

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, January 15, 1990, 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.

ABSENT: Tupper, Yoder.

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

PRESENTATION

Pam Nelson presented her mother's painting of the Warner Mansion to Mayor Richardson. The Mayor expressed thanks on the City's behalf and presented the painting to the Chairperson of the Farmington Historical Commission suggesting that it be hung in the Farmington Museum.

MINUTES OF PREVIOUS MEETING

1-90-001

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of December 18, 1989, as written. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

1-90-002

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 8, 1990;
- Downtown Development Authority minutes of January 3, 1990;
- Board of Zoning Appeals minutes of December 6, 1989;
- Traffic and Safety Board minutes of November 16, 1989;
- Board of Review minutes of December 12, 1989;
- Farmington Historical Commission minutes of November 15, 1989;
- Farmington Beautification Committee minutes of November 15, 1989;
- Farmington Area Commission on Aging minutes of November 28, 1989;
- Farmington Community Library minutes of November 9, 1989.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM RALPH PHILP, GROVES-WALKER
POST #346 RE: BOYS STATE PROGRAM

The City Manager pointed out that Council has budgeted the \$185.00 fee for this year's Boys State candidate. He recommended that Council appoint one of its members as the candidate's contact person.

COUNCIL PROCEEDINGS -2-
January 15, 1990

Mayor Richardson asked Councilman Hartsock if he would be willing to act as the contact person for the Boys State representative. There was no objection. Mr. Hartsock accepted.

LETTER FROM CITY OF BERKLEY REQUESTING
SUPPORT FOR H.B. 4285

Council was advised that the City of Berkley requests support for H.B. 4285, which provides for 3 additional mills of property tax, subject to approval by the electorate, for refuse collection and disposal.

The City Manager pointed out that Council previously took action on the concept of allowing additional property taxes to be levied for rubbish collection and disposal. He stated that this house bill would implement that concept.

1-90-003

Motion by Councilman Hartsock, supported by Councilwoman McShane, to adopt a resolution supporting H.B. 4285 and forward said support to the Chairman of the Senate Finance Committee and Senator Faxon. Motion carried, all ayes.

[SEE ATTACHED RESOLUTION]

MICHIGAN MUNICIPAL LEAGUE NOTICE RE:
NATIONAL LEAGUE OF CITIES
CONGRESSIONAL CITY CONFERENCE

Council was advised that the NLC Congressional City Conference is scheduled for March 3 - 6, 1990, in Washington, D.C. Manager Deadman stated that the Executive Director of the MML recommends Farmington's participation to inform the federal legislators of local concerns.

Mayor Richardson asked if the March 5th Council meeting should be scheduled for March 6, 1990, so that Council members may attend the conference.

1-90-004

Motion by Councilman Hartsock, supported by Councilwoman McShane, to reschedule the regular Council meeting of Monday, March 5 to Tuesday, March 6, 1990. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

The City Manager recommended that proclamations be issued designating MARTIN LUTHER KING, JR. DAY, JAYCEE WEEK AND UKRAINIAN INDEPENDENCE DAY.

1-90-005

Motion by Councilman Hartsock, supported by Councilwoman McShane, to issue the following proclamations:

COUNCIL PROCEEDINGS -3-
January 15, 1990

MARTIN LUTHER KING, JR. DAY - January 15, 1990;
JAYCEE WEEK - January 21 - 27, 1990;
UKRANIAN INDEPENDENCE DAY - January 22, 1990.

Motion carried, all ayes.

Councilwoman McShane stated that we must never take our freedom and rights for granted, and Dr. Martin Luther King, Jr.'s dream must be kept alive.

Mayor Richardson mentioned that the JayCee Week proclamation will be presented at the Prayer Breakfast on January 23, 1990.

Mayor Richardson requested that the City Clerk send her regrets to the president of the Ukranian American Coordinating Council advising him that she will be out of town on January 21, the date of their Independence Day celebration.

REPORTS FROM CITY MANAGER

WATER AND SEWER RATES FOR FY 1990-91

Manager Deadman advised that the City of Detroit proposes to raise its sewerage treatment rates for the coming year from \$4.19 per Mcf to \$4.42 per Mcf, a 5.5% increase. He indicated that the proposed water rate will increase from \$4.21 per Mcf to \$4.53 per Mcf, an increase of 7.6%.

Council was informed that these increases will take effect July 1, 1990.

1-90-006

Motion by Councilwoman McShane, supported by Councilman Hartsock, to receive and file the City Manager's report on the 1990-91 water and sewer rates. Motion carried, all ayes.

GRAND RIVER MAINTENANCE CONTRACT

Manager Deadman advised Council that the State Highway Department proposes a budget of \$49,000.00 to cover the maintenance of Grand River from the east intersection with the M-102 west to Halsted.

He indicated that under the contract terms, Farmington is required to do most of the ordinary maintenance on Grand River, including pothole repair, sweeping, snow and ice removal, traffic sign repair and grass and weed control. He stated that major repairs or surface replacement remains the Highway Department's responsibility. He further indicated that from Gill Road west to Halsted, the city has only the responsibility of snow and ice removal.

1-90-007

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

COUNCIL PROCEEDINGS -4-
January 15, 1990

WHEREAS, the City of Farmington agrees to enter into a contract with the Michigan Department of Transportation for the maintenance of Grand River Avenue from the east intersection of the M-102 west to Halsted, and

WHEREAS, the term of this maintenance contract is October 1, 1989 through September 30, 1992;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the City Clerk and the City Manager to execute this contract on behalf of the city.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED JANUARY 15, 1990.

1990 TRI-PARTY ROAD PROGRAM

The City Manager stated that costs for the Tri-Party Road Program are split with the county, the Road Commission and the local government, each paying one-third. He advised that the total revenue source for the 1990 program is \$3 million. He pointed out that the combined funds would provide \$19,577.00 to the City of Farmington in the coming year, with the local contribution of \$6,526.00.

Manager Deadman advised that Orchard Lake Road improvements are eligible for Tri-Party Program funding and recommended this roadway be designated for use of the Tri-Party funding.

1-90-008

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

BE IT RESOLVED that the Farmington City Council hereby approves participation in the Oakland County 1990 Tri-Party Program, and

FURTHER BE IT RESOLVED that the Orchard Lake Road improvement be indicated as the designated project for use of the Tri-Party funding, and

BE IT FURTHER RESOLVED that \$6,526.00 is the City of Farmington's share of this project cost.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED JANUARY 15, 1990.

PURCHASE OF VAN

Council was advised that the Water and Sewer Department proposes to replace a 1980 pickup truck with a small cargo van to carry technical equipment, meters, electric pipe locators and other types of repair equipment.

Manager Deadman stated that this vehicle could be purchased through the Oakland County Purchasing Department.

1-90-009

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the purchase of one 1990 Chevrolet Astro cargo van with heavy-duty options from the low bidder, Mike Savoie Chevrolet, through the Oakland County bid process at a cost of \$11,182.03, and

BE IT FURTHER RESOLVED that funds be provided from the 1989-90 Water and Sewer Department budget.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED JANUARY 15, 1990.

REPAIR OF DUMP TRUCK

Council was advised that one of the city's dump trucks caught fire last month due to an electrical short, causing extensive damage to the cab area. Manager Deadman stated that this 1987 vehicle is one of the city's primary snowplow rigs and will require immediate repair. He further stated that the major portion of the repair costs will be covered by the city's insurance program. He recommended that the bid process be waived and the repair be done at the BMC Truck and Bus Center in Pontiac.

1-90-010

Motion by Councilman Hartsock, 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 authorizes the repair of the 1987 GMC dump truck at the GMC Truck and Bus Center in Pontiac, Michigan, at a cost not to exceed \$5,000.00, and

COUNCIL PROCEEDINGS -6-
January 15, 1990

BE IT FURTHER RESOLVED that the major portion of the repair costs be covered by the City's insurance program.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED JANUARY 15, 1990.

AUDIT REPORT: FARMINGTON COMMUNITY
DEVELOPMENT BLOCK GRANT FUNDS

Council was advised that county auditors examined the Farmington Community Development Block Program records to determine compliance with federal and county regulations pertaining to the program. Manager Deadman stated that the auditors determined the city has complied with the laws and regulations, and the program is in conformity with their standards.

1-90-011

Motion by Councilwoman McShane, supported by Councilman Hartsock, to receive and file the City Manager's report relative to the audit report of the Farmington Community Development Block Grant Funds. Motion carried, all ayes.

MISCELLANEOUS

There were no public comments.

Councilman Hartsock stated that after Christmas, the City of Royal Oak as part of their recycling process offered to chip residents' Christmas trees and in return to give each a pine tree to plant.

Mayor Richardson advised that the Farmington Beautification Committee is working on a tree planting program for residents.

The Mayor recommended to Council members as outstanding an article in the December issue of the Michigan Municipal League Review. She also stated that the Farmington Hills 2000 brochure is very enlightening.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Council was advised that the nine-member Farmington Area Arts Commission currently has a vacancy for a Farmington appointee. Councilwoman McShane stated she had several nominations for the opening and offered the name of Nan Reid for Council consideration.

After discussion of Mrs. Reid's background in the performing arts, Mayor Richardson called for further names or a motion to fill the opening.

COUNCIL PROCEEDINGS -7-
January 15, 1990

1-90-012

Motion by Councilwoman McShane, supported by Councilman Hartsock, to appoint Nanette Reid, 33305 Oakland, to the unexpired term ending August, 1990, on the Farmington Area Arts Commission. Motion carried, all ayes.

FINANCIAL REPORTS

FIVE MONTHS ENDED NOVEMBER 30, 1989

The City Manager stated that the General Fund is within budget in both expenditures and revenues, but the District Court is running a bit over budget. He advised that he would share with City Council the analysis which he requested from the District Court.

1-90-013

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, 1989. Motion carried, all ayes.

WARRANT LIST

1-90-014

Motion by Councilwoman McShane, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$50,932.87; Water & Sewer Fund \$49,049.94.

ROLL CALL

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

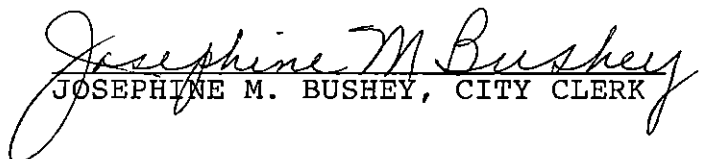
MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 8:52 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: February 5, 1990.

R E S O L U T I O N

NO. 1-90-003

Motion by Hartsock, supported by McShane,

to adopt the following resolution:

WHEREAS, the cost of refuse disposal has increased substantially over the past ten years, as landfill operators have increased their charges by over 1200% during this period of time, and

WHEREAS, the Oakland County Solid Waste Management Plan calls for the construction of a waste-to-energy incinerator, additional landfills and recycling facilities, and

WHEREAS, the cost of operating these new facilities will further increase the expense of rubbish disposal, and

WHEREAS, the financial analysis of the cost of operating the new facilities will result in costs for rubbish collection and disposal which exceed 6 mills in tax levy, and

WHEREAS, H.B. 4285 has passed the House of Representatives and is currently pending in the Senate Finance Committee, and

WHEREAS, the enactment of H.B. 4285 would give people the choice of imposing additional tax levy by referendum vote;

NOW, THEREFORE, BE IT RESOLVED, that the Farmington City Council hereby supports H.B. 4285, and wishes to advise the Chairman of the Senate Finance Committee and Senator Faxon of said support.

ROLL CALL

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

RESOLUTION ADOPTED JANUARY 15, 1989.

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 15, 1990, 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, February 5, 1990, 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.

ABSENT: Yoder.

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

OTHERS PRESENT: Black and Veatch Representatives Broz and Latham.

MINUTES OF PREVIOUS MEETING

2-90-015

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of January 15, 1990, as written. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

Councilman Hartsock called attention to page 2, paragraph 4 of the Farmington Beautification Committee minutes, Publicity, relating to a calendar of Farmington's historical sites. He expressed concern that such an item might duplicate the city's annual report calendar.

Mayor Richardson advised that it was the committee's attempt to provide something to present to those who attend the annual Beautification Committee Awards Luncheon; that it would be different than the City calendar.

2-90-016

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

- Traffic and Safety Board minutes of December 21, 1989;
- Farmington Area Commission on Aging minutes of January 23, 1990;
- Farmington Area Arts Commission minutes of December 7, 1989;
- Farmington Beautification Committee minutes of January 10, 1990;
- Farmington Community Library minutes of December 14, 1989;
- Board of Education minutes of November 21, December 5, 1989 and January 9, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM MICHIGAN MUNICIPAL LEAGUE RE:
ANNUAL LEGISLATIVE CONFERENCE

Council was advised that the Michigan Municipal League's annual Legislative Conference will be held in Lansing on March 28th. The City Manager stated that his office will make reservations for the Council members who wish to attend.

LETTER FROM VETERANS MEMORIAL DAY
SERVICES COMMITTEE RE: ANNUAL PARADE

The City Manager advised that the Annual Memorial Day Parade will be held on May 28 this year. He stated that the Veterans Memorial Day Services Committee Chairman requests that the city authorize the parade and submit the necessary documents for the closing of Grand River.

Manager Deadman recommended that Council approve a resolution holding the State harmless and authorizing the application for a permit to close Grand River for the parade.

2-90-017

Motion by Councilman Tupper, supported by Councilwoman McShane, 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 28, 1990, from 9:00 a.m. until 1:00 p.m. for the annual Memorial Day Parade, and

BE IT FURTHER RESOLVED that the City of Farmington will hold the State of Michigan harmless against all liabilities resulting from the closing of Grand River Avenue.

RESOLUTION UNANIMOUSLY ADOPTED FEBRUARY 5, 1990.

REQUESTS FOR PROCLAMATIONS

The City Manager recommended that proclamations be issued designating MOSLEM SHRINE TEMPLE ANNUAL HOSPITAL FUND DRIVE DAYS in Farmington and SAVE YOUR VISION WEEK.

2-90-018

Motion by Councilman Hartsock, supported by Councilwoman McShane, to issue a proclamation designating June 15, 16 and 17, 1990 as "MOSLEM SHRINE TEMPLE ANNUAL HOSPITAL FUND DRIVE DAYS". Motion carried, all ayes.

2-90-019

Motion by Councilwoman McShane, supported by Councilman Hartsock, to issue a proclamation designating March 4 - 10, 1990 as "SAVE YOUR VISION WEEK". Motion carried, all ayes.

REPORT FROM DOWNTOWN DEVELOPMENT AUTHORITY DIRECTOR

DOWNTOWN DAY PROMOTION, March 21, 1990

DDA Executive Director Sittsamer requested that City Council grant the Authority permission to use the City sidewalks at the Farmington Road/Grand River intersection for a Downtown Day promotion on March 21. She stated that the DDA wishes to salute Downtown Farmington as one of the few remaining historic downtown areas.

Mrs. Sittsamer stated that in addition to the proposed free lunch for the public, the owner of Chairs Unlimited will host a unique Musical Chairs Game for Neighborhood House, an affiliate of the Salvation Army.

2-90-020

Motion by Councilman Tupper, supported by Councilman Hartsock, to allow the Downtown Development Authority to use the City sidewalks at the Farmington Road/Grand River intersection to set up some tables and chairs for the public free lunch on March 21, 1990, with a rain date of March 22. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

SCHEDULE PUBLIC HEARING RE: AMENDED
SEWER IMPROVEMENT PROJECT PLAN

The City Manager explained that when the program began the total number of combined sewers was unknown. He asked the engineers involved in the project to give City Council an update on the preliminary design, cost estimates, field work and other aspects of the project.

City Engineer Mariner discussed the anticipated improvements in the system. Black and Veatch Engineers Latham and Broz explained the construction and layout of the retention basin and the estimated project cost summary.

A copy of the project plan submitted last month to the Department of Natural Resources was presented for Council's review. Council was advised that the City is required to announce the availability of the project plan this evening and to schedule a public hearing on the plan on March 6, 1990. Council was further advised that the city is required to pass a resolution adopting the plan by March 20, 1990, and submit the final project to the DNR along with all responses received as a result of the public hearing.

The engineers stated that the project plan calls for the improvement of the city's sewer system by separating the combined sewers throughout the system and constructing a sewerage retention basin with sufficient capacity to retain a 25-year storm.

COUNCIL PROCEEDINGS -4-
February 5, 1990

The engineers estimated the project cost at \$9 million, funds to be provided through the State of Michigan Revolving Fund, from which the city will receive a 2% low interest loan.

Councilman Hartsock asked what impact this improvement would have on what was done for the Old Town Drain. He was advised that the pipes in the Old Town drain system were sized to set into this improvement.

Engineer Mariner stated that the sewer will be placed underneath one of the lanes of pavement, and that half of the street will be replaced.

Councilwoman McShane asked what the estimated time would be for the physical work on this section of the plan. She was advised that it would probably be a six to seven month project, depending on what is done first, and that it would be done over two construction seasons.

The City Manager advised that there are added costs to the project due to unforeseen items since the plan was first drawn, bringing the estimated project costs to \$11,192,200.

Engineer Latham stated that a 3.2 million gallon (a 30% reduction in volume requirements from original estimate) retention basin is required and it will be built with three separate cells. He advised that it will be located on top of a hill in an old dump area which will contribute to foundation difficulties, and excavations will be necessary to move the material, which will increase costs.

Engineer Broz discussed a summary of the project costs including the costs of the selected Alternate system.

The City Manager stated that there are two ways to fund this project:

1. By a substantial increase in sewer rates in 1991/-1992;
2. By taking the Debt Service capital portion of this program to the voters, asking them for permission to sell bonds under our general debt structure and raise their property taxes sufficiently to cover the Debt Service.

Councilman Tupper stated that he cannot imagine that the people would want to have it put on a rate where they would not benefit from a deductible they would get from their taxes.

Mayor Richardson stated that when spending this amount of money, the voters should be given a chance to decide.

Councilwoman McShane asked if these were the only two alternatives available.

The City Manager stated that a third alternative would be to do nothing and wait for the Court's ruling. He pointed out that state funding probably would not be available at that time.

2-90-021

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

WHEREAS, the City of Farmington is proposing to construct a sewer separation of its combined sewer system and install an excess flow retention basin and pumping station in compliance with the Clean Water Act permit program, and

WHEREAS, a project plan has been completed which describes the alternatives and selected project that has been determined to be most cost effective and environmentally responsible;

NOW, THEREFORE, BE IT RESOLVED that the City Council adopts the attached notice of public hearing for the purpose of receiving comments on the project plan and environmental impact of the proposed alternatives, and

BE IT FURTHER RESOLVED that such public hearing will be scheduled to be held at 8:00 p.m. on Tuesday, March 6, 1990, in the offices of the City of Farmington.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED FEBRUARY 5, 1990.

RENEWAL OF 1990 TAXICAB LICENSES

The City Manager stated that all of the taxicab companies servicing the City have asked to have their licenses renewed. He advised that Northwest Transport Company operates six taxicabs for Suburban Checker Cab, Inc., and five cabs for Yellow and Red Cabs. He stated that ABC Cab Company operates three taxicabs in Farmington.

Council was advised that the taxicab meters were inspected by the Livonia Police Department and found to be in compliance with Farmington's taxicab code. Council was further advised that the Department of Public Safety found all cabs to be in satisfactory condition, with the cab companies posting rate cards in the vehicles as required.

The City Manager recommended renewal of the requested taxicab licenses for 1990.

2-90-022

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the issuance of six (6) licenses for 1990 Taxicab Service in the City of Farmington to Suburban Checker Cab Company and five (5) licenses to Yellow and Red Cabs, both located at 31376 Industrial Road, Livonia, Michigan, and

BE IT FURTHER RESOLVED that City Council authorizes the issuance of three (3) licenses for 1990 Taxicab Service in the City of Farmington to the ABC Cab Company, 30859 W. Ten Mile Road, Farmington Hills, Michigan.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED FEBRUARY 5, 1990.

PROGRESS REPORT:

STATE OF MICHIGAN RECREATIONAL GRANT

Council was advised that the City's grant application for park improvements was not approved by the Department of Natural Resources last year. The City Manager stated that the DNR will request funding for the proposed Drake Park improvements in the coming budget year.

Manager Deadman advised that the natural Resources Commission recommended a project budget of \$40,000; \$30,000 of which will be funded by the State.

Council was informed that replacement of fencing in the baseball diamond backstops and players benches at the three ball fields, renovation of the restrooms and service building and resurfacing of the parking lot are included in the proposed improvements.

Manager Deadman pointed out that proposed improvements for Shiawassee Park were not accepted by the Commission this year.

PROPOSED TRAFFIC CONTROL ORDINANCES
ORCHARD STREET ACCESS DRIVE

Council was advised that the Public Safety Department has observed parking on the driveway between Orchard Street and the Post Office. To eliminate the traffic hazards created by this situation, the City Manager recommended that Council introduce Ordinance No. C-568-90, authorizing posting of no parking on the driveway.

COUNCIL PROCEEDINGS -7-
February 5, 1990

Manager Deadman stated that the Public Safety Director authorized the installation of a stop sign to prohibit driveway traffic at Orchard Street. To make this sign permanent, he recommended that City Council introduce Ordinance No. C-569-90, authorizing the installation of a Stop Sign from the northbound access driveway onto Orchard Street.

2-90-023

Motion by Councilman Tupper, supported by Councilwoman McShane to introduce Ordinance No. C-568-90, which would authorize the posting of No Parking on the driveway between Orchard Street and the Post Office, and to introduce Ordinance No. C-569-90, which would authorize the installation of a Stop Sign from the northbound access driveway onto Orchard Street. Motion carried, all ayes.

PURCHASE OF MICROFILM READER/PRINTER

Council was advised that the City Clerk opened bids on January 24, 1990, for a microfilm reader and printer, with the three low bidders as follows:

ANACOMP, INC. Livonia, MI.	DataMate 1,000	\$3,233.00
BELL & HOWELL Troy, MI.	Model 4000	5,244.00
GRAPHIC SCIENCES, INC. Royal Oak, MI.	Microcopy 1000 Minolta RP502	4,426.50 5,679.00

The City Manager stated that the Anacomp DataMate 1,000 meets city specifications and recommended awarding the contract to the low bidder, Anacomp, Inc., in the amount of \$3,233.00.

2-90-024

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the purchase of a DataMate 1000 Microfilm Reader/Printer from the low bidder, Anacomp, Inc., Livonia, Michigan, in the amount of \$3,233.00 and

BE IT FURTHER RESOLVED that funds be provided from the 1989-90 General Fund Budget.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED FEBRUARY 5, 1990.

COUNCIL PROCEEDINGS -8-
February 5, 1990

MISCELLANEOUS

The City Manager advised that he hosted a Tri-City cable television program today relating to the Historical Commission.

Councilman Tupper expressed concern about the sidewalk to be installed on Freedom Road, relative to two feet of fill in that area.

He suggested that something be done about implementing a policy concerning code violations on Eight Mile Road. The City Manager stated that there is an ordinance being developed in this regard.

Mr. Tupper suggested that City Council consider inviting State Representative Dolan to attend a Council meeting to discuss what is going on in Lansing.

Councilman Hartsock asked what has transpired as a result of Farmington's meeting about eighteen months ago with the Cities of Farmington Hills and Livonia. Mayor Richardson asked the City Manager to check into this.

Councilwoman McShane asked that a letter of sympathy and appreciation be sent to the family of Charlotte Yverski, a dedicated area volunteer who recently died of cancer.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Council was advised that two openings become available this month on the Downtown Development Authority and the Construction Board of Appeals.

2-90-025

Motion by Councilman Hartsock, supported by Councilman Tupper, to appoint Frank Clappison and Harry Wingerter to a four-year term on the Farmington Downtown Development Authority, said term to expire on February 17, 1994. Motion carried, all ayes.

2-90-026

Motion by Councilwoman McShane, supported by Councilman Hartsock, to appoint Kenneth Wallace and Peter Baldwin to a new 2-year term on the Construction Board of Appeals, said term to expire February 5, 1992. Motion carried, all ayes.

The City Manager advised that the opening on the Construction Board of Appeals left by the death of John Allen has not yet been filled. Mayor Richardson stated that this opening will be considered at a future meeting.

COUNCIL PROCEEDINGS -9-
February 5, 1990

FINANCIAL REPORTS:

PERIOD ENDING DECEMBER 31, 1989

The City Manager stated that the city is doing about as expected for this time of year in all three funds reporting.

2-90-027

Motion by Councilman Hartsock, 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 December 31, 1989. Motion carried, all ayes.

DEPARTMENT OF PUBLIC WORKS/WATER AND
SEWER DEPARTMENT QUARTERLY REPORT,
OCTOBER 1 - DECEMBER 31, 1989

2-90-028

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and file the Department of Public Works/Water and Sewer Department Quarterly Report for October 1 - December 31, 1989. Motion carried, all ayes.

BUILDING DEPARTMENT QUARTERLY REPORT
OCTOBER 1 - DECEMBER 31, 1989

2-90-029

Motion by Councilman Tupper, supported by Councilwoman McShane, to receive and file the Building Department Quarterly Report for October 1 - December 31, 1989. Motion carried, all ayes.

WARRANT LIST

2-90-030

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$58,261.33; Water & Sewer Fund \$145,474.97.

ROLL CALL

AYES: Hartsock, McShane, Richardson, Tupper.
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 10:00 p.m.

2-90-027
2-90-028
2-90-029
2-90-030


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: February 19, 1990.

NOTICE OF PUBLIC HEARING

City of Farmington

Sewer Separation and Improvements Program

Notice is hereby given that the City of Farmington, Michigan will hold a public hearing on the proposed Sewer Separation and Improvements Program for the purpose of receiving comments and views of interested persons. The hearing will be held at 8:00 p.m., Tuesday, March 6, 1990 at 23600 Liberty Street, Farmington, Michigan.

In response to the recently issued regulation for point sources of pollution (the Clean Water Act's National Pollutant Discharge Elimination System (NPDES) permit program), the City of Farmington is proposing to contract sewer separation for the remaining combined sewer system and install a new excess flow retention basin and pumping station. The retention basin/pumping station will replace the existing basin located north of Nine Mile Road and east of Brookdale Road. A comparison to the alternative to maintain combined sewer overflows to the Rouge River and provide a retention basin and pretreatment for overflows determined the selected project to be more cost effective and environmentally responsive.

This Public Hearing is for the purpose of receiving comments on the Project Plan and the environmental impact of proposed alternatives. A presentation of the user charge system will be made.

Detailed information on the proposed project can be reviewed in the Project Plan document. Copies of the Project Plan are available for public inspection at the following offices:

Farmingtong City Clerk or City Manager
23600 Liberty Street
Farmingtong, Michigan 48024

Written comments sent to Robert Deadman, City Manager, 23600 Liberty Farmington, Michigan 48024, will be entered into the public hearing record through March 7, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

Publish: Monday, February 5, 1990.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, February 19, 1990, 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 Assessor Sailer, Acting City Attorney Beckerleg, Adm. Assistant Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

2-90-031

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the previous meeting of February 5, 1990, as written. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

Councilman Tupper asked when an ordinance relative to industrial parks is expected out of committee. He was advised that a sub-committee of the Planning Commission is reviewing the sign ordinance as well. The City Manager indicated it probably will be several months before the review is completed. Councilman Tupper expressed concern relative to having an ordinance in place before new tenants move into several vacant facilities.

2-90-032

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 February 12, 1990;
- Farmington Historical Commission minutes of January 17, 1990;
- Farmington Area Arts Commission minutes of January 18, 1990;
- Board of Education minutes of January 23, 1990.
- Farmington Community Library minutes of January 11, 1990.

Motion carried, all ayes.

Mayor Richardson welcomed Attorney Derk Beckerleg who was filling in for vacationing City Attorney Donohue.

PETITIONS AND COMMUNICATIONS

RESOLUTIONS FROM MADISON HEIGHTS
AND OAK PARK RE: MANDATORY
SUPPLEMENT TO JUDGES SALARIES

Council was advised that the Cities of Madison Heights and Oak Park ask that Farmington support their opposition to the

COUNCIL PROCEEDINGS -2-
February 19, 1990

mandatory minimum amount local governments must supplement the annual District Court Judges' salaries. The two cities feel that the state's failure to comply with the constitution places an undue burden on local government.

2-90-033

Motion by Councilman Tupper, supported by Councilwoman McShane, to support the resolutions of Madison Heights and Oak Park opposing mandatory supplement for District Court Judges' salaries, and to indicate said support to Governor Blanchard, Senator Faxon and Representative Dolan. Motion carried, all ayes.,

LETTER FROM PUBLIC SAFETY DIRECTOR
RE: SEAT BELT USE LEGISLATION

The City Manager advised that Director Lauhoff, in conjunction with the Michigan Association of Chiefs of Police, is supporting a legislative amendment to change the safety belt use law from a secondary to a primary law. The Director advised that since 1985, statistics show positively that the odds of being involved in a serious injury accident are about half. He feels that changing this to a primary law would increase seat belt use by as much as 20%.

2-90-034

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

[SEE ATTACHED RESOLUTION]

REQUEST FOR PROCLAMATION

Council was advised that the Muscular Dystrophy Association requests a proclamation designating April as MUSCULAR DYSTROPHY MONTH in Farmington.

2-90-035

Motion by Councilman Hartsock, supported by Councilwoman McShane, to issue a proclamation designating April as "MUSCULAR DYSTROPHY MONTH" in Farmington. Motion carried, all ayes.

PRESENTATION

BEAUTIFICATION COMMITTEE
1990 TREE PROGRAM

Carol Kurth presented the Beautification Committee's plans for this year's tree planting program, indicating that the program will be featured this spring as well as in the fall.

Councilman Tupper asked if the City has taken a position relative to planting trees in the right-of-way where they could tear up sidewalks. Mrs. Kurth stated that the Committee will see if the City's code relative to vegetation needs changing.

COUNCIL PROCEEDINGS -3-
February 19, 1990

The City Manager asked for Council's permission to work with Steinkopf Nursery to work out the best deal for city residents rather than to go out to bid. He also stated that he would like to advertise a firm price on the trees available.

2-90-036

Motion by Councilwoman McShane, supported by Councilman Tupper, to waive the bid process and allow the City Manager to negotiate with Steinkopf Nursery for a firm price on the types of trees to be offered to the city residents for this year's tree planting program. Motion carried, all ayes.

Council was advised that the next meeting of the Tree Ordinance Committee will be on March 12th. Council was further advised that there will be a membership Open House on March ~~19th~~ ^{29th} from 7:00 - 9:00 p.m. at the Farmington Museum.

*corrected
3/6/90*

REPORT FROM CITY ASSESSOR

1990 PROPERTY ASSESSMENTS

The City Assessor advised that the property assessments will be mailed out on Wednesday of this week. He pointed out that there are no significant adjustments for residential properties. He stated that based on the County's sales study, Farmington's residential properties will have to be adjusted about 10%.

Mr. Sailer presented for Council's review a written report on proposed assessment revisions for 1990. He stated that he wanted to make Council aware of the type of adjustments being made this year and the areas in which these adjustments will be carried out. He stated that he had no final figures on personal property, but he estimated an approximate 10.8% increase in overall assessments, including construction.

REPORTS FROM CITY MANAGER

PROPERTY SPLIT: 33718-33728 GRAND RIVER

Council was advised that Bruce Turbow, representing the property owners, requests a split of the property located on the south side of Shiawassee, west of Cass Street. Manager Deadman stated that this would provide for an additional buildable lot on Shiawassee. He further stated that splitting off the rear of lots 44 and 45 of Assessor's Plat No. 4 would result in a new lot.

Council was informed that the new lot and the remaining portions of Lots 44 and 45 would be in compliance with the city's Zoning Code except for an already existing nonconforming lot width of 50 feet on Lot 44. The City Manager pointed out that the lot split would not in any way affect this pre-existing condition.

Manager Deadman advised that the proposed split was reviewed by the City Assessor, who found the split complies with requirements of the Subdivision Control Act. The City Manager concurred with the Assessor's recommendation to split the property as requested.

2-90-037

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

[SEE ATTACHED RESOLUTION]

EVERGREEN-FARMINGTON SEWAGE
DISPOSAL SYSTEM FEDERAL GRANT
AND INTERMUNICIPAL CONTRACT

Council was advised that the Oakland County Drain Commission is acting as the lead applicant to the Segment II Federal Grant funding for the Evergreen-Farmington sewer disposal system. Council was further advised that the Drain Commission received and accepted a grant offered from the United States EPA for the portions of the project which have been determined to be grant eligible.

The City Manager stated that the estimated project cost is \$36,000,000. He indicated that \$25,000,000 of the costs are grant eligible and that the County will receive \$14,000,000 in grant assistance. Manager Deadman advised that an amendment to the grant was received for Segment I projects, based on construction bids and revised estimates of the total project costs. He stated that Segment I projects are estimated at \$61,400,000, \$10,300,000 of which is grant eligible, and that EPA will provide \$5,700,000 in grant assistance.

Council was reminded that in September of 1989 they reviewed an intermunicipal contract presented by the Drain Commission. At that time, Council authorized the Mayor and the City Clerk to sign the contract on behalf of the city, pledging the city's full faith and credit for payment of its obligations. Council was further reminded that as a result of this pledge, the community must give proper notice of the right of referendum on this contract to all taxpayers of the community.

Council was advised that publication of such notice is required and that the notice provides that the electorate has 45 days in which to petition for an election on the issue.

The City Manager stated that the City of Farmington will be responsible for a portion of the Segment I costs, based on estimates provided by the Oakland County Drain Commission. He advised that Farmington's estimated share of the proposed improvements is \$16,710 based on sewerage flow. He further advised that the Drain Commission estimates that \$16,084 of this amount can be provided from the surplus within the Evergreen-Farmington Debt Service Fund.

COUNCIL PROCEEDINGS -5-
February 19, 1990

City Council reviewed a project cost summary describing the cost of Segments I and II projects that will occur within each community in the Evergreen-Farmington District.

Council considered the Drain Commissioner's suggested form of resolution with a public hearing notice attached.

The City Manager advised that upon adoption of the resolution, the City Clerk is to publish the notice and forward to the County three certified copies of the resolution and affidavit of publication and a copy of the transcript.

2-90-038

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

BE IT HEREBY RESOLVED that the City Clerk is hereby authorized and directed to publish the notice hereunto attached in the FARMINGTON OBSERVER in a form to be prominently displayed therein. It is hereby found and declared that said newspaper is a qualified newspaper of general circulation in this City and that said notice contains information which is sufficient to inform all interested persons as to the nature and extent of the obligations of this City under said Contract and as to the right to petition for a referendum thereon and the consequences of failure to exercise such right.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED FEBRUARY 19, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

[SEE ATTACHED NOTICE]

SPECIAL BOND ELECTION FOR SEWER
IMPROVEMENT AND RETENTION BASIN

Council was advised that based on engineering estimates the City's sewer improvements and retention project will cost \$11,200,000.

The City Manager stated that the State of Michigan offers to provide the funds necessary to construct the project at an interest rate of 2% through its Revolving Fund Loan Program, based on a 20-year maturity schedule. He advised that the City's Bond Counsel developed a debt service schedule beginning with interest only payments during construction, and with interest and principal payments beginning in the 1991-92 budget year.

COUNCIL PROCEEDINGS -6-
February 19, 1990

The City Manager reviewed two methods of raising the revenues to meet the requirements of the bond maturity schedule:

1. To pledge Limited Tax Obligation and raise sewer rates sufficiently to meet the required payments and required reserves.

The City Manager noted that it would take a sewer rate increase of \$1.41 per 1,000 gallons of water used to meet the bond payment requirements.

Service customers would pay a rate based on water used.

2. To receive voter approval on a Full Faith and Credit General Obligation Bond issue.

Under this method, the local property tax rate would be adjusted in an amount sufficient to meet the bond payment requirements. Estimated local tax rate requirement - 2.8 mills.

Those who have higher valued properties would pay higher costs, but would benefit if federal income tax deductions were itemized, because property tax is an allowable deduction.

The City Manager submitted to Council a chart (Exhibit A), comparing the two systems.

[SEE ATTACHED CHART]

The City Manager stated that either method appears to fairly distribute the cost of the proposed improvements, since there seems to be a close correlation between property values by class (residential, commercial and industrial) and water usage. He suggested that the voters be given the option of how to finance this project.

Manager Deadman stated he and the City Clerk have determined that a special election can be held on Tuesday, May 22, 1990, in which the proposal could be submitted to the electorate with the following question:

Shall the City of Farmington, County of Oakland, Michigan, borrow the principal amount of not to exceed Twelve Million Dollars (\$12,000,000) and issue its general obligation unlimited tax bonds therefor, for the purpose of paying all or a part of the cost of acquiring and constructing improvements to the City's sewage disposal system consisting generally of an approximately

COUNCIL PROCEEDINGS -7-
February 19, 1990

3.2 million gallon retention facility, new sanitary and storm sewer lines, and repair and upgrade of existing sanitary lines and existing sewerage pump stations in the City of Farmington together with all appurtenances and attachments reasonably necessary therefor?

YES

NO

2-90-039

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

[SEE RESOLUTION ATTACHED]

PROPOSED CONTRACT FOR INFORMATION PROGRAM
RE: SPECIAL ELECTION

The City Manager stated that for the voters to make an informed decision between the two methods of financing the proposed sewer system improvements a comprehensive informational package will be necessary. He pointed out that the package will include literature describing the program from inception to solution. He indicated that there should be a series of brief newsletters describing the problem, the solution and financing alternatives.

Manager Deadman suggested that the Farmington Hills firm of Marketing Communications Counsel, Inc., would be able to assist the city in formulating an adequate informational program, as the firm is already involved in a similar project for the City of Lathrup Village.

He submitted for Council's review a proposal prepared by the marketing firm from which the city may select those areas of services that are needed.

Council was advised that the cost of developing an adequate public information program is small compared to the size of the bond issue. The City Manager indicated an estimated cost of \$9,080 for all the service areas, but stated that the city could use its own resources for Video Script and Slide Preparation.

Ms. Norma Ragland, President of Marketing Communications Counsel, Inc., was present to answer Council's questions relative to the proposal for consulting services.

Councilman Tupper expressed doubt that spending money for this type of service is necessary.

COUNCIL PROCEEDINGS -8-
February 19, 1990

Councilman Hartsock felt that the proposed informational program would enlighten everyone who is going to vote as well as those who will not vote. He stated that it cannot be assumed that those who are going to vote in May will know specifically that they are going to be taxed one way or another. He believes it is important to educate the local electorate relative to the ballot proposal.

Mayor Richardson stated she would like to see the information proposal scaled down, because we can work out our own video and slide preparation.

2-90-040

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

BE IT RESOLVED that the Farmington City Council hereby approves a contract with Marketing Communications Counsel, Inc., in accordance with their proposal of February 12, 1990, to assist the City in developing an adequate public information program relative to the Special Election on the sewer improvement bond issue, and

BE IT FURTHER RESOLVED that funds, not to exceed \$9,000.00, be provided from the Water and Sewer Fund.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED FEBRUARY 19, 1990.

SIX YEAR CAPITAL IMPROVEMENT PROGRAM
1 9 9 0 - 1 9 9 5

Council was advised that the Planning Commission was submitting their Six Year Capital Improvement Program for 1990-1995 for Council's use in developing public improvements in the community.

The City Manager pointed out that highest priority is given to programs for which funding is currently available, and that other projects are put in priority order according to the Commission's assessment of the need for the improvement.

In reviewing the program, the City Manager discussed:

--Major road improvements including proposed reconstruction of Orchard Lake Road from Grand River north to Ten Mile Road. Project to begin this year.

COUNCIL PROCEEDINGS -9-
February 19, 1990

- Other major street improvements including resurfacing and intersection improvement to Drake Road, resurfacing Freedom Road, signalization improvements at Drake Road and Grand River, Farmington Road and Nine Mile.
- Local street improvements including reconstruction of ValleyView/Prospect Streets and ValleyView Circle. Major repairs in Bel Aire and Floral Park Subdivisions.
- Continuation of the Downtown Development Authority improvement program.
- Sewer improvements to the Farmington interceptor district; the largest project ever undertaken by the community.
- Other Projects: The City's share of the county solid waste management system, City parks rehabilitation, purchase of large motorized equipment, bike path construction, recreational facility.

Council was advised that the total cost of all projects is \$26,212,400.

2-90-041

Motion by Councilman Tupper, supported by Councilwoman McShane, to receive and file the Six Year Capital Improvement Program for 1990-1995, and to extend Council's appreciation to the Planning Commission for the time and effort spent to put this program together. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Director Lauhoff reported on the recent vehicle accident at the T. J. Maxx Store.

Michelle Rhoton asked about the Special Election date. She was advised that it will be held on Tuesday, May 22, 1990.

City resident Bill Liba complimented City Council on voting for the proposal on the public information program for the sewer project. He also voiced his support for the Six Year Capital Improvement Program.

Mayor Richardson called attention to a letter she received from Farmington Youth Assistance asking that a City Council member be appointed as liaison to the General Citizens Committee. She called for Council's reaction to this request.

COUNCIL PROCEEDINGS -10-
February 19, 1990

The Mayor was advised that several years ago City Council opted out of membership on this and several other committees, agreeing instead to have staff members so appointed.

The City Clerk was instructed to write to Mrs. Rennels, Chairperson for the FYA General Citizens Committee, stating that the City feels it is adequately represented by its current representative.

Mayor Richardson called attention to the January 16, 1989 appointment of City representatives to the Year 2000 Task Force. She suggested that City Council meet with these representatives at 7:00 p.m., just prior to the regular Council meeting of April 2, 1990, inviting them to report on the Year 2000 plan.

2-90-042

Motion by Councilman Hartsock, supported by Councilman Yoder, to schedule an early meeting at 7:00 p.m. on April 2, 1990, to have the City's Year 2000 Task Force representatives report on the Year 2000 plan. Motion carried, all ayes.

The Mayor suggested that City Council meet sometime with the Chairmen of the City's Boards and Commissions. She suggested Tuesday, March 13, at 7:30 p.m. Council members Tupper and Yoder will be out of town on that date. An alternate date of Thursday, April 5, 1990, was suggested.

2-90-043

Motion by Councilman Yoder, supported by Councilman Hartsock, to schedule a meeting of Council members with the Chairpersons of the City's Boards and Commissions for 7:30 p.m. on Thursday, April 5, 1990. Motion carried, all ayes.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Council was advised that openings become available next month on the Farmington Community Library Board of Trustees and the Farmington Historical Commission.

2-90-044

Motion by Councilwoman McShane, supported by Councilman Hartsock, to appoint Barbara A. Walker to a new 4-year term on the Farmington Community Library Board of Trustees, said term to expire March 1, 1994. Motion carried, all ayes.

2-90-045

Motion by Councilman Yoder, supported by Councilman Tupper, to appoint Nancy Leonard and Charles Carvel to a new 3-year term on the Farmington Historical Commission, said term to expire March 13, 1993. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

2-90-046

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

ORDINANCE C-568-90

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 Section 5.42 as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

CHAPTER 5 - PROHIBITIVE PARKING

ADD:

Section 5.42 Orchard Street - Access Driveway

(A) Both sides from Orchard Street south to private parking area limits.

This ordinance was introduced at a regular meeting of the Farmington City Council on February 5, 1990, was adopted and enacted at the next regular meeting of the City Council on February 19, 1990, 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: March 1, 1990.
Effective: March 12, 1990.

COUNCIL PROCEEDINGS -12-
February 19, 1990

2-90-047

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

ORDINANCE C-569-90

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 1, Add to Section 1.14 as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

CHAPTER 1 - STOP STREETS

ADD TO:

Section 1.14 - Miscellaneous

Northbound access driveway at Orchard Street.

This ordinance was introduced at a regular meeting of the Farmington City Council on February 5, 1990, was adopted and enacted at the next regular meeting of the City Council on February 19, 1990, and will become effective ten (10) days after publication.

SHIRLEY V. RICHARDSON, MAYOR

JOSEPHINE M. BUSHEY, CITY CLERK

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

Published: March 1, 1990.
Effective: March 12, 1990.

COUNCIL PROCEEDINGS -13-
February 19, 1990

WARRANT LIST

2-90-048

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$15,820.71; Water & Sewer Fund \$16,082.02.


ROLL CALL


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

MOTION CARRIED.

ADJOURNMENT

The meeting adjourned at 10:08 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved as corrected 3/6/90.

RESOLUTION NO. 2-90-034
IN SUPPORT OF PRIMARY ENFORCEMENT
OF THE SAFETY-BELT-USE LAW

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

WHEREAS: Support for primary enforcement is growing among
health care specialists in this state.

WHEREAS: Michigan's safety belt use law is the state's only
traffic law that does not allow primary enforcement.

WHEREAS: Primary enforcement of the safety belt use law would
prevent thousands more injuries annually, and save
Michigan millions of dollars in medical costs.

WHEREAS: Studies show that Michigan could increase compliance
by 17-20 percent with primary enforcement.

WHEREAS: In 1988 almost 80 percent of those killed in auto
crashes were not buckled up.

WHEREAS: Secondary enforcement discourages officers from
enforcing the law.

THEREFORE BE IT RESOLVED THAT:

The City of Farmington supports the primary enforce-
ment of Michigan's safety belt use law and will
encourage legislators representing this area to work
for the passage of primary enforcement.

Be it also resolved that the clerk will send a copy
of this to all legislators that represent the
district.

ROLL CALL:

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

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 19, 1990.

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 19, 1990, in the
City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 2-90-037

Motion by Yoder, supported by Tupper,

to adopt the following resolution:

WHEREAS, the Farmington City Council has reviewed a request to split a parcel of property, located on the south side of Shiawassee west of Cass Street by splitting off the rear of Lot 45 and a portion of the rear of Lot 44 of Assessor's Plat No. 4;

BE IT RESOLVED that the Farmington City Council hereby authorizes the splitting of Parcel Nos. 23-28-228-016 and -025 by the owners, John and Ann Sherlock and Bob and Cindie Casazza as shown on the attached drawing, which is made a part of this resolution.

ROLL CALL

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

NAYS: None.

ABSENT: None.

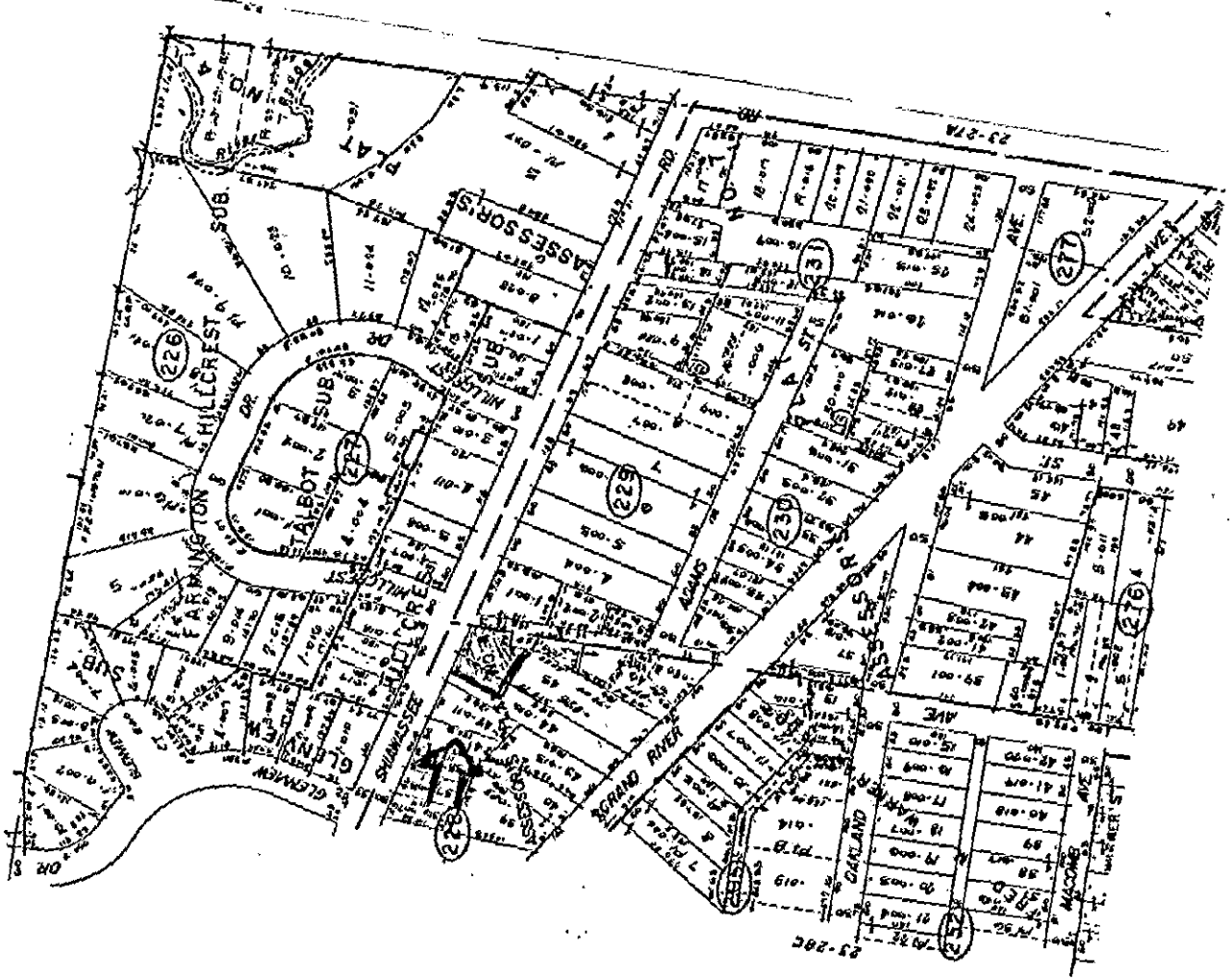
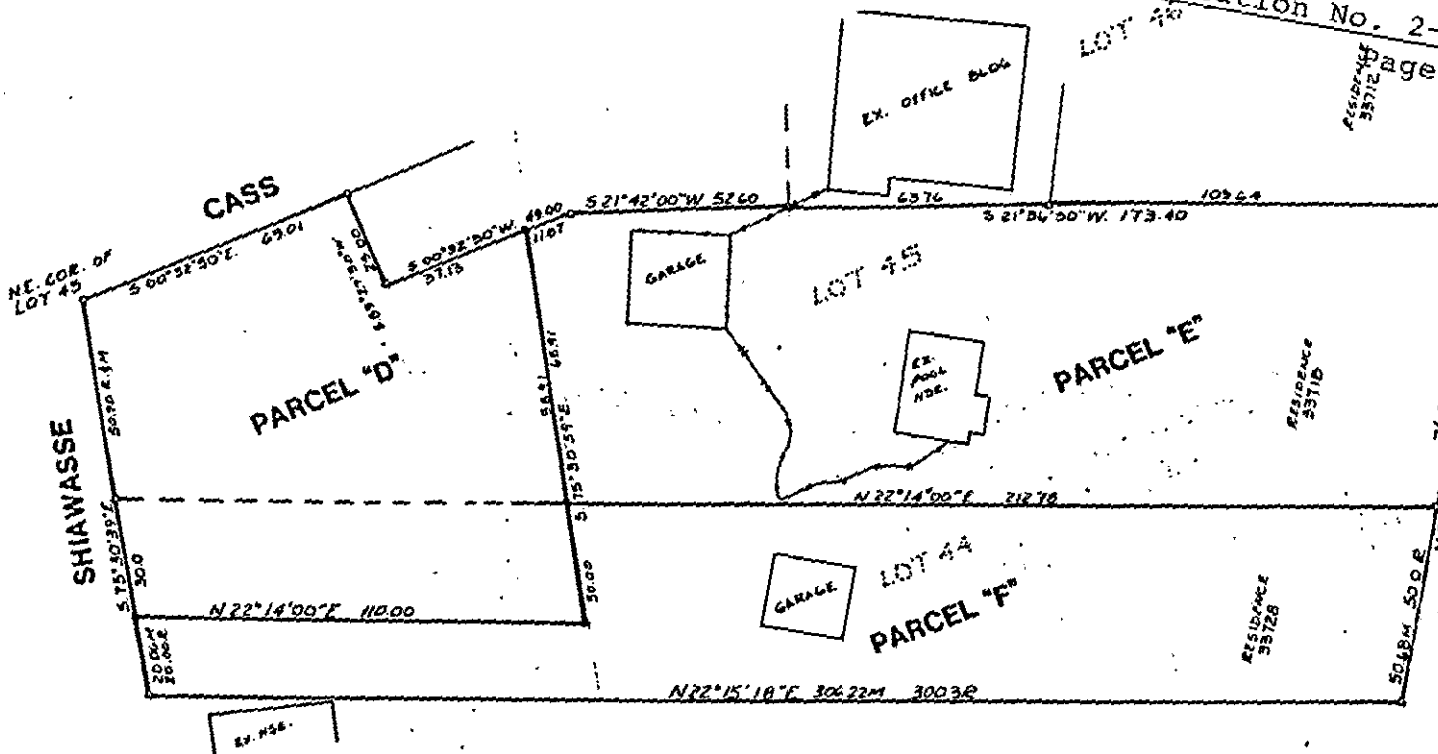
RESOLUTION DECLARED ADOPTED FEBRUARY 19, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

.....

I, Josephine M. Bushey, duly authorized Clerk for the City of Farmington, do hereby certify that the above is a true and correct copy of a resolution adopted by the Farmington City Council at a regular meeting held on February 19, 1990.

Josephine M. Bushey, City Clerk



EX. HSE.

Council Resolution No. 290-037

30.00

N.22°15'18"

LEGAL DESCRIPTIONS:PARCEL "D"

Land in the City of Farmington, Oakland County, Michigan, being a part of Lots 44 and 45 of Assessor's Plat No. 4 as recorded in Liber 54A of Plats, on Page 60, Oakland County Records, and more particularly described as follows: Beginning at the Northeast corner of said Lot 45; thence S.00°32'30"E., 69.01 ft. along the East line of said Lot 45; thence S.89°27'30"W. (previously described as S.87°27'30"W.), 25.00 ft.; thence S.00°32'30"E., 37.13 ft.; thence N.75°30'39"W., 98.91 ft.; thence N.22°14'00"E., 110.00 ft. to a point on the Southerly line of Shiawassee Road; thence S.75°30'39"E., 80.70 ft. along said Southerly line to the point of beginning. Containing 10,187 Square Feet or 0.2339 Acres of land.

PARCEL "E"

Land in the City of Farmington, Oakland County, Michigan, being a part of Lot 45 of Assessor's Plat No. 4 as recorded in Liber 54A of Plats, on Page 60, Oakland County Records, and more particularly described as follows: Commencing at the Northeast corner of said Lot 45; thence S.00°32'30"E., 69.01 ft. along the East line of said Lot 45; thence S.89°27'30"W. (previously described as S.87°27'30"W.), 25.00 ft.; thence S.00°32'30"E., 37.13 ft. to the point of beginning; thence S.00°32'30"E., 11.87 ft.; thence S.21°42'00"W., 52.60 ft. to the Northwest corner of Lot 46; thence S.21°36'50"W., 173.40 ft. along the line common to Lots 45 and 46 to a point on the Northerly line of Grand River Ave. (66 ft. wide); thence N.56°35'45"W., 76.70 ft. to a point on the line common to Lot 44 and 45, along the Northerly line of Grand River Ave.; thence N.22°14'00"E., 212.78 ft. along the line common to Lot 44 and 45; thence S.75°30'39"E., 68.91 ft. to the point of beginning. Containing 16,627.23 Square Feet or 0.3817 Acres of land.

PARCEL "F"

Land in the City of Farmington, Oakland County, Michigan, being a part of Lot 44 of Assessor's Plat No. 4 as recorded in Liber 54A of Plats, on Page 60, Oakland County Records, and more particularly described as follows: Commencing at the Northeast Corner of Lot 45 of said Assessor's Plat; thence N.75°30'39"W., 80.70 ft. along the Southerly line of Shiawassee Road; thence S.22°14'00"W., 110.00 ft.; thence S.75°30'39"E., 30.00 ft. to a point on the line common to Lots 44 and 45; thence S.22°14'00"W., 212.78 ft. along said common line to a point on the Northerly line of Grand River Ave. (66 ft. wide); thence N.56°35'45"W., 50.68 ft. along said Northerly line to the line common to Lots 44 and 43; thence N.22°15'18"E., 306.22 ft. along the West line of Lot 44 to a point on the Southerly line of Shiawassee Road; thence S.75°30'39"E., 20.06 ft. to the point of beginning. Containing 12,348.75 Square Feet or 0.2835 Acres of land.

CITY OF FARMINGTON
OAKLAND COUNTY, MICHIGAN

NOTICE OF ADOPTION OF RESOLUTION BY CITY COUNCIL
AUTHORIZING EXECUTION OF A CONTRACT PLEDGING THE
FULL FAITH AND CREDIT AND TAXING POWER OF THE
CITY AND NOTICE OF RIGHT TO PETITION
FOR REFERENDUM UPON THE CONTRACT

TO ALL ELECTORS AND TAXPAYERS
OF THE CITY OF FARMINGTON AND
OTHER INTERESTED PERSONS:

NOTICE IS HEREBY GIVEN, that on September 18, 1989, the City Council of the City of Farmington adopted a resolution approving and authorizing the execution and delivery of THE EVERGREEN AND FARMINGTON SEWAGE DISPOSAL SYSTEMS INTERMUNICIPAL CONTRACT CONCERNING WASTEWATER TREATMENT AND POLLUTION CONTROL PROJECTS with the County of Oakland and fourteen other Municipalities in said County, pursuant to the provisions of Act 342, Public Acts of Michigan, 1939, as amended, relative to the construction and financing of sewage disposal facilities in several projects identified on exhibits attached to said Contract and now or hereafter to be acquired to serve this City alone or in combination with several other or all of the other Municipalities named in said Contract and exhibits.

PURPOSE OF CONTRACT AND
OF THIS NOTICE

The contract has for one of its purposes and provides for the acquisition and construction of Permanent Meter Installations and for Interceptor Rehabilitation Projects as described in Exhibit C-1 to the Contract at an estimated cost described in Exhibit D to the Contract to be apportioned to and shared by all

of the Municipalities parties to the Contract in percentages and amounts set forth on Exhibit E to the Contract and for the issuance of bonds by the County of Oakland in principal amount sufficient with other available moneys, if any, to defray the cost of acquiring and constructing the so-called Exhibit C-1 Project. The contract as approved estimates the total cost of the Exhibit C-1 Project to be \$2,425,000 but also provides that the County may increase the cost of the acquisition and construction of such facilities in order to complete the same in accordance with the plans approved in the contract and issue additional bonds therefor without further approval by this City. The percentage and dollar amount apportioned to this City in Exhibit E is .689% and \$16,710. The contract also provides that the cost may be increased by variations or changes in the plans with approval of this City and paid for by the issuance of additional County bonds or in any other way agreed to with this City. The bonds to be issued will be secured primarily by the obligations of the several Municipalities named in Exhibit E to the Contract to pay the principal of and interest on the bonds when due in the proportions set forth on Exhibit E.

CITY'S CONTRACTUAL OBLIGATION
AND SOURCE OF PAYMENT

The bonds to be issued by the County of Oakland will bear interest at a rate or rates not to exceed 12% per annum and will mature serially over a period not exceeding 40 years. The full faith and credit of this City of Farmington have been pledged in the contract for the making of payments to the County in amounts sufficient to pay its apportioned share of the principal of and interest on the bonds as the same shall become

due and for the payment of its share of the bond service charges incurred by the County. Taxes levied by the City for the payment of its obligations to the County will be subject to applicable constitutional, statutory and charter limitations.

RIGHT TO PETITION FOR REFERENDUM ON CONTRACT

This notice is given by order of the City Council to and for the benefit of the electors and taxpayers of the City of Farmington and any other interested persons in order to inform them of their right to petition for a referendum upon the contract. The contract will not become effective until the expiration of 45 days after the publication of this notice. If, within said 45-day period, a petition signed by 10% or 15,000, whichever is the lesser, of the registered electors residing within the City is filed with the City Clerk requesting a referendum upon the contract, the contract will not become effective until approved by a majority of the electors of the City qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the subject matter of the contract and this notice, including the description and location of the facilities, may be secured at the office of the City Clerk where a copy of the contract is available for examination during normal business hours.

This notice is given pursuant to the provisions of
Section 5b of Act 342, Public Acts of Michigan, 1939, as amended.

JOSEPHINE M. BUSHEY
City Clerk
City of Farmington

(EXHIBIT A)

SEWER IMPROVEMENT BOND ISSUE
DEBT SERVICE FUNDING ALTERNATIVES

ANNUAL SEWER RATE COST

ANNUAL PROPERTY TAX COST

<u>Usage</u>	<u>Rate</u>	<u>Total</u>	<u>Assessed Value</u>	<u>Tax Rate</u>	<u>Rate</u>
80,000 gals.	\$1.41	\$113	\$40,000	2.8 mills	\$112
100,000		141	50,000		140
125,000		176	60,000		168
150,000		212	70,000		196

RESOLUTION CALLING SPECIAL ELECTION

City of Farmington
County of Oakland, State of Michigan

Minutes of a regular meeting of the City Council of the City of Farmington, County of Oakland, State of Michigan, held on the 19th day of February, 1990, at 8:00 o'clock p.m., Eastern Standard Time.

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

ABSENT: Members None.

The following preamble and resolution were offered by Member Hartsock and supported by Member Yoder.

WHEREAS, the City Council (the "Council") of the City of Farmington (the "City") has determined that it is necessary for the City to undertake certain improvements to its sewage disposal system so as to eliminate combined sanitary and storm water overflows from the Rouge River, said improvements consisting generally of constructing a 3.2 million gallon retention facility and appurtenances, constructing new sanitary and storm sewer lines to service certain locations, and repairing and upgrading existing sanitary lines and existing sewerage pump stations, together with all appurtenances and attachments reasonably necessary therefor (collectively, the "Improvements"); and

WHEREAS, the City estimates the cost of the Improvements shall not exceed Twelve Million Dollars (\$12,000,000); and

WHEREAS, the City is eligible to participate in the Michigan Water Pollution Control Revolving Fund Program (the "Program"), which makes available low-interest loans for qualifying pollution control projects; and

WHEREAS, the City desires to finance the Improvements through participation in the Program; and

WHEREAS, the Council has determined that it is advisable for the City to borrow money in an amount not to exceed Twelve Million Dollars (\$12,000,000) and to issue its general obligation bonds in such amount for the purpose of paying the cost of the Improvements; and

WHEREAS, it is necessary to submit the proposed borrowing and the issuance of the bonds to the qualified electors of the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. A special election is hereby called to be held in the City on Tuesday, May 22, 1990, between the hours of 7 o'clock a.m. and 8 o'clock p.m., at which election there shall be submitted to vote of the qualified electors of the City the proposition of borrowing the said sum of not to exceed Twelve Million Dollars (\$12,000,000) and issuing general obligation bonds of the City therefor.

2. The proposition to be submitted at said election shall be stated on a separate ballot, or as a separate proposition on voting machines, in substantially the following form:

Sewage Disposal System
Bonding Proposition

Shall the City of Farmington, County of Oakland, Michigan, borrow the principal amount of not to exceed Twelve Million Dollars (\$12,000,000) and issue its general obligation unlimited tax bonds therefor, for the purpose of paying all or a part of the cost of acquiring and constructing improvements to the City's sewage disposal 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 lines and existing sewerage pump stations in the City of Farmington together with all appurtenances and attachments reasonably necessary therefor?

3. The City Clerk shall cause notice of last day for registration to be published as a display advertisement at least twice in the ~~FARMINGTON OBSERVER~~, a newspaper of general circulation in the City, prior to the last day for receiving registrations, the first publication to be not less than ten (10) full days prior to said last day for receiving registrations.

4. The notice of registration shall be in substantially the following form:

NOTICE OF THE LAST DAY FOR RECEIVING
REGISTRATIONS FOR THE SPECIAL ELECTION
TO BE HELD IN THE CITY OF FARMINGTON
ON MAY 22, 1990

PLEASE TAKE NOTICE that any qualified elector of the City of Farmington, County of Oakland, Michigan, who is not already registered may register for the special election to be held on the 22nd day of May, 1990 in said City.

The City Clerk will be at the Clerk's office in the City on each working day during regular working hours until and including Monday, April 23, 1990, for the purpose of receiving registrations of qualified electors of the City of Farmington not already registered.

On Monday, April 23, 1990, which is the last day for receiving registrations for said election to be held on Tuesday, May 22, 1990, the City Clerk will be at the Clerk's office between the hours of 8:00 a.m. and 5:00 p.m., Eastern Daylight Time, for the purpose of receiving registrations of qualified electors.

The following proposition will be submitted to the electors of the City of Farmington at said special election:

Sewage Disposal System
Bonding Proposition

Shall the City of Farmington, County of Oakland, Michigan, borrow the principal amount of not to exceed Twelve Million Dollars (\$12,000,000) and issue its general obligation unlimited tax bonds therefor, for the purpose of paying all or a part of the cost of acquiring and constructing improvements to the City's sewage disposal 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 lines and existing sewerage pump stations in the City of Farmington together with all appurtenances and attachments reasonably necessary therefor?

THE LAST DAY FOR RECEIVING REGISTRATIONS FOR SAID ELECTION TO BE HELD TUESDAY, MAY 22, 1990, WILL BE MONDAY, APRIL 23, 1990.

JOSEPHINE BUSHEY
Clerk, City of Farmington

5. The City Clerk shall cause notice of the special election to be published at least twice as a display advertisement before the date of election in the FARMINGTON OBSERVER a newspaper of general circulation in the City, the first publication to be not less than ten (10) full days prior to the date of said election.

6. The notice of the said special election shall be in substantially the following form:

NOTICE OF SPECIAL ELECTION

TO THE QUALIFIED ELECTORS OF THE CITY OF FARMINGTON:

PLEASE TAKE NOTICE that a special election will be held in the City of Farmington, County of Oakland, Michigan, on Tuesday, the 22nd day of May, 1990, from 7:00 o'clock a.m. to 8:00 o'clock p.m., at which time there will be submitted to vote of the qualified electors of said City the following proposition:

Sewage Disposal System
Bonding Proposition

Shall the City of Farmington, County of Oakland, Michigan, borrow the principal amount of not to exceed Twelve Million Dollars (\$12,000,000) and issue its general obligation unlimited tax bonds therefor, for the purpose of paying all or a part of the cost of acquiring and constructing improvements to the City's sewage disposal 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 lines and existing sewerage pump stations in the City of Farmington together with all appurtenances and attachments reasonably necessary therefor?

THE PRINCIPAL OF AND INTEREST ON SAID BONDS SHALL BE PAYABLE FROM FUNDS OF THE CITY LEGALLY AVAILABLE THEREFOR, INCLUDING AD VALOREM TAXES LEVIED IN AMOUNTS SUFFICIENT TO PAY SAID PRINCIPAL AND INTEREST, WHICH LEVY MAY BE IN EXCESS OF CHARTER TAX RATE LIMITS.

All qualified and registered electors may vote on the above bonding proposition.

The places of voting will be as follows:

[insert list of polling places]

This Notice is given by authority of the City Council of the City of Farmington, County of Oakland, Michigan.

JOSEPHINE BUSHEY
Clerk, City of Farmington

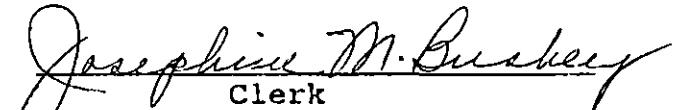
7. The useable life of the aforesaid improvements is estimated to be not less than twenty (20) years.

8. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution, are hereby repealed.

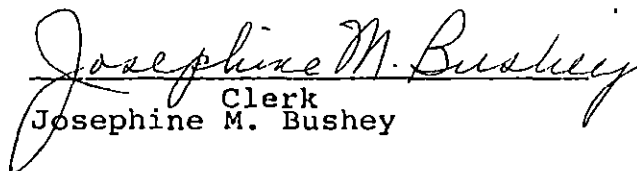
AYES: Members Yoder, Hartsock, McShane, Richardson,
Tupper.

NAYS: Members NONE.

RESOLUTION DECLARED ADOPTED FEBRUARY 19, 1990.


Clerk
Josephine M. Bushey

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Farmington, County of Oakland, State of Michigan, at a regular meeting held on the 19th day of February, 1990, and that said meeting was conducted and public notice of said meeting was given pursuant to Act No. 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.


Clerk
Josephine M. Bushey

27756/0015/dmpm1155.txt.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Tuesday, March 6, 1990, 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 Engineer Mariner, City Attorney Donohue, Adm. Assistant Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

Mayor Richardson called attention to page 3, paragraph 3, line 3 of the minutes of February 19, 1990. She pointed out that the Beautification Committee Open House date is March 29th rather than March 19th.

3-90-049

Motion by Councilman Yoder, supported by Councilwoman McShane, to approve the minutes of the previous meeting of February 19, 1990, as corrected. Motion carried, all ayes.

PUBLIC HEARING

SEWER SEPARATION AND IMPROVEMENT PROGRAM PROJECT PLAN

[SEE ATTACHED TRANSCRIPT]

3-90-050

Motion by Councilman Yoder, supported by Councilman Tupper, to close the Public Hearing. Motion carried, all ayes.

Councilman Hartsock agreed with the Mayor that this is the single largest project the City of Farmington has ever embarked upon. He urged those present at the Public Hearing to go back home, give it some thought and talk to their neighbors relative to the options we have as a community. He pointed out that the hearing was taped for rebroadcast on the cable system. He urged all to talk with their neighbors and let them know that there is a ballot question on the project on May 22, 1990, and that residents do have a choice on how to pay for it.

At 9:05 p.m., Mayor Richardson called for a motion to take a five minute break.

3-90-051

Motion by Councilman Tupper, supported by Councilwoman McShane, to take a five minute break before continuing with the meeting. Motion carried, all ayes.

Mayor Richardson called for the meeting to reconvene at 9:15 p.m.

COUNCIL PROCEEDINGS -2-
March 6, 1990

MINUTES OF OTHER BOARDS

3-90-052

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

- Downtown Development Authority minutes of February 6, 1990;
- Board of Zoning Appeals minutes of February 7, 1990;
- Traffic and Safety Board minutes of January 18, 1990;
- Farmington Area Arts Commission minutes of February 15, 1990;
- Farmington Area Commission on Aging minutes of February 27, 1990;
- Board of Education minutes of February 6, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM CENTER FOR OAKLAND COUNTY
OPEN HOUSING RE: RESOLUTION SUPPORTING
FAIR OPEN HOUSING

Council was advised that this is a nonprofit program to build community understanding and support for fair/open housing; also to achieve stable/integrated housing in Oakland County.

The City Manager stated that the organization provides a referral service to house seekers in making pro-integrative moves in the County. He pointed out that they should seek support for their mission from community leaders.

Council was advised that the organization requests the adoption of a resolution supporting its mission.

3-90-053

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

[SEE RESOLUTION ATTACHED]

LETTER FROM FARMINGTON PUBLIC SCHOOLS
RE: FACILITIES STUDY TASK FORCE

The City Manager advised that beginning this month the Farmington Public Schools will initiate a facilities study. They ask that a Council member serve on a subcommittee or act as a resource person.

Councilman Yoder suggested that Councilman Tupper serve in this capacity. Mr. Tupper accepted.

COUNCIL PROCEEDINGS -3-
March 6, 1990

3-90-054

Motion by Councilman Yoder, supported by Councilman Hartsock, to appoint Councilman Tupper to the Farmington Public Schools Facilities Study Task Force. Motion carried, all ayes.

LETTER FROM METROBANK PRESIDENT
RE: TEMPORARY BANK FACILITIES
DURING CONSTRUCTION

Council was advised that the President of Metropolitan National Bank of Farmington requests permission to locate modular banking facilities on the rear of the current bank property during construction of a new bank building. The City Manager stated that the new facility is scheduled for completion in November of 1990.

The Mayor asked Bank President Heinrich at what stage of construction the new facility will be at Farmington Festival time. He advised that the tentative schedule calls for construction to begin around the first to the middle of May. Mr. Heinrich stated that construction equipment probably will be on site at Festival time.

3-90-055

Motion by Councilman Yoder, supported by Councilwoman McShane, to grant permission to Metropolitan National Bank of Farmington to operate during construction of a new bank by using a temporary, on-site modular bank facility. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

CANCELLATION:
MARCH 19, 1990 COUNCIL MEETING

The City Manager recommended that the regular Council meeting of March 19, 1990, be cancelled due to schedule conflicts and the absence of several Council members from the community during the week of March 19th. He pointed out that the City Charter requires only one regular Council meeting a month.

3-90-056

Motion by Councilman Hartsock, supported by Councilman Tupper, to cancel the regular meeting of March 19, 1990. Motion carried, all ayes.

OAKLAND COUNTY ANIMAL CONTROL FEES

Council was advised that proposed fees for 1990 increase the cost from \$9.12 to \$9.54 for live animal disposal and from \$7.98 to \$8.45 for dead animal disposal, effective January 1, 1990, upon approval of the Oakland County Board of Commissioners.

Manager Deadman recommended that City Council accept the 1990 animal control fee structure and authorize the City Manager to execute the renewal contract with the County.

COUNCIL PROCEEDINGS -4-
March 6, 1990

3-90-057

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the continuance of the Oakland County Animal Care Division agreement for the disposal of alive and dead animals according to the rate increases designated in said agreement, and

BE IT FURTHER RESOLVED that the City Manager be authorized to execute said agreement, which is to expire December 31, 1990.

VOTE:

AYES: 5.
NAYS: None.
ABSENT: None.

RESOLUTION DECLARED ADOPTED MARCH 6, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

GRAND RIVER/FARMINGTON ROAD
INTERSECTION RECOMMENDATION

Council was advised that to provide additional gaps for northbound Farmington Road at this intersection, the Highway Department recommends the restriping of southbound Farmington Road to make available two full southbound lanes. The Department further recommends that left turns from southbound Farmington Road to eastbound Grand River be prohibited.

Council was further advised that the Highway Department recommends that left turns from southbound Farmington be prohibited to allow this intersection to clear faster.

The City Manager submitted for Council review a drawing showing additional detail of the proposed intersection design. He recommended that the administration be authorized to contact the Michigan Department of Transportation relative to restriping the intersection according to the recommended design.

3-90-058

Motion by Councilwoman McShane, supported by Councilman Tupper, to authorize the administration to contact MDOT indicating the community's agreement to restripe the intersection of Grand River/Farmington Road according to the recommended design. Motion carried, all eyes.

GRAND RIVER/GROVE SIGNALIZATION

Council was advised that the pedestrian activated traffic signal at the Grand River/Grove intersection is causing some confusion

on the part of drivers. Council was further advised that the Public Safety Department and the Farmington Traffic and Safety Board recommend that the signal be made fully operational, synchronized to operate with the Grand River/Farmington Road signal to better regulate traffic and to provide gaps for safer pedestrian crossings in the downtown area.

3-90-059

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

[SEE ATTACHED RESOLUTION]

TREE REMOVAL ASSESSMENT
33725 STATE STREET

Council was advised that the time has expired on the unpaid invoice for removal of a diseased elm tree at 33725 State Street. The City Manager recommended that City Council authorize informing the owner that Council will act upon this delinquent payment at their next regularly scheduled meeting.

The Mayor questioned the \$720 invoice compared to the original \$600 charge. She was advised that the City may add 20% to the delinquent payment for administrative costs.

Councilwoman McShane asked if every effort was made to secure settlement with the property owner. She was advised that the owner was billed twice; that the time allowed under the City Ordinance or Charter has passed. The City Manager stated that if there are any extenuating circumstances, he is not aware of them. He advised that numerous attempts to reach the owner have been unsuccessful, and the owner has not returned the city's calls.

3-90-060

Motion by Councilman Hartsock, supported by Councilwoman McShane, to authorize a notice to the property owner advising that Council will act upon the delinquent payment for the removal of the diseased elm tree at their next meeting, April 2, 1990. Motion carried, all ayes.

FINAL CONTRACTOR PAYMENT
1987 MAJOR STREET REHABILITATION

Council was advised that the City has received all the necessary documents to close out the contract on the 1987 Major Street Rehabilitation Program. The engineer recommended that the City accept the project and make final payment.

The City Manager pointed out that the delay in closing out this contract was caused by inordinate delays on the contractor's part in furnishing final documents and correcting the final change

COUNCIL PROCEEDINGS -6-
March 6, 1990

order on the project. He stated that the work completed is acceptable and substantially in compliance with the project plans. He further recommended approval of the final construction estimate and authorization of final payment to Detroit Concrete Products.

3-90-061

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

BE IT RESOLVED that the Farmington City Council hereby approves the final construction estimate for the 1987 Major Street Rehabilitation Program, and

BE IT FURTHER RESOLVED that the City Council authorize payment in the amount of \$18,966.73 to Detroit Concrete Products of Milford, Michigan, and

FURTHER BE IT RESOLVED that funds be provided from the proceeds of the 1987 Highway Bonds.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED MARCH 6, 1990.

PURCHASE OF PLASTIC TRASH BAGS

Council was advised that bids for plastic trash can liners were opened at 2:00 p.m. on Monday, February 26, 1990, with six out of fourteen vendors responding.

The City Manager stated that the three low bidders were:

Bay Valley Plastics Bay City, MI. (Troy, MI. Office)	\$7.00 per box of 100
Arrow Industries Dallas, Texas	7.49 per box of 100
Atlas Bag Co. Wyandotte, MI.	12.40 per box of 100

Manager Deadman pointed out that the low bid is \$0.20 less than last year for a 2 mil bag. He recommended that the City continue to sell the bags to residents at \$9.50 per 100, applying the difference to defray the cost of handling.

COUNCIL PROCEEDINGS -7-
March 6, 1990

3-90-062

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

BE IT RESOLVED that the Farmington City Council hereby awards a contract to Bay Valley Plastics of Troy, Michigan, for 100,000 plastic trash can liners at \$7.00 per box of 100, and

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

ROLL CALL

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

RESOLUTION DECLARED ADOPTED MARCH 6, 1990.

SMOKING IN MUNICIPAL BUILDINGS

Council was advised that the use of the employee lounge as a designated smoking area is objectionable to some employees, especially those who work in close proximity to the lounge.

The City Manager pointed out that the design of the heating/cooling system does not provide for makeup air. He stated that the location of the lounge area in the basement places further restrictions on the amount of fresh air that can be introduced.

The City Manager recommended that smoking be banned in the municipal building and in offices, locker rooms, meeting rooms and employee lounge areas of other city buildings, effective June 1, 1990. He suggested that Council authorize the administration to pay up to \$200 per employee to assist participation in stop smoking programs for the next twelve months.

Councilman Yoder applauded the non-smoking policy, but stated that the \$200 per employee is an undue expenditure.

Councilman Tupper agreed that the non-smoking policy should be adopted, but he was concerned about what precedent the \$200 contribution would set.

Councilman Hartsock favored the non-smoking policy, but felt that a time limit should be placed upon the \$200 per employee expenditure. He pointed out that the City pays employee insurance premiums that may or may not be used.

Councilwoman McShane stated that the non-smoking policy would prove cost effective in the future by promoting better productivity among employees who take advantage of the stop smoking assistance.

COUNCIL PROCEEDINGS -8-
March 6, 1990

3-90-063

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

BE IT RESOLVED that effective June 1, 1990, smoking will not be permitted within the municipal building at 23600 Liberty Street and in the offices, employee locker rooms, lounges and meeting rooms in other City buildings, and

BE IT FURTHER RESOLVED that the Farmington City Council hereby authorizes for the next twelve months that the City pay up to \$200 per employee toward the cost of participation in an authorized stop smoking program.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED MARCH 6, 1990.

MISCELLANEOUS

PUBLIC COMMENT

Michele Rhoton, 23523 Wesley Drive, asked if the Shiawasse/Farmington intersection is tied in with the new traffic improvement at Grand River and Farmington Road. She was advised that it will be.

FINANCIAL REPORTS, SEVEN MONTHS ENDED
JANUARY 31, 1990

3-90-064

Motion by Councilman Tupper, supported by Councilwoman McShane, to receive and file the General Fund and the 47th District Court financial reports for the seven months ended January 31, 1990. Motion carried, all ayes.

PUBLIC SAFETY DEPARTMENT

ANNUAL REPORT: DECEMBER, 1989

Public Safety Director Lauhoff reviewed the annual report. Everyone was invited to the Department's Awards Program scheduled for the evening of March 8, 1990, when several Officers and civilians will be recognized for outstanding service.

3-90-065

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the Public Safety Department Annual Report for December, 1989. Motion carried, all ayes.

COUNCIL PROCEEDINGS -9-
March 6, 1990

WARRANT LIST

3-90-066

Motion by Councilman Tupper, supported by Councilman Yoder, to approve the monthly bills as submitted: General Fund \$73,125.38; Water & Sewer Fund \$7,108.95.

ROLL CALL

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

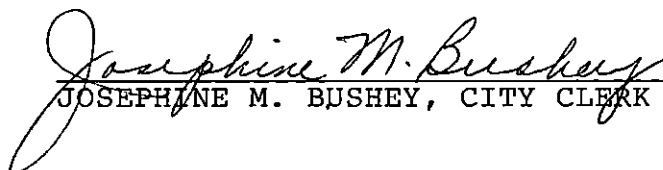
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Tupper 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: April 2, 1990.

PUBLIC HEARING - SEWER IMPROVEMENT PROGRAM

CITY COUNCIL MEETING

March 6, 1990

A Public Hearing of the Farmington City Council was held on Tuesday, March 6, 1990, 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, Engineers Mariner, Korpula and Latham, City Attorney Donohue, Adm. Assistant Schultz, City Clerk Bushey.

Comments by Mayor:

Ladies and Gentlemen, I, Mayor Shirley Richardson, thank you for attending this our first public information meeting regarding a \$12,000,000 Sewer Separation Project for the City of Farmington. We have called this meeting in order to comply with State of Michigan revolving loan fund stipulations and to inform Farmington citizens of the Sewer Separation Project. We will be happy to answer your questions at the conclusion of the presentation. At this time, it gives me a great deal of pleasure to introduce, the City Council members, along with the guest speakers for the evening and City administration.

The Mayor introduced; Mayor Pro-Tem, Ralph Yoder, Councilman Richard Tupper, Councilwoman JoAnne McShane, and Councilman William S. Hartsock. Our presenters this evening will be Mr. Robert Deadman, our City Manager, and representing the City engineering firm, Mr. Thomas Korpula and Mr. James Latham of Black and Veatch engineering firm. Also present this evening, and available for questions during the question and answer period are: Mr. Jack Patel, the Environmental Engineer of the Michigan Department of Natural Resources; Mr. Rory Chornack, who is the District Supervisor in Northville, with the Department of Natural Resources.

Before Mr. Deadman begins, I believe that it is appropriate to relay a few words on behalf of City Council. First, this project is the largest in the City of Farmington's history. It is also the most costly we have undertaken to date. While we as citizens of Michigan and the United States are acutely aware of our responsibilities to maintain, and if possible, enhance our

PUBLIC HEARING -2-
March 6, 1990

environment, particularly, as in this case, our water resources, we are also equally mindful of our monetary duties. In the end, after all is said and done, we have only one choice with regard to this project. How will we pay for it? I believe there are two choices. You will learn about these as we progress with the presentation this evening. Second, as Council members, we have studied the issue in great detail over the past several years, and it is important to note that Farmington is not facing this pollution alone. The problem is a national problem. Locally within the River Rouge Basin, forty-seven (47) communities must come to grips with this issue, just as we are doing tonight. I am proud to say, we citizens of Farmington, are living up to our obligations and confronting this important issue head-on.

At this point, I'll remind you, that following the formal presentation, you will be invited to ask questions relevant to the topic.

Mr. Robert Deadman, City Manager, will now begin our formal presentation, Mr. Deadman.

As I look around the room, I see some folks who have lived in this community a long time and who probably know the history of the sewer system better than I do, but for newcomers in the community I thought it might be helpful to give just a brief overview of how we got to this point. Back in the thirties and forties, and early fifties, the City was basically served by septic tanks, and when they began to fail people began to hook them into the City storm sewer system. Those storm sewers went right to the Rouge River and whether it was raining or not the sewerage was flowing in the Rouge River.

The Water Resources Commission in the State of Michigan came down hard on the City of Farmington back in 1953. They said, "You can't do that any more. You must hook up this system to a treatment facility". The City of Detroit was selected as that treatment facility back in 1953. The City's individual contract with Detroit provides for sewer treatment. At the same time, because the capacity of Detroit was limited, the City built what we call a storm water treatment plant, and it is in operation today, even as we speak. The storm water treatment plant basically was intended to pull the solids out of the system during storm water times. The storm water would come into the combined sewer system of the City; the sanitary would be in the lower part of the pipe and flush down and through the storm water treatment plant which pulled the solids out. The storm water in the top part of the pipe would go on and flush into the Rouge River. This system was pretty innovative for the time. Because part of the solution being proposed for the entire Rouge Basin is to begin the treatment

PUBLIC HEARING - 3
March 6, 1990

of storm water much more aggressively than we do here, much more extensively, holding back a lot more. We presently only retain 150,000 gallons when we have a storm in this community. The Remedial Action Program we'll talk about in a bit, calls for a lot more retainage and a lot more treatment.

With that background, in the 1970's the federal government got into the act and began to cause communities like Farmington to take a hard look at their sewer system and to make plans for the future. They didn't deal very well, quite frankly, with systems like ours. By the way, practically the entire northeast of this country and parts of the south have systems just like ours, combined sewers. In the dry period, the water goes to be treated, and wet periods the sewers flush it out to the nearest stream. The federal government really didn't come to grips with that until the 80's.

The DNR, in cooperation with the SEMCOG, began a study in the late 1980's and as they were doing that we began aggressively studying our own sewer system to see what we could do, and we are here to talk about that tonight. About the time they got the Remedial Action Program done for the Rouge River Basin, we were about ready to do something about our own system. With that background we begin our more formal presentation.

By showing slides, Mr. Deadman proceeded: This is what we all enjoy, certainly in the State of Michigan, clean water, clean streams. The Rouge River at one time in this community was a very clean stream; certainly no longer true today. It's not bad in Farmington, and it gets much worse as it proceeds south along the Rouge River as more and more communities put their sewerage or their storm water combined with sewerage in the river. According to a national poll which was financed by the federal government as to what are the major issues in this nation: Number one was environmental concern. It was ahead of drugs and ahead of crime. There is a lot of concern by U.S. citizens about what we are going to do with our own environment. I suspect Exxon helped that situation just recently, last year with the big spill in Alaska. On this slide, we are looking at the Rouge River Basin. You can see it is a very large area. The upper branch of the Rouge River that we are dealing with in Farmington is part of the Rouge Basin located in parts of Oakland, Wayne, Washtenaw, and Plymouth. So it is a very large basin encompassing, as stated earlier, forty-seven (47) different communities in the Rouge River basin. Ultimately the outlet is the Detroit River.

The study that was offered by SEMCOG was done in cooperation with the DNR and many other groups. We participated in it along with our engineering firm and many others throughout the Rouge River Basin.

PUBLIC HEARING - 4
March 6, 1990

We participated in this study trying to find a solution to the pollution problem in the Rouge River. As you can see it contains many, many volumes. There was a lot of argument, a lot of discussion before they came to a conclusion. The conclusion that they came to basically said, "You are going to begin to treat the combined sewer overflows."

The cost for the RAP Program, as it was developed by SEMCOG, had a very high price tag. As you can see, \$900,000,000. These numbers were based on a computer costing model. Therefore, they are not exact numbers. Each community actually will vary quite a bit from the numbers contained in the RAP Program. We now have a hard number that we're dealing with which is quite different than what was presented by RAP. However, as you can see, no matter what the number, whether it's a billion dollars, nine hundred million or whatever, it is a very costly program to clean up the Rouge River.

We have two approaches to the problem. One is we can participate in the RAP Program and use the same design that was proposed by RAP. To do that we will acquire new sewer overflow permits that have been issued by the DNR. Those new permits have a lot of things we must do to comply with them. As you see on the slide, we crossed out the top chart because that is the least desirable program for us.

We would have to maintain our CSO overflows. We have eleven (11) of them in this community. They're not all located in this community; one happens to be in the City of Detroit, but we have eleven (11) CSO overflows. We have to monitor those overflows each and every time they overflow, and report that fact to the DNR. They would have to assess impact of that overflow and decide whether there is a health hazard or not. We would have to build a large retention treatment basin. We're proposing to build a retention basin here. You'll hear a little more about that from the engineers. The one we would have to build in this program would have to be much larger than one we could hope to build. We would have some excessive long-term cost, because everything that is retained by the retention basin has to be sent after each storm down to the Detroit treatment plant and we have to pay treatment costs. We estimate, over the life of the project for 20 years, an excess treatment cost of \$7,000,000.

The Separation Program alternatives which we're here to discuss tonight would build a separate sewer system. We would eliminate all of the overflows. The eleven (11) overflows that I've mentioned here would become pure storm water overflows and no longer contain sanitary sewers. There would be no maintained overflows at all. If a storm sewerage permit program

PUBLIC HEARING - 5
March 6, 1990

comes along in the future, then I could deal with that. Right now there are no permit requirements for storm water overflow for communities of our size.

We could minimize our long-term cost, because we would not be retaining as much water, and therefore, we would not be sending that water to the City of Detroit for treatment.

As I indicated earlier, we have two alternatives: The RAP Program alternative which says retain and store the CSO water and send it to Detroit for treatment. To build that facility we estimate a cost at about \$32,600,000. To separate the remaining portions of our sewer system to build a storage facility large enough to assure that we would have no sanitary spillage into the Rouge River, we estimate the cost at \$12,000,000.

While the RAP Program was under way and they were developing the program in cooperation with SEMCOG and the DNR, we hired Black and Veatch engineers to take a look at our sewer system, and began to evaluate what would be the most cost effective approach to our sewer system. It was no secret what the answer coming out of RAP was going to be. There were many hearings on the matter; a lot of discussions so we could see the direction we were going. We tried to get ahead of the RAP Program by taking a hard look at our own system and see what we could do to mitigate the cost that we believed would come from the RAP Program.

In Farmington, the Sewer Improvement Analysis included the cost effective analysis as to which would be the most cost effective for the City of Farmington. For the rehabilitation program we are going to have to go into our old sanitary system also and do major rehab in that to get out what we call inflow and infiltration. That means storm water that is coming through the manholes, and covers that are leaking, we're going to have to correct this, and we have already begun to do that.

We needed to do a capacity analysis. The capacity analysis really determines the size of facility that we are going to build.

I'm going to turn it over now to Black and Veatch engineers to tell you a bit about how the study was done, the impact of the study, and what their recommendations for the City entail. I'll introduce to you Tom Korpula, Tom.

Comments of Tom Korpula, Black & Veatch Engineers:

When our work began in this city, the preliminary report that Bob showed up there on the previous slide was back in December of 1988. We were hired in mid-1988 to first of all evaluate the system to

PUBLIC HEARING - 6
March 6, 1990

see exactly how the system was operating presently and what requirements will have to be made to meet this permit by the DNR. The problem is the system is operating properly during dry weather when there is no storm water. However, when a storm then occurs, as some of you might know, we have problems. We not only have overflow, but we have basement flooding because the system just isn't sized properly to meet those storm events. The DNR has required through its permits that the City does something about this. The engineers' Preliminary Report not only describes the current system, but it also provides a solution to obtain the permit required. So we first establish that there is a problem. We also provide them a preliminary solution. To come up with the recommended solution, we had to go further and analyze the system. The first step was to actually go out and monitor the flow. So our second phase of work involved capacity analysis, as Mr. Deadman indicated. We went into the system, installed meters, and we actually monitored for three months all of the flow from out of the City of Farmington both during dry weather and without storm as well as with storm events. We compiled all of this information, brought it back to the office and determined the volume requirements and facility requirements to meet this permit.

In addition to the monitoring, and the capacity analysis, we went on to make further analysis of the current separating system. There were several ways to evaluate this in the field. The graph shown here depicts some of the analysis we did.

There are several types of problems out there. You have area drains for catch basins that collect storm water that go into your sanitary system. Those have to be eliminated to expect any results. Through dye water testing and T.V. inspection we can find the problems and fix them.

Catch basins are one area of the problem. There are also faulty manhole covers, and so forth. This field program identifies several of the problem areas and will be incorporated in the improvement program.

The slide shows a graph which depicts a typical sewer system. A typical house or business has to have a complete sewer system. It all goes through a lateral and into a main collector and eventually into your pumping facility.

This particular slide represents the City of Farmington. You can see this area here is where construction will occur. This is not the only problem area. The whole city is part of the problem and is part of the solution. There are pumping stations that pump to the basin area. There is a pumping station here that collects all

PUBLIC HEARING - 7
March 6, 1990

of the flow in the retention area. There are also other pumping stations which will be operating to collect all of the flow in this area as well as all of the flow throughout the city. As shown on the slide there is going to be some construction in only certain parts of the city. But everybody's part of the problem as everybody's flow is directed into the the main central collector.

A blowup of the study shows the city's new facilities. This here is the new retention basin and this would be the new pumping facility. The basin would be made out of concrete. We will have odor control systems in the retention basin. When water is pumped into the facility there will be odor control engaged and when water is pumped out of the facility. As you can see here this is our existing small retention basin. It is way too small to accommodate the requirement for the permit.

The total cost of this project is estimated at \$12,000,000. I think the most important part of the program here today is how are we going to finance this project? So I would like to turn over this presentation to Mr. Deadman to talk about the finance situation.

Comments of Mr. Deadman:

I want to back up for just a second to this facility here. You can say if we are separating to get all of our sewerage separated, why in the world do we need to have a large capacity retention basin. Well, we have purchased capacity from the City of Detroit of about 6 CFS and pipe size to carry sewerage down to Detroit. During a storm, even with our entire separated system, we are going to generate over 20 CFS. We cannot dump into the river, so we are going to have to store it.

We can't increase the purchase capacity. Detroit's treatment plant was built on the basis of purchase capacity of all the suburban communities. Our pipe size with Detroit is limited. We can't move any more water than we have purchase capacity. So the only option available to us is to store it.

First, the engineer estimates the project at \$11,500,000 to \$12,000,000. We'll have a hard number when we go to bid. These are the best numbers we have to date. They are based on what others are paying for similar type of work. So we believe the numbers are very representative of the work and costs.

The choice, as to how we pay for it is yours. The primary method of financing of the project is the sale of bonds. We can borrow the money at market rate. The market rates today, the bonding attorneys tell us, are about 7.3% for a community with our bond.

PUBLIC HEARING - 8
March 6, 1990

rating, or we can borrow the money from the State revolving loan program at 2% interest.

We have a very narrow window of opportunity here to get the State loan program money. When you and I approved an \$800,000,000 bond issue in the State of Michigan a couple of years ago, part of that money was set up to provide money to handle solutions to pollution problems within the State of Michigan. The State Legislature passed a law that said until June 30th of this year, money will be made available at a 2% interest rate. It expires on June 30th of this year. Beyond that the interest rate will vary. It may be 2% or a lot higher than that. It all depends on how much demand there is for that money. Based on the RAP Program, we know there will be heavy demands on that money.

We have really geared our program to qualify for that loan program. I want to tell you the DNR (everybody has been fighting with the DNR) has been very helpful to us at this point in time to get us qualified for that money. As of June 30th, we are either qualified and we are ready to go or we get bypassed. We think we will be ready to go in spite of the work that must be done.

What is the difference between going to market rates and getting a 2% loan? The market rate for \$12,000,000 is, over the twenty (20) year life of this loan, \$21,600,000. If we get the 2% loan, it would be \$14,100,000; a savings of \$7,500,000 to the community if we qualify for that loan.

The citizens have two choices as to how we are going to pay our debt service on that loan. One of those choices is to increase our sewer rates. The other choice is to increase our local property tax. If we don't increase our local property tax, we will increase our local sewer rates. The Council is committed to build this project. We are required to do what is required by our CSO permit, and this is the most cost effective solution.

We are committed to build this project. The question before the voters in this community is, "How do we pay for it?"

If we increase our sewer rates, our current rate for sewerage is \$1.34 per thousand gallons. You are all paying that rate today as we speak. To make a debt service on a loan payment would require us to increase it by an additional \$1.51 per thousand gallons. The payment would be spread out over the next twenty (20) years.

What would it cost you? That is what everybody wants to know. That is what I wanted to know, as I also live in this community.

PUBLIC HEARING - 9
March 6, 1990

Well, the average water user in this community uses between 80,000 and 100,000 gallons of water annually. Some use a great deal more than that, some a great deal less. So it will cost the average water user in this community somewhere between \$121.00 and \$151.00 a year per thousand gallons in additional sewer rates to pay the debt service on this loan.

Those who have much larger homes and have extensive lawns will need to use more water, and will pay more.

If we increase the sewer rate, the pros for that are you pay for what you use. If you conserve water, you don't use it, you pay less. The negative feature for the sewer rate is it is a service charge not a tax; therefore, it is not deductible on your federal income tax.

If we increase the property taxes, it would take for the first year about 3 mills. We have all received our assessed valuation in the mail, and historically in Oakland County they have climbed. As they climb the debt service millage rate will fall off because the debt service will be relatively flat for twenty (20) years. Therefore, it will take less millage as we proceed through the years.

However, the dollar amount paid annually per unit would remain somewhat constant. As you see, if you own a house that is worth \$80,000 you are going to pay about \$120 per year. If you own a house that has a value of about \$140,000 you will pay about \$210 a year, actual value. If you own a house that is valued at less than that, you pay less; if it is more, you pay more.

We have found a relatively close correlation to the value of homes and the water usage. The higher value of homes with more bathrooms, swimming pools, and extensive lawns use more water. So there is a correlation in terms of water being used according to the value of the house. It is not exact, not one-on-one, because some are different. Some use more water than others because of the number of people living in the home, and so forth. But, across the board, there seems to be a correlation.

The benefit of the property tax is that the costs are based on property value. The costs are federally deductible if taxpayers itemize their deductions. Maybe more importantly, for the lower income taxpayers, the Michigan Circuit Breaker Program comes into play, and a percentage of the property taxes could be paid for by the State of Michigan.

If your local property taxes on your home are over 3 1/2% of your

PUBLIC HEARING - 10
March 6, 1990

income, and you are less than 65 years of age, the State of Michigan will return to you 60% of the difference up to \$1200. So if you are not now getting the full \$1200 credit, you may receive more State money. So up to 60% of this program could be paid for by the State of Michigan. If you don't qualify, of course, it doesn't apply.

The Council has established a Special Election, May 22, 1990. If you vote 'yes,' the property taxes in this community will be increased a sufficient amount to pay the debt service on the \$12,000,000 bonds. We estimate right now about 3 mills to pay the debt service.

If you vote 'no,' your local water and sewer rates will increase in the amount sufficient to pay for the debt service on this program.

The goal of course, for this whole program, is to protect the public health and the elimination of untreated sewer discharge. That's the goal, quite frankly, of the EPA and the DNR throughout the State of Michigan. The EPA and DNR have been very effective dealing with the private sector, dealing with the large industrial polluters in the system to clean up our Great Lakes.

We all know the great story of the comeback of Lake Erie. It was primarily done, before the industrial polluters were removed from the system. We are among the last persons affecting the waters in the State of Michigan. I'm talking local government that continues to put untreated sewerage in the waters of this State.

We also want to achieve water quality standards which have been established by the federal government over a long term.

As shown in this slide, this is what we want to see in the future; I think all of us would like to see, throughout the State of Michigan. I think the Council has already voted and Farmington is willing to do its part.

With that, Madame Mayor, I think we are done with the formal presentation.

Mayor Richardson: At this time, we will open up our discussion for any questions we might have from our audience this evening. I would ask for your cooperation, however, that you might limit the number of comments per individual so that we might be able to hear from everyone who is interested in making a comment or asking questions of our speakers this evening.

PUBLIC HEARING - 11
March 6, 1990

If you would please stand, give your name and address, we would appreciate it.

Ken Chiara - 33630 Shiawassee: Is this program in conjunction with other surrounding communities? Does that have an effect if we do something and they don't? Are communities like Farmington Hills and West Bloomfield, whose water will flow in our basin if they don't do something, is that part of this whole project?

Mr. Deadman: Well, I guess you can say in terms of the master plan, 'yes'. Farmington Hills already has under construction a sanitary retention basin up at the O. E. Dunckel School. As we speak right now it is under construction; very similar to what we are doing here. The Farmington-Evergreen System, which covers a large portion of this county, will be doing similar things in other communities. I don't believe it is all going to happen today or tomorrow. Over time everyone will have to do their part in this Rouge River Basin. There is no single scheme that everybody is adopting, because every sewer system is a little different.

For instance, the City of Lathrup, right now, is going to build a retention basin. They already have a separated sewer system. It will cost even more than we are looking at here. They have different problems in different communities built in a different time. So everybody is going to be doing something just a little bit different, Ken, but we are all going to be a part of it in the long run. They have a population of 5,000 and their estimated bill is something like \$13,000,000. It is going to be costly, there just is no way around that. It is going to be costly for all of the participants. Quite frankly, we don't know at this point in time, and we probably won't know for some time what impact the City of Detroit will have on this whole region, because they're probably one of the country's largest combined sewer systems. If they are not the largest they are up there with the top ten, I'm sure. They are going to have to pay something, and I know they are going to be passing some of the costs back to the service communities who use their system. Quite frankly, they are handling part of our water. We don't know what those costs will be right now. We saw numbers in the RAP Program of about \$900,000,000. Again, that is a model. We don't have a good handle on what the real program is going to cost for the whole Detroit area.

Jim Dale - 23625 Warner: I don't really have a question, but a concern. We moved here four years ago from Hyland, Indiana, and we went through a sewer separation project there. It was literally a disaster. What it amounted to mainly was they got all of the work done; separated the two sewers, but then they had problems with the seals between the sanitary and the storm sewer. So that every time we got a bad rain, the storm water went into the

PUBLIC HEARING - 12
March 6, 1990

sanitary system. We had water flowing out of our basement toilet at least three times within the last year we were there. They never did get that fixed. I would just like to say that I hope that is part of the concern here.

Engineer Korpula: The only thing I would like to comment on is that we realize a separation program requires a very extensive investigation. Our program is doing that at this time, with extensive inspections by our engineers. They will try to eliminate that risk. The DNR will be our watchdog to assure that the separation will be done right.

John Richardson - 33926 Oakland: Assuming that we go to pay for it out of the usage basis, you've calculated this based on present usage; have you not?

Mr. Deadman: Actually, we've calculated a little lower number.

Mr. Richardson: What I'm getting at, if it is going to cost twice as much, is it not conceivable that people will not water their lawns twice as much, and if that is the case, will we not end up short and not have enough money to pay for it; therefore, the rates will have to go up even higher.

Mr. Deadman: Absolutely. The first obligation is to the bond holders. We've got to make bond payments. Whatever it takes to get the money; whatever the rate required to make that payment. We've got some experience in this. It is not the first time. If you recall in the mid 70's, the rates went up 400%, because Detroit was nearly put under receivership. To make their treatment plant work properly it took an awful lot of money, and exactly what you said occurred. The minute those higher rates went into effect usage dropped off, but it recovered very rapidly. Within a couple of years we were back to the same volume that we were selling before, if not more. So in the early years there could be some drop off of the water usage based on increased rates. But if history repeats itself, it will recover.

Judy Miller: Why is the program only good for 20 years? Won't the system last longer than that?

Mr. Deadman: Well, if I said twenty (20) year life of the total improvement, I made a mistake. The bonds will have a debt service of twenty (20) years and that is as long as the State will loan us the money. Some of the equipment will have an even shorter life than twenty (20) years. The basic system itself, quite frankly,

PUBLIC HEARING - 13
March 6, 1990

may have a fifty (50) year or even longer life. Obviously the pumps and those kinds of things will wear out and they will have to be replaced.

Charles Bongiovanni - 20905 Laurelwood: It seems from this meeting that the proper route to go is to try to obtain a loan from the State of Michigan, and maybe the property tax will be less unacceptable, especially if a person is thinking about selling their home and someone knew about the cost of the water. Is there going to be a program to educate the voter for not everybody is here to receive this information?

Mr. Deadman: The answer is "Yes". We have been moving along very rapidly because of this narrow window of opportunity. As a matter of fact we have two engineering firms working for us on this project. We would like to have had a handout for you tonight, but we just couldn't get it done in time with the other pressing matters of this program. We are in the process of preparing a mailer. There are going to be two or three mailings.

We are not taking a position on which way is better. That is your choice. What we really want to do is tell you what your choices are and what the impact of those choices will be. So we will be putting out mailers for the community about the program, the cost and what your choices are.

Leland Clifford - 33630 Hillcrest: Would the test made by the engineers cover more than one day's complete rain? And will you be covering the catch basin covers?

Mr. Deadman: I didn't mean to say catch basin. I meant to say manhole. Manholes, some of them have perforated covers so storm water can get into them. Catch basins will continue to pick up storm water.

John Straky - 23895 Gill Road: How large a storm will you be able to measure?

Mr. Deadman: Well, we got lucky. We put the meters in the ground and it started to rain. It rained for a month. We got some very serious rains captured on those meters. We were very successful.

Mr. Korpula: We captured 13 rain events within ninety days. One of the storms was an 8 year event. From this information we were able to design a retention basin to hold a 25 year event. The facility has been sized based on the requirements by the DNR, and we feel very confident that we have adequate size and storage.

PUBLIC HEARING - 14
March 6, 1990

Brian Bedigian - 23960 Whittaker: How will the increase be stated on the property tax?

Mr. Deadman: It will be part of your debt service property tax.

Chuck Bongiovanni: There is supposed to be an improvement to the pumping station at Farmington Road and Chesley.

Mr. Korpula: Part of the program is to upgrade the facility at the Chesley pumping station.

Tom Smith - 22590 Brookdale: Will it be required for property owners to relocate their sewer services?

Mr. Deadman: We will be making new connections wherever necessary. This will not be the property owners' responsibility.

Dave Mariner: We will be installing new storm sewers or we will be installing new sanitary utilizing the old pipe as a storm sewer.

Ken Chiara: Last summer when the entire park was flooded, what was the rainfall? Was that just a freak quantity of rain, or would this system handle that kind of a downpour?

Dave Mariner: As you got farther north, there was up to 4 inches of rain; down toward Livonia, about 2 inches. In West Bloomfield it was a 100 year storm.

Mr. Deadman: Even with this, we did not have total community flooding.

Stanley Thomas - 23686 Cass: Ten years ago we had a sewer improvement (a new storm system). Were these same gentlemen engineers that were used in that operation?

Mr. Deadman: Yes they are part of the engineering team designing this system.

Mr. Thomas: Every time we have a rain, I wade around the basement. That never occurred before the improvement. I was in 4 inches of water the day of the big rain. My neighbors don't flood, only my house.

Mr. Deadman: We would be glad to look at this. Maybe you have an unusual situation. Mr. Billing will follow through on this.

Judy Miller: How much new pipe will be laid? How much new

PUBLIC HEARING - 15
March 6, 1990

street will be laid, and how much new street will be involved?

Mrs. Miller was advised that between 48,000 and 50,000 ft. of new pipe will be laid.

Mrs. Miller: Does that mean that many of the streets will be involved? Answer: "Yes."

Councilman Yoder stated that there was a problem on Shiawassee and that the street was torn up all summer.

Mr. Deadman said it will be torn up again because we need to build a new sanitary sewer in Shiawassee.

Mr. Deadman advised that construction will start sometime in late fall and early winter of this year.

Carl Woodruff - 33205 Shiawassee: What method will be used in tearing up the streets? Will they be videotaping for future complaints?

Mr. Deadman: Yes.

Mr. Mariner advised that Mr. Woodruff will not experience the "pounding around his property as was involved in the last project?"

Stanley Thomas: Don't understand what this would do to the Headlee Amendment.

Mr. Deadman: Headlee requires a vote to sell general obligation bonds. We are going to do that by having a Special Election.

Frank Valencic - 23888 Fairview: Will the material used be First Class or Second Class? He was advised that it will be First Class.

He was advised by Mr. Deadman that within a year after completing the project we have to have the system certified by the DNR, so the material has to be first class. Mr. Valencic was further advised that the City has budgeted full time inspection during construction.

There being no further comments from either the audience or City Council, the Mayor called for a motion to close the Public Hearing.

Motion by Councilman Yoder, supported by Councilman Tupper, to close the Public Hearing. Motion carried, all ayes.

R E S O L U T I O N

NO. 3-90-053

Motion by Tupper, supported by Hartsock,

to adopt the following resolution:

WHEREAS Cultural, ethnic, religious and racial pluralism is a positive and appropriate model for neighborhoods and communities throughout the United States; and

WHEREAS Efforts to promote and encourage greater appreciation for those communities which reflect such pluralism warrant both public and private support; and

WHEREAS Cities, villages and towns must continue to take affirmative steps to encourage people from all races, religions and ethnic backgrounds to live in their cities and avail themselves of the choice of where they wish to live and utilize the services and amenities offered.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor and Council of the City of Farmington support the mission of the Oakland County Center for Open Housing to build community understanding and support for fair and open housing, and to achieve a stable and integrated housing process in Oakland County, Michigan.

FINALLY BE IT RESOLVED that other cities in Oakland County be encouraged to adopt resolutions of support for the Oakland County Center for Open Housing.

ROLL CALL:

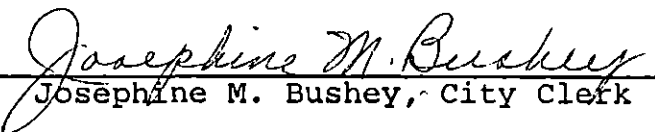
AYES: McShane, Richardson, Tupper, Yoder, Hartsock.
NAYS: None.
ABSENT: None.

RESOLUTION DECLARED ADOPTED MARCH 6, 1990.

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 March 6, 1990, in the City of Farmington, Oakland County, Michigan.


Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 3-90-059

Motion by Yoder, supported by Hartsock,

to adopt the following resolution:

- WHEREAS The Farmington Traffic and Safety Board has reviewed the traffic and pedestrian safety situation at the Grand River and Grove intersection, and
- WHEREAS Vehicle traffic is continuing to increase in this busy downtown commercial area, and
- WHEREAS The current traffic signal at Grand River and Grove is pedestrian actuated and of unusual design to cause confusion to drivers, and
- WHEREAS Grove and Orchard Street are now bordered by parking areas, and a new access road to traffic generators, and
- WHEREAS Pedestrians and vehicles crossing Grand River between Grove Street and Farmington Road find few safe gaps in traffic flow to make these movements safely, and
- WHEREAS A fully operational traffic signal at the Grand River and Grove intersection, synchronized in operation with the Grand River and Farmington Road signal, will reduce area traffic for safe pedestrian and vehicle crossing west of Grove Street, and
- WHEREAS The Traffic and Safety Board believes the Grand River and Grove intersection meets several of the "warrants" required for a fully signalized intersection as described in the Michigan Manual of Uniform Traffic Control Devices.

NOW, THEREFORE, BE IT RESOLVED, that the City of Farmington supports the findings of the Traffic and Safety Board and requests that the Michigan Department of Transportation begin work necessary, and to change the Grand River and Grove pedestrian actuated signal to a fully operational signal on or before November 1, 1990.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED MARCH 6, 1990.

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 March 6, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey
Josephine M. Bushey, City Clerk

COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was held on April 2, 1990, in Meeting Room A, 23600 Liberty Street, Farmington.

The meeting was called to order at 7:03 p.m. by Mayor Richardson.

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

ABSENT: Clappison, Baumunk.

OTHERS PRESENT: Carol Kurth, James Mitchell, Earl Billing, James Dale, Director Lauhoff, City Manager Deadman, City Clerk Bushey.

Mayor Richardson introduced those present and the "Year 2000 Project" video was viewed.

TASK FORCE REPORTS

Each Task Force committee reported on the objectives, strategies and goals for their particular group.

Carol Kurth stated the mission for Beautification and Environmental Preservation was to assess existing programs and future needs, with five goals set to accomplish their mission.

There was no report on Financial and Economic Vitality as Mr. Clappison was not present.

Mayor Richardson asked that Mr. Baumunk's letter of March 24, 1990, be made a part of these minutes as it is his report on Human Services.

James Mitchell reported on Leisure and Cultural Activities stating that the six goals developed are shown in the Forecast 2000 booklet. He specifically pointed out that the cities have no multi-purpose center which could be utilized by various local groups on a daily basis. He suggested that seniors and teens are the two groups that would benefit the most from a multi-purpose facility. He advised that his committee also suggested a canoe way.

Earl Billing reported on Public Facilities and Services. He stated that throughout their twenty meetings, the committee was very concerned about the City of Farmington being involved in the Plan, also concerned about the community buildings and ability to get people from the residential areas into the central city through a trolley and/or taxi system. He pointed out that the residents who have wells did not want city water coming into their area.

COUNCIL PROCEEDINGS -2-
Special Meeting, April 2, 1990

James Dale reported on Public Safety including emergency medical services, fire, police and the court system. He pointed out that the District Court needs more space. He stated there were some concerns about private ambulance service, and he advised that there would be a need for more fire department personnel and more policemen.

Following the reports, Mayor Richardson called for comments from those present. She asked Mr. Mitchell if there was any possibility of having canoe races in connection with the Farmington Festival. Mr. Mitchell thought this a good idea although he said it was not discussed at their meetings.

Councilwoman McShane asked Mr. Mitchell if his committee studied the effect a multi-purpose building would have on the Community Center. He stated that they emphasized that facilities not be duplicated. He pointed out that there has to be an ongoing committee dedicated to the idea of not under-utilizing any existing facility while maximizing the use of new facilities as well so as not to injure or damage what we already have.

Carol Kurth stated that a big concern of their study was that by the Year 2000 there will be many more senior citizens in the community and not enough space at Mercy Center; also that there is no place where all artistic groups can be centered.

Councilman Hartsock stated he was glad to see that aside from the initial brochure, there was a more comprehensive booklet available. He asked what sort of continuance there will be to the next step in the Plan.

Earl Billing stated that he got the feeling that the members of that committee were not going to let the matter drop; that they are desirous of seeing their work come to fruition.

Mr. Hartsock asked how this will be done. He asked, "Was any charge given to you to see that these things would be considered?"

Mr. Billing stated that he felt this charge was given to the Steering Committee, which is ongoing.

Mayor Richardson asked: "As representatives of the City of Farmington, is there something more that the City should be doing at this time, or should we sit back and wait?"

Mr. Mitchell stated that he told the Steering Committee that once they decide what they are going to do, he would be interested in continuing on in some respect. He feels that the City has to get feedback on what is happening. He pointed out that they will have to prioritize, because the goals could be astronomical moneywise.

COUNCIL PROCEEDINGS -3-
Special Meeting, April 2, 1990

The City Manager stated that the interesting thing about the Year 2000 Plan is that it is a 10-year plan and its real plus is that it is rather short term. He pointed out that there are already pieces in the works, specifically the road system, expansion of the court system and various beautification projects. He feels that Farmington Hills has taken a very positive approach through the Plan.

Councilman Tupper pointed out that many people think of our downtown as being important to the development of our community. He stated that the challenge for City Council is to keep in mind that our downtown should be vital so that people around us will consider our downtown as their downtown.

Councilwoman McShane pointed out that at the recent Twin Cities Breakfast, Jean Fox referred to Farmington's downtown as "our" downtown.

The meeting adjourned at 7:58 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: April 16, 1990.

March 24, 1990

Shirley Richardson Mayor
City of Farmington

Dear Mayor Richardson:

It is with regret that I inform you that because of an earlier commitment to be in Indianapolis, Indiana during the week of April 1, I will not be able to be present at the special session of the Farmington City Council on April 2, 1990. I was honored to have been asked by city manager Robert Deadman to represent the city of Farmington on the City of Farmington Hills Task Force 2000 and the Human Service Task Force in particular.

There were thirty one members on the Human Services Task Force. Very able leadership was elected and each meeting was well organized and well attended. The individual committee persons were very enthusiastic, energetic and demonstrated a willingness to put in the hours necessary to achieve the best possible results. I was particularly impressed with how the Task Force chairperson and her assistants were able to bring so many divergent views to fruition in such a short period of time. My major contribution is embodied in recommendation number one and relates to career development, career planning and career preparation for youth and adults.

I believe the recommendations of the Human Service Task Force would be equally supported by the residents of the City of Farmington. In summary the Task Force recommended:

1. A first rate education system that serves all youth and adults.
2. A drug free community.
3. Affordable housing for all ages.
4. Affordable day and respite care for children, handicapped and elderly.
5. Improved transportation network.
6. Improved health services.
7. Improved communication system so that all citizens will be aware of the services that are available.

Strategies for achieving the goals are detailed in the final 2000 Report. Thank you again for giving me the opportunity to serve the City of Farmington in this capacity.

Sincerely,



Earl D. Baumunk

cc: Robert Deadman

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, April 2, 1990, 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 8:05 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

4-90-067

Motion by Councilwoman McShane, supported by Councilman Hartsock, to approve the minutes of the previous meeting of March 6, 1990, as printed. Motion carried, all ayes.

Mayor Richardson announced an added agenda item. She proceeded to advise all present that City Council wished to pay tribute to Councilman Yoder for twenty-five years as a Council member and as Mayor for two terms.

Among the items presented to Mr. Yoder was a "Yoder Drive" street sign. He was advised that City Council would name the drive between the Post Office and Orchard Street in his honor and post the official sign this week.

4-90-068

Motion by Councilman Hartsock, supported by Councilwoman McShane, to name the drive between the Post Office and Orchard Street "Yoder Drive". Motion carried, all ayes.

MINUTES OF OTHER BOARDS

4-90-069

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

- Downtown Development Authority minutes of March 6, 1990;
- Board of Zoning Appeals minutes of March 7, 1990;
- Traffic and Safety Board minutes of February 15, 1990;
- Farmington Employees' Retirement System Board of Trustees minutes of December 21, 1989;
- Farmington Historical Commission minutes of February 21, 1990;
- Farmington Beautification Committee minutes of February 7, 1990;
- Farmington Community Library minutes of February 8, 1990;
- Board of Education minutes of February 20 and March 6, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

PETITION FROM PUBLIC SERVICES EMPLOYEES
RE: DESIGNATED SMOKING AREA

Council was advised that the Department of Public Service employees signed a petition requesting that their lunchroom remain a designated smoking area.

The City Manager stated that all of the employees in the department signed the petition. He further stated that he does not object to this designation, but he suggested that if new employees are hired who object to not having a smoke free environment in the lunchroom, this matter will require review.

Councilwoman McShane suggested that an alternative area in the hallway just outside the offices be considered.

Councilman Yoder stated that he would accede to the employees' wishes.

4-90-070

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

BE IT RESOLVED that the Farmington City Council hereby allows the lunchroom at the Department of Public Services building, 33720 W. Nine Mile Road to remain a designated smoking area, and

BE IT FURTHER RESOLVED that all other provisions of Council Resolution No. 3-90-063 remain in effect.

ROLL CALL

*Corrected
4/16/90
JMS*
AYES: ~~McShane~~, Richardson, Tupper, Yoder, Hartsock.
NAYS: ~~None~~ - McSHANE.
ABSENT: None.

RESOLUTION FROM CITY OF NOVI
RE: IMPACT FEES

The City Manager advised that the City of Novi supports legislation that would enable local communities to assess impact fees to developers to aid in defraying the impact their development has on community infrastructure. Novi states that local communities as well as county agencies are impacted by the lack of adequate funding to build roads as well as to maintain them.

Council was advised that new development should be responsible for part of the impact it has on local communities.

Councilman Hartsock asked if there is any legislation pending relative to this resolution. The City Manager stated that he is not aware of any. He further stated that legislation never got out of committee when this matter was considered about a year ago.

4-90-071

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

[SEE ATTACHED RESOLUTION]

REQUESTS FOR PROCLAMATIONS

Council was advised that requests for proclamations were received from the Farmington Beautification Committee, Vernon C. Kielpinski and the Manager of Oakland County E.M.S.

4-90-072

Motion by Councilman Yoder, supported by Councilman Hartsock, to proclaim the Week of April 15 - 21, 1990, as ARBOR WEEK and April 19, 1990, as ARBOR DAY in Farmington. Motion carried, all ayes.

4-90-073

Motion by Councilman Hartsock, supported by Councilman Tupper, to proclaim April as CHILD ABUSE PREVENTION MONTH in Farmington. Motion carried, all ayes.

4-90-074

Motion by Councilman Yoder, supported by Councilwoman McShane, to proclaim April 1 - 7, 1990, as MICHIGAN TORNADO SAFETY WEEK. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

LIQUOR LICENSE RENEWALS 1990

Council was advised that the Public Safety Director has reviewed twenty-six licensed locations in the City, including seven Class C, four SDD and fifteen SDM licensed locations; some presently holding more than one license.

The City Manager stated that as a result of enforcement action, the Department of Public Safety found that fourteen of the licensees sold alcohol to a minor without checking identification. He pointed out that this was a reduction from a previous enforcement operation in 1986.

Manager Deadman advised that in May, the Department will review with the owners of all licensed establishments their responsibilities in assuring that minors do not obtain alcohol from these businesses.

Council was advised that Director Lauhoff found no other exceptional occurrences or problems at the licensed locations. He, therefore, finds no basis to object to the renewal of the city's seven Class C licensed establishments. Council was further advised that the SDD and SDM licenses do not come under the direct control of City Council.

COUNCIL PROCEEDINGS -4-
April 2, 1990

The City Manager concurred with the Director and recommended that Council not object to the reissuance of the Class C. Licenses. He further suggested that Council continue to support an aggressive program for inspection of all liquor licenses in the community.

4-90-075

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and file the Public Safety Director's report on the 1990 Liquor License Renewals. Motion carried, all ayes.

OAKLAND COUNTY TEN-YEAR
ROAD IMPROVEMENT PLAN

Council was advised that the Ten-Year Road Improvement Plan for Oakland County (1991-2000) has five program elements:

1. Continuation of the existing Tri-Party Program with a 10-year commitment of \$10 million from the County.

City of Farmington would be eligible for \$195,770.

2. A \$40 million contribution from the County to be distributed based on the State Equalized Valuation.

Estimated that Farmington would receive \$394,450.

3. Widening of 30 miles of critical roadways, 23 intersection safety improvements and 12 miles of road paving and new road construction. Cost: \$112 million; County general government to contribute \$28 million.

City of Farmington would receive improvements to Farmington Road at 8 Mile Road.

4. \$2 million from the County Board to aid in design and installation of an integrated computerized traffic signal system that would respond to traffic pressures on a real-time basis.

5. Implementation of a pavement management program to improve condition and safety of over 70 miles of aging roadway. Cost: \$20 million.

The City Manager submitted a resolution for Council consideration calling for the county general government to contribute \$100 million over the next ten years to deal with the most critical highway needs of the County.

Mayor Richardson suggested that the word "City" be inserted in the second last paragraph of the resolution, line 1 between the words "Farmington Council", and that the words "the City of" be inserted in the last paragraph of the resolution, line 1 between the words "THAT Farmington".

4-90-076

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

[SEE ATTACHED RESOLUTION].

AUTHORIZATION TO PURCHASE
MAILING EQUIPMENT

Council was advised that the city's postal mailing equipment is over thirty years old, performing badly and in need of replacement.

Manager Deadman stated that the proposed budget for the coming fiscal year includes funds for renting new equipment from Pitney Bowes. He advised that neither the rental program nor a leasing agreement would be best for the city due to the probable increase in future rental rates and market interest rates for the capital portion of the contract. He pointed out that interest rates can be avoided by purchasing the equipment outright.

The City Manager reported that in addition to the cost of \$4,270.00 for a fully automated mailing machine from Pitney Bowes, there would be a monthly rental fee of \$34.25 for the actual meter part. He pointed out that the small difference in initial cost for the automatic feature would be more than compensated for through future time savings.

Manager Deadman recommended waiving the bid process as being in the City's best interest.

4-90-077

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

BE IT RESOLVED that the Farmington City Council hereby waives the bid process and authorizes the purchase of a Pitney Bowes automatic mailing machine at a cost of \$4,270.00, plus a monthly rental cost of \$34.25 for the actual meter part, and

BE IT FURTHER RESOLVED that funds be provided from the City Treasurer's account of the General Fund and Water and Sewer Fund.

COUNCIL PROCEEDINGS -6-
April 2, 1990

ROLL CALL

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

RESOLUTION DECLARED ADOPTED APRIL 2, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

JOINTLY FUNDED AGENCIES' BUDGETS

Manager Deadman advised that the agencies jointly funded by the Cities of Farmington and Farmington Hills submitted their budget requests for the 1990-91 fiscal year. He stated that he has begun to meet with the Farmington Hills City Manager, the District Court and the Farmington Library to review these budget requests. He suggested setting a joint meeting with the City of Farmington Hills on May 17, 1990, at 7:00 p.m.

The City Manager advised that he will present his recommended budget to Council at the regular meeting of April 16th.

4-90-078

Motion by Councilman Hartsock, supported by Councilwoman McShane, to establish a jointly funded agencies' budget review session with the Farmington Hills City Council on Thursday, May 17, 1990, at 7:00 p.m. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

District Court Judges Schaeffer and Harris congratulated Councilman Yoder on his 25 years as a member of City Council.

Bill Liba congratulated Mr. Yoder on behalf of the public.

Councilman Tupper stated that at a recent meeting with the Southfield Public Services Director and the Goodfellows President, he was told that we should consider ourselves very lucky that Farmington/Farmington Hills has a downtown. He said that the two Southfield representatives advised that their city is having difficulty in attempting to unify people relative to social concerns, because the 36 sq. mile area has no particular area to rally around. Councilman Tupper stated that the Farmington City Council should do the very best possible to keep our downtown vital so that Farmington Hills considers our downtown as their downtown.

Councilman Yoder stated that he received a call that someone in Floral Park has a water problem. The City Manager advised that this has been taken care of.

COUNCIL PROCEEDINGS -7-
April 2, 1990

Manager Deadman introduced Ron Baker who was present to report on the brochure that will be sent to residents relative to the proposal on the May 22 ballot.

The City Manager suggested that a date be set for one more public informational meeting describing the impact of the sewer system proposal. He recommended that the meeting take place right after the brochure is mailed, approximately three weeks from today.

Councilman Hartsock suggested that this informational meeting be set closer to the election.

Council decided to schedule a special informational meeting relative to the May 22, 1990, ballot question on April 30th at 7:30 p.m.

FINANCIAL REPORTS, EIGHT MONTHS ENDED
FEBRUARY 28, 1990

The City Manager advised that the District Court budget will have to be amended before the end of the fiscal year due to several unexpected expenses.

Mayor Richardson asked the District Court Judges what is being done to curtail the expenditure overages we are experiencing.

Judge Schaeffer responded by stating that there was a recent change of judges with the retirement of Judge Hand, who drew full salary during a leave of over a month. This required bringing in visiting judges. She also referred to an unexpected unemployment compensation payment.

The City Manager advised that after analysis, the over budget amount for the Court is between \$25,000 and \$30,000.

4-90-079

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and file the General Fund and the 47th District Court financial reports for the eight months ended February 28, 1990. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

ADOPT RESOLUTION RE: SINGLE LOT SPECIAL
ASSESSMENT: 33725 STATE STREET

Manager Deadman advised that the property owner at 33725 State Street received due notice regarding this assessment, and to date no payment has been received. He recommended adoption of the resolution submitted to Council since the owner did not appear before Council and payment is still outstanding.

COUNCIL PROCEEDINGS -8-
April 2, 1990

4-90-080

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

[SEE ATTACHED RESOLUTION].

ADOPT RESOLUTION RE:
ACCEPTING SEWER PROJECT PLAN

4-90-081

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

[SEE ATTACHED RESOLUTION].

WARRANT LIST

4-90-082

Motion by Councilman Tupper, supported by Councilman Yoder, to approve the monthly bills as submitted: General Fund \$19,606.06; Water & Sewer Fund \$80,734.37.

ROLL CALL

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

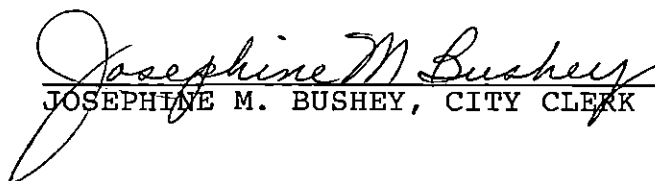
MOTION CARRIED.

ADJOURNMENT

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

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


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved as corrected
April 16, 1990.

RESOLUTION
NO. 4-90-071

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

WHEREAS, residential, commercial and industrial growth and development have been taking place for several years in the County of Oakland and other growth areas in the State of Michigan; and

WHEREAS, the City of Farmington along with other Oakland County communities, has been severely impacted by lack of funding at the County level; and

WHEREAS, lack of County funding has caused a shift in road building responsibilities from County agencies to local units of government; and

WHEREAS, there is a definite shift to local units of government for the provision of regional transportation links that are normally the responsibility of either County, State or Federal agencies; and

WHEREAS, municipalities throughout the State of Michigan are having a difficult enough time providing minimal services without the responsibility of funding road improvements that are not normally the responsibility of local units of government; and

WHEREAS, the additional impact of new development is compounding the already inadequate road systems in the State of Michigan;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council urges our State Legislators to provide for enabling legislation that would increase resources for funding our deteriorating and overburdened road systems, and

BE IT FURTHER RESOLVED that it is apparent that municipalities should be empowered to impose impact fees to assist in attacking the road deficiencies in the State of Michigan, and

BE IT RESOLVED that this resolution be presented to our State Senator, State Representative, the Governor and Chairmen of the House and Senate Transportation Committees.

ROLL CALL

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

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED APRIL 2, 1990.

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 2, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 4-90-076

Motion by McShane, seconded by Hartsock,
to adopt the following resolution:

WHEREAS, recent population and job growth in Oakland County has led to serious traffic congestion, unsatisfactory road conditions, and an increased frequency of traffic accidents, which threaten the quality of life for our residents, and

WHEREAS, the provision of safe and convenient highway transportation is one of the top priorities for the residents of Oakland County for the coming decade, and

WHEREAS, it will cost in excess of \$950 million to meet the County road needs in response to this public imperative, and

WHEREAS, the Oakland County general government has benefited from a tremendous increase in revenues, as a consequence of the growth that has occurred over the past decade, and

WHEREAS, the Road Commission for Oakland County has offered the Oakland County Board of Commissioners a funding partnership, calling for a \$100 million, ten-year contribution from the County Board of Commissioners, to meet the most critical highway needs as identified by local officials throughout Oakland County; and

WHEREAS, the citizens of Farmington use roads throughout Oakland County, not just within the community, and will benefit, not only from the road improvements that would be made in their own community, but also from the improvements proposed throughout Oakland County; and

WHEREAS, in the judgment of the Farmington City Council the Ten-Year Road Improvement Plan for Oakland County proposed by the Road Commission is appropriate and in the best interest of the citizens of this community;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Farmington hereby supports the Ten-Year Road Improvement Plan for Oakland County proposed by the Board of Road Commissioners for Oakland County and presented to the County Board of Commissioners on November 9, 1989.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED APRIL 2, 1990.

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 2, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 4-90-080

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

WHEREAS, after due notice to the property owner at 33725 State Street the city incurred certain expenses in removing a diseased e.m tree from the property; to wit, \$720.00, and

WHEREAS, the city has billed the owner of the property at 33725 State Street for said expense (\$720.00) in accordance with Section 32-15 of the City Code and the owner has failed to make payment to the city, and

WHEREAS, the property owner has been notified in accordance with the City Code that the City Council will establish a single lot assessment against the property at 33725 State Street in accordance with the City Charter for failure to make payment of the the bill;

THEREFORE BE IT RESOLVED that the Council of the city of Farmington hereby establishes a single lot special assessment in the amount of \$720.00 on the property described as Assessor's Plat No. 8, Lot 11, known as 33725 State Street, city of Farmington, Oakland County, Michigan.

FURTHER BE IT RESOLVED that said special assessment shall be a lien on the property in accordance with the provisions of the City Charter.

ROLL CALL:

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

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 2, 1990

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 2, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 4-90-081

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

WHEREAS, the city has developed a Sewer Improvement Project Plan for the purpose of complying with United States Clean Water Act requirements and to provide improvements to the city's sewer collection systems, retention basin and pumping stations, and

WHEREAS, a public hearing was held on March 6, 1990 on the Project Plan for the purpose of receiving comments on the Plan and environmental impact of the the proposed alternatives and proposed user charge system, and

WHEREAS, a record was made of said comments and is available for public inspection.

THEREFORE BE IT RESOLVED that the Council of the city of Farmington adopts the Project Plan (Sewer Separation and Improvement Program, February 1990).

ROLL CALL:

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

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 2, 1990.

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 2, 1990, 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 Thursday, April 5, 1990, in Meeting Room A, 23600 Liberty Street, Farmington. Notice of the meeting was posted in compliance with Public Act 267-1970.

The meeting was called to order at 7:30 p.m. by Mayor Richardson.

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

OTHERS PRESENT: J. Washburn, Board of Zoning Appeals
H. Wingerter, Downtown Development Authority
J. Cook, Historical Commission
K. Chiara, Traffic and Safety Board
J. Steuer, Beautification Committee
J. Mitchell, Planning Commission

Mayor Richardson reviewed a synopsis of the mission of each board, commission and committee. After reviewing the mission statements, the Mayor asked for additions or corrections.

Mayor Richardson reviewed a Michigan Municipal League publication on suggestions for successful public service. Those present were requested to comment on:

- How are we doing in meeting the needs of our community?
- Can we do things better?
- Are we being effective?

Board members offered the following suggestions:


The City Historical District ordinance should be reviewed to determine if additional authority could be granted to the Historical District Commission in reviewing proposed exterior construction or changes in historic sites.

The process for making application to City Council for appointment to a board or commission should be made clearer.

It was the consensus of those present that the meeting was productive. They felt that future meetings should be held, as such meetings would help the boards and commissions to be consistent in the application of city plans and policies.

Meeting adjourned at 9:30 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: April 16, 1990.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, April 16, 1990, 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, K. Gushman, City Attorney Donohue, Adm. Assistant Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

4-90-083

Councilwoman McShane called for a correction in the roll call on page two of the minutes of the regular meeting of April 2, 1990. She pointed out that her vote was "Nay".

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the Special meetings of April 2 and April 5, 1990, as printed, and the minutes of the Regular meeting of April 2, 1990, as corrected. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

4-90-084

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 April 9, 1990;
- Downtown Development Authority minutes of April 3, 1990;
- Farmington Area Commission on Aging minutes of March 27, 1990;
- Farmington Beautification Committee minutes of March 14, 1990;
- Board of Education minutes of March 20, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM MICHIGAN MUNICIPAL LEAGUE
RE: DEADLINE FOR RESOLUTIONS

Council received notice from the Michigan Municipal League regarding the deadline for resolutions for the Annual Conference in Muskegon on September 12 - 14, 1990.

The City Manager advised that he is not aware of any issues that the League has not already dealt with.

COUNCIL PROCEEDINGS -2-
April 16, 1990

4-90-085

Motion by Councilman Tupper, supported by Councilwoman McShane, to receive and file the notice from the Michigan Municipal League concerning the deadline for submitting resolutions at the September Annual Conference. Motion carried, all ayes.

LETTER FROM SOUTH FARMINGTON BASEBALL,
INC. RE: OPENING DAY PARADE

Council was advised that a permit is requested for the South Farmington Baseball, Inc., opening day parade on Saturday, May 5, 1990.

The City Manager stated that the parade will begin at Farmington City Hall at 10:00 a.m., proceed down Oakland Street to Farmington Road, to Shiawassee and on to City Park.

4-90-086

Motion by Councilman Tupper, supported by Councilman Hartsock, to grant a permit to South Farmington Baseball, Inc., for the Opening Day Parade on Saturday, May 5, 1990. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

Council was advised that requests for proclamations were received from the American Legion Groves-Walker Post #346 and Keep Michigan Beautiful, Inc.

4-90-087

Motion by Councilman Hartsock, supported by Councilwoman McShane, to proclaim May 17, 18 and 19, 1990 as POPPY DAYS in the City of Farmington. Motion carried, all ayes.

4-90-088

Motion by Councilman Yoder, supported by Councilwoman McShane, to proclaim April 21 - May 19, 1990, as KMB CLEANUP DAYS in Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

RECOMMENDED 1990-91 BUDGET

The City Manager advised that the recommended FY 1990-91 budget presented for Council review is a balanced budget as required by the City Charter and State statutes. He recommended establishing several budget work sessions so the City Clerk can post them according to the Open Meetings Act.

Manager Deadman pointed out several areas that have dramatic cost increases. He indicated that some of these increases are the result of private sector increases to local government such as:

Cost of collection and disposal of rubbish;
District Court space problems;
District Court budget increase of 11%.

He pointed out that revenues will come from special assessment districts on road improvements and that a State Grant would pay for park improvements.

The City Manager stated that the budget narrative describes the city's work and service programs. He pointed out that the current debt service rate of .98 mills per \$1,000 of State Equalized Valuation has held for the past three years, and is sufficient to meet this year's debt service.

4-90 -089

Motion by Councilman Yoder, supported by Councilman Hartsock, to establish the following budget review sessions:

Thursday, April 19 at 7:30 a.m.
Tuesday, May 1 at 7:00 p.m.
Wednesday, May 9 at 7:30 p.m.

Motion carried, all ayes.

MUNICIPAL TRANSPORTATION CREDITS
TRANSFER AGREEMENT

Council was advised that Farmington used its Municipal Transportation Credits for the senior and handicapped program.

The City Manager estimates Farmington will be eligible for \$8,170 in FY 1990. He pointed out that this transportation system is administered by Livonia and gives door-to-door service for senior citizens and handicapped persons on a subsidized basis, using taxicabs and special vehicles.

4-90-090

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

WHEREAS, the City of Farmington desires to continue providing a user subsidized program in cooperation with other communities, and

WHEREAS, funds in the amount of \$8,170 are allocated to the City of Farmington through Act 51 Municipal Credits;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby authorizes the City Clerk and the City Manager to enter into a Municipal Credit Transfer Agreement with the Suburban Mobility Authority for Regional Transportation (SMART) to provide such services in an amount not to exceed those funds allocated to the City of Farmington from Act 51 Municipal Credits.

COUNCIL PROCEEDINGS -4-
April 16, 1990

ROLL CALL

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

RESOLUTION DECLARED ADOPTED APRIL 16, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

REIMBURSEMENT FOR VEHICLE USE

The City Manager stated that the employee manual sets the current employee reimbursement rate at 23¢ per mile for the use of personal automobiles for city business. He pointed out that the IRS specifically provides that reimbursement at 25.5¢ per mile will satisfy the 1989 IRS expense accounting requirements. He suggested that the city raise the mileage reimbursement rate to 26¢ per mile, effective May 1, 1990.

4-90-091

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

BE IT RESOLVED that the Farmington City Council hereby authorizes that the current mileage reimbursement rate for the use of personal vehicles on city business be increased from 23¢ per mile to 26¢ per mile, effective May 1, 1990.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED APRIL 16, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

DISMISSAL OF LAWSUIT

T & M CONTRACTORS/CITY OF FARMINGTON

The City Manager advised that a mutually agreeable settlement was reached between all of the parties involved in the T & M Contractors/City of Farmington lawsuit. He stated that the City is at the point of executing release forms prepared by the City Attorney, which would release the contractor and his subcontractors from any future claims arising out of the contract on the 1987 Water Improvements job.

4-90-092

Motion by Councilman Tupper, supported by Councilwoman McShane, to authorize the City Manager to execute on behalf of the City, mutual release and satisfaction forms prepared by the City

COUNCIL PROCEEDINGS -5-
April 16, 1990

Attorney, releasing the contractor and subcontractors from future claims or causes of action arising out of the contract on the job known as the 1987 Water Improvements. Motion carried, all ayes.

PURCHASE OF ASPHALT ROLLER AND TRAILER

Council was advised that bids were accepted on April 9, 1990, for an asphalt roller and trailer, and out of seven vendors invited to bid, five responded as follows:

	<u>Roller</u>	<u>Trailer</u>
AIS Construction New Hudson, MI.	\$5,338.00	\$1,090.00
Hull Bros. Taylor, MI.	5,495.00	1,850.00
Burke Rental Sterling Heights, MI.	6,135.00	2,412.00
Iniversal Equipment Troy, MI. Road.	6,650.00	2,495.00
Miller Equipment Livonia, MI.	5,230.00	2,265.00

Council was advised that the low bidder is Miller Equipment for a Beuthling B-60 roller, which satisfies city specifications.

The City Manager stated that the low bid for the trailer is unsatisfactory, and that AIS Construction did not include the required technical specification sheet or provide an example of anyone using that trailer for transporting an asphalt roller. He recommended rejecting the AIS Bid in favor of the Hull Brothers bid.

4-90-093

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the purchase of one Beuthling B-60 asphalt roller at \$5,230.00 from Miller Equipment, Livonia, Michigan, and

BE IT FURTHER RESOLVED that City Council rejects the bid of AIS Construction, New Hudson, Michigan, for a trailer as not meeting the required specifications, and

FURTHER BE IT RESOLVED that City Council hereby awards the bid for an ML5452 Redi-Haul trailer at \$1,850.00 to Hull Brothers, Taylor, Michigan, and

COUNCIL PROCEEDINGS -6-
April 16, 1990

BE IT FURTHER RESOLVED that funds be provided from the Water & Sewer and General Funds.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED APRIL 16, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

PURCHASE OF CONCRETE SAW AND BLADE

4-90-094

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

WHEREAS, the bid of Cougar Cutting, Novi, Michigan, is the only bid fully responsible to City specifications, and

WHEREAS, the Cougar warranty policy is considered superior to that of competitors, and

WHEREAS, Cougar Cutting alone offered a free replacement saw during service;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby authorizes the purchase of one Concrete Saw at \$7,599.00 and Blade at \$657.00 from Cougar Cutting, Novi, Michigan, and

BE IT FURTHER RESOLVED that funds be provided from the 1989-90 Water Department and General Funds.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED APRIL 16, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

PURCHASE OF POST PULLER

Council was advised that bids for a truck-mounted post puller were accepted on April 9, 1990, and out of eight vendors invited to bid, three responded with a blank bid; two submitted bids as follows:

Shults Equipment	
Ithaca, MI.	\$2,983.00

COUNCIL PROCEEDINGS -7-
April 16, 1990

Universal Equipment
Troy, MI.

4,110.00

Manager Deadman advised that the Shults Equipment bid is not responsive to city specifications and does not meet the city's needs. He recommended that the Universal Equipment bid be accepted.

4-90-095

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

WHEREAS, the low bid of Shults Equipment, Ithaca, Michigan, is not responsive to City specifications and does not meet the City's needs, and

WHEREAS, based on the lack of response from the other vendors solicited, the City has concluded there is no fully competitive product;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby accepts the bid of Universal Equipment, Troy, Michigan, at \$4,110.00 for a truck-mounted post puller, and

BE IT FURTHER RESOLVED that funds be provided from the 1989-90 General Fund.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED APRIL 16, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard, 33309 Shiawassee, asked if the City has always had an asphalt roller. She was advised that the City has been borrowing one from the School District, which does not always work out.

Councilman Tupper stated that he is still concerned about the sandy base under the sidewalk to be placed on Freedom Road. The City Manager assured him that the area will be hydroseeded or some other method of stabilizing it will be used.

Mr. Tupper also expressed concern about whether or not the revised Zoning Ordinance will be in place before new businesses move into the vacant areas on Eight Mile Road.

COUNCIL PROCEEDINGS -8-
April 16, 1990

The City Manager advised that the Planning Commission will begin its revision of the Zoning Ordinance as soon as work on the Sign Ordinance is completed.

John Cotton, 33318 Oakland, expressed concern that prohibiting southbound Farmington Road traffic from making left turns onto eastbound Grand River will create a backup situation at Thomas Street.

Director Lauhoff pointed out that Thomas Street is not an intersection and is not seen as a problem. He stated that the situation they are trying to correct is in the intersection of Farmington Road and Grand River.

Mayor Richardson encouraged Council members to attend the seniors' Volunteer Recognition Reception on Monday, April 23, from 10 to 11:00 a.m.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Council was advised that there is a term expiring next month on the Construction Board of Appeals and on the Cable Access Committee.

Construction Board of Appeals

The City Manager pointed out that members on this Board need to be familiar with Building Codes to do an effective job. He advised that the Board currently consists of a Fire Marshal, a contractor, an architect and an engineer. He suggested that someone with any of these qualifications be selected for the vacancy.

4-90-096

Motion by Councilman Tupper, supported by Councilman Hartsock, to appoint Robert Allen, architect, to a 2-year term on the Construction Board of Appeals, said term to expire on February 5, 1992. Motion carried, all ayes.

Cable Access Committee

Council was advised that James Mitchell's term on the Cable Access Committee will expire in May. He stated that Mr. Mitchell is interested in reappointment if Council wishes him to continue on the Committee.

4-90-097

Motion by Councilman Hartsock, supported by Councilman Yoder, to appoint James Mitchell for another 3-year term on the Cable Access Committee, said term to expire May 9, 1993. Motion carried, all ayes.

COUNCIL PROCEEDINGS -9-
April 16, 1990

Councilwoman McShane stated that the Beautification Committee recently held an Open House and Donna Damon asked about the procedure of being appointed as a member. Mayor Richardson advised that there is a requirement in the Beautification Committee Bylaws which states that an individual must attend two meetings before being considered for an appointment.

WARRANT LIST
4-90-098

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$29,206.92; Water & Sewer Fund \$207,685.79.

ROLL CALL

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

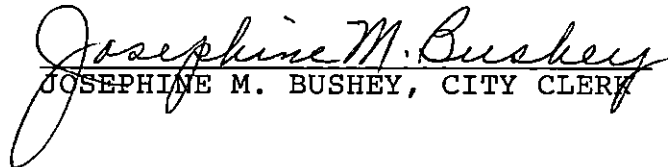
MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 9:14 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: May 7, 1990.

COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was held on Thursday, April 19, 1990, 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 7:30 a.m. by Mayor Richardson.

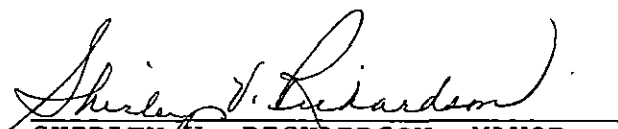
PRESENT: Hartsock, McShane, Richardson, Tupper, Yoder.

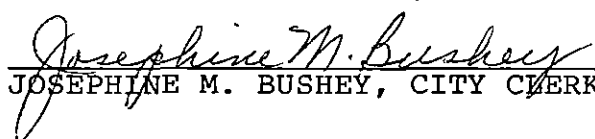
OTHERS PRESENT: City Manager Deadman.

Council began the review of the General Fund revenues and expenditures for FY 1989-90 and FY 1990-91. Council also reviewed the proposed remodeling of the 47th District Court building and assessed budget costs for this project.

The General Fund budget was complete through the Public Safety Department budget.

Meeting adjourned at 9:15 a.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: June 4, 1990.

COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was held on Tuesday, May 1, 1990, 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 7:00 p.m. by Mayor Richardson.


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

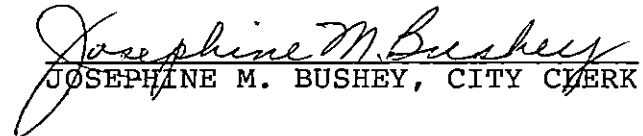
OTHERS PRESENT: City Manager Deadman.

Council reviewed the proposed Capital Equipment and Program budget for FY 1990-91, including replacement of the heating system at the Department of Public Services building, construction of Orchard Lake Road and the replacement of the City's sweeper.

Council also reviewed the proposed millage rate for FY 1990-91 to support the General Fund and Debt Service Fund expenditures.

Meeting adjourned at 9:30 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: June 4, 1990.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, May 7, 1990, 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.

State Representative Jan Dolan presented a tribute to Councilman Yoder for his 25 years of service to the City.

MINUTES OF PREVIOUS MEETING

5-90-099

Motion by Councilman Hartsock, supported by Councilman Yoder, to approve the minutes of the previous meeting of April 16, 1990, as printed. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

Councilwoman McShane called attention to the Historical Commission minutes of March 21, 1990, page 1, Roll Call: Absent, Brado; Page 2, Roll Call: Absent, Gundlach. She was advised that a correction will be made at the Commission's next meeting.

Councilwoman McShane questioned the amount of \$7,000 to cover two retirement parties as noted in the third Motion on Page 1 of the Farmington Community Library Board of Trustees Meeting of March 15, 1990.

5-90-100

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

- Board of Zoning Appeals minutes of April 4, 1990;
- Farmington Historical Commission minutes of March 21, 1990;
- Farmington Area Arts Commission minutes of March 15, 1990;
- Farmington Area Commission on Aging minutes of April 24, 1990;
- Farmington Beautification Committee minutes of April 11, 1990;
- Farmington Community Library minutes of March 15, 1990;
- Board of Education minutes of Special Meetings of April 3 and April 26, and Regular Meeting of April 3, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM SALEM UNITED CHURCH OF CHRIST
RE: USE OF WAR MEMORIAL PARK

Council was advised that the Salem United Church of Christ would like permission to use the War Memorial Park on June 3, 1990, for an Ice Cream Social.

The City Manager pointed out that City Council granted permission in the past for the use of the park located directly across from the Church.

5-90-101

Motion by Councilman Yoder, supported by Councilwoman McShane, to grant permission to the Salem United Church of Christ to use the War Memorial Park for an Ice Cream Social on June 3, 1990, from 2:00 p.m. to 5:00 p.m. Motion carried, all ayes.

LETTER FROM STANDARD FEDERAL RE:
DRAKE ROAD/GRAND RIVER INTERSECTION

Council reviewed a letter from Branch #46 of Standard Federal Bank relative to customers' difficulty in crossing the Grand River/Drake Road intersection due to increased traffic.

Mayor Richardson and Councilman Tupper took exception to Ms. Gentry's statement that several customers advised her they wrote to and telephoned both the Farmington and Farmington Hills City Councils requesting that this problem be addressed, but to no avail.

Mayor Richardson asked the City Manager to respond to Standard Federal's letter advising that Ms. Gentry's letter of April 9th was the first we have heard of this matter.

5-90-102

Motion by Councilman Yoder, supported by Councilman Tupper, to instruct the City Manager to respond to Standard Federal stating that to the best of our knowledge, we have not received any telephone calls or letters relative to the difficult crossing at the Grand River/Drake Road intersection. Motion carried, all ayes.

REQUESTS FROM MOBIL OIL
RE: SPECIAL PROMOTIONS

Council was advised that requests for special promotions were received for the Mobil Oil station at 35355 Grand River and the station at 8 Mile and Farmington Road.

The City Manager stated that the purpose of the promotion at 35355 Grand River is to generate additional business at the recently remodeled location. He advised that they will have a soda display on the sidewalk directly in front of the store,

COUNCIL PROCEEDINGS -3-
May 7, 1990

erect a 10' x 12' tent in their parking lot for the sale of hot dogs and fountain soda and attach helium balloons to the building. He stated that this promotion is scheduled for May 17 - May 20, 1990.

Manager Deadman advised that the station at 8 Mile and Farmington Road requests a similar promotional event from May 10 - 13, 1990.

Mayor Richardson expressed concern relative to the soda display being on the sidewalk area in front of the store at 35355 Grand River. The Mobil Oil representative stated that the display would be directly in front of the station door.

5-90-103

Motion by Councilman Hartsock, supported by Councilwoman McShane, to grant permission to Mobil Oil Corp. for the special promotions scheduled at the station at 35355 Grand River from May 17 through May 20, and from May 10, - 13, 1990 at the 8 Mile/Farmington Road station, as requested. Motion carried, all ayes.

PRESENTATION: DDA DIRECTOR

Wendy Strip-Sittsamer presented for Council's review the Downtown Development Authority's Annual Report. She showed a three minute video on the DDA.

Mrs. Strip-Sittsamer requested the following for the Kick-Off promotion on May 19, 1990, for a permanent Walking Path in the City:

- Use of the City sidewalks in the downtown area from 10:00 a.m. to Noon;
- City assistance to set up tables for the event;
- Special sign to permanently advertise the Path;
- Permission to stencil special "footprint" markings on the sidewalks along the Path;
- The closing of State Street for a Backward Walking Race;
- To set up a "Home Base" for the event at the North end of the Municipal Building.

Councilman Yoder found nothing objectionable about the promotion.

Mayor Richardson expressed concern about footprints painted on the sidewalks.

Councilwoman McShane thinks the promotion is very creative, but she objects to the footprints and to having another sign on City Hall property.

Councilman Hartsock thinks the Walking Path an excellent promotion and has no objection to the footprints.

COUNCIL PROCEEDINGS -4-
May 7, 1990

5-90-104

Motion by Councilman Tupper, supported by Councilman Hartsock, that City Council concur with and encourage the DDA to promote the Walking Path as presented, and to incorporate the various items as outlined in the DDA Director's presentation. Motion carried, 4 Ayes, 1 Nay (McShane).

REPORTS FROM CITY MANAGER

ESTABLISH PUBLIC HEARING RE: 1990-91
BUDGET AND INCREASE IN PROPERTY TAXES

The City Manager advised that prior to the adoption of the budget and millage rate for the coming year, it is necessary to establish a Public Hearing. He pointed out that this is required by City Charter and State Statutes.

5-90-105

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

[SEE ATTACHED RESOLUTION]

AUTHORIZATION TO CONTRACT WITH
STATE OF MICHIGAN FOR ROAD SALT

The City Manager advised that we have received excellent service from the State of Michigan by participating in the State bid for road deicing salt. He recommended that the City continue to participate in the State of Michigan salt program for the 1990-91 winter season.

5-90-106

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

BE IT RESOLVED that the Farmington City Council hereby authorizes participation in the State of Michigan deicing salt program for the 1990-91 winter season, and

BE IT FURTHER RESOLVED that if the State receives the same bid for the current year, Farmington expects to pay approximately \$29,000.00 for deicing salt during the winter of 1990-91.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED MAY 7, 1990.

PURCHASE OF PRINTER

Council was advised that bids for a high speed line printer to replace the existing old printer were received on April 18, 1990, from two out of the six vendors who were invited to bid.

COUNCIL PROCEEDINGS -5-
May 7, 1990

MIDCOM COMMUNICATIONS Livonia, Mi.	\$6,605
MARSHALL INDUSTRIES Livonia, Mi.	5,630

5-90-107

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

BE IT RESOLVED that the Farmington City Council hereby awards the contract for one Model 4440 Genecom printer in the amount of \$5,630.00 to Marshall Industries, Livonia, Michigan, and

BE IT FURTHER RESOLVED that funds be provided from the 1989-90 General Fund Budget.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED MAY 7, 1990.

MISCELLANEOUS

PUBLIC COMMENT

Arnold Campbell, 21080 Birchwood, asked if a sidewalk could be installed away from Flanders where a number of people cross to the Party Store on Farmington Road. He also suggested the possible installation of a sidewalk with curb cut at Colfax.

Director Billing advised that Colfax has already been marked for a sidewalk, but there will be no sidewalk installed at Flanders because there is no receiving sidewalk on the opposite side of the street; this would present a liability situation at an illegal crossing.

As a member of the Board of Zoning Appeals, Mr. Campbell suggested that the City Attorney look into better definitions of a recreational vehicle and a storage time period.

Mr. Campbell also asked if anything is going to be done regarding the renovation of the City Park storage building. The City Manager advised that we have applied for a State Grant for both city parks. He stated that the one for Drake Park was approved, but we will have to wait for the Shiawassee Park renovation until we can get another State grant approval.

COUNCIL PROCEEDINGS -6-
May 7, 1990

Councilwoman McShane advised that at the "Odyssey of the Mind" competition recently held in the Farmington School System, seven 8th Grade students won the State Championship and were chosen out of 500,000 entrants to be on the TODAY SHOW to present their skit showing how people the world over are the same.

Councilman Hartsock asked if any students were present who will participate in Student Government Day tomorrow.

The City Manager's student counterpart was present and introduced herself. The Mayor's counterpart was present but had to leave before introductions were made.

Mayor Richardson stated that Council has an invitation from Mayor Fox of Farmington Hills encouraging participation in the Historical Preservation Michigan Network meeting to be held at the Botsford Inn this weekend.

She also urged attendance at the "Celebration of our Diversity" on Thursday, May 24, 1990, from 6:30 to 8:30 p.m. at East Middle School.

The Mayor called attention to an invitation from the Salvation Army for an Open House Buffet from 11:00 a.m. to 1:00 p.m. on Wednesday, May 23, 1990.

FINANCIAL REPORTS
PERIOD ENDED MARCH 31, 1990

5-90-108

Motion by Councilman Hartsock, supported by Councilman Yoder, to receive and file the General Fund, the 47th District Court and the Water & Sewer Fund financial reports for the period ended March 31, 1990. Motion carried, all ayes.

DEPARTMENT OF PUBLIC WORKS AND
WATER AND SEWER DEPARTMENT
QUARTERLY REPORT, JANUARY-MARCH, 1990

5-90-109

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Department of Public Works and Water & Sewer Department Quarterly Report, for January - March 1990. Motion carried, all ayes.

BUILDING DEPARTMENT QUARTERLY REPORT
JANUARY - MARCH, 1990

5-90-110

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Building Department Quarterly Report for January - March, 1990. Motion carried, all ayes.

COUNCIL PROCEEDINGS -7-
May 7, 1990

WARRANT LIST

5-90-111

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$43,069.00; Water & Sewer Fund \$78,973.59.

ROLL CALL

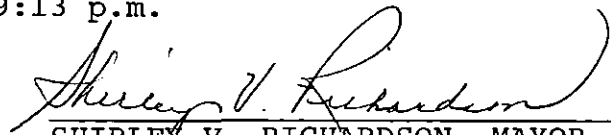
AYES: Yoder, Hartsock, McShane, Richardson, Tupper.
NAYS: None.
ABSENT: None.

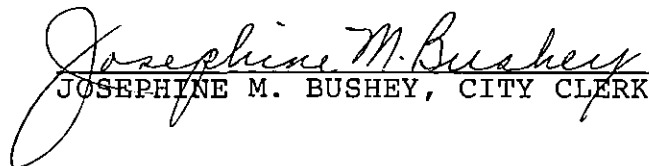
MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 9:13 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: May 21, 1990.

R E S O L U T I O N

NO. 5-90-105

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

WHEREAS, the Farmington City Council has received the City Manager's
recommended city budget for Fiscal 1990-91, 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
1990-91,

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
1990-91 as provided for in the attached notice.

ROLL CALL

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

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 7, 1990.

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 7, 1990, 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 1990-91
PROPOSED BUDGET

The City Council of the City of Farmington will hold a Public Hearing at 8:00 p.m. on Monday, May 21, 1990, in the Council Chambers in City Hall, 23600 Liberty Street, on the proposed 1990 city tax levy and on the proposed 1990-91 city operating and debt service millage rates.

In the previous year the city levied 10.9441 mills (\$10.9441 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 11.38 mills (\$11.38 per \$1,000 SEV). State law, (Act 5 of 1982) provides that the base tax rate for 1990 city operating taxes be reduced to 10.5931 per 1,000 SEV). This is a .7869 mill (\$.7869 per \$1,000 SEV) lower tax rate than the 1989 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 1990-91. Michigan's inflation rate was 4.8% in the prior year. Revenues from other sources will not be adequate to offset the increased cost of providing services.

The increase in the cost of providing essential services will make it necessary to restore a portion of the reduction in the base rate for 1990. The restoration of a portion of the base rate shall reduce the millage levied by the city from the previous year's rate. The total proposed millage rate will be 11.03 mills (\$11.03 per \$1,000 SEV). The millage rate shall provide a 5.81% increase in city operating and limited debt service property tax revenues. Individual property taxes may increase greater or less than the estimated average.

Public comments, oral or written, are welcome at the hearing on the proposed millage rate and on the proposed budget for FY 1990-91.

Summary of the FY 1990-91 budget follows:

GENERAL FUND REVENUES

Local Taxes	\$2,395,855
Intergovernmental Revenues	943,145
State Shared Revenues	907,705
Federal Revenues	61,460
Transfers from Other Funds	341,585
Appropriation from Unappropriated Funds	<u>88,545</u>

Total General Fund Revenues:

\$4,738,295

HIGHWAY FUND REVENUES

Gas & Weight Taxes	\$ 327,500	
Contracts & Grants	74,785	
Transfers & Assessments	<u>869,986</u>	
Total Highway Fund Revenues:		\$1,272,271

DEBT SERVICE FUND REVENUES

General Debt Service	\$ 312,335	
Special Assessment Debt Service	<u>647,695</u>	
Total Debt Service Fund Revenues:		\$ 960,030

CAPITAL IMPROVEMENT FUND REVENUES

Investment & Interest Income	\$ 57,750	
Appropriation, Fund Equity	<u>570,195</u>	
Total Capital Improvement Fund Revenues:		\$ 627,945

WATER & SEWER FUND REVENUES

Water & Sewer Sales	\$1,575,280	
Service Fees	21,900	
Miscellaneous Revenues	<u>60,500</u>	
Total Water & Sewer Fund Revenues:		\$1,657,680
TOTAL REVENUES - ALL FUNDS		\$9,256,221

GENERAL FUND EXPENDITURES

General Government	\$ 975,195	
Public Safety	1,449,230	
Public Services	741,455	
Parks & Recreation	145,685	
Library	184,540	
Miscellaneous	287,630	
Insurance, Fixed Expenditures	711,960	
Interfund & Debt Service Transfers	<u>242,600</u>	
Total General Fund Expenditures:		\$4,738,295

HIGHWAY FUND EXPENDITURES

Construction	\$ 253,000	
Operating & Maintenance	939,381	
Debt Service	<u>79,890</u>	
Total Highway Fund Expenditures:		\$1,272,271

DEBT SERVICE FUND EXPENDITURES

General Debt Service	\$ 312,335	
Special Assessment Debt Service	<u>647,695</u>	
Total Debt Service Fund Expenditures:		\$ 960,030

CAPITAL IMPROVEMENT FUND EXPENDITURES

Transfers - Other Funds	\$ <u>627,945</u>	
Total Capital Improvement Fund Expenditures:		\$ 627,945

WATER & SEWER FUND EXPENDITURES

Operating & Maintenance	\$1,623,170	
Transfer to Capital Replacement	<u>34,510</u>	
Total Water & Sewer Fund Expenditures:		\$1,657,680
TOTAL EXPENDITURES - ALL FUNDS:		\$9,256,221

JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was held on Wednesday, May 9, 1990, 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 7:30 p.m. by Mayor Richardson.


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

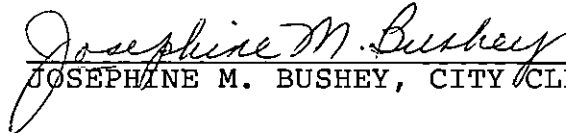
OTHERS PRESENT: City Manager Deadman.

Council completed its review of the General Fund and reviewed the Highway Fund, Water and Sewer Fund, and Capital Improvement Fund budgets.

Council tentatively agreed, pending a public hearing on the budget, to make final adjustments in the employee retirement, city insurance, and the 47th District Court expenditure accounts.

Meeting adjourned at 9:40 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: June 4, 1990.

SPECIAL MEETING
CITY OF FARMINGTON AND CITY OF FARMINGTON HILLS
JOINTLY FUNDED AGENCIES'
BUDGET REVIEW
MAY 17, 1990

The City Councils of Farmington and Farmington Hills met on May 17, 1990, at the Farmington City Hall, 23600 Liberty Street, to review the budgets of the agencies jointly funded by the two cities. The meeting was called to order at 7:03 p.m. by Mayor Richardson.

PRESENT FROM THE CITY OF FARMINGTON HILLS: Mayor Fox, Council Members Bates, Grant, Lichtman, Marks (arrived at 7:13 p.m.), Sever (arrived at 7:30 p.m.), Vagnozzi, City Manager Costick, Assistant Treasurer Williams, City Clerk Dornan.

PRESENT FROM THE CITY OF FARMINGTON: Mayor Richardson, Council Members Hartsock, McShane, Tupper, Yoder, City Manager Deadman, City Clerk Bushey.

FARMINGTON AREA ARTS COMMISSION

Beverly Ellis, Chairperson of the Farmington Area Arts Commission, was present to report on the new programs included in the 1990-91 budget. She advised that in most cases the budget requests have been increased by \$50 except Administrative costs which were increased \$100.

FARMINGTON YOUTH ASSISTANCE

Susan Rennels, Chairperson of Farmington Youth Assistance, was present to review the budget. She introduced two new case workers, Kris Ritter and Debra Hyde.

Ms. Ritter reviewed programs of the past year and discussed programs for the new budget year. She pointed out that more money and greater focus must be spent to reverse the trend of juvenile delinquency.

Ms. Hyde reported on her work with families and youngsters.

Councilman Tupper called attention to a budget revenue amount of \$52,227.12 and expenditures of \$40,131.00; he asked if there is some place in the budget that describes this \$12,096.00 surplus.

He was advised that the surplus will be spent in June when summer activities begin to meet salaries of directors and staff. City Manager Deadman also stated that operating funds are necessary to meet payroll.

FARMINGTON AREA ADVISORY COUNCIL

Director Betty Arnold presented the budget of the Farmington Area Advisory Council. She discussed 1989 statistics relative to Out-Patient Counselling, work with Farmington Families in Action, Headstart, in-house and community programs; also referrals from various sources.

Ms. Arnold introduced Suzanne Green, Community Education Coordinator, who helps schools augment their student assistance programs. Ms. Green discussed her work with adolescents and parent support groups; also her work with PTA workshops, summer Church groups, Headstart and elderly substance abuse programs.

Miss Arnold called attention to the portable classroom which is available for Alanon and AA meetings.

Mayor Fox asked about the Agency's success ratio. Ms. Arnold stated that 53% were completely successful in their treatment during the past year, 27% planned discharges were partially treated successfully and relocated; 18% left against program advice and were unsuccessful.

Ms. Arnold advised that her administrative assistant has taken another position, and she is trying to distribute those responsibilities among other staff members as well as herself.

FARMINGTON AREA COMMISSION ON AGING

Adolph Anselmi, Chairman of the Farmington Area Commission on Aging, presented the agency's budget. He stated that expenditures are not out of line as they had a reduction this year. He pointed out that operating expenses are the same. Mr. Anselmi indicated that he would like to see more funds allocated for trips and conferences. He stated that the Health-O-Rama in April is the Agency's biggest project in the total budget of \$1,800.00.

Mayor Richardson complimented the Commission on its unique concept of holding meetings at various senior centers and retirement communities.

A brief recess was called at 7:53 p.m. The meeting reconvened at 8:00 p.m.

47th DISTRICT COURT

District Court Judges Schaeffer and Harris were available to present the budget and answer the Councils' questions. Judge Schaeffer pointed out the need for remodeling the District Court building, stating that more space is needed as well as another judge. She stated that the Court has tried to manage with three part-time magistrates, which she feels is very unsatisfactory on a permanent basis. She advised that the legislature has authorized another judge and asserted the need for the modest increases requested, particularly for more clerical and probationary help.

Councilman Tupper asked if having a full time magistrate would not be as good as having a full time judge. Judge Schaeffer pointed out that there are some things a magistrate cannot do.

Councilman Marks questioned the \$76,000.00 requested for part time employees vs. \$50,000.00 shown in the Manager's Request.

Councilman Vagnozzi asked if the Court can predict that it will absolutely need a third judge. Judge Schaeffer stated that this would certainly be necessary within the next two years. She pointed out that the 47th District Court has handled more cases with two judges than others do with three judges, but that the workload continues to mount.

Councilman Sever asked if the Court has cases before it that could actually justify higher fines, or if the Court is limited by statute in this regard. Judge Schaeffer stated that we are not on the low side; probably higher than average for many.

City Manager Costick pointed out that the judges were asked two years ago to look at the revenue schedule. He advised that this was done and significant increases are now coming in as a result. He asked the judges and the Court Administrator to again look at a comparative analysis of fines and options when they budget for next year and to adjust fees and fines accordingly. He pointed out that we have to figure out how to pay for a new judge, and this could be one source of the needed revenue. The City Councils were advised that some fees will be increased as soon as the supply of old tickets is exhausted.

Councilman Yoder asked if the dramatic increase in pensions was caused by Judge Hand's retirement. City Manager Deadman stated that the Farmington Hills actuarial report caused an increase in the City's percentage of contribution.

Mayor Fox expressed concern that the judges' salaries do not show in the budget. City Manager Deadman explained State procedure relative to the judges' salaries, which he said accounts for the cities having no way to budget for this item.

Councilman Vagnozzi asked if the cities can do anything to help counteract the increase in consumer fraud. Judge Schaeffer suggested that this might be something to discuss with the City Attorney.

Mayor Richardson asked what Fringe Benefits were included in the budget. The Court Administrator pointed out the individual benefits.

Councilman Tupper questioned the amount of \$18,000.00 for Bookkeeping Fees. He was advised that this item covers the City of Farmington handling the Court payroll.

Councilman Vagnozzi asked what shape the Court docket is in. Both judges advised that it is quite current.

Mayor Richardson called for comments from the audience regarding the District Court Budget.

A former employee questioned the need for a third judge and suggested that the Councils look into the request that the Court has made for additional funds. He suggested that there is a lot of time lost and inefficiency in the court operation. He acknowledged the need for more space, but stated that he does not understand why two judges and three magistrates cannot handle the workload without a third judge.

Another former employee pointed out that the Judges' statement regarding the current docket would make one question the need for a third judge. She commented that while the State may fund the majority of their salary, there would be a need of support staff for a third judge. She pointed out that in terms of the additional full time probation officer, the City Councils should direct that this is what the money is used for.

FARMINGTON COMMUNITY LIBRARY

Robert Plummer, Library Board President and Beverly Papai, Library Director, presented the budget. Mr. Plummer stated that their effort to reduce the request for city funding still left them \$6,500.00 short of reaching the Managers' requested \$60,000.00 reduction. He pointed out that personnel costs make up well over 50% of the budget, including a 4% salary increase for the coming year.

Mr. Plummer expressed concern that rising health care costs would cause actual expenditures to exceed the budget line item in the coming year. He called attention to a risk factor in revenue assumptions, expressing further concern that there will be a cut in State funding.

Councilwoman McShane asked about a \$7,000.00 item to cover two employee retirement parties noted in the March 15th minutes of the Board of Trustees. Ms. Papai advised that the retirement parties came out of the Miscellaneous line item and the amount was less than \$1,000.00.

Councilman Vagnozzi stated that he would like to see the \$6,500.00 remain in the budget. He expressed concern over the proposed reduction in the microfilm budget and the \$10,000.00 reduction in the book budget.

City Manager Deadman stated that it is really up to the Library Administrator and the Board to reduce the budget as requested by the City Managers. He advised that for the last few years, the Library received more funding than any other City Department. He stated that a very tight budget from both cities is necessary to reduce millage rates this year. He pointed out that even with the suggested reduction, the Library will receive a larger increase than most other City Departments.

Councilman Tupper expressed concern about the increased book expenditure and the video cassette item.

Mayor Richardson called for comments from the audience. There being none, she asked Ms. Papai to proceed with the presentation.

Councilman Vagnozzi stated that he would appreciate specific information being made available relative to the former employees' comments concerning the Court budget.

Ms. Papai stated they are hoping to build a new library.

Councilman Sever asked that the presentation would highlight any changes that have occurred based on the election and on feedback that might have changed the Library's options.

Ms. Papai stated that the only change is in cost, as the present library will be sold, and this could substantially reduce the cost. Mr. Plummer pointed out that if the library is placed on City-owned property, the costs will be even less.

City Manager Costick asked that the Peltz property be discussed with the Farmington City Council as a possible library site. He also asked what might be the Library Board's wishes regarding when they would hope to go back to the voters.

Ms. Papai advised that five architectural firms were interviewed, all with the assumption that the present facility would be expanded. Each determined that the current facility would be difficult to expand.

Mr. Plummer advised that the configuration of the present building lends itself to a very inefficient setup as far as expansion is concerned.

Ms. Papai showed architects' drawings for several new library options.

Councilman Yoder asked if the Peltz property, at 12 mile and Farmington Road, is the only site option.

Councilman Tupper stated that he has mixed feelings about renovating the old building and would rather have a new library.

Members of the Farmington Hills Council felt that more study is necessary before deciding to sell a portion of the Peltz property to the Library Board. Also discussed was whether or not there could be shared land use with other city facilities for parking, if the Peltz property were used.

Certain Council members felt that the Peltz property is not centrally located. Others considered it an ideal location, only a short distance from the present site.

Councilman Yoder suggested a Council vote on the expansion of the existing library or building a new facility.

Councilwoman Bates called for a facility study requiring public hearings for citizen input.

Councilman Sever stated that he is not interested in going back to the voters without asking for funding.

Councilman Lichthman pointed out that there is not just 26 acres of Peltz property to be considered, but the MDOT site as well.

Mayor Richardson called attention to Councilman Yoder's previous suggestion to vote on whether or not both Councils would agree to the expansion of the existing facility or lend support for a new library.

Mayor Fox called for an advisory Council vote.

An advisory vote was taken on a motion by Grant, supported by Fox, to support the expansion of the Library in the form of a new building. Motion carried, 10 Ayes, 1 Nay (Marks), 1 abstention (Tupper).

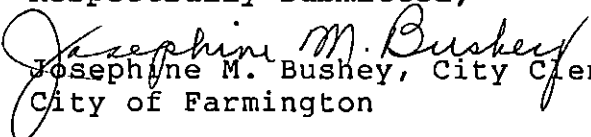
Mayor Richardson called for public comments regarding the Library budget. There being none, she called for other business.

City Manager Deadman distributed information relative to rubbish recycling. He stated that he was not proposing that any action be taken at this time. He advised that both cities will select a successful bidder for rubbish collection and report back to the two Councils in July.

City Manager Costick advised that July 1, 1991, is the date in the bid proposal that the contractor is being asked to start curbside recycling.

Meeting adjourned at 9:58 p.m.

Respectfully submitted,


Josephine M. Bushey, City Clerk
City of Farmington

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, May 21, 1990, 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 Clerk Murphy.

MINUTES OF PREVIOUS MEETING

5-90-112

Motion by Councilman Yoder, supported by Councilwoman McShane, to approve the minutes of the previous meeting of May 7, 1990, as printed. Motion carried, all ayes.

PUBLIC HEARING

TO REVIEW 1990-91 BUDGET AND MILLAGE RATE

Mayor Richardson opened the public hearing and asked City Manager Deadman to give a brief report on the proposed budget.

Manager Deadman reported that the proposed budget calls for expenditures in the General Fund of \$4,738,295.00, requiring a local operating millage rate of 10.05 mills of property tax. He placed Debt Service expenditures for the coming year at \$312,335.00, requiring a local Debt Service rate of .98 mill.

Council was advised of other fund expenditures as follows:

Highway Fund	\$1,272,271.00
Water and Sewer Fund.....	1,657,680.00
Capital Improvement Fund.....	627,945.00

The City Manager reviewed a summary of important programs contained in the budget and gave a brief overview of major programs as follows:

- Continuation of existing service programs;
- Replacement of heating/cooling system at the Department of Public Services Facility;
- Improvements to City's combined sewer system;
- Replacement of street sweeper.

Manager Deadman stated that the local millage rate will be reduced .35 mill from the previous year.

There were no comments or questions from the audience.

COUNCIL PROCEEDINGS -2-
May 21, 1990

5-90-113

Motion by Councilman Tupper, supported by Councilman Hartsock, to close the public hearing; final action on the budget to be forthcoming at the first meeting in June. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

5-90-114

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

- Farmington Planning Commission minutes of May 14, 1990;
- Downtown Development Authority minutes of May 1, 1990;
- Board of Zoning Appeals minutes of May 2, 1990;
- Farmington Historical Commission minutes of April 18, 1990;
- Farmington Area Arts Commission minutes of April 26, 1990;
- Farmington Community Library minutes of April 12, 1990;

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM DETROIT CHURCH OF CHRIST
RE: USE OF WAR MEMORIAL PARK

Dr. Kramer was present to speak for the Detroit Church of Christ. He requested use of the War Memorial Park on June 2, 1990, for a craft, rummage and bake sale.

5-90-115

Motion by Councilman Yoder, supported by Councilman Tupper, to grant permission to the Detroit Church of Christ to use the War Memorial Park for a craft, rummage and bake sale on June 2, 1990, with the stipulation that permission from the Salem United Church of Christ and Masonic Temple be obtained for parking purposes, that an insurance binder be obtained and that the area will be cleaned up at the completion of the sale. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE: FARMINGTON
GLASS AND MIRROR, ORCHARD LAKE ROAD

Council was advised that Farmington Glass and Mirror proposes to replace the existing wall sign of Henderson Glass with an awning containing 15 inch high lettering.

The City Manager stated that this will require a variance to Section 25-4 (5) of the City's Sign Ordinance to permit 15 inch letters on the awning to be installed on the building fascia at 22855 Orchard Lake Road.

5-90-116

Motion by Councilman Hartsock, supported by Councilman Tupper, to grant the requested variance to Farmington Glass and Mirror for the installation of an awning type sign on the fascia of the building at 22855 Orchard Lake Road to replace the existing Henderson Glass sign and to include on the awning 15 inch high lettering, with the stipulation that the sign area of the awning be considered in the 10% allowance of the total building. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE: DAVE
GRODZICKI, GRAND RIVER/VIOLET STREET

Council was advised that the owners of the commercial building at Violet and Grand River seek a variance to Section 25-3 (e) of the Sign Ordinance to allow the installation of a directional parking sign.

Manager Deadman stated that the sign would be located three feet north of the Grand River sidewalk and 4 feet east of the Violet Street sidewalk. He indicated that the "Parking in the Rear" sign would be three feet wide and 3 feet tall, containing 9 sq. ft., tastefully constructed to match the awning of the strip center.

5-90-117

Motion by Councilman Tupper, supported by Councilman Yoder, to grant the requested sign variance for a directional parking sign to be installed within the 25 ft. triangle formed by the property lines paralleling Grand River and Violet, with the stipulation that the sign be set back four feet from Violet Street and four feet from Grand River. Motion carried, 4 Ayes, 1 Nay (Richardson).

REPORTS FROM CITY MANAGER

ANNUAL CONTRACT: VEHICLE CLEANING

The City Manager advised that Jax Kar Wash is the only city facility which provides for interior and exterior cleaning as part of its wash operation. He stated that the annual fee for 1990-91 will be \$290.00 per vehicle after discount.

5-90-118

Motion by Councilman Hartsock, supported by Councilman Tupper, 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 1990-91 to Jax Kar Wash in the amount of \$4,060.00 for cleaning the City's fourteen vehicles, and

COUNCIL PROCEEDINGS -4-
May 21, 1990

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

ROLL CALL

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

RESOLUTION DECLARED ADOPTED MAY 21, 1990.

CONTRACTOR PAYMENT
1989-90 SIDEWALK PROGRAM

The City Manager advised that the contractor submitted a payment request for work completed through May 8, 1990 on the 1989-90 Sidewalk Program. He stated that the city inspector concurs with the contractor's request as submitted. He recommended payment as requested.

5-90-119

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

BE IT RESOLVED that the Farmington City Council hereby authorizes payment of \$51,304.27 to Core Concrete Construction, Inc., Livonia, Michigan, for work completed through May 8, 1990, on the 1989-90 Sidewalk Program, and

BE IT FURTHER RESOLVED that funds be provided from the Sidewalk Special Assessment District and General Fund Sidewalk Account.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED MAY 21, 1990.

PROPOSED BUDGET FOR
SOUTHWESTERN OAKLAND CABLE COMMISSION

Council was advised that the FY 1990-91 budget for the Cable Commission provides for cable franchise oversight and public access support staff. The City Manager pointed out that MetroVision is providing an annual contribution of \$25,000.00 to help maintain a new facility for the Cable Commission as well as to equip the studio and aid in building remodeling.

Manager Deadman recommended approval of the budget, stating that it is well thought out and reflects expenditures for staff, debt service and operation costs for the new facility.

5-90-120

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the Southwestern Oakland Cable Commission's budget for FY 1990-91 as presented. Motion carried, all ayes.

CITY LOGO

The Council Subcommittee working on developing a city logo for use on the city seal and other official documents presented a proposed logo for Council consideration, with final art work pending approval of the logo.

5-90-121

Motion by Councilman Yoder, supported by Councilwoman McShane, to approve the City Logo with the family and tree theme as presented.

Mayor Richardson asked for a Roll Call vote.

ROLL CALL

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

MOTION CARRIED.

PUBLIC COMMENT

August Blomquist, 33953 Schulte, commended Council for their thoroughness in making decisions on granting sign variances. He also suggested that some guidelines be drafted for Council to follow regarding granting permission to use city facilities, such as requiring residency and providing liability insurance. Nancy Leonard, Shiawassee Street resident, supported the idea.

Councilman Tupper discussed the proposed changes to the City's Sign Ordinance.

APPOINTMENTS: BOARDS/COMMISSIONS

Board of Zoning Appeals

Council was advised that the terms of Lee Ratliff and Robert Walker will expire in June; also the terms of Alternates William Burke and William Hartsock.

Manager Deadman stated these members are willing to serve an additional term, if appointed.

5-90-122

Motion by Councilwoman McShane, supported by Councilman Yoder, to reappoint J. Lee Ratliff, Robert Walker, and Alternates William Burke and William Hartsock to three-year terms on the Board of Zoning Appeals, said terms to expire June 15, 1993. Motion carried, all ayes.

Farmington Beautification Committee

Council was advised that the Beautification Committee recently completed recruitment to add to its membership. The names of Sandra M. Shelly and Donna Dammon were submitted for Council's consideration.

5-90-123

Motion by Councilman Hartsock, supported by Councilwoman McShane, to appoint Sandra M. Shelly and Donna Damon to two-year terms on the Farmington Beautification Committee, said terms to expire June 15, 1992. Motion carried, all ayes.

PUBLIC SAFETY DEPARTMENT OPERATIONS
REPORT: JANUARY - MARCH, 1990

5-90-124

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the Public Safety Department Operations Report for January - March, 1990. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

RESOLUTION CERTIFYING DELINQUENT PAYMENTS

5-90-125

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

[SEE ATTACHED RESOLUTION]

WARRANT LIST

5-90-126

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$25,545.18; Water & Sewer Fund \$67,592.52.

ROLL CALL

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


MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 9:07 p.m.


SHIRLEY V. RICHARDSON, MAYOR


CAROL MURPHY, ACTING CITY CLERK

Approved: June 4, 1990.

R E S O L U T I O N

NO. 5-90-125

Motion by Yoder, supported by Hartsock,

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 \$27,629.76 be placed on the 1990 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

BE IT FURTHER RESOLVED that the attached list be made a part of this resolution:

ROLL CALL

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

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 21, 1990.

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 May 21, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

CITY OF FARMINGTON
MAY 21, 1990

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 11, 1990, the following Special Assessment Invoices, City Service Invoices, and Water Bills were delinquent and should be placed on the 1990 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>
23-26-301-040	H. JAMES & E. GABEL	19-88	\$ 131.16
23-26-302-003	D. PRIEBE	19-88	58.24
23-26-303-029	R. KALES JR.	19-88	232.96
23-26-304-018	S. DAVIS	19-88	179.94
23-26-354-010	M. MC GEE	19-88	72.80
23-26-377-003	K. MAGEE	19-88	152.88
23-27-103-010	R. BOWDEN	19-88	101.92
23-27-202-036	G. KEYSMITH	19-88	151.06
23-27-202-038	A. ZARON	19-88	230.48
23-27-203-037	J. HONE	19-88	227.64
23-27-251-003	D. GRIFFITH	19-88	145.60
23-27-251-004	R. DUGGAN	19-88	156.92
23-27-251-034	W. BLISS	19-88	76.44
23-28-204-041	OAK HILL NURSING HOME	82-72	72.90
23-28-252-009	D. BRADO	82-72	117.96
23-28-256-006	G. YASTIC	82-72	225.04
23-28-256-013	D. NIEHAUS	82-72	258.73
23-28-258-004	R. MACKAY	82-72	242.66
23-28-276-018	M. WILLIAMSON	82-72	172.28
23-28-278-006	M. CHATTA	82-72	61.46
23-28-227-001	J. SEXTON	83-73	200.09
23-27-305-035	W. TIDWELL	85-75	86.80
23-29-127-012	E. PALINKO	87-76	478.12
23-29-153-018	C. TANGORA	87-76	478.12
23-29-176-003	E. GANDOLFO	87-76	219.79
23-29-176-008	S. CAMPBELL	87-76	478.12
23-29-176-009	C. SULLIVAN	87-76	478.12
23-29-177-001	R. ZIMMER	87-76	478.12
23-29-177-003	A. BYLSKI	87-76	478.12
23-29-203-013	P. DAUM	87-76	478.12
23-29-226-019	R. ANTON	87-76	478.12
23-29-252-006	T. ADAMS	87-76	478.12
23-29-254-002	R. HEINLE	87-76	478.12
23-29-254-005	J. NASTWOLD	87-76	478.12
TOTAL DELINQUENT SPECIAL ASSESSMENTS			\$ 8,835.07
TOTAL DELINQUENT CITY SERVICE INVOICES			4,118.38
TOTAL DELINQUENT WATER BILLS			14,676.31
GRAND TOTAL *****			\$ 27,629.76

CERTIFICATION OF DELINQUENT CITY SERVICES INVOICES

MAY 21, 1990

<u>PARCEL NO.</u>	<u>ACCOUNT NAME</u>	<u>INVOICE NO.</u>	<u>AMOUNT DUE</u>
23-26-355-020	Tai Chung 31200 Grand River weed cutting 6/89 weed cutting 8/89	9653 9685	\$ 66.00 66.00
23-27-326-009	Charles D. Hannan 32580 Grand River weed cutting 6/89 weed cutting 8/89	9657 9688	66.00 66.00
23-27-404-011	Dr. Peter W.Y. Wong 32316 Grand River weed cutting 6.89 weed cutting 8/89	9661 9691	66.00 66.00
23-28-228-006	Thomas Mannino 33741 Shiawassee weed cutting 6/89 weed cutting 8/ 89	9662 9692	66.00 66.00
23-26-302-017	Mrs. Derocher 23076 Violet	9709	95.00
23-26-355-020	Wash Hut 31200 Grand River	9567	199.32
23-27-153-008	Michele Marc's Flowers 33316 Grand River	9554	33.52
23-27-155-025	Omiro's Coney Island 23360 Farmington Road	9607	75.00
23-27-155-040	Downtown Farmington center P.O. Box 51 Royal Oak, MI 48068	9777 9727 9794	540.37 529.45 1,339.20
23-28-126-026	Rosemary Shaw 34556 Oakland	9672	25.00
23-28-230-004	C & J Associates 33620 Grand River	9556	33.52
23-28-256-006	Gail Yastic 33725 State Street	9761	720.00
			<hr/>
			\$4,118.38
			<hr/> <hr/>

CITY OF FARMINGTON DELINQUENT WATER ACCOUNTS
May 21, 1990

<u>ACCOUNT NO.</u>	<u>PARCEL NO.</u>	<u>SERVICE ADDRESS</u>	<u>AMOUNT</u>
01-00505-01-1 (16-07300-01-1)	23-28-256-006	33725 State	\$ 138.18
01-00635-01-1 (16-07370-01-1)	23-28-204-008	23925 Wilmarth	284.12
01-00750-01-1 (16-07465-01-1)	23-28-230-005	33615-17 Adams	118.46
01-01110-01-1 (16-07850-01-1)	23-28-229-001	33629 Shiawassee	359.68
02-00475-01-1	23-27-330-033	22911 Power	403.34
02-00490-01-1	23-27-330-038	22827 Power	114.71
02-00620-01-1	23-27-451-032	22518 Power	271.08
02-00800-01-1	23-27-128-004	23850 Power	231.99
03-00135-01-1	23-27-302-015	22840 Farmington	84.57
03-00190-01-1	23-27-302-004	23100 Farmington	359.68
03-00290-01-1	23-27-155-025	23360 Farmington	290.06
03-00495-01-1	23-28-126-026	34705 Grand River	222.40
03-00510-01-1 (16-07940-01-1)	23-28-128-030	34637 Grand River	140.03
03-00945-01-1	23-35-103-018	30790 Grand River	341.50
04-00750-01-1 (16-08300-01-1)	23-28-252-003	33909 Oakland	573.36
04-00780-01-1 (16-08330-01-1)	23-28-252-009	33705 Oakland	154.20
05-00205-01-1	23-26-358-007	22500 Lilac	328.40
05-00740-01-1	23-26-304-017	23277 Hawthorne	273.69
05-00825-01-1	23-26-354-010	22839 Hawthorne	101.82
05-00890-01-1	23-26-359-024	22427 Hawthorne	362.30
05-00915-01-1	23-35-126-003	22116 Hawthorne	34.68
05-00955-01-1	23-26-377-003	22460 Hawthorne	508.24
05-01070-01-1	23-27-226-038	24109 Orchard Lake	54.59
05-01090-01-1	23-27-226-038	24077 Orchard Lake	239.61
05-01455-01-1	23-26-301-045	23007 Violet	461.33
05-01525-01-1	23-26-355-009	22487 Violet	258.06
07-00015-01-1	23-27-305-025	23025 Manning	218.46
07-00770-01-1	23-27-303-028	22905 Hayden	149.76
07-01035-01-1	23-27-303-005	23016 Warner	296.17
08-00030-01-1	23-27-202-038	32118 Loomis	367.50
08-00125-01-1	23-27-251-024	23561 Loomis Ct	89.78
08-00225-01-1	23-27-251-003	23779 Ely Ct	297.16
08-00435-01-1	23-27-226-030	31560 Leelane	69.85
08-00740-01-1	23-27-226-022	31664 Folkstone	218.95
08-01255-01-1	23-27-204-007	23970 Colchester	381.27
08-01350-01-1	23-27-204-018	31979 Lamar	149.35
08-01555-01-1	23-27-231-013	31790 Lamar	152.63
08-01755-01-1	23-27-229-007	23854 Beacon	53.31
09-00290-01-1	23-28-403-009	33939 Moore	312.78
12-00120-01-1	23-34-355-003	20750 Farmington	78.05
12-00400-01-1	23-34-151-005	33137 Maplenut	276.27
12-00525-01-1	23-34-151-028	21411 Chestnut Lane	318.00
12-00600-01-1	23-34-152-001	21640 Chestnut Lane	85.08
12-00910-01-1	23-34-354-013	33107 Meadowlark	316.91

CITY OF FARMINGTON DELINQUENT WATER ACCOUNTS
May 21, 1990.

<u>ACCOUNT NO.</u>	<u>PARCEL NO.</u>	<u>SERVICE ADDRESS</u>	<u>AMOUNT</u>
12-01200-01-1	23-34-301-010	21367 Larkspur	\$ 263.64
12-01435-01-1	23-34-328-023	21009 Laurelwood	747.96
12-01605-01-1	23-34-353-023	20943 Robinwood	89.42
12-01860-01-1	23-34-352-012	21073 Birchwood	357.08
12-02005-01-1	23-34-303-004	21310 Birchwood	273.21
12-02160-01-1	23-34-301-008	33042 Annewood	289.70
14-00136-01-1	23-28-179-013	23371 Cill	461.33
15-00185-01-1	23-29-127-012	36619 Vicary Lane	218.96
15-00325-01-1	23-29-177-001	36599 Saxony	367.50
15-00340-01-1	23-29-177-004	36545 Saxony	492.59
15-00415-01-1	23-29-176-008	36566 Saxony	229.23
15-01855-01-1	23-29-203-013	35836 Smithfield Ct	135.43
16-02725-01-1	23-28-153-006	35109 Drake Heights	208.90

\$ 14,676.31

COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was held on June 4, 1990, in Meeting Room A, 23600 Liberty Street, Farmington. Notice of the meeting was posted in compliance with P. A. 267-1976.

The meeting was called to order at 7:30 p.m. by Mayor Richardson.

PRESENT: Hartsock, McShane (arrived at 7:55 p.m.), Richardson, Tupper, Yoder.

OTHERS PRESENT: Director Billing, City Manager Deadman, City Clerk Bushey.

ROCKS IN THE RIGHT-OF-WAY

Mayor Richardson stated that she received a telephone call from a resident asking the City to issue a permit to put rocks in front of their street on Oakland. She pointed out that between Cass and Wilmarth on Oakland there are four homes that have rocks out in front.

Manager Deadman pointed out that permits are not given for this purpose. He advised that although Council in December of 1987 established a policy pertaining to rocks located in the right-of-way, the administration has been somewhat reluctant to enforce the policy because of the number of properties in violation. He asked if Council wishes that the policy be enforced.

The City Manager showed photographs of rocks in the roadways stating that there are approximately 250 homes in violation of the City's policy. He suggested that either the policy be changed or that it be enforced. He pointed out that the City's liability is somewhat greater because the policy exists.

Mayor Richardson asked what size rocks we are talking about to keep people off the lawn. She further stated that she is unsure of how far we should go, but that something has to be done.

Manager Deadman stated that if the rock is more than 8 inches, it can be 1 1/2 ft. behind the curb line. If there is no curb or there is a roll curb, it must be 10 ft. back from the roadway.

He stated that he will review the present policy and return to Council with a proposed revision.

Councilman Hartsock asked if we are willing to deal with this; also, if we are creating any more liability by doing nothing at all.

Manager Deadman asked if Council feels that the rocks are a problem. He also asked if Council is prepared to accept the liability involved?

Councilman Yoder stated that more time should be spent on this before making a final decision.

The City Manager asked if Council really wants this policy enforced.

Councilman Yoder suggested doing nothing at this time and scheduling another early meeting.

Manager Deadman stated that the City will check to see if the number of violations has changed.

CITY'S CONTRIBUTION TO
LOCAL STREET IMPROVEMENTS

The City Manager presented a copy of the current policy on local street improvements. He stated that the issue has been raised regarding whether or not the city should contribute anything toward the cost of replacing local streets. He pointed out that the City has historically contributed 20% or more, depending on circumstances evaluated by Council at the time of replacement.

He recommended that the City continue the 20% contribution toward replacement costs. He said he has already talked to residents on Valleyview, Prospect and others about their streets, and advised that the City will contribute up to 20% for their replacement.

Council agreed that the City's contribution toward these costs is not to exceed 20%.

SYCAMORE TREES
FARMINGTON MEADOWS AND OAKS AREA

Manager Deadman advised that property owners have requested that they be allowed to remove the unhealthy sycamore trees, and replace them with a new variety that would find the soil conditions more conducive to long-term healthy growth.

He stated that the administration would like to grant permission for residents to remove the trees with the following stipulations:

1. That the tree be removed and the stump ground;
2. That the resident be required to plant a new tree of the variety permitted by Code;
3. That if the sidewalk has been heaved as a result of root growth, the resident be required to replace the sidewalk.

He suggested that Council may wish to visit the Farmington Meadows and Farmington Oaks Subdivisions to view these trees.

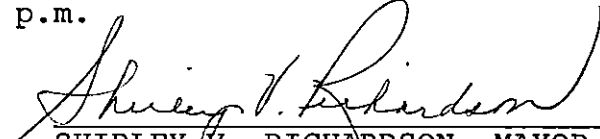
Director Billing advised that the sycamore trees are not dead but have a wilting disease caused by stress. He proposed that if a resident desires to remove a tree whose leaves have started to wither and drop that the resident stump the removed tree and plant a tree in its place.

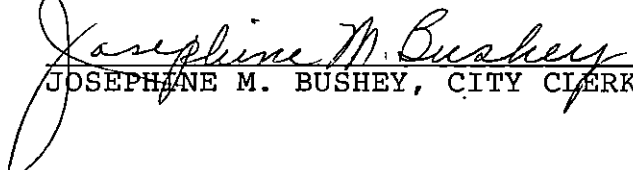
He pointed out that there are approximately 39 sycamores on the City right-of-way. He stated that to remove one will cost between \$300 and \$800.

Manager Deadman stated that the City has been reluctant to give permission to remove what appear to be semi-healthy trees. He further stated that a reasonable policy would be that if a resident wants to remove a tree, he/she should be allowed to do so. He further stated that the resident would also grind down the stump and repair the sidewalk, if necessary.

Mayor Richardson asked if the City lost any trees during the storm this past weekend. Mr. Billing said that several were lost.

The meeting adjourned at 7:57 p.m.


SHIRLEY W. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: June 18, 1990.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, June 4, 1990, 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, 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

6-90-127

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the Special meetings of April 19, May 1 and May 9, and the Regular meeting of May 21, 1990, as printed. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

6-90-128

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

- Traffic and Safety Board minutes of March 15 and April 19, 1990;
- Farmington Area Commission on Aging minutes of May 22, 1990;
- Board of Education minutes of May 1, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM JODY SORONEN RE:
FARMINGTON FOUNDERS' FESTIVAL PARADE

Council was advised that approval of the Founders Festival parade will require closing Grand River on July 14 from approximately 8:45 a.m. to 1:00 p.m. Manager Deadman stated that the necessary documents must be filed with the Michigan Department of Transportation for this street closing. He provided a resolution for Council's consideration.

6-90-129

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

[SEE ATTACHED RESOLUTION]

COUNCIL PROCEEDINGS -2-
June 4, 1990

REQUEST FOR BLOCK PARTY
LONGACRE NEIGHBORHOOD COMMUNITY

Council was advised of a request from Rosemary Shaw of Oakland Street for permission to hold a Block Party on June 23, 1990. Ms. Shaw asked that Whittaker Steet be closed between Grand River and Oakland Street for this event from 2:00 p.m. to 7:00 p.m.

Mayor Richardson suggested that barricades be placed on the Shopping Center side as well as at the usual points of closure.

6-90-130

Motion by Councilman Hartsock, supported by Councilman Yoder, to grant permission to the Longacre neighborhood community for a Block Party on June 23, 1990, allowing the use of City barricades to close Whittaker Street between Grand River and Oakland Street from 2:00 p.m. to 7:00 p.m. for this event. Motion carried, all ayes.

LETTER FROM DAVE CORNWELL RE: TRAFFIC
SIGNAL AT DRAKE ROAD AND TALL PINE

Mr. Cornwell believes the entire stretch of Drake Road from Grand River to Freedom Road is very dangerous as a two lane road. In addition to requesting that a traffic light be located at the intersection of Drake Road and Tall Pine, Mr. Cornwell suggested that the elevation of the hill south of Tall Pine be lowered.

The City Manager advised that local records do not indicate any accidents at the Drake Road/Tall Pine intersection in the past five years. He also asked the Traffic Improvement Association of Oakland County to verify this. He pointed out that Drake Road will be widened only at the Grand River intersection. He indicated that this project needs to be coordinated with Farmington Hills, because they have jurisdiction of the road at both the north and south city borders.

Manager Deadman suggested that Mr. Cornwell's letter be referred to the Farmington Traffic and Safety Board for review and recommendations.

Tom Kallas, 23935 Drake Road, agreed that Drake Road is very dangerous particularly for young children. He stated that he sometimes has to wait ten minutes just to get out of his driveway.

Some of the area residents present at the meeting suggested that a Stop Sign might be an alternate deterrent to speeders.

Director Lauhoff brought Council up-to-date regarding enforcement after he received Mr. Cornwell's letter. He stated that last year the Department wrote over 300 violations on Drake Road alone. He pointed out that selective enforcement has helped to some extent.

COUNCIL PROCEEDINGS -3-
June 4, 1990

Mike Smith, 23875 Fairview and Tall Pine, would like to see stop signs put on Tall Pine, at Heritage, and Drake Heights at Tall Pine.

Jill Iaquinto, 23950 Fairview, stated that she drives her two young sons to the bus stop because it is too dangerous to cross on foot.

John Sears, 35580 Tall Pine, pointed out that pedestrians coming over the rise are unprotected, as their line of sight is obliterated.

Tom Jeffery, 34654 Tall Pine, stated that the line of sight is inadequate and there is no other way to get across the street. "Something needs to be done so that we can get across Drake Road safely."

Frank Valencic, 23888 Fairview, asked that action be taken before something happens.

Linda Mondoux, 23965 Fairview, stated her concern relative to her 7th grader and 6 year old.

Nancy Yaros, 23895 Drake Road, stated that she is in a position to observe traffic all day long. She pointed out that the selective enforcement doesn't last more than a day or two and feels that a stop sign would help.

Larry Curcio, 23855 Drake Road, proposed that we have someone sit at the intersection of Tall Pine and Drake observing the short distance of sight on that hill and take a look at the possibility of installing three stop signs.

Norm Bibick, 35520 Tall Pine, stated that his wife was almost hit while riding her bike.

Denis Haefner, 35476 Tall Pine, stated that traffic does move very fast and something needs to be done.

James Moran, 35454 Tall Pine, stated that he has clocked vehicles at 60 mph on that road, and that he has seen cars actually pass stopped school buses when the bus lights were flashing.

Dudley Weber, 35498 Tall Pine, suggested that maybe a flashing yellow light might help in addition to signs.

Joyce Cornwell stated that there were two red flags, one at each end of Drake Road, which draw people's attention to a posted speed area, and she asked that the lines be repainted.

Councilman Yoder advised Mrs. Cornwell that the line painting is the first thing that can be done. He stated that the stop signs would be next but that the flashing light would take a long time.

Manager Deadman stated that the necessary traffic warrants cannot be met. He pointed out that surveys show that speeds increase between stop signs. He spoke of the Troy experience and stated that other cities have found the same thing: that people tend to make up the time they have lost when they don't believe they should have been stopped. He advised that cities do not want to put a stop sign where they know it will be violated, because small children depend on these signs.

Councilwoman McShane stated that she has seen the traffic volume increase greatly. She said people are trying to avoid the Ten Mile Road intersection at Drake and Freedom and the intersection at Grand River and Drake.

Councilman Hartsock advised the City recently established a Traffic and Safety Board to address such issues. He pointed out that the Board meets once a month and the meetings are open to the public. He encouraged the residents to appear before the Board and give them their input on this matter.

6-90-131

Motion by Councilman Hartsock, supported by Councilman Yoder, that Mr. Cornwell's letter of May 17, 1990, be referred to the Traffic and Safety Board to make a thorough review of the situation and report back to Council with their recommendations.

Discussion: Councilwoman McShane asked the City Manager if we have a specific contact with Farmington Hills to work on problems such as this.

Manager Deadman pointed out that Drake Road is not fundable this year. He stated that it doesn't make sense for us to improve it if Farmington Hills is not willing to do the same. We have to coordinate also with the State Department, which is never easy. He promised to work on it.

Mayor Richardson suggested that this item be placed on the next Agenda of the Traffic and Safety Board and that Mr. Cornwell be notified of the next meeting date.

Motion carried, all ayes.

Manager Deadman explained how the Traffic and Safety Board works. He pointed out that these things take some time. He stated that this problem is bigger than a one meeting situation and would probably be about a 90-day study.

Dan Darnell, 35603 Tall Pine, pointed out that Berkley, Oak Park and Royal Oak have similar road situations and put in speed bumps. The City Manager stated that this is fine if you can accept the liability.

REQUEST FOR FENCE VARIANCE
JANICE HOLDA, 23918 CASS

Council was advised that Ms. Holda proposes to replace the existing damaged fence with a picket fence. She requests the variance because of the small lot size, the closeness of her house to the street and to the neighbor's fence.

The City Manager pointed out that all of the fencing on Ms. Holda's property is in compliance with the City Code except that portion installed forward of the front building line.

He stated that notices were sent to neighboring properties in compliance with the City's fence variance policy.

Councilman Tupper asked if Ms. Holda would be receptive to replacing the fence as it is now rather than installing a picket fence. Ms. Holda stated that she prefers matching the existing picket fence.

Councilman Tupper stated that picket fences on lot lines are dangerous and suggested that the horizontal board, open fence be used.

Mayor Richardson pointed out that this is a unique situation as the house is in the Historical District and the picket fence would be more in keeping with the district.

6-90-132

Motion by Councilman Hartsock, supported by Councilwoman McShane, to allow the variance to Section 13-3 (a) of the City's Fence Ordinance, permitting extension of the picket fence at 23918 Cass Street forward of the front building line. Motion carried, 4 ayes, 1 nay (Tupper).

REQUEST FOR FENCE VARIANCE
STEVEN MC AULEY, 22810 POWER ROAD

Council was advised that Mr. McAuley requests permission to install a 6 ft. stockade fence from the rear building line to the front building line at 22810 Power Road for privacy.

Manager Deadman advised that notices were sent to neighboring properties in accordance with the City's fence variance policy.

Mr. McAuley stated that he is tired of looking at his neighbor's unsightly back yard. He was advised that the City's Code Officer cited the neighbor who will be taken to court if he does not comply.

6-90-133

Motion by Councilman Yoder, supported by Councilman Tupper, to grant the requested variance to Section 13-2 of the City's fence ordinance to allow construction of a 6 ft. stockade fence from the rear building line to the front building line at 22810 Power Road. Motion carried, all ayes.

REQUEST FOR FENCE VARIANCE
D. F. ROBINSON, 32965 CLOVERDALE

Council was advised that Mr. Robinson requests permission to install a 4 ft. 9 inch fence forward of the rear building line; then to return the fence from the side lot line to the building, approximately 18 ft. distance. Manager Deadman stated that the wood design fence would exceed the Code requirement by 9 inches.

He advised that notices were sent to neighboring properties in accordance with the City's fence variance policy.

Mr. Robinson was present and indicated that the proposed fence was strictly decorative with open lattice on top to prevent wind damage.

Councilman Tupper stated that he would like to grant a variance on unusual site conditions or a definite hardship. He said he sees no hardship here and would like to see an open fence.

6-90-134

Motion by Councilman Tupper, supported by Councilman Hartsock, to deny the variance to Section 13-2 of the City's fence ordinance requested by D. F. Robinson, 32965 Cloverdale. Motion carried, all ayes.

REQUEST FOR FENCE VARIANCE
FORD BUCKNER, 23886 BEACON

Mr. Buckner was present to explain his request for variance to Section 13-2 (b) to allow the installation of a 6 ft. screening type fence in the side yard setback of his property and in the front yard setback of the adjacent Leelane Street property.

Councilman Yoder stated that he measured the fence across the street and found it to be 5 1/2 ft.

Councilman Tupper asked Mr. Buckner if he thought the stockade type fence would blend in with the decor of his house. Mr. Buckner said he could accept either an open style or the stockade fence.

Councilman Hartsock pointed out that the existing fence exceeds 6 ft. because it is 6 inches from ground level and then measures 6 ft.

COUNCIL PROCEEDINGS -7-
June 4, 1990

Councilwoman McShane pointed out that the 5 ft. fence across the street is 6 inches off the ground. She suggested that Mr. Buckner use shrubs instead of fencing.

Councilman Tupper expressed concern about a stockade fence, stating that the existing fence is subject to wind damage. He asked Mr. Buckner what would be the advantage of having the fence at 6 ft. instead of 4 ft. Mr. Buckner insisted that the 4 ft. fence is too low. Mr. Tupper suggested that a 5 ft. board-on-board type fence would be adequate.

6-90-135

Motion by Councilman Tupper, supported by Councilwoman McShane to approve Mr. Buckner's request for a variance to Section 13-3 (b) of the City's fence ordinance allowing the installation of a fence along Leelane in the front yard setback of the residence immediately east of Leelane, contingent upon a maximum fence height of 5 ft. from grade level to the top of the fence, with the construction designed to be a board-on-board type fence. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE
JACK TARRY, 22512 ORCHARD LAKE ROAD

Council was advised that the owner of Andrews Home Improvements requests a variance to the City's Sign Ordinance to permit installation of 10 and 12 inch letters on an awning to be placed on the front of the building at 22512 Orchard Lake Road.

6-90-136

Motion by Councilwoman McShane, supported by Councilman Yoder, to grant the requested variance to the City's Sign Ordinance to allow Andrews Home Improvements, 22512 Orchard Lake Road, to install 10 and 12 inch letters on an awning to be placed on the front of the building, said awning to replace the existing wall sign. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE
PLAZA VETERINARY HOSPITAL

Dr. John Richardson was present to explain his request for variance to Section 25-4 (1) e of the City's Sign Ordinance which would allow the installation of a 14 ft. ground sign. He stated that the existing sign is approximately 16 ft. high and overhangs the sidewalk. He pointed out that the new sign will be moved so it no longer overhangs the sidewalk.

The City Manager pointed out that it has been Council's policy to bring existing ground signs closer to the ordinance; typically to make them smaller and lower.

COUNCIL PROCEEDINGS -8-
June 4, 1990

6-90-137

Motion by Councilman Hartsock, supported by Councilman Yoder, to grant the Plaza Veterinary Hospital, 22820-34 Mooney Street, a variance to Section 25-4 (1) e, allowing a 1 1/2 ft. variance for a maximum height of 12 ft. for the new ground sign. Motion carried, 4 ayes, 1 abstention (Richardson).

REQUEST FOR COOKOUT
HURON RIVER HUNTING AND FISHING CLUB

The City Manager advised that the Huron River Hunting and Fishing Club asks permission to erect a tent in the Club parking lot on Sunday, August 19, 1990, for the annual Lobster and Clam Bake.

6-90-138

Motion by Councilwoman McShane, supported by Councilman Tupper, to grant permission to the Huron River Hunting and Fishing Club to erect a tent in their parking lot for the annual Lobster and Clam Bake on Sunday, August 19, 1990. Motion carried, all ayes.

RESOLUTION FROM REDFORD TOWNSHIP
RE: EIGHT MILE REVITALIZATION PLAN

Council was advised that Redford Township requests the State to set aside sufficient funds to study and implement an Eight Mile Road revitalization plan in the current fiscal year, and sponsor an effort to unite communities located along this roadway in developing this plan.

6-90-139

Motion by Councilman Tupper, supported by Councilwoman McShane to adopt a resolution similar to Redford Township's resolution relative to the Eight Mile Road Revitalization Plan, and to forward copies of the resolution to Senator Faxon and Representative Dolan. Motion carried, all ayes.

[SEE ATTACHED RESOLUTION]

REPORTS FROM CITY MANAGER

REQUEST FOR STOCK TRANSFER
PAGE'S FOOD AND SPIRITS, INC.

The City Manager advised that the owners of Page's Food and Spirits, Inc., 23619-21 Farmington Road, request transfer of stock ownership from Dennis G. Page and Patricia M. Page (5,000 shares each) to Lucille A. Page; also transfer of all stock from Lucille A. Page to Dennis G. Page (10,000 shares) in a 1989 Class C licensed business with Dance Permit.

6-90-140

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

[SEE ATTACHED RESOLUTION]

GRAND RIVER/GROVE
TRAFFIC SIGNAL IMPROVEMENT

The City Manager advised that since the installation of the Grand River/Grove signal, traffic on Grove Street has increased and the Michigan Department of Transportation agreed to install a traffic actuated signal control.

Director of Public Safety Lauhoff discussed the current vehicle count on Grove Street, and estimates that with this count the signal would be actuated at least once per minute. He pointed out that this would create additional gaps on Grand River for pedestrians and vehicles in the downtown area.

Council was advised that the estimated cost of installing new controls and upgrading the signal will be \$10,000, with the City's share at 50%, or \$5,000. The City Manager stated that if the city agrees to share the installation cost and future maintenance, the State will attempt to install the improved signal in this budget year ending September, 1990.

6-90-141

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

WHEREAS, the State of Michigan Department of Transportation has agreed to participate in the installation of a vehicle actuated traffic signal at Grand River and Grove Street, and

WHEREAS, the City Council concurs with the agreement to install a vehicle actuated traffic signal at that location,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Farmington agrees to fund its local share (approximately \$5,000) of the cost of installing and maintaining the traffic signal.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED JUNE 4, 1990.

CONTRACTS FOR CELL BLOCK RENOVATION

Council was advised that the city's risk management consultant recommends that the present cell doors be replaced by doors with security glass and metal ventilation panels to reduce the city's liability relative to prisoner injury.

The City Manager stated that only one contractor does the kind of renovation work required and is approved by the Michigan Department of Corrections.

COUNCIL PROCEEDINGS -10-
June 4, 1990

Councilman Yoder pointed out that this is not a budgeted item. He was advised that there are sufficient funds in the Public Safety Department budget to take care of this renovation.

6-90-142

Motion by Councilman Hartsock, 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 City's best interest, and authorizes a contract to be awarded to Edward R. Derda & Associates in the amount of \$5,289.00 for the renovation of the Department of Public Safety cell block, and

BE IT FURTHER RESOLVED that a contract in the amount of \$940.00 be awarded to Commercial Light and Power for the necessary electrical work, and

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

ROLL CALL

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

RESOLUTION DECLARED ADOPTED JUNE 4, 1990.

ADOPT 1990-91 BUDGET AND
ESTABLISH MILLAGE RATE

A resolution was presented for Council consideration which would establish the General Fund, Water and Sewer Fund, Highway Fund, Debt Service Fund and Capital Improvement Fund budget for 1990-91.

A resolution was also submitted for Council consideration which would establish the local property tax millage rate for the fiscal year beginning July 1, 1990.

6-90-143

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

[SEE ATTACHED RESOLUTION]

6-90-144

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

[SEE ATTACHED RESOLUTION]

PROPOSED AMENDMENT TO 1989-90 BUDGET

Council was advised that certain adjustments were recommended in the current fiscal year in the General, Highway, and Water and Sewer Funds. The City Manager stated that these adjustments are necessary because of delays or accelerations on specific projects including the Orchard Lake Road construction. He pointed out that large increases in landfill costs and a carryover of project expenditures on City Hall renovations were offset by increased revenues, causing the budget to remain in balance.

A budget adjustment resolution was submitted for Council's review.

6-90-145

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

[SEE ATTACHED RESOLUTION]

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard asked if there is an ordinance against telephones ringing outside. She was advised that this might come under the Noise Control section of the Nuisance Ordinance, and it would depend on the decibels of sound involved. She was advised that the City will look into this.

Councilman Tupper asked if anything can be done about the potholes on Farmington Road/Eight Mile. He was advised that Director Billing will look into the matter.

Mayor Richardson advised that Farmington was one of five communities in the State to receive a 1990 Achievement Award during Michigan Week on behalf of the Gazebo/Pergola Project Committee.

APPOINTMENTS TO BOARDS/COMMISSIONS

Council was advised that two terms on the Planning Commission and three terms on the Beautification Committee will expire this month.

6-90-146

Motion by Councilwoman McShane, supported by Councilman Yoder, to appoint James K. Mitchell to another three years on the Planning Commission, said term to expire June 15, 1993. Motion carried, all ayes.

The Mayor suggested that a decision be reached within the next month relative to a replacement for Mr. Potts, who could not accept reappointment to the Planning Commission.

COUNCIL PROCEEDINGS -12-
June 4, 1990

6-90-147

Motion by Councilman Hartsock, supported by Councilwoman McShane, to appoint Carol Kurth, Elizabeth Meredith and Rosemary Fitzpatrick to another two-year term on the Beautification Committee, said term to expire June 15, 1992. Motion carried, all ayes.

FINANCIAL REPORTS
TEN MONTHS ENDED APRIL 30, 1990

6-90-148

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, 1990. Motion carried, all ayes.

WARRANT LIST

6-90-149

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$54,852.34; Water & Sewer Fund \$9,972.00.

ROLL CALL

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

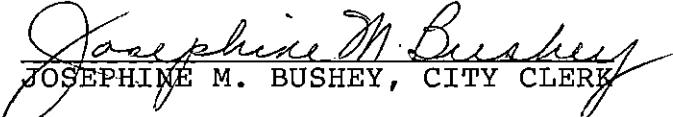
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilwoman McShane, 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: June 18, 1990.

R E S O L U T I O N

NO. 6-90-129

Motion by McShane, 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 14, 1990, 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 JUNE 4, 1990.

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 4, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 6-90-139

Motion by Tupper supported by McShane

to adopt the following resolution:

WHEREAS, Eight Mile Road is a point where the City of Detroit and many of its suburbs meet; and

WHEREAS, its commercial facilities along this roadway have suffered decreased economic viability; and

WHEREAS, the revitalization of Eight Mile Road is in the best interests of both the City of Detroit and the suburbs; and

WHEREAS, local and State Government needs to be proactive versus reactive in stopping the decline of the urban areas and flight to the outlying undeveloped areas; and

WHEREAS, a concerted effort on behalf of the State, County and local governments could achieve revitalization of the Eight Mile Corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Farmington City Council hereby supports the South Oakland County Mayors Resolution calling for a united effort to revitalize this vital area and hereby asks that the State of Michigan sponsor an effort to unite the communities that lie along Eight Mile Road and that the State set aside sufficient funding to develop and implement a Revitalization Plan in the current fiscal year; and

BE IT FURTHER RESOLVED, that copies of the Resolution be forwarded to State Senator, Jack Faxon and State Representative, Jan Dolan.

RESOLUTION ADOPTED UNANIMOUSLY.

I, Josephine M. Bushey, the duly authorized Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Farmington City Council on June 4, 1990.

Josephine M. Bushey
City Clerk
City of Farmington

MICHIGAN DEPARTMENT OF COMMERCE
LIQUOR CONTROL COMMISSION

RESOLUTION
No. 6-90-140

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 June 4, 1990 at 8:02 P.M.

the following resolution was offered:

Moved by Hartsock and Supported by Yoder

That the request from PACE'S FOOD AND SPIRITS, INC. (A MICHIGAN CORPORATION) to transfer all stock from existing stockholders, Dennis G. Page and Patricia M. Page (5,000 shares each) to new stockholder, Lucille A. Page on 3-3-88. Also, transfer all stock from Lucille A. Page to new stockholder, Dennis G. Page (10,000 shares) on 3-21-88 in a 1989 class C licensed business with Dance Permit, located at 23619-23621 Farmington, Farmington, MI 48024, Oakland County.

be considered for Approval
(Approval or Disapproval)

Approval

Disapproval

Yeas: Richardson, Tupper,
Yoder, Hartsock, McShane.
Nays: None.

Yeas:
Nays:

Absent: None.

Absent:

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

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 June 4, 1990
(Date)

(Signed) _____
(Township, City, or Village Clerk)

23600 Liberty St., Farmington, MI.
(Address of City) 48024

SEAL

R E S O L U T I O N

NO. 6-90-143

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

BE IT RESOLVED that the Farmington City Council hereby adopts the 1990-91 budget as shown in the budget document on Page 4 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 1990-91 beginning July 1, 1990 and ending June 30, 1991.

GENERAL FUND EXPENDITURES

General Government	\$1,005,195
Public Safety	1,449,230
Public Services	925,995
Parks & Recreation	145,685
Library	183,090
Miscellaneous	103,090
Insurance, Fixed Expenditures	739,850
Inter-Fund & Debt Service Transfers	<u>242,600</u>

TOTAL GENERAL FUND EXPENDITURES: \$4,794,735

DEBT SERVICE FUND EXPENDITURES

General Debt Service	\$ 312,335
Special Assessment Debt Service	<u>647,695</u>

TOTAL DEBT SERVICE FUND EXPENDITURES: \$ 960,030

CAPITAL IMPROVEMENT FUND EXPENDITURES

Transfers - Other Funds	<u>\$ 627,945</u>
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TOTAL CAPITAL IMPROVEMENT FUND EXPENDITURES: \$ 627,945

WATER & SEWER FUND EXPENDITURES

Operating & Maintenance	\$1,452,135
Transfers to Capital Replacement	<u>25,545</u>

TOTAL WATER & SEWER FUND EXPENDITURES: \$1,477,680

HIGHWAY FUND EXPENDITURES

Construction	\$ 253,000
Operating & Maintenance	939,381
Debt Service	<u>79,890</u>

TOTAL HIGHWAY FUND EXPENDITURES: \$1,272,271

TOTAL EXPENDITURES - ALL FUNDS: \$9,132,661

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 6 through 10.

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

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 4, 1990.

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 4, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

RESOLUTION

NO. 6-90-144

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, 1990 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, 1990 in the amount of \$4,794,735, 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 ninety-eight cents (98¢) 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: McShane, Richardson, Tupper, Yoder, Hartsock.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 4, 1990.

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 4, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 6-90-145

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

BE IT RESOLVED that the Farmington City Council hereby adjusts the 1989-90 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 1990-91 budget document as ESTIMATED CURRENT YEAR amounts.

GENERAL FUND REVENUES

	<u>FROM</u>	<u>TO</u>
LOCAL TAXES	2,472,700	2,483,725
INTERGOVERNMENTAL REVENUES	695,800	883,110
STATE SHARED REVENUES	819,785	847,535
FEDERAL SHARED REVENUES	52,260	47,015
TRANSFERS FROM OTHER FUNDS	184,080	188,895
APPROPRIATION FROM UNAPPROPRIATED FUNDS	<u>65,690</u>	<u>-0-</u>
TOTAL GENERAL FUND REVENUES:	4,290,315	4,450,280

HIGHWAY FUND REVENUES

GAS & WEIGHT TAXES	319,400	319,760
CONTRACTS & GRANTS	76,450	70,205
TRANSFERS & ASSESSMENTS	<u>685,791</u>	<u>314,686</u>
TOTAL HIGHWAY FUND REVENUES:	1,081,641	704,651

WATER & SEWER FUND REVENUES

WATER & SEWER SALES	1,310,315	1,178,825
SERVICE FEES	32,150	24,075
MISCELLANEOUS REVENUES	<u>85,100</u>	<u>107,150</u>
TOTAL WATER & SEWER FUND REVENUES:	1,427,565	1,310,050
TOTAL REVENUES - ALL FUNDS:	6,799,521	6,464,981

GENERAL FUND EXPENDITURES

GENERAL GOVERNMENT	856,305	893,085
PUBLIC SAFETY	1,382,685	1,339,590
PUBLIC SERVICES	739,430	852,320
PARKS & RECREATION	111,960	104,560
LIBRARY	169,520	169,520
MISCELLANEOUS	96,085	88,095
INSURANCE, FIXED EXPENDITURES	681,475	687,495
INTERFUND & DEBT SERVICE TRANSFERS	252,855	253,305
TRANSFER TO FUND BALANCE	<u>-0-</u>	<u>62,310</u>
TOTAL GENERAL FUND EXPENDITURES:	4,290,315	4,450,280

R E S O L U T I O N

NO. 6-90-145

Page 2

HIGHWAY FUND EXPENDITURES

CONSTRUCTION	507,980	34,450
OPERATING & MAINTENANCE	492,416	587,311
DEBT SERVICE	<u>81,245</u>	<u>82,890</u>
TOTAL HIGHWAY FUND EXPENDITURES:	1,081,641	704,651

WATER & SEWER FUND EXPENDITURES

OPERATING & MAINTENANCE	1,403,415	1,310,050
TRANSFER TO CAPITAL REPLACEMENT	<u>24,150</u>	<u>-0-</u>
TOTAL OPERATING & MAINTENANCE EXPENDITURES:	1,427,565	1,310,050
TOTAL EXPENDITURES - ALL FUNDS:	6,799,521	6,464,981

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 prepare for the Council a financial report each quarter on the status of city funds as contained within the city budget.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED JUNE 4, 1990.

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 4, 1990, 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 June 18, 1990, in Meeting Room A, 23600 Liberty Street, Farmington. Notice of the meeting was posted in compliance with P. A. 267-1976.

The meeting was called to order at 7:30 p.m. by Mayor Richardson.

PRESENT: McShane, Richardson, Tupper, Yoder.

ABSENT: Hartsock.

OTHERS PRESENT: City Manager Deadman, Adm. Assistant Schultz, City Clerk Bushey.

REVIEW OF OBSTRUCTIONS RIGHT-OF-WAY POLICY

The City Manager advised that his office tried to determine how other agencies handle obstructions in the right-of-way. He stated that most basically operate on complaints and do not operate with a consistent policy of going out to check landscaping developments. He indicated that their experience is not in residential subdivisions. He stated that no agency aggressively enforces any regulations regarding rocks in the right-of-way. If they are found on the major road system, the agency causes them to be removed or removes them and charges for the removal.

Manager Deadman submitted a report on possible amendments to the City's right-of-way policy. He pointed out that he would like to draft a policy that can be more easily followed by those who enforce it. He suggested that where there are no curbs, rocks should be placed back 3 feet back from the right-of-way.

Manager Deadman advised that he toured the community today and found that there are very few people who have put rocks right next to the road. He stated that he is looking for Council's thoughts regarding the liability issue.

Mr. Schultz stated that there is a tendency legally to make matters tougher for the governmental agency. He pointed out that if there is something in the road, we are liable. He stated that some agencies ask for a save harmless agreement from residents who place objects near the right-of-way. He pointed out that others use a permit system. He stated that Livonia tried to deal with this matter for awhile when the State was pushing it, but stopped when the State stopped.

Councilman Yoder stated that this is a touchy situation and doesn't believe it can be enforceable.

The City Manager pointed out both the County and the State Highway Department will move objects from the right-of-way and charge for the service. He stated that the City may get to that point, depending on Council's wishes.

Manager Deadman stated that he toured Chatham Hills. He noted that most of the rocks there are quite a ways back from the roadway, because the residents moved them during the paving project and have not returned them to their original position.

Mr. Deadman expressed concern about the very large rocks that are close to the road. He asked Council if residents should be allowed to put rocks of any size right up to the road, or if there should be some minimum setback requirement.

Mayor Richardson suggested that rocks should not be placed right next to the road.

Manager Deadman stated that there are no standards for this. He asked that if there should be a setback, what minimum setback Council thinks is logical? He further asked if 3 feet would be enough for the large boulders that are out there?

He also asked if Council wants to have a clear zone for streets without curbs and what is a reasonable distance if we develop a clear zone with some exceptions?

He pointed out that there has been no situation where someone has had a problem with the rocks, although we have received complaints that our snow plows have moved them back some.

Councilman Tupper asked if providing guidelines will make the City more open to law suits?

Manager Deadman stated that the potential is always there. He pointed out that whatever is done should be reasonable, then perhaps the guidelines can be justified and we can defend ourselves.

Manager Deadman asked if the setback on streets without curbs or on streets with mountable curbs, should be 3 or 4 feet ?

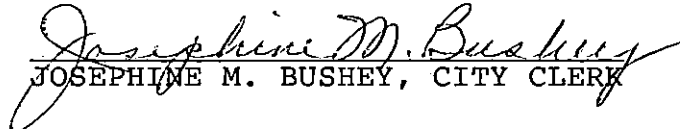
Council decided that there should be a 3 ft. setback.

Manager Deadman advised that he would like to go over the proposed policy with the City Attorney before presenting it to Council for final approval.

Councilman Yoder stated that more time should be spent on this before making a final decision.

The meeting adjourned at 8:00 p.m.


SHIRLEY W. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: July 2, 1990.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, June 18, 1990, 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 8:05 p.m. by Mayor Richardson.

PRESENT: McShane, Richardson, Tupper, Yoder.

ABSENT: Hartsock.

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

MINUTES OF PREVIOUS MEETINGS

6-90-150

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the minutes of the Special and Regular meetings of June 4, 1990, as printed. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

Councilman Yoder questioned the clarity of the statement on lines 4 and 5, page 2 of the May 16, 1990, Farmington Historical Commission minutes. He also asked about the postcards mentioned in the last paragraph of the May 9, 1990, Beautification Committee minutes.

6-90-151

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

- Planning Commission minutes of June 11, 1990;
- Downtown Development Authority minutes of June 12, 1990;
- Historical Commission minutes of May 16, 1990;
- Beautification Committee minutes of May 9, 1990;
- Board of Education minutes of May 22, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM DAVID JUSTUS RE:
"KIDS DAY", JULY 10, 1990

Council was advised that Recreation Supervisor Dave Justus requests the closing of Raphael Street and Shiawassee on July 10 for the annual Founders Festival "Kids Day" celebration in City Park.

Manager Deadman recommended that City Council authorize the street closings and that the Departments of Public Safety and Public Services be authorized to provide the necessary manpower and equipment for this event.

COUNCIL PROCEEDINGS -2-
June 18, 1990

6-90-152

Motion by Councilwoman McShane, supported by Councilman Yoder, to authorize the closing of Raphael Street and Shiawassee from 10:30 a.m. to 5:30 p.m. on July 10, 1990, for the Founders Festival "Kids Day" celebration in City Park and to provide the manpower and equipment necessary for the safety of those attending the event. Motion carried, all ayes.

REQUEST FOR BLOCK PARTY, JULY 22, 1990

Council was requested by Marsha J. Owen to authorize the closing of Larkspur from Flanders to Meadowlark for a Block Party for the residents south of Flanders on Larkspur Street.

The City Manager recommended the approval of this street closing and that the City provide the necessary barricades to facilitate the street closing.

6-90-153

Motion by Councilman Tupper, supported by Councilman Yoder, to authorize the closing of Larkspur from Flanders to Meadowlark to allow the residents south of Flanders on Larkspur Street to hold a Block Party on Sunday, July 22, 1990 from 4:00 p.m. to dusk, with the City providing the barricades necessary for this street closing. Motion carried, all ayes.

REQUEST FOR PROCLAMATION

Council was advised that the Commission on Spanish Speaking Affairs requests a proclamation designating Hispanic Heritage Month.

6-90-154

Motion by Councilman Tupper, supported by Councilwoman McShane, to issue a proclamation designating September 15 - October 15, 1990, as HISPANIC HERITAGE MONTH in Farmington. Motion carried, all ayes.

REQUEST FOR SIDEWALK SALE, JUNE 22-24
FARMINGTON KMART EMPLOYEES

Council received a request from KMart employee Lisa White requesting permission to hold a 3-day sidewalk sale from June 22 through June 24, 1990, for their Christmas Tree fund for children.

6-90-155

Motion by Councilman Yoder, supported by Councilwoman McShane, to grant permission for the Farmington KMart employees to hold a 3-day sidewalk sale in front of the store at 37175 Grand River from June 22 through June 24, 1990, for their annual Christmas Tree fund for children. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

COUNCIL RECOMMENDATION:
BOARD OF EDUCATION SLEDDING HILL

The City Manager advised that the School Board is seeking City Council's recommendation concerning whether they should terminate use of the sledding hill.

Council was advised that a review of Public Safety records of the past three years found five reported injuries, three of which required hospitalization. He also indicated that the Department received numerous anonymous reports pertaining to injuries, but no reports were made to the Department.

The City Manager stated that the use of the hill has grown dramatically, and asked Council if they want to continue what has the potential of being a hazardous situation. He pointed out that the School Board is asking for an opinion as to whether or not they should prohibit sledding on the hill.

Councilman Yoder stated that the hill should be closed.

Councilwoman McShane stated that the danger has been that there are no rules posted. Attorney Donohue pointed out that once signs are posted, there exists a responsibility to police the area.

Manager Deadman recommended that the city continue to cooperate with the School District in maintaining an outdoor ice skating rink at the present location, but that the sledding be moved to the Farmington Hills Heritage Park where the terrain is more conducive to safe sledding.

6-90-156

Motion by Councilman Yoder, supported by Councilman Tupper, to follow the City Manager's recommendation that the City continue to cooperate with the School District in maintaining an outdoor ice skating rink at the Shiawassee hill area and that the sledding activity be moved to Heritage Park in Farmington Hills where the terrain is more conducive to safe sledding.

Discussion of the Motion:

Laura Myer, 33601 Shiawassee, stated that the hill at Heritage Park is a poor substitute for the Shiawassee hill. She feels that the hill and the ice rink have been an embarrassment to the school district and that much of the fencing that has gone up increased the problem. She does not think enough has been done to make the hill safer. She suggested dividing the hill with berms and placing a berm at the bottom of the hill. She also thinks some kind of rules should be posted. She asked that Council not support the closing of the Shiawassee hill, because she feels that its benefits outweigh its risks.

COUNCIL PROCEEDINGS -4-
June 18, 1990

Councilman Yoder stated that he appreciated Mrs. Myer's remarks, but they did not change his thinking.

Councilman Tupper stated that it has never been a safe hill. He pointed out that to make it safe would require a number of people there to supervise the activities. He stated that he really believes we would be remiss in our responsibility by letting that situation continue.

Mayor Richardson wished to clarify in answer to Mrs. Myer's concern how the request was received from the School Board. She asked the City Manager how he received the information. He stated that he received a telephone call asking him to forward this matter to Council for approval.

Jim Willson, 24006 Merrilyn Court, stated that he favors retaining the Shiawassee sledding hill, and he hopes this will be put to the vote of the people before the hill is closed. He was advised that a vote of the people is not required.

Marilyn Weimar, 23607 Shiawassee, asked if the hill is really unsafe; if the amount of injuries are out of line as compared to other sporting events.

Mary Sue Munter, 33309 Oakland, stated that she appreciates the danger, but she expressed concern that children need some place to go to keep out of trouble.

Councilman Tupper asked Jack Cotton (in the audience) if any thought was given to making the skating rink larger and doing away with the sledding.

Mr. Cotton stated that a recommendation was before the School Board for a greater portion of landscaping on the hill, and he does not know how they reached the point where the sledding hill was going to be shut down.

The City Manager suggested that the school maintain the hill and set up the barriers and that the City back off. He stated that if you want to keep the hill, let the School District operate the hill and the City would be glad to operate the skating rink.

The Mayor suggested that we back off completely and let the school take over since it is their property.

Councilman Yoder pointed out that there was a motion on the floor, and he refused to withdraw the motion.

Mayor Richardson stated that if this was not a question asked of our Council from the School Board, then actually it should not be voted on.

COUNCIL PROCEEDINGS -5-
June 18, 1990

Councilwoman McShane agreed and stated that she had a problem supporting the motion as it is. She said that she didn't know that she wanted to terminate the use of that area for sledding. She further stated that she would like to know if the School Board would be willing to provide any options to keeping it open and making it safer.

Councilman Yoder again stated there was a motion on the floor and called the question.

The Mayor called for a vote on the motion.

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

MOTION FAILED for lack of a quorum.

Mayor Richardson suggested that the matter be pursued, and that if we have a School Board request that comes to our City Council for further action, at that time it will be placed on the Agenda.

APPOINTMENT OF AUTHORIZED REPRESENTATIVE
FOR SEWER IMPROVEMENT PROJECT

A resolution was presented for Council consideration which appoints the City Manager as the city's duly authorized representative for the City's Sewer Improvement Project.

Council was advised that the State of Michigan Water Pollution Control Revolving Loan Fund Program requires that someone be appointed by Council to be the city's authorized representative for the project.

Manager Deadman pointed out that since to date he has signed all of the documents required by the State and will probably be handling the conveyances, assurances and certifications necessary to qualify for financial assistance from the State, Council may wish to appoint him as the authorized representative..

6-90-157

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

[SEE ATTACHED RESOLUTION]

OPPOSITION TO HOUSE BILL NO. 5687

Council was advised that H. B. No. 5687 proposes to amend the Cemetery Regulation Act to prohibit moving or disturbing grave memorials without permission of the deceased's surviving spouse, child, parent or next of kin.

COUNCIL PROCEEDINGS -6-
June 18, 1990

The Director of Public Services expressed concern that the bill's restrictive language would prohibit the department from correcting errors in the placement of memorials and allowing the reestablishment of stones that were displaced by vandals or weather conditions.

The City Manager suggested that the city should not set up a situation that would prevent the proper maintenance of the cemetery. He pointed out that it is very difficult in many cases to find the next of kin in very old cemeteries such as Farmington's.

6-90-158

Motion by Councilman Tupper, supported by Councilman Yoder, to advise the members of the House who sponsored H.B. No. 5687, Representative Dolan and the Michigan Municipal League of City Council's opposition to this proposed legislation.

ROLL CALL

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

MOTION CARRIED.

PURCHASE OF SPRINKLER SYSTEM

The City Manager advised that bids were publicly opened on June 13, 1990, for sprinkler systems for the Memorial Park and the traffic island at Warner and Shiawassee Streets as follows:

OUTDOOR SERVICES	
Dearborn, Mi.	\$6,072.50
SUBURBAN SPRINKLER	
Canton, Mi,	\$5,700.00

Council was advised that only these two bidders responded out of twelve solicited.

Both the Director of Public Services and the Purchasing Department recommended that the bid be awarded to Suburban Sprinkler.

6-90-159

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

BE IT RESOLVED that the Farmington City Council hereby awards a contract to Suburban Sprinkler of Canton, Michigan, to install sprinkling systems in Memorial Park and the Warner/Shiawassee traffic island for a total of \$5,700.00, and

COUNCIL PROCEEDINGS -7-
June 18, 1990

BE IT FURTHER RESOLVED that funds be provided from the 1989-90 Park Department budget.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED JUNE 18, 1990.

RECOMMENDED CITY ORDINANCE AMENDMENTS

Council was advised that five chapters of the City Code require amendments. The City Manager discussed proposed amendments to:

Chapter 28 - Requiring Acceleration-Deceleration and Passing Lanes in Certain Circumstances.

Chapter 25 - the Sign Ordinance: Sec. 25-3 (g); also Subsection (h); Section 25-4 (2) d, Section 25-4 (7) and Subsection (h).

Chapter 30 - Taxation.

Chapter 20 - Curfew.

Chapter 34 - Water and Sewers.

6-90-160

Motion by Councilman Yoder, supported by Councilman Tupper, to introduce Ordinance No. C-570-90, which would amend Chapter 28, Streets and Sidewalks, of the Farmington City Code. Motion carried, all ayes.

6-90-161

Motion by Councilman Tupper, supported by Councilwoman McShane, to introduce Ordinance No. C-571-90, which would amend Chapter 25, Signs, of the Farmington City Code. Motion carried, all ayes.

Manager Deadman suggested that Council may want to consider having a Public Hearing before adopting Ordinance C-571-90, which would amend the Sign Ordinance and affect the present use of window signs by businesses.

Councilman Tupper recommended that Council review this proposed ordinance in detail and have further discussion on it prior to setting a Public Hearing.

6-90-162

Motion by Councilman Yoder, supported by Councilman Tupper, to establish an early meeting at 7:00 p.m. on August 6, 1990, to discuss Ordinance No. C-571-90 regarding Signs. Motion carried, all ayes.

6-90-163

Motion by Councilwoman McShane, supported by Councilman Yoder, to introduce Ordinance No. C-572-90, which would amend Chapter 30, Taxation, of the Farmington City Code. Motion carried, all ayes.

6-90-164

Motion by Councilman Yoder, supported by Councilwoman McShane, to introduce Ordinance No. C-573-90, which would amend Chapter 20, Sec. 20-252, Curfew, of the Farmington City Code. Motion carried, all ayes.

6-90-165

Motion by Councilwoman McShane, supported by Councilman Tupper, to introduce Ordinance No. C-574-90, which would amend Chapter 34, Water and Sewers, of the Farmington City Code. Motion carried, all ayes.

The City Attorney advised that Ordinance C-574-90 is mandated by the E.P.A. He stated that Council is required to adopt it to comply with federal regulations, and to publish it in its entirety because we are a contracted customer of the City of Detroit.

MISCELLANEOUS

PUBLIC COMMENT

Laura Myer stated that the City should be looking at alternatives as to how the Shiawassee hill can be kept open safely. She suggested that the City of Farmington and the School District get together to discuss this matter.

The City Manager advised that we need to hear from the School Board if they wish to keep the hill in place, because it is school property.

Manager Deadman advised that the Planning Commission finished amending the Zoning Ordinance and established a public hearing dealing with amendments to correct a duplication of the parking requirement in Business and/or Professional Office District and certain matters in Industrial Districts.

Mayor Richardson asked that City Council be updated on the traffic light at Farmington Road and Shiawassee. Director Lauhoff advised that the post was installed the other day and the project should be completed in the near future.

COUNCIL PROCEEDINGS -9-
June 18, 1990

The Mayor commended Mr. Billing and his Department for the floral plantings on City Hall grounds and the landscaping at the Memorial Park across the street.

WARRANT LIST

6-90-166

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$281,283.21; Water & Sewer Fund \$186,194.35.

ROLL CALL

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


MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 9:38 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: July 2, 1990.

R E S O L U T I O N

NO. 6-90-157

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

WHEREAS, the city of Farmington has made application to the Michigan Water Pollution Control Revolving Loan Fund Program to correct certain sewer and combined sewer overflow pollution problems, and

WHEREAS, said program requires that an authorized representative be appointed for the project;

THEREFORE BE IT RESOLVED the Council of the city of Farmington appoints Robert F. Deadman, City Manager of the city of Farmington, as the authorized representative for the Farmington Sewer Improvements Project No. 5007;

BE IT FURTHER RESOLVED that Robert F. Deadman, City Manager, is authorized to sign the Michigan Water Pollution Control Revolving Loan Fund application, program conveyances, assurances, certifications and other documents that may be required from time to time by the State of Michigan pertaining to this project.

ROLL CALL:

AYES: McShane, Richardson, Tupper, Yoder.

NAYS: None.

ABSENT: Hartsock.

RESOLUTION DECLARED ADOPTED JUNE 18, 1990.

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 18, 1990, 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 July 2, 1990, in Meeting Room A, 23600 Liberty Street, Farmington. Notice of the meeting was posted in compliance with P. A. 267-1976.

The meeting was called to order at 7:30 p.m. by Mayor Richardson.

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

OTHERS PRESENT: City Manager Deadman, Adm. Assistant Schultz, City Clerk Bushey.

STRUCTURES AND OBSTRUCTIONS IN RIGHT-OF-WAY

In accordance with Council's instructions, the City Manager submitted a draft resolution relative to placement of structures and obstructions in the right-of-way. Mr. Deadman suggested that there should be a clear zone of three feet where no obstructions may be placed in the right-of-way.

Council reviewed the draft resolution regulating objects and structures in the street right-of-way. There was considerable discussion relative to a clear zone and an appeals process.

The City Manager stated that this issue was raised in Farmington Hills where it is handled by the Engineering/Architectural Department, and they operate basically on complaint.

Mayor Richardson pointed out that in Sections 1, 2 and 4 of the resolution certain prohibitions must be approved by the Director of Public Services AFTER consultation with the Department of Public Safety, and the last paragraph does not indicate that Public Safety be consulted. She felt this is inconsistent.

Councilman Hartsock questioned having an appeal process.

Councilman Tupper felt the resolution should state that the property owner shall consult the Director of Public Services only for exceptions to this policy.

Manager Deadman asked if he was suggesting that we have a basic appeals process. He pointed out that according to the resolution, there is no appeal beyond the Director of Public Services. He stated that if no further appeal is necessary, this permits the city to remove objects from the right-of-way.

Councilman Yoder stated that there will be situations where an appeal is warranted.

Councilman Hartsock suggested that the word "appeal" is misleading.

Manager Deadman advised that under Section 5 of the proposed resolution, the appeal could be for other exceptions. He stated that he would like to know whether or not Council agrees that the proposed regulations are reasonable; also if there are any other problems with the resolution.

Mayor Richardson questioned what street widths are according to City regulations on curbed streets vs. those that are not curbed.

Manager Deadman advised that the standard used practically everywhere today is 22 ft. for a street with no curb, 24 ft. for a street posted 25 mph and where there is back to back concrete, it varies from 27 to 31 ft.

Councilman Yoder stated that he is not prepared to act on this resolution tonight. It was suggested that another meeting be set before the end of July.

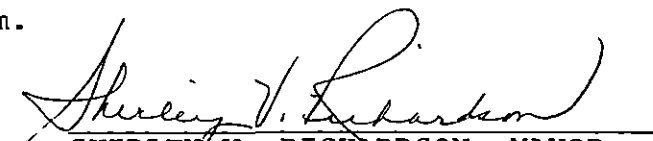
POTENTIAL APPOINTEES TO
BOARDS AND COMMISSIONS

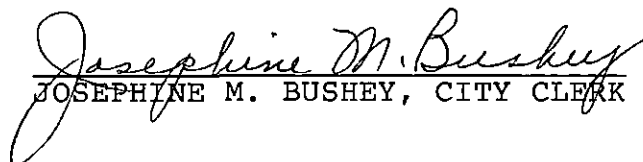
Mayor Richardson introduced prospective appointees James Pogue and Demetra Mehas. She asked each individual to bring Council up-to-date on what they are presently doing.

Mr. Pogue stated that he has been an Insurance Agent since 1949 and is in his fourth term as Chairman of his Subdivision Board.

Mrs. Mehas advised that she is in her third year of retirement from Michigan State University where she was Associate Professor for 25 years and taught Marketing and Management courses. She stated that she is now doing private consulting and advising those who are making career changes.

Meeting adjourned at 7:58 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: July 16, 1990.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, July 2, 1990, 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, Tupper, Yoder.

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

MINUTES OF PREVIOUS MEETINGS

7-90-167

Motion by Councilman Yoder, supported by Councilwoman McShane, to approve the minutes of the Special and Regular meetings of June 18, 1990, as printed. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

7-90-168

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

- Downtown Development Authority minutes of June 19, 1990;
- Board of Review minutes of March, 1990;
- Board of Zoning Appeals minutes of June 6, 1990;
- Traffic and Safety Board minutes of May 17, 1990;
- Farmington Historical Commission minutes of June 20, 1990;
- Farmington Area Commission on Aging minutes of June 20, 1990;
- Farmington Community Library minutes of May 10, 1990;
- Board of Education minutes of June 5, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR GAMING LICENSE: MICHIGAN
OSTEOPATHIC COLLEGE FOUNDATION

Council was advised that the Michigan Osteopathic College Foundation is planning to host a raffle which requires a State of Michigan gaming license. The City Manager stated that to qualify for this license they are required to be designated as a recognized nonprofit organization operating in Farmington. He submitted for Council approval a resolution recognizing the Foundation as a nonprofit organization.

7-90-169

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

COUNCIL PROCEEDINGS -2-
July 2, 1990

WHEREAS, the Michigan Osteopathic College Foundation has offices located in the City of Farmington, and

WHEREAS, the purpose of the Michigan Osteopathic College Foundation is to provide funding exclusively for scientific, literary and educational purposes;

NOW, THEREFORE, BE IT RESOLVED that the City of Farmington Council recognizes the Michigan Osteopathic College Foundation as a nonprofit organization operating in the City of Farmington at 33100 Freedom Road.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED JULY 2, 1990.

REQUEST FOR BLOCK PARTY, JULY 4, 1990

Council was requested in a letter from Chris Modrak, 23026 Maple, to close Maple Street for a 4th of July Block Party.

7-90-170

Motion by Councilman Yoder, supported by Councilman Tupper, to authorize the closing of Maple Street on Wednesday, July 4, 1990 from 6:00 p.m. to 9:00 p.m. for a Block Party, with the City providing the barricades necessary for this street closing. Motion carried, all ayes.

REQUEST FOR CAR WASH
ST. ALEXANDER'S YOUTH GROUP

Council was advised that the Youth Leader of St. Alexander's Church requests permission to conduct a car wash in the west end of the KMart parking lot at Grand River and Halsted on July 14, 1990. Council was informed that KMart has consented to the use of the parking lot for this purpose.

7-90-171

Motion by Councilwoman McShane, supported by Councilman Hartsock, to grant permission for the St. Alexander's youth group to conduct a car wash at the west end of the KMart parking lot at Grand River and Halsted on Saturday, July 14, 1990, from 11:00 a.m. to 3:30 p.m. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROGRESS REPORT: SEWER PROJECT

The City Manager advised that the review process is completed and the City is now ready to begin the loan process for this project. He stated that the City is prepared to qualify for September funding from the State of Michigan Revolving Loan Program. He advised that with the necessary approvals in order, the City is assured of receiving a 20-year loan for up to \$12 million at 2% interest.

Council was informed that the project will be approximately 30% to 40% completed when the first principal and interest payment comes due in October of 1991.

Manager Deadman advised that bids on the project will be received on July 31, 1990.

PROGRESS REPORT: FARMINGTON ROAD/
SHIAWASSEE SIGNALIZATION

The City Manager reported that the traffic signal at Farmington Road and Shiawassee was turned on, but the first 24 hours were very hectic. He stated that the disruption in traffic flow and backups onto westbound Shiawassee will be relieved as the Road Commission adjusts timing to the leg of the intersection with the highest volumes during peak periods.

He asked that any comments relative to the signal's operation be forwarded to his office, as monitoring will be continued over the next few months.

INCREASE IN LANDFILL COSTS

Council was advised that the City received notice from BFI Waste Systems, Inc. that landfill disposal costs will be increased effective October 1, 1990, from \$9.90 to \$11.50 per cubic yard.

The City Manager pointed out that landfill fees increased from 70¢ in 1978 to the proposed \$11.50 in 1990, representing an increase of over 1500%, and will continue to rise.

Council was advised that the Cities of Farmington and Farmington Hills will shortly solicit bids for a waste collection contract with curbside recycling option to begin in July of 1991.

Manager Deadman stated that he will keep Council informed relative to the bid process and the development of a recycling facility in Novi.

He advised that he recently saw a state of the art recycling center in New Hampshire. He pointed out that with a mandatory recycling law, they are getting 95% compliance.

He also advised that there is a private sector recycling center located in the Downriver community which the City might use until its system begins operating.

MISCELLANEOUS

PUBLIC COMMENT

Mike Pawlak, 24116 Twin Valley, presented a list of concerns signed by him and his wife Debra, Joseph and Betty Balcain, 24126 Twin Valley, Cedric and Bonnoe Fricke, 24130 Twin Valley and Hal and Judy Miller, 24150 Twin Valley, relative to a flooding problem on their street, particularly in their backyards. They asked that Council review these concerns and take action to resolve this issue.

COUNCIL PROCEEDINGS -4-
July 2, 1990

Mr. Pawlak stated that they are very concerned about safety when the sidewalks become iced over in cold weather. He presented snapshots of the affected areas for Council review, and invited Council members to visit the sites as well.

Mr. Gushman of the Public Services Department advised that he has contacted the builder asking him to establish vegetation to prevent the runoff from the hilly area.

Manager Deadman asked the City Attorney to look into the erosion control compliance and to see if the City can move against the owner of the house that is causing the problem. He asked the Department of Public Services to look into the problem and let him know if the water can be interrupted.

Councilwoman McShane called attention to a letter and resolution from the City of Lake Angelus relative to the Wetlands Protection Act and Auburn Mills Mall. The City Attorney advised that there is litigation pending in which Lake Angelus has challenged Auburn Hills on the Auburn Hills Mega-Mall.

Councilman Yoder stated that an irate citizen on Shiawassee complained to him about the severe cutting of a red oak tree near his property. He asked the Department of Public Services where our people are trained and who tells them how much to trim. He was advised that the ordinance calls for 10 ft. cuts above the roadway surface if the tree is within the right-of-way.

Councilman Yoder stated that he had the misfortune recently of seeing a 13 year old girl get hit by a car at School Street and Grand River. He asked the Director of Public Safety if enforcement can be stepped up in the area without jeopardizing other sections of the City.

Director Lauhoff advised that the three or four officers who are presently on the road are doing a good job, but he will look into the situation.

Councilman Tupper asked about the sidewalk that is torn up at Orchard Street and Farmington Road in front of the Slim Shop. He was advised that a water main was relocated and the crossing signal had to be removed. Mr. Gushman stated that the Road Commission was to come back to replace the pedestrian signal, but they couldn't find the wire. He pointed out that the sidewalk cannot be replaced until the traffic signal is reinstalled.

Mr. Tupper also asked the Public Services Department to fill in the holes around the fire hydrant across Orchard Street.

COUNCIL PROCEEDINGS -5-
July 2, 1990

Councilman Tupper called attention to the Weekend Marquee on Channel 18 and asked that the item "Public Auction, April 18th," be removed.

Councilman Hartsock pointed out that a house for sale on Farmington Road has a string of banners displayed. Mr. Gushman said he asked the owner to remove the banners.

Mr. Hartsock also stated that Chatham Hills Apartments has put up more temporary signs on Grand River.

APPOINTMENTS: BOARDS/COMMISSIONS

The City Manager advised that there is an opening on the Traffic and Safety Board and on the Farmington Planning Commission.

Mayor Richardson instructed that a letter of appreciation be sent to Thomas Stumpo, who is unable to accept reappointment to the Traffic and Safety Board.

7-90-172

Motion by Councilman Hartsock, supported by Councilwoman McShane, to appoint Demetra Mehas to the Farmington Traffic and Safety Board for a 3-year term to expire July 1, 1993. Motion carried, all ayes.

7-90-173

Motion by Councilwoman McShane, supported by Councilman Yoder, to appoint James E. Pogue to a 3-year term on the Farmington Planning Commission, said term to expire June 15, 1993. Motion carried, all ayes.

FINANCIAL REPORTS:

ELEVEN MONTHS ENDED MAY 31, 1990

7-90-174

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and file the General Fund and the 47th District Court financial reports for the eleven months ended May 31, 1990. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

7-90-175

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

ORDINANCE NO. C-570-90

[SEE ATTACHED ORDINANCE].

7-90-176

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

COUNCIL PROCEEDINGS -6-
July 2, 1990

ORDINANCE NO. C-572-90

[SEE ATTACHED ORDINANCE].

7-90-177

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

ORDINANCE NO. C-573-90

[SEE ATTACHED ORDINANCE].

7-90-178

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

ORDINANCE NO. C-574-90

[SEE ATTACHED ORDINANCE].

WARRANT LIST

7-90-179

Motion by Councilman Tupper, supported by Councilman Yoder, to approve the monthly bills as submitted: General Fund \$149,278.83; Water & Sewer Fund \$62,149.00.

ROLL CALL

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

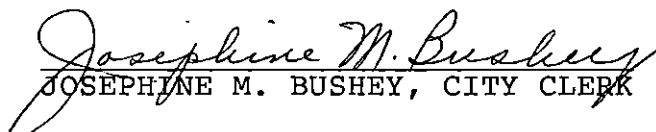
MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 9:22 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: July 16, 1990

CITY OF FARMINGTON
ORDINANCE NO. C-570-90

AN ORDINANCE TO AMEND CHAPTER 28, STREETS,
SIDEWALKS AND OTHER PUBLIC PLACES, OF THE
FARMINGTON CITY CODE TO REQUIRE ACCELERATION
- DECELERATION AND PASSING LANES IN CERTAIN
CIRCUMSTANCES.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 28 of the Farmington City Code is hereby amended to
add Section 28-114, Acceleration - Deceleration - Passing
Lanes, which section shall read as follows:

Section 28-114. Acceleration - Deceleration -
Passing Lanes.

Vehicular access and egress from all zoning lots,
except residential developments involving less than
five (5) dwelling units, shall be provided with the
following:

- (1) Driveways providing ingress and egress to
all two (2) or three (3) lane, paved major
or secondary streets shall be provided with
paved acceleration and deceleration lanes
and passing lanes.
- (2) Driveways providing ingress and egress to
roads of four (4) or more lanes shall be
provided with paved tapers or turning lanes
for traffic safety as required by the
Director of Public Services.
- (3) Required lanes or tapers shall be indicated
schematically on the site plan and shall be
constructed in accordance with the standards
for such facilities as established by the
Engineering Department site plan design
standards.
- (4) If, in the opinion of the Director of Public
Services, no useful purpose would be served
or if unusual difficulty would be

encountered by reason of grade changes, intersections, bridges or other land restrictions, the Director may waive or modify the requirements of this section.

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 28 day of July, 1990, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Councilman Tupper and supported by
Councilman Hartsock.

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

NAYS: None.

ABSENTS: None.

ABSTENTIONS: None.

CITY OF FARMINGTON

ORDINANCE NO. C-572-90

AN ORDINANCE TO AMEND CHAPTER 30, TAXATION, OF THE FARMINGTON CITY CODE, TO PROVIDE FOR THE SEPARATE ASSESSMENT AND DESCRIPTION OF PARCELS AND FOR THE REGULATION OF DIVISIONS WHICH VIOLATE THE CITY CODE.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 30 of the Farmington City Code is hereby amended to add Section 30-3, Property Descriptions and Divisions, which section shall read as follows:

Section 30-3. Property Descriptions and Divisions.

The City Assessor, in order to comply with the provisions of the General Property Tax Act, which requires separate assessment and description of parcels having divided interests, may record such descriptions indicated by legally recorded deeds and land contracts, provided that:

- (a) Such division does not violate the Subdivision Control Act of 1967, Act No. 288 of the Public Acts of 1967, as amended. If said division does violate the provisions of Public Act No. 288, 1967, as amended, then the assessor shall report the violation to the county prosecuting attorney and give written notice to the Plat Section of the Department of Commerce, as required by the General Property Tax Act.
- (b) The assessor shall report violations of the City Code to the City Attorney who shall take appropriate action to enforce the provisions of the code.
- (c) In making separate assessments, the City Assessor shall, when applicable, incorporate in the description of parcels to be divided the statement: "Said description is in violation of the City Code of the City of Farmington." The

assessor shall also cause the statement to be printed in indelible ink, along with the description of parcels, on all official tax and assessment rolls, or on any public notices, until the owners of said parcels comply with the provisions of the 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 2d day of July, 1990, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Councilman Yoder and supported by Councilman Hartsock

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

NAYS: None.

ABSENTS: None.

ABSTENTIONS: None.

CITY OF FARMINGTON

ORDINANCE NO. C-573-90

AN ORDINANCE TO AMEND SECTION 20-252(a) OF CHAPTER 20 OF THE FARMINGTON CITY CODE TO CORRECTLY STATE THE CURFEW HOURS FOR MINORS UNDER THE AGE OF 12 YEARS.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Section 20-252(a), Curfew, of Chapter 20, Offenses, of the Zoning Ordinance is hereby amended to read as follows:

20-252. Curfew.

- (a) No minor under the age of twelve (12) years shall loiter, idle or congregate in or on any public street, highway, alley, park or any place of business open to the public between the hours of 10:00 p.m. and 6:00 a.m., unless the minor is accompanied by a parent or guardian, or some adult delegated by the parent or guardian to accompany the child.

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.

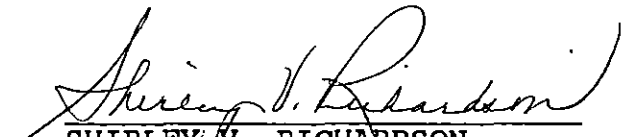
Section 6. Adoption.


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 2d day of July, 1990, 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 Councilman Tupper.

- YEAS: Yoder, Hartsock, McShane, Richardson, Tupper.
- NAYS: None.
- ABSENTS: None.
- ABSTENTIONS: None.

Ordained this 2d day of July, 1990, by the City Council of the City of Farmington.


 SHIRLEY V. RICHARDSON,
 Mayor

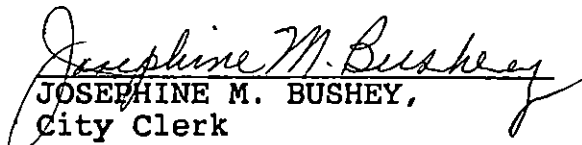

 JOSEPHINE M. BUSHEY,
 City Clerk

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 2d day of July, 1990, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 3d day of July, 1990.


JOSEPHINE M. BUSHEY,
City Clerk

[2256/060190]

CITY OF FARMINGTON

ORDINANCE NO. C-574-90

AN ORDINANCE TO AMEND CHAPTER 34, WATER AND SEWERS, OF THE FARMINGTON CITY CODE TO PROVIDE FOR THE OPERATION, MANAGEMENT, MAINTENANCE, REPAIR AND CONTROL OF THE CITY OF FARMINGTON WATER AND SEWER SYSTEMS; THE ESTABLISHMENT AND REVISION OF RATES AND CHARGES APPLICABLE TO THE SYSTEMS AND TO PROVIDE FOR THE COLLECTION THEREOF; TO PROVIDE FOR THE REGULATION OF PRIVATE AND PUBLIC SEWAGE DISPOSAL SYSTEM; WATER AND SEWER CONNECTIONS; WASTE PRETREATMENT FACILITIES; DISCHARGE LIMITATIONS; POLLUTANT LIMITATIONS; DATA COLLECTING, MONITORING AND SAMPLING; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 34, Water and Sewers, of the City Code of the City of Farmington is hereby amended to read as follows:

ARTICLE I. IN GENERAL

Sections 34-1 - 34-25. Reserved.

ARTICLE II. WATER DISTRIBUTION SYSTEM

DIVISION 1. GENERAL PROVISIONS

Section 34-26. 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:

"City" shall mean the City of Farmington, Michigan, its agents and employees.

"City Water Distribution System" means all mains, connections, pipes, meters, hydrants and appurtenances connected with or used in the conveyance of public water from the point of connection to the Detroit Water Board System to the private water distribution system of the consumer.

"Service Connection" means a connection serving a single water customer consisting of one (1) water connection, one (1) curb stop and one (1) meter.

"Water Connection" means that part of the City water distribution system connecting the water main with the premises served.

"Water Main" means that part of the City water distribution system located within easement lines or public rights-of-way designed to supply more than one (1) water connection.

"Water Meter" means the meter itself, the remote dial and the wire connecting them where pertinent. It does not include valves on either side of an installed meter.

Section 34-27. Service Connections.

1. Connections to the City water distribution system, directly or indirectly, and the use of water therefrom for all purposes, shall be in compliance with the requirements of this article, rules and regulations established by the City, and with the standards and requirements of the Detroit Water and Sewerage Department.

2. No structure within the City requiring water supply for a certificate of occupancy shall hereafter be used or occupied unless such structure is connected to the City water distribution system.

3. Applications for water connection shall be made to the Department of Public Services, Department of Water and Sewer, on forms prescribed and furnished by the department. Such application shall be completed by the owner of the property served or his duly authorized agent. Submission of an application, together with applicable fees, shall be deemed an agreement to comply with the requirements of this article, the rules and regulations of the water system, and the standards and requirements of the Detroit Water and Sewerage Department.

4. The hydrants and appurtenances, mains, connections, valves, pumps, pits, pipes and meters shall be the property of the City and under its exclusive control. Water pipes, exclusive of the meter, serving a structure beyond the point of the curb stop shall not be the property nor the responsibility of the City.

5. Pipes and appurtenances connecting to the water system shall be made of materials and constructed in accordance with the requirements of the City plumbing code and the rules and regulations of the Detroit Water and Sewerage Department.

Section 34-28. Turning On Water Service.

1. No person, other than an authorized employee of the Department of Water and Sewer, shall turn on or off any water service; provided, however, a licensed plumber may turn on water service for testing purposes only, in which case it must be immediately thereafter shut off.

2. Upon written authorization from the Director of Public Services or his designee, a licensed plumber may turn on and shut off water service for construction purposes prior to the grant of a certificate of occupancy or for other good cause shown. Such written authorization shall not be issued without receipt of all applicable charges and fees, which shall include, without limitation, the connection fee, meter installation fee and deposit.

Section 34-29. Turning Off Water Service.

1. The City may terminate water service to any customer when it has determined any one (1) of the following conditions exist:

- (a) A state of emergency threatening human health or safety necessitates immediate termination of water service.
- (b) A state of emergency threatening the security or sanitary integrity of the City's water distribution system or any part of it necessitates immediate termination of water service.
- (c) The City has not received complete payment of the amount shown on its periodic invoice to a water/sewer customer by the payment date shown on the invoice; in which case the procedure provided below shall be followed.
- (d) The customer has violated a provision of this article; in which case the procedure provided below shall be followed.

2. Water Service Termination Procedure.

- (a) Except when the immediate termination of water service is necessary, as provided above, the provisions of this section shall govern all terminations of water service.

(b) The Department of Public Service, Department of Water and Sewer, upon determination that conditions exist justifying the termination of water service, shall mail to, or personally serve upon the customer, a notice of termination. The notice of termination shall contain the following:

- (1) If amounts are owed to the City for nonpayment of water and sewer services, the amount to be paid. If the customer is in violation of a provision of this article, the nature of the violation and the section number being violated;
- (2) The date of the notice of termination;
- (3) The date of termination, which shall be at least fifteen (15) days from the date of the notice of termination;
- (4) Notice that unless the Department of Water and Sewer receives complete payment of the amount shown prior to the date of termination or, if applicable, notice that unless the violation is corrected prior to the date of termination, water service shall be terminated;
- (5) Notice that prior to the date of termination, a customer may notify the Department of Water and Sewer that he or she disputes the correctness of all or part of the amount shown to be owed, if the amount in dispute was not the subject of a previous dispute, or that he or she disputes the alleged violation of the article cited.

(c) If, prior to the date of termination:

- (1) The department has not received complete payment of the amount shown on the notice of termination or has not determined the violation has ceased to exist; or
- (2) The customer has not notified the Department of Water and Sewer that he or she disputes the correctness of all or part of the amount shown on the notice of termination, or that he or she disputes the existence of the violation;

then the Department of Water and Sewer shall terminate the water service provided to the customer on the date of termination.

- (d) If the Department of Water and Sewer receives payment of the entire amount shown on the notice of termination prior to the date of termination, such payment shall be considered a timely and complete payment for purposes of this article. If the Department of Water and Sewer determines that the violation no longer exists as of the date shown on the notice of termination, the department shall not terminate water service to the customer.

3. Customer Dispute.

- (a) At any time before the date of termination of water services for nonpayment or for a violation of this article, a customer may dispute the correctness of all or part of the amount shown or dispute the existences of the allegation in accordance with the provisions of this section. A customer shall not be entitled to dispute the correctness of all or part of the amount owed to the Department of Water and Sewer if all or part of the amount were the subject of a previous dispute contested under this section.
- (b) The procedure for a customer's dispute shall be as follows:
- (1) Before the date of termination, the customer shall notify the department, orally or in writing, that he or she disputes all or part of the amount shown on a notice of termination, or the existence of a violation, stating as completely as possible the basis for the dispute.
 - (2) If the Department of Water and Sewer determines that the present dispute is untimely or that the customer previously disputed the correctness of all or part of the amount shown to be owed, the department shall mail to the customer a notice stating that the present dispute is untimely or invalid. The department shall then proceed as if the customer had not notified the department of the present dispute.
 - (3) If the department determines that the present dispute is not untimely or invalid, the department, within three (3) days after receipt of the customer's notice, shall arrange an informal meeting between the customer and an official of the department.

- (4) Based on the department's records, the customer's allegations, and all of the relevant materials available to the official, the official shall resolve the dispute, attempting to do so in a manner satisfactory to both the department and the customer.
 - (5) Within five (5) days of completion of the meeting, the official shall mail to the customer a copy of his decision resolving the dispute.
 - (6) If the decision is unsatisfactory to the customer, the customer, within five (5) days of his or her receipt of the official's decision, may request, in writing, a formal hearing before a hearing examiner, to be appointed by the City Manager.
 - (7) The formal hearing before the examiner shall be held within ten (10) days of the department's receipt of a customer's written request.
 - (8) At the hearing, the department and the customer shall be entitled to present all evidence that is, in the hearing examiner's view, relevant and material to the dispute, and to examine and cross-examine witnesses. a tape recorded (or at the option of the department, a stenographic) record of the hearing shall be maintained.
 - (9) Based on the record established at the hearing, the examiner, within five (5) days of the completion of the hearing, shall issue his written decision formally resolving the dispute. His decision shall be final and binding on the department and the customer.
- (c) Utilization of this dispute procedure shall not relieve the customer of his or her obligation to timely and completely pay all other undisputed water and sewer service charges and the undisputed portions of the amounts which are the subject of the present dispute. Notwithstanding any provision of this article to the contrary, failure to timely and completely pay all such undisputed amounts shall subject a customer to termination of water service in accordance with the provisions of this article.

- (d) Until the date of the hearing examiner's, or the Department of Water and Sewer official's decision, whichever is later, the department shall not terminate the water service of this customer and shall not issue a notice of termination to him solely for nonpayment of the disputed amount. If it is determined that the customer must pay some or all of the disputed amount, the department shall promptly mail to, or personally serve upon, the customer, a notice of termination which shall contain the following:
- (1) Amount to be paid;
 - (2) Date of the notice of termination;
 - (3) Date of termination, which shall be at least fifteen (15) days after the date of notice of termination;
 - (4) Notice that unless the department receives a complete payment of the amount shown prior to the date of termination, the water service shall be terminated.
- (e) The department shall terminate water service for nonpayment of water and sewer charges only during the hours of 9:00 a.m. to 3:00 p.m., Monday through Thursday. No terminations shall be permitted on a legal holiday or on the day before a legal holiday.
- (f) No termination shall be permitted on a day when the low temperature within the previous twenty-four (24) hours, as reported by the national weather service at its first order station nearest the residence, was below zero (0) degrees Fahrenheit. If water service to a customer has been terminated and not reinstated by 5:00 p.m. on the day of termination, when the low temperature within the previous twenty-four (24) hours, as reported by the national weather service at its first order station nearest the residence, was below thirty-two (32) degrees Fahrenheit, the department shall notify the Public Safety Department on the day of the termination of the following:
- (1) Name of the customer;
 - (2) Address and location of the structure no longer receiving water service; and

- (3) The possible threat to the health and life of all persons residing at the structure, if residential in nature.

Section 34-30. Reinstatement of Water Service.

In the event of termination of water service in accordance with the provisions of this article, the department shall reinstate water service to the customer during the next normal working day (Monday through Friday, 7:30 a.m. to 4:00 p.m.) of the department's receipt of complete payment of the amount whose nonpayment prompted termination or during the next normal working day (Monday through Friday, 7:30 a.m. to 4:00 p.m.) of the department's verification of correction of the violation, the existence of which prompted the termination. Such payment, if applicable, shall not be considered a timely payment for purposes of this article.

Section 34-31. Hydrant Use.

No person shall open or use any hydrant connected with the City water distribution system without having first obtained a permit from the Director of Public Services authorizing such use under such conditions and with such safeguards as the Director determines necessary to protect the public health, safety and welfare. A condition of the issuance of such permit shall be, in addition to any other applicable fees, a deposit of a sufficient amount of money to pay for the estimated consumption of water through the hydrant. The department shall bill the user for the actual amount of water consumed and shall credit the user with the amount deposited toward payment, in whole in part, of such bill. Any person opening or using any fire hydrant without the permit required by this section shall, in addition to being subject to the penalties provided herein, pay for the amount of the water consumed by such unauthorized use.

Section 34-32. Connection Charges.

No property within the City shall hereafter be connected to the City water distribution system until the owner thereof shall have first obtained a permit for such connection and shall have paid to the City a connection charge established by resolution of the City Council based upon a unit factor water consumption schedule prepared for and adopted by the City Council.

Section 34-33. User Charges.

1. All water service shall be charged for on the basis of water consumed as determined by the meter installed in the premises of water customers by the Department of Public Services. No free water service shall be furnished to any person.

2. The rates to be charged for water service and the intervals at which customers shall be billed shall be determined by resolution of the City Council. The approved rates shall be reasonable and computed in accordance with state and federal law. Charges for water services to premises outside the City shall be determined by resolution of Council, but shall not be less than those charged for such service to premises within the City.

3. Unpaid charges for water service furnished to any premise within the City of Farmington shall be a lien against the premise. Enforcement of this lien shall be made pursuant to City of Farmington Code and/or statute. This lien remedy does not preclude any other remedy provided by law. Those premises outside the City of Farmington that are served by the City of Farmington water system that have delinquent bills will be certified to their governmental unit for collection as provided in the contract between the City of Farmington and the governmental unit.

Section 34-34. Injury to Facilities.

1. No person shall willfully or carelessly break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the City water distribution system provided, however, that an employee of the City in the performance of his duties may take such reasonable action as may be necessary to appropriately and safely fulfill his duty.

2. No person shall so alter or manipulate a water meter so as to cause the meter to be bypassed or to not otherwise properly measure water use. Such person, in addition to being subject to the penalties provided herein, shall pay for the amount of water consumed which shall be determined to be at a minimum the highest reading per billing period(s) in the previous two-year (2) period.

Sections 34-35 - 34-55. Reserved.

DIVISION 2. METERS

Section 34-56. Required of All Users.

All premises using water shall be metered. Meters shall be placed in an accessible location in a manner approved by the Director of Public Services.

- (a) Outside read meters will be required to be installed at all new and existing water installations wherever practical or where any meter installation is in a location making it extremely difficult to read.

- (b) Where an outside read meter is impractical, meters shall be located as directed by the Director of the Department of Public Services. The charge for installation of all meters shall be no less than the actual cost of installation as determined by the director and shall be charged to the owner of the premises.

Section 34-57. Access.

Any qualified employee of the Department of Water and Sewer shall at all reasonable hours have the right to enter upon a customer's premises where meters are installed for the purpose of reading, testing, removing or inspecting same, and no person shall hinder, obstruct or interfere with such employee in the lawful discharge of his duties in relation to the care and maintenance of such water meter.

Section 34-58. Reimbursement for Damage.

Any damage which a meter may sustain resulting from carelessness of the owner, agent or tenant or from neglect of either of them to properly secure and protect the meter, as well as any damage which may be wrought by frost, hot water or steam backing from a boiler, shall be paid by the owner of the property to the City and presentation of a bill which shall be based on time and materials and shall be collected as specified in this article for collection of water and sewer charges.

Section 34-59. Failure.

If any meter shall fail to register properly, the Department of Water and Sewer shall estimate the consumption of water on the basis of former consumption and bill the customer accordingly.

Section 34-60. Accuracy of Meter.

1. A customer may require that a meter be tested. If the meter is found accurate, a charge will be made as prescribed by resolution of the City Council. If the meter is found defective, it shall be repaired or an accurate meter installed, and no charge shall be made to the customer.

2. A meter shall be considered accurate if, when tested, it registers not to exceed five (5%) percent more or five (5%) percent less than the actual quantity of water passing through it. If a meter registers in excess of five (5%) percent more than the actual quantity of water passing through it, it shall be considered "fast" to that extent. If a meter registers in excess of five (5%) percent less than the actual quantity of water passing through it, it shall be considered "slow" to that extent.

3. If a meter has been tested at the request of a customer and shall have been determined to register "fast," the City shall credit the customer with a sum equal to the percent "fast" multiplied by the amount of all bills incurred by that customer within three (3) months prior to the test. If a meter so tested is determined to register "slow," the Department of Water and Sewer may collect from the customer a sum equal to the percent "slow" multiplied by the amount of all bills incurred by that customer for the previous three (3) months. When the Department of Water and Sewer, on its own initiative, makes a test of a water meter, it shall be done without cost to the customer, other than his paying the amount due the City for water used by him or her, as above provided, if the meter is found to be "slow."

Sections 34-61 - 34-85. Reserved.

DIVISION 3. ESSENTIAL HEALTH
AND EMERGENCY REGULATION

Section 34-86. Adoption by Reference of Water Supply
Cross-Connection Rules.

The City of Farmington adopts by reference the water supply cross-connection rules of the State Department of Public Health, being 1979 AACRS R325.11401-R325.11407 of the Michigan Administrative Code.

Section 34-87. Inspections.

It shall be the duty of the City Department of Public Services to cause inspections to be made of all property served by the public water supply where cross-connections with the public water supply are deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be established by the Department of Public Services and as approved by the State Department of Public Health. Furthermore:

- (a) Representatives of the Department of Public Services shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the City for the purpose of inspecting the piping system or systems thereof for cross-connections. On request, the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access when requested shall be deemed to be a violation of this article and shall be deemed evidence of the presence of cross-connections.

- (b) The Department of Public Services is hereby authorized and directed to discontinue water service pursuant to the procedures established in this article wherein any connection is in violation of this section and to take such other precautionary measures deemed necessary to eliminate any damage or contamination of the public water supply system. Water service to such property shall not be restored until the cross-connection has been eliminated in compliance with the provisions of this section.
- (c) The potable water supply made available on the property served by the public water supply shall be protected from possible contamination as specified by this article and by the state and City plumbing codes. Any water outlet which could be used for potable or domestic purpose, and which is not supplied by the potable system, must be labeled in a conspicuous manner as:

- WATER UNSAFE FOR DRINKING -

- (d) This section does not supersede the state plumbing code and the City plumbing ordinance, but is supplementary to them.

Sections 34-88. Emergency Water Regulation.

1. The City Manager shall be authorized to prohibit, in whole or in part, certain uses of water as provided below when, in the reasonable exercise of his discretion, the following conditions exist:

- (a) A prolonged drought or heavy demand period that results in supply facilities, including Detroit Water and Sewerage System facilities or City of Farmington facilities, being operated at their optimum capacity with no apparent means available to adequately maintain flows and residual pressures throughout the system; or
- (b) Any emergency condition which may arise which will negatively affect operating flows and residual pressures in any substantial portion of the system for any appreciable length of time.

2. The City Manager shall, upon determining the conditions stated above do exist, institute a water reduction plan which shall be publicized to the Department of Water and Sewer customers via press releases, public notices, and other such announcements through available news media. Such water reduction plan may include in whole or in part the following prohibitions:

- (a) Watering yards. The sprinkling, watering or irrigating of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers, or any other vegetation, except as such may be necessary to preserve the stock of a commercial nursery or tree farm.
- (b) Washing mobile equipment. The washing of automobiles, trucks, trailers, trailer houses, railroad cars, or any other type of mobile equipment.
- (c) Cleaning outdoor surfaces. The washing of sidewalks, driveways, filling station aprons, porches, and other outdoor surfaces.
- (d) Cleaning buildings. The washing of the outside of dwellings; the washing of the inside and outside of office buildings.
- (e) Cleaning equipment and machinery. The washing and cleaning of any business or industrial equipment and machinery.
- (f) Ornamental fountains. The operation of any ornamental fountain or other structure making a similar use of water.
- (g) Swimming pools. Swimming and wading pools not employing a filter and recirculating system.
- (h) Escape through defective plumbing. The escape of water through defective plumbing, which shall mean the knowing permission for defective plumbing to remain out of repair.

3. In promulgating the water reduction plan, the City Manager shall have the authority to except from these prohibitions the following:

- (a) A reasonable use of water in any case necessary to maintain adequate health and sanitation standards.
- (b) Business and industries necessary for the public health, safety and welfare.
- (c) Business and industries processing animal, vegetable and mineral matter for food purposes.

Sections 34-89 - 34-110. Reserved.

ARTICLE III. SEWAGE DISPOSAL SYSTEM

Section 34-111. Purpose.

It is the purpose of this Ordinance to protect public health and safety by abating and preventing pollution through the regulation and control of the disposal of sewage and the quantity and quality of wastes admitted to be discharged into the wastewater collection and treatment system of the City of Farmington, the Oakland County Department of Public Works, and the City of Detroit.

It is the further purpose of this Ordinance to enable the City of Farmington and the governmental authorities with which it has contracted to provide a public sewage disposal system for the properties within the City of Farmington, the County of Oakland, and the City of Detroit, to comply with the requirements of applicable state and federal laws, including the Federal Water Pollution Control Act of 1972, as amended; the State of Michigan Act No. 245 of 1929, as amended; the Federal District Court Consent Judgment and Settlement Agreement, United States District Court, Eastern District of Michigan, Southern Division, C.A. No. 77-1100; and the applicable rules and regulations pertaining to said Acts; and the requirements of applicable National Pollutant Discharge Elimination System Permits. Further, this Ordinance is intended to enable the City of Farmington to comply with State of Michigan Act No. 185 of Public Acts of 1957.

Section 34-112. Authority.

By virtue of the obligations and authority placed upon the City of Farmington, the County of Oakland, and the City of Detroit by the Federal Water Pollution Control Act; the Constitution of the State of Michigan; the State of Michigan Act No. 245 of the Public Acts of 1929, as amended; the Charter of the City of Farmington; National Pollutant Discharge Elimination System Permit for the City of Detroit Publicly-Owned Treatment Works; the Federal District Court Consent Judgment pertaining to *U.S. EPA v City of Detroit, et al*, C.A. No. 77-1100, as amended; the Urban Cooperation Act of 1967, as amended; Public Act No. 35 of 1951, as amended; and existing or future contracts between the City of Farmington, the Oakland County Department of Public Works, and the Board of Water Commissioners of the City of Detroit, or by virtue of common law usage of the system, this Ordinance shall apply to every property and property owner which is a source of sewage and/or which contributes or causes to be contributed pollutants or wastewater to the City of Farmington Sewage Disposal System and/or the Oakland County Department of Public Works Sewage Disposal System and/or the City of Detroit Publicly-Owned Treatment Works.

Section 34-113. Definitions.

When used in this Ordinance, the following terms shall have

the meanings described in this section unless the context specifically indicates a different meaning:

"Act" or "the Act" shall mean the Federal Water Pollution Control Act, P.L. 92-500, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, *et seq.*

"Approval Authority" shall mean the Michigan Department of Natural Resources or the Environmental Protection Agency.

"As Built Plans" shall mean engineering drawings prepared after installations of wastewater facilities which shall show a statement by a registered engineer or surveyor certifying this to be "as built plans" and shall include, but not be limited to, length of sewer, invert elevation, locations with respect to property lines, wye and riser locations and depths, sewer material and joints used, and mechanical, electrical, and structural details for pump stations, wastewater treatment facilities, and other appurtenances.

"Authorized Representative of Industrial User" shall refer to (a) a corporate officer, if the industrial user is a corporation; (2) a general partner or proprietor, if the industrial user is a partnership or proprietorship, respectively; or (3) a duly authorized representative of the individual designated in either of the above, if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates or is the identified corporation, partnership, or proprietorship representative for responding to discharge inquiries or actions.

"Biochemical Oxygen Demand (BOD)" shall mean the quantity of dissolved oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure five (5) days at 20° Centigrade expressed in terms of weight and concentration [milligrams per liter (mg/l)] as measured by standard methods.

"Board" shall mean the Board of Water Commissioners of the City of Detroit.

"Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building's sewer (house sewer). The latter begins five (5) feet outside the inner face of the building wall.

"Building Sewer" shall mean the extension from the building drain that connects the building in which the sanitary sewage originates to the public sewer or other place of disposal and conveys the sewage of but one (1) building.

"Categorical Standards" shall mean the National Categorical Pretreatment Standards or a pretreatment standard as promulgated under authority of the Act, 40 CFR 403.

"Chemical Oxygen Demand (COD)" shall mean a measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specified test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with biochemical oxygen demand. Also known as OC and DOC, oxygen consumed and dichromate oxygen consumed, respectively.

"Chlorine Demand" shall mean the difference between the amount of chlorine applied and the amount of free chlorine available at the end of the contact time, expressed in milligrams per liter.

"City" shall mean the City of Farmington, Michigan, its agents and employees.

"Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

"Compatible Pollutant" shall mean BOD (biochemical oxygen demand), FOG (fats, oils or grease), phosphorus, suspended solids, and fecal coliform bacteria, plus other pollutants which do not exceed the Control Authority's interference or pass-through limitations or the limitations of this Ordinance.

"Composite Sample" shall mean a series of grab samples of equal volume taken over a specified time period with no regard to the flow in the wastestream which are combined into one (1) sample.

"Consent Judgment" shall mean the judgment issued by Federal District Court on September 14, 1977, *U.S. EPA v City of Detroit, et al*, C.A. No. 77-1100, as amended.

"Control Authority" shall mean the Detroit Water and Sewerage Department (DWSD) which has been officially designated as such by the state under the provisions of 40 CFR 403.12 or authorized representatives or employees of the DWSD.

"Control Manhole" shall mean a suitable manhole, together with such necessary meters, including where appropriate, adequate power source, and other appurtenances, to facilitate observation, sampling and measurement of wastewater to be constructed in accordance with plans approved by the County's and/or City's engineering personnel.

"County" shall mean the County of Oakland, State of Michigan, or its authorized representative, the Detroit Water and Sewerage Department.

"County Agency" shall mean the Oakland County Drain Commissioner or the Oakland County Department of Public Works.

"Cooling Water" shall mean the non-contact water discharged from any use such as air conditioning, cooling, or refrigeration to which the only pollutant added is heat.

"Critical Materials" shall mean the organic and inorganic substances, elements or compounds, listed in the register compiled by the Water Resources Commission of the Department of Natural Resources of the State of Michigan.

"Days" shall mean, for purposes of computing a period of time prescribed or allowed by this Ordinance, consecutive calendar days.

"Debt Service Charge" shall mean charges levied to customers of the wastewater system which are used to pay principal, interest and administrative costs of retiring the debt incurred for construction of the wastewater system. The debt service charge is separate and distinct and may be in addition to the "user charge" specified below.

"Direct Discharge" shall mean the discharge of treated or untreated wastewater directly into the waters of the State of Michigan.

"Director" shall mean the Director of the Detroit Department of Water and Sewerage or the Director's deputy.

"Domestic User" shall mean a person who contributes, causes or permits wastewater to be discharged into the publicly-owned treatment works from a place of domicile for one (1) or more persons, including, but not limited to, single-family houses, apartment buildings, condominiums, townhouses and mobile homes. It shall also mean churches, schools and government buildings.

"Downspout" shall mean an exterior drainage pipe for conveying stormwater from an eaves trough or roof drain.

"Dwelling" shall mean any structure designed for year-round habitation including, but not limited to, houses, mobile homes, apartment buildings, condominiums and townhouses.

"Eaves Trough" shall mean a drain installed to receive water collecting on the surface of a roof and to discharge it into a downspout or leader. An eaves trough may also be known as a roof drain.

"Environmental Protection Agency" or "EPA" shall mean the United States Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the administrator or other authorized official of said federal agency.

"Fats, Oil, or Grease (FOG)" shall mean any hydrocarbons, fatty acids, soaps, fats, waxes, oils, and any other non-volatile material of animal, vegetable, or mineral origin that is extractable by solvent in accordance with standard methods.

"Federal Grant" shall mean a grant made or to be made for the construction of wastewater collection, transportation, and/or treatment works provided under the Act, P.L. 92-500, as amended.

"Flow Proportional Sample" shall mean a composite sample taken with regard to the flow rate of the wastestream.

"Footing Drain" shall mean a pipe or conduit which is placed around the perimeter of a building foundation and which intentionally admits ground water.

"Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods. It is composed of putrescible organic matter and its natural moisture content.

"Properly Shredded Garbage" shall mean the waste from the preparation, cooking and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

"General Specifications" shall mean the current edition of standard material and construction requirements of the County of Oakland.

"Grab Sample" shall mean a sample which is taken from a wastestream on a one-time (1) basis without regard to the variations in flow rate, but which shall reasonably reflect the characteristics of the wastestream at the time of sampling.

"Ground Water" shall mean subsurface water occupying the saturation zone, from which wells and springs are fed.

"Holding Tank Waste" shall mean any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

"Incompatible Pollutants" shall mean any pollutant which is not a compatible pollutant.

"Indirect Discharge" shall mean the discharge or the introduction of pollutants from any non-domestic source, regulated under Section 307(b), (c), or (d) of the Act (33 U.S.C. 1317), into the publicly-owned treatment works.

"Industrial User" shall mean a person who contributes, causes, or permits wastewater to be discharged into the publicly-owned treatment works from a place of business, endeavor, arts, trade, or commerce, whether public or private, commercial or charitable. Domestic users are specifically excluded.

"Industrial Waste" shall mean the discharge into the publicly-owned treatment works of any liquid, solid, or gaseous waste or form of energy, or combination thereof, resulting from any processes of industry, manufacturing, business, trade, or research, including the development, recovery, or processing of natural resources.

"Infiltration" shall mean any waters entering the system from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. Infiltration does not include and is distinguished from inflow.

"Infiltration/Inflow" shall mean the total quantity of water from both infiltration and inflow.

"Inflow" shall mean any waters entering the system through such sources as, but not limited to, building downspouts, footing or yard drains, cooling water discharges, seepage lines from springs and swampy areas, and storm drain cross connections.

"Interference" shall mean a discharge by a user which, alone or in conjunction with discharges by other sources, inhibits or disrupts the publicly-owned treatment works or its treatment processes or operations, or its sludge processes, use or disposal, and which causes a violation of any requirement of the publicly-owned treatment works' NPDES Permit (including an increase in the magnitude or duration of a violation) or the prevention of sewage sludge use or disposal by the publicly-owned treatment works in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) [including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA], the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act.

"Laboratory Determination" shall mean the measurements, tests, and analyses of the characteristics of waters and wastes in accordance with the methods contained in the latest edition at the time of any such measurement, test, or analysis of "Standard Methods for Examination of Water and Waste Water," a joint publication of the American Public Health Association, the American Waterworks Association, and the Water Pollution Control Federation or in accordance with any other method prescribed by the rules and regulations promulgated pursuant to federal or state law.

"Lateral Sewer" shall mean that portion of the sewer system located under the street, within the street right-of-way, or easement and which collects sewage from a particular property for transfer to the trunk line or interceptor.

"Leader" shall mean an interior drain pipe for conveying storm water from roof or gutter drain.

"Local" shall mean a prefix denoting jurisdiction by the City of Farmington.

"Manager" shall mean the City Manager of the City of Farmington, or his authorized representatives.

"Municipality" shall mean the City of Farmington.

"National Categorical Pretreatment Standard" shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317) which applies to a specific class or category of industrial users.

"National Pollution Discharge Elimination System (NPDES) Permit" shall mean a permit issued to a publicly-owned treatment works pursuant to Section 402 of the Act (33 U.S.C. 1342). In the context of this Ordinance, the NPDES Permit issued to the Control Authority.

"Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

"New Source" shall mean any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which is commenced after the publication of the proposed National Categorical Pretreatment Standards under Section 307(c) of the Act, which will be applicable to such source if such standards are thereafter promulgated in accordance with that section.

"Normal Domestic Strength Sewage" or "Normal Domestic Strength Wastewater" shall mean a sewage or other wastewater effluent which shall be a compatible pollutant

with BOD of 275 milligrams per liter or less, suspended solids of 350 milligrams per liter or less, total phosphorus of 12 milligrams per liter or less, and fats, oil, and greases of 100 milligrams per liter or less.

"Obstruction" shall mean any object of whatever nature which substantially impedes the flow of sewage from the point of origination to the trunk line or interceptor. This shall include, but not be limited to, objects, sewage, tree roots, rocks and debris of any type.

"Operation and Maintenance (O&M)" shall mean all work, materials, equipment, utilities and other effort required to operate and maintain the wastewater transportation and treatment system consistent with insuring adequate treatment of wastewater to produce an effluent in compliance with the NPDES Permit and other applicable state and federal regulations, and includes the cost of replacement.

"Owner" shall mean the owners of record of the freehold of the premises or lesser estate therein, a mortgagor or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, or other person, firm or corporation in control of a building.

"Pass-Through" shall mean the discharge of pollutants through the publicly-owned treatment works into navigable waters in quantities or concentrations which, alone or conjunction with discharges from other sources, is a cause of violation of any requirement of the publicly-owned treatment works' NPDES Permit (including an increase in the magnitude or duration of a violation).

"Person" shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, unit of government, school district or any other legal representative, agent or assigns, or any combination thereof. The masculine gender shall include the feminine; the singular shall include the plural where indicated by the context.

"pH" shall mean the negative reciprocal of the logarithm of the hydrogen concentration. The concentration is the weight of hydrogen-ions, in grams per liter of solution.

"Pollutant" shall mean any substance or energy added or introduced into the user's water source.

"Pollution" shall mean the human made or human induced degradation or impairment of the chemical, physical, biological or radiological integrity of water.

"Pretreatment" shall mean the reduction of the amount of pollutants, the removal of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the publicly-owned treatment works. The reduction, removal or alteration may be attained by physical, chemical or biological processes, or process changes by other means, except as prohibited by federal, state or local law, rules and regulations.

"Pretreatment Requirements" shall mean any substantive or procedural requirements related to pretreatment other than a national categorical pretreatment standard imposed on an industrial user.

"Private" shall mean a prefix denoting jurisdiction by a non-governmental entity.

"Public" shall mean a prefix denoting jurisdiction by any governmental subdivision or agency.

"Public Sewer" shall mean a common sewer controlled by a governmental agency or public utility.

"Publicly-Owned Treatment Works (POTW)" shall mean a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned in this instance by the City of Detroit. This definition includes any sewers that convey wastewater to the POTW treatment plant. For the purposes of this Ordinance, "Publicly-Owned Treatment Works" or "POTW" shall also include any sewers under the jurisdiction of the City of Farmington and/or the County of Oakland.

"Publicly-Owned Treatment Plant" or "POTW Treatment Plant" shall mean that portion of the publicly-owned treatment works designed to provide treatment to wastewater, including recycling and reclamation of wastewater.

"Replacement" shall mean the replacement in whole or in part of any equipment, appurtenances and accessories in the wastewater transportation or treatment systems to insure continuous treatment of wastewater in accordance with the NPDES Permit and other applicable state and federal regulations.

"Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

"Separate" shall mean a prefix denoting a wastewater transmission facility or sewer which is intended to transport sanitary wastewater only.

"Service Area" shall mean any area whose wastewater is received by the City of Farmington or the County of Oakland for the transmission for treatment by the City of Detroit DWSD.

"Sewage" or "Wastewater" shall mean spent water which may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, institutions, or other land uses, including drainage water and ground water inadvertently present in said waste.

"Sewage Treatment Plant" or "Wastewater Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

"Sewer" shall mean a pipe or conduit that carries wastewater or drainage water. See the following definitions modifying Sewer:

- (a) "Building Sewer" - in plumbing, the extension from the building drain to the public sewer or other place of disposal. Also called house connection.
- (b) "Combined Sewer" - a sewer intending to receive both wastewater and storm or surface or drainage water.
- (c) "Common Sewer" - a sewer in which all owners of abutting properties have equal rights.
- (d) "County Sewer" - a public sewer controlled by the County agency.
- (e) "Intercepting Sewer" - a sewer that received dry-weather flow from a number of transverse sewers of outlets in frequently additional predetermined quantities of storm water (if from a combined system) and conducts such waters to a point for treatment of disposal.
- (f) "Lateral Sewer" - that portion of the sewer system located under the street, within the street right-of-way, or easement and which collects sewage from a particular property for transfer to the trunk line or interceptor. a sewer which is designed to receive a building sewer.
- (g) "Municipal Sewer" - a public sewer exclusive of a County sewer or City of Detroit sewer.
- (h) "Public Sewer" - a common sewer controlled by a governmental agency or public utility.
- (i) "Sanitary Sewer" - a sewer that carries liquid and water-carried waste from residences, commercial

buildings, industrial plants, and institutions, together with minor quantities of ground, storm, and surface waters and drainage water and are not admitted intentionally.

- (j) "Storm Sewer" - a sewer that carries storm water and surface water, street wash and other wash waters, or drainage, but excludes domestic wastewater and industrial wastewater. Also called a storm drain.
- (k) "Trunk Sewer" or "Trunk Line" - a sewer which connects the lateral sewer to the intercepting sewer and to which building sewers may be connected.

"Sewer Service Charge" shall mean the sum of the applicable user charge, surcharges and debt service charges.

"Shall" is mandatory; "May" is permissive.

"Significant Users" shall mean any industrial user of the POTW as defined herein who (i) has a discharge flow of 50,000 gallons or more per average workday, exclusive of storm water and sanitary wastewater; or (ii) has discharges subject to the National Categorical Pretreatment Standards; or (iii) requires pretreatment to comply with the specific pollutant limitations of this Ordinance; or (iv) has, in its discharge, toxic pollutants as defined pursuant to Section 307 of the Act, or other applicable federal and state laws and regulations which are in concentrations and volumes that are subject to regulation under this Ordinance as determined by the control authorities; or (v) is required to obtain a permit for the pretreatment, storage, or disposal of hazardous waste pursuant to regulations adopted by the state or adopted under the Federal Solid Waste Disposal Act, as amended, by the Federal Resource Conservation and Recovery Act and any amendments thereto and who may or does contribute or allow waste or wastewater into the POTW including, but not limited to, leachate or runoff; or (vi) is found by the Control Authority to have significant impact, either singly or in combination with other contributing industries, on the POTW, the quality of sludge, the POTW's effluent quality, or air emissions generated by the POTW.

"Slug" shall mean any pollutant released in a discharge at a flow rate and/or concentration which will cause interference or pass-through at the POTW as determined by the Control Authority.

"Standard Industrial Classification (SIC)" shall refer to a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, as amended.

"Standard Methods" shall mean the laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federal, or methods set forth in 40 C.F.R. 136 "Guidelines for Establishing Test Procedures for Analysis of Pollutants." Where these two references are in disagreement on procedures for the analysis of a specific pollutant, the methods given in 40 C.F.R. 136 shall be followed.

"State" shall mean the State of Michigan.

"Storm Water" shall mean the water running off from the surface of a drainage area during and immediately after a period of rain.

"Superintendent" shall mean the Director of the City of Farmington's Department of Public Services or his duly authorized representative.

"Surface Water" shall mean:

- (a) All water on the surface as distinguished from ground water or subterranean water.
- (b) Water appearing on the surface in a diffused state, with no permanent source of supply or regular course for any considerable time, as distinguished from water appearing in watercourses, lakes, or ponds.

"Surcharge" shall mean an additional charge which may be imposed to cover the cost of treatment of excess strength wastewater discharged by any customer.

"Suspended Solids" shall mean the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtration or as measured by standard methods.

"Total Equivalent Master Metered Water Consumption" shall mean the equivalent to the total amount of potable water used by a municipality as recorded by a master water meter for sewered premises, and shall include, but not be limited to, fire protection water, gardening and lawn water.

"Toxic Pollutant" shall mean any pollutant or combination of pollutants designated as toxic in regulations promulgated by the Administrator of the United States Environmental Protection Agency under the provisions of Section 307(a) of the Clean Water Act, 33 U.S.C. 1317, or included in the critical materials register promulgated by the Michigan Department of Natural Resources, or other federal or state laws, rules or regulations.

"Uncontaminated Industrial Waste" or "Unpolluted Industrial Process Water" shall mean industrial process water or cooling water which has not come into contact with any substance used in or incidental to industrial processing operations and to which no chemical or other substance has been added, and which is completely compatible with applicable stream standards, excepting thermal limitations.

"Upset" or "Upset Condition" shall mean an exceptional incident in which there is an unintentional or temporary non-compliance with limits imposed under this Ordinance or with National Categorical Pretreatment Standards because of factors beyond the reasonable control of the industrial user. An upset does not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

"User" shall mean any person who contributes, causes or permits the discharge of wastewater into the publicly-owned treatment works as defined herein.

"User Charge" shall mean a charge levied on users of a treatment works for the cost of operation and maintenance of sewerage works pursuant to Section 204(b) of P.L. 92-500 and includes the cost of replacement.

"Wastewater" shall mean the liquid and water-carried industrial or domestic wastes of dwellings, commercial buildings, industrial facilities and institutions, whether treated or untreated, which are contributed to or permitted to enter the publicly-owned treatment works. Wastewater may also contain infiltration and inflow waters and cooling water.

"Wastewater Facilities" shall mean the structures, equipment and processes required to collect, carry away, and treat domestic and industrial waste, and dispose of the effluent.

"Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

"Waters of the State" shall refer to all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

"Wastewater Discharge Permits" shall mean permits issued by the Control Authority or its designated representative as set forth in Section 34-125 of this Ordinance.

Section 34-114. Abbreviations.

The following abbreviations shall have the designated meanings:

1. BOD - Biochemical Oxygen Demand
2. CFR - Code of Federal Regulations
3. COD - Chemical Oxygen Demand
4. DWSD - Detroit Water and Sewerage Department
5. EPA - Environmental Protection Agency
6. FOG - Fats, Oil or Grease
7. l - liter
8. MDNR - Michigan Department of Natural Resources
9. mg - milligrams
10. mg/l - milligrams per liter
11. NPDES - National Pollutant Discharge Elimination System
12. P - Phosphorus
13. POTW - Publicly-Owned Treatment Works
14. RCRA - Resource Conservation and Recovery Act
15. SIC - Standard Industrial Classification
16. SICM - Standard Industrial Classification Manual
17. SS - Suspended Solids
18. SWDA - Solid Waste Disposal Act, 42 U.S.C. 6901, *et seq*
19. O&M - Operation and Maintenance
20. TSS - Total Suspended Solid
21. USC - United States Code
22. CWA - Clean Water Act

Section 34-115. Unsanitary Deposits, Discharge to Natural Outlets Prohibited.

1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the City of Farmington, or in any area under the jurisdiction of said City, any human or animal excrement, garbage or other objectionable waste.

2. It shall be unlawful, when sewage and/or treatment facilities are available, to discharge to any natural outlet within the City of Farmington, or in any area under the jurisdiction of said City, any sanitary sewage, industrial wastes, or other polluted waters, unless specifically permitted by the Oakland County Health Department.

3. It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage, unless specifically permitted by the City's Department of Public Services and the Oakland County Health Department or as hereinafter provided.

4. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City of Farmington and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the City of Farmington, is hereby required at his expense to install suitable sewage facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after the date of official notice to do so.

Section 34-116. Private Sewage Disposal.

1. Where a public sewer is not available under the provisions of this Ordinance, the building's sewer shall be connected to an approved private sewage disposal system.

2. Before commencement of a private sewage disposal system, the owner shall first apply to the Oakland County Health Department for a soil evaluation test. The fee shall be determined by the Oakland County Health Department, and shall be paid to the Oakland County Health Department. At the completion of the above soil evaluation test showing positive results, the property owner shall apply for a permit for installation for the proposed sewage system. He shall include plans, specifications and other information as deemed necessary by the Oakland County Health Department. At the time the application is filed, the fee determined by the Oakland County Health Department for the permit and inspection shall be paid.

3. The permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Oakland County Health Department. The Health Department shall be allowed to inspect the work at any stage of construction; and, in any event, the applicant for the permit shall notify the Oakland County Health Department when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within seven (7) days of the receipt of the notice by the Health Department. All persons receiving a permit for a private sewage disposal system shall provide the Superintendent with copies of all final approved inspection reports issued by the Health Department.

4. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Oakland County Health Department. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

5. At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in this Ordinance, a direct connection shall be made to the public sewer in compliance with this Ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned for sanitary use and filled with a suitable material approved by the City of Farmington and/or the Oakland County Health Department.

6. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times and at no expense to the City.

7. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by any other agency having legal jurisdiction.

Section 34-117. Building Sewer and Connections, Construction, Use and Maintenance.

1. No person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof, without first obtaining a written permit from the Superintendent. No building sewer shall be covered until after it has been inspected and approved by the Superintendent.

2. The owner or his agent shall make application for sewer permit on a form furnished by the City of Farmington. The permit application shall be supplemented by any plans, specifications, or other information required by this Ordinance or considered pertinent in the judgment of the Superintendent. A hook-up fee in an amount established by City Council shall be paid to the City Treasurer at the time the application is

filed. A plumbing permit is also required. If a street opening is required to make the lead connection, an additional attachment to the permit must be completed.

3. All costs, expenses and liabilities incident to the installation and connection of the building sewer shall be borne by the property owner. Any public property disturbed by such activity shall be restored to its condition as it was prior to the commencement of the installation, connection or maintenance. The property owner shall indemnify and save harmless the City of Farmington from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

- (a) It shall be the duty of each property owner to maintain, clean and repair the private sewer lines at his own expense as necessary to keep such lines free and clear of obstructions and in good working order.
- (b) In the case of a bona fide dispute as to whether needed maintenance, cleaning or repair of a portion of sewer line is the responsibility of the property owner or the City under the provisions of this Ordinance, it shall be the duty of the property owner to establish that the obstruction, disrepair or defect has occurred in that portion of the line for which the City is responsible.

If the property owner fails to establish the City's responsibility, it shall be the property owner's responsibility to perform the necessary maintenance as provided in this Ordinance. If the City's responsibility is established, the City shall perform the necessary maintenance and shall reimburse the property owner for reasonable expenses incurred in locating the defect in the line or in otherwise establishing the City's responsibility.

- (c) Any property owner who shall violate the provisions of this section of the Ordinance shall be liable to the City for civil damages incurred in correcting the defect, and in addition, shall be guilty of a misdemeanor.

If any property owner fails to maintain a private sewer line as required by this Ordinance, in addition to the other penalties prescribed, the sewer may be declared a public nuisance by the City of Farmington or by the Oakland County Health Department, and the defect may be corrected by either governmental agency. Any

costs so incurred shall be assessed against the property and become a lien on the property if not timely paid.

- (d) A separate and independent building sewer shall be provided for every building, except where one (1) building stands at the rear of another or an interior (lot); and, in the judgment of the Superintendent, when no private sewer is available or can be constructed to the rear building through an adjoining alley, yard or driveway, the building sewer from the front building may be extended to the rear building.
- (e) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this article.
- (f) The building sewer shall be constructed of a material approved by the State of Michigan Plumbing Code. The City reserves the right to specify and require the encasement of any sewer pipe with concrete, or the installation of the sewer pipe in concrete cradle if foundation and construction are such as to warrant such protection in the opinion of the Superintendent.
- (g) The size of the building sewer shall be six (6) inches. Such size may be reduced to not less than four (4) inches when in the judgment of the Superintendent, a six (6) inch pipe cannot or should not be installed. The slope of such four (4) inch pipe shall be not less than one-quarter ($1/4$) inch per foot, unless otherwise permitted. The slope of pipe, the diameter of which is six (6) inches or more, shall be not less than one-eighth ($1/8$) inch per foot, unless otherwise permitted.
- (h) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade. The line shall be straight or laid with properly curved pipe and fittings. Changes in direction greater than forty-five (45) degrees shall be provided with cleanouts accessible for cleaning.

- (i) In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by artificial means approved by the State Plumbing Code and the City of Farmington.
 - (j) All joints and connections shall be tested in accordance with the State Plumbing Code and proved to be gastight and watertight.
 - (k) No sewer connection will be permitted unless there is capacity available in all downstream sewers, lift stations, force mains and the sewage treatment plant, including capacity for treatment of BOD and suspended solids.
 - (l) All newly constructed building sewers shall have a properly sized cleanout at the head of said sewer that is accessible at all times. This cleanout shall allow access of sewer cleaning equipment of a size equivalent to the size of the building sewer.
 - (m) All sewers shall be constructed in accordance with the latest edition of the "Ten State Standards," the requirements of the Oakland County Department of Public Works, and the requirements of the Detroit Water and Sewerage Department.
4. (a) Grease, oil and sand interceptors shall be provided when in the opinion of the Superintendent they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers, which when bolted in place shall be gastight and watertight.
- (b) Where installed, all grease, oil and sand interceptors or flow equalizing facilities shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

5. A sewer user shall not contribute directly or indirectly to the public sewer any wastewater or substance which would cause the City of Farmington or County of Oakland or the Control Authority to be in violation of the Clean Water Act, as amended, 33 USC 1251, et seq. The City may collect any and all costs, expenses and damages, direct and consequential, from any user whose contribution into the public sewer causes the City to be in violation of federal law.

Section 34-118 - 34-119. Reserved.

Section 34-120. General Regulations of Oakland County Department of Public Works, County of Oakland, Sewage Disposal Systems.

1. All sanitary sewer systems connected directly or indirectly into the intercepting sewer or sewers of the Oakland County Department of Public Works shall meet the requirements set forth in this section.

2. Plans, Permits and Bonds.

- (a) Prior to connection and prior to start of construction, all sanitary sewer systems shall have engineering plans and specifications prepared by a professional engineer and shall be approved by the Oakland County Department of Public Works.
- (b) A connection permit shall be obtained by the owner or contractor from the Oakland County Department of Public Works. Said connection permit shall show the location of the work, the extent of the work, information regarding the contractor, the owner and the engineer, and any other pertinent information as shall be determined necessary by the Department of Public Works. A fee shall be charged for said permit to cover the cost of inspection of each connection, and to verify the result of the acceptance test. The permit fee shall be One Hundred Fifty Dollars (\$150.00) for each connection plus Fifteen Dollars (\$15.00) for each new manhole constructed.

Inspection requested during other than normal working hours shall be performed only if deemed necessary by the Oakland County Department of Public Works. The fee for such inspection shall be Two Hundred Fifty Dollars (\$250.00) per day minimum, in addition to the normal connection permit fee.

- (c) Individual building sewers which are directly connected into the County sanitary sewer system shall conform to all applicable requirements of

this Ordinance. A connection permit, for which a charge of Fifty Dollars (\$50.00) will be made by the Oakland County Department of Public Works, shall be obtained from the Department of Public Works before such connection is made. Prior to the issuance of such connection permit, the person obtaining such permit shall have obtained the written approval of the local unit of government. Connection shall be made in a workmanlike manner and in accordance with methods and procedures established by the Department of Public Works.

The party to whom such a permit is issued shall be responsible for notifying the Department of Public Works twenty-four (24) hours in advance of the date and time when such a connection is made so that proper inspection of same can be made by the Department.

- (d) Prior to the adjustment, reconstruction, relocation or any other altering of the sewers of the County of Oakland, including manhole structures, the contractor or the person responsible for the work shall first obtain a permit to do such work from the Oakland County Department of Public Works. Said permit fee shall be determined by the Department of Public Works.
- (e) Prior to construction and during the life of permits obtained in accordance with Paragraphs B2, B3 and B4 of this section, all owners or contractors shall: (1) yearly furnish to the Oakland County Department of Public Works a satisfactory surety bond in the amount of Five Thousand Dollars (\$5,000.00) as security for the faithful performance of the work in accordance with the plans and specifications and departmental standards, and (2) yearly furnish to the Oakland County Department of Public Works a cash deposit in the amount of Five Hundred Dollars (\$500.00). Such deposit shall provide funds for emergency work and/or such other work as may be deemed necessary by the Oakland County Department of Public Works, arising as a result of construction by the owner or contractor. Such bonds shall not be cancelled by the owner, the contractor or the surety without first having given ten (10) days' written notice to the Oakland County Department of Public Works. Cash deposits may be returned to the owner or contractor within ten (10) days of receipt of written request therefor, except that no deposits

will be returned until such time as all outstanding permits have received final inspection and approval. In the event that it becomes necessary for the Oakland County Department of Public Works to expend funds for work arising as a result of construction by the owner or the contractor, then the cost of such work shall be deducted from the aforementioned cash deposit.

The owner or contractor shall have the right and opportunity to correct any deficiencies promptly before any deposit funds will be spent by the Oakland County Department of Public Works. The owner or contractor shall, within thirty (30) days of the mailing of written notice thereof, pay to the Oakland County Department of Public Works the entire amount of such cost. Failure to comply with these rules and regulations and the standards of the Oakland County Department of Public Works may result in the immediate termination of the surety and cash bonds.

3. Bulkhead.

The contractor shall install a suitable bulkhead to prevent construction water, sand, silt, etc. from entering the existing sewer system. Such bulkhead shall be left in place until such time as removal is authorized by the Oakland County Department of Public Works.

4. Acceptance Test.

(a) All sanitary sewer systems shall be subjected to infiltration, air, or exfiltration tests or a combination thereof in accordance with the following requirements prior to acceptance of the system by the Oakland County Department of Public Works and prior to removal of the bulkhead as required in Paragraph C.

(b) All final acceptance tests shall be witnessed by the Oakland County Department of Public Works.

(1) Infiltration Test.

All sewers over twenty-four (24) inch diameter shall be subjected to infiltration tests. All sewers of twenty-four (24) inch diameter or smaller where the ground water level above the top of the sewer is over seven (7) feet shall be subjected to an infiltration test.

Maximum allowable infiltration shall not exceed two hundred fifty (250) gallons per inch of diameter per mile of pipe per twenty-four (24) hours for the overall project. Maximum allowable infiltration shall not exceed five hundred (500) gallons per inch of diameter per mile of pipe per twenty-four (24) hours for any individual run between manholes.

(2) Air Test or Exfiltration Test.

All sewers of twenty-four (24) inch diameter or less, where the ground water level above the top of the sewer is seven (7) feet or less, shall be subjected to air tests or exfiltration tests.

For exfiltration tests, the internal water level shall be equal to the external water level plus seven (7) feet as measured from the top of pipe. The allowable exfiltration rate shall be the same as that permitted from infiltration.

The procedure for air testing of sewers shall be as follows:

The sewer line shall be tested in increments between manholes. The line shall be cleaned and plugged at each manhole. Such plugs shall be designed to hold against the test pressure and shall provide an airtight seal. One of the plugs shall have an orifice through which air can be introduced into the sewer. An air supply line shall be connected to the orifice. The air supply line shall be fitted with suitable control valves and a pressure gauge for continually measuring the air pressure in the sewer. The pressure gauge shall have a minimum diameter of three and one-half (3-1/2) inches and a range of 0-10 PSIG. The gauge shall have minimum divisions of 0.10 PSIG and an accuracy of ± 0.04 PSIG.

The sewer shall be pressurized to four (4) PSIG greater than the greatest back pressure caused by ground water over the top of the sewer pipe. At least two (2) minutes shall be allowed for the air pressure to stabilize between three and 5/10 (3.5) and four (4) PSIG. If necessary, air shall be added to the sewer to maintain a pressure of three and 5/10 (3.5) PSIG or greater.

After the stabilization period, the air supply control valve shall be closed so that no more air will enter the sewer. The sewer air pressure shall be noted and timing for the test begun. The test shall not begin if the air pressure is less than three and 5/10 (3.5) PSIG, or such other pressure as is necessary to compensate for ground water level.

The time required for the air pressure to decrease one and 0/10 (1.0) PSIG during the test shall not be less than the time shown in the "Oakland County Department of Public Works Air Test Tables."

Manholes on sewers to be subjected to air tests shall be equipped with a one-half (1/2) inch diameter galvanized capped pipe nipple extending through the manhole, three (3) inches into the manhole wall and at an elevation equal to the top of the sewer pipe. Prior to the air test, the ground water elevation shall be determined by blowing air through the pipe nipple to clear it and then connecting a clear plastic tube to the pipe nipple. The tube shall be suspended vertically in the manhole and the ground water elevation determined by observing the water level in the tube. The air test pressure shall be adjusted to compensate for the maximum ground water level above the top of the sewer pipe to be tested. After all tests are performed and the sewer is ready for final acceptance, the pipe nipple shall be plugged in an acceptable manner.

If a sewer fails to pass any of the previously described tests, the contractor shall determine the location of the leaks, repair them and retest the sewer. The tests shall be repeated until satisfactory results are obtained.

All visible leaks and cracks shall be repaired regardless of test results.

5. Storm and Ground Water Control.

- (a) Yard drains, patio drains, catchbasins, downspouts, weep tile, perimeter and footing drains or any other structure used for the collection and conveyance of storm water and/or

ground water shall not be permitted to discharge into any sanitary sewer connected directly or indirectly to the County system, except as provided under Section 5(b).

- (b) Perimeter and footing drains from buildings existing before December 16, 1968 shall not be required to disconnect from the sanitary sewer system, provided that federal, state or local law or regulation does not require, or may not require subsequent to the adoption of these standards and regulations, the disconnection of such perimeter and footing drains.
- (c) The crotch to iron joint shall be sealed by approved flexible adaptor fittings such as those manufactured by Fernco Joint Sealer Company, or as approved by the Oakland County Department of Public Works. The iron pipe inside the building shall be plugged and leaded and remain plugged and watertight until such time as the plumbing is carried on to the first floor, the basement backfilled and the roof is on the building, thereby providing that no water from the excavated basement will enter the sanitary sewer.

6. Building Sewers.

- (a) House connection sewer from lateral sewer in street or easement to within five (5) feet from house shall be:
 - (1) Six (6) inch diameter Extra Strength Vitrified Sewer Pipe, manufactured in accordance with current NCPI Designation ER 4-67 Standards, or equal, with DPW approved premium joint, or
 - (2) Six (6) inch diameter Cement Pipe with Ring-Tite, Fluid-Tite or DPW approved joint, or
 - (3) Six (6) inch diameter, service strength, cast iron soil pipe with hot poured lead joint, or DPW approved equal, or
 - (4) Six (6) inch diameter Extra Strength (ES) solid wall pipe extruded from Acrylonitrile-Butadiene-Styren (ABS) plastic meeting the minimum cell classification 2-2-3 as defined in ASTM Specification D1788-68.

(5) Other pipe and joints as may be approved by the Oakland County Department of Public Works.

(b) Copies of the Oakland County Department of Public Works approved joint shall be on file at the offices of each community in the systems.

(c) House connection sewers shall be six (6) inch minimum diameter, except that four (4) inch pipe of comparable strength and joint material may be used if permitted by the local unit of government. All joints shall be tight and when tested for infiltration, or exfiltration, shall not exceed the requirements of Section 4, Acceptance Test, of this section.

7. Septic Tank Abandonment and Waste Disposal.

(a) Prior to connecting an individual building sewer to the sewers of the County of Oakland, either directly or indirectly, all existing wastewater treatment facilities, including septic tanks, tile fields, and sump pumps shall be physically and permanently disconnected from the building sewer.

(b) Septic tank sludge shall be discharged into the sewers of the County, directly or indirectly, only at locations specified by the Oakland County Department of Public Works, and only after obtaining proper septic tank dumping tickets.

(c) The liquid and solids from an abandoned septic tank shall not be drained, dewatered, pumped or in any other manner discharged to the sewers of the County, except as provided for above.

8. Ownership, Operations and Maintenance Responsibility.

All new sanitary sewer systems, except individual building sewers, connected directly or indirectly into the intercepting sewer or sewers of the County of Oakland shall be owned, operated and maintained by the governing community. This includes, but is not necessarily limited to, on-site sewer systems serving condominiums, apartment projects, shopping centers and mobile home parks.

9. Manholes.

(a) All manholes constructed on sanitary sewer systems shall be provided with lid frames bolted to the cone section of the manhole with rubber O-ring gaskets compressed between the frame and

the top of the cone in accordance with the current "Standard Manhole Detail" of the Oakland County Department of Public Works.

Adjustments to manhole tops shall be accomplished by using precast concrete adjustment rings bolted to the cone section of the manhole with rubber O-ring gaskets compressed between each adjacent ring.

Mortar and brickwork adjustment at the top of manholes will not be allowed. All manhole riser and cone sections shall have modified groove tongue joint with rubber gasket.

The bolted frame, bolts, adjustment rings and O-ring gaskets shall be in accordance with the standards of the Oakland County Department of Public Works.

- (b) All manholes shall be provided with "Bolted Waterproof Covers" in accordance with the current "Standard Manhole Detail" of the Oakland County Department of Public Works.

Although not recommended, and only under certain circumstances, consideration will be given to the burying of manholes in lieu of providing bolted covers and only upon written request to the Oakland County Department of Public Works.

10. As-Built Plans.

Prior to the acceptance of any sewer system and prior to the removal of the bulkhead as required in Section 3 (except under extenuating circumstances as may be approved by the Director), as-built plans shall be provided to the Oakland County Department of Public Works. Said as-built plans shall show a statement by a registered engineer or surveyor certifying this to be "as-built plans" and shall include, but not be limited to, length of sewer, invert elevation, locations with respect to property lines, wye and riser locations and depths, and sewer material and joints used.

11. All combined sewer systems connected directly or indirectly to the intercepting sewer or sewers of the County of Oakland shall meet the following requirements:

- (a) Subsections 2, 3, 6, 7, 8, 9 and 10 of this section are required for sanitary sewer system connecting to interceptor sewers of the County of Oakland as hereinbefore mentioned.

- (b) Prior to acceptance of the system and prior to removal of the bulkhead as required under Section 3 of this section, all combined sewer systems shall be subjected to an infiltration test in accordance with the infiltration requirements of the Oakland County Department of Public Works as outlined in Section 4 of this section. Said test shall be witnessed by the Oakland County Department of Public Works.
- (c) Downspouts and footing drain tile may be connected to a combined sewer if permitted by the local unit of government.
- (d) No requirements of the Oakland County Department of Public Works, or permits issued hereunder by said Department, shall relieve the property owner of complying with all the rules and regulations of the local unit of government, wherein such property is located, when such rules and regulations are not in conflict with the requirements of the Department of Public Works.
- (e) All sewer construction shall comply with the "General Specifications" of the Oakland County Department of Public Works. Copies of said specifications may be obtained from the Office of the Department of Public Works.
- (f) Construction of new combined sewer systems shall be prohibited except when no prudent or feasible alternative exists.

Sections 34-121 - 34-124. Reserved.

Section 34-125. General Wastewater Disposal Regulations.

1. Delegation of Authority.

The City of Detroit Water and Sewerage Department, as the State-approved Control Authority, is hereby authorized to act as agent to the City for the administration and enforcement of this section of this Ordinance. The City shall enter into contract with the City of Detroit Water and Sewerage Department which shall set forth the terms and conditions of such delegated authority, consistent with this Ordinance.

2. Discharge Prohibitions.

No user shall contribute or cause to be contributed to the POTW, directly or indirectly, any pollutant or wastewater which will cause interference or pass through. These general Discharge Prohibitions apply to such users of the POTW, whether or not the user is subject to National Categorical Pretreatment

Standards or any other federal, state or local pretreatment standards or requirements. In addition, industrial users shall not contribute the following substances to the publicly-owned treatment works:

- (a) Any liquid, solid or gas which, by reason of its nature or quantity, is sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to persons, the POTW, or the operation of the POTW.
- (b) Any solid or viscous substance, in concentrations or quantities which are sufficient to cause obstruction to the flow in a sewer or other encumbrance to the operation of the POTW, such as, but not limited to, grease, animal guts or tissues, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, cement, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, strings, fibers, spent grains, spent hops, waste paper, wood, plastics, tar, asphalt residues, residues from refining or refining of fuel or lubricating oil, mud or glass grinding or polishing wastes, or tumbling stones.
- (c) Unless more strictly limited in this Ordinance, any wastewater having a pH less than 5.0 or more than 10.0 if the equivalent calcium carbonate alkalinity exceeds 300 mg/l or more than 10.5 if the equivalent calcium carbonate alkalinity is 300 mg/l or less. If an industrial user wishes to have a pH limit of 10.5, he shall monitor both pH and alkalinity.
- (d) Any wastewater containing toxic pollutants in sufficient concentration or quantity either singly or by interaction with other pollutants to cause interference or pass through or constitute a hazard to humans or animals.
- (e) Any liquid, gas or solid or form of energy which either singly or by interaction with other wastes sufficient to create a public nuisance or hazard to life or is sufficient to permit entry into the sewers for their maintenance and repair.
- (f) Any substance which is sufficient to cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation processing where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged

to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria guidelines or regulations developed under Section 405 of the Act, with criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Federal Clean Air Act, the Federal Toxic Substances Control Act or state criteria applicable to the sludge management method being used.

- (g) Any substance which will cause the POTW to violate the Consent Judgment in *U.S. EPA v City of Detroit, et al*, CA No. 77-1100, or the City of Detroit's National Pollutant Discharge Elimination System Permit.
- (h) Any wastewater having objectionable color not removed in the POTW treatment process, such as, but not limited to, dye waste and vegetable tanning solutions.
- (i) Any wastewater having a temperature which will inhibit biological activity in the POTW pretreatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into a public sewer which exceeds 150°F (66°C) or which will cause the effluence at the wastewater treatment plant to rise above 140°F (40°C).
- (j) Any pollutant which constitutes a slug.
- (k) Any wastewater containing any radioactive wastes or isotopes of such half life or concentration as may exceed limits established in compliance with applicable state or federal regulations.
- (l) Any floating fats, oil, or grease which are sufficient to cause interference with or pass through the POTW.
- (m) Any solid materials having a specific gravity greater than 1.2 or a cross section dimension of one half (½) inch or greater which are sufficient to cause interference with the POTW.

3. Specific Pollutant Prohibitions.

No industrial user shall discharge wastewater containing an excess of the following limitations:

- (a) Compatible Pollutants: .

- (1) Any fats, oil, or grease (FOG) in concentrations greater than 200 mg/l based on the average of all samples collected within a twenty-four (24) hour period.
- (2) Any total suspended solids (TSS) in concentrations greater than 10,000 mg/l based on a composite sample.
- (3) Any biochemical oxygen demand (BOD) in concentrations greater than 10,000 mg/l based on a composite sample.
- (4) Any phosphorous in concentrations greater than 500 mg/l based on a composite sample.

(b) Non-Compatible Pollutants:

No industrial user shall discharge wastewater containing an excess of:

Total Arsenic	(As)	1.0	mg/l
Total Cadmium	(Cd)	2.0	mg/l
Total Copper	(Cu)	4.5	mg/l
Total Cyanide	(CN)	2.0	mg/l
Total Lead	(Pb)	1.0	mg/l
Total Mercury	(Hg)	0.005	mg/l
Total Nickel	(Ni)	5.0	mg/l
Total Silver	(Ag)	2.0	mg/l
Total Chromium	(Cr)	25.0	mg/l
Total Zinc	(Zn)	15.0	mg/l
Aroclor 1260			
Polychlorinated			
Biphenyl	(PCB)	0.0005	mg/l
Total Polychlorinated			
Biphenyl	(PCB)	0.001	mg/l
Phenolic (4AAP) Compounds			
which cannot be removed			
by the POTW treatment plant			
as determined by the EPA			
approved method or			
amendments thereto.			
		0.5	mg/l

All limitations are based on composite samples.

- (c) Commencing on or before July 1, 1988, no industrial user classified as a significant user shall discharge wastewater containing Total Iron in excess of 1,000 mg/l based on a composite sample. Industrial users having Total Iron discharged concentrations greater than 1,000 mg/l shall submit a compliance schedule by July 1, 1987 for achieving the 1,000 mg/l limitation by

July 1, 1988. This limitation shall not apply to the discharge to internal circulating water from heat exchangers during the cleaning cycle.

4. National Categorical Pretreatment Standards.

National Categorical Pretreatment Standards and requirements promulgated pursuant to the Act by the effective date of this Ordinance shall be met by affected dischargers provided, however, that if a more stringent standard or requirement is applicable pursuant to this Ordinance, state law, or regulation, then the more stringent standard or requirement shall be controlling. The Control Authority may, by rule or regulation, require compliance with National Categorical Pretreatment Standards and requirements promulgated after the effective date of this Ordinance. Affected dischargers shall comply with the applicable reporting requirements under 40 CFR Section 403 and as established by the Control Authority.

(a) Intake Water Adjustment.

Industrial users seeking adjustment of the National Categorical Pretreatment Standards to reflect the presence of pollutants in their intake water must comply with the requirements of 40 CFR 403.15. Upon notification of the approval of the U.S. EPA, the adjustment shall be applied by modifying the permit accordingly.

(b) Modification of National Categorical Pretreatment Standards.

The Control Authority may apply to the Michigan Department of Natural Resources, or the United States Environmental Protection Agency, whichever is applicable, for authorization to grant removal credits in accordance with the requirements and procedures of 403.7. Such authorization may only be granted when the POTW treatment plant can achieve consistent removal for each pollutant for which removal credit is being sought provided that any limitation on such pollutant(s) in the NPDES Permit are neither being exceeded nor pose the prospect of being exceeded as a result of the removal credit being granted. Should this authorization be given to the Control Authority, any industrial user desiring to obtain such credit shall make an application to the Control Authority, consistent with the provisions of 40 CFR 403.7 and this Ordinance. Any credits which may be granted under this provision may be subject to modification or revocation as specified in 40 CFR 403.7 or as determined by the

Control Authority. A prerequisite to the granting of any removal credit may be that the industrial user pay a surcharge based on the amounts of such pollutants removed by the POTW, such surcharge being based on fees or rates which the Board may establish and, when appropriate, revise from time to time. Permits shall reflect or be modified to reflect any credit granted pursuant to this section.

5. Dilution Prohibited.

No user shall increase the use of process water or, in any way, dilute or attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the National Categorical Pretreatment Standards, or in any other pollutant-specific limitation or requirement imposed by this Ordinance. Combining in-plant waste drains or modulating the release of pollutants upstream of the sampling point prior to the point of discharge into the public sewer shall not be construed as dilution except as otherwise restricted by National Categorical Pretreatment Standards or requirements.

6. Hauled-In Wastewater.

Unloading liquid or solid wastes from hauling vehicles directly into the POTW with or without the benefit of pretreatment is prohibited, unless the person proposing to unload such wastes has applied for and received a permit from the Control Authority for unloading such wastes in accordance with the Board's rules pertaining thereto. The discharger shall be subject to applicable terms, conditions, surcharges, fees or rates as established by the Board. The Control Authority may establish specific limitations for sludges from municipally owned or operated POTW treatment plants which are different than the specific limitations in this Ordinance.

7. Right of Revision.

The City reserves the right to establish different or more stringent limitations or requirements on discharges to the POTW.

8. Accidental Discharges.

Each industrial user shall provide protection from accidental discharge of prohibitive materials or other substances regulated by this Ordinance. Facilities and measures to prevent and abate accidental discharges shall be provided and maintained at the owner's or industrial user's cost or expense. All significant users shall submit to the Control Authority detailed plans showing facilities and operating procedures to provide protection against accidental

discharges. All existing significant users shall complete and submit such plan within one hundred eighty (180) days within the effective date of this Ordinance. New significant users shall submit such a plan prior to the time they commence discharging.

9. Notification Requirements.

Within one (1) hour of becoming aware of a discharge into the POTW which exceeds or does not conform with federal, state, Control Authority or City laws, rules, regulations, or permit requirements and the degree of exceedance appears to be more than twice the allowable concentration, the industrial user shall telephone the Control Authority at its control center and notify the Control Authority of the discharge. The notification shall include the name of the caller, location and time of discharge, type of wastewater, estimated concentration of excessive or prohibited pollutants and estimated volume. Within five (5) calendar days after the discharge, the industrial user shall submit a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. When required by the Control Authority, the industrial user's wastewater discharge permit shall be modified to include additional measures to prevent such future occurrences. Such notifications shall not relieve the industrial user of any expense, loss, damages or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other environmental impairment or any other damage to person or property. However, notification received pursuant to this paragraph or information obtained by the exploitation of such notification shall not be used against any individual in any criminal case, except in prosecution for perjury or for giving a false statement. Such immunity shall not bar the criminal prosecution of non natural persons nor shall it bar the pursuit of administrative or civil remedies against any person.

10. Notice to Employees.

A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees of whom to contact in the event of an actual or potential excessive or prohibitive discharge.

11. Recovery of Costs.

Any user discharging in violation of any of the provisions of this Ordinance which produces a deposit or obstruction, or causes damage to or impairs the POTW, or causes the City of Detroit to violate its NPDES Permit, shall be liable for any expense, loss, damage, penalty or fine incurred because of said violation or discharge. Prior to assessing such costs, the Control Authority shall notify the user of its determination that the user's discharge was the proximate cause

of such damage, obstruction, impairment or violation of the City of Detroit's NPDES Permit and the intent to assess such costs to the user. Any such notice shall include written documentation which substantiates the determination of proximate cause and a breakdown of cost estimates. Failure to pay the assessed costs shall constitute a violation of this Ordinance. Such charge shall be in addition to, not in lieu of, any penalties or remedies provided under this Ordinance, other ordinances, statutes, regulations, or at law or in equity.

12. The Control Authority may grant a variance from the limitations set forth in Subsections 3(a) and 3(b) of this section in accordance with the terms of the Delegation Agreement between the City and the Control Authority and in accordance with rules adopted by the Control Authority which set forth the guidelines, standards, procedures, fees, and charges by which a person may be granted such a variance. A variance shall not be granted to a user if it would result in a violation of the terms of the Delegation Agreement between the City and the Control Authority or of an applicable National Categorical Pretreatment Standard or allow a prohibited discharge (violate 40 CFR 403.5) or cause the POTW to be in non-compliance with its NPDES Permit. A user requesting a variance shall have the burden of showing that any guidelines or standards adopted by the Board have been met before a variance may be granted. The Board may adopt fees or charges for reviewing a variance application which shall be paid by user upon applying for a variance.

13. Fees.

- (a) It is the purpose of this section to provide for the recovery of costs from industrial users of the POTW. The applicable charges and fees shall be sufficient to meet the cost of the operation, maintenance, improvement or replacement of the system or as provided by law, contractual agreement, or Board action.
- (b) Charges and fees shall include, but not be limited to:
 - (1) Fees for reimbursement of costs of establishing, operating, maintaining, or improving the Control Authority's industrial waste control and pretreatment programs; and
 - (2) User fees based on volume of waste and concentration or quantity of specific pollutants in the discharge; and
 - (3) Other fees deemed necessary to carry out the requirements contained herein or as may be required by law.

- (c) The charges and fees provided for in this section shall be set forth in a fee resolution or fee ordinance adopted by the City, in its discretion, together with such other fees and charges as are authorized by this Ordinance, which may be amended from time to time.

14. Wastewater Discharge Permits.

It shall be unlawful for significant users to discharge into the POTW without a wastewater discharge permit from the Control Authority except as authorized by the Control Authority or in accordance with the provisions of this Ordinance.

- (a) All significant users proposing to connect to or to contribute to the POTW shall apply for a wastewater discharge permit in accordance with the following procedures before connecting to or contributing to the POTW. Upon determination that a permit is required, no connection to the POTW shall be made and no discharge thereto shall occur until a permit is issued unless otherwise authorized by the Control Authority for a period not to exceed sixty (60) days. All existing significant users connected to or contributing to the POTW shall apply for a wastewater discharge permit in accordance with the following procedures. The Control Authority may require any non-domestic user to fill out a questionnaire and submit it for the Control Authority's use in determining whether the industrial user is a potential significant user, as well as to determine changes or lack of changes in the user's facilities.

(b) Permit Application.

The Control Authority may notify an industrial user of its belief that the industrial user is, or may be, a significant user. Upon such notification, the industrial user shall complete and submit an application for a wastewater discharge permit in the manner informed by the Control Authority. Failure of the Control Authority to so notify an industrial user shall not relieve any significant user of a duty to obtain a permit as required by this Ordinance.

- (1) Existing industrial users shall submit a completed application on the form provided by the Control Authority within sixty (60) days after being so directed and provided a form by the Control Authority.

- (2) Proposed new industrial users shall request an application form and submit the completed application at least ninety (90) days prior to the startup.
- (3) An industrial user which becomes subject to a new or revised National Categorical Pretreatment Standard and which has not previously submitted an application for a wastewater discharge permit as required by this Ordinance shall apply for a wastewater discharge permit within ninety (90) days after the promulgation of the applicable National Categorical Pretreatment Standard. The Control Authority may also initiate this action.
- (4) A separate application shall be required for each separate location.

(c) Information.

In support of the application, the industrial user shall submit, in units in terms appropriate for evaluation, the following information:

- (1) Corporate or individual name, any assumed name(s), federal employer identification number, address, and location of the discharging facility;
- (2) Name and title of the authorized representative of the industrial user who shall have the authority to bind the industrial user financially and legally;
- (3) All SIC numbers of all processes at this location according to the Standard Industrial Classification Manual, issued by the Executive Office of the President, Office of Management and Budget, 1972, as amended;
- (4) Actual or proposed wastewater constituents and characteristics for each parameter listed in the permit application form. Such parameters shall include those applicable pollutants having merit limitations and enumerated in Subsections 3(a) and 3(b) of this section and those pollutants limited by a National Categorical Pretreatment Standard or regulations for applicable industries. For each parameter, the expected or experienced maximum and average

concentrations during a one (1) year period shall be provided. For industries subject to National Categorical Pretreatment Standards or requirements, the date requested herein shall be separately shown for each categorical process waste stream. Combined waste streams proposed to be regulated by the combined waste stream formula shall also be identified. Sampling and analysis shall be performed in accordance with the procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended, (where 40 CFR, Part 136, does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening an Industrial Effluence for Priority Pollutants, April, 1977, and amendments or revisions thereto), or with any other sampling and analytic procedures, where appropriate and applicable, approved by the EPA; the name and address of the laboratory performing the analytical work;

- (5) A listing and description of activities, facilities and plant processes on the premises. Those processes which are subject to National Categorical Pretreatment Standards or requirements shall be so designated. As pertains to Subsection (c)(3) above, identify which pollutants which are associated with each process;
- (6) Restricted to only those pollutants referred to in Subsection (c)(5) above, a listing of raw materials and chemicals that are either used in the manufacturing process or could yield the pollutants referred to in Subsection (c)(5) above. Any user claiming immunity from having to provide such information for reasons of national security shall furnish acceptable proof of such immunity;
- (7) A description of typical daily and weekly operating cycles for each process in terms of starting and ending times for each of the seven (7) days of the week;

- (8) Average and maximum twenty-four (24) hour wastewater flow rates, including daily, monthly and seasonal variations, if any; list each National Categorical process waste stream flow rate and the cooling water, sanitary water and storm water flow rates separately for each connection to the POTW; list each combined waste stream;
- (9) A drawing showing all sewer connections and sampling manholes by the size, location, elevation and points and places of discharges into the POTW; also a flow schematic showing which connections receive each National Categorical process waste stream and which connections receive storm water, sanitary water or cooling water; also show which lines handle each combined waste stream. This schematic shall be cross referenced to the information furnished in Paragraph 3(h) above;
- (10) Each product produced by type, amount, process or processes and rate of production as it pertains to processes subject to production based limits under the National Categorical Standards or requirements only;
- (11) The statement regarding whether or not the requirements of this Ordinance and the National Categorical Pretreatment Standards and requirements are being met on a consistent basis and, if not, what additional operation and maintenance work and/or additional construction is required for the industrial user to meet the applicable standards and requirements;
- (12) Basic information on the spill containing program and the program for the prevention of accidental discharges for each of the pollutants referred to in Subsection (c)(5) above. The information provided shall include the approximate average and maximum quantities of such substances kept on the premises in the form of raw materials, chemicals and/or wastes therefrom and the containing capacity for each. Only substances which are in a form which can readily be carried into the POTW and which constitute a concentration of five percent (5%) or greater on a dry weight basis in the raw material, chemical solution or waste material are required to be reported.

Volumes of less than fifty-five (55) gallons or the equivalent thereof may not be reported unless lesser quantities can cause pass through or cause interference with the POTW.

- (13) Proposed or actual hours of operation for each pretreatment system for each production process;
- (14) A schematic and description of each pretreatment facility. Identify whether each pretreatment facility is of the batch type or the process type;
- (15) If other than DWSO potable water, the industrial user's source of intake water together with the types of usage and disposal method of each water source and the estimated wastewater volumes from each source;
- (16) If additional construction and/or operation of maintenance procedures will be required to meet the requirements of this Ordinance and the National Categorical Standards, the shortest schedule by which the user will provide such additional construction and/or implement the required operation and maintenance procedures;
- (17) Any other information that may reasonably be required to prepare and process a wastewater discharge permit.

(d) Permit Issuance.

Upon receipt of an application, the Control Authority shall review the application, determine and so notify the industrial user and the City, and the County of Oakland of any of the following:

- (1) The industrial user is not required to have a wastewater discharge permit;
- (2) The application is incomplete or the information only partially satisfies the information and data required by 40 CFR 403.12 (a) and (b) or the Control Authority and that additional information and data are required which shall be promptly furnished;
- (3) The industrial user is required to have a wastewater discharge permit. The Control

Authority may withhold issuance of a permit to a significant user which has not submitted or adequately timely reported to the Control Authority in accordance with the baseline reporting requirements of 40 CFR 403.12 (a) and (b). If the Control Authority determines an industrial user is required to have a wastewater discharge permit and has evaluated and accepted the data furnished, the industrial user will be notified accordingly by certified mail, and the City shall be notified by first class mail. Notification shall contain a copy of the proposed permit, so marked for the industrial user's review. An industrial user may contest the determination of the Control Authority, any term or condition of wastewater discharge permit, including modifications thereof, by filing a request for reconsideration in accordance with the procedures set forth in Subsection 20. In the event of such request, the contested terms and conditions of the proposed permit shall be stayed pending the Control Authority's review of the contested issues. If the permit is not contested or if the industrial user fails to respond within twenty (20) days after receipt of the proposed permit, the permit may be issued as proposed. A permit shall be issued upon resolution of the Control Authority of any contested terms or conditions. Only one (1) facility location shall be included in each permit.

(e) Permit Conditions.

Wastewater discharge permits shall be deemed to contain all the provisions of this Ordinance, other applicable laws, rules, regulations, user charges and fees established with repetition therein.

Permits may also contain the following:

- (1) Limits on the average and maximum wastewater constituents or characteristics if more restricted than or supplemental to the numerical limits enumerated in Section 7C of this Ordinance or the applicable National Categorical Pretreatment Standards;
- (2) Limits on average and maximum rate in time of discharge or requirements for flow regulation and equalization;

- (3) Requirements for installation, operation and maintenance of discharge sampling manholes and monitoring facilities by the industrial user;
- (4) Restrictions on which of the user's discharge waste streams are to be allowed to be discharged at each point of connection to the POTW;
- (5) Specifications for industrial user monitoring programs which may include sampling locations, frequency and type of sampling, number, types and standards for tests and reporting schedule;
- (6) Requirement for the prevention of accidental discharges in the containment of spills;
- (7) Restrictions based on the information furnished in the application;
- (8) Compliance schedules; the following conditions shall apply to these schedules:
 - (i) The schedules shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of upgraded or additional pretreatment facilities or to the implementation of additional operation and maintenance procedures required for the industrial user to meet the applicable pretreatment requirements and standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, etc.);
 - (ii) No increment referred to in Subsection 8(c) shall exceed nine (9) months;
 - (iii) Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the industrial user shall submit a progress report to the Control Authority including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to

comply with this increment of progress, the reason for the delay, and the steps being taken by the industrial user to return to the established schedule. In no event should more than seventy-five (75) days elapse between each such progress report to the Control Authority;

(iv) The compliance schedule embodying industrial user's wastewater discharge permit shall be binding until the expiration in fulfillment of the schedule or until such permit is modified. Changes to the compliance schedule which are acceptable to the Control Authority shall be incorporated into the wastewater discharge permit by modification thereof. Any deviations from the compliance schedule may result in the industrial user being found in violation of this Ordinance.

(9) Reporting Requirements; in addition to the above:

(i) All permittees shall submit a report to the Control Authority in the prescribed form, or an alternative approved form indicating the status of compliance with all conditions enumerated or referred to in the Wastewater Discharge Permit or made applicable to the permit by this Ordinance. The report shall be submitted at six (6) month intervals, unless required more frequently, on the schedule to be established by the Control Authority for each permittee. Except for permittees subject to National Categorical Pretreatment Standards or requirements, a permittee, who has demonstrated consistent compliance with the permit for a period of one (1) year or more (which contains no compliance schedule), may request in writing to be excused from submitting the required reports at the required interval. Upon review and acceptance of the request, the Control Authority may grant a less frequent reporting interval. The report shall state whether all requirements of the permit are being met and what progress is being made on work under compliance

schedules. The report shall also contain projections of compliance for the next six (6) months. At a minimum, the report shall also contain a dated and signed analytical report of at least one (1) representative discharge sample taken during the period since the last report. If the Control Authority has sampled the permittee's effluence since the last report, the Control Authority's analytical report may be substituted for that of the permittee's. The analytical report shall show the concentration of each substance for which there is a specific limitation in the permit. The report shall be signed and dated by the authorized representative of the industrial user;

- (ii) Permittees subject to National Categorical Pretreatment Standards or requirements shall submit compliance reports at the times and intervals specified by the Federal Regulations and the Control Authority. Compliance reports shall be submitted to the Control Authority no later than ninety (90) days following the final compliance date for a standard and at six (6) month intervals thereafter on the schedule established by the Control Authority for each permittee as hereinabove stated. New sources shall commence reporting at the time of initial discharge into the system. The report shall be on a form prescribed by the Control Authority or on an approved alternative form and shall indicate the nature and concentration of all pollutants and the discharge from each regulated process which are limited by National Categorical Pretreatment Standards and the records of each day's flow for each process unit in the industrial user's facility which is regulated by such pretreatment standards. The combined waste treatment formula may be used for reporting purposes after the initial information has been furnished to the Control Authority, provided there have been no changes to the elements composing the combined waste stream.

These reports shall contain the results of sampling of the discharge and analysis of pollutants contained therein cross-referenced to the related flow or production en masse as required to determine compliance with the applicable National Categorical Pretreatment Standards. The frequency of monitoring shall be as prescribed in the applicable General Pretreatment Regulations (40 CFR 403) or by the Control Authority, whichever is more stringent. All sampling and analysis shall be performed in accordance with applicable regulations. Where 40 CFR, Part 136, does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluence for Priority Pollutants, April, 1977, and amendments and revisions thereto, or with any other sampling and analytical procedures approved by the EPA for these purposes. The report shall state whether the applicable pretreatment standards are being met on a consistent basis, and, if not, what additional operation and maintenance practices and/or pretreatment construction is necessary to bring the industrial user into compliance with the applicable pretreatment standards. This report shall be signed, dated and certified by an authorized representative of the industrial user or a registered professional engineer;

- (10) Other requirements reasonably necessary to ensure compliance with this Ordinance;
- (11) To the extent the Control Authority seeks to impose restrictions in a permit which are more restrictive than established in this Ordinance, the Control Authority shall provide written documentation to substantiate the necessity of greater restriction for protection against pass through, interference, or violation of the NPDES Permit.

(f) Permit Duration.

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a lesser period of time or may be stated to expire on a specific date; however, permits shall not be issued for a period less than one (1) year. Existing permittees shall apply for a permit reissuance a minimum of ninety (90) days prior to the expiration of existing permits on a form prescribed by the Control Authority. Upon timely application for reissuance of a permit in accordance with this paragraph by a permit holder, the expired permit shall be automatically extended until modified or reissued by the Control Authority.

(g) Permit Modification.

The terms and conditions of the permit may be subject to modification by the Control Authority during the term of the permit as limitations or requirements as identified in Subsections 3(a) and 3(b) are amended or other just cause exists. Just cause for a permit modification includes, but shall not be limited to, the following:

- (1) Material or substantial changes to an industrial user's facility or operation or changes in the characteristics of the industrial user's effluent. It shall be the industrial user's duty to request an application form and apply for a modification of the permit within thirty (30) calendar days of the change, provided the information previously submitted and unchanged may not be resubmitted by the permittee. Failure of the industrial user to so apply shall be considered a violation of this Ordinance. The Control Authority may also modify the permit of its own initiative based on its findings or reasonable belief of the above;
- (2) Change(s) in the City of Detroit NPDES Permit;
- (3) Embodiment of the provisions of a conciliation agreement, court settlement or order;
- (4) Any changes necessary to allow the City of Detroit to fulfill its role as Control Authority;

- (5) An industrial user's non-compliance with the portions of an existing permit;
- (6) A change of conditions within the POTW;
- (7) A finding of interference or pass through attributable to the industrial user;
- (8) Amendments to, or promulgation of, National Categorical Pretreatment Standards or requirements. Permittees shall request an application form and apply to the Control Authority for a modified permit within ninety (90) days after the promulgation of a new or revised National Categorical Pretreatment Standard to which the industrial user shall be subject. Information submitted pursuant to this paragraph shall be confined to that information related to the newly promulgated or amended National Categorical Pretreatment Standard or requirement. However, information previously submitted may not be duplicated, insofar as previously submitted information continues to be current and applicable. The Control Authority may also initiate this action. The industrial user shall be informed of any proposed change in its permit at least sixty (60) days prior to the proposed effective date of the change for any change initiated by the Control Authority, unless such change is the result of any enforcement action taken pursuant to this Ordinance.

(h) Permit Custody and Transfer.

Wastewater discharge permits are issued to a specific person as defined herein for a specific discharge. A wastewater discharge permit shall not be re-assigned or transferred or sold to a different person, new owner, new industrial user, different premises, or a new or changed operation without the written approval of the Control Authority. It shall be the permit holder's duty to notify the Control Authority of any such change within thirty (30) days of the change. The Control Authority may revoke a permit if it determines that an unreported change has occurred. The Control Authority may require the application for a new or modified permit if a change takes place. Any succeeding person shall comply with the terms and conditions of any existing permit which the Control Authority allows to be retained.

(i) Small Quantity Dischargers.

Industrial users whose maximum daily discharge on any day does not contain more than the following quantities of the listed pollutants, as expressed in pounds, may on a pollutant-by-pollutant basis apply to the Control Authority for an exemption from the concentration limitation set forth in Subsections 3(a) and 3(b) of this section for each such pollutant. Industrial users granted such an exemption shall comply with the below listed poundage limitations:

<u>Pollutant</u>	<u>Daily Pound Limit</u>
FOG	1.2
TSS	50
BOD	6
P	0.25
AS	0.0002
CD	0.001
CU	0.005
CN	0.003
PB	0.007
HG	0.00002
NI	0.007
AG	0.0008
CR	0.009
ZN	0.03

Upon application by an industrial user who has obtained approval to discharge under the foregoing poundage limitations, the Control Authority may on a pollutant-by-pollutant basis grant an exemption from various wastewater discharge permit requirements described in Subsections 3(a) and 3(b) of this section. No exemptions may be granted to industrial users subject to National Categorical Pretreatment Standards or requirements.

15. Monitoring Facilities.

Significant users shall provide, operate, and maintain at their own expense a sampling manhole or special structure to facilitate monitoring, inspection, sampling, and flow measurement of their discharge by the Control Authority and the industrial user and to enable the Control Authority to conduct such other monitoring and sampling as required for determining compliance with discharge requirements, limits, and standards as provided by this Ordinance. The sampling manholes should be situated on the industrial user's premises in a location readily accessible to the Control Authority. It shall be the responsibility of the industrial user to obtain any necessary

approvals from the City or other government entities which may be required by the location and construction of monitoring facilities in a public street or sidewalk area. Such construction shall only occur when another location would be impractical or cause undue hardship upon the industrial users. In no case shall the location be obstructed by landscaping or parked vehicles. There shall be ample room in or near such sampling or monitoring manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility and any permanently installed sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the industrial user. Whether constructed on public or private property, the sampling and monitoring facility shall be provided in accordance with the Control Authority's requirements and all applicable local construction standards and specifications.

16. Inspection Sampling and Record Keeping.

For purposes of administering and enforcing this Ordinance, the Control Authority may inspect the establishment, facility or other premises of the industrial user. The Control Authority shall have ready access to the industrial user's premises to engage in inspection, sampling, compliance, monitoring and/or metering activities. Each such inspection activity shall be commenced and completed at reasonable times, within reasonable limits and in a reasonable manner. The Control Authority shall, upon arrival at the industrial user's premises, inform the industrial user or the industrial user's employees that sampling and/or inspection is commencing and that the industrial user has the right to observe the inspection and/or sampling. While performing work on private properties, the Control Authority in the City shall observe all reasonable safety, security and other reasonable rules applicable to the premises established by the industrial user. Representatives of the Control Authority shall bear proper credentials and identification and shall be accompanied by a representative of the industrial user, at the industrial user's option. The Control Authority shall have no authority to inquire into any process beyond that point having a direct bearing on the kind and source of discharge into the POTW. However, such employees or representatives shall not be restricted from viewing any of the facility site. The Control Authority may take photographs of facilities subject to this Ordinance unless specifically prohibited by the industrial user upon request to be permitted to take photographs. Where an industrial user has security measures in force, the industrial user shall make prompt and necessary arrangements with the security personnel so that upon a presentation of appropriate credentials, the Control Authority will be permitted to enter immediately for the purposes of performing their specific responsibilities. Significant users shall sample and analyze their discharges in accordance with the provisions of their permits. The Control Authority may request such samples to be

split for the Control Authority's independent analysis. Industrial users shall maintain records of all information from monitoring activities required by this Ordinance, or by 40 C.F.R. 403.12(n). Industrial users shall maintain the records for no less than three (3) years. This period of record retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the industrial user or the operation of the City of Detroit's industrial pretreatment program or when requested by the Control Authority, EPA, or the State. Industrial users shall, upon the request of the Control Authority, furnish information and records relating to discharges to the POTW. Industrial users shall make such records readily accessible at all reasonable times, and allow the Control Authority to copy such records. In the event the Control Authority obtains samples, and analyses are made of such samples, a copy of the results of such analyses shall be promptly furnished to the owner, operator or agent in charge of the premises upon written request by the industrial user's authorized representative. When requested by the industrial user, the Control Authority shall leave a portion of any sample of the user's discharge taken from any sampling point on or adjacent to the premises for the user's independent analysis. In cases of disputes arising over shared samples, the portion taken and analyzed by the Control Authority shall be controlling unless proven invalid. In the event a grab sample of the industrial user's discharge is obtained and analyzed by the Control Authority and found to contain concentrations of pollutants which are two (2) or more times greater than the numeric limitations for composite samples as listed in Subsection 3(a) of this section, the industrial user shall be required to provide a written report describing the cause of greater concentration and a description of the means by which such concentration may be held to values of less than two (2) times the composite sample concentration limitation in the future.

17. Confidential Information.

- (a) Information and data on an industrial user obtained from written reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agencies without restriction unless the industrial user specifically requests and is able to demonstrate to the satisfaction of the Control Authority that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of industrial user. All claimed confidential information must be clearly marked "confidential." When requested by the person furnishing the report, the portions of a report which disclose trade secrets or secret processes

shall not be made available for inspection by the public, but shall be made available upon written request to governmental agencies for uses related to this Ordinance, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal System Permit and/or Pretreatment Programs; provided, however, that such portions of a report shall be available for use by any local, state or federal agency in judicial review or enforcement proceeds involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the Control Authority as confidential shall not be transmitted to any governmental agency until and unless a ten (10) day notification of intent to transmit is first given to the industrial user.

- (b) All information with respect to an industrial user on file with the Control Authority shall be made available upon request by that user or the user's authorized representative during normal business hours.

18. Statutes, Laws and Regulations.

Unless otherwise provided, any reference to this Ordinance to a code, standard, rule, regulation or law enacted, adopted, established, or promulgated by any private organization, or any element or organization of government other than the City shall be construed to apply only to such code, standard, rule, regulation or law in effect or existence on the date of enactment of this Ordinance.

19. Enforcement.

(a) Violations.

It shall be a violation of this Ordinance for any user to:

- (1) Fail to completely and/or accurately report the wastewater constituents and/or characteristics of the industrial user's discharge;
- (2) Fail to report significant changes in the industrial user's operations or wastewater constituents and/or characteristics;
- (3) Refuse reasonable access to the industrial user's premises or waste discharge for the purpose of inspection or monitoring;

- (4) Fail to comply with any condition or requirement of the industrial user's wastewater discharge permit;
- (5) Fail to comply with any limitation, prohibition, or requirement of this Ordinance, including any rule, regulation, or order issued hereunder; however, if an industrial user acts in full accordance with a compliance schedule approved and incorporated into the industrial user's wastewater discharge permit pursuant to the provisions of this Ordinance, that industrial user shall be deemed to be in compliance with those requirements of this Ordinance addressed by the compliance schedule. Industrial users acting in full compliance with wastewater discharge permits issued prior to the effective date of this Ordinance shall be deemed to be in compliance with the requirements of this Ordinance, and such permits shall remain in effect and be enforceable under this Ordinance until the expiration date of such permit or until a superseding permit is issued, whichever occurs first. Industrial users shall comply with National Categorical Pretreatment Standards and requirements on the date specified in the federal regulations, regardless of compliance schedules.

(b) Upsets.

An upset shall constitute an affirmative defense to an action brought for non-compliance with limits imposed under this Ordinance or National Categorical Pretreatment Standards if the requirements of Paragraph 1 of this section are met.

- (1) An industrial user who wishes to establish the affirmative defense shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:
 - (i) An upset occurred and the industrial user can identify the specific cause(s) of the upset;
 - (ii) The facility was at the time being operated in a prudent and workman-like manner and in compliance with

applicable operation and maintenance procedures;

(iii) The industrial user has submitted the following information to the department, orally or in writing, within twenty-four (24) hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five [5] days):

(aa) A description of the discharge and cause of non-compliance;

(bb) The period of non-compliance, including exact dates and times or, if not corrected, the anticipated time the non-compliance is expected to continue;

(cc) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the non-compliance.

(2) In any enforcement proceeding, the industrial user seeking to establish the occurrence of an upset shall have the burden of proof.

(3) The industrial user shall control production of all discharges to the extent necessary to maintain compliance with this Ordinance upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternate method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

(c) Emergency Suspension and Orders.

The Control Authority may order suspension of the sewer or wastewater treatment service and/or a wastewater discharge permit where such suspension is necessary, in the opinion of the Control Authority, to stop any actual or threatened discharge which presents or may present an imminent or significant hazard to the health or welfare of persons or to the environment, interferes or may interfere with the POTW, or causes or may cause the City of Detroit to

violate any condition of its NPDES Permit. Any person notified of a suspension of the sewer or wastewater treatment service and/or the wastewater discharge permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with a suspension or revocation order, the Control Authority shall take such steps as deemed necessary, including immediate severance of the sewer connection or services, to prevent or minimize damage to the POTW system or danger to any individual or the environment. In the event such steps are taken, the Director shall immediately notify the industrial user in writing of such action and the specific recourse available and shall provide the industrial user with an opportunity for a hearing before the Director or his designated representative within ten (10) days of such action. The Control Authority shall notify the City whenever notification is made to an industrial user pursuant to this paragraph, in writing, within seventy-two (72) hours of such action. The Control Authority shall reinstate the wastewater discharge permit and/or the sewer or wastewater treatment service upon proof of the elimination of the non-compliant discharge. The industrial user shall submit a detailed written statement to the Control Authority within fifteen (15) days of the occurrence describing the causes of the harmful contribution and the measures taken to prevent any future occurrence.

- (d) Except in the case of any actual or threatened discharge as specified in Paragraph 2 of this section, whenever the Control Authority has reason to believe that any industrial user has violated or is violating this Ordinance, the Control Authority shall serve upon such industrial user a written notice stating the nature of the violation.

(e) Notice of Control Authority Action.

The City or designated department thereof shall be notified by the Control Authority of any enforcement activity taken within its boundaries.

(f) Administrative Actions.

Whenever the Control Authority has reasonable grounds to believe that sewage, waste, or other substances of any kind are being or have been discharged into the wastewater system of the POTW

in violation of this Ordinance, wastewater discharge permit or any prohibition, limitation or requirement contained herein, the Control Authority may, except in the case of emergency or flagrant violation, by conferences, notices, or corroboration, endeavor to the fullest extent possible to have the industrial user eliminate or remedy such violation.

(1) Conferences.

The Control Authority may order any person who violates this Ordinance to attend a conference when the Control Authority may endeavor to eliminate or remedy the violation by establishing an enforceable compliance schedule. The notice of violations shall be served at least ten (10) days before the scheduled conference and shall set forth the date, time, and place thereof. The City shall be notified in accordance with the terms and conditions of the Delegation Agreement which it shall enter into with the Control Authority. The conference shall be conducted by a representative of the Control Authority. The industrial user shall present a plan and schedule for achieving compliance with this Ordinance. The conference attendees may agree upon a compliance schedule which sets forth the terms and conditions and time period or schedule for full compliance. Nothing contained herein shall require the Control Authority to accept or agree to any proposed plan or schedule or prevent the Control Authority from proceeding with the Show Cause Hearing as set forth in Subsection (b) below. Should the attendees agree to a compliance schedule, the industrial user's wastewater discharge permit shall be modified accordingly. An industrial user must exhibit good faith and expeditious efforts to comply with this Ordinance and any procedures, requirements and agreements hereunder.

(2) Show Cause Hearing.

The Control Authority may order any industrial user who violates this Ordinance, or allows such violation to occur, to show cause before the Control Authority why a proposed enforcement action should not be taken. A notice shall be served on the

industrial user specifying the time and place of the hearing before the Control Authority regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the industrial user to show cause before the Control Authority why a proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail, return receipt requested, at least ten (10) days before the hearing with copies to be provided to the City as provided in the Delegation Agreement. Service may be on any agent or officer of a corporation or authorized representative.

(3) Hearing Proceeding.

A representative of the Control Authority shall conduct a Show Cause Hearing and take the evidence, and may:

- (i) Issue in the name of the Control Authority notices of hearings requesting the attendance and the testimony of the witnesses and production of evidence relevant to any matter involving such hearings;
- (ii) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Director and the City for action thereon.

At any Show Cause Hearing held pursuant to this Ordinance, testimony taken must be under oath and recorded stenographically.

- (iii) After a Show Cause Hearing has been conducted, an order may be issued to the industrial user by the Control Authority directing any of the following actions:
 - (aa) Immediate compliance with the industrial user's wastewater discharge permit or with any applicable limitation, condition, restriction or requirement of this Ordinance or applicable local, state or federal law or regulation;

- (bb) That pretreatment of waste by installation of adequate treatment equipment or proper operation and maintenance of existing treatment equipment be accomplished within a specified time period. Sewer or wastewater treatment service may be discontinued upon failure to comply;
- (cc) Submission of compliance reports on effluent quantity and quality as determined by self-monitoring and analysis during a specified time period;
- (dd) Submission of period reports and effluent quality and quantity determined by self-monitoring analysis throughout the final period set by a compliance date;
- (ee) Control of discharge quantities;
- (ff) Payment of costs for reasonable and necessary inspection, monitoring, and administration of the industrial user's activities by the Control Authority during compliance efforts; and/or
- (gg) Any such other orders are appropriate including, but not limited to, immediate termination of sewer or wastewater treatment services or revocation of a wastewater discharge permit or orders directing that, following a specified time period, sewer or wastewater treatment service will be discontinued unless adequate treatment facilities, devices, or operation and maintenance practices have been employed.

(4) Public Participation.

A list of all industrial users which were the subject of enforcement proceedings pursuant to this Ordinance during the twelve (12) previous months shall be annually published by the Control Authority in the largest daily newspaper, published in or generally circulated in the City,

summarizing the enforcement actions taken against the industrial users during the same twelve (12) months whose violations remain uncorrected forty-five (45) or more days after notification of non-compliance over that twelve (12) month period, or which involved failure to accurately report non-compliance or require the Control Authority to use its emergency authorities. All industrial users identified in the proposed publication shall be provided a copy of that proposed notice at least thirty (30) days before publication and provided with an opportunity to comment as to its accuracy.

(G) Legal Actions.

- (1) Any user who violates any provision of this Ordinance, including the failure to pay any fees, charges or surcharges imposed hereby, or any condition or limitation of a permit issued pursuant thereto or who knowingly makes any false statements, representations, or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance or wastewater discharge permit or who tampers with, or knowingly renders inaccurate any monitoring device required under this Ordinance is guilty of a misdemeanor and shall, upon conviction, be punished by a fine not to exceed Five Hundred Dollars (\$500.00) for each violation per day or by imprisonment for not more than ninety (90) days or by both. The Control Authority is hereby authorized, consistent with the terms and conditions of the Delegation Agreement entered into by the City with the Control Authority to seek, through the City Attorney, prosecution of criminal charges against any person violating any provision of this Ordinance.
- (2) If any person discharges sewage, industrial waste or other waste into the POTW contrary to the provisions of this Ordinance, permit or order issued thereunder, the City or the Control Authority or both of them may commence a civil action to enjoin such discharge or to enforce compliance with its Ordinance, permit or order issued thereunder, in the Circuit Court for the County of Oakland or other appropriate

court. Upon a proper showing of a violation of this Ordinance, permit or order issued thereunder, a permanent or temporary injunction may be granted without bond.

The Control Authority or the City, or both, may also seek additional legal and/or equitable relief. Instituting suit in a circuit court does not constitute an exclusive election of remedies and does not prohibit the Control Authority or the City from commencing action in federal court for discharges believed to be in violation of this Ordinance, state and federal requirements pursuant to the Clean Water Act, City of Detroit's NPDES Permit, or other applicable laws or requirements. The Control Authority or the City may also recover reasonable attorneys' fees, court costs, court reporters' fees, and other unusual expenses related to enforcement activities or litigation against the person found to have violated this Ordinance or the other orders, rules, regulations, and permits issued hereunder.

20. Review and Appeal.

The following procedures control the course of reconsideration and appeal to the Control Authority with respect to the construction, application, or enforcement of this Ordinance and may be used if informal methods do not achieve satisfaction.

- (a) Any permit applicant, permit holder, authorized industrial wastewater discharger, or other discharger adversely affected by any decision, act, or determination made by or on behalf of the Control Authority by the Director, or his authorized representative, in interpreting or implementing the provisions of this Ordinance or any permit issued thereunder, with the exception of any decision, determination or order made following a Show Cause Hearing pursuant to this Ordinance may file with the Control Authority a written request for reconsideration. Such request shall be received at the Control Authority's general offices within twenty (20) days of the date of the occurrence of the Control Authority's action of decision to dispute. All requests shall set forth the requestor's name, address, along with a brief statement of the reasons it is requesting and the factual basis for the request. The request shall be filed in

triplicate and sent by certified mail to the general offices of the Control Authority, the Detroit Water and Sewerage Department, Water Board Building, Detroit, Michigan 48226.

- (b) The Control Authority shall notify the applicant within fifteen (15) days after receipt of any requests for reconsideration of the time and place for hearing upon the request. The hearing shall be conducted by the Director or his authorized representative not less than ten (10) days and not more than thirty (30) days after mailing such notice. The hearing may be continued for a reasonable time for good cause shown at the discretion of the Director. The hearing shall be held as an informal consultation in conference in which the requestor, in person or by counsel, shall present his argument, evidence, data, and proof in connection with the issues submitted. The party shall not be bound by the legal rules of evidence. The hearing shall be recorded and the requestor shall be provided with the transcript thereof upon request and upon payment of the cost thereof. The decision of the Director shall be made known to the requestor by certified mail within thirty (30) days after the hearing.
- (c) The requestor may appeal a ruling of the Director on the request for reconsideration or any order or decision issued following a Show Cause Hearing pursuant to this Ordinance by filing a request for an appearance before the Board. Procedures for appearance before the Board will be determined by the Board, and the requestor will be notified of these procedures within thirty (30) days after such a request is filed.
- (d) The filing of a request for reconsideration or for appeal in appearance before the Board shall stay any action by the Control Authority, unless such action is immediately necessary to prevent pass through, interference, or other significant harm to the POTW.

Sections 34-126 - 34-129. Reserved.

Section 34-130. User Charge System.

1. Established, to Whom Applicable, Basis for Computations.

Rates and charges for the use of the wastewater system of the City of Farmington are hereby established. Revisions to the rates for total sewer service charges are to be established by resolution of the City of

Farmington City Council, which may be enacted apart from the published ordinances as necessary to ensure sufficiency of revenues in meeting operation, maintenance and replacement costs, as well as debt service. Such charges and rates shall be made against each lot, parcel of land or premises which may have any sewer connections with the sewer system of the City of Farmington, or which may otherwise discharge sewage or industrial waste, either directly or indirectly, into such system or any part thereof. Such charges shall be based upon the quantity of water used thereon or therein.

2. Amounts, Billings, Sewer Service Charges.

The rates and charges for service furnished by such system shall be levied upon each lot or parcel of land, building or premises, having any sewer connection with such system, on the basis of the quantity of water used thereon or therein as the same is measured therein used, or in the absence thereof, by such equitable method as shall be determined by the City Council, and shall be collected at the same time, and in the same manner as provided for the payment of charges for water used. except in such cases where charges as provided in Section 34-125 are imposed which shall be an additional charge over the regular rates. Rates for all users obtaining all or part of their water supply from sources other than the City of Farmington water system may be determined by gauging or metering the actual sewage entering the system or by metering the water used by them, in a manner acceptable to the City of Farmington.

The rates to be charged for use of the system and the intervals at which customers shall be billed shall be determined by resolution of the City Council.

These charges, other than the debt service charges, are user charges to pay for the operation, maintenance and replacement of the sewage works. Wholesale and retail charges for customers located outside the City of Farmington shall be equitably established based upon operation, maintenance, capital, replacement, and debt service costs.

3. Annual Audit.

The rates hereby fixed are estimated to be sufficient to provide for the expenses of operation, maintenance and replacement of the system as are necessary to preserve the same in good repair and working order. Such rates shall be fixed and revised from time to time as may be necessary to produce these amounts. An annual audit shall be prepared. Based on

said audit, rates for sewage services shall be reviewed annually and revised as necessary by the City of Farmington City Council by resolution to meet system expenses and to insure that all user classes pay their proportionate share of operation, maintenance and equipment replacement cost.

4. No Free Service.

No free service shall be allowed for any user of the City of Farmington wastewater system.

Section 34-131. Billing and Collection of Payments for Wastewater Service.

1. Billing.

Billing for wastewater service shall be done in the same manner and intervals as provided for water service in this Ordinance.

2. Termination of Service for Nonpayment; Dispute Resolution Procedure.

If payment has not been received by the due date set forth in the bill, water service to the property may be terminated. Customer disputes and termination procedures shall be pursuant to the procedures provided in Section 34-29.

3. Collection of Delinquent Accounts.

Unpaid charges for wastewater disposal service furnished to any premise within the City of Farmington shall be a lien against the premise. Enforcement of this lien shall be made pursuant to City of Farmington Code and/or statute. This lien remedy does not preclude any other remedy provided by law. Those premises outside the City of Farmington that are served by the City of Farmington wastewater system that have delinquent bills will be certified to their governmental unit for collection as provided in the contract between the City of Farmington and the governmental unit.

4. Annual Notification.

All customers of the City of Farmington wastewater system will receive an annual notification, either printed on the bill or enclosed in a separate letter, which will show the breakdown of the wastewater disposal bill into its components for operation, maintenance and replacement and for debt service.

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. Penalty.

Any person violating any of the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine not exceeding Five Hundred Dollars (\$500.00) or imprisonment not to exceed ninety (90) days in the Oakland County Jail, or both such fine and imprisonment, in the discretion of the court, plus costs of prosecution.

Section 6. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City.

Section 7. 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 2d day of July, 1990, 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: Hartsock, McShane, Richardson, Tupper, Yoder.

NAYS: None.

ABSENTS: None.

ABSTENTIONS: None.

Ordained this 2d day of July, 1990, by the City Council of the City of Farmington.

Shirley V. Richardson
SHIRLEY V. RICHARDSON
Mayor

Josephine M. Bushey
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 of the City of Farmington held on the 2d day of July, 1990, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 3d day of July, 1990.

Josephine M. Bushey
JOSEPHINE M. BUSHEY
City Clerk

[2136/061390]

COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was called to order by Mayor Richardson at 7:30 p.m. on July 16, 1990, 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, Yoder.

OTHERS PRESENT: City Manager Deadman, City Clerk Bushey.

The purpose of the meeting was to continue reviewing the use of City right-of-way for private uses.

Councilman Yoder asked if we have something on the books which was once passed by Council.

The City Manager stated that the previous regulations were more severe, as they included 1 1/2 ft. from the right-of-way for objects, whereas the new draft states that an object must be placed two to three feet back from the curb or right-of-way.

The City Manager stated that this draft is the administration's best effort on objects in the right-of-way. He pointed out that the appeal process has been moved to the end of the resolution.

The City Manager advised that the City of Farmington Hills instituted an engineering policy under the authority of the Public Services Director whereby they operate only on complaint, and they aggressively move structures out of the right-of-way.

Councilman Tupper suggested that the present policy be rescinded and that the City Manager and the Director of Public Services deal with the problem on a case by case basis. He asked the City Manager if he wanted more direct instructions on how to handle the situation.

Manager Deadman stated that he wanted to know if Council wants the administration to develop a policy and enforce it.

Councilman Hartsock also suggested rescinding the old policy and adopting the proposed policy, using it on a case by case basis.

Manager Deadman stated that the City is going to move those rocks that are tight up against the road right-of-way.

Councilman Hartsock asked if the Code Enforcement Officer will begin enforcement with those who are in flagrant violation of this policy.

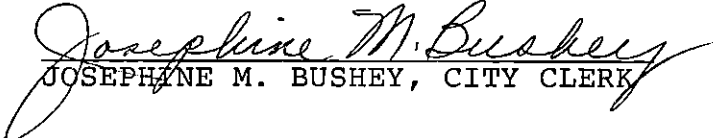
COUNCIL PROCEEDINGS -2-
Special Meeting
July 16, 1990

The City Manager advised that the city will begin with those who are in violation and are creating hazardous situations. He stated that for those with less hazardous situations, but who are still in violation, we will wait for complaints.

Motion by Councilman Hartsock, supported by Councilman Tupper, to rescind the City's policy concerning the use of street right-of-way, and have the administration develop use of street right-of-way guidelines in accordance with the authority granted by the City Code. Motion carried, all ayes.

Meeting adjourned at 7:55 p.m.


SHIRLEY W. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: August 6, 1990.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, July 16, 1990, 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 Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETINGS

7-90-180

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the Special and Regular meetings of July 2, 1990, as printed. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

7-90-181

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

- Planning Commission minutes of July 9, 1990;
- Farmington Area Arts Commission minutes of May 17, 1990;
- Board of Education minutes of June 19, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR FENCE VARIANCE: 31983 LAMAR

Council was advised that Mr. and Mrs. Robert Leffler request a variance to Section 13-4 (3) and (6) of the City's Fence Ordinance.

The City Manager pointed out that the ordinance requires in the Leffler's case that the supporting fence posts be located on the southerly side of the property dividing line unless the adjacent property owner issues a written waiver. He advised that the neighboring property owner is unwilling to issue said waiver.

The neighbor, Christine Graham, 31987 Lamar, stated that she did not refuse to sign the waiver but asked that the Lefflers install the fence on her side from the front of her house to the garage so that she does not have to look at the back of the fence.

Councilman Tupper asked if the application shows that the fence was being built improperly. Building Inspector Billing stated that the Lefflers were told on what side of the fence to place the posts.

COUNCIL PROCEEDINGS -2-
July 16, 1990

Mayor Richardson expressed concern that the new fence is being installed six inches inside the property line. She asked Mr. Leffler how he would maintain the area between the new fence and the existing chain link fence.

Mr. Leffler stated he would leave several inches below the new fence so that he could maintain the six inch section with a weeder.

Councilman Hartsock asked why the Lefflers chose to offset the fence. He was advised this was based on the size of the fence posts.

Councilman Yoder stated that to allow this variance would defeat the purpose of the ordinance.

Ms. Graham suggested that she would be satisfied if a double fence were built from the garage to the house. She was advised that this would be an added expense for the Lefflers.

Councilman Hartsock stated that he does not see an exception here that would necessitate a variance.

7-90-182

Motion by Councilman Hartsock, supported by Councilman Tupper, to deny the request for variance to Section 13-4 (3) and (6) of the City's Fence Ordinance that would allow the installation of a 6 ft. fence at 31983 Lamar. Motion carried, all ayes.

NOTICE OF SDM LICENSE TRANSFER
35235-35243 GRAND RIVER

Council was advised of a Department of Commerce notice to transfer an SDM license from Stocker's Market, Ltd., 35235-35243 Grand River to the Jil Corporation.

Manager Deadman stated that the Public Safety review of the new owner's qualifications found no reason to object to the transfer of the license.

Based on the Department's investigation, the City Manager recommended that no action be taken by City Council, thereby allowing the Department of Commerce to determine the new owner's eligibility to hold the license.

7-90-183

Motion by Councilman Tupper, supported by Councilwoman McShane, to receive and file the notice of the transfer of an SDM license from Stocker's Market, Ltd., to the Jil Corporation. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE
METROBANK, 33205 GRAND RIVER

Council was advised that as part of the Metrobank building project they propose to construct a clock tower in front of the bank building near Grand River. The City Manager stated that the clock tower will be of a design similar to the new bank building. He further stated that the bank proposes to place signs on the clock tower rather than to install wall signs on the front of the bank.

Council was informed that the Planning Commission found the proposed sign location more aesthetically pleasing than placing the larger wall signs on the building, and recommended that Council grant a variance allowing placement of signs on the clock tower.

The City Manager stated that if Council wishes to grant a variance, it would be to Section 25-13 (10) of the City's Sign Ordinance which prohibits ground signs in the Central Business District.

Councilwoman McShane asked if the Bank proposes to put something inside the clock tower. She was advised that there will be space for benches to provide a rest stop for shoppers.

7-90-184

Motion by Councilman Tupper, supported by Councilman Hartsock, to grant the requested variance to Section 25-13 (10) to allow the construction of a clock tower on which signs will be placed instead of installing wall signs on the Metrobank building at 33205 Grand River. Motion carried, all ayes.

LETTER FROM MICHIGAN MUNICIPAL LEAGUE
RE: ANNUAL CONVENTION DELEGATE

Council was advised that the Michigan Municipal League will hold its annual business meeting in Muskegon on September 13, 1990. The City Manager stated that City Council has typically appointed the Mayor to act as the voting delegate on behalf of the community at this meeting.

7-90-185

Motion by Councilman Hartsock, supported by Councilman Yoder, to appoint Mayor Richardson as the City's voting delegate for the Michigan Municipal League's annual business meeting to be held in Muskegon on September 13, 1990. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

EXTENSION OF RUBBISH DISPOSAL CONTRACT

The City Manager advised that McCreeley Trucking agreed to extend the rubbish collection contract until the City selects a new contractor. He informed Council that bids for rubbish

COUNCIL PROCEEDINGS -4-
July 16, 1990

collection, disposal and recycling services were jointly sought with the City of Farmington Hills and are presently being evaluated.

Manager Deadman recommended that Council authorize continuation of the McCreedy Trucking contract on a month to month basis under the same terms and conditions as the current contract, requiring payment of \$12,947 per month.

He stated that he expects the new contractor to begin providing services in September.

7-90-186

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the continuation of the current contract with McCreedy Trucking, Inc., for rubbish collection services, under the same terms and conditions provided for within the third year of the current contract, and

BE IT FURTHER RESOLVED that said contract in the amount of \$12,947 a month be continued until the City selects a new contractor to perform these services.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED JULY 16, 1990.

INCREASE IN WATER AND SEWER
WHOLESALE AND RETAIL RATES

The City Manager reported that the City of Detroit and Oakland County Water and Sewer Department raised rates, effective July 1, 1990.

Council was advised that Detroit raised water rates from \$4.21 per MCF to \$4.53, and sewer treatment rates from \$4.19 to \$4.42 per MCF. The City Manager stated that Oakland County proposes to increase sewer treatment rates to Farmington from \$5.39 to \$5.91 per MCF.

Manager Deadman further stated that it is necessary to increase the local water rate from \$1.03 to \$1.21 per 1,000 gallons of water used. He pointed out that the sewer rate is currently calculated at 130% of the water rate. He proposed that this

method be changed and that a specific sewer rate be established. He stated that the current rate calculation establishes a rate of \$1.40 per 1,000 gallons, and proposed that this rate be increased to \$1.50. He advised that the current \$4.40 minimum service charge per quarter would continue.

The City Manager submitted for Council's review a schedule of proposed user charges for proposed wholesale and/or outside user charges for water/sewer services. He pointed out that these charges include a debt service charge.

A resolution establishing the retail and wholesale water rates was submitted for Council consideration.

7-90-187

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

[SEE ATTACHED RESOLUTION.]

COMPLETION OF 1989 SIDEWALK
PROGRAM ASSESSMENT ROLL

Council was reminded that on July 17, 1989, the administration was authorized to notify property owners of the requirement to repair approximately 45,000 sq. ft. of sidewalk and driveway approaches located south of Grand River; also that Council approved a contract with Core Concrete Construction Company to complete the portion of the repair which owners have not completed.

The City Manager advised that the contractor has completed the work. He submitted for Council review a list of property owners to be assessed, including the assessment amounts.

He stated that the City Charter requires Council to hold a public hearing before adopting the special assessment roll and suggested that the hearing be set for 8:00 p.m. on August 6, 1990. He advised that all property owners on the proposed assessment roll will be notified by mail.

7-90-188

Motion by Councilman Hartsock, supported by Councilwoman McShane, to establish a Public Hearing on the 1989 Sidewalk Assessment Roll for 8:00 p.m., August 6, 1990, and further that all property owners on the roll be notified by mail of their assessment and the public hearing. Motion carried, all ayes.

WATER AND SEWER SERVICE AGREEMENT
ST. JOHN AMERICAN LUTHERAN CHURCH

Council was advised that the City of Detroit Water and Sewer Department requires an agreement between the Cities of Farmington and Farmington Hills to allow the St. John American Lutheran Church to receive water and sanitary sewer services from Farmington through an extension of the city's main into the church property to provide for fire protection.

A proposed agreement drafted by the City Attorney was submitted for Council review.

The City Manager advised the Church President, who was present in the audience, that the City would like some sort of official notification, giving someone authority to sign the agreement for the Church.

7-90-189

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to enter into an agreement with the City of Farmington Hills and St. John American Lutheran Church, allowing the St. John Church to receive water and sanitary sewer services from the City of Farmington.

AYES: 5.
NAYS: None.
ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 16, 1990.

APPOINTMENT OF SECOND AUTHORIZED REPRESENTATIVE:
SEWER IMPROVEMENT PROJECT

The City Manager advised that he will be out of town from July 23 through August 3, 1990, and recommended that Robert Schultz be designated as an alternate in his absence to sign documents in connection with the sewer improvement and retention basin project.

7-90-190

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

[SEE ATTACHED RESOLUTION].

MISCELLANEOUS

PUBLIC COMMENT

Frank Anderson, 33346 Shiawassee, complained about the traffic light at Farmington Road and Shiawassee, stating that he cannot get out of his driveway. He stated that the timing is off and would like something done about it.

Mayor Richardson asked Deputy Director Goss to comment on what is being done to adjust the timing of the light. He advised that the cycle will be extended by ten seconds to alleviate some of the backup.

Councilman Tupper complimented the Departments of Public Works and Public Safety for the way they handled traffic, etc., during the Founders Festival.

Councilwoman McShane advised that October is Drug Awareness month. Speaking as a committee member working with Farmington Families in Action, she suggested that Council donate more than last year's \$600.00 to subsidize the remaining cost of a book they wish to get into the parents' hands.

The City Manager stated that the City probably should give Farmington Families in Action enough money for the supplies we are using.

Mayor Richardson asked what Farmington Families in Action is currently doing to raise funds. She was advised that their monies come primarily from private contributions.

The Mayor announced that Farmington Youth Assistance is sponsoring a variety show tomorrow evening followed by an ice cream social at Larkshire Elementary School.

Mayor Richardson asked Mr. Billing to bring Council up-to-date on the sidewalk flooding on Farmington Road. He expressed concern that the homeowner is putting in seed and sod without a proper plan approved by the City. He pointed out that the developer has responded to the concerns of City Council and the property owners by replacing the erosion material several times. He stated that to alleviate the drainage toward the property line, the City would have to remove about 70 lineal feet at an approximate cost of \$1,000.00. He further stated that if the property owner had allowed the City to follow the original design, these problems would not exist.

Councilman Hartsock stated that the property owner should share part of the cost since he did not accept the City's plan in installing the sidewalk.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Council was advised that the term of Nanette Reid on the Farmington Area Arts Commission expires in August, 1990. Manager Deadman stated that Mrs. Reid is interested in reappointment to the Commission if Council wishes to appoint her.

7-90-191

Motion by Councilwoman McShane, supported by Councilman Yoder, to appoint Nanette Reid, 33305 Oakland, to a three-year term on the Farmington Area Arts Commission, said term to expire August 16, 1993. Motion carried, all ayes.

WARRANT LIST

7-90-192

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$21,751.67; Water & Sewer Fund \$2,693.73.

ROLL CALL


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

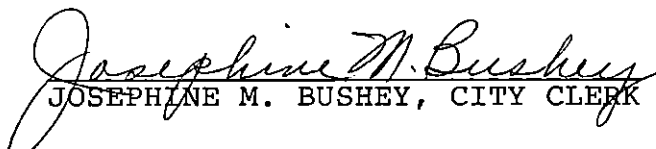
MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 9:26 p.m.


SHIRLEY W. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: August 6, 1990.

RESOLUTION NO. 7-90-187

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

WHEREAS, THE COST OF WATER AND SEWER TREATMENT SERVICES FROM THE CITY OF DETROIT AND OAKLAND COUNTY AND THE OPERATION AND MAINTENANCE COSTS OF THE FARMINGTON WATER AND SEWERS HAVE INCREASED.

WHEREAS, THE INCREASED COSTS REQUIRE THAT THE WATER AND SEWER RATES, PERMITS AND SERVICE FEES BE INCREASED TO OFFSET THE ADDITIONAL COSTS.

THEREFORE BE IT RESOLVED THE CITY COUNCIL, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 34 OF THE CITY CODE, HEREIN ESTABLISHES THE FOLLOWING WATER AND SEWER RATES, PERMIT FEES AND SERVICE FEES EFFECTIVE ON ALL WATER AND SEWER USAGE AND SERVICE RENDERED AFTER JULY 1, 1990.

FARMINGTON METERED USERS:

WATER BILLING CHARGE:	\$ 1.21 PER 1,000 GALLONS OF WATER USED
SEWER BILLING CHARGE:	\$ 1.50 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:	\$ 5.71 PER THOUSAND CUBIC FEET
FARMINGTON TO OUTSIDE CUSTOMERS:	\$ 1.31 PER 1,000 GALLONS OF WATER USED PLUS \$4.40 PER PREMISE SERVED
FARMINGTON EVERGREEN SYSTEM TO OTHER SYSTEM:	\$ 5.39 PER THOUSAND CUBIC FEET

WHOLESALE AND OUTSIDE CUSTOMER SEWER RATES:

FARMINGTON DISTRICT TO OTHER SYSTEMS:	\$21.57 PER THOUSAND CUBIC FEET
FARMINGTON/EVERGREEN DISTRICT TO OUTSIDE CUSTOMER:	\$ 3.08 PER 1,000 GALLONS OF WATER USED PLUS \$ 4.40 PER PREMISE SERVED

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED JULY 16, 1990.

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, July 16, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey
Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 7-90-190

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

WHEREAS, the city of Farmington has made application to the Michigan Water Pollution Control Revolving Loan Fund Program to correct certain sewer and combined sewer overflow pollution problems, and

WHEREAS, said program requires that an authorized representative be appointed for the project;

THEREFORE BE IT RESOLVED the Council of the city of Farmington appoints Robert F. Deadman, City Manager of the city of Farmington, as the authorized representative for the Farmington Sewer Improvements Project No. 5007;

BE IT FURTHER RESOLVED that Robert F. Deadman, City Manager or in his absence, Robert C. Schultz shall be authorized to sign the Michigan Water Pollution Control Revolving Loan Fund application, program conveyances, assurances, certifications, loan documents, bonding documents and other documents that may be required by the State of Michigan pertaining to the project or the borrowing of funds for the purpose of financing the Farmington Sewer Improvement Project No. 5007.

ROLL CALL;

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

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JULY 16, 1990.

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, July 16, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey
Josephine M. Bushey, City Clerk

COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was held on Monday, August 6, 1990, 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 7:00 p.m. by Mayor Richardson.

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

OTHERS PRESENT: City Manager Deadman, Adm. Assistant Schultz, Acting Clerk Murphy.

The purpose of the meeting was to review the City's Sign Ordinance.

Discussion was held on the various amendments to the Sign Ordinance. It was the consensus of the City Council that a Public Hearing should be held to give those interested a chance to voice their opinions.

Meeting adjourned at 8:10 p.m.


SHIRLEY W. RICHARDSON, MAYOR


CAROL MURPHY, ACTING CITY CLERK

Approved: August 20, 1990.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, August 6, 1990, 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 8:10 p.m. by Mayor Richardson.

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

CITY REPRESENTATIVES PRESENT: City Manager Deadman, Director Billing, Deputy Director Goss, Adm. Assistant Schultz, Acting Clerk Murphy.

MINUTES OF PREVIOUS MEETINGS

Motion by Councilman Yoder, supported by Councilwoman McShane, to approve the Special and Regular minutes of July 16, 1990, as written. Motion carried, all ayes.

PUBLIC HEARING

1989 SIDEWALK PROGRAM ASSESSMENT ROLL

The City Manager submitted the proposed special assessment roll for Council review. He announced that the purpose of the hearing is to allow property owners on the proposed special assessment roll to comment before the assessment roll is adopted by Council.

Manager Deadman reviewed the proposed payment schedule and stated that the interest rate on unpaid balances will be 7%.

Mayor Richardson opened the public hearing and called for comments from the audience. There were no comments.

8-90-194

Motion by Councilman Hartsock, supported by Councilman Yoder, to close the public hearing. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

8-90-195

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

- Downtown Development Authority minutes of July 17, 1990;
- Board of Zoning Appeals minutes of July 11, 1990;
- Board of Review minutes of July 17, 1990;
- Traffic and Safety Board minutes of June 21 and July 19, 1990;
- Beautification Committee minutes of July 11, 1990;
- Farmington Community Library minutes of June 14, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER OF RESIGNATION: F. CLAPPISON DDA

Council was advised that Frank D. Clappison finds it necessary to resign from the Downtown Development Authority. The City Manager was asked to write a letter of appreciation to Mr. Clappison acknowledging his service as a member of the Authority.

8-90-196

Motion by Councilwoman McShane, supported by Councilman Tupper, to regretfully accept the resignation of Frank D. Clappison from the Downtown Development Authority. Motion carried, all ayes.

LETTER OF RESIGNATION: N. LAWTON
PLANNING COMMISSION

Council was advised that Nancy Lawton must resign from the Planning Commission, as she is moving out of the community.

8-90-197

Motion by Councilman Hartsock, supported by Councilman Yoder, to regretfully accept the resignation of Nancy Lawton from the Planning Commission. Motion carried, all ayes.

The City Manager was asked to review the files for applicants, and compile a list of candidates for Council consideration.

REQUEST FOR PROCLAMATION

Council was advised that the Constitution Week Chairman of the Daughters of the American Revolution requests a proclamation for CONSTITUTION WEEK, SEPTEMBER 17 - 23, 1990.

8-90-198

Motion by Councilman Hartsock, supported by Councilman Tupper, to proclaim September 17 - 23, 1990, as CONSTITUTION WEEK in Farmington.

REPORTS FROM CITY MANAGER

COUNTY PERSONAL PROPERTY ASSESSMENT CONTRACT

Council was advised that the contract with Oakland County for personal property assessment assistance expired on June 30, 1990.

The City Manager stated that this year's service cost has increased from \$7.50 to \$8.00 per parcel. He advised that for the city's approximately 750 parcels, the annual cost will be \$6,000.00. He further stated that the city will be responsible for postage costs, estimated at approximately \$275.00.

8-90-199

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

COUNCIL PROCEEDINGS -3-
August 6, 1990

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager and the City Clerk to enter into an agreement with Oakland County to acquire personal property assessing services at an estimated cost of \$6,000.00, and

BE IT FURTHER RESOLVED that the City will be responsible for the cost of postage, estimated to be approximately \$275.00 for the city's 750 personal property parcels, and

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

ROLL CALL

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

RESOLUTION DECLARED ADOPTED AUGUST 6, 1990.

PROGRESS REPORT: ORCHARD LAKE ROAD

City Manager Deadman reviewed the Orchard Lake Road improvement project. He advised that the current schedule calls for the County to take bids in September with bid letting to occur in October. He further stated that he hopes to see the first phase of the Orchard Lake Road Improvement Project begin later this year.

COMMUNITY DEVELOPMENT
BLOCK GRANT CONTRACT RENEWAL

The City Manager recommended that Council authorize him to enter into a new three-year agreement with Oakland County to participate in the Community Development Block Grant Program. He indicated that the present contract expires with the current fiscal year.

He submitted a copy of the proposed agreement for Council review, and advised that the specific projects to be funded will be determined later this year.

8-90-200

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

WHEREAS, the City of Farmington has a successful history of cooperation with the County of Oakland in participation in the federal Community Development Block Grant Program, and

WHEREAS, the current cooperation agreement will expire on April 30, 1991;

COUNCIL PROCEEDINGS -4-
August 6, 1990

NOW, THEREFORE, BE IT RESOLVED that the City Manager is authorized to complete a new three-year agreement with the County of Oakland for participation in the Community Development Block Grant Program for fiscal years 1991-93.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED AUGUST 6, 1990.

SOLID WASTE REMOVAL CONTRACT

City Manager Deadman presented the low bid of Waste Management of Michigan-Detroit North. He advised that the new contractor is ready to start September 1, 1990, and residential curbside recycling will begin in July, 1991.

8-90-201

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to join with the City of Farmington Hills to enter into a six-year contract with Waste Management of Michigan-Detroit North for the collection and disposition of solid waste under the terms bid.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED AUGUST 6, 1990.

CONTRACT PAYMENT
1989 SIDEWALK REPAIR PROGRAM

Council was advised that the contractor, Core Concrete Construction Company, has substantially completed work on the 1989 Sidewalk Program contract issued in August of 1989.

The City Manager stated that the Public Services Department verified the work completed and invoiced by the contractor on July 2, 1990. He reported that all of the work included in the special assessment district was approved by the city, but that some portion of the work on city property has not yet been agreed upon. He presented to Council cost estimates based on information provided by the Department of Public Services.

COUNCIL PROCEEDINGS -5-
August 6, 1990

8-90-202

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

BE IT RESOLVED that the Farmington City Council hereby authorizes payment of \$57,489.78 to Core Concrete Construction Company, Livonia, Michigan, for work completed on the 1989 Sidewalk Program, and

BE IT FURTHER RESOLVED that funds be provided from the 1989 Special Assessment District and the General Fund Sidewalk Account.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED AUGUST 6, 1990.

BID: PAINTING OF MUSEUM

Council was advised that bids were accepted on July 23, 1990, for painting the gazebo, all wood on the exterior of the museum, and the carriage barn.

The City Manager reported that only one contractor out of seven responded with a bid. He advised that the bid price of \$4,500.00 was checked with two painters who previously worked for the City, and both indicated that the price is fair.

8-90-203

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

BE IT RESOLVED that the Farmington City Council hereby accepts the bid of Daylight Painting Company in the amount of \$4,500.00 to paint the gazebo, the carriage barn and all wood on the exterior of the Farmington Museum, and

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

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED AUGUST 6, 1990.

COUNCIL PROCEEDINGS -6-
August 6, 1990

MISCELLANEOUS

PUBLIC COMMENT

James Abernethy, 21256 Birchwood, advised Council that a report to the School Board will be given on August 7 on the results of the Task Force Study in which Councilman Tupper participated.

Ed Thayer, 23605 Warner, advised Council that he is displeased with the condition of his family grave markers at Oakwood Cemetery. It was decided that Councilman Yoder will inspect the gravesite with Mr. Thayer to insure that he is satisfied.

*Corrected
8/20/90
JMS*
Councilwoman McShane suggested that Council support the City of Lake Angelus regarding the opposition to the Auburn Mills Shopping Mall. ~~Council decided not to support the Lake Angelus position.~~

BUILDING DEPARTMENT AND WATER/SEWER
QUARTERLY REPORTS: APRIL-JUNE, 1990

8-90-204 (a)

Motion by Councilman Yoder, supported by Councilman Tupper, to receive and file the Building Department and Water/Sewer Quarterly Reports for April - June, 1990. Motion carried, all ayes.

Mayor Richardson asked Council to establish a Public Hearing for 8:00 p.m. on August 20, 1990, on the proposed Sign Ordinance amendments.

8-90-204 (b)

Motion by Councilman Yoder, supported by Councilwoman McShane, to establish a Public Hearing on August 20, 1990, at 8:00 p.m. to review the proposed amendments to the Sign Ordinance. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

ADOPT RESOLUTION CONFIRMING 1989
SIDEWALK PROGRAM SPECIAL ASSESSMENT ROLL

8-90-205

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

[SEE ATTACHED RESOLUTION].

City Council decided to call a special meeting to review bids on Contracts 1 and 2 of the Sewer Improvement Project.

COUNCIL PROCEEDINGS -7-
August 6, 1990

8-90-206

Motion by Councilwoman McShane, supported by Councilman Hartsock, to establish a Special meeting on Thursday, August 9, 1990, at 11:30 a.m. in Meeting Room "A", City Hall, to review bids on Contract 1 and Contract 2 of the Sewer Improvement Project. Motion carried, all ayes.

WARRANT LIST

8-90-207

Motion by Councilman Tupper, supported by Councilman Yoder, to approve the monthly bills as submitted: General Fund \$66,397.84; Water & Sewer Fund \$419,769.52.

ROLL CALL:

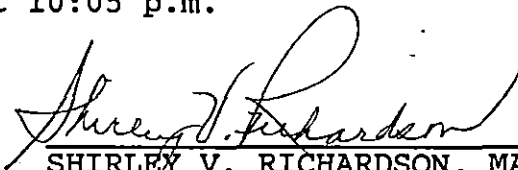
AYES: McShane, Richardson, Tupper, Yoder, Hartsock.
NAYS: None.
ABSENT: None.

MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 10:05 p.m.


SHIRLEY V. RICHARDSON, MAYOR


CAROL MURPHY, ACTING CLERK

Approved as corrected:
August 20, 1990.

CITY OF FARMINGTON

RESOLUTION NO. 8-90-205

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

BE IT RESOLVED that the Assessment Roll for the construction of the 1989 Sidewalk Program has been reviewed by the City Council, and the Council hereby determines that it is satisfied with the Special Assessment Roll prepared by the Assessor and presented to the City Council, and that said Special Assessment Roll is hereby confirmed.

BE IT FURTHER RESOLVED that the first installment shall be due September 15, 1990, and payable without penalty by November 30, 1990.

That on the first day of December 1990 a 4% collection fee will be added as prescribed by Charter under Section 11.7--Collection Fees.

Payments may be made as follows:

Assessments of \$250.00 or LESS will be due in fully September 15, 1990 and payable without penalty by November 30, 1990.

Assessments of \$251.00 or MORE may be paid in installments with interest at 7% on the unpaid balance as follows:

\$251.00 - \$500.00	Two Equal Installments
501.00 - 750.00	Three Equal Installments
OVER \$750.00	Four Equal Installments

(First installment due September 15, 1990; subsequent installments due July 1st of each year.)

ROLL CALL

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

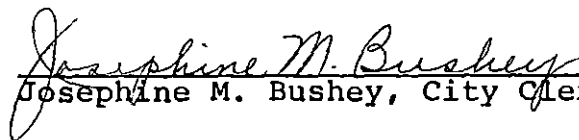
NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED August 6, 1990.

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, August 6, 1990, 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 Thursday, August 9, 1990, in Meeting Room A, 23600 Liberty Street, Farmington. Notice of the meeting was posted in compliance with P. A. 267-1976.

The meeting was called to order at 11:30 a.m. by Mayor Richardson.

PRESENT: McShane, Richardson, Tupper, Yoder.

ABSENT: Hartsock.

OTHERS PRESENT: City Manager Deadman, Director Billing, Engineer Mariner, Black & Veatch representatives Latham and Korpela, Posen Construction representative, Adm. Assistant Schultz, City Clerk, Bushey.

The purpose of the meeting is to review Contracts 1 and 2 of the Water and Sewer Improvements Project.

Council was advised that the bids came in considerably over construction estimates, as various details were changed according to State requirements.

The City Manager stated that he asked the engineers what could be taken out of the project and still have the project function as designed. He indicated that the following specifications were changed without changing design:

fluted block	substituted for	brick facade;
tar liner	" "	plastic liner;
stainless steel	" "	fiber glass pipe;
also, reinforced concrete was found to be cheaper.		

Council was advised that the air handling system was designed with intake and exhaust fans. The engineers believe this can be done with a single system by using louvers to change the air.

Manager Deadman advised that the engineers were able to reduce the cost by about \$713,000.00, which nearly brings the project back into budget.

He stated that landscaping was deleted from the project and will be taken care of later by the DPW.

He pointed out that the design fees were considerably more than anticipated. He recommended that the contract on design fees be amended.

The engineers advised that the State's time constraints were not built into their original estimates.

COUNCIL PROCEEDINGS -2-
Special Meeting
August 9, 1990

Manager Deadman advised that construction/engineering was also underestimated. He suggested that the City would be better off buying engineering services from the design engineer so that the project is built according to specifications.

Council was advised that there was not an adequate amount anticipated for the field work to build the collector system.

The City Manager stated that there should be some discussion before going forward with the actual proposals to Council.

He advised that the SSES study will amount to approximately \$14,000.00, and that the amendment to design fees is approximately \$233,000.00 over and above the agreed upon price, as the original design fees were \$758,000.00.

He further advised that there is no contract yet for construction engineering. He pointed out that there are also two low bid proposals: one from Posen Company and one from Dan's Excavating.

The City Manager stated that he was able to negotiate proposed Change Orders which will be part of the bid awards. He pointed out that Change Order No. 1, to reduce the construction portion of the contract to \$9,800,000.00, will be available in the next two to three weeks.

Councilman Tupper asked where the authorization for the contract changes came from. He also asked about the timeliness.

Mr. Latham advised that Black & Veatch originally had a six-month design schedule, which shrank to about 2 - 3 months due to the State's time constraints. He pointed out that to get the job done, he had to use all the resources of his company's various offices throughout the country, and there was no time to go to Council for approval of these changes.

Mr. Latham advised that they have reduced the overrun by between \$60,000.00 and \$70,000.00 and are asking for reimbursement for extra design work that was completed on schedule.

Councilman Tupper asked if the hoist is something we can do without. He pointed out the cost savings of \$25,687.00.

The engineers advised that the hoist would probably be used only once or twice a year. They informed Council that they have deleted it and left the necessary connections in the design so that the City can rent a hoist whenever it is required.

COUNCIL PROCEEDINGS -3-
Special Meeting
August 9, 1990

The City Manager pointed out that there is no limitation on what the City can spend in terms of the bond fund. He stated that the limitation comes about when we consider how to pay the debt service.

He submitted that there are two alternatives: borrowing another million from the State or increasing the sewer rate.

He stated that if we can bring the project in at no more than the \$12,300,000.00 figure, we would not have to raise the sewer rate, as he hopes to build the project as close as possible to the \$12,000,000.00.

He pointed out that the City is still in a time bind, as we have to deliver to the State tomorrow a completed application including the engineering contracts, Council's bid awards, and other documentation including assurances.

He advised the necessity for a certified resolution from Council relative to borrowing an extra million from the State, if necessary.

Councilman Tupper asked if we have assurances from the contractor and some documentation about the reductions and change orders. The City Manager replied in the affirmative.

After further discussion, City Council adopted the following resolutions:

8-90-208

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

BE IT RESOLVED that the Farmington City Council hereby approves Amendment No. 4 to the contract between the City and Black & Veatch Engineers-Architects by increasing the Engineering Service Contract on the Sewer System Evaluation Survey Study for the Sewer System Improvements in the amount of \$14,296.00.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED AUGUST 9, 1990.

COUNCIL PROCEEDINGS -4-
Special Meeting
August 9, 1990

8-90-209

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

BE IT RESOLVED that the Farmington City Council hereby approves Amendment No. 1 to the agreement between the City and Black & Veatch, Engineers-Architects, for engineering services for the design of the Sewer System Improvements by increasing the amount of the contract by \$233,691.00.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED AUGUST 9, 1990.

8-90-210

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

BE IT RESOLVED that the Farmington City Council hereby authorizes an agreement between the City and Black & Veatch, Engineers-Architects, for construction/engineering services on the Sewer System Improvements in an amount not to exceed \$915,000.00, without further authorization.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED AUGUST 9, 1990.

8-90-211

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

BE IT RESOLVED that the Farmington City Council hereby awards the contract for the Sewer System Improvements, Contract No. 1, with the Alternates A, B and C, to the low bidder, Posen Construction, Inc., of Utica, Michigan, in the amount of \$7,327,000.00.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED AUGUST 9, 1990.

COUNCIL PROCEEDINGS -5-
Special Meeting
August 9, 1990

8-90-212

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

BE IT RESOLVED that the Farmington City Council hereby awards the contract for the Sewer System Improvements, Contract No. 2, to the low bidder, Dan's Excavating, Inc., of Utica, Michigan, in the amount of \$3,215,798.00.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED AUGUST 9, 1990.

8-90-213

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

BE IT RESOLVED that the Farmington City Council hereby authorizes that the amount of the Sewer System Improvement Project in excess of the voter approved General Obligation unlimited tax bonds be funded from the assets of the Water & Sewer Department, and

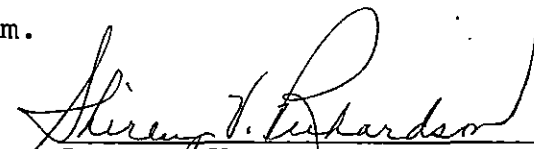
BE IT FURTHER RESOLVED that in the event it is possible to sell bonds, the funds advanced from the assets of the Water & Sewer Department will be reimbursed from the proceeds of the bonds.

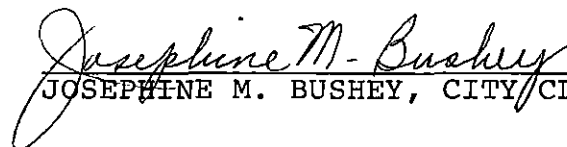
ROLL CALL

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

RESOLUTION DECLARED ADOPTED AUGUST 9, 1990.

Meeting adjourned at 12:50 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: August 20, 1990.

COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was held on Monday, August 13, 1990, in Meeting Room A, 23600 Liberty Street, Farmington. Notice of the meeting was posted in compliance with P. A. 267-1976.

The meeting was called to order at 7:01 p.m. by Mayor Richardson.

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

ABSENT: None.

OTHERS PRESENT: City Manager Deadman, Bonding Attorney McGee, City Clerk Bushey.

RESOLUTION AUTHORIZING UNLIMITED TAX GENERAL OBLIGATION BONDS

The City Manager stated that the voters approved the sale of unlimited tax bonds for the Sewer Improvement System Program. He advised that the City is now in a position to have those bonds sold in the amount of \$12 million, with a payback period of 20 years at an interest rate of 2%. He stated that the purpose of the meeting is to pass two resolutions on this project.

Bonding Attorney McGee stated that there are only a few municipalities in Michigan that have qualified for this low interest money. He advised that the State requires an opinion from our attorney stating that everything is in order; that the requirements the City must follow under Michigan law as it relates to borrowing money have all been satisfactorily handled.

NOTICE OF INTENT RESOLUTION

City Manager Deadman advised that Council will be passing a second resolution as the project is over budget. The State demands that the City puts forth enough money when the project starts to assure that there are sufficient funds to complete the project. He pointed out that the city is about \$400,000.00 over the \$12 million. He stated that if the City does not use the contingency budget, it will come close to the \$12 million.

The City Manager further advised that the second resolution is a Notice of Intent resolution giving City Council the authority, if necessary, to borrow additional money. Council was advised that this does not bind them to borrow the funds, but that its purpose is to complete the referendum period if Council wishes at a later date to borrow the funds.

The Bonding Attorney advised that this resolution must be published in a local newspaper. He stated that Farmington residents have 45 days after publication of the notice to petition for an election on whether or not these bonds should be issued.

COUNCIL PROCEEDINGS -2-
Special Meeting
August 13, 1990

After further discussion, Council passed the following resolutions:

8-90-214

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

[SEE ATTACHED RESOLUTION].

8-90-215

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

[SEE ATTACHED RESOLUTION].

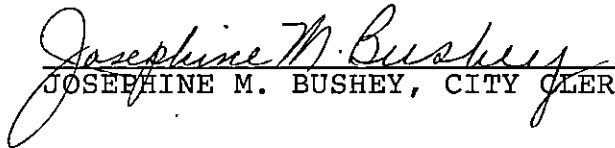
*Corrected
8/20/90
JMB*
Through a request from Susan Reynolds, President of the School Board,
~~Mayor Richardson asked~~ ^{city} Council ^{was held} to consider setting a meeting with the School Board to discuss the ~~g~~ ^{Monday} sledding hill. Tentative dates of Wednesday, September 19 and ~~Thursday~~ ^{Monday}, September ~~20~~ ²² were discussed for 7:00 p.m.; the meeting to be held at City Hall, the Media Center or some other place acceptable to those involved.

Mayor Richardson reported that the project relative to former Mayors of Farmington is going well.

Councilman Tupper left at this point (7:40 p.m.).

The meeting adjourned at 7:50 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: August 20, 1990.

City of Farmington
County of Oakland, State of Michigan

Resolution Authorizing Unlimited Tax
General Obligation Bonds

Minutes of a special meeting of the City Council of the City of Farmington, County of Oakland, State of Michigan, held on August 13, 1990, at 7:00 o'clock p.m., Eastern Daylight Time.

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

ABSENT: Members NONE.

The following preamble and resolution were offered by Member Yoder and supported by Member Hartsock:

WHEREAS, the qualified electors of the City of Farmington, County of Oakland, State of Michigan (the "Issuer"), at the special election duly called and held on May 22, 1990, did by more than the required majority of those voting approve the following proposition:

Shall the City of Farmington, County of Oakland, Michigan, borrow the principal amount of not to exceed Twelve Million Dollars (\$12,000,000) and issue its general obligation unlimited tax bonds therefor, for the purpose of paying all or a part of the cost of acquiring and constructing improvements to the City's sewage disposal 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 lines and existing sewerage pump stations in the City of Farmington

together with all appurtenances and attachments reasonably necessary therefor?

AND WHEREAS, it is the determination of the City Council that at this time unlimited tax general obligation bonds in the principal amount of not to exceed Twelve Million Dollars (\$12,000,000) should be issued for the purpose described in the foregoing proposition (the "Project");

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Bonds of the Issuer designated 1990 GENERAL OBLIGATION UNLIMITED TAX BONDS (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Twelve Million Dollars (\$12,000,000) for the purpose of paying part of the cost of the Project, including the cost incidental to the issuance, sale and delivery of the Bonds and not to exceed 8 months capitalized interest on the Bonds. The issue shall consist of a single fully-registered bond or bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, 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 Bonds shall be payable in the years and amounts as shown on Schedule I to the Purchase Contract.

The 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 on April 1 and October 1 of each year, commencing April 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 6 hereof. Principal of and interest on the Bonds shall be payable, and principal of the Bonds will be subject to prepayment prior to maturity, in the manner and at the times provided in the form of Bond set forth in Section 6 hereof.

2. The Bonds of this issue shall be executed in the name of the Issuer with the manual or facsimile signatures of the Mayor and Clerk of the Issuer and shall have the seal of the Issuer, or a facsimile thereof, printed or impressed on the Bonds. The Bonds shall be delivered to the Authority by the Clerk or Treasurer of the Issuer in accordance with the Purchase Contract.

3. The Issuer shall keep the books of registration for this issue. Any Bond may be transferred upon such

registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Issuer. Whenever any Bond or Bonds shall be surrendered for transfer, the Issuer shall execute and deliver a new Bond or Bonds, for like aggregate principal amount. The Issuer shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Issuer. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Issuer in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all

or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. The Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the City Manager, to be designated 1990 GENERAL OBLIGATION UNLIMITED TAX BONDS DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. Commencing with the year 1990, there shall be levied upon the tax rolls of the Issuer for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 202, Public Acts of Michigan, 1943, as amended, an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due prior to the next annual tax levy; provided, however, that if at the time of making any such annual tax levy there shall be surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bonds, then credit therefor may be taken against such annual levy for the Debt Retirement Fund.

5. The Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the City Manager, to be designated 1990 GENERAL OBLIGATION UNLIMITED TAX BONDS CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued and capitalized interest, if any, and premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

6. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND

CITY OF FARMINGTON
1990 GENERAL OBLIGATION UNLIMITED TAX BOND

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>[CUSIP]</u>
2.00%	October 1, serially, as provided herein	August __, 1990	

Registered Owner: Michigan Municipal Bond Authority

Principal Amount: Twelve Million Dollars

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF FARMINGTON, County of Oakland, State of Michigan (the "Issuer"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, or such lesser amount as shall be equal to the total principal disbursed by the Michigan Municipal Bond Authority (the "Authority") as shown on the Registration Grid attached as Exhibit A hereto, in lawful money of the United States of America, 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 specified above, first payable on April 1, 1991 and semiannually thereafter. This bond is payable as to principal, premium, if any, and interest at the office of the State Treasurer, Lansing, Michigan (the "Authority's Depository") or to such other place as shall be designated in writing to the Issuer by the Authority. 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. 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. Written notice of any redemption of any principal installment of this bond prior to its stated maturity 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. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the Issuer are hereby irrevocably pledged.

This bond is the single bond in the full authorized principal sum of \$12,000,000, issued for the purpose of paying part of the cost of acquiring and constructing improvements to the Issuer's sewage disposal system and paying costs incidental to the issuance of the bond in pursuance of a vote of the qualified electors of the Issuer voting thereon at a special election duly called and held on May 22, 1990.

This bond is transferable only upon the registration books of the Issuer by the registered owner of record 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 resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond is payable out of the Issuer's Debt Retirement Fund for this issue, and it is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the Issuer, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

IN WITNESS WHEREOF, the City of Farmington, County of Oakland, State of Michigan, by its City Council, has caused this bond to be signed in the name of the Issuer by the manual or facsimile signatures of its Mayor and Clerk and its corporate seal or a facsimile thereof to be printed or impressed hereon, all as of the Date of Original Issue.

CITY OF FARMINGTON
County of Oakland
State of Michigan

By Shirley T. Richardson

Its Mayor

(SEAL)

By Josephine M. Bushey
Its 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>
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

EXHIBIT B
PAYMENT SCHEDULE

The following payment schedule indicates repayment by the Issuer of principal due on this 1990 General Obligation Unlimited Tax Bond. 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 \$12,000,000 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>
10/1/91	\$ -0-	_____	_____
10/1/92	\$ 460,000	_____	_____
10/1/93	\$ 505,000	_____	_____
10/1/94	\$ 515,000	_____	_____
10/1/95	\$ 525,000	_____	_____
10/1/96	\$ 535,000	_____	_____
10/1/97	\$ 545,000	_____	_____
10/1/98	\$ 555,000	_____	_____
10/1/99	\$ 570,000	_____	_____
10/1/00	\$ 580,000	_____	_____
10/1/01	\$ 590,000	_____	_____
10/1/02	\$ 605,000	_____	_____
10/1/03	\$ 615,000	_____	_____
10/1/04	\$ 630,000	_____	_____
10/1/05	\$ 640,000	_____	_____
10/1/06	\$ 655,000	_____	_____
10/1/07	\$ 665,000	_____	_____
10/1/08	\$ 680,000	_____	_____
10/1/09	\$ 695,000	_____	_____
10/1/10	\$ 710,000	_____	_____
10/1/11	\$ 725,000	_____	_____

7. The City Manager or Clerk shall apply to the Department of Treasury for an order approving the issuance of the Bonds or for an order approving an exception from prior approval and shall pay the related fee, and may apply for such other approvals or waivers as shall be necessary or desirable.

8. The estimated period of usefulness of the proposed sewage disposal system improvements is hereby declared to be not less than thirty (30) years and its total cost is estimated to be Thirteen Million Forty Three Thousand Dollars (\$13,043,000).

9. 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.

10. The proposed form of Purchase Contract between the Issuer and the Authority (the "Purchase Contract") and the proposed form of Supplemental Agreement among the Issuer, the Authority, and the Michigan Department of Natural Resources (the "Supplemental Agreement") 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 ~~City~~ Purchase Contract and Supplemental Agreement 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 Bonds as contemplated herein.

11. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

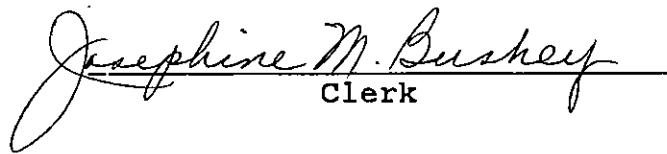
AYES: Members Hartsock, McShane, Richardson, Tupper,
Yoder.

NAYS: Members NONE.

RESOLUTION DECLARED ADOPTED AUGUST 13, 1990.

Josephine M. Bushey
Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Farmington, County of Oakland, State of Michigan, at a special meeting held on August 13, 1990, 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.


Clerk

NOTICE OF INTENT RESOLUTION
City of Farmington
County of Oakland, State of Michigan

Minutes of a special meeting of the City Council of the City of Farmington, County of Oakland, State of Michigan held on the 13th day of August, 1990, at 7:00 o'clock p.m. Eastern Daylight Time.

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

ABSENT: Members NONE.

The following preamble and resolution were offered by Member Hartsock and supported by Member McShane:

WHEREAS, the City of Farmington, County of Oakland, State of Michigan (the "Issuer") intends to issue and sell revenue bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) for the purpose of paying part of the cost of acquiring and constructing improvements to the Issuer's sewage disposal system; and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in the Farmington Observer of Farmington, Michigan, a newspaper of general circulation in the Issuer.

2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form:

NOTICE TO TAXPAYERS AND ELECTORS OF THE
CITY OF FARMINGTON AND TO USERS OF SAID CITY'S
SEWAGE DISPOSAL SYSTEM OF INTENT TO ISSUE
BONDS AND THE
RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the City Council of the City of Farmington, Oakland County, Michigan, intends to issue and sell Revenue Bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000), for the purpose of paying part of the cost of acquiring and constructing improvements to the City's sewage disposal system to serve the City.

SOURCE OF PAYMENT OF
REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON SAID REVENUE BONDS SHALL BE PAYABLE solely from the revenues received by the City from the operations of said sewage disposal system except as provided below in the case of bonds sold to the Michigan Municipal Bond Authority. Said revenues will consist of rates and charges billed to the users of the system, a schedule of which is presently on file in the office of the City Clerk. Said rates and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the system, to pay the principal of and interest on said bonds and to pay other obligations of the system.

BOND DETAILS

SAID BONDS will be payable in annual installments not to exceed thirty (30) in number and will bear interest at the rate or rates to be determined at public or negotiated sale but in no event to exceed ten percent (10%) per annum on the balance of the bonds from time to time remaining unpaid.

ALTERNATE SOURCE OF PAYMENTS IN THE EVENT BONDS
ARE SOLD TO MICHIGAN MUNICIPAL BOND AUTHORITY

IN THE EVENT THAT THE CITY COUNCIL DEEMS IT DESIRABLE TO SELL SAID BONDS TO THE MICHIGAN MUNICIPAL BOND AUTHORITY, THE CITY MAY PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE CITY DERIVED FROM IMPOSITION OF TAXES BY THE STATE AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution. The City may enter into an agreement

providing for the payment of taxes, which taxes are collected by the State and returned to the City as provided by law, to the Authority or a trustee, and such funds may be pledged for the payment of the bonds. IN ADDITION TO THE FOREGOING, IN CASE OF INSUFFICIENCY OF SAID REVENUES, THE PRINCIPAL OF AND INTEREST ON THE BONDS MAY BE PAYABLE FROM THE GENERAL FUNDS OF THE CITY OR, IF NECESSARY, FROM AD VALOREM TAXES LEVIED UPON ALL TAXABLE PROPERTY IN THE CITY, SUBJECT TO APPLICABLE CHARTER, STATUTORY AND CONSTITUTIONAL LIMITATIONS.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

FURTHER INFORMATION may be obtained from the office of the City Manager, City of Farmington, 23600 Liberty Street, Farmington, Michigan 48024-2383, during regular business hours.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

JOSEPHINE BUSHEY
Clerk, City of Farmington

3. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the sewage disposal system's users and the City's taxpayers and electors of this Council's intent to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The City Manager or City Clerk are hereby authorized to file an application with the Michigan Department of Treasury for prior approval of the bonds or an exception therefrom if available and to pay the related fee, and to file for such other approvals or waivers with respect to the bonds as may be necessary or desirable.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

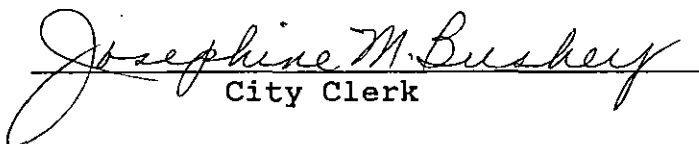
AYES: Member McShane, Richardson, Tupper, Yoder,
Hartsock.

NAYS: Member NONE.

RESOLUTION DECLARED ADOPTED. AUGUST 13, 1990.

Josephine M. Bushey
City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Farmington, County of Oakland, State of Michigan, at a special meeting held on August 13, 1990, 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.


City Clerk

s:/27756/0015/dmpm1530

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, August 20, 1990, 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 Billing, Director Lauhoff, Acting City Attorney McKenney, Adm. Assistant Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETINGS

Mayor Richardson called attention to paragraph 3, page 6 of the regular minutes of August 6, 1990. She asked that the last sentence be removed. Council agreed.

Mayor Richardson also called attention to the fourth last paragraph on page 2 of the special minutes of August 13, 1990, which should read:

Through a request from Susan Reynolds, President of the School Board, City Council was asked to consider setting a meeting with the School Board to discuss the sledding hill. Tentative dates of Wednesday, September 19 and Monday, September 24, were discussed for 7:00 p.m.; the meeting to be held at City Hall, the Media Center or some other place acceptable to those involved.

8-90-216

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the Special minutes of August 6 and August 9 as written, and the Regular minutes of August 6, and the Special minutes of August 13, 1990, as corrected. Motion carried, all ayes.

PUBLIC HEARING

PROPOSED AMENDMENTS TO THE SIGN ORDINANCE

Mayor Richardson explained the Public Hearing procedure, and called upon the City Manager to present the Sign Ordinance amendments.

City Manager Deadman reviewed the pertinent items in the proposed ordinance. He advised that all the requirements dealing with materials were removed from the ordinance, because there are other codes that indicate how a sign must be constructed.

He stated that the definitions of certain signs were changed. He advised that the biggest change is in ground signs, as for those supported on poles the height remains to the height of the building, but the size has changed substantially.

COUNCIL PROCEEDINGS -2-
August 20, 1990

He advised that currently the Sign Ordinance controls signs installed on awnings in terms of the size of lettering. He stated that all restrictions have been taken off of signs on awnings and they will count against the 10% allowed.

He pointed out a major change in temporary signs.

The Mayor opened the public hearing for comments from the audience.

Frank Nager, Bel Aire Drugs, Orchard Lake Road and Ten Mile, stated that window signs are the biggest source of bringing in customers, as he cannot afford to advertise on national television. He asked if Council would rather see a single sign that says "Vacancy" or window signs which show a thriving business. He stated that only 25% signage will hurt his business. He favors increasing the percentage.

Don Hilliard, 31681 Stamen Circle Drive, Farmington Hills, owner of the IGA Store at Orchard Lake Road and Ten Mile, asked if the 25% figure was derived scientifically, or if the window signs were measured against window size. He pointed out that his business is on the extremities of Farmington, just opposite Farmington Hills where they do not have these restrictions. He feels that 25% is a little restrictive. He says that the 25% allows one window sign for each window in his store, but he can live with it even though he feels it is restrictive.

Lee Smith, 22594 Brookdale, asked to whom this ordinance is directed, the building owner or the person who has the business and is renting? He was advised that the person in control of the property and the signage is responsible for compliance.

Sam Hamama, owner of Tweenies Deli and Wine Shop in the World Wide Shopping Center, advised that he changes his window signs once a month and tries to change colors as well. He maintains that window signs help him a lot.

Mark Soltz, Mark Stevens Steak Factory, 34731 Grand River, stated that window signs account for a large part of his business and they help out more than any other advertising.

Tom Church, 24144 St. Marys Court who works for a sign company in Farmington Hills, expressed concern about temporary window signs. He sees the need for this type of sign, particularly in stores that are not major chains. He pointed out that senior citizens look at window signs in order to decide where to shop.

COUNCIL PROCEEDINGS -3-
August 20, 1990

Bill Ray, Ray Interiors, 33000 Slocum, advised that his business has operated in Farmington for 26 years. He stated that for the small merchant, the best way to advertise is to use window signs. He pointed out that his building is not located close to a major road, so it is necessary for him to use window signs. He objects to the 30 day restriction as his sales normally run for 60 days. He feels he needs the window signs to make the consumer stop and shop.

Lee Ratliff, 35122 Drake Heights, stated that he was on the Commission that formerly reviewed the Sign Ordinance. He pointed out that the proposed amendments are about the same as those previously considered. He thinks the ordinance is a very good ordinance, and does not see it as too restrictive for people to come up with good signs.

Jim Mitchell, 23211 Floral, stated that he serves on the Planning Commission and worked on the current Sign Ordinance proposal. He pointed out that they wanted to come up with an approach so that the signs can be more tastefully done. He said they had initially considered some other more restrictive provisions but decided not to propose them because they did not want to penalize anyone. He feels that 25% is a fair compromise. He pointed out that it is not based on any scientific number but rather on what other cities are doing. He understands that there is a possibility Farmington Hills may consider a similar type of ordinance.

Jerry Logan pointed out that most of the businesses using paper signs have them done professionally.

John Richardson, 33926 Oakland, stated that the 25% is a little restrictive.

Sam Nager asked if there is going to be a fine for violations.

Manager Deadman explained the current enforcement policy stating that it begins with a warning and ends with a court citation.

Mr. Hilliard pointed out that he thinks Council is taking a rather large step in going from 100% to 25% for window signs. He believes the city would be accomplishing a lot if they would cut it to 50%.

Mr. Ratliff pointed out that if the sign ordinance is reduced to 25% the lettering will not be reduced, but rather the overall dimensions of the sign would be affected.

COUNCIL PROCEEDINGS -4-
August 20, 1990

Lee Smith stated that this ordinance makes a big step when it goes from the outside of a building to the inside of the building, particularly to the inside of the wall. He stated that he would like to hear an opinion on this.

The City Manager stated that this has not been tested. He pointed out that most of what exists in our ordinance, exists in most other communities.

Manager Deadman stated that there has been a lot said about competition. He pointed out that the trend is to smaller and lower signs, although these may have an adverse effect on certain types of businesses.

8-90-218

Motion by Councilman Yoder, supported by Councilman Hartsock, that the Public Hearing be closed. Motion carried, all ayes.

Mayor Richardson called for comments from City Council.

Councilman Yoder commended the Planning Commission for the long hours they spent on the amendments. He considers the 25% too restrictive; that 50% would be more in line from the present 100%.

Councilman Tupper stated that he checked the city and found the majority of the larger retailers are within the 10% limitation, even including their window signs. He questioned the definition of temporary signs as he noted that some in the city have been up for six months to a year. He pointed out that there are no guidelines within the ordinance as we have it today which give the City Council standards in either granting or denying an appeal. He feels this is a disservice to the community. He would like to support the part of the ordinance which recommends that the appeals process goes back to the Board of Appeals. He feels that no decision can be made without further study.

Councilman Hartsock expressed appreciation to the Planning Commission; also to the merchants who were present. He pointed out that the purpose of a public hearing is to convey ideas and to express opinions, which everyone did. He stated that he spent yesterday looking at every possible case; as he did so, he could see each different, unique circumstance that would be affected by the ordinance. He pointed out that the 25% is subjective, is not scientific, and therefore, subject to individual opinion. He feels we are taking a giant leap from 100% down to 25%, but in trying to improve aesthetics, the last thing he wants to do is to make it prohibitive to do business in Farmington. He still maintains that City Council should hear the appeal.

COUNCIL PROCEEDINGS -5-
August 20, 1990

Mayor Richardson called upon the Acting City Attorney relative to who would have the authority if someone appeals a decision.

Attorney McKenney advised that it is the Council's choice as to whom they want to give that jurisdiction. He pointed out that the standards for the ZBA are statutory, whereas decisions made by City Council in the case of sign ordinances have no standards. He pointed out that without such standards, City Councils can face the argument that their decisions are arbitrary or capricious.

*Corrected
9/4/90
JMS*
Councilwoman McShane stated that she looked at ^{approximately} ~~the entire~~ ~~community and found~~ 125 retail establishments in Farmington. Out of the 125 businesses she found that 70% are in compliance now with the 25% maximum for window signs. She pointed out that most of the businesses use flyers and the Observer newspaper. She asked why 70% of the businesses are successful and 30% say this is a problem? She stated that many of the businesses that are represented at the hearing tonight send out paper flyers and use the Observer and still use paper signs. She does not oppose the ZBA hearing appeals.

Councilman Hartsock stated that if the appeals process is going back to the ZBA, he would favor lifting the 25% and making it much more.

Councilman Tupper pointed out that the ZBA has put a time limit on granting variances which City Council has never done.

Mr. Tupper stated that he attended a seminar relative to refurbishing small downtowns and regarding what small signs do for communities. He pointed out that the seminar speaker noted that signs are about fifth on the list of importance and are not the number one priority for drawing someone into a store.

Councilwoman McShane advised that Farmington Hills is going for 10% maximum on their windows signs. She pointed out that we are seeing fewer signs in Novi and other suburban cities, and almost no window signs.

Mayor Richardson complimented Council for their thorough review of the proposed ordinance. She stated that this is an important matter to the future of our city. She advised that it is not Council's intent to put anyone out of business. She stated that she would like to take into consideration all of the comments heard this evening. She indicated that she is not ready to vote on this matter as there is still more work to be done. She commended the Planning Commission for the time spent on this particular issue.

COUNCIL PROCEEDINGS -6-
August 20, 1990

8-90-219

Motion by Councilman Tupper, supported by Councilwoman McShane, to postpone action on the proposed amendments to the Sign Ordinance to a future meeting. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

8-90-220

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

- Planning Commission minutes of August 13, 1990;
- Downtown Development Authority minutes of August 8, 1990;
- Beautification Committee minutes of August 8, 1990;
- Farmington Community Library minutes of July 12, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

RESOLUTIONS FROM OAK PARK AND HAZEL PARK RE:
DEVELOPMENT OF ADDITIONAL COUNTY LANDFILLS

Council was advised that negotiations are ongoing between Oakland County and the private sector to meet the county's landfill needs. The City Manager submitted resolutions from the cities of Oak Park and Hazel Park stating the severe shortage of general landfills and that additional landfills should be planned to avoid future higher costs associated with development of landfills in urban areas.

8-90-221

Motion by Councilman Yoder, supported by Councilwoman McShane, to support resolutions from the cities of Oak Park and Hazel Park which call upon the County to support a bonding proposal for the acquisition of county landfills. Motion carried, all ayes.

RESOLUTION FROM CITY OF FARMINGTON HILLS
RE: BINDING FACT FINDING

Council was advised that a resolution from the City of Farmington Hills opposes Substitute House Bill 4250, which provides binding fact finding for all public employees covered by the Public Employment Relations Act except those covered by Act 312, the Police and Fire Compulsory Arbitration Act.

Farmington Hills believes that the House Bill would discourage meaningful collective bargaining and disrupt the process by causing unnecessary delay and expense in resolving labor disputes.

COUNCIL PROCEEDINGS -7-
August 20, 1990

City Manager Deadman stated that no further legislation is necessary, because Farmington has always been able to reach an agreement with non-emergency employees without the need of further interference by the State.

8-90-222

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt a resolution similar to the Farmington Hills resolution on binding fact finding, and to send copies of the resolution to Senator Faxon, Representative Dolan, Governor Blanchard, the Michigan Municipal League and the City of Farmington Hills. Motion carried, all ayes.

APPLICATION FOR SIGN VARIANCE
STEAK FACTORY, 34731 GRAND RIVER

Council was advised that the owner of Mark Stephen's Steak Factory added a meat market type business to his restaurant and installed a sign, without permit, to advertise the "Meat Shoppe". Council was further advised that the owner has a violation currently pending before the 47th District Court, because he failed to remove a sign that exceeds ordinance limitations.

Mr. Soltz advised Council that the Magistrate took the matter under advisement allowing him more time to comply, pending Council's decision.

Mr. Soltz requests a variance to the City Sign Ordinance, Section 25-4 (2) d, which would permit a variance of 6.5 sq. ft.

8-90-223

Motion by Councilman Tupper, supported by Councilman Yoder, to grant the variance of 6.5 sq. ft. to the Mark Stephen's Steak Factory, 34731 Grand River, provided that the proponent removes the "Restaurant" sign and places the two remaining signs in the center of the building. Motion carried, all ayes.

REQUEST FOR TENT SALE FROM EUGENE O'DOWD,
MANAGER OF WORLD WIDE TV AND APPLIANCE

Council was advised that Mr. O'Dowd proposes to install a 24 ft. x 25 ft. tent in the parking lot for an annual sales promotion from August 22 - 26, 1990.

The City Manager recommended authorization of this tent sale.

8-90-224

Motion by Councilwoman McShane, supported by Councilman Hartsock, to grant the request for an annual tent sale in the front parking lot at the World Wide TV and Appliance store at 34701 Grand River from August 22 through August 26, 1990. Motion carried, all ayes.

COUNCIL PROCEEDINGS -8-
August 20, 1990

LETTER FROM FARMINGTON YOUTH ASSISTANCE
RE: APPOINTMENTS TO BOARD OF DIRECTORS

The City Manager advised that Council is requested to approve the roster of Farmington Youth Assistance appointments to the Board of Directors for 1990-91.

8-90-225

Motion by Councilwoman McShane, supported by Councilman Yoder, to approve the members as provided on the roster of June 19, 1990, for the Farmington Youth Assistance Board of Directors. Motion carried, all ayes.

REQUEST FOR PROCLAMATION

Council was advised that the Carnegie Institute requests that Council designate October 15 - 19, 1990 as NATIONAL MEDICAL ASSISTANTS WEEK in the City of Farmington.

8-90-226

Motion by Councilman Yoder, supported by Councilman Tupper, to proclaim October 15 - 19, 1990, as NATIONAL MEDICAL ASSISTANTS WEEK in Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

CONSTRUCTION MANAGEMENT CONTRACT
RENOVATIONS TO 47TH DISTRICT COURT

Council was advised that Farmington and Farmington Hills budgeted funds this year for renovation of several spaces in the 47th District Court facility at an estimated cost of \$230,000.00 including all fees, contingencies and equipment.

The City Manager stated that the construction management approach will be used to complete the renovation; that John A. Allen Architect, Inc., be hired as the designer and the manager of the project at a fee of 15% of construction costs.

Manager Deadman advised that the City budgeted \$30,000.00 in the 1990-91 budget to cover its share of the construction costs.

Mayor Richardson introduced Judge Harris who was present to answer Council's questions. He stated that the Court proposes to tear down some walls that are not weight bearing and locate all of the clerks in one area.

8-90-227

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

COUNCIL PROCEEDINGS -9-
August 20, 1990

BE IT RESOLVED that the Farmington City Council hereby approves the Construction Management Contract for renovations to the 47th District Court, and

FURTHER BE IT RESOLVED that Council authorizes the City Manager to enter into a contract with John A. Allen Architect, Inc., to provide the services contained in the contract necessary for said renovation, with a project budget not to exceed \$230,000.00, and

BE IT FURTHER RESOLVED that Farmington's contribution is to be \$30,000.00, and that the contract be let pending the approval of the City of Farmington Hills.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED AUGUST 20, 1990.

RENEWAL OF FARMINGTON ROAD
MAINTENANCE CONTRACT

City Manager Deadman advised that the 1990-91 maintenance contract with the County is identical to the existing contract with two exceptions. He stated that the contract requires that the City of Farmington be responsible for proper disposal of solid waste and other debris relating to the maintenance of the road. He further indicated that the county has increased the per mile contribution to the city from \$7,491.00 to \$7,678.28. He estimated that the maintenance cost is between \$17,000.00 and \$19,000.00 annually, depending on the severity of the winter season. He advised that the county contract will provide \$13,053.08 for this maintenance during 1990-91.

8-90-228

Motion by Councilman Hartsock, supported by Councilman Tupper, 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 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 provide \$13,053.08 toward the annual cost of maintaining Farmington Road for the 1990-91 fiscal year, effective October 1, 1990.

COUNCIL PROCEEDINGS -10-
August 20, 1990

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED AUGUST 20, 1990.

TRANSFER OF JURISDICTION OF
TEN MILE ROAD TO FARMINGTON HILLS

Council was advised that the Oakland County Road Commission discussed the possibility of transferring the jurisdiction of Farmington between 10 Mile and 14 Mile to the City of Farmington Hills.

In reviewing the proposed transfer, the City Manager found no reason to object. He pointed out that the maintenance of Farmington Road would be continued by Farmington Hills which has an adequate road maintenance program.

8-90-229

Motion by Councilman Tupper, supported by Councilman Yoder, to indicate no objection to the transfer of the jurisdiction of Ten Mile Road to the City of Farmington Hills. Motion carried, all ayes.

DRUG FREE SCHOOL ZONES

Council was advised that under the Drug Free School Zone Act, numerous provisions add substantially to the punishment of those convicted of violating the Act on or near school properties.

The City Manager stated that the Public Safety Department wishes to increase its visibility with stricter enforcement for drug violators on or near school grounds.

Director Lauhoff advised that patrol visibility will be increased during specific times to discourage any drug activity in and near school grounds.

8-90-230

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

[SEE ATTACHED RESOLUTION].

REQUEST FOR FUNDING
FARMINGTON FAMILIES IN ACTION

City Manager Deadman advised that Farmington Families in Action request the Department of Public Safety to sponsor a portion of this year's drug awareness program, which will cost approximately \$10,000.00.

COUNCIL PROCEEDINGS -11-
August 20, 1990

Director Lauhoff recommends that the City sponsor the cost of conducting workshops scheduled for October 14 in North Farmington High School. He advised that the cost of three speakers for this workshop will be \$275.00.

It was further recommended that the City contribute an additional \$225.00 to help defray the cost of purchasing red ribbons to be distributed throughout Farmington and Farmington Hills.

Council was advised that the proposed \$500.00 contribution will be provided from the drug forfeiture account, which is permitted by statute for drug education expenditures.

Mayor Richardson asked how Farmington Families in Action will raise additional funds. Councilwoman McShane advised that further funding would come mostly from charitable organizations and private contributions.

8-90-231

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

BE IT RESOLVED that the Farmington City Council hereby authorizes a contribution of \$500.00 to Farmington Families in Action from funds held in reserve by the Department of Public Safety from assets seized from illegal drug activities, and

BE IT FURTHER RESOLVED that this expenditure be provided from the Drug Forfeiture Account.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED AUGUST 20, 1990.

SCHOOL LIAISON PROGRAM

Council was advised that the School Board approved a school liaison program for the 1990-91 school year to be conducted by the Farmington Department of Public Safety at the Farmington Senior High School.

Director Lauhoff stated that this is a pilot program with the hope of expansion in the future. He advised that an officer will be assigned to this program for four hours per week. He hopes this will be expanded to include a full time officer for approximately three days a week.

COUNCIL PROCEEDINGS -12-
August 20, 1990

8-90-232

Motion by Councilman Hartsock, supported by Councilwoman McShane, to authorize a school liaison program to be conducted by the Farmington Department of Public Safety at the Farmington Senior High School for the 1990-91 school year. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Donald Garrison, 30779 Grand River, Farmington Hills, expressed his concern about the necessity of having a vital beautification program.

Arnold Campbell, 21080 Birchwood, stated that the appeals process relative to sign variances should remain with the City Council.

Councilwoman McShane called attention to a City of Oak Park resolution opposing A T & T's application for authority to review its tariff. She suggested that Council take some action in this regard.

Councilman Yoder stated that if Ms. McShane feels it important, perhaps the item should be placed on a future agenda.

Councilman Hartsock stated that further information is needed in order to act on this matter. The City Manager was asked to obtain this information and place the A T & T item on a future agenda.

Mayor Richardson called attention to an article in today's Detroit Free Press relative to the 1990 Census. She pointed out that the article indicated that the City of Farmington lost 930 residents and asked the City Manager to comment on this figure.

City Manager Deadman stated that these figures are preliminary and are challengeable.

The Mayor advised that City Council was asked by the Mayor of Rochester Hills to view the video tape "Florida Burning, An Update on Incineration". She stated that she viewed it and would pass it on to whomever is interested. She passed it on to Councilman Yoder.

APPOINTMENT TO BEAUTIFICATION COMMITTEE

Council was advised that Penny Oglesby's term on the Beautification Committee expired in June, and she is willing to continue serving if Council so appoints.

COUNCIL PROCEEDINGS -13-
August 20, 1990

8-90-233

Motion by Councilman Yoder, supported by Councilwoman McShane, to appoint Penny Oglesby to a two-year term on the Farmington Beautification Committee, effective - June, 1990, said term to expire in June, 1992. Motion carried, all ayes.

PUBLIC SAFETY DEPARTMENT QUARTERLY REPORT

Director Lauhoff pointed out that Part I crime for the first six months of 1990 declined over 24%.

8-90-234

Motion by Councilman Tupper, supported by Councilwoman McShane, to receive and file the Public Safety Department Quarterly Report for June, 1990. Motion carried, all ayes.

WARRANT LIST

8-90-235

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$64,798.32; Water & Sewer Fund \$6,340.77.

ROLL CALL:

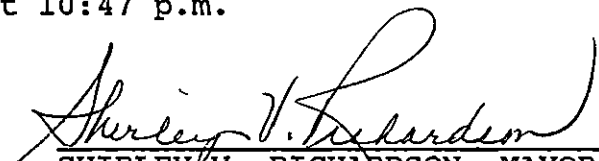
AYES: Hartsock, McShane, Richardson, Tupper, Yoder.
NAYS: None.
ABSENT: None.

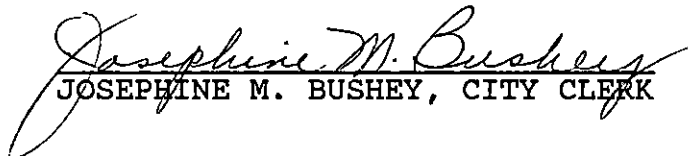
MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 10:47 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved as corrected: September 4, 1990.

RESOLUTION NO. 8-90-230 - CITY OF FARMINGTON
DRUG FREE SCHOOL ZONE

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

WHEREAS, DRUG ABUSE IS ONE OF THE MOST SERIOUS AND PERVASIVE PROBLEMS FACING THE CITIZENS OF THIS STATE; AND

WHEREAS, SCHOOL AGE CHILDREN ARE ESPECIALLY VULNERABLE TO AND INFLUENCED BY THE ACTIVITIES OF PREDATORY DRUG OFFENDERS; AND

WHEREAS, THE GOVERNOR HAS CALLED FOR A BROAD BASED AND MULTI-DISCIPLINARY ATTACK ON BOTH THE "SUPPLY" AND "DEMAND" FACETS OF THE SUBSTANCE ABUSE PROBLEM; AND

WHEREAS, OUR LONG TERM EFFORTS TO ADDRESS THIS NATIONAL PROBLEM WILL DEPEND IN LARGE MEASURE ON THE EVENTUAL SUCCESS OF PROGRAMS AND INITIATIVES AT THE LOCAL LEVEL DESIGNED ULTIMATELY TO REDUCE THE DEMAND FOR ILLICIT SUBSTANCES; AND

WHEREAS, ELEMENTARY AND SECONDARY SCHOOLS SERVE AS THE PRINCIPLE MEDIUM FOR EDUCATING YOUNG PEOPLE ABOUT THE PERILS OF SUBSTANCE ABUSE; AND

WHEREAS, YOUNG CITIZENS OF THE COMMUNITY HAVE AN UNDENIABLE AND FUNDAMENTAL RIGHT TO THE ADVANTAGES OF A SCHOOL ENVIRONMENT WHICH IS CONDUCIVE TO EDUCATIONAL GOALS AND PREROGATIVES AND WHICH IS TOTALLY FREE OF DRUG ABUSE AND TRAFFICKING ACTIVITIES; AND

WHEREAS, THE LEGISLATURE BY ENACTMENT OF P.A. 12, 1988, KNOWN AS THE DRUG FREE SCHOOL ZONE ACT, HAS PROVIDED FOR ENHANCED PUNISHMENT FOR DRUG OFFENDERS WHO DISTRIBUTE TO OR WHO USE CHILDREN OR WHO OPERATE ON OR NEAR SCHOOL PROPERTY; AND

WHEREAS, THE LEGISLATURE HAS DIRECTED THAT THE ENFORCEMENT OF MICHIGAN'S DRUG LAWS SHALL BE A PRIORITY OF THE LAW ENFORCEMENT COMMUNITY, AND THAT SPECIAL EMPHASIS SHALL BE PLACED ON THE PATROL AND PROTECTION OF SCHOOLS AND AREAS WITHIN DRUG FREE SCHOOL ZONES; AND

WHEREAS, THE GOVERNOR HAS ESTABLISHED THE MICHIGAN ALLIANCE FOR DRUG FREE SCHOOLS AND COMMUNITIES, WHICH IS COMPRISED OF REPRESENTATIVES FROM EVERY LEVEL WITHIN THE PROFESSIONAL, EDUCATIONAL AND LAW ENFORCEMENT COMMUNITIES, AND WHICH HAS DEVELOPED AND RECOMMENDED SPECIFIC GUIDELINES CONCERNING LAW ENFORCEMENT ACTIVITIES CONDUCTED ON SCHOOL PROPERTY; AND

WHEREAS, THERE IS A DEMONSTRATED NEED FOR THE CONTINUATION, INSTITUTIONALIZATION AND ENHANCEMENT OF THE SPIRIT OF COOPERATION WHICH EXISTS BETWEEN LAW ENFORCEMENT OFFICIALS AND PROFESSIONAL EDUCATORS WITH RESPECT TO THE SUBSTANCE ABUSE PROBLEM; AND

WHEREAS, LAW ENFORCEMENT OFFICIALS ARE REQUESTED AT ALL TIMES TO RESPECT AND APPRECIATE THE NEEDS, CONCERNS AND RIGHTS OF STUDENTS AND PROFESSIONAL EDUCATORS.

NOW, THEREFORE THE CITY COUNCIL FOR THE CITY OF FARMINGTON BY VIRTUE OF THE AUTHORITY VESTED BY LAW DO HEREBY DECLARE THE SCHOOLS OF FARMINGTON TO BE DRUG FREE SCHOOL ZONES.

ADOPTED THIS Twentieth DAY OF August, 1990.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED.

..... 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, August 20, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey
Josephine M. Bushey, City Clerk

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Tuesday, September 4, 1990, 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, Tupper.

ABSENT: Yoder.

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

MINUTES OF PREVIOUS MEETING

Councilwoman McShane called attention to paragraph 3, page 5 of the August 20, 1990 minutes, stating that the first sentence should read:

"Councilwoman McShane stated that she looked at approximately 125 retail establishments in Farmington."

9-90-236

Motion by Councilwoman McShane, supported by Councilman Tupper, to approve the minutes of August 20, 1990, as corrected. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

9-90-237

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 August 27, 1990;
- Board of Education minutes of July 9, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FROM DOWNTOWN DEVELOPMENT AUTHORITY RE: BALLOON-LIGHT MADNESS PROMOTION

The DDA Director was present to explain the promotion and describe the items to be used. Mrs. Strip-Sittsamer displayed a special Logo for the promotion. She stated that approximately 70 businesses will participate at a cost of \$170.00 per business.

Council was advised that the budget for this promotion is \$10,330.00, with the DDA providing \$2,750.00 for promotional agency service fees.

COUNCIL PROCEEDINGS -2-
September 4, 1990

9-90-238

Motion by Councilman Hartsock, supported by Councilman Tupper, to permit the DDA to schedule the Balloon-Light Madness Sale in the Central Business District as requested on Friday, October 5 and Saturday, October 6, 1990, between the hours of 11:00 a.m. and 9:00 p.m. Motion carried, all ayes.

RESOLUTION FROM CITY OF REDFORD
RE: WATER PRESSURE CORRECTION PROGRAM

Council was advised that the Redford resolution states that water pressure shortages which affect portions of Wayne and Oakland Counties could be addressed by constructing a 72 inch water main between the Adams and Franklin pumping stations. This main is to be built by the Detroit Water and Sewer Department.

The City of Redford resolution further states that if these problems cannot be resolved by the end of this calendar year, they would support the State Department of Health limiting any further water main construction until the transmission capacity of the water system is increased to appropriate levels.

Council was advised that the State Department of Health will not approve any further extensions of the water system which would add additional capacity demands until this situation is resolved.

The City Manager pointed out that Farmington will need a new water main to effectively clean the new retention facility under construction. He stated that this is needed to improve the health, safety and welfare of the community. He stated that he is reluctant to support Redford's position that the Health Department limit any new water main construction until the capacity is increased.

9-90-239

Motion by Councilwoman McShane, supported by Councilman Hartsock, to support the general position taken by the Michigan Department of Public Health to limit expansion of water mains until adequate pressure can be assured, with the stipulation that new water mains essential for the health, safety and welfare of the population currently served by community water systems, be permitted. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

ESTABLISH SPECIAL ASSESSMENT DISTRICT
RE: IMPROVEMENT TO CITY PARKING LOT

Council was advised that the Downtown Development Authority's projects for this year include updating landscaping in the main downtown parking lot.

COUNCIL PROCEEDINGS -3-
September 4, 1990

The City Manager stated that the original DDA plans called for removal of the existing fountain and redevelopment of the space into a treed island at an approximate cost of \$65,000.00.

Manager Deadman advised that the owners of the downtown center buildings suggested that the Authority reconsider the island design to include a new fountain somewhat more elaborate than the existing fountain. He pointed out that Mr. Lenchner offered to fund and maintain a new fountain if it could be added to the DDA's design for the island space. He stated that the City's planner/architect estimated the cost of a new fountain at \$47,388.00.

Manager Deadman advised that if City Council establishes a special assessment district, the DDA will provide the funding with a payback schedule of 15 years at 7 1/2% to 8%, depending on municipal rates plus administrative costs at the time the special assessment district is established.

The City Manager recommended the establishment of a special assessment district and provided a resolution establishing a hearing on necessity.

9-90-240

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

[SEE ATTACHED RESOLUTION]

AMENDMENT TO ENGINEERING SERVICES AGREEMENT
SEWER SEPARATION/RETENTION PROJECT

City Manager Deadman advised that the Michigan Department of Natural Resources approved the sewer separation and retention/pumping facility grants program, and the first series of bonds were let by the Michigan Bond Authority, the administrator of the State's Revolving Fund Loan Program. He stated that Farmington will probably receive the first reimbursement check within the next ten days.

Council was advised that one of the loan requirements is that the City must certify the performance of the facilities it constructs one year after the facilities are placed into operation. The City Manager pointed out that the City must contract for the work and provide the DNR a copy of the contract, defining the scope and cost of certification program services.

City Manager Deadman recommended that the engineering firm that designed the project and oversees construction does the

COUNCIL PROCEEDINGS -4-
September 4, 1990

certification. He stated that they are in the best position to analyze the data based on their previous knowledge of the city's sewer system.

9-90-241

Motion by Councilman Tupper, supported by Councilman Hartsock, 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 performance certification agreement with Black & Veatch, Engineers/Architects, to amend the Engineering Services Agreement on the Sewer Separation/Retention Project, and

BE IT FURTHER RESOLVED that Council authorizes an amount not to exceed \$46,405.00, without further authorization of City Council.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED SEPTEMBER 4, 1990.

ADMINISTRATIVE COMPUTER SYSTEM
PUBLIC SAFETY DEPARTMENT

Council was advised that the Oakland County Computer Services Division developed and tested an appropriate software/hardware system which they propose to maintain and support at a monthly cost of \$70.00.

The City Manager stated that because the County is familiar with public safety operations they are well positioned to provide connections with the CLEMIS (police network) system as it becomes available. He further advised that the County negotiated agreements with various vendors and pointed out that the city wishes to purchase the hardware/software from these vendors to insure the compatibility of all components with the County system.

City Manager Deadman estimated the system's total cost at \$14,992.00. He pointed out that these costs favorably compare with components offered through the State of Michigan cooperative purchasing system and previous city purchases.

Director Lauhoff stated that there are more than a dozen functions they plan to use in this system, particularly personnel file management and all training records which the Department is required to keep.

COUNCIL PROCEEDINGS -5-
Septemeber 4, 1990

9-90-242

Motion by Councilman Hartsock, 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 interests of the City, and authorizes the Department of Public Safety to purchase an administrative computer system at a total cost not to exceed \$15,000.00, and

FURTHER BE IT RESOLVED that City Council authorizes that this computer system be purchased with the advice and approval of the Oakland County Computer Services Division, and

BE IT FURTHER RESOLVED that the City be authorized to enter into a contract with the County of Oakland to maintain the system at \$70.00 per month.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED SEPTEMBER 4, 1990.

PROPOSED AMENDMENT TO CITY'S
COMMERCIAL RUBBISH COLLECTION SCHEDULE

Council was advised that the City's new rubbish collection contract with Waste Management, Inc., requires certain adjustments in several aspects of the residential and commercial collection systems. The City Manager pointed out that the new contractor operates a 5-day schedule not including Saturdays, which affects the residential collection routes if a holiday falls on Monday through Friday.

The City Manager stated that the new contract calls for the City to pay a premium for service to the 111 commercial customers. He pointed out that this year's cost to the city will be \$8.31 per month per residential unit for collection and disposal. He further stated that the contract provides that the City pay \$25.00 per month for collection and disposal of commercial/office rubbish on a twice a week schedule; \$15.00 per month if reduced to once a week, which would save the city approximately \$13,320.00 annually.

Council was informed that a notice will be mailed to all City residents in the near future describing a new schedule and some of the changes that will occur in the future, including curbside recycling to begin next July.

COUNCIL PROCEEDINGS -6-
September 4, 1990

Manager Deadman stated that he is asking for Council's direction on this matter concerning whether or not the City should cut the service to once a week or eliminate it entirely.

Councilman Tupper stated that he is in favor of discontinuing the service completely and hoping that the commercial customers can privately contract with the City's disposal service. Councilman Hartsock agreed.

9-90-243

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the discontinuance of rubbish collection services to the City's commercial/office customers, effective November 5, 1990.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED SEPTEMBER 4, 1990.

PROPOSED DONATION OF LAND TO THE CITY

City Manager Deadman advised that Lou DeMarco is offering to donate to the City a parcel known as Assessor's Plat #4, Lot 7 in lieu of current taxes owed on the land. He stated that the advantages outweigh the disadvantages of accepting this donation.

9-90-244

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Attorney to conduct a title search on the proposed donation to the City of land known as Assessor's Plat #4, Lot 7 by the owner, Lou DeMarco, in lieu of current taxes owed, and

BE IT FURTHER RESOLVED that the City Attorney prepare deeds and other necessary documents to transfer the property from Lou DeMarco of Osprey, Florida, to the City of Farmington, and

FURTHER BE IT RESOLVED that the City of Farmington will assume the current 1990 taxes on said property in the amount of 137.54.

COUNCIL PROCEEDINGS -7-
September 4, 1990

ROLL CALL

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

RESOLUTION DECLARED ADOPTED SEPTEMBER 4, 1990.

MISCELLANEOUS

PUBLIC COMMENT

Director Billing advised that the new rubbish contractor started pickups today and was finished by Noon.

Councilman Tupper asked if there is anything new from the Planning Commission on the proposed Industrial Ordinance. The City Manager said he will look into the matter.

Mayor Richardson advised that the DNR and the State Department were here today to present the \$13,090,000.00 check to the City for the Sewer Separation/Retention Project.

The Mayor read a letter from School Board President Reynolds expressing appreciation to City Council and the entire staff for their cooperation during the 1989-90 school year, and extending special thanks to Director Lauhoff and his staff.

Mayor Richardson advised that she had a telephone call from Mrs. Reynolds relative to setting up a date with the School Board for the meeting on the sledding hill. Mrs. Reynolds offered an alternate date of October 4th, but the Mayor stated it conflicts with the Farmington Youth Assistance dinner. The Mayor stated that Jack Inch advised that the second and fourth Tuesday evenings are free.

Councilman Hartsock suggested an early morning meeting if a decision on a suitable evening hour cannot be reached.

Councilwoman McShane preferred an evening meeting.

Councilman Tupper suggested that the Mayor set a meeting date and hopefully the majority of those involved will be able to attend.

WARRANT LIST

9-90-245

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$53,097.73; Water & Sewer Fund \$45,249.27.

COUNCIL PROCEEDINGS -8-
September 4, 1990

ROLL CALL:

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

MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 9:59 p.m.

SHIRLEY V. RICHARDSON, MAYOR

Josephine M. Bushey
JOSEPHINE M. BUSHEY, CITY CLERK

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 90-77

At a regular meeting of the council of the City of Farmington, Oakland County, Michigan, held on the 4th day of September, 1990, at eight o'clock P.M., Day-~~East~~ light Saving Time.

PRESENT: Hartsock, McShane, Richardson, Tupper.

ABSENT: Yoder.

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 \$55,000.00 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 Tupper 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: A public fountain to be located in the City as follows:

City parking lot located between Grand River/Farmington Road and Orchard Street/Grove Street

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 15 yearly installments.

NOTICE OF FIRST 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:

1. That the Council of the City of Farmington, Oakland County, Michigan, has tentatively declared its intention to make the following improvement:

Construction of parking lot improvements,
to-wit: A public fountain to be located
in the City as follows:

City parking lot located between Grand River/
Farmington Road and Orchard Street/Grove Street.

2. That plans and specifications showing the aforesaid improvement and the location thereof and an estimate of \$55,000.00 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 \$55,000.00, to-wit:

Property Description: #20-23-27-155-026 and
-038,
-039,
-040 and
-048.

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 17th day of September, 1990, at eight o'clock P.M., Daylight Saving Time, to hear and consider any objections to the said improvement.

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: September 5, 1990.
Published: September 6, 1990.

AFFIDAVIT OF MAILING NOTICES OF HEARING
ON SPECIAL ASSESSMENT IMPROVEMENT

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

JOSEPHINE M. BUSHEY, being first duly sworn, deposes and says that she is the duly qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan; that on the 5th day of September, 1990, she mailed a notice, of which the annexed is a true copy, by first class mail, postage fully prepaid, to each owner of or party in interest in any and all property to be assessed in the special assessment district mentioned in said notice, whose names then appeared upon the last local tax assessment records of said City, addressed to each such owner or party at his address as then shown on such records; and that the said records from which were taken the names and addresses to which said notices were mailed consisted of the last City assessment roll for ad valorem tax purposes which had been reviewed by the City Board of Review, as supplemented by any subsequent changes in the names or the addresses of such owners or parties listed thereon.

And further deponent saith not.

Josephine M. Bushey

JOSEPHINE M. BUSHEY
City Clerk

Subscribed and sworn to before me
this 5th day of September, 1990.

Joyce A. Griffiths

Joyce Griffiths Notary Public
Oakland County, Michigan
My Commission Expires: 3-20-91

[2442/083190]

JOYCE ANN GRIFFITHS
Notary Public, Oakland County, MI
My Commission Expires Mar. 20, 1991

EXHIBIT A

SPECIAL ASSESSMENT DISTRICT NO. 90-77

CITY PARKING LOT

PUBLIC FOUNTAIN PROJECT

SPECIAL ASSESSMENT PROPERTY DESCRIPTIONS

OAKLAND COUNTY CITY OF FARMINGTON 09/04/90 10:12
 LAND INQUIRY FOR 20 23-27-155-026
 ASSESSED VALUE: 264,200
 SCHOOL: 101 ZONE: BT USE: BI NEIGHBORHOOD: 610 BANK: 0403
 -----NAME 1----- *-----NAME 2-----*
 OWNER(S): DOWNTOWN FARMINGTON CENTER ASSOCIATION
 ADDR *---(DIR STREET SUFFIX,QUAL)---* *-----(CITY STATE ZIPCODE)----*
 PROP: 23340 FARMINGTON,-56 FARMINGTON NJ 48024
 MAIL: P O BOX 51 ROYAL OAK MI 48068
 DESCRIPTION:
 01 T1N, R9E, SEC 27 04 W 172 FT OF LOT 25 &
 02 LAPHAMS ADD 05 E 139 FT OF W 172 FT OF
 03 N 10 FT OF E 139 FT OF 06 LOT 26, ALSO
 NEXT CVT: PARCEL:
 PF-KEY: 2:DESC08 3:HELP 5:PRINT 6:ADDR 7:NEXT 8:PRIOR 9:NOTES 10:MENU

OAKLAND COUNTY LAND DESCRIPTION INQUIRY 09/04/90 10:13
 FOR 20 23-27-155-026
 01 T1N, R9E, SEC 27
 02 LAPHAMS ADD
 03 N 10 FT OF E 139 FT OF
 04 W 172 FT OF LOT 25 &
 05 E 139 FT OF W 172 FT OF
 06 LOT 26, ALSO
 07 S 40 FT OF E 139 FT OF
 08 W 172 FT OF LOT 27
 PF-KEY: 3:HELP 7:NEXT 8:PREV 10:MENU

H. R. Black

1

SCHOOL: 101 ZONE: BI USE: BI NEIGHBORHOOD: 610 BANK: 0403

-----NAME 1----- *-----NAME 2-----*

OWNER(S): DOWNTOWN FARMINGTON CENTER ASSOCIATION

ADDR *---(DIR STREET SUFFIX,QUAL)---* *-----(CITY STATE ZIPCODE)----*

PROP: 23300 FARMINGTON,-36 FARMINGTON MI 48024

MAIL: P O BOX 51 ROYAL OAK MI 48068

DESCRIPTION:

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 S 17.25 FT OF LOT 9.
- 04 ALL OF LOTS 10, 11 & 12,
- 05 ALSO S 163 FT OF
- 06 LOTS 13 TO 18 INCL,

NEXT CVT: PARCEL:

PF-KEY: 2:DESC10 3:HELP 5:PRINT 6:ADDR 7:NEXT 8:PRIOR 9:NOTES 10:MENU

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 S 17.25 FT OF LOT 9,
- 04 ALL OF LOTS 10, 11 & 12,
- 05 ALSO S 163 FT OF
- 06 LOTS 13 TO 18 INCL,
- 07 ALSO S 163 FT OF E 7 FT
- 08 OF LOT 19, ALSO VAC ALLEY
- 09 ADJ TO ABOVE DESC EXC
- 10 THAT PART TAKEN FOR RDS

PF-KEY: 3:HELP 7:NEXT 8:PREV 10:MENU

OAKLAND COUNTY

CITY OF FARMINGTON
LAND INQUIRY FOR 20 23-27-155-039

09/04/90 10:14

SCHOOL: 101 ZONE: BI USE: BI NEIGHBORHOOD: 510 BANK: 0403 ASSESSED VALUE: 100,800

-----NAME 1----- *-----NAME 2-----*

OWNER(S): DOWNTOWN FARMINGTON CENTER ASSOCIATION
ADDR *--(DIR STREET SUFFIX,QUAL)--* *-----(CITY STATE ZIPCODE)----*
PROP: 2330G FARMINGTON FARMINGTON MI 48024
MAIL: PD BOX 51 ROYAL OAK MI 48068

DESCRIPTION:
01 T1N, R9E, SEC 27 04 OF LOT 19, ALSO S 163 FT
02 LAPHAMS ADD 05 OF E 2 FT OF LOT 20
03 S 163 FT OF W 43 FT 06 EXC THAT PART TAKEN FOR RD

NEXT CVT: PARCEL:

PF-KEY: 2:DESC06 3:HELP 5:PRINT 6:ADDR 7:NEXT 8:PRIOR 9:NOTES 10:MENU

OAKLAND COUNTY

LAND DESCRIPTION INQUIRY
FOR 20 23-27-155-039

09/04/90 10:1

01 T1N, R9E, SEC 27
02 LAPHAMS ADD
03 S 163 FT OF W 43 FT
04 OF LOT 19, ALSO S 163 FT
05 OF E 2 FT OF LOT 20
06 EXC THAT PART TAKEN FOR RD

PF-KEY: 3:HELP 7:NEXT 8:PREV 10:MENU

PAGE 1 OF 1

ASSESSED VALUE: 285,700

SCHOOL: 101 ZONE: BI USE: BI NEIGHBORHOOD: 610 BANK: 0403

-----NAME 1----- *-----NAME 2-----*

OWNER(S): DOWNTOWN FARMINGTON CENTER ASSOCIATION

ADDR *---(DIR STREET SUFFIX,QUAL)---* *---(CITY STATE ZIPCODE)---*

PROP: 33171 GRAND RIVER,-99 FARMINGTON MI 48024

MAIL: P O BOX 51 ROYAL OAK MI 48068

DESCRIPTION:

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 PART OF LOTS 1, 2 & 33, ALSO
- 04 PART OF LOT 37 BLK 1
- 05 OF 'DAVIS ADD',
- 06 ALL BEING DESC AS

NEXT CVT: PARCEL:

PF-KEY: 2:DESC17 3:HELP 5:PRINT 6:ADDR 7:NEXT 8:PRIOR 9:NOTES 10:MENU

Harmony House

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 PART OF LOTS 1, 2 & 33, ALSO
- 04 PART OF LOT 37 BLK 1
- 05 OF 'DAVIS ADD',
- 06 ALL BEING DESC AS
- 07 BEG AT NE COR OF
- 08 LOT 37 BLK 1 OF 'DAVIS ADD',
- 09 TH N 57-15-00 W 14 FT,
- 10 TH S 32-32-00 W 65 FT,
- 11 TH N 57-15-00 W 1.00 FT,
- 12 TH S 32-32-00 W 115 FT,
- 13 TH S 33-09-30 W 64.70 FT,
- 14 TH S 57-09-00 E 75 FT,
- 15 TH N 33-09-30 E 244.08 FT,
- 16 TH N 57-15-00 W 60.07 FT,
- 17 TO BEG

PF-KEY: 3:HELP 7:NEXT 8:PREV 10:MENU

COUNCIL PROCEEDINGS

A special meeting of the Farmington City Council was held prior to the regular meeting on September 17, 1990, in Meeting Room "A", 23600 Liberty Street, Farmington, Michigan.

PRESENT: Hartsock, McShane, Richardson, Tupper.

ABSENT: Yoder.

OTHERS PRESENT: City Manager Deadman, Adm. Assistant Schultz.

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

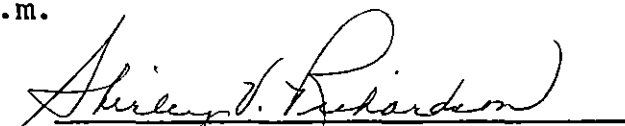
The following interviews were conducted by Councilwoman McShane only, as the other City Council members met with them previously:

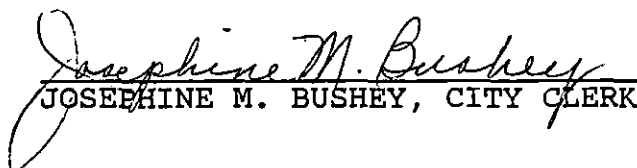
<u>Time</u>	<u>Applicant</u>	<u>Interested in Serving on</u>
6:30 p.m.	Thomas Rudofski 22436 Lilac	DDA
6:40 p.m.	Linda Mondoux 23965 Fairview	DDA
6:50 p.m.	Richard Persiani 23724 Warner	Any

The following interviews were conducted by the full City Council except for the absent member:

7:25 p.m.	Michele Rhoton 23523 Wesley Drive	Planning
7:45 p.m.	Timothy Zajaros 33237 Cloverdale	Planning

Meeting adjourned at 8:00 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, September 17, 1990, 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 8:10 p.m. by Mayor Richardson.

PRESENT: Hartsock, McShane, Richardson, Tupper.

ABSENT: Yoder.

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

MINUTES OF PREVIOUS MEETING

Mayor Richardson called attention to the second sentence of paragraph 2, page 3 of the September 4, 1990 minutes, pointing out that as a matter of clarification Mr. Lenchner's first name and middle initial (Kenneth V.) should be included.

9-90-246

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of September 4, 1990, as corrected. Motion carried, all ayes.

PUBLIC HEARING ON NECESSITY

SPECIAL ASSESSMENT DISTRICT NO. 90-77

PARKING LOT IMPROVEMENT

Mayor Richardson explained the Public Hearing procedure to the eight people in the audience, and called on the City Manager for his report.

Council was advised that Kenneth Lenchner, Downtown Farmington Associates, requested that a Special Assessment District be established to fund a decorative fountain as a public improvement in downtown parking lot "A"; repayment to be scheduled over fifteen years.

The City Manager advised that the purpose of this hearing is for Council to confirm the necessity of this project and to establish a Public hearing on the Special Assessment Roll for the estimated project cost of \$52,000.00.

9-90-247

Motion by Councilwoman McShane, supported by Councilman Hartsock, to close the Public Hearing. Motion carried, all ayes.

COUNCIL PROCEEDINGS -2-
September 17, 1990

9-90-248 (a)

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

[SEE ATTACHED RESOLUTION]

9-90-248 (b)

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

[SEE ATTACHED RESOLUTION]

MINUTES OF OTHER BOARDS

9-90-249

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 September 10, 1990;
- Downtown Development Authority minutes of September 4, 1990;
- Farmington Area Commission on Aging minutes of August 28, 1990;
- Board of Education minutes of August 7, and September 21, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR FENCE VARIANCE:

JAMES WROBLEWSKI, 33204 OAKLAND

Council was advised that Mr. Wroblewski installed approximately 30 feet of split rail fence near the sidewalk in front of his home. The City Manager stated that Mr. Wroblewski is now requesting a variance to Section 13-3 (a) of the City's Fence Ordinance, which prohibits placing a fence forward of the front building line in a residential district.

Mr. Wroblewski pointed out that the fence was installed to improve appearances and to keep people from cutting across his lawn.

It was pointed out that the split rail fence is not in keeping with the historical nature of the neighborhood.

Councilman Tupper objected to the placement of the fence and asked if it could be shortened or moved back.

Mr. Wroblewski stated he had no objection to moving the fence back.

COUNCIL PROCEEDINGS -3-
September 17, 1990

Mayor Richardson asked what kind of future landscape plans Mr. Wroblewski has. He stated that he plans to plant flowers underneath the rail and install small shrubs.

Councilwoman McShane asked Mr. Wroblewski what he would do if the variance were denied. He stated that he would remove the fence.

Councilman Hartsock suggested that the fence be realigned so that it is more functional than decorative. He further suggested that Mr. Wroblewski call the School Board relative to the track team cutting across his lawn.

Councilwoman McShane voiced her concern about setting a precedent with this type of fence in the Historical District.

9-90-250

Motion by Councilwoman McShane, supported by Councilman Tupper, to deny the requested fence variance at 33204 Oakland. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE: 24155 DRAKE ROAD

Council was advised that Michael Dudash requests a variance to Section 25-4 (6) of the Sign ordinance to install a 4 ft. x 6 ft. "For Lease" sign on the north wall of the property and a 4 ft. x 3 ft. ground sign near Drake Road.

The City Manager pointed out that the building is set back some distance from Grand River, making it difficult to advertise the building's availability with a smaller sign.

Councilman Tupper expressed concern that the proponent was not present to answer pertinent questions.

It was suggested that this item be tabled until Mr. Dudash can appear before Council.

Councilwoman McShane agreed that this building is in a difficult position since it has no great visibility.

The City Manager suggested that Council allow Mr. Dudash to keep the sign until the next Council meeting when he is present to answer their questions.

Councilman Tupper asked that the letter to Mr. Dudash state that Council's decision depends upon his answering some questions relative to his variance request.

9-90-251

Motion by Councilman Hartsock, supported by Councilwoman McShane, to write Mr. Dudash requesting that he be present at the next

COUNCIL PROCEEDINGS -4-
September 17, 1990

regular Council Meeting to answer City Council's questions relative to his variance request. Motion carried, all ayes.

REQUEST FROM A & P STORE MANAGER
RE: FARMINGTON SCHOOLS BAND PROMOTION

Council was advised that the A & P Store Manager at 23300 Farmington Road requests Council's permission to park a trailer in the parking lot behind the store for storing bottles and cans collected during the Farmington Schools band fund-raising promotion from October 12 through October 15, 1990.

The City Manager suggested that if granted, permission should be given with the stipulation that the permission of the parking lot owners is also obtained.

9-90-252

Motion by Councilman Hartsock, supported by Councilman Tupper, that City Council grants permission to place a trailer in the parking lot behind the A & P Store at 23300 Farmington Road to receive bottles and cans collected during the Farmington Schools band fund-raising promotion from October 12 through October 15, 1990, with the stipulation that the Store Manager also obtains the permission of the parking lot owners. Motion carried, all ayes.

RESOLUTION FROM OAK PARK RE:
AT&T'S RATE RESTRUCTURING REQUEST

Council was advised that the City of Oak Park objects to the proposed rate structuring request of AT&T which is now pending before the Michigan Public Service Commission. Oak Park points out that the proposed service charge increase is unnecessary, unreasonable and financially burdensome.

City Manager Deadman stated that in contacting AT&T regarding this rate restructuring he found that the proposed increase would affect only long distance calls. He pointed out that most people would pay more under this proposal than under the existing system.

Council was informed that the time to intervene in this case has passed, and any action taken by City Council should be directed to the Public Service Commission.

Councilwoman McShane expressed concern that Senior Citizens and the handicapped who use the system would pay increased rates.

Councilman Hartsock pointed out that they are offering more to the individual user and charging businesses more. He suggested that Farmington should not take a position on this proposal.

COUNCIL PROCEEDINGS -5-
September 17, 1990

9-90-253

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the Oak Park resolution relative to AT&T's rate restructuring request. Motion carried, all ayes.

LETTER FROM MICHIGAN MUNICIPAL LEAGUE
RE: ELECTION OF TRUSTEES,
WORKER'S COMPENSATION FUND

The City Manager recommended that Council authorize the City Clerk to vote for the six nominees selected by the Michigan Municipal League for the Worker's Compensation Fund Board of Trustees.

9-90-254

Motion by Councilwoman McShane, supported by Councilman Hartsock, to authorize the City Clerk to vote for the six nominees selected by the Michigan Municipal League for the Board of Trustees of the Worker's Compensation Fund. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED AMENDMENTS TO ZONING ORDINANCE RE:
INDUSTRIAL USES, RECREATIONAL VEHICLE STORAGE
AND DECK SETBACKS

The City Manager submitted a summary of the Planning Commission's proposed Zoning Ordinance amendments for Council's review.

There was considerable discussion on the storage of recreational equipment in residential and commercial districts, and the storage of pallets.

9-90-255

Motion by Councilman Hartsock, supported by Councilwoman McShane to introduce Ordinance No. C-575-90, which would amend the Zoning Ordinance relative to Industrial Uses, Recreational Vehicle Storage and Deck Setbacks.

ROLL CALL:

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

MOTION CARRIED.

CONTINUATION OF HEALTH CARE INSURANCE
RETIRED DISTRICT COURT JUDGES

Council was advised that retired 47th District Court Judge Michael J. Hand wishes to continue receiving health care insurance through the city's health insurance contract after the stipulated eighteen month period following his retirement.

COUNCIL PROCEEDINGS -6-
September 17, 1990

The City Manager suggested that it is timely to review the current policy relative to judges' health care benefits in anticipation of future District Court Judges' retirements. He suggested that Council may wish to consider a general policy of allowing retired judges from the 47th District Court to continue participating in the city's health care plan if the judges agree to pay for these insurance costs.

9-90-256

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

[SEE ATTACHED RESOLUTION].

REVISE SPECIAL ASSESSMENT ROLL
1989 SIDEWALK PROGRAM

City Manager Deadman advised that two changes are necessary in the Special Assessment Roll for the 1989 Sidewalk Program as adopted:

--21220 Farmington Road should be removed as the property owner did the necessary work;

--The assessment of the Huron River Hunting and Fishing Club should be reduced from \$12,606.96 to \$12,257.21 as the result of a revision in the contractor's invoice.

The City Manager submitted a resolution revising the assessment roll for Council's consideration.

9-90-257

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

[SEE ATTACHED RESOLUTION].

CONTRACTOR PAYMENT: 1989 SIDEWALK PROGRAM

Council was advised that Core Concrete Construction Company has completed work on the 1989 sidewalk program and requests final payment on the project.

The City Manager pointed out that the final contract amount of \$118,019.07 was somewhat below the budgeted amount of \$123,656.00.

9-90-258

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

COUNCIL PROCEEDINGS -7-
September 17, 1990

BE IT RESOLVED that the Farmington City Council hereby authorizes final payment of \$9,335.02 to Core Concrete Construction, Inc., for the completion of the 1989 Sidewalk Program, and

BE IT FURTHER RESOLVED that funds be provided from the 1989 Special Assessment District and the General Fund Sidewalk Account.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED SEPTEMBER 17, 1990.

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard, 33309 Shiawassee Street, was advised that cars for sale may be parked in the owner's driveway but not on the front lawn.

The City Manager pointed out that the City of Farmington recycling center is receiving more material than the City of Farmington Hills, indicating that residents from other areas are dropping off items.

Director Billing advised that the recycling contractor will be pressing to put up a sign at the center indicating that it is for Farmington/Farmington Hills residents only. He also stated that a time schedule will be set for the hours the center is open.

Roman Belobradich, 33112 Slocum, asked if hazardous waste will be picked up as part of the recycling program. He was advised that there will be two pickups per year for hazardous materials, and residents will be notified when these pickups will occur.

Councilman Tupper advised that several candidates for Boards/Commissions were interviewed earlier this evening, and he offered the name of Michele Rhoton as a member the Planning Commission.

9-90-259

Motion by Councilman Tupper, supported by Councilwoman McShane, to appoint Michele Rhoton, 23523 Wesley Drive, to the Farmington Planning Commission for the unexpired term of Nancy Lawton, said term to expire June 15, 1991. Motion carried, all ayes.

Councilman Tupper stated that it was recently brought to his attention that there seems to be a lack of communication between the Board of Zoning Appeals, the Planning Commission and City

COUNCIL PROCEEDINGS -8-
September 17, 1990

Council, particularly when it comes to Public Hearings. He suggested that when any one of these bodies holds a Public Hearing that will modify an existing ordinance, or cause a new ordinance to be issued, the other two bodies be notified so their members can attend the hearing.

Mayor Richardson advised she arranged with the City Manager's Office that minutes from the body holding the Public Hearing will be sent to the other two. This should keep the communications going between the Boards and Commissions involved.

Councilman Tupper commented that actually being there and listening to the dialogue would assist these bodies in making judgments relative to Planning and Appeals.

9-90-260

Motion by Councilman Tupper, supported by Councilman Hartsock, that when a Public Hearing is held by either the Zoning Board, the Planning Commission or the City Council, that body will notify the other two bodies so their members can be encouraged to attend the hearing. Motion carried, all ayes.

Councilwoman McShane asked if City Council has ever been given the opportunity to receive the same medical benefits as District Court Judges.

The City Manager said "No". He pointed out that Council members are covered by the City's Insurance Policy under Errors and Omissions.

Councilman Tupper said that normally Council does not participate in the Health Insurance as they serve their terms. He pointed out that if a Council member chooses to retire or chooses not to run again, this would seem to be a little out of order. He indicated that if covered during their term of office, this might be different.

Councilman Hartsock asked who is responsible for turning on the tornado warning sirens. The City Manager advised that the Disaster Center of the County Sheriff's Department has this responsibility.

Councilman Hartsock further asked if there were any flooding problems during last Friday's tornado alert. He was advised that there were some spotty basement floodings.

Mayor Richardson called Council's attention to the Farmington Beautification Committee's invitation to their Open House at the Historical Museum on September 25, encouraging Council members to at least stop by for a few minutes.

COUNCIL PROCEEDINGS -9-
September 17, 1990

Mayor Richardson called attention to a recent article in the Farmington Observer relative to the State loan for the City's sewer project. She pointed out that the paper stated the amount was \$13.9 million rather than \$13,090,000.00.

Councilman Tupper advised that he and the City Manager attended the Farmington Hills Open House for the new fire facility. He stated that he is pleased to have such a high tech facility so close to our borders.

FINANCIAL REPORTS:
PERIOD ENDED JUNE 30, 1990

The City Manager pointed out that there is a recommendation in the Treasurer's report to transfer some monies to the Capital Improvement Fund. He stated that he will prepare a resolution on this for City Council in the near future.

Manager Deadman advised that bids will be taken in November and construction will begin this winter on the Orchard Lake Road improvement.

9-90-261

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and file the General Fund, the 47th District Court and the Water and Sewer Fund financial reports for the period ended June 30, 1990. Motion carried, all ayes.

WARRANT LIST

9-90-262

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$58,912.35; Water & Sewer Fund \$2,640.76.

ROLL CALL:

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

MOTION CARRIED.

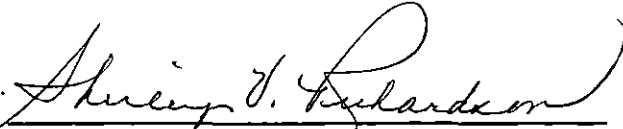
City Manager Deadman advised that the City received the first payment from the State Revolving Fund relative to the loan for the Engineering Services that we have expended on the Water & Sewer Project.

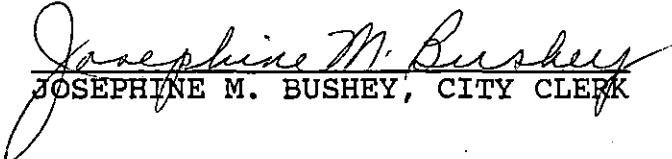
ADJOURNMENT

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

COUNCIL PROCEEDINGS -10-
September 17, 1990

The meeting was adjourned at 9:37 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 90-77

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 17th day of September, 1990, at 8:00 o'clock P.M. Eastern Daylight Time.

PRESENT: Hartsock, McShane, Richardson, Tupper.

ABSENT: Yoder.

The Mayor announced that this was the time fixed for hearing and considering any objections to the construction of improvement to the City parking lot, to-wit: A public fountain in said City to be located as follows:

City parking lot located between Grand River/
Farmington Road and Orchard Street/Grove Street;

and to the special assessment district as tentatively established for said parking lot improvement.

No written or oral objections were received except as follows:

The Mayor thereupon declared the hearing closed.

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

WHEREAS, this Council has been requested to consider the construction of a parking lot improvement in said City to be located as follows:

City parking lot located between Grand River/
Farmington Road and Orchard Street/Grove Street;

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 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 7.75% per annum.

5. That the special assessment district for such improvement shall include the following properties:

*** see exhibit "A" ***

6. That the City Assessor is hereby directed to make a special assessment roll assessing the cost of said improvement in the sum of \$52,000.00 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.

EXHIBIT A

SPECIAL ASSESSMENT DISTRICT NO. 90-77

CITY PARKING LOT

PUBLIC FOUNTAIN PROJECT

SPECIAL ASSESSMENT PROPERTY DESCRIPTIONS

ASSESSED VALUE: 285,70

SCHOOL: 101 ZONE: BI USE: RI NEIGHBORHOOD: 610 BANK: 0403

-----NAME 1----- *-----NAME 2-----*

OWNER(S): DOWNTOWN FARMINGTON CENTER ASSOCIATION

ADDR *---(DIR STREET SUFFIX,QUAL)---* *---(CITY STATE ZIPCODE)---

PROP: 33171 GRAND RIVER,-99 FARMINGTON MI 48024

MAIL: P O BOX 51 ROYAL OAK MI 48068

DESCRIPTION:

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 PART OF LOTS 1, 2 & 33, ALSO
- 04 PART OF LOT 37 BLK 1
- 05 OF 'DAVIS ADD',
- 06 ALL BEING DESC AS

NEXT CVT: PARCEL:

PF-KEY: 2:DESC17 3:HELP 5:PRINT 6:ADDR 7:NEXT 8:PRIOR 9:NOTES 10:MEI

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 PART OF LOTS 1, 2 & 33, ALSO
- 04 PART OF LOT 37 BLK 1
- 05 OF 'DAVIS ADD',
- 06 ALL BEING DESC AS
- 07 BEG AT NE COR OF
- 08 LOT 37 BLK 1 OF 'DAVIS ADD',
- 09 TH N 57-15-00 W 14 FT,
- 10 TH S 32-32-00 W 65 FT,
- 11 TH N 57-15-00 W 1.00 FT,
- 12 TH S 32-32-00 W 115 FT,
- 13 TH S 33-09-30 W 64.70 FT,
- 14 TH S 57-09-00 E 75 FT,
- 15 TH N 33-09-30 E 244.08 FT,
- 16 TH N 57-15-00 W 60.07 FT
- 17 TO BEG

PF-KEY: 3:HELP 7:NEXT 8:PREV 10:MENU

OAKLAND COUNTY

CITY OF FARMINGTON
LAND INQUIRY FOR 20 23-27-155-048

09/04/90 10:1

ASSESSED VALUE: 353,600

SCHOOL: 101 ZONE: BI USE: BI NEIGHBORHOOD: 610 BANK:

-----NAME 1----- *-----NAME 2-----*

OWNER(S): DOWNTOWN FARMINGTON CENTER ASSOCIATES

ADDR *(DIR STREET SUFFIX,QUAL)* *(CITY STATE ZIPCODE)*

PROP: 23292 FARMINGTON,-98 FARMINGTON MI 48024

MAIL: P O BOX 51 ROYAL OAK MI 48068

DESCRIPTION:

01 T1N, R9E, SEC 27	04 BEG AT PT DIST
02 LAPHAM'S ADD	05 N 25 FT &
03 PART OF LOTS 20 & 21	06 E 10 FT

NEXT CVT: PARCEL:

A-08/02/88 FROM 043

PF-KEY: 2:DESC14 3:HELP 5:PRINT 6:ADDR 7:NEXT 8:PRIOR 9:NOTES 10:MENU

OAKLAND COUNTY

LAND DESCRIPTION INQUIRY
FOR 20 23-27-155-048

09/04/90 10:

01 T1N, R9E, SEC 27
 02 LAPHAM'S ADD
 03 PART OF LOTS 20 & 21
 04 BEG AT PT DIST
 05 N 25 FT &
 06 E 10 FT
 07 FROM SW COR OF LOT 22,
 08 TH N 138 FT,
 09 TH E 105 FT,
 10 TH S 138 FT,
 11 TH W 105 FT
 12 TO BEG .0.33 A
 13 7-11-88 FR 043
 14 5-16-89 CORR

PF-KEY: 3:HELP 7:NEXT 8:PREV 10:MENU

PAGE 1 OF 1

LAND INQUIRY FOR 20 23-27-155-038

ASSESSED VALUE: 1,509,000

SCHOOL: 101 ZONE: BI USE: BI NEIGHBORHOOD: 610 BANK: 0403

-----NAME 1----- *-----NAME 2-----*

OWNER(S): DOWNTOWN FARMINGTON CENTER ASSOCIATION

ADDR *--(DIR STREET SUFFIX,QUAL)--* *-----(CITY STATE ZIPCODE)-----*

PROP: 23300 FARMINGTON,-36 FARMINGTON MI 48024

MAIL: P O BOX 51 ROYAL OAK MI 48068

DESCRIPTION:

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 S 17.25 FT OF LOT 9,
- 04 ALL OF LOTS 10, 11 & 12,
- 05 ALSO S 163 FT OF
- 06 LOTS 13 TO 19 INCL,

NEXT CVT: PARCEL:

PF-KEY: 2:DESC10 3:HELP 5:PRINT 6:ADDR 7:NEXT 8:PRIOR 9:NOTES 10:MENL

LAND DESCRIPTION INQUIRY FOR 20 23-27-155-038

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 S 17.25 FT OF LOT 9,
- 04 ALL OF LOTS 10, 11 & 12,
- 05 ALSO S 163 FT OF
- 06 LOTS 13 TO 19 INCL,
- 07 ALSO S 163 FT OF E 7 FT
- 08 OF LOT 19, ALSO VAC ALLEY
- 09 ADJ TO ABOVE DESC EXC
- 10 THAT PART TAKEN FOR RDS

PF-KEY: 3:HELP 7:NEXT 8:PREV 10:MENU

ASSESSED VALUE: 254,200

SCHOOL: 101 ZONE: BT USE: BI NEIGHBORHOOD: 610 BANK: 0402

-----NAME 1-----* *-----NAME 2-----*

OWNER(S): DOWNTOWN FARMINGTON CENTER ASSOCIATION
ADDR *--(DIR STREET SUFFIX,QUAL)---* *----(CITY STATE ZIPCODE)-----*
PROP: 23340 FARMINGTON,-5& FARMINGTON MI 48024
MAIL: P O BOX 51 ROYAL OAK MI 48068

DESCRIPTION:

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 N 10 FT OF E 139 FT OF
- 04 W 172 FT OF LOT 25 &
- 05 E 139 FT OF W 172 FT OF
- 06 LOT 26, ALSO

NEXT CVT: PARCEL:

PF-KEY: 2:DESCOB 3:HELP 5:PRINT 6:ADDR 7:NEXT 8:PRIOR 9:NOTES 10:MENU

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 N 10 FT OF E 139 FT OF
- 04 W 172 FT OF LOT 25 &
- 05 E 139 FT OF W 172 FT OF
- 06 LOT 26, ALSO
- 07 S 40 FT OF E 139 FT OF
- 08 W 172 FT OF LOT 27

PF-KEY: 3:HELP 7:NEXT 8:PREV 10:MENU

OAKLAND COUNTY

CITY OF FARMINGTON
LAND INQUIRY FOR 20 23-27-155-039

09/04/90 10:1

ASSESSED VALUE: 100,800

SCHOOL: 101 ZONE: BI USE: BI NEIGHBORHOOD: 510 BANK: 0403

-----NAME 1----- *-----NAME 2-----*

OWNER(S): DOWNTOWN FARMINGTON CENTER ASSOCIATION

ADDR *--(DIR STREET SUFFIX,QUAL)--* *-----(CITY STATE ZIPCODE)-----*

PROP: 23300 FARMINGTON FARMINGTON MI 48024

MAIL: PO BOX 51 ROYAL OAK MI 48068

DESCRIPTION:

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 S 163 FT OF W 43 FT
- 04 OF LOT 19, ALSO S 163 FT
- 05 OF E 2 FT OF LOT 20
- 06 EXC THAT PART TAKEN FOR RD

NEXT CVT: PARCEL:

PF-KEY: 2:DESC06 3:HELP 5:PRINT 6:ADDR 7:NEXT 8:PRIOR 9:NOTES 10:MENU

OAKLAND COUNTY

LAND DESCRIPTION INQUIRY
FOR 20 23-27-155-039

09/04/90 10:

- 01 T1N, R9E, SEC 27
- 02 LAPHAMS ADD
- 03 S 163 FT OF W 43 FT
- 04 OF LOT 19, ALSO S 163 FT
- 05 OF E 2 FT OF LOT 20
- 06 EXC THAT PART TAKEN FOR RD

PF-KEY: 3:HELP 7:NEXT 8:PREV 10:MENU

PAGE 1 OF 1

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 90-77

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 17th day of September, 1990, at 8:00 o'clock P.M. Eastern Daylight Saving Time.

PRESENT: Hartsock, McShane, Richardson, Tupper.

ABSENT: Yoder.

The Clerk presented to the Council the special assessment roll referred to in the following resolution, attached to which roll was the Assessor's certificate as required by law.

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

BE IT RESOLVED by the Council of the City of Farmington, Oakland County, Michigan, as follows:

1. That the special assessment roll in the amount of \$52,000.00 heretofore made by the Assessor and this day presented to the City Council for the following improvement:

Construction of parking lot improvement to be located in the City as follows:

City parking lot located between Grand River/
Farmington Road and Orchard Street/Grove Street

be filed in the office of the City Clerk for public examination.

2. That the 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 Special Assessment Roll No. 90-77.

3. That this Council shall meet in the City Hall on the 1st day of October, 1990, at 8:00 o'clock P.M. Eastern 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 addresses 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, Hartsock,
NAYS: None.
ABSENT: Yoder.

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 September, 1990, 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 September, 1990.



JOSEPHINE M. BUSHEY
City Clerk
City of Farmington

AFFIDAVIT OF MAILING NOTICES OF COST HEARING
ON SPECIAL ASSESSMENT DISTRICT

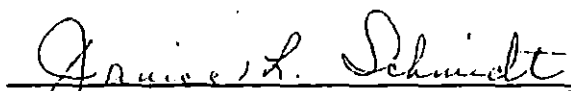
STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, JOSEPHINE M. BUSHEY, being first duly sworn, deposes and says that she is the duly qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan; that on the 18th day of September, 1990, she prepared for mailing a copy of the attached notice to be mailed by first class mail 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 as the addresses shown on said roll.

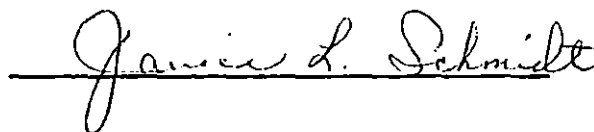
And further deponent saith not.


JOSEPHINE M. BUSHEY
City Clerk
City of Farmington

Subscribed and sworn to before me
this 18th day of September, 1990.


Janice L. Schmidt, Notary Public, Wayne County, Acting in
Oakland County, Michigan
My Commission Expires: April 11, 1994.

Josephine M. Bushey, being duly sworn, deposes and says that on the 18th day of September, 1990, she did mail the above-mentioned notices of public hearing by first class mail with postage fully prepaid.



Acting in JANICE L. SCHMIDT
Wayne County Notary Public
Oakland County, Michigan
My Commission Expires:

Re: Second Public Hearing Notice;
Parking Lot Improvement.

JANICE L. SCHMIDT
Notary Public, Wayne County, Michigan
Acting in Oakland County
My Commission Expires April 11, 1994

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 Parking Lot Improvement Special Assessment Roll No. 90-77 in the amount of \$52,000.00 for the construction of a parking lot improvement in said City to be located as follows:


City parking lot located between Grand River/
Farmington Road and Orchard Street/Grove 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 1st day of October, 1990, at 8:00 o'clock P.M., Eastern 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: September 18, 1990.
Published: September 20, 1990.

R E S O L U T I O N

NO. 9-90-256

WHEREAS, District Court Judges from the 47th District Court participate in the city of Farmington's health care plans, and

WHEREAS, federal legislation now requires the city and the court to allow former employees to continue participation in available health care plans for a stipulated period of time, and

WHEREAS, at the present time there is no provision to allow continued participation after the above time period has elapsed, and

WHEREAS, District Court Judge Michael J. Hand has retired from the court after more than twenty years of service, and other District Court Judges are scheduled to retire in the future, and

WHEREAS, District Court Judges may desire to continue to participate in the city's health care plans at no cost to the city;

THEREFORE BE IT RESOLVED that City Council authorizes retired District Court Judges from the 47th District Court to continue to participate in the city's health care plans available to general employees and at no cost to the city;

BE IT FURTHER RESOLVED that the surviving spouses of retired District Court Judges from the 47th District Court be allowed to continue participation in the health care plans available to general employees at no cost to the city.

ROLL CALL:

AYES: Tupper, Hartsock, McShane, Richardson.

NAYS: None.

ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 17, 1990.

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 17, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

R E S O L U T I O N

NO. 9-90-257

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

WHEREAS, Council resolution No. 8-90-205 confirmed the 1989 Sidewalk Special Assessment Roll and errors have been found in the roll;

THEREFORE BE IT RESOLVED that the 1989 Sidewalk Program Special Assessment Roll is hereby amended as described below:

Parcel 23-34-301-023, 21220 Farmington Road, is dropped from the roll.

Parcel 23-28-401-008, Huron River Hunting and Fishing Club, is reduced from \$12,606.96 to \$12,257.21.

All other provisions contained in Council resolution No. 8-90-205 shall remain in effect.

ROLL CALL;

- AYES: Hartsock, McShane, Richardson, Tupper.
 - NAYS: None.
 - ABSENT: Yoder.
- RESOLUTION DECLARED ADOPTED SEPTEMBER 17, 1990

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 17, 1990, 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 1, 1990, 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.

ABSENT: Yoder.

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

MINUTES OF PREVIOUS MEETINGS

10-90-263

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the Special and Regular meetings of September 17, 1990, as submitted. Motion carried, all ayes.

PUBLIC HEARING

REVIEW SPECIAL ASSESSMENT ROLL

SAD NO. 90-77, PARKING LOT IMPROVEMENT

Mayor Richardson explained the Public Hearing procedure to the seven people in the audience, and called on the City Manager for his report.

Council was advised that this project was added at the request of The Equitable Group, and the proposed assessments will be placed on the properties owned by the Group, which are adjacent to the downtown parking lot.

The City Manager recommended that Council adopt the resolution confirming the Special Assessment Roll for SAD No. 90-77 after the public hearing if there were no objections from the property owner.

Council was further advised that this special assessment district No. 90-77 would defray the cost of constructing the improvements in the amount of \$52,000.00 and would establish a fifteen year maturity schedule at an interest rate not to exceed 7.75%.

The Mayor called for comments from the audience.

Nancy Leonard, Shiawassee Street resident, was advised that this project pertains only to the fountain in the Downtown Center.

COUNCIL PROCEEDINGS -2-
October 1, 1990

The City Manager called attention to an article in the Farmington Observer which states that this 15-year assessment will be placed on the tax roll. He pointed out that this is in error, as it will be placed on the SAD 90-77 special assessment roll.

Councilman Tupper suggested that the Observer correct the statement so that people understand the project is not being paid for with public funds, but rather will be funded by The Equitable Group.

10-90-264

Motion by Councilman Hartsock, supported by Councilwoman McShane, to close the Public Hearing. Motion carried, all ayes.

10-90-265

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

[SEE ATTACHED RESOLUTION]

MINUTES OF OTHER BOARDS

10-90-266

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

- Board of Zoning Appeals minutes of September 5, 1990;
- Farmington Historical Commission minutes of July 18, 1990;
- Farmington Community Library minutes of August 9, 1990;
- Board of Education minutes of September 4, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

TABLED REQUEST FOR SIGN VARIANCE:
24155 DRAKE ROAD

As Council requested at the last regular meeting, Michael Dudash of Schotak Brothers, was asked to be present this evening to answer questions relative to his request for sign variance. His absence this evening prompted Council to table his request for one more meeting.

Councilman Tupper suggested that a letter be sent to Mr. Dudash stating that if he does not appear before Council his request could conceivably be denied.

Manager Deadman stated that he would write Mr. Dudash, recommending that if he is not present at the next meeting he will have to remove the signs.

COUNCIL PROCEEDINGS -3-
October 1, 1990

10-90-267

Motion by Councilman Tupper, supported by Councilman Hartsock, to table the request for sign variance at 24155 Drake Road until the next regular Council meeting, and further, that Mr. Dudash be advised by a letter from the City Manager that if he is not present he will be required to take down his signs. Motion carried, all ayes.

REQUEST FROM FARMINGTON HISTORICAL COMMISSION
RE: PARTICIPATION ON HALLOWEEN FUND RAISING

Council was advised that John S. White, who operates the Halloween Haunted House at the Winery building, offered the Historical Commission an opportunity to place coin collection canisters at the location to raise funds for the Museum.

The City Manager asked for a member of the Historical Commission to clarify their request to participate in the event. Charles Carvell spoke on behalf of the Commission, advising that a telephone call was received from Mr. White asking if the Commission would like to participate in his project. Mr. Carvell advised that the Commission had been thinking of creating a Room of Fashion at the Farmington Museum using clothing they have received from various sources. He advised that the Commission would receive 10% of the income received from the Haunted House attendance.

City Manager Deadman asked Mr. White if he would be willing to include the City of Farmington and the Historical Commission as added insured on his insurance certificate for \$3 million coverage for the event, and give the City a copy of the certificate.

Mayor Richardson asked if Mr. White was familiar with the background of the Haunted House activity. She expressed disappointment in that the project was started by the Farmington JayCees in 1988, ^{the 1960's} and that the Historical Commission received their financial support in the past. Mr. Carvell advised that to his knowledge the Commission received no such support whatsoever.

The City Manager stated that he would like to view this as a business arrangement so that both sides know what to expect when it is over. He stated that the City must have a certificate of insurance before the Commission participates in the event, that the facility should be looked at by the Building Department and the Fire Marshal to assure that all of the necessary requirements are in place.

Mayor Richardson asked Director Lauhoff if there were any serious problems with the traffic last year. He advised that the only

*Corrected
10/15/90
JMS*

COUNCIL PROCEEDINGS -4-
October 1, 1990

problem was when the JayCee's handled it. Other than that there were no problems.

The City Manager suggested that if Council is going to allow this event on a permanent rather than a temporary basis, they may have to reconsider their position relative to the paving of the Winery parking lot.

10-90-268

Motion by Councilwoman McShane, supported by Councilman Hartsock, to grant permission for the Farmington Historical Commission to participate in the Halloween Haunted Winery project provided that Mr. White gives the City a Certificate of Insurance, and contingent upon the approval of the Building Department and the Fire Marshal. Motion carried, all ayes.

LETTER FROM RESOURCE RECOVERY/RECYCLING
AUTHORITY REQUESTING JOINT COUNCIL MEETING

The City Manager advised that the seven communities involved in the RRRASOC are invited to a joint council meeting at 7:30 p.m. on October 10, 1990 in the City of Southfield Council Chambers. He stated that the purpose of the meeting is to update the City Councils regarding progress since the joint meeting last year.

Manager Deadman mentioned the possibility that this meeting may be cancelled.

10-90-269

Motion by Councilman Hartsock, supported by Councilwoman McShane, to establish a joint meeting with the cities participating in the Resource Recovery/Recycling Authority program at 7:30 p.m. on October 10, 1990, in the Southfield City Council Chambers, with discretion given to the City Clerk to cancel the meeting if necessary. Motion carried, all ayes.

LETTER FROM DIRECTOR OF FARMINGTON COMMUNITY
LIBRARY RE: SENATE BILL 881, Substitute 3

Council was advised that this bill would create the Michigan Cultural Bond Authority Act, and could provide \$300 million in general obligation bonds if passed by the voters.

The City Manager stated that this legislation would assist cultural institutions, zoological parks and public broadcasting. He pointed out that \$40 million of this amount is proposed to be allocated to public libraries. He advised that the electorate of the State of Michigan would be asked to approve the bond issue at the next general November election in 1992.

COUNCIL PROCEEDINGS -5-
October 1, 1990

Council was advised that the Farmington Community Library asks for Council's support in allowing the electorate to vote on the bond issue.

10-90-270

Motion by Councilwoman McShane, supported by Councilman Hartsock, to support the passage of Senate Bill 882, substitute 3, which would allow the electorate to vote on the bond issue for cultural activities at the general election in November, 1992. Motion carried, all ayes.

REQUEST FOR PROCLAMATION

Council was advised that Vernon Kielpinski requests that October be proclaimed as CHILD ABUSE PREVENTION MONTH.

10-90-271

Motion by Councilman Hartsock, supported by Councilwoman McShane, to issue a proclamation designating October as CHILD ABUSE PREVENTION MONTH in Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

AMENDMENT TO SEWER SERVICE AGREEMENT
WITH THE CITY OF DETROIT

Council was advised that when the City adopted the Detroit wastewater discharge control ordinance in 1987, this action was deemed insufficient by Detroit in meeting requirements of the consent judgment.

Council was further advised that to implement the provisions of the City's water and sewer ordinance adopted in July, 1990, Farmington must enter into an agreement with the City of Detroit.

City Manager Deadman submitted a copy of the model agreement for Council consideration.

10-90-272

Motion by Councilman Tupper, supported by Councilman Hartsock, to authorize the City Manager and the City Clerk to execute the required sewer service agreement with the City of Detroit and to submit a copy of the City's Water & Sewer Ordinance to the City of Detroit. Motion carried, all ayes.

SPONSORSHIP FOR EMERGENCY WATERSHED PROJECT

Council was advised that a survey of the upper branch of the Rouge River found the river bank within the Valley View Condominium project requires stabilization. The City Manager stated that an Agriculture Department grants program offers to finance 80% of the cost of stabilizing the river bank. He pointed out that the affected area is located on private property and he determined that the owner, Condominium Association, is not

COUNCIL PROCEEDINGS -6-
October 1, 1990

eligible to administer the grant. He advised that the Valley View Condominium Association's Board of Directors agreed to provide the 20% match required for the grant.

Council was further advised that to accomplish this project, the Condominium Association would have to provide the City with property rights to construct and maintain the improvements made under the grant.

Council was informed that the State projects the cost at approximately \$9,000.00. The City Manager advised that based on the cost of material, he estimates the cost to be substantially more than the State's estimate. He indicated that both the State and the Association's Board of Directors assure that additional funds will be available if the cost exceeds estimates.

10-90-273

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

BE IT RESOLVED that the Farmington City Council hereby accepts the Michigan Department of Agriculture Grant to finance 80% of the cost of stabilizing the Rouge River bank in the area of the Valley View Condominiums, and

BE IT FURTHER RESOLVED that Council authorizes the City Manager to enter into a project agreement and an operation and maintenance agreement with the Michigan Department of Agriculture for said project, and

FURTHER BE IT RESOLVED that the City will provide the necessary assurances relating to the project upon receiving written assurances from the Valley View condominium Association Board of Directors, agreeing to fund 20% of the project cost and providing adequate property rights so that the City can construct and maintain the project.

RESOLUTION DECLARED UNANIMOUSLY ADOPTED OCTOBER 1, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

COMPUTER SOFTWARE UPGRADE

Council was advised that the City's software consultant is offering an improved, standardized version of the software used for accounts payable, accounting and budgeting.

The City Manager stated that the present custom designed software is over ten years old and increasingly difficult to maintain. He pointed out that First Computer updates the standard version at no cost or on a shared cost basis with several other cities using

COUNCIL PROCEEDINGS -7-
October 1, 1990

the same software. He pointed out that with custom software the City bears the full cost of updating. He further advised that the standard software affords a \$10.00 per month immediate decrease in support costs, which is expected to grow each year.

The City Manager advised that there would be important gains in efficiency this winter if the new software is adopted.

10-90-274

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

BE IT RESOLVED that the Farmington City Council hereby approves the purchase of two financial programs from First Computer, Inc., Ann Arbor, Michigan, at an estimated cost of \$4,580.00 to upgrade the City's Accounts Payable, Accounting and Budgeting programs, and

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

ROLL CALL

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

RESOLUTION DECLARED ADOPTED OCTOBER 1, 1990.

JOSEPHINE M. BUSHEY, CITY CLERK

MAILING LABELS: VOTER LISTS

The City Manager advised that candidates for elective office are increasingly requesting voter lists on mailing labels. He stated that the City is capable of producing these labels and that a fee should be established if Council desires to accommodate these requests.

Manager Deadman suggested that the fee policy apply to those lists provided on the City's standard software and that the City not offer lists or labels requiring special programming. He offered a resolution for Council's consideration.

10-90-275

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

[SEE ATTACHED RESOLUTION]

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

WHEREAS, the City desires to support the free election process by providing information desired by all candidates running for office, and

WHEREAS, to provide voter registration lists and various other voter information requires personnel costs, computer time and office supply costs;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby establishes the following fee schedule:

- Lists of all registered voters
printed on standard computer paper.....\$50.00
- Lists of individual precincts
printed on standard computer paper.....\$10.00
- Other Special voter lists.....\$00.02 per name
- Lists on pressure sensitive labels.....\$00.03 per name
- Minimum charge for labels.....\$20.00 per list

The above policy applies to those lists provided on the City's standard software. The City does not offer lists or labels requiring special programming.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED OCTOBER 1, 1990

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 1, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey
 Josephine M. Bushey, City Clerk

COUNCIL PROCEEDINGS -9-
October 1, 1990

FIRE TRUCK REPAIR

Council was advised that the city's 1962 Mack fire truck is in need of repair. The City Manager estimated the cost of parts and labor at between \$3,500.00 and \$5,000.00, depending on whether or not the pump and impeller need to be replaced.

Manager Deadman stated that the low proposal was from Griffin Fire Equipment Service, Inc., who satisfactorily serviced the city's equipment for the past six years. He recommended that the bid process be waived and the work awarded to Griffin.

10-90-276

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

BE IT RESOLVED that the Farmington City Council hereby waives the bid process as being in the City's best interest, and awards the repair of the fire truck to Griffin Fire Equipment Service, Inc., of Warren, Michigan, in an amount not to exceed \$5,000.00, and

BE IT FURTHER RESOLVED that funds be provided from the 1990-91 General Fund.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED OCTOBER 1, 1990.

STREET AND PARK CLOSING DURING HALLOWEEN

Director Frank Lauhoff again requested closing the city parks and Raphael Street to prevent possible vandalism during the Halloween holiday.

The City Manager pointed out that it is the administration's intent to provide a safe, pleasant Halloween experience for the youth of the community without suffering any undue disruption or destruction of public property.

10-90-277

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the closing of Shiawassee Park, Drake Park and Raphael Street prior to Halloween, between 6:00 p.m. and 7:00 a.m. daily

COUNCIL PROCEEDINGS -10-
October 1, 1990

commencing at 6:00 p.m. on Monday, October 29 and terminating at 7:00 a.m. on Thursday, November 1, 1990.

RESOLUTION DECLARED UNANIMOUSLY ADOPTED OCTOBER 1, 1990.

MISCELLANEOUS

PUBLIC COMMENT

Councilwoman McShane stated that she received a number of complaints about the overflowing garbage dumpsters in the Downtown Shopping Center. She asked what can be done about this problem.

The City Manager advised that this is an on-going problem with the private sector's containers. He advised that violators can be ticketed and/or the city can order the containers removed as a nuisance.

Mayor Richardson reminded those present of the ground breaking for the City's sewer project at 2:00 p.m. on October 2, 1990.

The Mayor also pointed out that October is Substance Abuse Month and distributed red ribbons to be attached to car antennas and to be worn by employees. She also distributed yellow ribbons to be worn for those involved in the Middle East Crisis.

She further reminded Council to make their reservations for the Keep Farmington Beautiful Awards Luncheon on October ~~17th~~ 18th.

Mayor Richardson advised that the City Manager will be honored at the Keep Michigan Beautiful Awards program in Lansing on October 24 and 25.

The Mayor further advised that October 30, 1990, at 7:30 p.m. is the date set for the joint meeting of City Council with the School Board at the High School Media Center.

Councilwoman McShane suggested that it would be a good idea for the City to look into the possibility of having a Volunteer Handicapped Program.

APPOINTMENT TO THE
DOWNTOWN DEVELOPMENT AUTHORITY

City Manager Deadman stated that Council interviewed potential candidates for various boards and commissions. He said it was his understanding that Council is ready to make an appointment to fill the unexpired term of Frank Clappison on the DDA.

*Corrected
10/15/90
JMS*

COUNCIL PROCEEDINGS -11-
October 1, 1990

10-90-278

Motion by Councilman Tupper, supported by Councilman Hartsock, to appoint Michele Jakacki, manager of Focal Point, to fill the unexpired term of Frank Clappison on the Downtown Development Authority, said term to expire February 17, 1994. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

10-90-279

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

ORDINANCE NO. C-575-90

[SEE ATTACHED]

WARRANT LIST

10-90-280

Motion by Councilman Tupper, supported by Councilman Hartsock; to approve the monthly bills as submitted: General Fund \$60,668.99; Water & Sewer Fund \$450,332.02.

ROLL CALL:

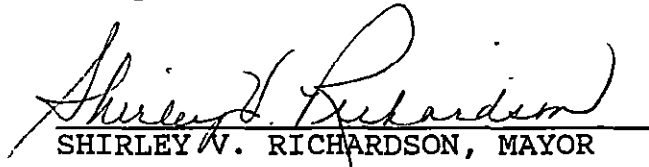
AYES: Hartsock, McShane, Richardson, Tupper.
NAYS: None.
ABSENT: Yoder.

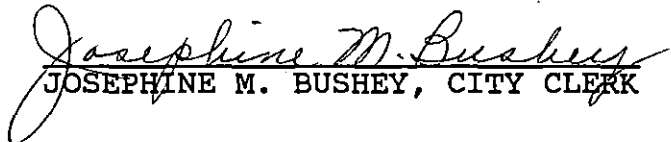
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilwoman McShane, 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: October 15, 1990.
As corrected.

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 90-77

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 1st day of October, 1990, at 8:00 o'clock P.M. Eastern Daylight Time.

PRESENT: Hartsock, McShane, Richardson, Tupper.

ABSENT: Yoder.

The Mayor announced that this was the time fixed for reviewing and hearing objections to Special Assessment Roll No. 90-77 made to defray the cost of construction of a parking lot improvement in the City to be located as follows:

City parking lot located between Grand River/
Farmington Road and Orchard Street/Grove 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:

The Mayor thereupon declared the hearing closed.

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:

WHEREAS, Special Assessment Roll No. 90-77 made to defray the cost of construction of a parking lot improvement, a public fountain in said City to be located as follows:

City parking lot located between Grand River/
Farmington Road and Orchard Street/Grove Street

has heretofore been prepared and filed with the City Clerk in the aggregate amount of \$52,000.00; and

WHEREAS, a hearing has now been held on said special assessment roll, as required under the City's charter and special assessment ordinance;

THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That said Special Assessment Roll No. 90-77 is hereby adopted and confirmed in the aggregate amount of \$52,000.00, 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.

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

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 1st day of October, 1990, and the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 2nd day of October, 1990.


JOSEPHINE M. BUSHEY
City Clerk
City of Farmington

CITY OF FARMINGTON
ORDINANCE NO. C-575-90

AN ORDINANCE TO AMEND SECTIONS 35-161, 35-202, 35-204 AND 35-222 OF CHAPTER 35, ZONING, OF THE FARMINGTON CITY CODE TO PROHIBIT CERTAIN CONSTRUCTION YARDS AND EQUIPMENT BUSINESSES AND TO ADD PERMITTED ACCESSORY USES IN INDUSTRIAL DISTRICTS; TO PROHIBIT THE STORAGE OR PARKING OF RECREATIONAL VEHICLES UNDER CERTAIN CIRCUMSTANCES; TO DEFINE THE AREA IN WHICH PORCHES AND DECKS ARE PERMITTED IN RESIDENTIAL DISTRICTS; AND TO REMOVE DUPLICATION OF PARKING SPACE REQUIREMENTS WITHIN THE ORDINANCE.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Section 35-161 of Chapter 35 of the Zoning Ordinance is hereby amended to add Subsection (f) to Section (5) of the permitted principal uses in the M-1, M-2 and M-3 Industrial Districts, which section shall read as follows:

- (5) (f) Construction yards or equipment businesses which store, repair or offer for sale heavy equipment, large trucks, construction trailers, trailers, graders, earth moving equipment, cranes, bulldozers, and other similar equipment.

Section 2.

Section 35-161 of Chapter 35 of the Zoning Ordinance is hereby amended to add Subsections (6), (7) and (8) to the permitted accessory uses in the M-1, M-2 and M-3 Industrial Districts, which sections read as follows:

- (6) Enclosed trailers may be used for the temporary storage of materials which are in the process of being received or shipped. The trailer(s) shall not be used for permanent storage of materials. Each trailer shall be equipped with a current trailer license as issued by a state and be in

condition to be used upon the streets and roadways of this state. The use of trailer(s) for temporary storage shall be limited to three (3) trailers for the permitted principal use.

- (7) Pallets which are used to receive or ship goods or materials used in the operation of the permitted use may be stored outside in the rear of the building if such storage is maintained in an orderly manner. The outside storage of pallets shall be limited to pallets which are currently being used in the operation of the industrial business. The number of pallets that may be stored outside shall be limited to those necessary to conduct the industrial operation for thirty (30) days.
- (8) Other temporary outside storage of goods, materials or equipment may be allowed by the Board of Zoning Appeals after a finding by the Board that such storage is of a temporary nature and shall not exceed six (6) months in duration. No industrial business shall be granted more than one (1) such permit in a twelve (12) month period.

Section 3.

Section 35-202 of Chapter 35 of the Zoning Ordinance is hereby amended to add Subsection (9), which subsection shall read as follows:

- (9) Recreational equipment may not be stored or parked in residential districts for the purpose of making major repairs, refurbishing, or reconstruction of the recreational equipment.

Section 4.

Section 35-204 of Chapter 35 of the Zoning Ordinance is hereby amended to add Subsection (c), which subsection shall read as follows:

- (c) An uncovered, unenclosed deck, porch or paved terrace shall not be located within the side or rear yard open space setback within three (3) feet of any side or lot line.

Section 5.

Section 35-222 of Chapter 35 of the Zoning Ordinance is hereby amended to delete the subsection entry which reads as follows:

<u>Use</u>	<u>Spaces</u>	<u>Per Unit of Measurement</u>
Business and/or Professional Offices	1	Each Two Hundred (200) Square Feet of Usable Floor Area, Plus Each Three (3) Employees.

Section 6. 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 7. 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 8. 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 9. 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 10. 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 1st day of October, 1990, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by McShane and supported by Hartsock.

YEAS: Tupper, Hartsock, McShane, Richardson.

NAYS: None.

ABSENTS: Yoder.

ABSTENTIONS: None.

Ordained this first day of October, 1990, 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 first day of October, 1990, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 2nd day of October, 1990.

JOSEPHINE M. BUSHEY,
City Clerk

Published: October 11, 1990.
Effective: October 22, 1990.

[2255/060190]

COUNCIL PROCEEDINGS

A special meeting of the Farmington City Council was held at 7:00 p.m. prior to the regular meeting on October 15, 1990, 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 7:09 p.m)., Yoder.

OTHERS PRESENT: City Manager Deadman, City Attorney Donohue, City Clerk Bushey.

The purpose of the meeting was to continue Council's review of the proposed sign ordinance amendments.

The City Manager pointed out that Council has not come to a conclusion on the limitation on window signs in the proposed ordinance, and whether the Zoning Board or the City Council is to hear appeals.

There was considerable discussion concerning the development of guidelines if the appeals process were to be held by City Council or the Board of Zoning Appeals.

The City Attorney pointed out that guidelines can be developed no matter which body will hear the appeal. He stated that these are difficult guidelines to develop, and that they would have to be very flexible to accommodate a community that has had signs as long as Farmington.

The City Manager asked Mr. Donohue to see if there are guidelines from other cities that he could review.

Mr. Donohue advised that he tried to obtain guidelines that apply to City Councils or Zoning Boards. He stated that he will continue to check with the Planning and Zoning Center in Lansing to see what they have on the subject and report back to Council.

Councilman Yoder stated that he is opposed to giving the appeals process to the Board of Zoning Appeals.

Councilman Tupper stated that Council needs to establish a goal relative to what should be done in relation to signs. He indicated a need to attempt to reach that goal within a reasonable length of time.

City Manager Deadman stated that the goal is the ordinance itself. He pointed out that Council has done a marvelous job of getting rid of ground signs in the Downtown area with the exception of about four.

COUNCIL PROCEEDINGS -2-
Special Meeting, October 15, 1990

Councilman Tupper stated that in his estimation, appeals should be heard by the Board of Zoning Appeals.

Mr. Donohue further pointed out that when Council delegates its authority to the ZBA, Council and the City have to live with the decision.

Corrected 11/5/90 JTB
Attorney Donohue
~~Mayor Richardson~~ stated that the City of Troy took the appeals away from the ZBA because they thought the ZBA was giving away too much.

Councilman Hartsock stated that there is a tremendous amount of benefit for appeals to remain with the City Council.

Mr. Donohue recommended that there should be guidelines no matter which board handles the appeal process. He pointed out that the ZBA is already guided by State law but that Council would need to set up guidelines.

Mr. Donohue pointed out that all the court asks when looking at a variance is whether or not the action of City Council is reasonable.

Mayor Richardson asked why some City Councils adjourn and then readjourn as the ZBA.

Mr. Donohue pointed out that in very small communities, the City Council may act as a ZBA as well, but this is specifically written into their ordinance.

The City Manager commented that the important issue is what Council is comfortable with.

Mayor Richardson stated that she is not opposed to change. She pointed out that if something has been successful for your community, it is not always wise to change it.

Councilman Tupper stated that he thinks Council is rewriting the ordinance when it grants variances.

Councilman Hartsock pointed out that this is the purpose of leaving the appeals process with Council.

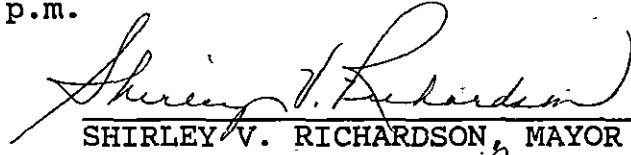
Councilman Tupper stated that if someone comes in and asks for something that is not permitted and Council allows it, the ordinance is being rewritten. He suggested that this is not a variance but rezoning.

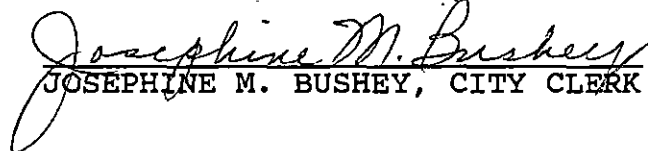
Council decided that before the Sign Ordinance is amended, they will wait to see what the City Attorney develops as guidelines for the appeals process.

COUNCIL PROCEEDINGS -3-
Special Meeting, October 15, 1990

It was suggested that another early meeting be scheduled.

Meeting adjourned at 7:55 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved as corrected.
11/5/90.

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, October 15, 1990, 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

Mayor Richardson called attention to page 3, paragraph 5, line 4, stating that the Haunted House project was started by the Farmington JayCees in the 1960's rather than in 1988; also, page 10, paragraph 7, line 2, which should read October 18th rather than October 17th.

10-90-281

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the Regular meeting of October 1, 1990, as corrected. Motion carried, all ayes.

REPORT FROM GIRLS STATE REPRESENTATIVE

Mayor Richardson introduced Girls State Representative Karen Peterson, who reported to Council on her experience as Farmington's candidate at this event. She especially thanked City Council for the opportunity to attend.

MINUTES OF OTHER BOARDS

10-90-282

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 October 8, 1990;
- Farmington Area Commission on Aging minutes of September 25, 1990;
- Board of Education minutes of September 18, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

TABLED REQUEST FOR SIGN VARIANCE: 24155 DRAKE ROAD

The City Manager reminded Council that Michael Dudash, Schostak Brothers, requests a variance to allow for two leasing signs in excess of the 6 sq. ft. allowed by Section 25-4 (6) of the City's

COUNCIL PROCEEDINGS -2-
October 15, 1990

Sign Ordinance. He pointed out that the applicant requests the variance because the building at 24155 Drake Road is on a hill and Comerica Bank blocks its view.

As Council requested at the last two regular meetings, Mr. Dudash was present this evening to answer questions relative to his request for sign variance. He advised that the variance would be indeterminate, depending on when the property is leased. He stated that the building space would probably not be completely leased for about a year and a half.

Councilman Yoder advised that he has no problem with the 4 ft. x 6 ft. sign if the other sign is removed.

Councilwoman McShane pointed out that the sign presently on the building is somewhat kept from view because of a tree.

Councilman Tupper stated that this sign is rather unattractive.

10-90-283

Motion by Councilman Hartsock, supported by Councilwoman McShane, to allow the use of both the 4 ft. x 6 ft. leasing sign attached to the north wall of the building at 24155 Drake Road as well as the 4 ft. x 4 ft. sign to be located on private property along Drake Road for a period of six months. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE: 32411 GRAND RIVER

Council was advised that Bruce Woolsey requests a variance to the City's Sign Ordinance to permit lettering on the canopy at 32411 Grand River to remain at 16 inches.

The City Manager pointed out that Section 25-4 (5) of the Sign Ordinance limits the letter size to nine inches. He further noted that before Mr. Woolsey removed signage from the building the wall signs exceeded the 10% allowed by ordinance.

Manager Deadman further stated that this sign would be permitted if the sign ordinance amendments are adopted, but the current sign is not in compliance with the present ordinance.

Councilman Hartsock asked if the blank panel were used, would it exceed the 10% allowable signage. Director Billing advised that this was the reason he required that one sign in the front be taken down.

10-9-284

Motion by Councilwoman McShane, supported by Councilman Yoder, to grant the requested variance to Mr. Woolsey, permitting the lettering on the canopy at 32411 Grand River to remain of the size it is, 16 inches. Motion carried, all ayes.

RESOLUTION FROM CITIES OF OAK PARK/SOUTHFIELD
RE: MICHIGAN SOLID WASTE GRANTS PROGRAM

The City Manager advised that the management plan for the Michigan Solid Waste Grants Program is presently tied up in Court. He further noted that it has to be approved by the Board of County Commissioners and by two-thirds of the sixty communities involved.

Council was advised that the Cities of Oak Park and Southfield ask support for their resolutions to urge the Governor and the legislature to intervene in the grants process to allow communities whose plans have been approved by the county boards of commissioners to be eligible for grant monies in the current funding cycle. They further recommended rule changes so that everyone in eligible counties can have their applications considered equitably.

10-90-285

Motion by Councilman Hartsock, supported by Councilwoman McShane, to support Oak Park's and Southfield's resolutions relative to the Michigan Solid Waste Grants Program, asking the Governor and our State Legislators to intervene in the grant application process and extend the deadline for grant applications. Motion carried, all ayes.

REQUEST FOR PROCLAMATION

10-90-286

Motion by Councilman Yoder, supported by Councilman Hartsock, to issue a proclamation designating October 18, 1990, as BEAUTIFICATION RECOGNITION DAY. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED COST PARTICIPATION AMENDMENT FOR
ORCHARD LAKE ROAD IMPROVEMENT PROJECT

Council was advised that the Orchard Lake Road Improvement Project will be bid on November 14, 1990, with the bid letting to occur in about four weeks thereafter.

City Manager Deadman stated that the first phase of construction is scheduled for completion by July of 1991, followed by the road improvements to be completed by November of 1991. He pointed out that the improvement scheduled for the coming year includes the section from Ten Mile Road south to east Shiawassee. He advised that the remaining portion will be constructed sometime in the future when the additional right-of-way can be obtained from Jax Kar Wash and Krueger Tool Company.

The City Manager discussed the approved design for a five lane operation, the local share of construction costs and the enlarged

COUNCIL PROCEEDINGS -4-
October 15, 1990

storm drain to accommodate the Farmington Hills Drainage District and a portion of Farmington's sewer separation program.

Council was advised that the estimated cost of the total project is \$5.7 million with distribution as follows:

MDOT	\$3,823,500
OCRC	630,100
Farmington	475,700
Farmington Hills	<u>768,700</u>
TOTAL:	\$5,698,000

Council was further advised that funds are set aside for this project in both the Capital account reserve and the Water & Sewer funds for the new water main.

10-90-287

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

[SEE ATTACHED RESOLUTION]

PROPOSED WATER AND SEWER FEES
AND SERVICE CHARGES

Council was advised that numerous types of sewer service charges that were not included in the new Water and Sewer Ordinance need to be adopted by Council.

The City Manager stated that the ordinance provides that these charges may be established by Council resolution. He submitted a proposed resolution for Council review and recommended its adoption.

10-90-288

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

[SEE ATTACHED RESOLUTION]

BID: PRINTING THE ANNUAL REPORT CALENDAR

Council was advised that the City Clerk opened bids on October 11, 1990, for printing the annual report calendar, and that five printers responded to the invitation to bid as follows:

JOHNSTON LITHOGRAPH, Inc. Romulus, MI.	\$3,193.00
ARBOR PRESS, Inc. Royal Oak, Mi.	\$3,988.00

COUNCIL PROCEEDINGS -5-
October 15, 1990

PRINTERS ASSOCIATES South Lyon, Mi.	\$5,033.00
ROBINS PRINTING CO. Livonia, Mi.	\$5,420.00
ALLIED PRINTING Ferndale, Mi.	\$5,800.00

Council was advised that Johnston Lithograph's bid adds \$11.00 per half tone and \$47.30 per hundred additional copies, with the base bid at 5,400 copies.

Councilwoman McShane asked how much it would cost to add another page which could possibly include a News Letter. She was advised that four pages would have to be added because of the way the calendar is printed.

10-90-289

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

BE IT RESOLVED that the Farmington City Council hereby awards the contract for printing the 1990 annual report calendar to the low bidder, Johnston Lithograph, in the amount of \$3,193.00 plus \$11.00 per half tone, and

BE IT FURTHER RESOLVED that the base bid is for 5,400 copies with additional copies at \$47.30 per hundred.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED OCTOBER 15, 1990.

MUSEUM REPAIRS

Council was advised that the Quakertown Questers raised the funds to restore the balustrade above the porch at the Farmington Museum, and the work must be completed by May 15, 1991. The City Manager stated that the City budgeted \$4,000.00 for porch repairs if the balustrade installation reveals that repairs are needed. He further stated that a Farmington architect has donated his services in designing the project and overseeing the restoration.

Council was informed that Oak Builders indicate that they will provide and install the balustrade for \$6,050.00, repair visible damage to the cornice for \$550.00 and replace the roof for \$3,900.00.

COUNCIL PROCEEDINGS -6-
October 15, 1990

The administration recommended that the bid process be waived in the best interests of the City and the contract be awarded to Oak Builders.

10-90-290

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 City's best interest, and awards a contract to Oak Builders to restore the balustrade at the Farmington Museum for \$6,050.00, and to repair the roof and cornice as needed for an amount not to exceed \$5,100.00, which includes 15% allowance for contingency, and

BE IT FURTHER RESOLVED that Council accepts the Quakertown Questers' gift of the funds for the balustrade, and the donation of Carl Gaiser's professional architectural services.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED OCTOBER 15, 1990.

Mayor Richardson asked that a letter be sent to Carl Gaiser accepting his generous donation of architectural services.

MISCELLANEOUS

PUBLIC COMMENT

Thomas DeWard advised Council that he is unable to sell his building at 33604 Grand River, because there is underground leakage on the property. He stated that when he acquired the building in 1983, he knew it was formerly a gas station, but he had no idea there were gasoline storage tanks still there.

Mr. DeWard further advised that he hired an environmental firm to check the area in March, and three 1,000 gallon tanks were found: two of which had been filled with gasoline; one with kerosene.

He stated that it cost him \$65.00 per cubic yard to remove the dirt, and so far he spent \$33,000.00 which was partially reimbursed by the State. He further stated that the contamination under the building has probably spread into the street and under Grand River. He also advised that some contamination was found in back of the building.

Mr. DeWard indicated that further drilling and soil testing is required and will cost about \$5,300.00, not including test results.

COUNCIL PROCEEDINGS -7-
October 15, 1990

He advised that under the Freedom of Information Act, he requested all the information the City has relative to the removal of these underground storage tanks by the previous owner. He stated that he was advised that in 1970, the City issued a permit for the removal of three underground storage tanks, but he found nothing to indicate whether or not these tanks were actually removed.

Mr. DeWard informed Council that he cannot resolve the situation with insufficient information. He suggested that if the City was remiss in its responsibility, he will include it in a lawsuit if he has to sue to obtain reimbursement for the costs incurred.

The City Manager advised Mr. DeWard that he was given all of the information the City has on this matter. He pointed out that the individual who inspected the work is deceased, and that the City made a diligent search of its records in an effort to assist Mr. DeWard.

Councilman Yoder pointed out that the fruit market in the Uptown Center has product all down the sidewalk. Mr. Billing is checking into this.

WARRANT LIST
10-90-291

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$9,815.34; Water & Sewer Fund \$3,303.26.

ROLL CALL:

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

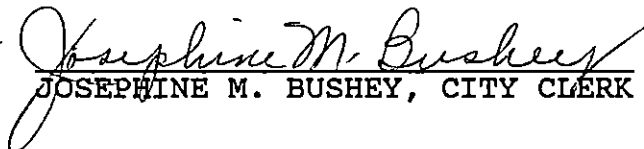
MOTION CARRIED.

ADJOURNMENT

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

The meeting was adjourned at 9:13 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: November 5, 1990.

CITY OF FARMINGTON

RESOLUTION NO. 10-90-287

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

BE IT RESOLVED that the Farmington City Council hereby agrees to the cost participation agreement with the Oakland County Board of Road Commissioners and the City of Farmington Hills, and

BE IT FURTHER RESOLVED that City Council approves a contract with the Michigan Department of Transportation, the Oakland County Board of Road Commissioners and the City of Farmington Hills for the improvement of Orchard Lake Road Projects #31198 and #31200, and

FURTHER BE IT RESOLVED that the City Manager and the City Clerk are authorized to execute the agreements on behalf of the City.

ROLL CALL:

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

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 15, 1990.

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 15, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

CITY OF FARMINGTON
RESOLUTION NO. 10-90-288

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 November 1, 1990.

RATES, FEES AND CHARGES:

Farmington Metered Users:

Water Billing Charge:	\$ 1.21 per 1,000 gallons of water used
Sewer Billing Charge:	\$ 1.50 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:	\$ 5.71 per thousand cubic feet
Farmington to Outside Customers:	\$ 1.31 per 1,000 gallons of water used plus \$4.40 per premise served
Farmington Evergreen System to Other System:	\$ 5.39 per thousand cubic feet

Wholesale and Outside Customer Sewer Rates:

Farmington District to Other Systems:	\$21.57 per thousand cubic feet
Farmington Evergreen District to Outside Customer:	\$ 3.08 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
 - Sewer
 Non-Residential - Water

\$ 250.00
 350.00

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
 1 1/2 in. Water Tap & Meter Set
 2 in. Water Tap & Meter Set
 Other Size Taps

\$ 925.00
 \$1300.00
 \$2500.00
 Time & Material plus 20%

Sewer Tap-Ins:

Time & Material plus 20%

Meter Removal:

\$ 45.00

Meter Testing:

Up to 1 in.
 1 in. and over

\$ 30.00
 Cost + 10%

Hydrant Use:

Permit
 Deposit
 Water-Usage

\$ 20.00
 100.00
 \$1.21 per 1,000 gals
 Plus 20% Special Handling & Processing

Construction Water:

Residential
 Commercial

\$ 50.00
 75.00

Pool Fillings:

Hydrant Meter, Hose
 (Pick-up & Delivery)
 Water-Usage

\$ 50.00
 \$1.21 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	\$ 20.00
IWC Charges & Industrial Surcharges	As Follows

INDUSTRIAL WASTE CONTROL CHARGE

<u>Meter Size</u>	<u>Quarterly Charge</u>
5/8"	\$ 7.32
3/4"	10.98
1"	18.30
1 1/2"	40.26
2"	58.56
3"	106.14
4"	146.40
6"	219.60
8"	366.00
10"	512.40
12"	585.60
16"	878.40
18"	1,024.80

INDUSTRIAL SURCHARGE RATES, PER
EXCESS POUND

	RATE
1. Biochemical Oxygen Demand (BOD) in excess of 275 mg/l	\$.025
2. Total Suspended Solids (TSS) in excess of 350 mg/l	.113
3. Phosphorus (P) in excess of 12 mg/l	1.196
4. Fats, Oils, & Grease (FOG) in excess of 100 mg/l	.02

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.

WHOLESALE AND/OR OUTSIDE USER CHARGES:

WATER ONLY

Farmington System
 Cost Detroit
 Transportation
 Debt G.O.

Wholesale
 \$ 4.53 MCF
 .43
.75

\$ 5.71 MCF

City Rate
 Debt G.O.
 Meter Service Charge

Direct Service
 \$ 1.21 M
 .10 M
4.40 per bill

Meter Service Charge

\$1.31 M + \$ 4.40 per bill

Farmington-Industrial Arm
 Cost Detroit
 Oakland/Farmington Hills Transportation
 Farmington Transportation

Wholesale
 \$ 4.53 MCF
 .43
.43

\$ 5.39 MCF

WHOLESALE AND/OR OUTSIDE USER CHARGES:

SEWER ONLY

Farmington System

Cost Detroit
Farmington System Cost O & M
G.O. Debt
Excess Flow

Wholesale
\$ 4.42 MCF
4.40
11.86
.89

Total City Wholesale Rate:

\$21.57 MCF

City Rate
G.O. Debt Service
Meter Service Charge

Direct Service
\$ 1.50 M
1.58 M
4.40 per bill

\$3.08 M + \$ 4.40 per bill

Farmington Evergreen

Cost Oakland/Farmington Hills
Farmington Rate:

\$ 5.91 MCF
\$ 5.91 MCF

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED OCTOBER 15, 1990.

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 October 15, 1990, in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

FARMINGTON PUBLIC SCHOOL DISTRICT
OAKLAND COUNTY, MICHIGAN

JOINT SPECIAL MEETING
FARMINGTON CITY COUNCIL AND FARMINGTON BOARD OF EDUCATION
OCTOBER 30, 1990 - 7:30 P.M. - FARMINGTON HIGH SCHOOL MEDIA CENTER

The meeting was called to order by President Rennels at 7:34 P.M.

Present: Susan C. Rennels, President; Shirley V. Richardson, Mayor;
Cathleen M. Webb, Secretary; Robert Deadman, City Manager;
R. Jack Inch, Treasurer; Richard L. Tupper,
James J. Abernethy, William S. Hartsock,
Helen E. Ditzhazy and Jo Anne McShane, Council Members.
Helen D. Prutow, Trustees.

Absent: Ralph D. Yoder, Mayor Pro Tem, Farmington City Council.

Also Present: Attorney Cotton and Secretary Kisner, Farmington Board of Education.

SUBJECT: DISCUSSION: WINTER RECREATION ON SHIAWASSEE HILL

I. INTRODUCTIONS.

- A. President Rennels introduced Superintendent Flanagan and members of the Board of Education.
- B. Mayor Richardson introduced City Manager Deadman and members of the City Council. She also acknowledged Earl Billing, Director of Public Services/City of Farmington, sitting in the audience.

II. BACKGROUND INFORMATION.

- A. Mr. Deadman highlighted historical facts related to the sledding hill. The hill has been used since the 1950's-'60's. In 1960, Twin Valley Subdivision was built and they relocated Farmington Road. The kids can now sled out to the road. The city asked for and received permission to put in a berm. The berm worked fine until the population expanded. The city believes there is a problem and should work on it. We put up a fence and accidents continued to happen. Some accidents are reported and some are not, so we do not have an accurate count. In '87 we continued to use fence and straw bales. The difficulty is not enough glide area. We tried to move sledding hill to park but it is not a good area to put the sledding hill. Suggest we shorten hill. Kids do not wear safety gear. It needs more glide area.

II. BACKGROUND INFORMATION - cont'd.

B. Superintendent Flanagan stated that in reading over correspondence, there are issues on both sides that make sense. In '87 there was a serious injury and tried to make them stop using sleds with runners. We are concerned about liability. Now they say to encourage kids to use sleds with runners. It is a very complicated issue. Landscaping is just a possibility to reduce liability. In effect, we are self-insured.

Mr. Deadman responded by saying the City's liability would be high if we did not put up signs or fencing. The School's ability to pay is better than the City's because of the size. Liability would be great for the City.

III. COMMENTS.

A. Each council member had an opportunity to speak.

Tupper - Would like to see the hill remain for the kids. Can we afford to have supervision? Can we afford to redesign? Can we remove the skating rink and just keep the sledding hill? I really feel it is a decision to be made by the School, City, and Community. What does the Community feel about cost obligations if we continue this hill for sledding.

McShane - I hate to loose tradition. I am in favor of..... getting rid of Farmington Road. Maybe a Task Force study that could report back to us. Possible landscaping compromise. You have injuries in all sports. In favor of a little more investigation to keep hill open.

Hartssock - I am in favor of continuing what we have done in the past. Liability continues to exist. Tried to rescue my son on hill and was blindsided by another sledder. Looking forward to hearing what Board has to say. I am in favor of continuing what we have done in the past.

Richardson - It is a focal point for our city. There are many concerns. It is going to be a major decision. Do not want to prolong decision. Concerns: safety control on hill if sledding hill is to stay as is, take into consideration supervision. This costs money. Decision rests with School Board. Thank you for allowing us to give our input.

III. COMMENTS - cont'd.

B. Each Board Member had an opportunity to speak.

Cotton - Mr. Deadman what is the City's position with the city park? Is that on school property? We assume all liability under lease. I am very angry. I think the ice rink could be eliminated. Ice rink is used minimum to zero. What are the injuries? Were there collisions of people going up the hill as people were going down the hill? Twenty-five years ago this District made an effort to build swimming pools. Through the efforts of many, we built pools to well serve the community. Now we have to close them because they don't meet the standards. There is too much good to be shut down.

Abernethy - It has been suggested a number of times, the sledding hill be moved to Heritage Park. I don't see that happening. This is not an option. 1) Does that increase or lower our liability. I am not certain it lowers it. 2) Magic Square alternative skating location. Is this a legitimate option?

(Mr. Deadman's response: Magic Squares have been reduced. It does not work very well in Michigan.)

(Attorney Cotton's response: More supervision, less injuries. I think you are as liable as you are going to get. You own the hill.)

Webb - Make it more safe. Make it a modest hill. It is not safe. Closing the hill is not practical. It will always be used. Task Force study not feasible when snow is around the corner. We have to look into something quickly. Look into sledding at Heritage Park.

Inch - No win situation. Look at alternatives. Skating rink is a dangerous situation. Takes away from parking. Walk in skates across the street.

Prutow - Closing rink might allow for more space. We need to get someone to study this for us. Where are finances to do this? Who is coming up with this money to make changes? It is not going to be a small amount. We just had a loss of \$5.8 million. Making a different configuration on hill is more expensive than landscaping.

Flanagan - Short of selling land, we have to do something with that land or we will always be liable. Something has to be done one way or another.

Rennels - Modify hill so that glide area is longer and less attractive to older kids. Ice rink - there is no place to safely park. Not an appropriate place for rink. People run across road in skates. I think it could be relocated.

A lengthy discussion followed between Board of Education and Farmington City Council members regarding alternative ways to safely keep the hill in operation.

IV. PUBLIC COMMENTS.

Bob Kirkland - Wants supervision for hill. Do not want to loose hill. Beyond liability, let's speak to 2 :00 A.M. sledding. Speak to supervision before liability. Can we afford not to supervise hill? Posting signs does not help. Preserve what we have by supervising.

Bill McCollough - Some of the injuries were occurring late at night. The hill is divided into two pieces, one side for older kids and other side for little kids. There is some supervision from parents, but there are some parents that just drop their kids off. I hate to see us have to close it. Maybe city would consider leasing hill. Maybe there is some insurance available to city that is not available to the School Board.

John Richardson - Closing ice rink makes sense. If it is removed, it gives more room for the little part of the hill. Have an up and down area. Kids can follow arrows. Let's get Farmington Hills into this. Try supervising hill for a year, create up and down path, eliminate ice rink. I would hate to loose hill.

Debbie Cornwell - I agree with John (Richardson). Please try not to take away this hill. I want my children to have the memories. Please try to keep it the unique community it is.

Allison Strand - Please leave it there. (Fourteen year old student)

Rachael Thomas - I still have fun sledding with my friends. Find a solution for kids to walk up the hill to reduce injury. (Student)

Linda - Farmington and Farmington Hills should be jointly responsible. It is used by the whole community.

JoAnn Parente - That is a very dangerous hill. Do not sell. We need a green belt in that area. We should never get rid of it. As it is now, it is an extremely dangerous hill. At 2:00 A.M., we are awoken by screaming kids. It is a nuisance. We need supervision by police. I know that Mike Flanagan and School Board have tried very hard to resolve this. My taxes are high enough. I do not want to get involved in task force.

Donna Murray - Used hill since 1960. When the first snow gets here, I am the first one down there. I think we need a place to walk up separate from them going down. You need a safe place to walk up. I don't like lawsuit people. Should take responsibility for themselves. My daughter broke her foot in three places in park. We need a place for families. We have gone at midnight. I try not to scream. We have pools in area that cause noise.

Mr. Wilson - Live right on hill. Never go to bed before 3 A.M. I do not hear any noise out there. I never seen any kid hit the fence. Is all this fuss worthwhile? Making a big fuss over nothing.

Debbie Lukasiak - Thank you Board and City Council for looking into this problem. Please do everything you can to keep this hill. If you have to get rid of ice rink, put it in another area. Being physical is all part of education. Find some way to regulate people going back up the hill. Let's keep solution simple. The hill might have holes that need filling in. We can't keep our kids in a cocoon. This can be solved in a simple manner. I am a resident of Farmington Hills and I am in favor of getting them involved.

Bob Schwartz - Born and raised in Farmington. I think it would be a shame to take this hill away. Maybe we are making a mountain out of a sledding hill. Maybe gravel at end to stop everyone. Most of us are here because we don't want it done away with. I think it could be a simple solution.

Nancy Leonard - In favor of keeping it. It's all been said.

Laura Myers - In favor of keeping hill. Ice rink is not maintained - but hockey players take care of it. You need to look into putting ice rink somewhere else. Heritage Park ice rink closes because of thin ice. Need something for people to walk up and down. Some people expect they will get hurt. But if you are running into things that the city has put there, then you get mad. I am please to see you here with your busy schedules.

An open discussion followed.

V. SUMMARY COMMENTS.

Ditzhazy - I purposely did not speak earlier because I wanted to hear what you people (indicating audience) had to say. Alternative site for ice rink and posting of hours with support from the police to monitor area after hours (with site postings we can ask for the enforcement), directional signal for going up and down and modify the hill for safety.

V. SUMMARY COMMENTS - cont'd.

Flanagan - What would you think if we had a multimillion dollar lawsuit. On the other hand we have parents who don't want their kids walking three houses to catch the bus. I think we should let the city off the hook. We are not going to reinstate the ice rink.

Deadman - Liability is a real question, not a nebulous question. There are multimillion dollar lawsuits. This is a real dilemma. Modify hill. Staff-wise, we will do whatever we can to assist. Advise city not to accept liability.

Rennels - Summarized: Alternative site for ice rink, modify hill for safety, traffic pattern for up and down, supervision for after hours, and supervision for sledding time.

The School District will pursue the ideas we have discussed. Try something for a year and see how it goes. We will also be taking this to Farmington Hills' Parks and Recreation to see how they might contribute to a safer hill. Also, we need to be watch dogs on the hill. We need to be our little brothers and sisters keepers out there.

VI. CONCLUSION.

Rennels - I want to express my thanks to the City Council members of Farmington, Mr. Deadman, and particularly Mayor Richardson. I think it was very useful. Thank you for your time.

My appreciation to fellow Board Members, Mike Flanagan, and Earleen Kisner for joining us tonight.

The meeting was adjourned by President Rennels at 9:15 P.M.

ejk

COUNCIL PROCEEDINGS

A special meeting of the Farmington City Council was held at 7:00 p.m. prior to the regular meeting on November 5, 1990, 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 7:09 p.m.), Yoder.

OTHERS PRESENT: City Manager Deadman, City Attorney Donohue, Acting City Clerk Murphy.

Discussion was held on convening a special meeting of the Farmington Economic Development Corporation.

The Sewer Improvement Project was discussed. City Manager Deadman asked for Council direction on going forward with the project into the winter. The consensus of Council was for the administration to make the decision.

City Attorney Donohue reviewed with Council the proposed amendments to the Sign Ordinance dealing with appeals. He stated that the proposed language contains guidelines and conditions for use in considering appeals. He explained that he tried to cover specific conditions which could be used in making decisions on granting sign variances.

City Council discussed the proposed guidelines for use in granting appeals and which governmental body will hear appeals. It was generally agreed that the ordinance in the form submitted by the City Attorney will be placed on the next regular Council agenda.

Meeting adjourned at 8:00 p.m.


SHIRLEY V. RICHARDSON, MAYOR


CAROL MURPHY, ACTING CITY CLERK

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, November 5, 1990, 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 8:05 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 MEETINGS

Mayor Richardson called attention to page 2, paragraph 3, of the Special meeting minutes of October 15, 1990, pointing out that it was City Attorney Donohue who stated that the City of Troy took the sign appeals away from the ZBA because they thought the ZBA was giving away too much.

11-90-292

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the Special meeting of October 15, 1990, as corrected, and the minutes of the Regular meeting of October 15, 1990, as submitted. Motion carried, all ayes.

PRESENTATION

1989-90 FINANCIAL AUDIT REPORT: PLANTE & MORAN

Plante & Moran representative Eagan presented the City's annual financial audit report with additional information for 1989-90. Mr. Eagan stated that the City ended the fiscal year with a small surplus, and his firm found the City's financial records in compliance with accepted practices.

MINUTES OF OTHER BOARDS

11-90-293

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 October 2, 1990;
- Board of Zoning Appeals minutes of October 3, 1990;
- Traffic and Safety Board minutes of August 16, 1990;
- Farmington Historical Commission minutes of September 19, 1990;
- Farmington Community Library minutes of September 13, 1990;
- Board of Education minutes of October 2, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR PERMIT TO INSTALL BANNERS
FARMINGTON DOWNTOWN DEVELOPMENT AUTHORITY

The City Manager advised that the Downtown Development Authority requires a new permit to continue installing banners on Farmington Road. A copy of the resolution required by the Oakland County Road Commission was submitted for Council approval.

11-90-294

Motion by Councilman Hartsock, supported by Councilman Yoder, to authorize the Downtown Development Authority Director to apply for a right-of-way permit from the Oakland County Road Commission to continue the installation of banners on Farmington Road. Motion carried, all ayes.

[SEE ATTACHED RESOLUTION]

REQUEST FOR HOLIDAY PROMOTIONS PROGRAM
DOWNTOWN MERCHANTS ASSOCIATION

Council was advised that the Downtown Merchants Association requests Council authorization to string two banners across Grand River and to allow a helicopter to land in the Downtown Center to bring Santa Claus to Farmington.

11-90-295

Motion by Councilman Tupper, supported by Councilman Hartsock, to grant permission for the Downtown Merchants Association to land a helicopter in the downtown parking lot, to park a showmobile in the plaza for a tree lighting ceremony in the fountain area and to install two holiday banners across Grand River in the downtown area. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

TRAFFIC CONTROL ORDER: LOADING ZONE

Council was advised that the owner of the Focal Point Studio requests that a loading zone be provided in the alleyway east of the building.

Public Safety Director Frank Lauhoff stated that he reviewed the fire department's needs relative to the alleyway. He advised that this would pose no hazard for accessing the building, and proposed that the alleyway be designed as a temporary loading area.

11-90-296

Motion by Councilman Tupper, supported by Councilman Tupper, to introduce Ordinance No. C-576-90, which would amend Chapter 4,

COUNCIL PROCEEDINGS -3-
November 5, 1990

Section 4.12, Alleys, by adding Subsection (3), changing the alley east of Focal Point Studios from a "No Parking-Fire Route" to a "15 minute Loading Zone". Motion carried, all ayes.

DRAKE PARK DEVELOPMENT PROJECT

Council was advised that in order to accept a D.N.R. grant for the Drake Park Development Project, Council must authorize the City Manager to sign the grant agreement, pass a resolution appropriating the City's share of the project funds and commit the City to abide by the terms of the agreement.

11-90-297

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

[SEE ATTACHED RESOLUTION]

BIDS: PURCHASE OF PATROL VEHICLES

Council was advised that in developing the City's budget, an 8% increase was anticipated for replacement patrol vehicles.

The City Manager stated that the cost of police vehicles bid to Oakland County with the equipment desired by the City's Public Safety Department is 14% higher than the 1990 price, or \$2,262.00 over the budgeted amount. He pointed out that the Department may be able to absorb the additional cost by savings in other accounts, possibly necessitating a budget adjustment later in the fiscal year.

11-90-298

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the acceptance of the bid price received from the Oakland County Purchasing Department for two patrol vehicles at a cost of 28,912.64, and

BE IT FURTHER RESOLVED that funds be provided from the 1990-91 budget.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED NOVEMBER 5, 1990.

COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS

Council was advised that the application for 1991-92 Community Development Block Grant funds is due at the Oakland County Office of Community Development on November 30, 1990. Council was further advised that the County estimates that Farmington's grant for the new fiscal year is approximately \$39,000.00.

The City Manager pointed out that to be eligible for Block Grant funding a project must meet one of the three following objectives:

1. That primary beneficiaries are low or moderate income people.
2. That the project prevents or eliminates blight.
3. That the project meets an urgent community need.

City Manager Deadman recommended that Council set development objectives for the 1991-92 CDBG programs as street and drainage improvements in low or moderate income neighborhoods.

He further recommended that unspent and uncommitted CDBG funds from previous years be reprogrammed to the same objective, and listed total unspent funds of \$64,208.00 from 1985 through 1990.

The City Manager requested that a public hearing be set on November 19, 1990, to hear comments on the 1991-92 CDBG program and on reprogramming unspent funds.

11-90-299

Motion by Councilwoman McShane, supported by Councilman Hartsock, to establish a Public Hearing at 8:00 p.m. on Monday, November 19, 1990, on the use of the 1991-92 Community Development Block Grant funds and on reprogramming unspent funds from 1985 through 1990. Motion carried, all ayes.

VOLUNTEER ENFORCEMENT: HANDICAPPED PARKING

Council was advised that initial training of volunteers to enforce handicapped parking would take at least eight hours, with ongoing supervision estimated at an additional eight hours per month.

The City Manager stated that for a total of 210 vehicles occupying handicapped spaces during a recent Public Safety Department survey, only six violators were observed, all in downtown parking lots.

Council was advised that since no complaints were received about the lack of available handicapped parking spaces and enforcement efforts indicate an insufficient number of violations, it seems

COUNCIL PROCEEDINGS -5-
November 5, 1990

inadvisable to add an additional activity to the special activities presently assigned to a relatively small force of the Public Safety Department.

11-90-300

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the City Manager's report on Volunteer Enforcement of Handicapped Parking. Motion carried, all ayes

CONTRACTOR PAYMENT:

SEWER SYSTEM IMPROVEMENTS

Council was advised that the contractor, Dan's Excavating, Inc., submitted a request for the first estimated payment for work completed on the Sewer System Improvements.

The City Manager stated that the engineer recommends payment in the amount of \$523,698.66, and he concurs with this recommendation.

11-90-301

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the first estimated payment to Dan's Excavating, Inc., in the amount of \$523,698.66 for work completed through October 26, 1990, on the Sewer System improvements.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED NOVEMBER 5, 1990.

MISCELLANEOUS

PUBLIC COMMENT

Mr. Gus Borman, 31585 LeeLane, north of Orchard Lake Road, reported flooding in his basement and other homes in the area. City Manager Deadman informed Mr. Borman that the City will investigate this problem and try to arrive at a solution.

Arnold Campbell, 21080 Birchwood, asked about the possibility of having a soccer field in Drake Park. City Manager Deadman pointed out that there is a soccer field at Shiawassee Park.

Mr. Campbell expressed disappointment that the Farmington JayCees moved their tree lighting ceremony from the Historical Museum to the Downtown Center. He stated that he feels there should be a tree put up at the museum.

COUNCIL PROCEEDINGS -6-
November 5, 1990

Councilman Tupper stated that the City should be very careful of involvement on school property and the exposure to liability regarding the sledding hill.

FINANCIAL REPORTS: GENERAL FUND AND
47TH DISTRICT COURT, TWO MONTHS ENDED
AUGUST 31, 1990

11-90-302

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, 1990. Motion carried; all ayes.

DEPARTMENTAL QUARTERLY REPORTS
JULY - SEPTEMBER, 1990

11-90-303

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Department of Public Works and Water & Sewer Department Quarterly Reports for July - September, 1990. Motion carried, all ayes.

11-90-304

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

WARRANT LIST

11-90-305

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$30,109.99; Water & Sewer Fund \$137,530.41.

ROLL CALL:

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


MOTION CARRIED.

ADJOURNMENT

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

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


SHIRLEY W. F. RICHARDSON, MAYOR


CAROL MURPHY, ACTING CITY CLERK

Oakland County Road Commission
Traffic-Safety Department

R E S O L U T I O N

To be used by Governmental Units in connection with Applications for a permit to temporarily close a County Road for a parade or similar activity or for banners or similar objects to over hang the traveled way of a Road.

NOTE: It is not necessary to use this form when submitting a Resolution. It may be used as a sample of adequate wording and content for Permit Resolutions.

RESOLVED, that Wendy Strip Sittsamer, Ex. Dir., DDA is hereby authorized to make
(name) (title)

application to the Oakland County Road Commission on behalf of the City
(city, village or township)

of Farmington in the county of Oakland Michigan for the necessary permit(s) to
(name)

Install several banners, measuring 31"X94" long, the bottoms of
(description of what is desired, including date(s))

which will be 14' from the ground, to be affixed with brackets

at both top and bottom of utility poles at curb for a period

November 20, 1990 to November 20, 1991.

Farmington Road between Oakland Road
and Slocum Drive

(name of road(s))

, and that the City
(city, village or township)

of Farmington in the county of Oakland Michigan will faithfully fulfill all

permit requirements, and shall save harmless, indemnify, defend, and represent the Board against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permit(s) as issued.

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by the

Council of the City of Farmington at a
(name of governing body) (city, etc.) (name)

Regular meeting held on the 5th day of November A.D. 1990
(regular, special)

Signed Josephine M. Bushey
Josephine M. Bushey
Title City Clerk

RESOLUTION
No. 11-90-297

Upon motion made by Councilwoman McShane, seconded by Councilman Yoder, the following Resolution was adopted:

"RESOLVED, that the City of Farmington, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the Farmington City Council does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate the sum of Ten Thousand ----- (\$ 10,000.00) dollars to match the grant authorized by the DEPARTMENT and to appropriate such additional funds as shall be necessary to complete the project.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To authorize Robert F. Deadman/City Manager (Title), to be the local Authorized Representative to sign documents in behalf of City of Farmington Michigan.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution."

The following aye votes were recorded: Hartsock, McShane, Richardson, Tupper, Yoder.

The following nay votes were recorded: None.

STATE OF MICHIGAN)
) ss
COUNTY OF Oakland)

I, Josephine M. Bushey, Clerk of the City of Farmington, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources which Resolution was adopted by the Farmington City Council at a meeting held on November 5, , 1990 .

Signature Josephine M. Bushey

 City Clerk
Title

Dated: November 8, 1990

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, November 19, 1990, 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, Adm. Assistant Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETINGS

11-90-306

Motion by Councilman Hartsock, supported by Councilwoman McShane, to approve the minutes of the Special and Regular meetings of November 19, 1990, as printed. Motion carried, all ayes.

PUBLIC HEARING

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION, 1991-92

Mayor Richardson explained the Public Hearing procedure and asked the City Manager to give a brief report on the 1991-92 Community Development Block Grant application.

Council was advised that to obtain C. D. Block Grant funds for 1991-92, the City must submit its application to Oakland County by November 30, 1990.

Council was further advised that this evening's Public Hearing was called to hear comments from residents or visitors about the proposed projects for the coming year and the proposed reprogramming of \$64,208.00 of unexpended funds from 1985 through 1990.

The City Manager recommended that the 1991-92 funds as well as the unexpended funds be allocated for public improvements, specifically street improvements in the area bounded by Shiawassee, Lilac, Grand River and Power Road.

Manager Deadman advised that to allocate the funds described, City Council must pass two resolutions: one regarding the 1991-92 funds, the other reprogramming the unexpended funds from previous years.

The Mayor opened the Public Hearing by calling for comments from the audience of three people present. There were no comments from the audience.

COUNCIL PROCEEDINGS -2-
November 19, 1990

11-90-307

Motion by Councilman Yoder, supported by Councilman Hartsock, to close the Public hearing. Motion carried, all ayes.

11-90-308 (a)

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

[SEE ATTACHED RESOLUTION].

11-90-308 (b)

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

[SEE ATTACHED RESOLUTION].

MINUTES OF OTHER BOARDS

11-90-309

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

- Planning Commission minutes of November 23, 1990;
- Downtown Development Authority minutes of November 7, 1990;
- Farmington Area Commission on Aging minutes of October 16, 1990;
- Farmington Area Arts Commission minutes of October 18, 1990;
- Farmington Beautification Committee minutes of October 10, 1990;
- Farmington Community Library minutes of October 11, 1990;
- Board of Education minutes of October 2 and October 23, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR TEMPORARY OUTSIDE SALES PERMIT
THRIFTY FLOWERS, INC., ORCHARD LAKE ROAD

The City Manager advised that Bryon Eaton of Thrifty Flowers, Inc., seeks permission for an outside sale of Christmas trees, wreaths and grave blankets at 22840 Orchard Lake Road from November 26 to December 26, 1990.

Council was further advised that last year three outside sales permits were approved at this location, each running for a ten-day period.

Councilman Tupper asked how many feet west of the building Mr. Eaton would be using for this display. He advised that approximately three parking spaces would be used.

COUNCIL PROCEEDINGS -3-
November 19, 1990

Councilman Tupper asked to have the minutes reflect that the proponent indicated that the display would not exceed four feet in front of the building and that the trees on the south portion will take up three parking spaces.

Councilwoman McShane stated that the Zoning Board of Appeals reviewed the Oak Farms Fruit Market request and was leaning toward denying use of the parking lot at this location.

Councilman Yoder stated that this is a different use as this is a private parking lot. He was advised that the parking lot at Thrifty Flowers is also a private parking lot.

Councilman Hartsock asked if Mr. Eaton will be using any additional signage for the sale. Mr. Eaton replied that he would not.

Council was advised that there were no problems caused by last years outside sale at Thrifty Flowers.

11-90-310

Motion by Councilman Tupper, supported by Councilman Yoder, to grant permission for the temporary outside sale of Christmas trees, wreaths and grave blankets at Thrifty Flowers, Inc., 22840 Orchard Lake Road from November 26 to December 26, 1990, provided that the display does not exceed four feet in front of the building and that the trees on the south portion of the parking will take up three parking spaces as indicated on the drawing submitted. Motion carried, all ayes.

LETTER FROM CITY OF SOUTHFIELD RE:
NOMINATION FOR NATIONAL LEAGUE OF CITIES
BOARD OF DIRECTORS

Council was advised that the City of Southfield enacted a resolution supporting the nomination of their Councilwoman, Vicki Goldbaum, to the NLC Board of Directors. The City Manager stated that the Southfield City Council requests that the Farmington City Council enact a similar resolution.

City Manager Deadman stated that it would be in the best interest of our area to have a local representative on the NLC Board.

11-90-311

Motion by Councilwoman McShane, supported by Councilman Hartsock, that the Farmington City Council adopt a resolution similar to Southfield's and forward copies of said resolution to the NLC Board of Directors, the Michigan Municipal League and the City of Southfield. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

Council was advised that requests for proclamations were received from the Layman's National Bible Association and the Oakland County Emergency Management Division.

11-90-312

Motion by Councilman Hartsock, supported by Councilman Yoder, to issue a proclamation designating November 18 - 25, 1990 as the 50TH ANNIVERSARY OF NATIONAL BIBLE WEEK in the City of Farmington. Motion carried, all ayes.

11-90-313

Motion by Councilman Hartsock, supported by Councilwoman McShane, to issue a proclamation designating November 25 - December 1, 1990 as MICHIGAN WINTER AWARENESS WEEK in the City of Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED SIGN ORDINANCE AMENDMENTS

The City Manager submitted for Council consideration the proposed sign ordinance amendments as recommended by the Planning Commission, adjusted by City Council and drafted by the City Attorney.

Also submitted was a previous report of the City Manager which highlighted the proposed amendments to the sign ordinance with the exception of changes made by City Council.

The City Manager pointed out that Council introduced the ordinance on June 18, 1990 and held a public hearing on August 20, 1990. He recommended that if Council is prepared to act on this matter, Ordinance No. C-571-90 amending the Sign Ordinance, be adopted.

It was further noted that Council held two special sessions to discuss the particular proposed sign ordinance amendments.

11-90-314

Motion by Councilman Tupper, supported by Councilwoman McShane, to adopt the Sign Ordinance amendments as presented by the Planning Commission.

Discussion of the Motion:

Councilman Yoder stated that at the Public Hearing he said that he would support nothing less than 50% of the window coverage. He further stated that now he will go along with the 25% indicated in the ordinance amendments.

Mayor Richardson asked if everyone understood what is actually being voted on.

COUNCIL PROCEEDINGS -5-
November 19, 1990

Mr. Yoder pointed out that the two provisions were that the appeals process remain with City Council and that this ordinance before Council tonight is the last revision of the City Attorney.

It was stated that Councilman Tupper's motion is out of order.

Mayor Richardson stated that she would leave it up to the entire City Council as to whether or not Mr. Tupper's motion to adopt the ordinance as presented by the Planning Commission is out of order.

Councilman Hartsock stated that the one feature that he had the most difficulty with is the appeals process. He pointed out that during the last two special meetings he expressed his feelings on that and would like to hear everyone's opinion whether or not it should go through City Council or the Board of Appeals.

Councilwoman McShane stated that she has no problem with 25% of the window area, also sending the appeals process to the Board of Zoning Appeal. She feels there is no great harm, because it does give Council more time to concentrate on other matters, and she stated that she trusts the Board to make these types of decisions. She pointed out that it seems like a more natural duty to send the appeals process to the Board of Zoning Appeals.

Councilman Yoder reiterated that he thinks it is very crucial for the appeals process to remain with Council.

Councilman Tupper stated that he believes the City Council's charge and duty is to be a Board of Directors and to set policy for the community. He stated that he does not think it is Council's position to get involved in the day-to-day operations of the City, including Boards and Commissions.

Mayor Richardson stated that this probably has been one of the most difficult decisions to make. She advised that she has given it a lot of thought and tried to be fair. She pointed out that after serving on the Planning Commission for several years, she appreciates the number of hours that the Commission spent in coming up with the amendments and she stated her approval of the majority of them. The Mayor stated that now that she sits on the Board of Zoning Appeals, she has been able to look at the situation both ways. She said that she personally still feels that since the City Council has been very successful in granting variances to the sign ordinance, she would like to see the appeals process remain with City Council.

Councilman Yoder called the question and the Mayor asked for a roll call vote on Mr. Tupper's motion.

COUNCIL PROCEEDINGS -6-
November 19, 1990

ROLL CALL:

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

MOTION FAILED.

11-90-315

Motion by Councilman Yoder, supported by Councilman Hartsock, that the Farmington City Council adopt the Sign Ordinance amendments as presented to City Council this evening.

Discussion of the Motion:

Councilman Tupper asked if Council was aware of the implications of the State Law regarding the method of voting if in fact the City Council is serving as an appeals board vs. a body that is here through the police ordinance. He asked if this set aside the City Council? He stated that they are not a Board of Appeals that just hears appeals.

The City Manager pointed out that the State Law applies to the Board of Zoning Appeals on zoning matters. He said that this proposed ordinance is a police ordinance and, therefore, is not governed by the same restrictions as pertain to a zoning approval.

The Mayor called for a roll call vote on Mr. Yoder's motion.

ROLL CALL:

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

MOTION CARRIED.

[SEE ATTACHED ORDINANCE NO. C-571-90].

APPROVAL OF OAKLAND COUNTY
SOLID WASTE MANAGEMENT PLAN

Council was advised that this is the first update of the Oakland County Solid Waste Management Plan since its original adoption in 1983.

The City Manager pointed out that it should have been updated in 1988, but because of controversy over many elements of the plan and the county's desire to thoroughly evaluate county needs and required facilities, extensive delays were involved in the first amendment.

COUNCIL PROCEEDINGS -7-
November 19, 1990

Council was informed that the proposed plan is now released for local municipality approval. The City Manager advised that the document sets forth goals for the reduction, reuse and disposal of solid waste as follows:

Recycling	35%
Reusing	4%
Reducing	6%
Composting	5%
Landfilling	10%
Incinerating	40%

Council was advised that the RRRASOC Board of Directors adopted a resolution approving the update to the Oakland Count 641 Plan and recommends that local governmental units also approve this update.

11-90-316

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

[SEE ATTACHED RESOLUTION]

ADDITION OF LYON TOWNSHIP TO RRRASOC

The City Manager recommended that Council adopt the resolution approving the addition of Lyon Township to RRRASOC and the amendments to the Articles of Incorporation. He pointed out that the inclusion of Lyon Township would establish contiguous membership of communities beginning in Southfield westward to the county limits; also, that it would provide an eight member Authority for the management of solid waste in the southwestern portion of Oakland County.

11-90-317

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

[SEE ATTACHED RESOLUTION].

PROGRESS REPORT: SLEDDING HILL

The City Manager stated that as a result of the recent meeting between City Council and the school district, the school district will have the primary responsibility and liability for sledding which occurs on their property; also, that the school administration will seek the support and cooperation of the Cities of Farmington and Farmington Hills to make this activity as safe as possible.

Council was advised that a review of the current operation of the sledding hill was made by Director of Public Services Billing,

COUNCIL PROCEEDINGS -8-
November 19, 1990

Director of Farmington Hills Special Services Potter, and they suggested improvements. Council was further advised that the ice rink would no longer be located on school property.

The City Manager pointed out that certain undesirable activities occur after the sledding hill is closed in the evening. He further noted that the City has no authority to limit the use of the hill unless the school district requests the City to enforce trespassing or other regulations. He indicated that to do this, it would be necessary for Council to adopt an ordinance making such activities a Code violation.

Councilman Hartsock suggested that a skating pond be installed on the east side of Shiawassee Park along Power Road. He was advised that there is no water available there. He further suggested Longacre School. He was advised that the City is looking into operating a rink on school property, but we have not yet asked the school district. It was noted that this is a dead issue with the schools.

11-90-318

Motion by Councilwoman McShane, supported by Councilman Hartsock, to receive the City Manager's progress report on the Sledding Hill. Motion carried, all ayes.

PUBLIC SAFETY
EMERGENCY MEDICAL ASSISTANCE PROGRAM

The City Manager advised that if Farmington is to continue responding to medical emergencies, all of the Public Safety Officers must be trained and recertified periodically.

Council was advised that to qualify personnel for medical emergency response, it is necessary to temporarily table the Fire Fighter II training program and institute Medical First Responder training, with a scheduled completion date of November 1991 to comply with requirements of the law.

The City Manager pointed out that ongoing Medical First Responder certification would cost the Department \$3,000.00 to \$5,000.00 annually.

11-90-319

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

BE IT RESOLVED that the Farmington City Council hereby agrees that the Department of Public Safety should continue responding to medical emergencies with life support services and transportation provided by private ambulance service, and

COUNCIL PROCEEDINGS -9-
November 19, 1990

BE IT FURTHER RESOLVED that appropriations of approximately \$3,000.00 to \$5,000.00 for continued certification of Medical First Responders be annually reviewed by Council as part of the Public Safety Department's budget request.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED NOVEMBER 19, 1990.

PETITIONS FOR ROAD IMPROVEMENTS:
VALLEYVIEW/PROSPECT STREETS

Council was advised that it is advantageous for the City to go forward with these improvements if Council wishes to establish a Public Hearing on necessity.

The City Manager advised that a valid initiative petition must either be filed by owners whose aggregate assessed value is more than 65% of the total assessed value or represent 65% of the aggregate frontage on the streets proposed to be assessed. He indicated that the petitions filed do not meet these requirements.

Manager Deadman stated that as the petitions submitted represent 60% of the total assessed valuation, if City Council finds this sufficient to meet its desire for the street improvements, Council on its own initiative can establish a public hearing on necessity for improving Valleyview and Prospect Streets.

Council was advised that since these streets were identified by the 1980 census as a low and moderate income area, they qualify for use of Community Development Block Grant funds.

Councilman Yoder stated that it is time to go forward with these street improvements on Council's own initiative.

11-90-320

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

[SEE ATTACHED RESOLUTION].

STATE OF MICHIGAN
EXTENDED PURCHASING PROGRAM

Council was advised that the administration recommends that Council authorize payment of \$260.00 to the State of Michigan for

COUNCIL PROCEEDINGS -10-
November 19, 1990

participation in the extended purchasing program. The City Manager pointed out that the net savings to the City on the salt contract alone exceeds the participation fee.

11-90-321

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the annual payment of \$260.00 to the State of Michigan for participation in the State's extended purchasing program.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED NOVEMBER 19, 1990.

ANNUAL PERMIT FOR WORK ON STATE HIGHWAYS

Council was advised that if the City is to continue providing services under the maintenance contract with the State, it is necessary to adopt a resolution for miscellaneous operations within the state trunkline right-of-way.

11-90-322

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

WHEREAS, the City of Farmington maintains Grand River under contract with the Michigan Department of Transportation, and

WHEREAS, the City wishes to conduct parades, install banners and flags on the Grand River right-of-way, and

WHEREAS, the Michigan Department of Transportation requires a permit for such activities;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to apply for such permit.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED NOVEMBER 19, 1990.

MISCELLANEOUS

PUBLIC COMMENT

Councilman Yoder stated that he attended the last meeting of the Board of Zoning Appeals and was very disappointed that only four regular members and one Alternate were present. He pointed out that the Board's membership was increased by one regular member and two Alternates. He stated that an important issue relative to a buildable lot was turned down by a vote of 3 to 2, and it takes four affirmative votes to pass an issue. He feels the proponents are being short-changed.

Councilman Yoder further stated that the proponents should have the option of having a full board present or setting another hearing. He suggested that the Board of Zoning Appeals be absolved and the City Council act as the Board of Zoning Appeals. He further asked the City Manager to give Council a record of ZBA members' attendance for the past year.

Councilman Tupper stated that he spoke to the Michigan Municipal League attorney relative to the Board of Zoning Appeals; also concerning Council's role in regard to appeals. He said they both read the State law and the City Ordinance as they refer to the ZBA. He stated that according to Earl Billing's interpretation of the City Ordinance, it says that the Board of Appeals must have a majority of the Board (6 people on the Board).

He pointed out that the attorney stated he does not want to give us any legal advice as it is not his role. He stated that a lot of cities interpret that a board must have a quorum to operate. Once you have established a quorum, you have a board. Therefore, the items on the agenda other than land use can be dealt with.

City Manager Deadman stated that the Board has a letter on file from the previous City Attorney on what the Board has ruled relative to a quorum. He suggested that City Council might want to ask our present City Attorney to rule on the same question.

Council asked the City Manager to have the City Attorney provide information on the interpretation of the State Law as it pertains to a quorum.

Mayor Richardson stated that she attended the Tenth Anniversary Dinner at Farmington Place and the residents expressed their feelings regarding their closeness with the City. She stated that they are pleased with the benches in the downtown area and would also like one on the north side. She said they praised the Department of Public Safety relative to the cooperation they have

COUNCIL PROCEEDINGS -12-
November 19, 1990

given them. She advised that there are five residents there over the age of 90 and she presented one of our gold Farmington pins to a 98 year old lady, the oldest resident there.

APPOINTMENTS TO BOARDS/COMMISSIONS

Council was advised that the Beautification Committee recommended the appointment of Mrs. MaryAnn Catlett of Farmington Hills to a two-year term on the Committee.

The City Manager pointed out that there are currently several openings on the Beautification Committee.

Councilwoman McShane asked if Council has any concern about having outside residents as Beautification Committee members.

Mayor Richardson pointed out that this body is a Committee and, therefore, is permitted to have outside residents as members.

11-99-323

Motion by Councilman Yoder, supported by Councilman Hartsock, to appoint MaryAnn Catlett, 26156 Steel, Farmington Hills, to a two-year term on the Farmington Beautification Committee, said term to expire June 30, 1992. Motion carried, all ayes.

Mayor Richardson suggested that if Council wishes this changed, they may want to consider dissolving the Beautification Committee and restructuring it as a Commission, thereby, eliminating non-residents from membership.

HOLIDAY DECORATIONS

Council was advised that the Beautification Committee has accepted the responsibility of providing a holiday tree for the gazebo on the Farmington Museum property.

The City Manager stated that decoration of the tree is planned for Sunday, November 25 at 11:00 a.m. and the Committee invites City Council to participate in this activity.

Mayor Richardson stated that she talked with the Vice-Chairman of the Beautification Committee who contacted the JayCee president to see if they still have their decorations. She advised that the JayCeas will either purchase the tree or pay part of the cost, depending on the price.

PUBLIC SAFETY DEPARTMENT QUARTERLY REPORT
SEPTEMBER, 1990

Council was advised that Part I crimes are down substantially.

COUNCIL PROCEEDINGS -13-
November 19, 1990

11-90-324

Motion by Councilman Yoder, supported by Councilman Hartsock, to receive and file the Public Safety Department Third Quarterly Report for September, 1990. Motion carried, all ayes.

47TH DISTRICT COURT FINANCIAL REPORT FOR
YEAR ENDED JUNE 30, 1990 (PLANTE & MORAN)

11-90-325

Motion by Councilman Hartsock, supported by Councilwoman McShane, to receive and file the 47th District Court financial report by the auditing firm of Plante & Moran for the year ended June 30, 1990. Motion carried, all ayes.

FINANCIAL REPORTS: GENERAL FUND,
47TH DISTRICT COURT AND WATER & SEWER FUND
PERIOD ENDED SEPTEMBER 30, 1990

11-90-326

Motion by Councilman Yoder, supported by Councilwoman McShane, to receive and file the General Fund, the 47th District Court and Water & Sewer financial reports for the period ended September 30, 1990. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

11-90-327

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

ORDINANCE NO. C-576-90

[SEE ATTACHED ORDINANCE].

WARRANT LIST

11-90-328

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$37,123.96; Water & Sewer Fund \$6,076.71.

ROLL CALL:

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

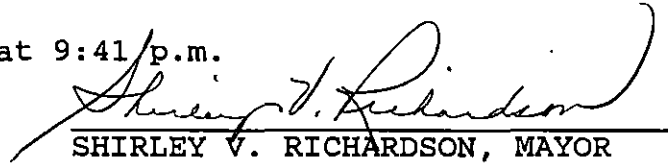
MOTION CARRIED.

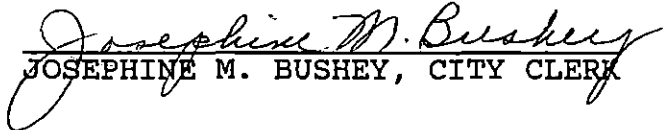
ADJOURNMENT

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

COUNCIL PROCEEDINGS -14-
November 19, 1990

The meeting was adjourned at 9:41 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved as corrected
December 3, 1990.

RESOLUTION

NO. 11-90-308 (a)

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

WHEREAS, the Farmington City Council has agreed to participate
in the Community Development Block Grant program for the year 1991-
92 through the County of Oakland, and

WHEREAS, the public has had an opportunity to review and
comment on the projects proposed for 1991-92;

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 1991-92 Block Grant
program as follows:

\$39,146.00 Street improvements in the neighborhood
bounded by Shiawassee, Lilac, Grand River
and Power Road

ROLL CALL:

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

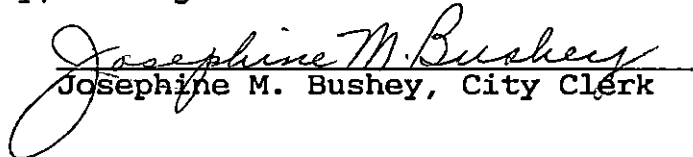
NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 19, 1990.

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, November 19, 1990 in the City
of Farmington, Oakland County, Michigan.


Josephine M. Bushey, City Clerk

RESOLUTION

NO. 11-90-308 (b)

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

WHEREAS, Community Development Block Grant funds previously
allocated to the programs listed below have not been spent,

1985 Home repair	\$1,600.00
1986 Home Repair	5,926.00
1988 Housing rehabilitation	6,457.00
1989 Downtown revitalization	7,137.00
1989 Housing rehabilitation	7,500.00
1990 Downtown revitalization	28,769.00
1990 housing rehabilitation	<u>6,819.00</u>
Total	\$64,208.00

AND WHEREAS, the intent of congress is that Block Grant funds
be promptly spent, and

WHEREAS, the Farmington City Council finds that street repairs
are required in the neighborhood bounded by Shiawassee, Lilac,
Grands River and Power Road, and

WHEREAS, the federal department of Housing and Urban
Development has designated that neighborhood as eligible for
Community Development Block Grant projects,

SO BE IT RESOLVED that the unexpended funds listed above be
reprogrammed as follows

1985 Street improvements	\$1,600.00
1986 Street improvements	5,926.00
1988 Street improvements	6,457.00
1989 Street improvements	14,637.00
1990 Street improvements	<u>35,588.00</u>
Total	\$64,208.00

AND BE IT FURTHER RESOLVED that the city manager be authorized
and directed to complete an application to Oakland County to effect
the changes described above.

ROLL CALL:

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

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 19, 1990.

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, Nov. 19, 1990, in the City
of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

CITY OF FARMINGTON

ORDINANCE NO. C-571-90

AN ORDINANCE TO AMEND CHAPTER 25 OF THE FARMINGTON CITY CODE TO DEFINE TERMS USED WITHIN THE CHAPTER; TO AMEND REGULATIONS PERTAINING TO CERTAIN TYPES OF SIGNS; AND TO PROVIDE FOR APPEALS OF THE PROVISIONS OF THE CHAPTER TO BE TAKEN TO THE CITY COUNCIL.

THE CITY OF FARMINGTON ORDAINS:

Section 1.

Chapter 25, Signs, Section 25-2, Definitions, of the Farmington City Code is hereby amended to read as follows:

Sec. 25-2. 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:

Erect means to build, construct, attach, hang, place, suspend, affix or paint.

Noncombustible material means any material which will not ignite at or below a temperature of twelve hundred (1200) degrees Fahrenheit and will not continue to burn or glow at that temperature.

Sign means any announcement, declaration, display, billboard, illustration and insignia when designed and placed so as to attract general public attention. Such shall be deemed to be a single sign whenever the proximity, design, content or continuity reasonably suggest a single unit, notwithstanding any physical separation between parts. "Sign" shall include any banner, bulbs or other lighting devices, streamer, pennant, balloon, propeller, flat (other than the official flag of any nation or state) and any similar device of any type or kind whether bearing lettering or not. Various different types of signs include the following:

- (1) *Ground sign*: A sign * supported by one (1) or more columns, uprights or braces in the ground surface.

- (2) *Marquee sign*: A * sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building and extending beyond the building wall, building line or street lot line.
- (3) *Projecting sign*: Projecting sign means a sign which is affixed to any building or structure, other than a marquee, and any part of which extends beyond the building wall.
- (4) *Roof sign*: A * sign which is erected, constructed and maintained above the roof of the building.
- (5) *Temporary sign*: A * sign, banner or other advertising device constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without a structural frame, or any other sign, intended for a limited period of display, but not including decorative displays for holidays or public demonstration.
- (6) *Wall sign*: A sign which is located on a building wall, the inside or outside surface of the building windows or upon other features on the exterior of the building and is not a temporary sign as defined by this chapter.
- (7) *Decorative display*: A decorative temporary display designed for the entertainment or cultural enrichment of the public and having no direct or indirect sales or advertising content.
- (8) *Special Effect Device*: A device which is not a sign but is designed and placed so as to attract public attention for a definite period of time; such as but not limited to search lights and hot or cold air balloons.

Sign area means the gross surface area within a single continuous perimeter enclosing the extreme limits of a sign, and in no case passing through or between any adjacent elements of same. Such perimeter shall not include any structural or framing elements lying outside the limits of such sign and not forming an integral part of the display. For computing the area of any wall sign which consists of letters mounted or painted on a wall, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all the letters.

(Code 1977, § 8.31)

Section 2.

Chapter 25, Signs, Section 25-3, General requirements, Subsections (c), (g) and (h), only, are hereby amended to read as follows:

Sec. 25-3. General requirements.

- (a) Unchanged.
- (b) Unchanged.
- (c) *Illumination.* Internally and externally lighted reflectorized, glowing and other forms of illumination shall be permitted on all signs. An illumination shall be concentrated on the area of the sign or landscape feature so as to prevent glare upon the street or adjacent property. No sign shall be illuminated by other than electrical means or devices, and wiring shall be installed in accordance with the National Electrical Code. The illumination of any sign or any part of such illumination cannot be other than a steady, continuously burning bulb or light. The flashing or turning on and off of the sign illumination or any bulb or component part thereof is prohibited, with the exception of that part of any sign which indicates time or temperature.*
- (d) Unchanged.
- (e) Unchanged.
- (f) Unchanged.
- (g) *Removal of certain signs.* Any sign now or hereafter existing which no longer advertises a bona fide business, a product, entertainment, service or commodity offered or sold on the lot shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which the sign shall be found within ten (10) days after written notice from the building inspector. A sign which is in conformity with the other provisions of this ordinance may remain in place if such sign is obscured by the use of a blank panel attached in a workman-like manner within the frame of the sign and shall be permitted to remain for a period not to exceed one hundred twenty (120) days.
- (h) *Public right-of-way.* No sign, whether permanent or temporary, shall be erected, placed in or be allowed to project into the public right-of-way.

Wall signs which exist as of 1, 1990 and which extend no more than twelve (12) inches into a right-of-way may remain in such location so long as they do not constitute a nuisance. Persons desiring to locate a sign in a public right-of-way may apply to the City Council for a license therefor, which license may be issued under such conditions as Council may require.

Section 3.

Chapter 25, Signs, Section 25-4, Permitted signs, is hereby amended to read as follows:

Sec. 25-4. Permitted signs.

In all areas designated as office, commercial (including CBD, except as otherwise noted) and industrial districts, as defined by Chapter 35, shall meet the following requirements:

- (1) Grounds signs. Ground signs shall be constructed in compliance with the City Building Code.
 - a. Material required. All ground signs except those specifically permitted in Section 25-8(1)d. and e. and shall be made of sheet metal, wood sheathing. Glass, porcelain and other hard durable material, wood may be used on ground signs not exceeding a height of ten (10) feet if such wood or wood sheathing complies with the Building Code requirements. Such signs shall be thoroughly braced and constructed to withstand the wind pressure requirement of the Building Code.
 - b. Letters, etc., to be secured. All letters, figures, characters or representations in cutout or irregular form, maintained in conjunction with, attached to or superimposed upon any sign shall be safely and securely built or attached to the sign structure.
 - c. Height and area limitations. It shall be unlawful to erect any ground sign to a height greater than the height of the building which it advertises or twenty-four (24) feet above the street to which the sign is faced, whichever is the lesser. No ground sign shall have a single surface area exceeding the following schedule:

<u>Sign Height</u>	<u>Allowable Square Footage</u>	
	<u>Single Faced</u>	<u>Double Faced</u>
10' or less	64'	128'
More than 10' but less than 15'	75'	150'
More than 15' but less than 19'	81'	162'
More than 19' but less than 24'	100'	200'

d. *Anchorage and support.* All ground signs shall be securely built, constructed and erected upon posts approved within the Building Code and shall be embedded in concrete. Such supports shall be so constructed as to meet the requirements of Section 25-3(a). A lightning grounding device shall be provided.

e. *Number of signs.* Not more than one (1) ground sign may be erected accessory to any one (1) development regardless of the number of buildings, separate parties, tenants or uses contained therein.

(2) *Wall signs:*

a. *Materials required.* All wall signs that are internally illuminated shall be constructed of material approved within the Building Code.

b. *Limitation on placement.* No wall sign shall cover wholly or partially any wall opening nor project beyond the ends or top of the wall to which it is attached.

c. *Projection and height.* No wall sign shall have a greater thickness than twelve (12) inches measured from the wall to which it is attached to the outer surface and it shall not be attached to a wall at a height of less than eight (8) feet above the ground if electric, otherwise there is no height restriction. Wall signs may project over the public right-of-way to the limits set forth in this section.

- d. *Area limitations.* The total surface area of the combination of all signs, including lettering and signs on awnings and canopies placed on the front or rear of a building shall not exceed one-tenth (1/10) of the area of the front face (including doors and windows of the principal building) or three (3) square feet for each lineal foot of building frontage, whichever is less. The total area of the wall signs on a side wall shall not exceed one-tenth (1/10) of the exposed area of the side wall (including doors and windows) of the principal building occupied by each such use and applying such proportion to the total sign area permitted for the front wall of the building means dealing with permitted front wall space.
- e. *Supports and attachments.* All wall signs shall be safely and securely attached to structural members of the building by means of metal anchors, bolts or expansion screws. In no case shall any wall sign be secured with wire, strips of wood or nails.

(3) *Projecting signs:*

- a. *Construction.* Every part of a projecting sign, with a total surface area greater than ten (10) square feet, shall be constructed of noncombustible material.
- b. *Movable parts to be secured.* Any movable part of a projecting sign, such as the cover of a service opening, shall be securely fastened by chains or hinges.
- c. *Area limitations.* All projecting signs shall be limited to thirty (30) square feet.
- d. *Thickness limitation.* The distance measured between the principal faces of any projecting sign shall not exceed eighteen (18) inches.
- e. *Projection over public property.* No projecting sign may project beyond the property line.
- f. *Bracing, anchorage and supports.* Projecting signs of a greater total surface area than ten (10) square feet or fifty (50) pounds in weight shall not be attached to nor supported by frame buildings nor the wooden

framework of a building. All projecting signs shall be thoroughly secured to the building by iron or other metal anchors, bolts, supports, rods or braces.

- g. *Height limitation.* No projecting sign shall exceed a height greater than the front wall height of the building to which it is attached nor shall it extend below a minimum height of eight (8) feet.

(4) *Marquee signs:*

- a. *Material required.* Every marquee sign, including the upright supports and braces thereof, shall be constructed entirely of noncombustible materials.
- b. *Height and area limitations.* No marquee sign shall have a total surface area exceeding twenty (20) square feet nor shall it be of a greater overall height than four (4) feet.
- c. *Bracing, anchorage and supports.* Every marquee sign shall be thoroughly secured to the building by iron or metal anchors, bolts, supports, rods or braces.

(5) *Awning or canopy signs.* Letters may be painted or otherwise affixed to any permissible awning or canopy sign subject to the following regulations:

- a. Lettering or letters shall not project above, below or beyond the physical dimensions of the awning or canopy;
- b. Lettering or letters shall not be larger from top to bottom than nine (9) inches;
- c. Lettering or letters shall not denote other than the name and address of the business conducted on the premises, and/or a project or products produced or sold, or services rendered herein.
- d. Area and height. No awning or canopy sign shall have a single face greater than allowed by Subsection 25-(2)d nor shall it be of a greater height than the top of the wall to which it is attached.

(6) *Special regulation on for sale or for lease signs located in non-residential areas.* For sale or

rental of individual units, there shall be no more than one (1) such sign, except that on a corner lot two (2) signs, one (1) facing each street shall be permitted. No such sign shall exceed twelve (12) square feet. No such sign shall be illuminated. All such signs shall be removed within ten (1) days after a lease or ale contract has been signed.

(7) *Temporary signs.* The following regulations shall be applicable to all temporary signs placed or situated at any place including signs located within six (6) feet inside of any building window when such signs may be seen through the window from an adjacent public right-of-way.

- a. *Permits required.* Permits are required to erect any temporary sign in excess of four (4) square feet in area.
- b. *Display period.* Cloth or canvas signs, pennants or banners may be erected for a period of not to exceed thirty (30) days in a six-month period. Temporary signs may be displayed for any new business or owner for a period of time not to exceed three (3) months, except as otherwise permitted by the Council.
- c. *Projection into right-of-way.* No temporary sign shall be strung across any public right-of-way nor shall any temporary sign project beyond the property line.
- d. *Area and height.* No temporary sign may have a single face greater than allowed by Subsection (2)d., nor shall it be of a greater height than the top of the wall to which it is attached. If the temporary sign is not attached to a wall, the sign shall not be of greater height than five (5) feet above the ground.
- e. *Removal.* Temporary signs shall be removed promptly at the end of the display period provided above.
- f. *Damaged or unsafe.* Any temporary sign found by the building department to be in a torn, damaged or in unsafe condition must be removed by the owner within three (3) days after his receipt of notice to do so from the building department.

- g. Number. The number of temporary signs permitted shall be limited to one (1) per building, per twelve-month period.
- h. Temporary window signs that are placed upon a window, or are legible from an adjacent public right-of-way shall be limited in area to twenty-five (25%) percent of the gross area of the windows contained within the wall into which the windows containing the sign(s) are placed. Temporary window signs may not remain in place for a period longer than thirty (30) days. Displays of products or services shall be excluded from the requirements of this section.

Section 4.

Chapter 25, Signs, Section 25-17, Appeals, is hereby amended to read as follows:

Sec. 25-17. Appeals.

Any person who shall feel aggrieved by any action or order taken under the terms of this chapter shall have the right of appeal to the City Council. Notice of such appeal shall be filed with the building inspector and shall be heard by the Council at their next regular meeting.

In its consideration of appeals, the City Council may grant specific variances from the terms of this ordinance upon a demonstration by the applicant that:

- a. Unique or unusual conditions affecting the property deny the applicant rights afforded to other properties in the area by this ordinance; or
- b. Unique or unusual conditions affecting the property or the surrounding area justify a variance in order to protect the public health, safety or general welfare.

In granting a variance, the City Council shall first determine that the variance would not be materially detrimental to the property owners in the area and the grant of a variance would not be contrary to the objectives of this ordinance to provide for the physical safety of pedestrians and motorists and to provide for the orderly, attractive and compatible arrangement of signs and structures within the City. The City Council may attach such conditions to the grant of any variance which it deems reasonable and necessary to insure these objectives are met.

Section 5. 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 6. 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 7. 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 8. 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 9. 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 19th day of November, 1990, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Councilman Yoder and supported by
Councilman Hartsock.

YEAS: Yoder, Hartsock, Richardson.

NAYS: Tupper, McShane.

ABSENTS: None.

ABSTENTIONS: None.

Ordained this 19th day of November, 1990, 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 19th day of November, 1990, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 19th day of November, 1990.

JOSEPHINE M. BUSHEY,
City Clerk

Resolution Approving Update to
Solid Waste Management Plan

At a regular meeting of the City Council
of the City of Farmington, Oakland
County, Michigan, held on the nineteenth day of
November, 1990, at 8:00, p.m., Michigan Time.
48375.

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

ABSENT: None.

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

WHEREAS, pursuant to Act No. 641, Public Acts of Michigan,
1978, as amended ("Act 641"), the County of Oakland (the "County")
has prepared an "Update to the Solid Waste Management Plan for
Oakland County, Michigan" (the "Plan Update"); and

WHEREAS, the Plan Update calls for the establishment of an
integrated waste management system for the disposal of all non-
hazardous solid waste produced by residential, commercial and
industrial waste generators in the County, which system will be
designed to achieve optimal environmental protection by maximizing
waste reduction and reuse, composting and recycling, and minimizing
the need for combustion and sanitary landfilling; and

WHEREAS, the Plan Update has been approved by the County Board of Commissioners by resolution adopted on June 28, 1990, and, in accordance with Act 641, must now be approved by the governing bodies of 67% of the cities, villages and townships in the County and then by the Director of the Michigan Department of Natural Resources; and

WHEREAS, the County has submitted the Plan Update to this City Council for approval in accordance with Act 641.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON, as follows:

1. The Plan Update in the form presented to this meeting is hereby approved.

2. Upon adoption, a certified copy of this resolution shall be sent to the County Department of Solid Waste Management.

3. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

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

NAYS: None.

RESOLUTION ADOPTED NOVEMBER 19, 1990.

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

I, the undersigned, the Clerk of the _____ City
of _____ Farmington _____, Oakland County, Michigan, do hereby certify
that the foregoing is a true and correct copy of a resolution
adopted at a _____ regular _____ meeting of the _____ Council
of said _____ City _____ held on Nov. 19 _____, 1990,
the original of which resolution is on file in my office. I
further certify that notice of said meeting was given in accordance
with the provisions of the Open Meetings Act.

Clerk, Josephine M. Bushey

**RESOLUTION APPROVING ADDITION OF MEMBER
TO AND AMENDING ARTICLES OF INCORPORATION OF
RESOURCE RECOVERY AND RECYCLING AUTHORITY
OF SOUTHWEST OAKLAND COUNTY**

WHEREAS, the City Council of the City of Farmington, by resolution previously adopted, has approved of the form of Articles of Incorporation of the Resource Recovery and Recycling Authority of Southwest Oakland County (the "Authority") and has directed the Mayor and the City Clerk to execute such Articles of Incorporation; and

WHEREAS, the City Council is now informed that the Charter Township of Lyon, County of Oakland, State of Michigan, has expressed a desire to join the Authority, and the City Council wishes to approve of such action by the Charter Township of Lyon;

WHEREAS, the Authority also proposes amendments to its Articles of Incorporation in connection with the addition of the Charter Township of Lyon and certain other matters;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City Council hereby approves of the amendments to the Articles necessary to reflect the addition of the Charter Township of Lyon to the Authority and accomplish the amendments in the form set forth in the Exhibit A hereto, and the Articles as so amended are hereby ratified, approved and adopted.

2. The Mayor and the City Clerk are hereby directed to endorse the fact of such adoption upon the amended Articles in the form and manner provided therein.

3. All resolutions and parts of resolutions inconsistent with the foregoing are hereby rescinded.

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

NAYS: None.

RESOLUTION DECLARED ADOPTED. NOVEMBER 19, 1990.

City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Farmington, County of Oakland, Michigan, at a regular meeting held on November 19, 1990, 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.

City Clerk

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ORDINANCE NO. C-576-90

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 4, Section 4.12, add Subsection (B) as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

CHAPTER 4

Section - 4.12 Alleys

(add) Subsection (B)

Alley between 33431 Grand River and 33425
Grand River "15 Minute Loading Zone".

This ordinance was introduced at a regular meeting of the Farmington City Council on November 5, 1990, was adopted and enacted at the regular meeting of the City Council on November 19, 1990, and will become effective ten (10) days after publication.

SHIRLEY V. RICHARDSON, MAYOR

JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS

A Regular meeting of the Farmington City Council was held on Monday, December 3, 1990, 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: Director Lauhoff, Director Billing, City Attorney Donohue, Adm. Assistant Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

Mayor Richardson called attention to Page 3, paragraph 2, line 1 of the minutes of November 19, 1990, indicating that Councilwoman McShane stated that the Planning Commission rather than the Zoning Board of Appeals reviewed the Oak Farms Fruit Market request....

As a point of clarification, the Mayor referred to page 11 of the minutes, paragraph 1, line 5, pointing out that Councilman Yoder indicated that an important issue relative to a "buildable" lot was turned down.... Mayor Richardson further referred to a motion in the Board of Zoning Appeals minutes of November 7, 1990, page 5, paragraph 7, which states that Lot 21 is not a buildable lot....

12-90-329

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the minutes of the previous meeting of November 19, 1990, as corrected. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

12-90-330

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

- Board of Zoning Appeals minutes of November 7, 1990;
- Traffic and Safety Board minutes of October 18, 1990;
- Joint Board of Education and City Council minutes of October 30, 1990;
- Board of Education minutes of November 6, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

CITY OF OAK PARK RESOLUTION RE:
CONTINUED SUPPORT FOR PRIMARY
ENFORCEMENT OF SEAT-BELT USE LAW

Council was reminded that on February 19, 1990, they supported legislation permitting primary enforcement of the seat-belt use law at the request of the Department of Public Safety.

The City Manager's report indicated that it is appropriate to reaffirm the position previously taken, since a new session of the state legislature has begun.

12-90-331

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

[SEE ATTACHED RESOLUTION].

REPORT FROM CITY ATTORNEY

BEVAN V BRANDON TOWNSHIP

City Attorney Donohue presented a report relative to a land use case pending before the Michigan Supreme Court. He advised Council that there are issues presented in the Bevan appeal which are of great importance to all municipalities exercising zoning and other land use controls. He discussed these issues and stated that the City of Bloomfield Hills as well as the Townships of Bloomfield, West Bloomfield, Independence and Oakland agreed to participate in the preparation and submission of an Amicus Curiae brief in the Case of Bevan v Brandon Township.

Mr. Donohue advised that an appropriate brief could be prepared and submitted based upon a contribution in the maximum amount of \$500.00 per municipality. He indicated that the previously mentioned city and townships have already contributed this amount toward the Amicus Curiae brief, and that only Farmington and Farmington Hills have not yet indicated their intention to participate. He asked if it was the wish of City Council that Farmington be identified with the brief.

Following discussion, the Mayor called for a motion.

12-90-332

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the expenditure of up to \$500.00 as the City's contribution to participate in the preparation and submission of an Amicus Curiae brief in the case now pending in the Michigan Supreme Court:
Bevan v Brandon Township.

COUNCIL PROCEEDINGS -3-
December 3, 1990

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED DECEMBER 3, 1990.

REPORTS FROM CITY MANAGER

BOARD OF ZONING APPEALS VOTING REQUIREMENTS

The City Manager's report indicated that over the past year, two members were each absent twice, and four members were absent once each. Seven meetings had full attendance, two had five members present and one had four present. This information was submitted in accordance with City Council's request of November 19, 1990.

The definition of a majority required to grant a variance was discussed by the City Attorney.

Councilman Yoder stated that there should be six members present at a meeting or the hearing should not be held.

Director Billing stated that at the last meeting of the Board, the proponents were not told at the beginning of the meeting, but before the second vote was taken, they were advised that it would require a four member vote to pass the issue. He also pointed out that the proponent has the option to ask that an issue be tabled until the full board is present. He further stated that at the last meeting the proponent was represented by legal counsel who did not exercise this option.

It was indicated that if the City Council were to act as a Board of Zoning Appeals, a majority would be a 3 to 2 vote.

Councilwoman McShane asked the Zoning Board Chairman, who was present, if he drafted some sort of a recommendation for Council.

Mr. Washburn suggested that a paragraph be added to the information given to proponents when they apply for a hearing, advising that the option to table an issue is available.

The City Attorney advised that the city would not have to re-mail notices provided a meeting is adjourned and the date of the next meeting is specified at the adjourned meeting. He further advised that there is no legal requirement that a full board be present; that the burden is on the proponent to ask for another hearing.

City Council thought that Mr. Washburn's suggestion was very worthwhile.

COUNCIL PROCEEDINGS -4-
December 3, 1990

Councilman Hartsock stated that a letter from the Steinbrenner's attorney indicated that they would like the matter reconsidered.

The City Attorney pointed out that a matter may only be reconsidered at the next meeting and only upon a motion by the side that made the denial. He further stated that a rehearing goes beyond reconsideration.

12-90-333

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and file the City Attorney's report on the Board of Zoning Appeals Voting Requirements. Motion carried, all ayes.

MUSEUM REGULATIONS

The City Manager's report indicated that the Historical Commission requests approval of the rules applicable to the use of the gazebo, and adopted by the Commission on November 14, 1990.

A letter from Commission member Carvell advised that the Commission seeks to formalize what has become practice relative to weddings being held at the gazebo and donations received for use of the facility.

Mr. Carvell further stated that after due consideration of its experience and the administration's cautions, the Commission has elected to proceed with its plans. He advised that the Commission judges that the benefits of increased use outweigh the administrative chores; that experience has not supported concerns about conflict with the neighborhood, and that since the gazabo will be used anyway, some regulation is better than none at all.

Councilwoman McShane asked if the use of this facility should be kept for Farmington residents only.

Mayor Richardson recommended that the fee for a non-resident be more than for a Farmington resident.

Councilman Tupper suggested that weddings would not be held after dark. He asked if the Commission has a written agreement with the adjoining church relative to parking.

The Mayor agreed that a written agreement would be a good idea. She suggested that the gazabo should be used for Farmington residents first and for outsiders after that, and that an additional fee should be charged non-residents. She further suggested that Mr. Carvell contact the City of Mt. Clemens to find out what they are doing relative to their gazebo.

COUNCIL PROCEEDINGS -5-
December 3, 1990

Councilman Yoder stated that he is opposed to the idea of a split fee. He pointed out that the Commission has gone to a great deal of trouble and he would like to support them. Councilman Hartsock agreed.

12-90-334

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the Museum regulations adopted by the Farmington Historical Commission on November 14, 1990. Motion carried, all ayes.

Mayor Richardson stated that if the use of the gazabo continues to grow and becomes a problem and Farmington residents are unable to schedule its use, she would like to see the regulations changed.

PROPOSED TRAFFIC CONTROL ORDER
FOR YODER DRIVE

Council was advised that the Traffic and Safety Board recommends that a "Yield" sign be installed at the south end of Yoder Drive. The administration concurs and recommends that Council introduce Ordinance C-577-90 authorizing installation of the sign.

12-90-335

Motion by Councilman Tupper, supported by Councilman Hartsock, to introduce Ordinance No. C-577-90, which would authorize the installation of a "Yield" sign at the south end of Yoder Drive.

ROLL CALL:

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

MOTION CARRIED.

PURCHASE OF ADMINISTRATIVE VEHICLE

Council was advised that the Oakland County bids are now available and the Department of Public Safety requests approval of the purchase of a 1991 Chevrolet Lumina 4-door for administrative use.

The City Manager's report indicated that the cost is \$10,499.45 from Mike Savoie Chevrolet.

12-90-336

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the purchase of one 1991 4-door Chevrolet Lumina through the

COUNCIL PROCEEDINGS -6-
December 3, 1990

Oakland County Purchasing Department at a cost of 10,499.45 from Mike Savoie Chevrolet, and

BE IT FURTHER RESOLVED that funds be provided from the 1990-91 General Fund Budget.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED DECEMBER 3, 1990.

Councilman Tupper asked how much the Department will get for disposition of the vehicle being replaced. He was advised that the Department hopes to get about \$1,000.00.

LEASE OF POLICE VEHICLE

Council was advised that the lease for the present vehicle expires on December 29, 1990.

The City Manager's report indicates that bids for a new lease were accepted on November 28, 1990 by the City Clerk as follows:

RED HOLMAN CHEVROLET:

1991 Pontiac Grand Am LE.....\$379.33 per month
1991 Pontiac Grand Am..... 349.98 per month

ATLAS LEASING:

1991 Chevrolet Lumina.....\$435.00 per month

BOB JEANOTTE PONTIAC:

1991 Pontiac Grand Am LE.....\$390.47 per month

Council was advised that the low bid of \$349.98 per month does not meet engine power specifications.

The administration recommended awarding a contract to Red Holman Chevrolet for the 12-month lease of a Pontiac Grand Am LE.

Councilwoman McShane asked why this lease is for twelve months. She was advised that the monies used are grant monies, and each year it is determined whether or not the grant will be renewed.

12-90-337

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

BE IT RESOLVED that the Farmington City Council hereby authorizes a contract with Red Holman Chevrolet to lease a 1991 Pontiac

COUNCIL PROCEEDINGS -7-
December 3, 1990

Grand Am LE for one year at \$379.33 per month, beginning approximately December 27, 1990, and

BE IT FURTHER RESOLVED that funds be provided from the Auto Theft Prevention Authority, and

FURTHER BE IT RESOLVED that the Purchasing Department be authorized to adjust the lease amount, not to exceed \$435.00 per month, as required by the Pontiac rebate adjustment due for review on December 12, 1990.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED DECEMBER 3, 1990.

PURCHASE OF STREET SWEEPER

Council was advised that invitations to bid on a street sweeper were sent to four local representatives of the only known sweeper manufacturer, and only one bid was received from:

BELL EQUIPMENT COMPANY	
Troy, MI.	Elgin Pelican \$69,500.00
	Net with Trade-in 5,000.00

The City Manager's report indicated that the sweeper was budgeted for \$110,000.00. He pointed out that the Department of Public Services expected to purchase a four-wheel vacuum sweeper but found that a three-wheel mechanical sweeper would be suitable.

12-90-338

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

BE IT RESOLVED that the Farmington City Council hereby awards a contract to Bell Equipment for one Elgin Pelican Series "P" Street Sweeper at \$69,500.00 net with trade-in, and

BE IT FURTHER RESOLVED that funds be provided from the General Fund, Capital Equipment, Streets, non-act 51 account.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED DECEMBER 3, 1990.

CONSTRUCTION CONTRACT
DPW HEATING SYSTEM

Council was informed that on November 29, 1990, the City Clerk opened bids on the DPW heating and cooling system renovation, and five bids were received as follows:

	<u>Base Bid</u> <u>HVAC</u>	<u>Electrical</u> <u>Bid</u>
D & G HEATING & COOLING	\$34,900.00	\$3,840.00
PUBLIC HEATING COMPANY	38,625.00	11,500.00
W. T. HEANEY COMPANY	42,800.00	3,850.00
COMMERCIAL LIGHT & POWER	No Bid	2,770.00
McSWEENEY ELECTRIC, INC.	No Bid	3,745.00

Council was advised that the bid was conducted by John A. Allen Architects, who recommended that the contract be awarded to the two low bidders as follows:

D & G Heating & Cooling for the HVAC
and
Commercial Light & Power for the Electrical work.

John Allen Architect stated that both contractors did extensive and satisfactory work for the City previously, and the administration concurred with the architect's recommendation.

The City Manager's report indicated that the heating system renovation was budgeted at \$100,000.00 based on estimates provided by heating contractors. The report pointed out that in the final design the architect was able to meet performance specifications with less new equipment than anticipated.

12-90-339

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

BE IT RESOLVED that the Farmington City Council hereby awards contracts for the DPW Heating and Cooling System renovation as follows:

--To D & G Heating & Cooling of Livonia, Michigan for the HVAC at \$34,900.00, and

--To Commercial Light & Power of Plymouth, Michigan for the electrical work at \$2,770.00, and

COUNCIL PROCEEDINGS -9-
December 3, 1990

FURTHER BE IT RESOLVED that funds be provided from the 1990-91 General Fund budget.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED DECEMBER 3, 1990.

MISCELLANEOUS

PUBLIC COMMENT

Councilman Tupper asked if the City checks a house for code violations when a resident moves and it is put up for sale. Director Billing answered that this is not done, unless the new owner asks for an inspection and pays the required fee.

Councilwoman McShane asked if the chairman of a board or commission could be notified whenever Council is looking at how they run their board or if changes might be implemented, e.g. invite the board chairman to the Council meeting when a particular board is being discussed.

Ms. McShane also asked how Council felt about discussing any of the lots in Farmington that could be taxed as buildable but indeed are not buildable.

Attorney Donohue advised that this should be left to the City Assessor.

Councilman Hartsock stated that the work on Shiawassee on the East side of Farmington Road is completed, but the temporary Stop sign is still at Power Road and Shiawassee. He asked if this was being kept on a permanent basis. Director Lauhoff replied that there are still 5,000 to 6,000 vehicles travelling up and down Power Road, and the Department feels the sign should remain for awhile.

There was considerable discussion relative to safeguards to be placed on the sledding hill, also concerning supervision and the liability involved.

Director Billing referred to a call from Mr. Baumunk regarding the materials needed for the sledding hill so the School Board can issue a purchase order. He stated that still in question is whether or not Farmington Hills is going to participate in supervision on the hill. He pointed out that the JayCees offered to participate in the inspection, maintenance and supervision of the hill.

COUNCIL PROCEEDINGS -10-
December 3, 1990

Director Billing further stated that once the school board gets the material, the city will put it up.

Councilman Hartsock expressed concern about safety on the sledding hill. He stated that he would like to have some sort of communication back from the School Board to clarify the situation.

Mayor Richardson suggested, and Council agreed, that they did not understand that the city would absorb the cost of supervision on the hill.

Mayor Richardson stated that Council needed to give Mr. Billing direction relative to placing the fencing on the hill.

Councilman Tupper stated that he did not feel this was necessary because it was not an Agenda item.

Councilman Hartsock stated: "We have to make a decision tonight." Councilwoman McShane agreed.

Councilman Tupper stated that he would like to have a positive answer from the City Manager relative to the position taken to date, and whether there is an agreement with Mr. Flanagan concerning a statement to hold the City harmless.

Attorney Donohue stated that he does not think there is such an agreement; that this is still a matter of discussion. Regarding Mr. Hartsock's concern relative to safety, he felt the City should provide Mr. Billing authorization to install the fencing at a location specified by the school district upon their written request. He further indicated that the City would just be providing the manpower to put up the fencing.

The Mayor called for a motion.

12-90-340

Motion by Councilman Hartsock, supported by Councilwoman McShane, to authorize the City Attorney to draft a letter of instruction coming from the School Board regarding installation of the fence and berm for the sledding hill. Motion carried, 4 ayes, 1 nay (Tupper).

Director Billing advised that relative to streets and the Sewer Project, his Department still intends to have all the concrete roads paved by December 24th; also that he expects to do additional paving on some local streets during the coming week and then direct his attention toward Shiawassee.

COUNCIL PROCEEDINGS -11-
December 3, 1990

FINANCIAL REPORTS: GENERAL FUND,
47TH DISTRICT COURT
FOUR MONTHS ENDED OCTOBER 31, 1990

12-90-341

Motion by Councilman Yoder, supported by Councilwoman McShane, to receive and file the General Fund and the 47th District Court financial reports for the four months ended October 31, 1990. Motion carried, all ayes.

WARRANT LIST

12-90-342

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$58,307.63; Water & Sewer Fund \$49,819.61.

ROLL CALL:

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

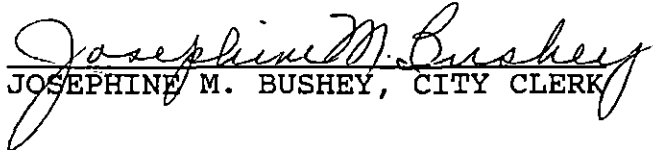
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Hartsock, 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: December 17, 1990.

R E S O L U T I O N

NO. 12-90-331

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

WHEREAS, Michigan's safety-belt use law is the state's only traffic safety law that does not allow primary enforcement; and

WHEREAS, primary enforcement of the safety-belt use law would prevent thousands more injuries annually and save Michigan millions of dollars in medical costs; and

WHEREAS, average safety-belt compliance in primary enforcement states is 13 percent higher than compliance in secondary enforcement states; and

WHEREAS, Hawaii has achieved a record high compliance rate of 78 percent by implementing primary enforcement; and

WHEREAS, law enforcement officers are not inclined to enforce secondary restraint laws because of the difficulty in doing so; and

WHEREAS, primary enforcement of the child restraint law has reduced the frequency of motor vehicle crash-related injuries to children under four years of age by 29.5 percent;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council does hereby support the primary enforcement of Michigan's safety-belt use law, and will encourage legislators representing this area to work for the passage of primary enforcement;

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor James J. Blanchard, Representative Dolan and Senator Faxon.

RESOLUTION UNANIMOUSLY ADOPTED DECEMBER 3, 1990.

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 December 3, 1990, 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 17, 1990, 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 Engineer Mariner, Adm. Assistant Schultz, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

12-90-343

Motion by Councilman Yoder, supported by Councilman Hartsock, to approve the minutes of the previous meeting of December 3, 1990, as written. Motion carried, all ayes.

PUBLIC HEARING

NECESSITY OF STREET IMPROVEMENTS VALLEYVIEW AND PROSPECT STREETS

Mayor Richardson explained the public hearing procedure and called upon the City Manager to give a brief overview of the project.

City Manager Deadman advised the audience of 30 residents that City Council was presented with a petition signed by approximately 60% of the property owners on Valleyview and Prospect Streets asking that Council consider paving the two streets. He explained that tonight's meeting is to determine whether Council will confirm the necessity of paving these streets. He advised that the estimated cost is \$210,000.00 and that the City does not yet have firm prices until bids are let.

City Manager Deadman called upon City Engineer Mariner who advised what is proposed to be built: asphalt paving with concrete curbs and gutters, 3 in. thick pavement over an 8 in. stone base. He pointed out that the storm sewer system would be provided to drain the road and get the water away from the sidewalks and driveway approaches.

Mayor Richardson asked anyone wishing to speak to stand and give their name and address.

Eleanor Peterson, 23255 Prospect, asked about the storm sewer in front of her house. She was advised that the project has not yet been designed, but that this is the storm sewer we will be tying into.

COUNCIL PROCEEDINGS -2-
December 17, 1990

James Ingles, 32034 Valleyview, stated that he heard no one thus far say the paving is necessary, and he asked if there is a drainage problem. The City Manager stated that neither he nor the City Engineer was present to determine necessity. He pointed out that the City Council will have to vote on necessity "after hearing your comments". Manager Deadman stated: "We are here in response to a petition that was delivered to City Council some weeks ago".

Tom Stumpo, 31817 Valleyview, asked where the 60% of residents approving came from, whether it was the result of a survey. The City Manager advised that it was the result of a petition that was circulated by a resident. He stated that the City is only responding to the petition this evening. Mr. Stumpo stated that he was not asked to sign the petition, nor did he respond.

Dennis Dorotinski, 23241 Prospect, stated that when the petitioner came around to his house he thought it was just for the purpose of discussing the project; that nobody asked him if he approved. He stated that he objects to the project.

Jeff Scott, 23218 Prospect, asked if 60% of the property owners meets the requirement for an automatic review of this matter, or because it was close to 65%, if Council felt it was close enough? The City Manager explained the ways that these projects are acted upon: either by residents' petition or on Councils own motion. He pointed out that in this case it was by Council motion.

Mr. Scott asked if the City Manager could break down where the 58% came from. He asked if of those the 37 parcels indicated on the notice, 21 or 22 signatures were on the petitions. The City Manager responded affirmatively.

Mike Isabella, 23223 Prospect, stated that there were no specifics given. He pointed out that if the people on his street were polled, you would come to a much different conclusion. He advised that he is opposed to the paving project.

The City Manager stated that before Mr. Isabella responded negatively, he probably should hear the rest of the program and might agree once he learned more about how this would be financed.

Mr. Deadman stated that the residents on these two streets have a financing opportunity for two reasons:

1. They qualify for Community Development monies as a low/moderate income neighborhood and can use federal dollars for this program that could not be spent anywhere else in the community except with one exception.

COUNCIL PROCEEDINGS -3-
December 17, 1990

2. The City Manager pointed out that the City normally will pay 20% of the financing of such a project. He stated that the City is further willing to pay for the drainage and the driveway approaches, which amounts to about another 20%. He pointed out that the residents can, therefore, have the road for about 60% of the cost.

He pointed out that there are some 33 1/2 lots in the district, with some side lot assessments. He stated that the City would propose to assess on a per lot basis rather than on a front foot basis. He advised that this way, everyone gets a uniform benefit. He further advised that this would be a 15-year assessment with interest estimated at 8%, depending on whether or not interest rates rise or fall; that the assessment would be \$3,656.72 per lot based on an engineering estimate.

He advised that between now and March 18, 1991 (the Public Hearing date) the City will go out for bids.

The City Manager pointed out that if this opportunity goes by, the federal money may not be available to this area in the future.

The Mayor asked to proceed with further questions.

Ron Steinbrenner, 23250 Prospect, asked what constitutes low or moderate income. He was advised that it is somewhere in the low \$20,000 for a family of two to the high \$30,000 for a family of eight.

Mr. Steinbrenner further asked if residents are not paying the City's 20% of the project in a round-about way through their taxes. The City Manager agreed, but stated not through property taxes but by sharing in the gas and weight taxes and vehicle fees based on a city's population and mileage.

Fred Smith, 32013 Valleyview, stated that he is curious about necessity for drains and curbs. Engineer Mariner pointed out that 50% of the sidewalks are now below the road grade, which when wet freeze, causing a dangerous condition. He stated that the City would want to eliminate this in the improvement.

Mr. Smith further inquired if the federal funds are definitely earmarked for this type of improvement. The City Manager advised that they are not marked for any particular improvement but that the City has to identify that improvement for which the federal funds are being used.

COUNCIL PROCEEDINGS -4-
December 17, 1990

Jim Stark, 32024 Valleyview, asked about the width of the street being 24 ft. Engineer Mariner stated that it would be about 27 ft.

Tom Stumpo asked if the prime mover for the project was the city's request through a survey or attractive financing. He asked where this project comes from; whether it is because the people want it or because there are dollars available.

Mayor Richardson asked the City Manager to reiterate how this came about.

The City Manager stated that he never said there was a survey, but that a petition was passed by residents on the streets mentioned. He read the petition.

Mr. Stumpo asked: "Does everybody here want it?"

The Mayor pointed out that this is why the public hearing was being held. She stated: "You are going to tell us whether or not you want it."

Carol Steinbrenner, 23250 Prospect, stated that 59% of those on Prospect Street have not agreed to this. She referred to Ms. Sovereign's disapproval of the project and stated that she was never asked to sign the petition.

Bill Goba, 32117 Valleyview, asked if this will eventually come to a vote by the residents of both streets. Manager Deadman stated that it is up to the City Council; that the Council by its own volition, by City Charter and by Ordinance, can order the streets paved.

In response to a comment concerning some homeowners possible inability to pay the assessment, the City Manager explained the City's Special Assessment Deferred Payment program which allows qualified individuals to defer these payments until their home is sold.

Tom Brown, 32009 Valleyview, asked if there was any plan for Council to pave these streets in the near future. He was advised that this has been in the City's Six-Year Capital Improvement Program for a number of years.

James House, 32014 Valleyview, asked: "What is the time frame of the project if approved?" The City Manager pointed out that we will not have the next public hearing until March. We want to firm up the costs. The project would start at the beginning of the construction season, April or May for a late spring or early summer start. He advised that it would be a 5 to 6 week project.

COUNCIL PROCEEDINGS -5-
December 17, 1990

He pointed out that the City can get the best prices if it goes out for a winter bid and can assure that the project will be done in one construction season.

Dwight Gradin, 32030 Valleyview, asked why this improvement has not been done in the past. He was advised that it was a matter of priorities.

Kathy Tudball, 32011 Valleyview clarified the project for the group, stating that eventually they could pay more for something that will be done anyway.

Bob Yurk, 32010 Valleyview, expressed concern that if his street were paved it could become a speedway.

The City Manager pointed out that this has not been the case in the past. He stated that it is much more difficult to stop on a rough road than on a smoother road. He further stated that after a newly paved road is opened up, there is very heavy enforcement for a time.

12-90-344

Motion by Councilman Hartsock, supported by Councilman Tupper, to close the Public Hearing. Motion carried, all ayes.

Councilman Yoder asked Mr. Billing if he received any telephone calls from residents on Valleyview and Prospect complaining about the condition of the roadway. Mr. Billing replied affirmatively and stated that the calls are about the deplorable condition of the road.

Councilman Hartsock stated that it is time to take advantage of the situation as these streets really need to be improved. He advised that he will vote in favor of the necessity to pave.

Councilman Yoder stated that from what he has heard, he is not in favor of the project.

Councilman Tupper stated that as long as he has been a Council member he has never heard that it was the wrong decision to improve a street. He pointed out that Floral Park is a good example of such a project rejuvenating a neighborhood. He feels it would be cost effective to make these improvements.

Councilman Yoder stated that he hesitates to proceed because many years ago we had a hearing on necessity for Brookdale Avenue. He pointed out that the city spent five or six thousand dollars and the project was not approved by the residents. He asked for a show of hands for those who were in favor of the project. Result: 15 Yes, 6 No, upon which Mr. Yoder said he changed his mind.

COUNCIL PROCEEDINGS -6-
December 17, 1990

Mayor Richardson stated that she feels very strongly that there is a necessity here for improvement. She pointed out that the residents' concerns are Council's as well and that is why we have public hearings. She further stated that the City has had these funds at its disposal and it is now the recommendation of the city administration that we use some of these funds to improve your street. She stated that she can think of no better way at this time for using these funds. She further stated that she would vote to use that \$45,000 for improving these streets.

12-90-345 (a)

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

[SEE ATTACHED RESOLUTION].

12-90-345 (b)

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

[SEE ATTACHED RESOLUTION].

MINUTES OF OTHER BOARDS

12-90-346

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

- Economic Development Corporation minutes of Special Meeting of December 11, 1990;
- Downtown Development Authority minutes of December 4, 1990;
- Board of Zoning Appeals minutes of December 5, 1990;
- Board of Review minutes of December 11, 1990;
- Farmington Community Library minutes of November 8, 1990;
- Board of Education minutes of November 20, 1990.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM GARY J. HERSHOREN
22634 BROOKDALE RE: SIDEWALK ASSESSMENT

Council was advised that Mr. Hershoren requests a reduction on his tax bill as the same portion of sidewalk was removed for the sewer construction as was previously replaced by the city at a cost to him. He stated that he is being double charged.

COUNCIL PROCEEDINGS -7-
December 17, 1990

The City Manager pointed out to Mr. Hershoren that the sidewalk was removed and replaced to provide his home with a new water service, which specifically benefited his family and not the city at large.

Mr. Hershoren stated that he was not aware of the water service replacement and that he appreciated the City Manager's comments.

12-90-347

Motion by Councilman Tupper, supported by Councilwoman McShane, to deny Mr. Hershoren's request for a reduction on his tax bill for the cost of replacing a section of sidewalk at 22634 Brookdale. Motion carried, all ayes.

Mayor Richardson added another item to the Agenda as follows:

LETTER FROM COUNTY EXECUTIVE MURPHY
RE: OAKLAND COUNTY COMMUNITY GROWTH ALLIANCE

Council was advised that Mr. Murphy urges that although Farmington is not currently represented on the Alliance, an individual be nominated to serve. His letter indicated that this would be a 2-year term ending December 31, 1992.

Mayor Richardson suggested the nomination of Earl Baumunk.

12-90-348

Motion by Councilman Yoder, supported by Councilman Hartsock, to nominate Earl Baumunk to serve on the Oakland County Community Growth Alliance for a two-year term beginning January 1, 1991 and ending December 31, 1992. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

CONTRACTOR PAYMENTS
SEWER IMPROVEMENT PROJECT

The City Manager presented contractors' and engineers' requests for payments for work completed during the month November as follows:

Contract No. 1

Council was advised that Posen Construction Company requests payment of \$390,135.00. The City Manager concurred with the engineer's recommendation for payment of estimate No. 1 in that amount, less 10% retainage, resulting in payment of \$351,121.50.

12-90-349

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

COUNCIL PROCEEDINGS -8-
December 17, 1990

BE IT RESOLVED that the Farmington City Council hereby authorizes payment of estimate No. 1 in the amount of \$351,121.50 to Posen Construction Company for work completed on the Sewer Improvement Project.

ROLL CALL:

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

RESOLUTION DECLARED ADOPTED DECEMBER 17, 1990.

Contract No. 2

Council was advised that Dan's Excavating submitted construction estimate No. 2 for \$350,312.62 and Change Order No. 2 for \$75,501.00 for covering the sewer pipes with the new granular material prescribed by the engineers.

12-90-350

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

BE IT RESOLVED that the Farmington City Council hereby approves Dan's Excavating, Inc., Change Order No. 2 in the amount of \$75,501.00, and

BE IT FURTHER RESOLVED that City Council authorizes payment of Construction Estimate No. 2 in the amount of \$350,312.62 to Dan's Excavating, Inc., for work completed on the Sewer Improvement Project.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED DECEMBER 17, 1990.

Black & Veatch Engineers requested payment of \$24,576.78 for design services. The City Manager stated that the request is within the contract amount, and recommended payment as requested.

12-90-351

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

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Black & Veatch Engineers in the amount of \$24,576.78 for design services on the Sewer Improvement Project for September through October, 1990, including services rendered by Orchard, Hiltz & McCliment and testing engineering consultants.

COUNCIL PROCEEDINGS -9-
December 17, 1990

ROLL CALL

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

RESOLUTION DECLARED ADOPTED DECEMBER 17, 1990.

REPAIR CONTRACT FOR
MOBILE DATA POLICE TERMINALS

The City Manager discussed three levels of service offered by the selected vendor, Hollywood Radio Company of Birmingham, Michigan.

Director Lauhoff advised that the intermediate level of services (response within 24 hours and return unit fully repaired within ten days) is satisfactory to meet the Department's needs. He indicated the service cost is \$210 a year per unit, or \$1,470 annually for all seven units, effective July 1, 1991.

The City Manager recommended authorization of a contract with the selected vendor.

12-90-352

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

BE IT RESOLVED that the Farmington City Council hereby authorizes a contract with Hollywood Radio Company of Birmingham, Michigan, for their standard maintenance plan at \$1,470.00, effective July 1, 1991, and

BE IT FURTHER RESOLVED that funds be provided from the 1991-92 budget.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED DECEMBER 17, 1990.

PUBLIC SAFETY OFFICER INOCULATION PROGRAM

The City Manager advised that the National Centers for Disease Control recommends that Hepatitis B vaccine be offered to employees in the emergency services category. He further stated that Community Emergency Medical Services are willing to acquire and administer the vaccine in the required three separate doses over six months at \$90 per person. He recommended authorization of the program.

COUNCIL PROCEEDINGS -10-
December 17, 1990

12-90-353

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

BE IT RESOLVED that the Farmington City Council hereby authorizes a Hepatitis B vaccination program, effective immediately, for the inoculation of Public Safety personnel who may be routinely exposed to potentially infected persons, and

BE IT FURTHER RESOLVED that the total cost of \$3,000.00 be allocated to fund this program over the next one-year period.

ROLL CALL

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

RESOLUTION DECLARED ADOPTED DECEMBER 17, 1990.

AUTHORIZATION TO ACCEPT
CRIME PREVENTION GRANT

The City Manager advised that the Michigan legislature appropriated \$15,000.00 to help fund the Public Safety Department's crime prevention project. He pointed out that if the City accepts the grant, there are two stipulations involved:

1. Funds are limited to actual expenditures or contractual obligations at the fiscal year end;
2. Funds are subject to executive and legislative reduction prior to disbursement and are currently on hold pending authorization for release.

12-90-354

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

BE IT RESOLVED that the Farmington City Council hereby authorizes the Director of Public Safety to accept a legislative grant relative to crime prevention, and to sign necessary forms and assurances required as part of said grant, and

BE IT FURTHER RESOLVED that City Council further authorizes the purchase of one 1991 Pontiac Transport Van as bid through the Oakland County purchasing program at a cost of \$12,910.00, and

FURTHER BE IT RESOLVED that the Farmington City Council hereby stipulates that the order for said vehicle may not be placed until the Office of Criminal Justice is permitted to release the funds.

COUNCIL PROCEEDINGS -11-
December 17, 1990

ROLL CALL

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

RESOLUTION DECLARED ADOPTED DECEMBER 17, 1990.

REVISION OF CITY MANAGER'S AGREEMENT

The City Manager submitted a resolution which, if adopted, would amend his current agreement with Council.

12-90-355

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

[SEE ATTACHED RESOLUTION]

MISCELLANEOUS

PUBLIC COMMENT

Councilwoman McShane asked how feasible it would be to extend the recycling hours on Saturday. She was advised that time and a half would have to be paid to those employees manning the center. Mr. Billing stated that the contractor has requested that it be kept open only when there is someone there to supervise to prevent people from dropping off material that is not recycleable.

RESOLUTIONS AND ORDINANCES

12-90-356

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

ORDINANCE NO. C-577-90

[SEE ATTACHED ORDINANCE]

WARRANT LIST

12-90-357

Motion by Councilman Tupper, supported by Councilwoman McShane, to approve the monthly bills as submitted: General Fund \$112,142.80; Water & Sewer Fund \$23,147.30.

ROLL CALL:

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

MOTION CARRIED.

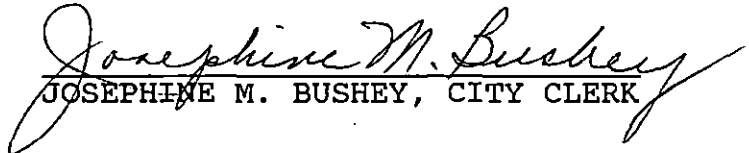
COUNCIL PROCEEDINGS -12-
December 17, 1990

ADJOURNMENT

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

The meeting was adjourned at 9:45 p.m.


SHIRLEY V. RICHARDSON, MAYOR


JOSEPHINE M. BUSHEY, CITY CLERK

Approved: January 21, 1991.

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 90-78

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 17th day of December, 1990, at 8:00 o'clock P.M. Eastern Standard 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 construction of to the paving and storm drain improvements as follows:

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

and to the special assessment district as tentatively established for said paving and storm drain improvements.

No written or oral objections were received except as follows:

- James F. Ingles, 32034 Valleyview
- Dorothy Sovereign, 23247 Prospect Street
- Dennis Dorotinski, 23241 Prospect Street
- Mike Isabella, 23233 Prospect Street

The Mayor thereupon declared the hearing closed.

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

WHEREAS, this Council has been requested to consider the construction of sewer and street improvements in said City to be located as follows:

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

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 \$122,500 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: 23-27-252-012, 023 thru 027 and 029
23-27-254-003, 004, 012, 014 and 015
23-27-402-005 thru 014 and 024
23-27-403-012 thru 021, 042, 131, 133 and 134

6. That the City Assessor is hereby directed to make a special assessment roll assessing the cost of said improvement in the sum of \$122,500 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, 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 17th day of December, 1990, 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 December, 1990

JOSEPHINE M. BUSHEY
City Clerk
City of Farmington

CITY OF FARMINGTON

SPECIAL ASSESSMENT DISTRICT NO. 90-78

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 21st day of January, 1991, at 8:00 o'clock P.M. Eastern Standard Time.

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

ABSENT: None.

The Clerk presented to the Council the special assessment roll referred to in the following resolution, attached to which roll was the Assessor's certificate as required by law.

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

BE IT RESOLVED by the Council of the City of Farmington, Oakland County, Michigan, as follows:

1. That the special assessment roll in the amount of \$122,500 heretofore made by the Assessor and this day 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.

2. That the 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.

3. That this Council shall meet in the City Hall on the 18th day of March, 1991, at 8:00 o'clock 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 addresses 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, McShane.
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 December, 1990, 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 December, 1990.

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 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 18th day of March, 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.

JOSEPHINE M. BUSHEY
City Clerk
City of Farmington

Mailed:
Published:

R E S O L U T I O N

NO. 12-90-355

Motion by Tupper, supported by 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 \$7,350.00 annually to the Deferred
Compensation Program managed and operated by the International City
Manager's Association Retirement Corporation.

ROLL CALL:

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

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 17, 1990.

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 17, 1990,
in the City of Farmington, Oakland County, Michigan.

Josephine M. Bushey, City Clerk

ORDINANCE C-577-90

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 2, Section 2.8, as provided for in Section 31-196 of the Code of Ordinances of the City of Farmington.

CHAPTER 2 - YIELD RIGHT OF WAY

Section 2.8 - Miscellaneous

add: Yoder Drive - south end

This ordinance was introduced at a regular meeting of the Farmington City Council on December 3, 1990, was adopted and enacted at the regular meeting of the City Council on December 17, 1990, 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: December 27, 1990.
Effective: January 7, 1991.