

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, October 6, 2003 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 Mitchell.

**PRESENT:** Bush, Harrison, McShane, Mitchell.

**ABSENT:** Campbell.

**OTHERS PRESENT:** Clerk/Treasurer Cantrell, Director Goss, Director Gushman, City Manager Pastue, Assistant City Manager Richards, Attorney Schultz.

### **APPROVAL OF AGENDA**

**10-03-233** MOTION by Harrison, seconded by Bush, to approve the agenda as amended, changing item 6 to 6A and adding item 6B, "Civic Theatre Committee Update". MOTION CARRIED UNANIMOUSLY.

### **MINUTES OF PREVIOUS MEETING**

**10-03-234** MOTION by McShane, seconded by Harrison, to approve the regular and special meeting minutes of September 15, 2003. MOTION CARRIED UNANIMOUSLY.

### **MINUTES OF OTHER BOARDS**

**10-03-235** MOTION by Bush, seconded by Harrison, to receive and file the minutes from the following boards and commissions.

- Board of Zoning Appeals minutes of September 3, 2003.
- Historical Commission minutes of July 16, 2003.
- Downtown Development Authority minutes of September 3, 2003.
- Farmington Area Commission on Aging minutes of June 24, 2003.
- Civic Theatre Committee minutes of September 4, 2003.
- Farmington Community Library Board of Trustees minutes of July 10, 2003.
- Commission on Children, Youth and Families minutes of September 4, 2003.

MOTION CARRIED UNANIMOUSLY.

### **REPORT FROM BOYS STATE REPRESENTATIVE: CHRIS SCHOEPS**

Chris Schoeps, a Farmington High School student who was sponsored by the City of Farmington, reported on his experience at the American Legion's Boys State Program

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this past summer and concluded by thanking the City Council for their support.

**CIVIC THEATRE COMMITTEE UPDATE**

Civic Theatre Committee members, Ara Topouzian and Tom Buck, spoke about a proposed Theatre event planned for next year, Farmington Funny Film Festival. Buck stated that this would be a three-day weekend event featuring comedy films, short films and speakers. He further stated that it would be a juried festival with awards. Topouzian added that a committee has already been formed to address the logistics of this event. He spoke about available resources for this event. Buck discussed the financial considerations. Topouzian discussed current and future needs including volunteers and sponsorship.

Council congratulated the Civic Theatre Committee on their efforts and offered assistance where needed.

Toupouzian, at the request of Council, gave a brief background on Bob Brown, Executive Producer of Purple Rose films, a Farmington Hills resident, and participant in planning this comedy film event.

Council member Harrison offered his assistance with sponsorships.

**PETITIONS AND COMMUNICATIONS**

**REQUEST FOR TEMPORARY BANNER SIGN, BAKER STREET DRAPERIES, 33432 OAKLAND STREET**

City administration advised that the City received a request from Carrine Pomaranski and Shelley Raymond of Baker Street Draperies to place a temporary banner at their business to promote a charity event benefiting the pediatrics unit at Henry Ford Hospital.

Carrine Pomaranski was present to discuss her request and answer questions.

**10-03-236 RESOLUTION** Motion by McShane, seconded by Harrison, to approve a 3' x 8' temporary banner at Baker Street Draperies, 33432 Oakland Street, for display from October 6-10, 2003, to promote a charity event benefiting the pediatrics unit at Henry Ford Hospital.

Motion Carried Unanimously.  
RESOLUTION DECLARED ADOPTED.

**REPORTS FROM CITY MANAGER**

**CONSIDERATION TO AMEND HIGH GRASS AND NOXIOUS WEED ORDINANCE  
NO. C-696-2003**

**10-03-237** Motion by Bush, seconded by Harrison, to adopt Ordinance No. C-696-2003, to amend Chapter 19, "Nuisances" of the City Code of the City of Farmington, in order to revise certain terminology, to provide additional regulations, and to clarify procedures with regard to grass and noxious weeds. [SEE ATTACHED ORDINANCE].

**ROLL CALL**

AYES: Harrison, McShane, Mitchell, Bush.  
NAYS: None.  
ABSENT: Campbell.

Motion Carried Unanimously.  
RESOLUTION DECLARED ADOPTED.

**CONSTRUCTION ESTIMATE #2 – 2003 FARMINGTON ROAD IMPROVEMENTS  
AND CHANGE ORDER NO. 1**

City Administration concurred with City consulting engineers and Public Service Department in their recommendation of payment for construction estimate #2 for work completed through September 22, 2003 on the Farmington Road Improvement Project. Administration also recommended approval of change order #1 that increases the contract amount due to unexpected soil conditions requiring additional excavation of base material and placement of new aggregate base.

**10-03-238 RESOLUTION** Motion by McShane, seconded by Harrison, to approve construction estimate no. 2 for the Farmington Road Improvement Project and authorize payment to Peter A. Basile Sons, Inc. in the amount of \$257,370.46; and to approve change order no. 1 to increase the contract amount by \$51,429.80; funds provided in the 2002-03 fiscal year budget.

**ROLL CALL**

AYES: McShane, Mitchell, Bush, Harrison.  
NAYS: None.  
ABSENT: Campbell.

Motion Carried Unanimously.  
RESOLUTION DECLARED ADOPTED.

**CONSTRUCTION ESTIMATE NO. 4 – 2003 PAVING PROGRAM**

City Administration recommended payment of construction estimate no. 4 for work completed on the 2003 Paving Program in the Alta Loma Subdivision.

**10-03-239 RESOLUTION** Motion by Harrison, seconded by Bush, to approve construction estimate no. 4 for the 2003 Paving Program in the Alta Loma Subdivision and authorize payment to Thompson-McCully in the amount of \$10,121.29; funds provided in the 2002-03 fiscal year budget.

**ROLL CALL**

AYES: Mitchell, Bush, Harrison, McShane.  
NAYS: None.  
ABSENT: Campbell

Motion Carried Unanimously.  
RESOLUTION DECLARED ADOPTED.

**CONSIDERATION OF SBC 9-1-1 PHONE SYSTEM MAINTENANCE AGREEMENT**

City administration advised that the service agreement on the phone equipment associated with the City's 9-1-1 system was scheduled to expire on October 1, 2003. Administration recommended that the City enter into a one-year service agreement with SBC Global Services, Inc. to insure timely maintenance and repair of the equipment. Administration further advised that this same equipment is used by Public Safety agencies throughout Oakland County, consequently Oakland County has negotiated an agreement with SBC and would provide 50% of the funding associated with that agreement.

Administration noted that this expense is unbudgeted and it would probably be necessary to amend the Public Safety budget at a later time.

City Manager Pastue confirmed for Council that SBC is the only company that provides this type of maintenance service.

**10-03-240 RESOLUTION** Motion by Bush, seconded by Harrison, to approve a one-year service agreement, beginning October 1, 2003, with SBC Global Services, Inc. in the amount of \$11,782.35 for the maintenance of the City's 9-1-1 phone system. [SEE ATTACHED AGREEMENT].

**ROLL CALL**

AYES: Bush, Harrison, McShane, Mitchell.  
NAYS: None.  
ABSENT: Campbell

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Motion Carried Unanimously.  
RESOLUTION DECLARED ADOPTED.

**CONSIDER SCHEDULING PUBLIC HEARING RE: 2004 COMMUNITY  
DEVELOPMENT BLOCK GRANT APPLICATION**

City Administration recommended Council consider establishing the following development objectives for the Community Development Block Grant (CDBG) 2004 program: (1) senior services and (2) senior transportation vehicle; and requested that Council call a public hearing as required by the application process. Administration also stated that the projected 2004 CDBG funding by Oakland County is \$33,445.

**10-03-241 RESOLUTION** Motion by McShane, seconded by Bush, to call a public hearing on October 20, 2003 at 8:00 p.m. for public comment on the proposed 2004 Community Development Block Grant program application.

Motion Carried Unanimously.  
RESOLUTION DECLARED ADOPTED.

**AUTHORIZATION TO REPAIR OF STREET SWEEPER**

City Administration advised that the repair required for the City street sweeper is the first major repair needed during the twelve years the City has owned it. Administration further advised that Bell Equipment is the only company available to make such a repair.

Responding to a question, Director Gushman stated that a new sweeper would cost approximately \$130,000.

**10-03-242 RESOLUTION** Motion by Bush, seconded by Harrison, to authorize repair of the City street sweeper by Bell Equipment Company of Lake Orion in the amount of \$12,678.22.

**ROLL CALL**

AYES: Harrison, McShane, Mitchell, Bush.  
NAYS: None.  
ABSENT: Campbell

Motion Carried Unanimously.  
RESOLUTION DECLARED ADOPTED.

**INTRODUCTION OF ORDINANCE NO. C-697-2003 TO AMEND MOTOR VEHICLE  
CODE**

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City Administration advised that whenever the State Motor Vehicle Code (MVC) and/or the Michigan Uniform Traffic Code (UTC) is amended in a substantive manner, the City revisits these sections of the City Code to determine whether there is a need to also amend the City Code. Administration recommended adoption of an Ordinance that adopts both the MVC and UTC by reference, and rescinds Article II of the City Code as it now exists.

Attorney Schultz stated that the impetus behind this proposed ordinance was to ensure the City is in compliance with the Michigan Legislature's recent amendment of the drunk driving laws to, among other things, lower the legal limit to .08 Blood Alcohol Content. He further stated that due to the length of the current ordinance, he recommended that the City adopt by reference the Michigan Vehicle Code and the Uniform Traffic Code.

Director Goss discussed the proposed changes to Chapter 31, Article II, of the City Code.

**10-03-243** Motion by McShane, seconded by Bush, to introduce Ordinance No. C-697-2003 to amend Chapter 31, Article II, of the City Code of the City of Farmington to adopt by reference the Michigan Vehicle Code (MVC) and the Uniform Traffic Code (UTC) for cities, townships, and villages, for the purpose of regulating traffic and motor vehicles in the City of Farmington, and to repeal the version of the City Uniform Traffic Code as previously set forth in Article II. [SEE ATTACHED ORDINANCE]. MOTION CARRIED UNANIMOUSLY.

## **MISCELLANEOUS**

### **PUBLIC COMMENT**

No public comments were heard.

### **COUNCIL COMMENT**

Council extended their best wishes to resident, Arthur Leonard, who recently turned 90.

### **APPROVAL TO SET HOLIDAY COUNCIL MEETING SCHEDULE**

City Administration advised that over the last few years Council has cancelled the second meeting in December as a result of numerous holiday commitments. Administration recommended that Council delay taking this action until a later meeting, closer to the holiday period, to determine if a cancellation is necessary.

Council declined to make changes to the December 15, 2003 regular meeting.

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Council member McShane introduced Samantha Lehto, a North Farmington High School student, who is shadowing her in an effort to complete a project about women in politics.

**FINANCIAL REPORT: QUARTER ENDED JUNE 30, 2003**

City Clerk/Treasurer Cantrell advised that the City ended the fiscal year in sound financial condition. She further advised that the City was once again able to add to reserves, which is especially important given the current financial condition of both the State and Federal governments. She stated that revenue sharing funds would likely be reduced again this year.

**10-03-244** MOTION by Harrison, seconded by Bush, to receive and file the financial report for quarter ended June 30, 2003. MOTION CARRIED UNANIMOUSLY.

**APPROVE MONTHLY PAYMENTS REPORT**

**10-03-245** MOTION by McShane, seconded by Harrison, to approve the monthly payments report for September 2003. MOTION CARRIED UNANIMOUSLY.

**ADJOURNMENT**

**10-03-246** MOTION by Harrison, seconded by Bush, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 8:52 p.m.

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JAMES K. MITCHELL, Mayor

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PATSY K. CANTRELL, City Clerk/Treasurer