

FARMINGTON CITY COUNCIL  
REGULAR MEETING  
September 21, 2009

A regular meeting of the Farmington City Council was held on Monday, September 21, 2009, 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 8:15 p.m. by Mayor Knol.

**PRESENT:** Buck, Knol, McShane, Wiggins, Wright.

**ABSENT:** None.

**CITY ADMINISTRATION:** Director Gushman, City Clerk Halberstadt, Director Nebus, City Manager Pastue, Attorney Schultz.

**CONSENT AGENDA**

**09-09-182** MOTION by McShane, seconded by Wiggins, to approve the consent agenda as presented:

- A. Special meeting minutes of August 17, 2009
- B. Regular meeting minutes of August 17, 2009
- C. Public Safety Monthly Report – August 2009
- D. City of Farmington Monthly Payments Report – August 2009
- E. City of Farmington Investment Report quarter ended June 30, 2009
- F. City of Farmington Financial Report quarter ended June 30, 2009
- G. 47<sup>th</sup> District Court Financial Report quarter ended June 30, 2009

MOTION CARRIED UNANIMOUSLY.

**APPROVAL OF REGULAR AGENDA**

**09-09-183** MOTION by McShane, seconded by Buck, to approve the agenda as amended; under PRESENTATIONS AND PUBLIC HEARINGS, moving Oakland County Commission Update to Item 5A and moving Public Safety Tip of the Month to Item 5C. MOTION CARRIED UNANIMOUSLY.

**PRESENTATIONS/PUBLIC HEARINGS**

**OAKLAND COUNTY COMMISSIONER UPDATE – STEVE SCHWARTZ**

Steve Schwartz, Oakland County Commissioner, requested Council's support of a resolution he will introduce at the next County Commission meeting. He advised the tax millage that supports the SMART System will expire next year.

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He stated if that service in any form is going to continue there has to be a vote of the people for some form of millage.

Schwartz advised in the past Oakland County has allowed each community to decide whether they are going to be in or out of SMART. He stated this kind of system creates a hodgepodge of public transportation and provides insufficient financing. He cited a number of examples where cities have opted out causing a disruption in routes.

Schwartz advised 70% of riders use SMART to get to their employment. He stated many of these riders are low wage earners in the service industry. He pointed out hotels and restaurants rely on SMART to get their employees to work. He also noted 20% of riders use SMART to get to school.

Schwartz stated he is proposing that on the August 2010 ballot all Oakland County voters have the opportunity to vote to opt in or out of SMART. He stated with a successful vote there would be an expanded tax base as a result of county-wide participation. He advised the benefits would include reduced millage and expanded service.

Discussion followed regarding reasons for communities opting in or out of SMART.

Wright commented on the employment needs of Twelve Oaks Mall and the surrounding businesses and noted many of the employees may need assistance in getting to their jobs. He stated this need is exacerbated by the City of Novi opting out.

Buck agreed a county-wide SMART System would be a plus. He noted bus usage on Grand River going north along Farmington Road is limited. He stated if those buses were going to the shopping areas of Novi or West Bloomfield it would add significantly to value set of SMART. He advised the City of Farmington could well be looking at opting out if SMART is unable to go into those communities and others. He noted Farmington is at a dead end in the SMART System. He advised there is not enough of a value proposition that Farmington couldn't reallocate some of those dollars to more effective use.

Knol stated a public transit system should be all encompassing in order to operate efficiently. She noted Mayor Bing of Detroit has expressed interest in combining D-Dot with SMART. She stated one of the reasons communities opt out of SMART is because they believe it is not run effectively. She noted the City of Livonia voted to opt out believing they could operate a system of their own more effectively.

Schwartz stated one of the missed opportunities in this region is failing to merge D-DOT and SMART. He noted it is absurd to have two sets of mechanics, two sets of bus houses and two bus lines running down Woodward Avenue when there are scarce resources. He stated the legislature needs to tackle this issue.

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McShane requested numbers on the increase in ridership in Farmington since the last meeting with SMART. She has personally seen an increase in ridership as well as many more people with bicycles. She noted SMART had agreed to provide the City with more bicycle stalls.

McShane stated one of the greatest failures of Southeast Michigan is the lack of a cohesive, cooperative regional transportation system. She noted we are one of the only major metropolitan areas that does not have one. She expressed support for a county-wide vote on the SMART system.

McShane requested a report from SMART regarding the smaller routes that were established and the status of additional benches and covered booths that were requested. She advised there needs to be extensive education on the proposed county-wide vote.

Responding to a question from Wiggins, Schwartz stated Walled Lake is a City that had opted out, but changed its mind and opted back in. He stated there is a demand from the senior community to have para-transit available.

Wiggins asked whether a community that opted out would take exception to Farmington passing a resolution in support of a county-wide vote on public transportation. He suggested one community does not want to be told by another on how to spend its tax dollars.

Schwartz responded we have one road commission, one Sheriff's department, a county drain system and a county park system. He sees transportation as a utility and a fundamental function of government.

**PROCLAMATION BOTSFORD SENIOR LIVING CENTER**

Mayor Knol read the following proclamation into the record:

**WHEREAS,** Botsford Senior Living Center has demonstrated a working Quality Improvement Program, thereby receiving its Level III Quality Seal From the Michigan Center for Assisted Living (MCAL),

**WHEREAS,** Botsford Senior Living Center is dedicated to Resident and Employee Satisfaction,

**WHEREAS,** Botsford Senior Living Center is dedicated to the mission of the Michigan Center for Assisted Living to provide quality services for the area's older adults,

**WHEREAS,** Through the community member connections of Barbara Smith, Recreation program Coordinator and Camille Purdie Senior Marketing Coordinator/Development Officer for Botsford Commons Senior Community the Botsford Senior Living Center is honored

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to win the **Excellence in Assisted Living Public Relations Award** through MCAL.

**NOW, THEREFORE, BE IT RESOLVED** that, I, Valerie S. Knol, Mayor of the City of Farmington, on behalf of the City Council, hereby congratulate Botsford Senior Living Center on receiving these distinguished honors from the Michigan Center for Assisted Living.

**PUBLIC SAFETY TIP OF THE MONTH**

Director Nebus, representing the Emergency Preparedness Commission, announced September 2009 as National Preparedness Month, encouraging all Americans to take simple steps to prepare for emergencies in their homes, businesses and schools.

**MILITARY COMMUNITY COVENANT**

**09-09-184** MOTION by Wiggins, seconded by Buck, to support Military Community Covenant, a program designed to develop and foster effective community partnerships with the military in improving the quality of life for service members and their families. MOTION CARRIED UNANIMOUSLY.

Knol requested Administration send a card from Council to Andy Morche, Farmington Police Officer currently serving in Iraq, expressing support and gratitude for his service.

**UNFINISHED BUSINESS**

**RESOLUTION TO ESTABLISH HISTORIC DISTRICT STUDY COMMITTEE**

**RESOLUTION 09-09-185** Motion by McShane, seconded by Wright, to adopt a resolution to establish a Historic District Study Committee pursuant to Public Act 169 of 1970, as amended. **[SEE ATTACHED RESOLUTION]**.

**ROLL CALL**

Ayes: Knol, McShane, Wiggins, Wright, Buck.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS**

**CONSIDERATION OF STATE TRUNKLINE OPERATING PERMIT AND INDEMNIFICATION RESOLUTION**

**RESOLUTION 09-09-186** Motion by Wright, seconded by Buck, to authorize the City Manager to submit an annual permit application with MDOT for Miscellaneous Operations within State Trunkline Right of Way, and to adopt a

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MDOT Performance and Indemnification Resolution. [SEE ATTACHED RESOLUTION AND CERTIFICATE OF INSURANCE].

ROLL CALL

Ayes: McShane, Wiggins, Wright, Buck, Knol.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE ESTIMATE NO. 1 FOR THE SLOCUM STREET RECONSTRUCTION AND WATER MAIN IMPROVEMENT PROJECT**

**RESOLUTION 09-09-187** MOTION by Wiggins, seconded by McShane, to approve payment of Construction Estimate No. 1 to FDM Contracting in the amount of \$165,405.74 for work completed on the Slocum Street Reconstruction and Water Main Improvement Project.

ROLL CALL

Ayes: Wiggins, Wright, Buck, Knol, McShane.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE ESTIMATE NO. 4 FOR THE GRAND RIVER STREETScape AND WATER MAIN IMPROVEMENT PROJECT**

**RESOLUTION 09-09-188** MOTION by Wright, seconded by Buck, to approve payment of Construction Estimate No. 4 to Peter A. Basile Sons, Inc. in the amount of in the amount of \$251,935.37 for work completed on the Grand River Streetscape and Water Main Improvement Project.

ROLL CALL

Ayes: Wright, Buck, Knol, McShane, Wiggins.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO ADOPT PLEDGE FOR SUCCESS RESOLUTION**

**RESOLUTION 09-09-189** Motion by McShane, seconded by Wiggins, to adopt a resolution to promote and support the principles and values of Farmington Pledge for Success, a comprehensive community partnership and collaboration in an ongoing commitment to learning. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

**CONSIDER SCHEDULING A PUBLIC HEARING REGARDING 2010 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

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**09-09-190** MOTION by Buck, seconded by Wiggins, to schedule a public hearing for October 19, 2009 at 8:00 p.m. to receive public comment on the proposed PY2010 Community Development Block Grant program application. MOTION CARRIED UNANIMOUSLY.

**BOARD/COMMISSION APPOINTMENT – FARMINGTON AREA ARTS COMMISSION**

**09-09-191** MOTION by McShane, seconded by Buck, to appoint Pam Alexander to the Farmington Area Arts Commission to fill a term ending December 31, 2010. MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENT**

No public comment was heard.

**COUNCIL COMMENT**

Wright commented on the recently installed walkway on Farmington Road. He noted his experience as a pedestrian where traffic stopped as he entered the walkway and his awareness as a driver to slowdown when approaching it. He stated the sign in the middle of the road is the most important visual expression of safety.

Knol advised the Road Commission has requested the City remove the sign.

Director Nebus agreed the sign is very effective. He stated Director Gushman is arranging a meeting with the Road Commission of Oakland County regarding the importance of this sign and that it should remain on Farmington Road.

Wright asked Directors Nebus and Gushman to use every argument to convince the Road Commission that a more modern understanding of a fair representation between drivers and pedestrians needs to be met.

Buck commended McShane for hosting a recent gathering at her home in support of continuing local newspaper publications.

McShane stated local newspapers want to know how they can continue in the community and improve their publications. She pointed out all the local activities and events that are regularly included in each edition.

McShane requested a financial report on the Founders Festival.

Wright asked that the report include an historical comparison.

Wiggins announced the Taste of the Farms event has been postponed.

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Knol noted reports from Public Safety and in the local newspapers regarding unlicensed solicitors in the community. She pointed out that in a number of the cases the solicitors have prior felony records. She commended the Public Safety Department for their outstanding work to ensure licensed solicitors have been properly investigated and unlicensed solicitors are cited.

Knol advised Director Nebus has been working with Police Chiefs of Southeast Michigan to support a House Bill in Lansing that would permit communities to establish an ordinance that would allow Public Safety or Police Departments to fingerprint applicants for solicitor licenses.

Director Nebus confirmed HB 4601 would allow communities to pass an ordinance to provide for fingerprinting of applicants for solicitor licenses. He advised in 2002 the Criminal Justice Information Policy prevented local communities from running criminal history checks on people applying for solicitor licenses. He stated his department continues to actively investigate these applicants whereas most other communities do not. He advised his department obtained provisional permission from the State to run warrant checks. He stated approximately 50% of applicants are *not* approved because they have open warrants.

Nebus stated if the department was able to fingerprint applicants they could check to see if they are wanted in other states and confirm their identities. He confirmed there continues to be a problem with unlicensed solicitors. In the summer of 2007 the Public Safety Department began a policy of zero tolerance. Currently when officers respond to complaints they issue tickets in every case. He noted thus far in 2009 they have issued 32 tickets and arrested 11 solicitors on open warrants.

Nebus stated residents have shown concern regarding this issue and it was a main topic of conversation at a recent meeting of the Neighborhood Watch.

**ADJOURNMENT**

**09-09-192** MOTION by Wright, seconded by Wiggins, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:12 p.m.

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Valerie S. Knol, Mayor

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Susan K. Halberstadt, City Clerk

APPROVED: October 19, 2009