



**FINAL**

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**REGULAR MEETING MINUTES**

A Regular meeting of the Farmington City Council was held on October 15, 2012, in City Council Chambers, 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:00 PM by Mayor Buck.

**1. CALL TO ORDER**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
J.T. Buck	Mayor	Present	
Greg Cowley	Councilmember	Present	
William Galvin	Mayor Pro Tem	Present	
Kristin Kuiken	Councilmember	Present	
JoAnne McShane	Councilmember	Present	

**City Administration Present**

Commander Demers  
Superintendent Eudy  
City Clerk Halberstadt  
City Manager Pastue  
Attorney Schultz  
Treasurer Weber

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commander Demers.

**3. APPROVAL OF ITEMS ON CONSENT AGENDA**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristin Kuiken, Councilmember
<b>SECONDER:</b>	Greg Cowley, Councilmember
<b>AYES:</b>	Buck, Cowley, Galvin, Kuiken, McShane

A. Special Meeting Minutes of September 4, 2012

**B. Special Meeting Minutes of September 17, 2012**

**C. Regular Meeting Minutes of September 17, 2012**

- D. Approve Farmington Monthly Payments Report September 2012
- E. Approve Farmington Public Safety Monthly Report September 2012

#### 4. APPROVAL OF REGULAR AGENDA AS AMENDED

The agenda was amended to add two items under Unfinished Business: Reorganization Report and Grant Application for the Farmington Road Streetscape Project.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	William Galvin, Mayor Pro Tem
<b>SECONDER:</b>	JoAnne McShane, Councilmember
<b>AYES:</b>	Buck, Cowley, Galvin, Kuiken, McShane

#### 5. PUBLIC COMMENT

Todd Stearn, candidate for County Commissioner, spoke about his experience and background; discussed reasons for running; discussed his priorities if elected.

Angela Wolfe, President of Farmington Jaycees, spoke about her organization and upcoming events at the Warner Mansion in Farmington including: Pumpkin Carving on Saturday, October 27 and Holiday tree lighting on Saturday, Dec. 1.

Hank Borgman, 34011 Grand River, expressed his concern regarding the November Ballot Proposal on renewable energy.

Betty Borgman, 34011 Grand River, expressed interest in understanding how the organizational chart would look with the addition of a Economic and Community Development Director and proposed changes to the Downtown Development Authority.

Buck advised discussion of the proposed organization changes would take place later in the agenda.

#### 6. PRESENTATION/PUBLIC HEARINGS

##### A. Nathan Power Burial Site Certificate of Acceptance for Inclusion in the National Underground Railroad Network to Freedom

In recognition of the Nathan Power burial site in the Quaker Cemetery, the City received a Certificate of Acceptance for inclusion in the National Underground Railroad Network to Freedom from the National Park Service.

##### B. Introduction to the Southeast Michigan Regional Energy Office Jacob Stevens Corvidae, Board President SE Michigan Regional Energy Office

Jacob Corvidae, founder and Board President of SE Michigan Regional Energy Office, discussed the history of his organization and the opportunities for cities to work together in achieving energy efficiencies.

He advised residents can sign up for an energy audit on his organization's website at an approximate cost of \$100.

Responding to a question from McShane, Corvidae advised they are currently working with the City to develop an energy plan.

Responding to an additional question from McShane, Corvidae advised there are limited grant opportunities.

McShane suggested publicizing the services of the Energy Office in a city newsletter, on cable, and the city's website.

**C. Proposal 3:25 by 2025 Hugh McDiarmid, Communications Director Michigan Environmental Council**

Hugh McDiarmid discussed the merits of the November ballot proposal on renewable energy.

Galvin cited a Beacon Hill study from the Mackinac Center which presented the negative side of the proposal.

McDiarmid discussed the fallacy of the Beacon Hill study. He did not believe the study was fair or accurate.

Responding to a question from Kuiken, McDiarmid stated locations of the wind farms would be left to the market.

Discussion continued regarding zoning to accommodate renewable energy, cost to taxpayers and the pros and cons for making renewal energy requirements part of the constitution.

**D. Public Hearing - Program Year 2013 Community Development Block Grant**

**Motion to open the public hearing on the 2013 Community Development Block Grant Application.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	JoAnne McShane, Councilmember
<b>SECONDER:</b>	Greg Cowley, Councilmember
<b>AYES:</b>	Buck, Cowley, Galvin, Kuiken, McShane

Hearing no public comment, Mayor Buck requested a motion to close the public hearing.

**Motion to close the Public Hearing.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristin Kuiken, Councilmember
<b>SECONDER:</b>	Greg Cowley, Councilmember
<b>AYES:</b>	Buck, Cowley, Galvin, Kuiken, McShane

**E. Presentation - City of Farmington Title VI Non-Discrimination and Limited English Proficiency (LEP) Plans**

Sehrish Salah-Ud-din, Management Analyst, discussed the City's Title VI Non-Discrimination and Limited English Proficiency (LEP) plans required in order to receive Federal transportation funds administered by the Michigan Department of Transportation.

**7. UNFINISHED BUSINESS**

**A. Drakeshire Shopping Center Special Assessment**

Buck asked about oversight of the project.

Pastue responded it would function similar to a City construction project and detailed that process. He stated periodic request for approval will be brought to Council.

McShane inquired about the process for addressing delinquencies and possible lien.

Attorney Schulz responded a delinquency would go through the tax foreclosure process.

McShane pointed out that in the mean time the City would be making bond payments.

Schultz discussed the likelihood of the City recouping its costs.

McShane expressed concern that the owners may not have sufficient funds to rehab the interior spaces of the Center. She would like more proof of their ability to repay the loan.

Pastue clarified that the only reason this transaction is taking place is due to the property maintenance violations. The City does not have the latitude to make this kind of agreement except for a very specific public purpose.

McShane expressed a lack of confidence in the owner's ability to find tenants for the Center with or without improvements.

Buck asked how much net funding is being advanced by the City. Pastue stated there has been no advanced funding. He explained Talmer Bank is underwriting this loan.

Responding to an additional question from Buck, Pastue believed the impact of the improvements would make the property more marketable.

Galvin discussed the role of City Council as a fiduciary, protector of property values. He pointed out the City has not had the financial disclosure from the Center owners that a typical loan department would require.

Galvin would like to know if there are any prospective tenants. He noted Council has had no communication with the property owners. He expressed his lack of confidence in them. He recommended delaying action on this issue until the October 29th meeting.

Cowley asked why these questions were not brought forward in previous discussions and why Council is now considering postponing taking action. He asked if the City won't invest in Farmington who will.

Kuiken pointed out it would be difficult for the owners to have a business plan with the current condition of the center.

**Motion to delay action on the Drakeshire Shopping Center Special Assessment until the October 29, 2012 meeting to allow the owners more time to provide additional information in response to Council concerns.**

<b>RESULT:</b>	<b>DEFEATED [2 TO 3]</b>
<b>MOVER:</b>	William Galvin, Mayor Pro Tem
<b>SECONDER:</b>	JoAnne McShane, Councilmember
<b>AYES:</b>	William Galvin, JoAnne McShane
<b>NAYS:</b>	J.T. Buck, Greg Cowley, Kristin Kuiken

**Motion to approve the following agreements and resolution regarding the Drakeshire Shopping Center Special Assesment: Drakeshire Shopping Center Special Assessment Agreement; Drakeshire Special Assessment District Reimbursement Resolution; Professional Services Agreement with STA Architects for Drakeshire Shopping Center Improvements; and Construction Agreement for Drakeshire Shopping Center Improvements. CRM 10-12-190**

<b>RESULT:</b>	<b>APPROVED [3 TO 2]</b>
<b>MOVER:</b>	Greg Cowley, Councilmember
<b>SECONDER:</b>	Kristin Kuiken, Councilmember
<b>AYES:</b>	J.T. Buck, Greg Cowley, Kristin Kuiken
<b>NAYS:</b>	William Galvin, JoAnne McShane

The votes were taken in the following order: Cowley, Galvin, Kuiken, McShane, Buck.

Buck requested that the owners of the Center meet with Council regarding their plans for the Center.

[SEE ATTACHED RESOLUTION AND AGREEMENTS]

#### **B. Consideration to Approve Program Year 2013 Community Development Block Grant Application**

Responding to a question from Kuiken, Pastue stated he did not believe the Grove Street Project would not qualify under the Community Development Block Grant.

Kuiken asked if it would be more beneficial to apply for a State Grant where there is greater potential to receive funding for City projects.

Pastue identified the difficulties in applying for a state grant including the requirements in meeting low/moderate income levels and job creation. He noted there is no specific business related to the Grove Street project.

Buck suggested with the proposed reorganization, the Economic and Community Development Director can take a closer look at using grant dollars for economic development purposes.

**Move to adopt resolution approving the Program Year 2013 Community Development Grant application. [SEE ATTACHED RESOLUTION]**

The votes were taken in the following order: Galvin, Kuiken, McShane, Buck, Cowley.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	JoAnne McShane, Councilmember
<b>SECONDER:</b>	Greg Cowley, Councilmember
<b>AYES:</b>	J.T. Buck, Greg Cowley, William Galvin, JoAnne McShane
<b>NAYS:</b>	Kristin Kuiken

**C. Consideration to Accept City Manager's Reorganization Report to Create an Economic and Community Development Department and Authorize Implementation.**

Pastue reviewed proposed reorganization of City operations including: adding an Economic and Community Development Director; relocating code enforcement to city hall; City Manager would have a greater role in the DDA; DDA Director would become the Assistant to the City Manager; number of changes to DDA activities; establish Superintendent of Public Works; eliminate fulltime maintenance worker and replace with part-time; rely more on consulting engineers.

McShane asked if there has been feedback from the community.

Pastue responded none so far.

McShane asked about the DDA Board support for the reorganization.

Pastue responded the Board expressed concern about the possible loss of autonomy.

Discussion followed regarding changes affecting the DDA.

McShane asked about succession planning for the City Manager.

Pastue responded there is no real succession planning currently in place.

McShane commented the proposed reorganization plan is creative and moves Farmington forward.

Buck asked about the difference between the title of Assistant City Manager and Assistant to City Manager.

Pastue stated the difference is line of authority.

Buck expressed concern regarding impact of change on the DDA and the Main Street program.

Pastue recognized the importance of the Main Street Committees and advised no fundamental changes to the Program are planned.

Galvin was pleased a creative solution was found that provides for the addition of a Community and Economic Development Department. He expressed support for leveraging the DDA Director's experience throughout the city.

Cowley concurred with Galvin's comments. He was previously opposed to hiring an Economic Development Director, but sees this as a creative solution. He believes it is a good solution for both the City and DDA.

Cowley stated the City is well ahead of a number of cities with regard to place making, volunteerism, branding, etc. He discussed a recent Michigan Municipal League presentation that included a comparison of Farmington and another city for downtown taxable value. He stated Farmington is well positioned for the future.

Kuiken expressed support for the proposed Community and Economic Development Director; spoke about the potential of the community.

The votes were taken in the following order: Kuiken, McShane, Buck, Cowley, Galvin.

**Motion to accept City Manager's Reorganization Report to Create an Economic and Community Development Department and Authorize Implementation**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Greg Cowley, Councilmember
<b>SECONDER:</b>	William Galvin, Mayor Pro Tem
<b>AYES:</b>	Buck, Cowley, Galvin, Kuiken, McShane

**D. Resolution Authorizing City and DDA Staff to Submit a Grant Application for the Farmington Road Streetscape Project CRM 10-12-192**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Greg Cowley, Councilmember
<b>SECONDER:</b>	William Galvin, Mayor Pro Tem
<b>AYES:</b>	Buck, Cowley, Galvin, Kuiken, McShane

Move to adopt a resolution authorizing City Administration and DDA staff to submit a grant application for the Farmington Road Streetscape Project. [\[SEE ATTACHED RESOLUTION\]](#).

Roll call was taken in the following order:

McShane, Buck, Cowley, Galvin, Kuiken.

**8. NEW BUSINESS**

**A. Consideration to Approve City of Farmington Title VI Non-Discrimination Plan and Limited English Proficiency Plan**

Move to approve City of Farmington title VI Non-Discrimination Plan and Limited English Proficiency Plan as presented; and authorize the City Manager, Title VI Coordinator, to begin implementation of the plan.

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           JoAnne McShane, Councilmember  
**SECONDER:**       Kristin Kuiken, Councilmember  
**AYES:**             Buck, Cowley, Galvin, Kuiken, McShane

**B. Consideration to Approve 2013 Council Meeting Dates**

Move to approve the 2013 City Council meeting dates as presented. [\[SEE ATTACHED RESOLUTION\]](#)

The votes were taken in the following order: Buck, Cowley, Galvin, Kuiken, McShane.

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           William Galvin, Mayor Pro Tem  
**SECONDER:**       Kristin Kuiken, Councilmember  
**AYES:**             Buck, Cowley, Galvin, Kuiken, McShane

**C. Consideration to Renew Farmington Road Maintenance Agreement with the Road Commission for Oakland County**

Move to renew Farmington Road Maintenance Agreement with the Road commission for Oakland County. [\[SEE ATTACHED AGREEMENT\]](#)

The votes were taken in the following order: Cowley, Galvin, Kuiken, McShane, Buck.

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           Kristin Kuiken, Councilmember  
**SECONDER:**       JoAnne McShane, Councilmember  
**AYES:**             Buck, Cowley, Galvin, Kuiken, McShane

**D. Consideration of State Trunkline Operating Permit and Indemnification Resolution**

Move to approve a resolution regarding an annual permit application with MDOT for Miscellaneous Operations within the State Trunkline Right-of-Way, and to adopt MDOT Performance and Indemnification Resolution. [\[SEE ATTACHED RESOLUTION\]](#)

The votes were taken in the following order: Galvin, Kuiken, McShane, Buck, Cowley.

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           JoAnne McShane, Councilmember  
**SECONDER:**       Kristin Kuiken, Councilmember  
**AYES:**             Buck, Cowley, Galvin, Kuiken, McShane

**9. DEPARTMENT HEAD COMMENTS**

Commander Demers provided an update on progress of the Dispatch consolidation. He stated the Cadet program was working well. He noted October is Fire Safety Protection Month.



Superintendent Eudy advised the leaf pick-up program will begin on October 22nd.

Clerk Halberstadt encouraged voters to vote on November 6th.

## 10. COUNCIL COMMENT

Kuiken noted Farmington Hills recently passed a resolution regarding a regional transportation authority and recommended Farmington consider passing similar one as well.

Kuiken encouraged local high school students to attend Council meetings.

McShane expressed approval of the new format of the City Council minutes. She noted Shiawassee Park has not received the same maintenance as in the past. She would like to see more art displayed throughout the city. She requested Council's approval to meet with Nancy Coumoundouros of the Cultural Arts Commission towards that end. She asked where the City stands on the sale of the courthouse property.

Pastue responded the policy regarding the sale will be presented at the October 29th meeting.

Galvin discussed his recent attendance at the Michigan Municipal League conference. He confirmed the city is doing the right things. He stated it takes 10 years to really overhaul a city. He spoke about the City's brand and letting the people own it.

Cowley was happy to hear dispatch consolidation is going well. He stated officers now have more time on the street. He stated the solution was borne from staff. He asked residents to trust elected officials to spend taxpayer dollars wisely.

Buck encouraged residents to attend upcoming Veteran's Day events at the American Legion and the Costick Center. He discussed Proposal No. 6 on the ballot and encouraged everyone to get out and vote.

## 11. ADJOURNMENT

### Motion to adjourn the meeting.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristin Kuiken, Councilmember
<b>SECONDER:</b>	JoAnne McShane, Councilmember
<b>AYES:</b>	Buck, Cowley, Galvin, Kuiken, McShane

Meeting adjourned at 9:43 p.m.

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J. T. (Tom) Buck, Mayor

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Susan K. Halberstadt, City Clerk

Approval Date: \_\_\_\_\_