKING ON LEELANE STREET

11-91-403

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to adopt the following ordinance:

[SEE ATTACHED ORDINANCE].

WARRANT LIST

11-91-404

Motion by Councilwoman McShane, supported by Councilwoman

COUNCIL PROCEEDINGS -12-  
November 18, 1991

Richardson, to approve the monthly bills as submitted: General Fund \$51,933.66; Water & Sewer Fund \$71,791.49.

ROLL CALL:

AYES: Richardson, Tupper, Campbell, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

ADJOURNMENT

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 10:00 p.m.

  
WILLIAM S. HARTSOCK, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: December 2, 1991.

R E S O L U T I O N

No. 11-91-384

Motion by Richardson supported by Campbell to adopt the following resolution:

WHEREAS, federal fiscal assistance is vitally needed to ensure investment in the human and physical future of the citizens in our communities, to halt the escalating disparities between communities and families, and to help meet the extraordinary costs of unfunded federal mandates; and

WHEREAS, Representative John Conyers (D-Mich.), Chairman of the House Government Operations Committee, and other representatives have introduced HR-3601 which would authorize \$40 billion in target fiscal assistance by formula to 39,000 cities and towns to help meet these communities' highest priorities over the next 6 years;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Farmington, Michigan, does hereby go on record in support of HR-3601 and strongly urges its passage in the U.S. Congress, which would allocate funds to cities and towns on a per capita income basis of the locality, the unemployment rate in the state, and ratio of taxes relative to local taxpayers' incomes.

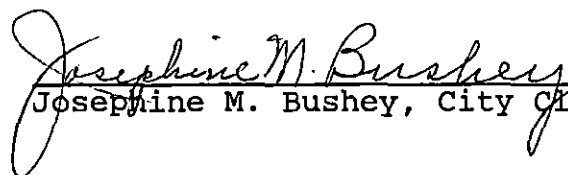
BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to send copies of this resolution to Congressmen John Conyers and Sander Levin, U.S. Senators Donald Riegle and Carl Levin, the National League of Cities, and the Michigan Municipal League.

RESOLUTION DECLARED ADOPTED NOVEMBER 18, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, City Clerk of the City of Farmington, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Farmington City Council at a regular meeting held on Monday, November 18, 1991, in the City of Farmington, Oakland County, Michigan.

  
Josephine M. Bushey, City Clerk



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, Amend Section 5.9 as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

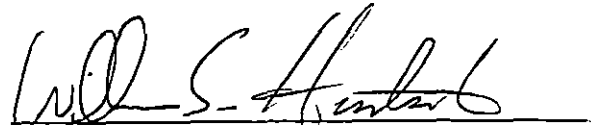
CHAPTER 5 - PROHIBITED PARKING

AMEND

Section 5.9 - Leelane Street

- A. South side from Orchard lake Road west to alley running north and south behind Bel-Aire Plaza.

This ordinance was introduced at a regular meeting of the Farmington City Council on November 4, 1991, was adopted and enacted at the next regular meeting of the City Council on November 18, 1991, and will become effective ten (10) days after publication.

  
WILLIAM S. HARTSOCK, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

AYES: McShane, Richardson, Tupper, Campbell, Hartsock.  
NAYS: None.  
ABSENT: None.  
Published: November 28, 1991.  
Effective: December 9, 1991.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, December 2, 1991, 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: Campbell, Hartsock, McShane, Richardson, Tupper.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, City Attorney Donohue, Adm. Assistant Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

12-91-405

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to approve the minutes of the previous meeting of November 18, 1991, as written. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

12-91-406

Motion by Councilwoman Richardson, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards and Commissions:

- Board of Zoning Appeals minutes of November 6, 1991;
- Traffic and Safety Board minutes of September 19, 1991;
- Historical Commission minutes of October 16, 1991;
- Farmington Area Commission on Aging minutes of October 23, 1991.
- Farmington Community Library minutes of October 10, 1991;
- Board of Education minutes of October 15, 1991.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FROM SOUTH FARMINGTON BASEBALL RE:  
TEAM RECOGNITION ON CITY ENTRYWAY SIGN

Council was advised that the South Farmington Baseball League requests that a recognition sign for the Championship Team be placed at the entryways of Farmington and Farmington Hills for one year.

Manager Deadman pointed out that they wish to include the Farmington entryway at Eight Mile and Farmington Road for one of these signs. He recommended that this be permitted.

12-91-407

Motion by Councilman Tupper, supported by Councilman Campbell, to permit the installation of a recognition sign for the South

COUNCIL PROCEEDINGS -2-  
December 2, 1991

Farmington Baseball League's Championship Team at the City's entryway at Eight Mile and Farmington Road for a period of one year. Motion carried, all ayes.

Councilwoman Richardson stated that she thought the sign was quite large. She suggested that in the future Council may want to request that such signs be smaller.

LETTER FROM RALPH PHILP, GROVES-WALKER POST  
RE: BOYS STATE PROGRAM

Council was informed that the 1992 Boys State Program will take place at Michigan State University in June. The City Manager further advised that the program chairman asks that Council appoint a member as contact person for the candidate.

12-91-408

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, the Farmington City Council has approved the expenditure of \$200.00 to sponsor a local candidate to participate in the 1992 Boys State Program;

NOW, THEREFORE, BE IT RESOLVED that Councilwoman Richardson be appointed as the candidate's contact person.

RESOLUTION DECLARED UNANIMOUSLY ADOPTED DECEMBER 2, 1991.

LETTER FROM BEN MARKS, FARMINGTON HILLS  
COUNCILMAN RE: OPPOSITION TO SENATE BILLS

The City Manager advised that Farmington Hills Councilman Ben Marks requests that local communities adopt resolutions opposing Senate Bills 486 and 532 as further infringing on Home Rule. Councilman Marks requests that, if adopted, these resolutions be forwarded to him so he can hand deliver them to Senate representatives.

12-91-409 (a) and  
12-91-409 (b)

Motion by Councilman Campbell, supported by Councilwoman Richardson, to adopt resolutions supporting Farmington Hills Councilman Marks's opposition to Senate Bills 486 and 532, which infringe on Home Rule.

[SEE ATTACHED RESOLUTIONS].

LETTER FROM MICHIGAN MUNICIPAL LEAGUE  
RE: REGION IV MEETING

Council was advised that the Region IV meeting is scheduled for January 23, 1992 in the host city, Huntington Woods.

COUNCIL PROCEEDINGS -3-  
December 2, 1991

Councilpersons Campbell and McShane advised the City Manager they will attend.

REQUEST FOR PROCLAMATION: BICENTENNIAL OF  
THE CONSTITUTION AND BILL OF RIGHTS

Councilwoman Richardson advised that a luncheon co-sponsored by the City and the Farmington Exchange Club is scheduled for December 11, 1991, at the Elk's Club. She stated that the Exchange Club will present to the City a Freedom Shrine displaying twenty-eight documents relative to the Constitution and the Bill of Rights.

12-91-410

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to issue a proclamation relative to the Bicentennial of the Constitution and Bill of Rights. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

FINANCIAL STATUS OF SMART

Council was advised that SMART'S analysis of their financial status reveals they will be in a deficit condition amounting to \$7.7 million this fiscal year; that this deficit will grow in fiscal year 1993 by \$5.2 million and by \$6.4 million in fiscal year 1994.

The City Manager stated that the current deficit is made up of decreased ridership, lack of local funding, reduced state financial assistance, cost increase and carryover deficits from 1991-92. He advised that SMART may be forced to shut down as early as next April if it does not receive political support to enact certain recommended changes.

Councilman Tupper stated that he does not see why the two current bus routes through Farmington are necessary since these buses are less than one-third filled, although he agrees that Detroit and Pontiac could be subsidized.

Mayor Hartsock suggested that we need more information; that a definite plan should be in place before we talk about funding.

12-91-411

Motion by Councilman Tupper, supported by Councilman Campbell, to respond to the Oakland Representative on the SMART Board of Directors advising that there be an adequate plan in place before Council considers funding. Motion carried, all ayes.

PURCHASE OF CITY ENTRYWAY SIGNS

Council was advised that replacement of the City's entryway signs was included in the current budget.

COUNCIL PROCEEDINGS -4-  
December 2, 1991

The City Manager stated that the design is similar to the new City Hall sign. He advised that Trikes Sign Company will construct and install these signs at a cost of \$650.00 each for four.

Councilwoman Richardson stated that she likes the design very much because it ties in with the new City Hall sign, but she would like to see "Founded in 1824" added to the Seal if they are approved.

Councilman Campbell referred to a previous discussion relative to the City Seal being placed in Council Chambers and suggested that perhaps this could be done at the same time. He was advised that the City Manager will look into this matter if Council is interested, but Mr. Campbell was informed that a different type of material would have to be used indoors.

Manager Deadman advised that the points of entry where these signs will be placed are:

- Orchard Lake/Ten Mile;
- Grand River/Hawthorne;
- Eight Mile/Farmington Road;
- Halsted/Grand River.

Councilwoman Richardson suggested that the City consider moving the Halsted/Grand River sign, as it should not be located in front of the gas station. She suggested that it be placed more in line with it's original position, farther east, so it is more visible.

12-91-412

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the design of four city entryway signs by Trikes Sign Company, and

BE IT FURTHER RESOLVED that Council authorizes the purchase of these signs at a cost of \$2,600.00, including installation, and

FURTHER BE IT RESOLVED that funds be provided from the current year's budget.

ROLL CALL

AYES: Hartsock, McShane, Richardson, Tupper, Campbell.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 2, 1991.

COUNCIL PROCEEDINGS -5-  
December 2, 1991

MISCELLANEOUS

There were no public comments.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilman Tupper expressed thanks to the people of the City of Farmington and to the Public Safety Department for their assistance in raising \$21,300.00 (a record) for the Goodfellows.

Mayor Hartsock expressed sympathy to Councilwoman Richardson and her sister on the recent death of their mother.

ELECTION COMMISSION REPORT

The Election Commission report was submitted to Council giving the results of the November 5, 1991 City Election as follows:

OFFICE OF CITY COUNCILPERSON:

JoAnne M. McShane	- 4-Year Term to expire in November, 1995;
William S. Hartsock	- 4-Year Term to expire in November, 1995;
Arnold T. Campbell	- 2-Year Term to expire in November, 1993.

The Commission's report further indicated that the City's Bond Proposition for the expansion/renovation of the 47th District Court building received sufficient votes to pass.

12-91-413

Motion by Councilwoman McShane, supported by Councilman Campbell, to receive and file the Election Commission Report for the November 5, 1991, Election. Motion carried, all ayes.

FINANCIAL REPORTS

FOUR MONTHS ENDED OCTOBER 31, 1991

12-91-414

Motion by Councilwoman McShane, supported by Councilwoman Richardson, to receive and file the General Fund and the 47th District Court financial reports for the four months ended October 31, 1991. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

ADOPT MASTER BANK DEPOSITORY AND  
FACSIMILE SIGNATURE RESOLUTIONS

The City Manager recommended adoption of resolutions for the City's bank accounts to add the new Mayor's signature and to remove the outgoing Mayor's signature.

12-91-415

Motion by Councilwoman Richardson, supported by Councilman Campbell, to adopt the following resolution:

COUNCIL PROCEEDINGS -6-  
December 2, 1991

BE IT RESOLVED that the Farmington City Council hereby authorizes that the name of WILLIAM S. HARTSOCK be added to the National Bank of Detroit Master Depository Account, the Time and Savings Deposit Account and the Negotiable Certificates of Deposit and Facsimile Signature bank resolutions, and that the name of SHIRLEY V. RICHARDSON be removed.

ROLL CALL

AYES: McShane, Richardson, Tupper, Campbell, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 2, 1991.

12-91-416

Motion by Councilwoman Richardson, supported by Councilman Campbell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes that the name of WILLIAM S. HARTSOCK be added to the Metropolitan National Bank of Farmington Bank Accounts, Master Depository and Facsimile Signature resolutions, and that the name of SHIRLEY V. RICHARDSON be removed.

ROLL CALL

AYES: Richardson, Tupper, Campbell, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 2, 1991.

12-91-417

Motion by Councilwoman Richardson, supported by Councilman Campbell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes that the name of WILLIAM S. HARTSOCK be added to the Michigan National Bank Resolution for Public Fund Investment Trust (for Deposits from RRRASOC), and that the name of SHIRLEY V. RICHARDSON be removed.

ROLL CALL

AYES: Tupper, Campbell, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 2, 1991.

COUNCIL PROCEEDINGS -7-  
December 2, 1991

WARRANT LIST

12-91-418

Motion by Councilman Campbell, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$47,990.26; Water & Sewer Fund \$2,954.20.

ROLL CALL:

AYES: Richardson, Tupper, Campbell, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

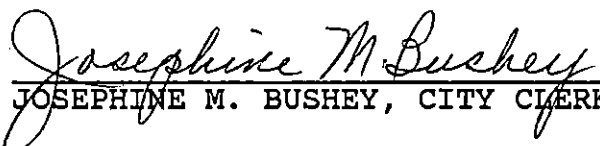
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Campbell, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:45 p.m.

  
\_\_\_\_\_  
WILLIAM S. HARTSOCK, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: December 16, 1991.



CITY OF FARMINGTON

RESOLUTION NO. 12-91-409 (a)

Motion by Campbell, supported by Richardson, to adopt the following resolution:

WHEREAS, Senate Bill 486 would amend Public Act 207 of 1921, which provides for zoning of cities and villages, and

WHEREAS, this Bill would specify that local governments' zoning ordinances could not prohibit use of a residence by its occupant to operate a Family Day Care Home for one to six children or a Group Day Care Home for seven to twelve children in any area zoned "Residential", and

WHEREAS, Senate Bill 486 is another State Legislature attempt to circumvent local zoning authority, and

WHEREAS, local zoning authority is properly vested with the local governmental units, where citizens can best convey their position on zoning and other matters;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby opposes the passage of Senate Bill 486, and any other proposed legislation relative to circumventing local zoning authority, and

BE IT FURTHER RESOLVED that the Farmington City Council urges the Michigan Municipal League, Governor John Engler, State Senator Jack Faxon, State Representative Jan Dolan and all cities throughout the State of Michigan to oppose the passage of Senate Bill 486.

RESOLUTION DECLARED UNANIMOUSLY ADOPTED DECEMBER 2, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, 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 on Monday, December 2, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

CITY OF FARMINGTON

RESOLUTION NO. 12-91-409 (b)

Motion by Campbell, supported by Richardson, to adopt the following resolution:

WHEREAS, Senate Bill 532 would amend Public Act 207 of 1921, which provides for zoning of cities and villages, and

WHEREAS, this Bill would specify that local governments' zoning ordinances could not prohibit use of a residence by its occupant to conduct or receive music lessons, and

WHEREAS, Senate Bill 532 is another State Legislature attempt to circumvent local zoning authority, and

WHEREAS, this proposed Bill may appear to have rather insignificant impact and effect but can lead to more significant circumvention, and

WHEREAS, local zoning authority is properly vested with the local governmental units, where citizens can best convey their position on zoning and other matters;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby opposes the passage of Senate Bill 532, and any other proposed legislation relative to circumventing local zoning authority, and

BE IT FURTHER RESOLVED that the Farmington City Council urges the Michigan Municipal League, Governor John Engler, State Senator Jack Faxon, State Representative Jan Dolan and all cities throughout the State of Michigan to oppose the passage of Senate Bill 532.

RESOLUTION DECLARED UNANIMOUSLY ADOPTED DECEMBER 2, 1991.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, 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 on Monday, December 2, 1991, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

## COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, December 16, 1991, 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: Campbell, Hartsock, McShane, Richardson, Tupper.

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Lauhoff, Director Billing, City Attorney Donohue, City Engineer Mariner, Adm. Assistant Schultz, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

12-91-419

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to approve the minutes of the previous meeting of December 2, 1991, as written. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

12-91-420

Motion by Councilwoman Richardson, supported by Councilman Campbell, to receive and/or file the minutes of the following Boards and Commissions:

- Planning Commission minutes of December 9, 1991;
- Downtown Development Authority minutes of December 3, 1991;
- Farmington Area Arts Commission minutes of November 21, 1991.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR SIGN VARIANCE

DR. DAVID UNGAR, 34435 GRAND RIVER

Council was advised that to advertise his practice, Dr. Ungar requests permission to use an existing ground sign and to install a new wall sign. He proposes to add a new panel to the ground sign.

Manager Deadman stated that the combination of the current signage and the new panel is within the square footage allowed.

Council was further advised that Dr. Ungar proposes to install a wall sign projecting above the existing roof line by 14 inches.

The City Manager pointed out that Section 25-4 (2) b of the Sign Ordinance prohibits wall signs from projecting above the existing roof line. He stated that although the sign is in compliance with the size requirements of the ordinance, the request is for a

COUNCIL PROCEEDINGS -2-  
December 16, 1991

variance to install the sign above the roof of the building by 14 inches.

Councilman Tupper pointed out that Dr. Ungar is requesting two variances: one to use the existing ground sign; the other to install a new wall sign.

Council was advised that Dr. Ungar would like the wall sign to be positioned the same as the Indian Village Cleaners sign. Mayor Hartsock advised that the Indian Village Cleaners sign is grandfathered, as it was there before the current ordinance was in place. He pointed out to Mrs. Ungar that if this location changes hands, the owner would have to petition Council for a variance to continue its use, or remove the sign.

Councilman Tupper pointed out that since Dr. Ungar is leasing the premises, if he were to move, the sign (if approved) would set a precedent for the next tenant. He stated that he is in favor of allowing Dr. Ungar to continue using the existing ground sign, but he hesitated to allow the wall sign to be put up with the extension above the roof.

12-91-421

Motion by Councilman Tupper, supported by Councilwoman McShane, to grant the variance for Dr. Ungar to use the existing ground sign at 34435 Grand River, and further that the new wall sign be installed in accordance with the existing Sign Ordinance. Motion carried, all ayes.

REPORT FROM CITY ENGINEER

BASEMENT FLOODING: BEL AIRE SUBDIVISION

The City Manager announced that City Engineer Mariner, Black and Veatch representative Broz and James Abernethy; School Board representative were present to discuss this problem. Prior to calling upon Mr. Mariner to give an analysis of the problem relative to the sewer system, Manager Deadman gave a brief overview of the problem. He indicated that since adding the additional internal sanitary sewers in the Bel Aire Subdivision, the flooding has diminished in all but a small area in the southeast corner of the subdivision, limiting it to several homes on Lamar and some homes on Beacon and Leelane.

Mr. Mariner presented a detailed report in which he identified the historic problems, the impact of moderate to severe rain storms on the Bel Aire system and his conclusions and recommendations concerning the situation.

The following residents commented on the flooding problem:

COUNCIL PROCEEDINGS -3-  
December 16, 1991

Richard Hoy, 31582 Lamar  
Chris Schaening, 31541 Lamar  
Dale Smetek, 31641 Lamar  
Michele Kramer, 31491 Lamar  
Larry Massa, 31624 Lamar  
Dan Russette, 31550 Lamar  
Jerry Kuhnlein, 31561 Lamar

Mayor Hartsock pointed out that it is important to note if basement flooding is a one time problem or if it is on-going. He advised that in 1988, the City Assessor found only one person who asked for a tax reduction due to flooding.

Councilman Tupper asked if there is any possibility that a block or two in the northern portion of Bel Aire could be separated and metered in a normal situation when it is not raining; also when it is raining, as we are looking for infiltration.

The City Manager pointed out that we need to have extensions on the gutters as there is presently only about 50% compliance.

Jean Range, 31525 Marblehead stated that she had 17 inches of water in her basement in 1981 and this has been an on-going occurrence for many years.

Rich Hoy asked how the Bel Aire residents will be kept up-to-date on the results of the metering.

The City Manager advised that he would be glad to contact Mr. Hoy if this issue comes back to Council, but he pointed out that the results may not be available until spring of 1993.

Mr. Hoy said he would like a resolution from Council that it will come up with some way to compensate the affected homeowners for the losses incurred due to basement flooding so that they would be able to sell their homes in good conscience.

The City Manager advised Mr. Hoy that such a fund could not be set up for just one section of the City, but would have to be set up for the entire City, which he did not think most residents would condone. He pointed out that the City's obligation is to build a system that will solve the problem.

Mrs. Kramer asked how many years the residents have to live with this problem.

The City Manager advised that some positive results should be seen by this coming summer.

Mayor Hartsock stated that from the information available tonight, the City is not in a position to inform the residents of

COUNCIL PROCEEDINGS -4-  
December 16, 1991

the results of what has been done; that they must allow the City to measure the effect of these improvements. He suggested that this item be placed on another agenda.

12-91-422

Motion by Councilwoman Richardson, supported by Councilman Campbell, that flow meters be installed at both the 10" and the 15" outlets and be monitored through the coming spring; also, that Council make sure that the Bel Aire residents comply with the installation of downspout extensions, and that the City continue the Bel Aire maintenance program; also that homeowners who have experienced flooding during light rainstorms check their own house leads annually. Motion carried, all ayes.

James Abernethy, School Board Representative, stated in a brief report that he was acquainted with residents' problems after the fact. He pointed out that if there was damage to any resident's property during the installation of the berm near the athletic field the school will take care of it. He stated that it is not their intention to have water from the athletic field end up in residents' back yards.

Mr. Abernethy stated that the project is basically complete and seeding has been established. He pointed out that erecting the berms improved the playing field.

Dale Smitek, 16141 Lamar, pointed out that water has been standing in the berm, and there is water at the bottom of the swale. He asked if this is normal and Mr. Abernethy stated that it should not be there.

The Mayor stated that the problem of standing water needs to be resolved. Mr. Abernethy stated that standing water is not acceptable.

Mayor Hartsock stated that it is important that someone heard the residents' complaints this evening and that they will be followed up. He proposed that the City be given an opportunity to make the corrections and reconvene at a later date so that everyone understands what is going on.

Mr. Abernethy stated that there is a meeting of the Building and Site Committee tomorrow evening at 6:00 p.m. He advised that it would be appropriate for one or two of the residents who are present this evening to come and share their comments firsthand, as he would like his colleagues to hear what he heard tonight.

Director Billing pointed out that when the residents' back yards were flooded, the outlet to the Orchard Lake Road storm water system was not yet installed.

REPORTS FROM CITY MANAGER

JOINT MEETING WITH BOARD OF ZONING APPEALS  
AND PLANNING COMMISSION RE: INDUSTRIAL  
OUTSIDE STORAGE

Council was advised that the Board of Zoning Appeals requests formation of a joint committee with City Council and the Planning Commission to discuss issues relative to outside storage in the Industrial District. The Board is concerned that strict adherence to the current Zoning Code will create hardships for some of the city's industrial businesses.

The City Manager recommended that two Council members be appointed to this joint subcommittee.

12-91-423

Motion by Councilwoman Richardson, supported by Councilwoman McShane, that Mayor Hartsock and Councilman Tupper be appointed to represent City Council on the Subcommittee for Industrial Outside Storage. Motion carried, all ayes.

ENGINEERING AND CONTRACTOR PAYMENTS  
SEWER IMPROVEMENT PROJECT

The City Manager recommended that Council authorize contract payments to Black and Veatch Engineers, to Posen Construction, Inc., and to Dan's Excavating, Inc., on the Sewer Improvement Project.

12-91-424

Motion by Councilwoman Richardson, supported by Councilman Campbell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black and Veatch, Architects/Engineers, in the amount of \$62,287.19 for work completed through November 22, 1991, on the Sewer Improvement Project.

ROLL CALL

AYES: Hartsock, McShane, Richardson, Tupper, Campbell.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 16, 1991.

12-91-425

Motion by Councilwoman McShane, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the thirteenth estimated payment to Posen Construction, Inc., in

COUNCIL PROCEEDINGS -6-  
December 16, 1991

the amount of \$260,783.57 for work completed through November 30, 1991, on the Sewer Improvement Project, Contract No. 1.

ROLL CALL

AYES: McShane, Richardson, Tupper, Campbell, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 16, 1991.

12-91-426

Motion by Councilwoman Richardson, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the thirteenth estimated payment to Dan's Excavating, Inc., in the amount of \$111,494.42 for work completed through November 29, 1991, on the Sewer Improvement Project, Contract No. 2, and

BE IT FURTHER RESOLVED that Council approves Change Order No. 7 in the amount of \$11,837.21.

ROLL CALL

AYES: Richardson, Tupper, Campbell, Hartsock, McShane.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 16, 1991.

CONTRACTOR PAYMENT  
PROSPECT/VALLEY VIEW PAVING PROJECT

Council was advised that the contractor has completed this paving project except for some minor cleanup. The City Manager, therefore, proposed to reduce the retention amount from 10% to 5% until the engineers authorize final payment.

12-91-427

Motion by Councilman Campbell, supported by Councilwoman McShane, to adopt the following resolution:

BE IT RESOLVED that City Council hereby authorizes payment No. 2 in the amount of \$11,485.50 to Thompson-McCully Co., for work completed through November 29, 1991, on the Prospect/Valley View paving project.

ROLL CALL

AYES: Tupper, Campbell, Hartsock, McShane, Richardson.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 16, 1991.



COUNCIL PROCEEDINGS -7-  
December 16, 1991

PEDESTRIAN SIGNAL COST AGREEMENT  
FARMINGTON AND NINE MILE ROADS

Council was advised that the cost of the pedestrian signals, their operation and maintenance will be shared by the Oakland County Road Commission and the cities of Farmington and Farmington Hills.

12-91-428

Motion by Councilman Tupper, supported by Councilman Campbell, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to execute a traffic control device agreement for the intersection of Farmington Road and Nine Mile Road with the Oakland County Road Commission and the City of Farmington Hills, and

BE IT FURTHER RESOLVED that the installation cost be distributed as follows:

Oakland County Road Commission - 50%	\$8,759.00
City of Farmington - 25%	4,379.50
City of Farmington Hills - 25%	4,379.50

Total Estimated Cost: \$17,518.00 and

FURTHER BE IT RESOLVED that the operation and maintenance of these pedestrian signals be shared by the Oakland County Road Commission and the cities of Farmington and Farmington Hills.

ROLL CALL

AYES: Campbell, Hartsock, McShane, Richardson, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 16, 1991.

MISCELLANEOUS

There were no public comments other than those expressed during the discussion on the Bel Aire Subdivision basement flooding.

COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilwoman Richardson reported that approximately ninety people from the community attended the recent Bill of Rights luncheon. She suggested that the City Manager's Office send a letter on behalf of Council thanking the Farmington Exchange Club for the donation of the Freedom Shrine.

COUNCIL PROCEEDINGS -8-  
December 16, 1991

Councilman Tupper thanked everyone for their help during the Goodfellows drive. He indicated that this was a banner year for the fund-raisers.

Councilwoman McShane stated she had a call from a resident who questioned the winter tax statement in reference to the Sewer Project. The resident advised that she heard that she couldn't deduct that portion as a tax credit.

The City Manager advised that the resident is confused as the sewer project was billed last July, and it is a qualified deduction on the resident's income tax return.

Mayor Hartsock thanked Council for their patience in dealing with the comments and frustrations of the Bel Aire residents who were present this evening.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Council was advised that the terms of Reta Mosshamer (D) and C. Christian Stiehl (R) on the Board of Canvassers expire on December 31 of this year.

The City Clerk's report states that Mrs. Mosshamer is willing to continue serving if Council wishes to appoint her. Ms. Bushey also indicated that she received an application from Alton L. Bennett (R) who is willing to serve on this Board.

Council was advised that the Clerk's office has not heard from Mr. Stiehl since he took the Oath of Office.

12-91-429

Motion by Councilwoman Richardson, supported by Councilman Campbell, to appoint Reta Mosshamer (D) and Alton L. Bennett (R) to a four-year term on the Farmington Board of Canvassers, said term to expire December 31, 1995. Motion carried, all ayes.

WARRANT LIST

12-91-430

Motion by Councilman Campbell, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$50,405.73; Water & Sewer Fund \$30,475.07.

ROLL CALL:

AYES: Hartsock, McShane, Richardson, Tupper, Campbell.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

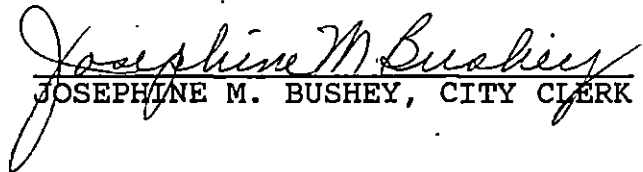
COUNCIL PROCEEDINGS -9-  
December 16, 1991

ADJOURNMENT

Motion by Councilwoman McShane, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 10:17 p.m.

  
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WILLIAM S. HARTSOCK, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: January 6, 1992.