

FARMINGTON CITY COUNCIL
REGULAR MEETING
December 15, 2008

A regular meeting of the Farmington City Council was held on Monday, December 15, 2008, 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 Knol.

PRESENT: Buck, Knol, McShane, Wright.

ABSENT: Wiggins.

CITY ADMINISTRATION: City Clerk Halberstadt, Director Gushman, Director Nebus, City Manager Pastue, and Treasurer Weber.

CONSENT AGENDA

12-08-234 MOTION by McShane, seconded by Buck, to approve the consent agenda as presented:

- A. Special meeting minutes of November 17, 2008
- B. Regular meeting minutes of November 17, 2008
- C. Farmington monthly payments report – November 2008
- D. Public Safety monthly report – November 2008

MOTION CARRIED UNANIMOUSLY.

APPROVAL OF REGULAR AGENDA

12-08-235 MOTION by Wright, seconded by Buck, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS/PUBLIC HEARINGS

HERITAGE AND HISTORY UPDATE – BRIAN GOLDEN

Brian Golden gave an update on the status of the Heritage and History Museum located in Heritage Park in Farmington Hills.

OLD BUSINESS

None.

NEW BUSINESS

CONSIDERATION TO PARTICIPATE IN TRI-PARTY ROAD IMPROVEMENT PROGRAM

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RESOLUTION 12-08-236 Motion by McShane, seconded by Buck, to approve participation in the FY 2009 Tri-Party Road Improvement Program at a cost to the City of \$9,864.

ROLL CALL

Ayes: Knol, McShane, Wright, Buck.

Nays: None.

Absent: Wiggins.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AUTHORIZE THE PURCHASE OF TWO POLICE PATROL CARS

RESOLUTION 12-08-237 Motion by Buck, seconded by Wright, to approve the purchase of two police patrol vehicles from Gorno Ford, 22025 Allen Road, Woodhaven, in the total amount of \$41,924.

ROLL CALL

Ayes: McShane, Wright, Buck, Knol.

Nays: None.

Absent: Wiggins.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE CONSTRUCTION ESTIMATE #5 (FINAL) AND CHANGE ORDER #1 FOR POWER ROAD RECONSTRUCTION WATER MAIN IMPROVEMENT PROJECT

RESOLUTION 12-08-238 Motion by Wright, seconded by McShane, to approve payment of construction estimate #5 (final) to Sole Construction in the amount of \$163,617.21 and approve change order #1 both for the Power Road Reconstruction and Water Main Improvement Project.

ROLL CALL

Ayes: Wright, Buck, Knol, McShane.

Nays: None.

Absent: Wiggins.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AMEND NON-UNION PAY PLAN AND ADMINISTRATIVE MANUAL REGARDING NON-UNION EMPLOYEE BENEFITS

In response to a question from Councilmember Wright, City Manager Pastue confirmed the Retiree Health Care defined contribution benefit can only be used for health care related expenses after an employee retires and separates from the City.

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Pastue further confirmed the costs for the defined contribution would be covered by bond issuance or cash reserves and a budget amendment would be required.

RESOLUTION 12-08-239 Motion by McShane, seconded by Wright, to adopt a resolution to amend the Non-Union Pay Plan effective January 1, 2009 and to amend the Administrative Manual relating to employee benefits. **SEE ATTACHED RESOLUTION.** MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AMEND CELL TOWER LEASE AGREEMENT AT PUBLIC WORKS FACILITY, 33720 W. NINE MILE

Responding to a question from Councilmember McShane, Pastue confirmed that under the amended agreement the financial arrangement with AT&T would remain the same until the next scheduled adjustment. He indicated financial adjustments are made every five years. He advised the Verizon fee for lease of City property is based on a cost per square foot. He further advised the fee from AT&T is considerably higher due to the collocations on the tower.

Pastue noted the higher tower would likely lead to additional collocations creating additional revenue for the City.

Mayor Knol confirmed that in addition to the Verizon's property lease with the City they will also be a collocator on the AT&T tower.

Responding to a question from Councilmember Buck, Treasurer Weber confirmed commercial properties located on City property are required to pay personal property tax.

Responding to a question from Councilmember Wright, Pastue stated the term of the AT&T lease would remain the same. He indicated the City is 13 ½ years into a 25 year lease.

RESOLUTION 12-08-240 Motion by Buck, seconded by McShane, to approve agreements associated with the construction of a new cell tower on the Department of Public Works site: (1) First Amendment to Land Lease with New Cingular Wireless (2) Lease Agreement with New Par, d/b/a Verizon Wireless, and (3) a Memorandum of Lease; and authorize the City Manager to sign the agreements on behalf of the City upon final review by the City Manager and City Attorney. **[SEE ATTACHED FIRST AMENDMENT TO LAND LEASE WITH NEW CINGULAR WIRELESS, LEASE AGREEMENT WITH NEW PAR, AND MEMORANDUM OF LEASE WITH NEW PAR].**

ROLL CALL

Ayes: Buck, Knol, McShane, Wright.

Nays: None.

Absent: Wiggins.

MOTION CARRIED UNANIMOUSLY.

BOARD AND COMMITTEE REAPPOINTMENT

i. Board of Review – Thomas Killeen

12-08-241 MOTION by Wright, seconded by Buck, to reappoint Thomas Killeen to the Board of Review for a three-year term expiring December 31, 2011. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT

None.

COUNCIL COMMENT

Councilmember Buck praised a recent tree lighting event at the Warner Mansion.

Councilmember McShane noted a letter received from Zap Zone recognizing the cooperation and assistance they received from the City in relocating to a larger facility. She issued a challenge to Farmington Hills Council for a contest night at Zap Zone.

McShane questioned the status of the old courthouse property. Pastue responded this issue will be addressed at the January 5th meeting. He stated all parties have withdrawn interest from the property.

McShane expressed concern the property has languished for almost three years and has not been on the open real estate market. She noted the City has missed out on tax revenue that would have resulted from a developed property.

Pastue confirmed there is no longer any debt on that property. He discussed the purchase agreement previously reached with Farmington Hills.

McShane asked if the issue of “truck signs” is addressed in the proposed sign ordinance. Pastue responded the existing sign ordinance prohibits use of that type of sign.

Mayor Knol noted a letter received from a resident regarding the excellent service provided by Department of Public Services employee, Matt Kean.

ADJOURNMENT

12-08-242 MOTION by Wright, seconded by McShane, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:05 p.m.

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Valerie S. Knol, Mayor

Susan K. Halberstadt, City Clerk

APPROVED: January 20, 2009