

FARMINGTON CITY COUNCIL  
REGULAR MEETING

A regular meeting of the Farmington City Council was held on Monday, October 17, 2005 in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

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

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

ABSENT: None.

CITY ADMINISTRATION: Director Gushman, Deputy Clerk Halberstadt, Director Nebus, City Manager Pastue, Assistant City Manager Richards, Attorney Schultz.

**APPROVAL OF AGENDA**

**10-05-228** MOTION by McShane, seconded by Bush, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

**MINUTES OF PREVIOUS MEETING**

**10-05-229** MOTION by Knol, seconded by Mitchell, to approve the special and regular meeting minutes of October 3, 2005. MOTION CARRIED UNANIMOUSLY.

**PRESENTATIONS/PUBLIC HEARINGS**

**UNVEILING OF MEMORIAL NAMEPLATE FOR BILL BURKE**

Mayor Campbell announced that the name of former Planning Commissioner, William Burke, who recently passed away, had been placed on the illustrious Past Civic Servant Plaque located in Council Chambers. He read the following tribute to Mr. Burke:

Bill was the City historian whose memory and wit was his legacy. Bill was the tireless champion for ordinance enforcement. He was the friendly, smiling face in the crowd on the City's parade route. He always strove for one thing and that was to make the City better. Bill was always available to the City no matter what was asked of him, and he could be depended upon to offer his view on an issue or resident concern.

Bill spent countless hours within the halls of City Hall and it is only fitting that his memory is honored with this recognition.

Members of Bill Burke's family thanked Council for their recognition and spoke about the many contributions he made to the community and how much the City meant to him.

**REPORTS FROM CITY MANAGER**

**CONSIDERATION TO APPROVE VOLUNTARY SPECIAL ASSESSMENT AGREEMENT**

Administration advised that at the last Council meeting a public hearing was held in consideration of vacating the north portion of an alley west of Wilmarth and north of Oakland Avenue, and in addition there was discussion regarding improvements on the south end of the alley. Administration further advised that at the conclusion of that discussion it was agreed that three actions would be taken: (1) development of a voluntary special assessment agreement for Council approval, (2) formal notice of the City's intent *not* to vacate the north end of the alley, and (3) a letter to the owner of Lot 73 regarding improvement requirements at a later date.

Administration discussed the significant provisions of the agreement and recommended its approval.

Councilmember Mitchell noted the uniqueness of a voluntary assessment that represents the City and community working together in cooperation.

**RESOLUTION 10-05-230** MOTION by McShane, seconded by Bush, to approve a Voluntary Special Assessment Agreement for drainage and paving improvements to the south portion of the alley located west of Wilmarth Street and north of Oakland Avenue, and to approve Special Assessment Roll 2005-84. **[SEE ATTACHED AGREEMENT].**

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE PROPOSAL FOR ALLEY PAVING PROJECT**

Administration advised that Director Gushman had negotiated a price, less than estimated by City engineers, with ABC Paving to perform drainage and paving work in the south portion of the alley that is located west of Wilmarth Street and north of Oakland Avenue.

Administration further advised that seventy-five percent (75%) of the project would be funded by a voluntary assessment and (25%) contributed by the City.

**RESOLUTION 10-05-231** Motion by Bush, seconded by Knol, to accept a proposal from ABC Paving in the amount of \$25,750.00 to complete the draining and paving construction work as proposed in the alley located west of Wilmarth Street and north of Oakland Avenue pending the signing of the Voluntary Special Assessment Agreement.

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ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE #3 AND CHANGE ORDER #1 – 2005 PAVING PROGRAM**

Administration advised that the City's consulting engineers and Director Gushman have reviewed the pay request from the contractor and recommended its approval.

**RESOLUTION 10-05-232** Motion by Knol, seconded by Mitchell, to approve payment of construction estimate #3 (final) in the amount of \$20,123.49 to Cadillac Asphalt for the 2005 Paving Program and to approve Change Order #1 which reduces the amount of the contract by \$55,882.07.

ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE CHATHAM HILLS FOOTING DRAIN DISCONNECT PROGRAM CONSTRUCTION ESTIMATE #1**

Administration advised that Council had approved a construction contract with Bidigare Contractors Inc. for the Chatham Hills Footing Drain Disconnect Program. Administration further advised that the City's consulting engineers and Director Gushman have reviewed construction estimate #1 and recommended its approval.

Administration noted pay items in this construction estimate are eligible grant expenses and that the City will receive 40% reimbursement totaling \$45,217.

Councilmember Knol asked if the work would continue through the winter months. Gushman responded that work would have to be suspended at the point at which they could no longer continue working on the discharge line due to the frost line.

Councilmember McShane asked if there was a standard for interior and exterior restoration and whether homeowners have been informed as to what would be covered. Gushman responded that simple restorations would be completed first in order to maximize the grant funding and the more complicated repairs would take place at a later date. Gushman noted that they have met with the property owners to inform them of the changes and repairs that would take place.

**RESOLUTION 10-05-233** Motion by McShane, seconded by Knol, to approve payment of construction estimate #1 in the amount of \$113,042.72 to Bidigare Contractors for the Chatham Hills Footing Drain Disconnect Project.

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ROLL CALL

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**SCHEDULE PUBLIC HEARING TO VACATE BLANCHARD AND DRAKESHIRE STREETS**

Administration advised that both Drakeshire and Blanchard Streets are arterials that are exclusively in large apartment complexes. Administration further advised that the recommendation to begin vacating these streets is based on economics in that the City receives approximately \$2,000 per year for these small streets but can incur substantial maintenance expenses which can run over \$100,000 per one small street.

**RESOLUTION 10-05-234** Motion by Bush, seconded by McShane, to adopt a resolution to schedule a public hearing for Monday, November 7, 2005 at 8:00 p.m. for public comment regarding vacating Drakeshire and Blanchard Streets. **[SEE ATTACHED RESOLUTION]**. MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO SCHEDULE PUBLIC HEARING FOR 2006 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

Administration recommended that Council consider establishing the following development objectives for the Community Development Block Grant (CDBG) 2006 program: (1) senior services (40% allocation) and (2) senior center (60% allocation). Administration further advised that the projected 2006 CDBG funding from Oakland County is \$27,911, a reduction of \$3,101 from 2005.

**RESOLUTION 10-05-235** Motion by Mitchell, seconded by Knol, to schedule a public hearing on November 7, 2005 at 8:00 p.m. for public comment on the proposed 2006 Community Block Grant program application. MOTION CARRIED UNANIMOUSLY.

**RATIFICATION OF CIVIC THEATRE SOUND EQUIPMENT PURCHASE**

Administration advised that after meeting with Bill Clark from MKA to evaluate improvements needed at the Civic Theatre over the next three years, the decision was made to proceed with the improvements utilizing funds remaining from the roof replacement.

Administration further advised that one of the improvements was to convert to a digital sound system for the lower theatre and move the lower theatre sound system to the second floor. Administration further advised that the FY 2004/05 budget contained a \$120,000 transfer from the Capital Improvements Fund to replace the theatre roof, however, only \$77,000 was actually used. Administration advised that since the actual purchase of the digital equipment took place in FY 2005/06, it would be necessary to approve a budget amendment to re-appropriate funds.

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McShane asked about other repairs at the Civic Theatre. City Manager Pastue responded that the ceiling still needs repair, and painting and replacement of carpet on the staircase to the second floor need to be done.

McShane asked about replacing the carpeting with tile or other surface material that is durable. Mayor Campbell responded that tile can be slippery and carpeting reduces the noise level.

**RESOLUTION 10-05-236** Motion by Knol, seconded by Mitchell, to ratify payment to Hitchfield Enterprise, Inc. in the amount of \$14,660.01 for the purchase and installation of a new digital sound system in the lower theatre at the Civic Theatre.

**ROLL CALL**

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

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**MISCELLANEOUS**

**PUBLIC COMMENT**

Dick Carvell, 33906 State Street, stated the following:

I am wearing two hats this evening, one is as a longtime resident and Council watcher for the past 7-8 years. As such, I wish to thank Mayor Campbell and Councilmembers Bush and Mitchell, for their many years of attention and care for the City of Farmington. As I have sat in the audience for these many evenings, I have been impressed with your deliberations and thoughtfulness. I have not always agreed with your decisions, but upon later reflection I found that you had information that I was not privy to and then I would agree. I feel that as a whole your decisions have been the best for Farmington.

My other hat is as a longtime volunteer at the Warner Mansion. Here again I thank the three of you for your care and consideration for the Mansion. Again, I didn't always agree with your decisions, but realized that they were from a larger outlook than my own, sometimes narrow perspective.

I want to thank you for the opportunity to volunteer at the Mansion and to be allowed a small degree of authority over the years. Finally, on both counts, I want to thank the three of you for your service to the City and its many affairs and problems over the years. Thank you for the opportunity to offer my comments.

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Jim Coin, 23819 Wilmarth, asked for clarification on whether Stella Schelske, owner of Lot 68, intended to pay for paving up to Lot 72. City Manager Pastue responded that it was Ms. Schelske's intention to pay for paving up to Lot 71 only. Mr. Coin asked how the pavement would end at his property. Pastue confirmed that there would be no curb and obstruction to block Mr. Coin's access. Mr. Coin confirmed with Administration that if he improved his portion of the alley the City would provide winter maintenance. He further confirmed that the City would provide an agreement stating that he would not be assessed for alley improvements.

Anabelle Gabel, 23089 Violet Street, inquired regarding the relocation of Baker Street Draperies and the weekend events surrounding the Pavilion. She expressed concern regarding a sign that obstructed her view when turning right onto Farmington Road from the Downtown Center.

**COUNCIL COMMENT**

McShane noted that the Farmington Hills Council responded with a resolution of support to a motion filed in Federal court by Oakland Drain Commission John McCullough requesting removal of Mayor Kilpatrick as Special Administrator. She requested that Farmington also send a letter of support. Pastue responded that City Administration could send a letter if Council desires. Mayor Campbell noted that all the Mayors at a recent South Oakland County meeting expressed support for the motion.

McShane expressed concern regarding the leaf collection this fall due to the fact that the leaves have not fallen. She further expressed concern that the City will end up with chunks of ice leaves similar to what occurred two years ago. She asked if a later pick-up was going to be scheduled.

Director Gushman responded that typically late pick-ups are scheduled if necessary, however, if it snows and turns to ice there is nothing that can be done.

Knol noted that the compost facilities close at the end of November and residents are not allowed to put leaves out with their trash after that time. She asked about options if residents still have leaves after December 1<sup>st</sup>. Gushman responded that a supplemental pick-up could be arranged and either an open compost facility is found or the leaves are stored until the Spring. He stated that in the past a drop-off site was arranged with Farmington Hills.

Mayor Campbell thanked the City and fellow Councilmembers for the reception recognizing departing Councilmembers. He noted that due to a conflict in schedules he would not be attending his last Council meeting, November 7, 2005, and in light of that he read the following comments:

I would like to take a few minutes to thank the many people who have made my experience of serving our great city a rewarding and fulfilling one.

From a personal standpoint, I am thankful for the support of my family, my wife Betsy and our sons Bryan and Andrew, without their support I could not have

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given the time and effort to serve the residents of Farmington. This was especially true during the many elections in which we have walked the City and canvassed the residents.

From a city staff standpoint, first and foremost, I would like to express my heartfelt thanks to the men and women of the City Staff for their tireless dedication to our City and its residents. Without their personal commitment to their role in our City, Farmington would just be a place to work. Through their upbeat and positive attitude to customer service the City of Farmington does truly shine.

A City like Farmington will continue to prosper going forward because of the positive attitude that our employees have. But I would be remiss not to thank the members of our leadership team, which includes our Directors of Public Services and Public Safety.

Kevin Gushman has always displayed the utmost in integrity and dedication to the City. With Kevin's calm personal demeanor and the support of the Public Services Department team, they have been able to handle any situation that has occurred in our City. From handling a dead tree to operation of our sewer and water system, Kevin has always performed with the utmost professionalism. Thank you, Kevin for all the times you have helped with resident and Council issues.

Chuck Nebus is a true professional. In the short time you have been with Farmington's Public Safety Department, you have won the utmost respect from our team of officers. You set the example, which certainly will lead our new officers to be the best they can be, and I thank you for applying for the position and leading the Department into the future. Our residents expect the City to deliver a top notch Public Safety team and Chuck delivers that and so much more on behalf of our Farmington family.

No City can be successful without a sound financial foundation. For this we can all be thankful that we have Patsy Cantrell. Patsy is a leader who not only manages the money, but also has made the name of Farmington synonymous with integrity and innovative ideas, which are recognized throughout the State of Michigan. As Treasurer and Clerk, she has balanced the every expanding role of her dual responsibilities in a way that has flourished with new ideas. Patsy has achieved, through her expert fiscal leadership of our City, a financial rating which few cities in the state can brag about. This guarantees Farmington a bright future and continued financial security.

Also, City Attorney Tom Schultz is a great asset to our community, as was his predecessor John Donohue. I thank them both for their guidance and advice over the years, even on those few occasions I may not have agreed with their opinion. John's legacy of dedication to our fine community is being continued under Tom's legal counsel.

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This entire operation of our City happens because of the leadership provided from the "corner office" lead by Vince Pastue and his team of Bill Richards and the tireless support of Chris Griffin and Cheryl Poole.

I am unable to fully express how fortunate the City (the entire staff and council) is to have Vince as part of the Farmington family. From the first time Vince interviewed for the position, I felt that he was a perfect fit for our team. Vince has certainly proven me correct. No matter what issues have been presented, whether from residents, business owners or Council, Vince's approach is a professional and calming manner. I believe I have learned much from Vince and I hope he also has learned from my experiences -- and that we are both better leaders because of it. Vince really enjoys challenging projects. As I see our community's future, this will be a very desirable thing because Farmington's rebirth will certainly see many new projects coming to our town.

Talk about a team player, Bill Richards has been a part of our team and a contributor to the success of our City in so many ways; from his letter writing capability, facilitator role, entertainer and just plain hard working PlayScape Engineer. Bill has lent his many talents to our City and there are so many projects in which he has taken the ball, ran with it, and achieved success for our City. Bill has been instrumental in the numerous grants and recognitions that our community has earned. I thank Bill for all the things he has done behind the scene that have helped our City and spread the good name of Farmington.

And what would our family be without the two ladies who guide and lead us to where we need to be and assure we get there when we need to be there. The city manager's administrative staff *really* keeps our City running on all eight cylinders. Their dedication to duty knows no limit. Whatever the time commitment or level of involvement, they can be counted on to hold it together and step in with what is needed. If I have any words of wisdom for our new council members, it's that Chris and Cheryl are the cement which bonds our City staff. I urge all council members, present and future, to respect all that these ladies do to maintain a cohesive and functional operation.

Doubtlessly, volunteers are our community's foundation. I extend my heartfelt thank you to all the volunteers who have dedicated countless hours to the many Boards, Commissions and special task forces on which they serve, now and in the past. All our jobs are easier because of the continued dedication and support of our many volunteers.

To my fellow council members, I am most appreciative for Council allowing me to lead as mayor these past two years. I believe everyone who serves on Farmington City Council has earned the gratitude of the community for their on-going service, support and time commitment. I want to express my sincerest thanks to each and every council member with whom I have served.

To our current council candidates, as the election draws near, I wish to extend my best wishes for a successful campaign. If I have any words to pass on to you, it is to always remember that you are entrusted with the viability of the



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entire community, not just the downtown, and that our community infrastructure is the basis for our future.

Finally, I have always held the opinion that as council members we do not run the day-to-day operation of our City -- that is the city manager's job. Rather, we are the members of the Board of Directors, which sets direction and policy. I have made many friends during my many years of service to the City. I have also lost some to early demise, some to distance, and others to philosophy. I am always saddened by such loss.

All I ever wanted was to make my city better. Now, as I look back, after almost twenty years, I see that it *is* better. Through the leadership foundation we have built together, Farmington will only continue to flourish.

Again, thanks Team, for all that you have provided.

**BUILDING DEPARTMENT 2005 1<sup>ST</sup> QUARTER REPORT**

Council concurred to receive and file the Building Department report for quarter ended September 30, 2005.

**PUBLIC WORKS AND WATER AND SEWER DEPARTMENT 2005 1<sup>ST</sup> QUARTER REPORT**

McShane asked about the number of hours shown under community work. Gushman responded that those hours are for the community work program through the 47<sup>th</sup> District Court.

McShane asked about the increase in hours for the Mansion as compared to the same quarter last year. Gushman responded that there has been more work at the Mansion this year than last.

McShane recommended tracking work hours at the Mansion to determine if some of it can be charged to people using the grounds.

Council concurred to receive and file the Public Works and Water and Sewer Department for quarter ended September 30, 2005.

**PUBLIC SAFETY REPORT SEPTEMBER 2005**

McShane suggested that Public Safety work with the Commission on Children, Youth and Family and the Commission on Aging where their assistance might be beneficial in certain cases.

Council concurred to receive and file the Public Safety Report for September 2005.

**DISCUSSION – HISTORIC DISTRICT STUDY COMMITTEE SURVEY AND REPORT**

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William Lindblad, Chairman of the Historic District Study Committee, discussed the results of the meetings and surveys held concerning changing the Historic Preservation ordinance to include binding review. He stated that they receive a 30% return on the most recent survey mailed to Historic District residents. He further stated that the major issue identified from the surveys was the issue of binding review.

Lindblad asked Council for direction on how the Committee should proceed including whether there should be a public hearing to change the Historic Preservation ordinance.

Mayor Campbell recommended delaying a decision until the new Council is in place. He stated that the next step would be to schedule a public hearing.

Councilmember Mitchell confirmed with members of the Committee that they participated in the survey. He stated that the survey response was not high enough to represent the views of the Historic District community. He further stated that as a Councilmember he could not support an ordinance change that affects property rights if the majority of those concerned have not spoken.

Historic District Committee member, Dick Carvell, noted that they received a 30% survey response and that when Councilmember Mitchell was elected only 18% of the residents voted. He recommended moving forward with the ordinance change.

Chair Lindblad noted that the Committee considered every option in order to get better survey results and chose the optimum alternative.

Councilmember Knol stated that she did not think 30% was a low return. She noted that those Historic District residents who did not respond were probably neutral on the issue of ordinance change. She recommended taking the next step to schedule a public hearing.

McShane stated that 30% is a great return. She noted other issues where surveys were sent out and results were much lower. She stated that at times Council must take action that is good for the City as a whole. She noted the spectacular job the Historic District Committee has done in canvassing the public. She stated her support for moving forward with the public hearing.

Councilmember Bush noted that the 30% response is phenomenal. She stated her support in proceeding with a public hearing. She stated her confidence that the new Council can be brought up-to-speed in considering the ordinance change.

City Manager Pastue stated that he would submit a resolution to hold a public hearing at a future Council meeting. He noted the considerable effort put forth by the Committee to communicate the impact of the ordinance change to residents of the Historic District. He stated that he would be comfortable scheduling a public hearing with the new Council.

Knol encouraged those who feel strong on either side of the issue attend the public hearing and voice their opinions.

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Hank Borgman, Farmington resident, spoke against the proposed change to the ordinance.

Mitchell, on behalf of Council, thanked Mayor Campbell for all his years of service to the City.

**ADJOURNMENT**

**10-05-237** MOTION by Knol, seconded by McShane, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:30 p.m.

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Arnold T. Campbell, Mayor

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Patsy K. Cantrell, City Clerk/Treasurer

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Susan K. Halberstadt, Recording Secretary

APPROVED: NOVEMBER 7, 2005