



REGULAR MEETING AGENDA

1. CALL TO ORDER

Roll Call

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT

4. APPROVAL OF ITEMS ON CONSENT AGENDA

- 1. Minutes of the City Council - Special Study Session - Sep 16, 2013 6:00 PM**
- 2. Minutes of the City Council - Regular - Sep 16, 2013 7:00 PM**
- 3. Minutes of the City Council - Special - Sep 30, 2013 7:00 PM**
- 4. Minutes of the City Council - Special Study Session - Oct 7, 2013 7:00 PM**
- 5. Farmington Monthly Payments Report, September 2013**
- 6. Farmington Financial Report Quarter Ended June 30, 2013**
- 7. Farmington Investment Report Quarter Ended June 30, 2013**
- 8. 47Th District Court Financial Report Quarter Ended June 30, 2013**
- 9. Farmington Public Safety Monthly Report, September 2013**
- 10. Farmington Building Department First Quarter Report July 1, 2013 through September 30, 2013**

5. APPROVAL OF REGULAR AGENDA

6. PRESENTATION/PUBLIC HEARINGS

- 1. Consideration to Hold Public Hearing and Adopt Resolution to Vacate Public Right-Of-Way in Farmington Woods Subdivision**

7. UNFINISHED BUSINESS

- 1. Consideration to Adopt Ordinance #C-770-2013 Regulating Precious Metal and Gem Dealers**
- 2. Consideration to Adopt Ordinance #C-771-2013 Regulating Secondhand Dealers and Junk Dealers**
- 3. Consideration to Adopt Ordinance #C-772-2013 Regulating Pawnbrokers**
- 4. Consideration to Adopt Ordinance #C-773-2013 Amending Chapter 31 of the City Code Dealing with Local Super Drunk Prosecutions**
- 5. Consideration to Introduce Ordinance #C-774-2013 Amending Regulations Dealing with Animals**
- 6. Consideration to Adopt Resolution to Initiate Animal Control Services with Oakland County**
- 7. Consideration to Adopt Resolution to Establish Historic District Study Committee**
- 8. Consideration to Reschedule Public Hearing Regarding the 2014 Community Block Grant Application**

8. NEW BUSINESS

- 1. Consideration to Renew Farmington Road Maintenance Agreement with the Road Commission for Oakland County**
- 2. Consideration to Approve Construction Estimate #5 for the 2013 Streetscape & Utilities Improvements and Change Order #3**
- 3. Consideration of Resolution to Amend City Fee Schedule**
- 4. Consideration to Amend Fiscal Year 2013-14 Budget**
- 5. Consideration to Adopt Resolution Supporting Grant Proposal to the MIPlace Partnership Placeplans Grant Program**
- 6. Consideration to Cancel November 4, 2013 Study Session**

9. DEPARTMENT HEAD COMMENTS

10. COUNCIL COMMENT

11. ADJOURNMENT



Special Study Session City Council Meeting
6:00 PM, MONDAY, SEPTEMBER 16, 2013
Conference Room A
Farmington City Hall
23600 Liberty St
Farmington, MI 48335

DRAFT

SPECIAL STUDY SESSION MEETING MINUTES

A Special Study Session meeting of the Farmington City Council was held on September 16, 2013, in Conference Room A, Farmington City Hall, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 6:00 PM by Mayor J.T. Buck.

1. ROLL CALL

Attendee Name	Title	Status	Arrived
J.T. Buck	Mayor	Present	
Greg Cowley	Councilmember	Present	
William Galvin	Mayor Pro Tem	Present	
JoAnne McShane	Councilmember	Absent	
Steve Schneemann	Councilmember	Present	

City Administration Present

- Director Christiansen
- City Clerk Halberstadt
- City Manager Pastue
- Attorney Schultz

2. APPROVAL OF AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	Buck, Cowley, Galvin, Schneemann
ABSENT:	McShane

3. PUBLIC COMMENT

No Public Comment was heard.

4. 47TH DISTRICT COURT

A. 47Th District Court 2012 Annual Report

Minutes Acceptance: Minutes of Sep 16, 2013 6:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

47TH DISTRICT COURT REPRESENTATIVES PRESENT: Judge Brady, Judge Parker, Deputy Court Administrator Parke and Court Administrator Walsh.

Dave Walsh provided a brief review of the 47th District Court 2012 Annual Report.

Judge Brady and Stacey Parke discussed the process and success of the Court collections program.

Judge Parker discussed the criteria and success of Sobriety Court.

5. REVIEW OF ITEMS ON REGULAR AGENDA

Pastue discussed a proposed resolution that will be on the regular meeting agenda regarding scheduling a public hearing to vacate all public-right-of-way in the Farmington Woods Subdivision. He noted Easthaven Street would need to be added to the resolution.

Pastue proposed scheduling a special meeting on September 30, 2013 regarding a number of ordinances that will be introduced.

6. OTHER BUSINESS

No other business was heard.

7. COUNCIL COMMENT

No Council Comment was heard.

Council concurred to recess meeting until after the regular meeting.

Motion to recess the meeting until after the conclusion of the regular meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT:	JoAnne McShane

The meeting recessed at 6:52 p.m. and reconvened at 9:45 p.m.

8. CLOSED SESSION

Review of City Attorney Confidential Correspondence

Motion to enter closed session to review City Attorney confidential correspondence.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: William Galvin, Mayor Pro Tem
SECONDER: Greg Cowley, Councilmember
AYES: J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT: JoAnne McShane

Council entered closed session at 9:46 p.m. and exited at 10:20 p.m.
The votes were taken in the following order: Cowley, Galvin, Schneeman, Buck.

9. ADJOURNMENT

Motion to adjourn the meeting.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Greg Cowley, Councilmember
SECONDER: William Galvin, Mayor Pro Tem
AYES: J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT: JoAnne McShane

The meeting adjourned at 10:20 p.m.

Mayor J.T. Buck

Susan K. Halberstadt, City Clerk

Approval Date: _____



Regular City Council Meeting
7:00 PM, MONDAY, SEPTEMBER 16, 2013
City Council Chambers
23600 Liberty Street
Farmington, MI 48335

DRAFT

REGULAR MEETING MINUTES

A Regular meeting of the Farmington City Council was held on September 16, 2013, in City Council Chambers, 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:00 PM by Mayor J.T. Buck.

1. CALL TO ORDER

Attendee Name	Title	Status	Arrived
J.T. Buck	Mayor	Present	
Greg Cowley	Councilmember	Present	
William Galvin	Mayor Pro Tem	Present	
JoAnne McShane	Councilmember	Absent	
Steve Schneemann	Councilmember	Present	

City Administration Present

- Superintendent Eudy
- Director Christiansen
- City Clerk Halberstadt
- City Manager Pastue
- Attorney Saarela (left at 8:40 PM)
- Attorney Schultz (arrived at 8:40 PM)
- Director Schulz
- Treasurer Weber

2. PLEDGE OF ALLEGIANCE

Councilmember Schneemann led the Pledge of Allegiance.

3. PUBLIC COMMENT

Commissioner Bill Dwyer provided an update on Oakland County activities. He discussed his support for Medicaid expansion legislation recently signed by the governor. He announced the Oakland County budget is balanced through 2015. He pointed out the County has retained a AAA bond rating.

Dwyer discussed a report recently published on gun violence in Oakland County. He reviewed some of the recommendations from that report and how they will be implemented.

Minutes Acceptance: Minutes of Sep 16, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

Dwyer spoke about the Farmington Hills Police Benevolent Association and the success of its recent 19th annual golf classic. He discussed the number of families that have been helped over the years through this association.

On behalf of local law enforcement, Director Schulz thanked Commissioner Dwyer and his fellow Oakland County Commissioners for their support of the Oakland County Sheriff's Department. The support they bring to local law enforcement in times of need is crucial in getting the job done.

Sal Palland, owner of Off the Beaten Path Books, proposed a food truck rally event for Farmington on Sunday, October 13, 2013. She cited a number of communities that have successfully held this event over the recent past. She stated this event would be great for Farmington in bringing hundreds of people to the area. She noted there would be no investment for promotion of the event as the food trucks have their own following. She stated the event has the support of DDA Director Knowles. She noted Sunday was chosen in order not to compete with the Farmers Market.

Discussion followed regarding the Special Event application process and the timing of the event.

Cowley asked about proceeds going to a charity.

Ms. Palland responded that this is not a money making opportunity therefore there would be no proceeds to donate to a charity.

In response to an additional question from Cowley, Ms. Palland stated local restaurants would be invited to participate in the event.

Responding to a further question, Ms. Palland stated all the food trucks will provide health certificates.

Discussion followed regarding the kinds of food that would be offered. Ms. Palland stated this event would support the downtown businesses by providing more foot traffic and bring more interest to the area.

Responding to a question from Schneemann, Ms. Palland stated she was thinking about 5-6 trucks for this event.

Discussion followed regarding the interest of local restaurants in participating in this event.

Buck advised the City normally gets more lead time to review the logistics of an event. He stated the City is very interested in events that promote the downtown. He asked City Administration how Council should address this request.

Discussion followed regarding the need for a more detailed plan and the time constraints. Pastue stated Council would have to make the determination on whether or not to allow City Administration to approve the event.

Buck advised the City needs to see more of a plan which would make the October 13th date difficult to achieve.

Cowley advised he would support the event if a charity was heavily involved.

Pastue and Director Knowles will meet with Ms. Palland to work out the details of the event.

Jeff Scott, 23218 Prospect, the Grand River Corridor Visioning Plan will be considered for approval by Council later in the agenda. As a member of the Grand River Corridor Improvement Authority, he stated the Plan is something in which the community can be very proud.

Mr. Scott expressed concern regarding the road construction projects that have fallen behind schedule. He stated after Labor Day weather becomes more unsettled which could lead to the quality of construction being compromised. He noted senior citizens are being affected by the construction as well. He shared his concern that more city services might be needed to do the hand holding and clean up of some of the issues with run-off entering the river.

Brian Golden, 33414 Oakland, announced the dedication of an historic sign on Friday, October 4, at 5pm located in front of Talmer Bank . He advised the Farmington Historical Society participated in a 4-year project that provided grant funds for wayside signs. The sign includes the history of Grand River Avenue in Farmington.

4. APPROVAL OF ITEMS ON CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Galvin, Mayor Pro Tem
SECONDER:	Greg Cowley, Councilmember
AYES:	Buck, Cowley, Galvin, Schneemann
ABSENT:	McShane

- A. Minutes of the City Council - Special - Jul 15, 2013 6:00 PM**
- B. Minutes of the City Council - Special Study Session - Aug 19, 2013 6:00 PM**
- C. Minutes of the City Council - Regular - Aug 19, 2013 7:00 PM**
- D. Minutes of the City Council - Special Study Session - Sep 3, 2013 7:00 PM**
- E. Public Safety Monthly Report August 2013**
- F. Farmington Monthly Payments Report August 2013**

5. APPROVAL OF REGULAR AGENDA

RESULT: **APPROVED [UNANIMOUS]**
MOVER: William Galvin, Mayor Pro Tem
SECONDER: Greg Cowley, Councilmember
AYES: Buck, Cowley, Galvin, Schneemann
ABSENT: McShane

6. PRESENTATION/PUBLIC HEARINGS

A. Consideration to Adopt Bond Authorization Resolution

Present: Laura Bassett, Miller, Canfield, Paddock and Stone

Pastue reviewed the proposed resolution and healthcare plan that will be submitted to the Department of Treasury. He reviewed the healthcare cost containment measures undertaken by the city. He noted the issuance of the bonds will reduce the city's accrued healthcare liability by over \$6.7 million.

At the request of Galvin, Laura Bassett discussed a statute requirement that Other Post Employment Benefits (OPEB) bond proceeds be placed in a separate trust. She explained the city's existing trust will meet this requirement. She further explained that the resolution establishes a new restricted fund within the trust for the purpose of paying back debt service on the bonds.

Responding to a question from Galvin, Bassett stated they have seen increased interest in this type of funding, but more for the pension side rather than the OPEB side. She stated Farmington would be the first OPEB issuance.

Buck stated this action and the related study is a cornerstone in trying to address a liability for the city that extends into the future. He complimented City Manager Pastue and Treasurer Weber and city staff and their efforts and sacrifices to get the city to this point. He stated this measure secures the benefits into the future and protects the city's financial position as well. He praised the city's forward thinking in addressing legacy costs.

Cowley pointed out this same strategy was employed by many cities in California, however, it failed because no cost containment measures were put in place. He stated it is up to City Council to continue to control expenses. He expressed support for the issuance of OPEB bonds believing it is the right thing to do.

Galvin thanked city staff for their efforts in putting the OPEB plan together. He spoke about why the city is issuing the bonds; discussed cost containment measures required by the state. He advised the city still has retiree healthcare costs and council must continue to manage those costs. He noted Oakland County successfully issued OPEB bonds about 15 years ago. He stated this is a great step forward for Farmington.

Motion to adopt a bond authorization resolution to issue Other Post Employment Benefit (OPEB) bonds for a not-to-exceed amount of \$8,000,000. [SEE ATTACHED RESOLUTION]. CMR 09-13-046

Roll Call was taken in following order: Cowley, Galvin, Schneemann, Buck.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT:	JoAnne McShane

B. Consideration to Accept Community Visioning Plan, Kevin Christiansen/Economic and Community Development Director

Kevin Christiansen, Economic and Community Development Director, reviewed the Farmington Vision Plan summary.

Cowley expressed surprise at the amount of change the citizenry would like to see in Farmington. He was pleased to see people are looking for growth in our community. He is looking forward to helping wherever he can.

Galvin stated he was pleased to be part of the visioning process.

At the request of Galvin, Christiansen spoke about the collaborative effort going forward in the implementation of this plan.

Schneemann stated he was pleasantly surprised at the appetite for growth in the city. He noted residents recognize the city needs to continue to redevelop in order to thrive. He pointed out the city is currently involved in actions that directly address some of the action items in the vision plan.

Schneemann, referring to an earlier comment regarding the slow pace of construction, recognized it can be challenging especially in the downtown, but he noted it is an exciting time for Farmington and asked for patience. He stated some of the changes are a result of visioning from years passed. He noted the cost and time involved in renovations, but pointed out the end result is worth it.

Buck stated Christiansen's presentation and the Vision Plan document represent thousands and thousands of hours by not only city staff but residents who attended the vision sessions. He noted the ideas and energy expressed in those sessions give this plan a great chance for success.

Christiansen thanked Council, staff and citizens for their effort.

Motion to accept the Community Visioning Plan and instruct City Administration to prepare a work plan for implementation of priority action items. [SEE ATTACHED PLAN].

Minutes Acceptance: Minutes of Sep 16, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT:	JoAnne McShane

C. Consideration to Accept Grand River Corridor Improvement Authority's Visioning Plan, Kevin Christiansen/Economic and Community Development Director

Christiansen reviewed the Grand River Corridor Improvement Authority Visioning Plan.

Christiansen thanked Mr. Scott for being instrumental in the development of the plan. He also thanked Mayor Buck for his participation as well.

Christian indicated both plan documents are on the city's website.

Schneemann commented the importance of Grand River cannot be overstated. He stated it is a corridor that connects one side of the state to the other. He stated as a governing body it is important for Council and the community to embrace this plan and facilitate its implementation.

Cowley concurred with Schneemann's comments. He stated Grand River is the city's best economic development opportunity and strategic asset. He is glad to see Christiansen undertaking both plans and moving them forward.

Discussion followed regarding the implementation strategy of each city. Christiansen pointed out each city has its own Master Plan and set of ordinances, however, the plan will be the overall guide for both.

Responding to a question from Galvin, Christiansen stated both communities have separate master plans however, this plan takes planning to another level. He advised a uniform look is not the intent of the plan. He pointed out each city has a unique implementation plan with different strategies, however, the plan will be the overall guide. He stated the next step in the process is to create a development plan.

Pastue stated the intent is to have common elements, but density will dictate different approaches.

Christiansen noted the Grand River Corridor Vision Plan and its implementation is intended to be its own distinctive corridor.

Buck spoke about the interesting drive on Grand River from Jefferson Avenue to downtown Farmington. He stated when you arrive in Farmington it feels like a safe oasis. He stated this vision plan extends the feeling of an oasis going down

Grand River to the eastern borders of Farmington and Farmington Hills. He commented this is a great opportunity for the cities to work together.

Motion to accept the Grand River Corridor Improvement Authority's Visioning Plan and instruct City Administration to work with the Farmington Corridor Improvement Authority, Farmington Hills Corridor Improvement Authority, and Planning Commission to implement recommendations contained in the plan. [SEE ATTACHED PLAN].

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Galvin, Mayor Pro Tem
SECONDER:	Greg Cowley, Councilmember
AYES:	J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT:	JoAnne McShane

7. UNFINISHED BUSINESS

Council took a 5 minute break at 8:40 p.m. and resumed the meeting at 8:48 p.m.

A. Consideration of Resolution to Establish Grand River Halsted Shopping Plaza Commercial Rehabilitation District

Pastue reviewed a resolution to establish the Grand River Halsted Shopping Plaza Commercial Rehabilitation District.

Pastue read a letter from Oakland County expressing support for the Rehabilitation District.

Galvin commented he has sorely missed what was once a filled and vibrant center. He looks forward to the opportunities the Rehabilitation District will bring to that center.

Motion to adopt a resolution to establish the Grand River Halsted Shopping Plaza Commercial Rehabilitation District. [SEE ATTACHED RESOLUTION]. CMR 09-13-047

Roll call was taken in the following order: Galvin, Schneemann, Buck, Cowley.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Galvin, Mayor Pro Tem
SECONDER:	Steve Schneemann, Councilmember
AYES:	J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT:	JoAnne McShane

B. Consideration of Resolution to Approve Internal Financing for Civic Theater Digital Equipment

Pastue reviewed resolution proposing internal financing of the digital equipment at the Civic Theater.

Cowley reiterated his support for a ticket increase to \$5.

Motion to adopt a resolution approving internal financing terms for purchase and installation of Civic Theater digital equipment. [SEE ATTACHED RESOLUTION]. CMR 09-13-048

Roll Call was taken in the following order: Schneemann, Buck, Cowley, Galvin.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Galvin, Mayor Pro Tem
SECONDER:	Steve Schneemann, Councilmember
AYES:	J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT:	JoAnne McShane

8. NEW BUSINESS

A. Consideration to Schedule Public Hearing Regarding the 2014 CBDG Grant Application

City Administration requested Council approval to hold a public hearing on October 21, 2013 regarding the proposed PY2014 Community Development Block Grant (CDBG).

Motion to schedule a public hearing on October 21, 2013 at 7:00 p.m. to receive public comment on the proposed PY2014 Community Development Block Grant (CDBG).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT:	JoAnne McShane

B. Consideration to Schedule Public Hearing to Vacate All Public Right-Of-Way in Farmington Woods Subdivision

City Administration requested Council adopt a resolution to schedule a public hearing regarding the vacation of all public right-of-way in the Farmington Woods Subdivision. Pastue requested Council amend the resolution to include Easthaven Drive as part of the vacation.

Motion to adopt a resolution to schedule a public hearing for Monday, October 21, 2013 at 7:00 p.m. in the City Council Chambers to consider vacating all public right-of-way in the Farmington Woods Subdivision. [SEE ATTACHED RESOLUTION]. CMR 09-13-049

Minutes Acceptance: Minutes of Sep 16, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

RESULT: APPROVED [UNANIMOUS]
MOVER: Greg Cowley, Councilmember
SECONDER: William Galvin, Mayor Pro Tem
AYES: J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT: JoAnne McShane

C. Consideration to Approve SMART Agreement for Transfer of Municipal and Community Credits

City Administration requested Council approval of an agreement with SMART for Municipal and Community Credits for FY 2014.

Galvin spoke about the expanded service SMART is now providing. He expressed appreciation to Mayor Buck for facilitating this improved service.

Roll Call taken in the following order: Buck, Cowley, Galvin, Schneemann.

Motion to authorize the City Manager to sign an agreement with the Suburban Mobility Authority for Regional Transportation (SMART) for Municipal Credits and Community Credits on behalf of the City for Fiscal Year 2014. [SEE ATTACHED AGREEMENT].

RESULT: APPROVED [UNANIMOUS]
MOVER: Greg Cowley, Councilmember
SECONDER: William Galvin, Mayor Pro Tem
AYES: J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT: JoAnne McShane

D. Consideration to Authorize the Purchase of One Police Administration Vehicle

City Administration requested Council approval of a 2014 Ford Police Interceptor Utility Vehicle as part of the on-going vehicle replacement program.

Motion to approve the purchase of one police administration vehicle from Gorno Ford, Woodhaven MI, in the amount of \$25,905.00.

Roll Call was taken in the following order: Cowley, Galvin, Schneemann, Buck.

RESULT: APPROVED [UNANIMOUS]
MOVER: William Galvin, Mayor Pro Tem
SECONDER: Steve Schneemann, Councilmember
AYES: J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT: JoAnne McShane

E. Consideration to Approve Construction Estimate #4 for the 2013 Streetscape & Utilities Improvements and Change Order #2

City Administration requested approval of construction estimate No. 4 and change order No. 2 For the Grove Street and Warner/Oakland Street projects.

Responding to a question from Galvin, City Attorney Schultz stated there are a limited number of reasons why payment can be delayed and this project does not meet any one of them.

Galvin expressed his desire to vote no on this payment request, but will follow legal counsel's recommendation on this matter.

Motion to approve construction estimate #4 and issue payment to Warren Contractors in the amount of \$161,894.95 and change order #2 increasing the contract amount by \$507.81 for work completed on the Grove Street and Warner/Oakland projects.

Roll Call was taken in the following order: Galvin, Schneemann, Buck, Cowley.

RESULT:	APPROVED [3 TO 1]
MOVER:	Steve Schneemann, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	J.T. Buck, William Galvin, Steve Schneemann
NAYS:	Greg Cowley
ABSENT:	JoAnne McShane

F. Consideration to Introduce Ordinance #C-770-2013 Regulating Precious Metal and Gem Dealers

Motion to introduce Ordinance C-770-2013 to amend Chapter 8, Registration and Licensing, of the City Code to add Article III to regulate precious metal and gem dealers. [SEE ATTACHED ORDINANCE]

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT:	JoAnne McShane

G. Consideration to Introduce Ordinance #C-771-2013 Regulating Secondhand Dealers and Junk Dealers

Motion to introduce Ordinance C-771-2013 to amend Chapter 8, Registration and Licensing, of the City Code to add Article IV to regulate secondhand dealers and junk dealers. [SEE ATTACHED ORDINANCE]

Minutes Acceptance: Minutes of Sep 16, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: William Galvin, Mayor Pro Tem
SECONDER: Steve Schneemann, Councilmember
AYES: J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT: JoAnne McShane

H. Consideration to Introduce Ordinance #C-772-2013 Regulating Pawnbrokers

Motion to introduce Ordinance C-772-2013 to amend Chapter 8, Registration and Licensing, of the City Code to add Article V to regulate Pawnbrokers. [SEE ATTACHED ORDINANCE]

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Greg Cowley, Councilmember
SECONDER: William Galvin, Mayor Pro Tem
AYES: J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT: JoAnne McShane

I. Consideration to Schedule Special Meeting for September 30, 2013

City Administration requested Council schedule a special meeting on September 30, 2013 to review proposed ordinances and discuss emergency management training.

Motion to schedule a special meeting for Monday, September 30, 2013 at 7:00 p.m.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Greg Cowley, Councilmember
SECONDER: William Galvin, Mayor Pro Tem
AYES: J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT: JoAnne McShane

J. Board and Committee Appointments

Motion to reappoint Kim Thompson Everett and John Mayer to the Farmington Beautification Committee for 3-year terms ending June 30, 2016.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Galvin, Mayor Pro Tem
SECONDER:	Greg Cowley, Councilmember
AYES:	J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT:	JoAnne McShane

9. DEPARTMENT HEAD COMMENTS

Halberstadt expressed appreciation to the Heeney-Sundquist Funeral Home for their recent sponsorship of a Jazz Concert at the Warner Mansion. She announced the upcoming Ghostwalk at the Mansion scheduled for Saturday, October 19th, 7-9:30pm.

Halberstadt announced the League of Women Voters is sponsoring a candidate forum on Wednesday, September 25th at 7pm in Council Chambers. She further announced October 7th is the last day to register to vote for the November election.

Eudy advised the parking lot adjacent to the Library has been resurfaced.

Christiansen discussed the status of the Drakeshire Plaza renovations; indicated the Farmington Tennis Club was purchased by Total Sports; noted the site plan for the old courthouse will require a PUD process; indicated a Request for Proposal for the second phase of The Orchards will be issued; and he continues to work with the schools on the sale Maxfield Training Center and Flanders School properties.

Pastue spoke about the status of the Grove Street and Warner/Oakland Street projects. He noted Treasurer Weber did a wonderful job in working the numbers on Retiree Healthcare to drive that accrued liability down. He pointed out the number of projects Christiansen has undertaken and how fortunate the city is to have him on board. He noted the recent domestic situation on Hawthorne and the gas main rupture on Warner that were handled in an efficient and professional manner by Director Schultz and his staff. He stated Eudy does a wonderful job working through solutions with the construction projects and Sue with the Mansion.

Pastue recognized the city's collaborative effort with Farmington Hills on the Grand River Corridor Improvement Authority.

10. COUNCIL COMMENT

Galvin commented on the importance of the OPEB bonds to the city's financial future. He stated both the taxpayers and retirees will benefit as a result of this funding mechanism for Retiree Healthcare. He pointed out that with this action the city is saving Farmington taxpayers \$6.7 million.

Cowley concurred with Galvin's comments, also noting the OPEB bonds were a creative solution to a long term liability brought forth by city staff. He expressed appreciation to the Public Safety Department and Farmington Hills Fire Department for their response to a recent fire at his restaurant. He stated there was limited damage due to their efforts. He hoped to re-open on Tuesday, September 24th.

Cowley expressed concern that people were being discouraged from visiting his restaurant due to his opposition to the School Bonds on the August ballot. He discussed a number of ways in which he has been a supporter of public schools. He explained his opposition to the bonds and raising taxes.

Buck commented the two vision programs presented and approved that evening will make the city stronger and promote growth. He stated the OPEB bonds were a very significant action for the city. He expressed his gratitude to Treasurer Weber for his effort in working on financial solutions for the city.

Buck felt compelled to comment on Cowley's remarks concerning a "boycott" of his business due to his opposition to the school bond issue. He stated we live in a democracy that allows us to have our own opinions on various issues around us. He stated the importance of having councilmembers who have differences of opinions because that is what brings the best solutions to bear. He stated Cowley is telling his truth on the bond issue and we need be willing to discuss and respect each others opinions.

11.ADJOURNMENT

Motion to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Galvin, Mayor Pro Tem
SECONDER:	Greg Cowley, Councilmember
AYES:	J.T. Buck, Greg Cowley, William Galvin, Steve Schneemann
ABSENT:	JoAnne McShane

The meeting adjourned at 9:36 p.m.

Mayor J.T. Buck

Susan K. Halberstadt, City Clerk

Approval Date: _____

Minutes Acceptance: Minutes of Sep 16, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)



Special City Council Meeting
7:00 PM, MONDAY, SEPTEMBER 30, 2013
Conference Room A
Farmington City Hall
23600 Liberty St
Farmington, MI 48335

DRAFT

SPECIAL MEETING MINUTES

A Special meeting of the Farmington City Council was held on September 30, 2013, in Conference Room A, Farmington City Hall, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:00 PM by Mayor J.T. Buck.

1. ROLL CALL

Attendee Name	Title	Status	Arrived
J.T. Buck	Mayor	Absent	
Greg Cowley	Councilmember	Present	
William Galvin	Mayor Pro Tem	Present	
JoAnne McShane	Councilmember	Present	
Steve Schneemann	Councilmember	Present	

City Clerk Halberstadt
City Manager Pastue
Attorney Saarela
Director Schulz

2. APPROVAL OF AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	JoAnne McShane, Councilmember
AYES:	Cowley, Galvin, McShane, Schneemann
ABSENT:	Buck

3. PUBLIC COMMENT

Penny Oglesby, 34002 Grand River, suggested installing a gazebo on the island at the intersection of Grand River and Shiawassee. She would like to poll local residents for their feedback on this idea. She discussed the need to raise funds for the gazebo and possibly sell bricks for a brick walkway. She noted the western entrance to the city is not very attractive.

Pastue discussed approaching the beautification committee regarding this project.

Minutes Acceptance: Minutes of Sep 30, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

4. CITY COUNCIL EMERGENCY PREPAREDNESS

A. City Council Emergency Preparedness

Present: Sandy Altschul and Anita Meredith

Sandy Altschul was present to discuss City Council emergency preparedness. He discussed Council's role in an emergency situation and the types of emergencies they may face. He also spoke about a citizen preparedness plan he has developed for the community.

Responding to a question from McShane, Pastue stated emergency training for Council would be scheduled sometime in early winter.

5. REVIEW OF ORDINANCES REGULATING PAWNBROKERS, PRECIOUS METAL AND GEM DEALERS, SECOND-HAND DEALERS AND JUNK DEALERS

Review of Ordinances

Present: City Attorney Beth Saarela

Attorney Saarela advised the purpose of the ordinances is to utilize Michigan statutes that require these businesses to register items they receive and sell on an electronic data base called "Leads on Line". This electronic registration interfaces with the Police System.

Attorney Saarela briefly reviewed three ordinances introduced at the September 16th Council meeting including: Regulating Pawnbrokers, Precious Metal and Gem Dealers, and Second-hand Dealers and Junk Dealers. She noted the Pawnbroker ordinance is the most regulated of the three.

Responding to a question from Cowley, Director Schulz advised there are six businesses in Farmington that would be affected by these ordinances including jewelry stores that buy precious metals.

Schulz advised these ordinances now provide clear guidelines as to who is eligible for a license.

Responding to a question from Schneemann, Schulz advised under state law these uses must be allowed in the city.

Discussion followed regarding the requirements of each ordinance.

Saarela spoke about a fee resolution that will be included with the ordinances.

Director Schulz confirmed there are no Pawn Shops currently in Farmington.

Discussion followed regarding property maintenance provision included in the Second-hand Dealers and Junk Dealers ordinance.

Saarela suggested Council provide recommendations for changes to the ordinances prior to the next council meeting.

Saarela advised a few minor changes were made to the draft ordinances subsequent to their distribution to Council.

Pastue pointed out Pawnbroker applications must be approved by City Council.

6. DISCUSSION OF PROPOSED SUPER DRUNK ORDINANCE

A. Proposed Super Drunk Ordinance

Saarela advised State Law amended the Motor Vehicle Code to include a super drunk provision which addresses alcohol levels .17 and higher. It imposes a higher penalty, fines and increased community service.

Responding to a question from Cowley, Schulz confirmed this change would provide additional revenue to the city.

Responding to a question from Cowley, Saarela confirmed the law does not apply to pedestrians.

Schneemann asked regarding the percentage of DWI cases that would fall in the super drunk category. Schulz responded approximately 10-20% of those arrests.

Responding to a question from McShane, Saarela advised the judge would decide on how to apply fines, penalties and community service.

Responding to a further question from McShane, Saarela confirmed the judge would have the option of sending the offender to Drug Court.

Schneemann confirmed with Schultz that if the ordinance is adopted it would not change how enforcement is done, but rather how penalties, fines, and community service are applied.

Galvin asked regarding neighboring communities who are either looking at the ordinance and or have adopted it.

Schulz responded South Lyon and Novi.

Cowley noted the issue of a lack of a good cab service in the city.

7. DISCUSSION ESTABLISHING TOWING FEES

Proposed Towing Fees

Director Schulz advised a review of towing fees began a few years back. He discussed city costs associated with impounded cars. He stated they checked with area departments and found the average towing fee is \$15. He noted 311 vehicles were impounded in 2012 which would have generated \$4665 if the

towing fee had been in place. He stated this fee would primarily apply to a vehicle that was impounded due to a criminal complaint.

Schneemann and Cowley concurred the fee should be higher given the time spent by the department in processing the vehicles.

Discussion followed regarding an appropriate fee amount. Discussion continued regarding implementing a sliding scale for fees.

Pastue stated the city needs to clearly define how the fee will be applied. Schultz will conduct further research toward this end.

Pastue advised this item will be placed on the October 21st meeting agenda.

8. AMENDMENT TO PURCHASE AGREEMENT FOR SALE OF OLD COURTHOUSE PROPERTY

Amendment to Purchase Agreement

Pastue advised that as a result of further market research, Balfour has requested an amendment to the Balfour Agreement. He stated Balfour is looking to expand the use to include assisted living. He further stated they are looking to go from the original 56 units to 90 units. He indicated staff is comfortable with this proposed change.

McShane asked why the market analysis was not done prior to making the proposal to Council.

Pastue responded since they were a late entry there was not enough time.

Pastue confirmed the tax value would increase, however, the footprint of the building would not substantially change. He stated they are adding an operational second story.

Discussion followed regarding the requirements under a Planned Unit Development (PUD).

Pastue confirmed that the contract would only be consummated with Council approval of the PUD. He further confirmed there are no anticipated problems with the infrastructure of that property.

McShane expressed support for the proposed contract; cited a need in the community for senior housing.

Council concurred with the amendment.

9. COUNCIL COMMENT

McShane complimented the volunteers who served at the Harvest Moon Festival. She stated it was a fabulous event. She suggested the city send a congratulatory letter to the DDA that would trickle down to the volunteers.

Schneemann echoed McShane's comments, giving kudos to volunteers and DDA staff. He stated volunteers are a significant part of what makes this city a great place in which to live.

Cowley requested an update on the road construction projects.

Pastue stated the plan is for construction to be completed by the closing of the asphalt plants which is mid-November.

Responding to a question from Schneemann, Pastue stated the city does not yet have a contingency plan for Oakland Street.

Discussion followed regarding the lack of progress that has been made and how the city will respond.

Galvin commented on significant progress the city has made over the recent past. He stated tonight's agenda represents continuing progress in subtly redefining the city. He stated this is a great time to be serving on council.

Pastue advised going forward dog licenses will be administered by the County due to the fact that the local veterinarian will no longer house the animals.

10.ADJOURNMENT

1. Motion to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	JoAnne McShane, Councilmember
AYES:	Buck, Cowley, Galvin, McShane, Schneemann

Meeting adjourned at 8:46 p.m.

Mayor J.T. Buck

Susan K. Halberstadt, City Clerk

Approval Date: _____

Minutes Acceptance: Minutes of Sep 30, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)



Special Study Session City Council Meeting
7:00 PM, MONDAY, OCTOBER 7, 2013
Conference Room A
Farmington City Hall
23600 Liberty St
Farmington, MI 48335

DRAFT

SPECIAL STUDY SESSION MEETING MINUTES

A Special Study Session meeting of the Farmington City Council was held on October 7, 2013, in Conference Room A, Farmington City Hall, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:00 PM by Mayor J.T. Buck.

1. ROLL CALL

Attendee Name	Title	Status	Arrived
J.T. Buck	Mayor	Present	
Greg Cowley	Councilmember	Present	
William Galvin	Mayor Pro Tem	Present	
JoAnne McShane	Councilmember	Present	
Steve Schneemann	Councilmember	Present	

City Administration Present

City Clerk Halberstadt
City Manager Pastue

2. APPROVAL OF AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	JoAnne McShane, Councilmember
SECONDER:	Greg Cowley, Councilmember
AYES:	Buck, Cowley, Galvin, McShane, Schneemann

3. PUBLIC COMMENT

Sal Palland, owner of Off the Beaten Path Books and resident of Farmington, stated she had appeared at the last Council meeting to ask about a food truck rally. She indicated since that time she met with City Manager Pastue and DDA Director Knowles to work out the details of the event. She asked regarding approval of the event.

Pastue advised an event permit had been obtained and that the event had been approved administratively.

Minutes Acceptance: Minutes of Oct 7, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

Mayor Buck congratulated Ms. Palland and stated the city is looking forward to the event which is to be held on Sunday, October 13, 2013 at 2:30 p.m. in Riley Park. Palland provided further detail on the event.

4. SCHOOL BOND PROPOSALS

A. Presentation - School Bond Proposals

Present: Sue Zurvalec, Superintendent; Howard Wallach, School Board Member; Diane Bauman, Director of School and Community Relations Services; Jon Manier, Executive Director of Instructional Services; Mary Reynolds, Executive Director, Business.

School Superintendent Sue Zurvalec opened the presentation by thanking Council for allowing them the opportunity to be included on the agenda for the evening. She stated the purpose of the presentation was to share information and answer questions. She indicated Farmington had a longstanding tradition of supporting public education. She stated the bond proposal is critically important in order to address the significant facility and technology needs of the students.

Zurvalec pointed out quality public schools are an economic development tool that affect revitalization of neighborhoods and downtowns by attracting families and businesses to the community. The passage of the bond proposal will provide current students and the future generations of students with opportunities for quality education.

John Manier gave a presentation on both bond proposals on the November ballot. He stated the proposals were revised based on feedback from the community after the August election. Proposal One is focused on safety, infrastructure and technology and Proposal Two is focused on the arts, athletics and technology replacement. He described the changes from the August proposal to the current ones.

Manier spoke about Proposal One and described the decaying infrastructure and showed slides of needed repairs at various schools.

Manier then spoke about the lack of safety and security at the schools and how it can be resolved; creating a main entryway utilizing a buzzer which allows access only into the main office; the use of internal and external cameras; and a lockdown button in case of emergency situations. Classroom remodeling is also included in Proposal One, including HVAC, plumbing, ceilings, painting, and fixing the existing classrooms. Another item included in the proposal is instructional technology tools, computers for students and teachers, and interactive white boards. The final item in Proposal One is the updating of media centers and libraries.

Manier invited questions from Council on Proposal One.

McShane inquired about the status of a capital improvement fund in the District's budget. Manier responded the schools are operating at 2002 funding

levels and the need to maintain classroom programs has made it necessary to forestall capital improvement funding.

McShane asked about annual contributions to the capital improvement fund. Manier responded approximately two million dollars is put in for ongoing maintenance as well as capital improvement projects. He stated the figure varies depending on the immediate needs of the District.

McShane asked if the funds provided in Bond Proposal One is in addition to the two million annual contribution to the capital fund. Manier responded in the affirmative.

Manier stated Proposal Two addresses the remodeling of High School Auditoriums; seating and sound systems, restroom improvements, outdoor athletic surfaces; and future replacement technology.

Schneemann inquired regarding access to line item breakdown on the Proposals.

Manier responded the most detailed analysis is available on website.

Buck asked if the District was at a point where students could bring their own devices into the schools and tap into the technology. Manier responded it is one of the eight goals of the District Technology Plan.

Manier stated that the proposals are set for three series of bonds; construction lasting between six and nine years; and the bond proceeds will enable the District to keep education dollars in the classroom in an effort to maintain current programming. He pointed out bond dollars can never be used for salaries of anyone within the District or routine maintenance costs.

Galvin asked regarding ongoing financial reporting through the terms of the bonds. Manier responded the State of Michigan requires an annual audit which is reported to the public. There is a timeline of three years where 85 percent of bond money must be spent.

Cowley asked about the tradeoff of using capital dollars for education and the benefit to the school system.

Manier responded the District is able to maintain adequate programming in the schools offering a number of electives. He advised each year a list of capital projects is presented to the School Board. The benefits are to the choices the students have for electives.

Cowley inquired if the maintenance of the schools has made our District competitive with all the other school systems. Manier responded in the affirmative.

Cowley questioned the declining enrollment and the need for all of the facilities in the next twenty years. Manier responded that predictions of decreasing enrollment numbers are usually only accurate for the next five years. He stated

the District's long term plan has taken those numbers into account.

Cowley asked the reasoning behind a 20-year bond as opposed to a 5-year one. Manier responded the bond was structured to provide a financial benefit to residents in keeping annual costs lower.

Galvin asked if both bond proposals passed how much of the \$186 million would go to facilities located in Farmington. Manier responded allocations for each school are included in the latest school community publication.

Schneemann, noting the August bond proposal was Plan A and the November proposals are Plan B, asked if there was a Plan C in place if the bond proposals do not pass. Manier responded not at this time.

Schneemann asked if failure of the bonds would make the District less competitive with surrounding communities. Manier responded he would hope not but that funds would have to be diverted from the general fund which is programming to the urgent needs of the District.

Manier then discussed the financial impact of the bonds on taxpayers in both Farmington and Farmington Hills.

Cowley pointed there is misinformation on both sides of the bond issue. His biggest concern is the need to grow the tax base and the impact of bonds on that growth. He believes by passing the bond, the City will be pricing itself out of the marketplace, housing being a key element in populating schools. He noted the bond decision affects more than just the school district. He stated Farmington needs to attract investors and believes this would be a deterrent.

Manier responded the quality of schools and the ability to make academic gains, as well as upkeep and maintenance, has a direct correlation to housing values.

Cowley pointed out there needs to be a balance between the needs of the schools and the community. He expressed support for strong schools, but advised a high tax rate would deter developers as well as home buyers from coming to the city.

McShane praised the school system for doing a good job of educating the public on the bond proposals. She stated the District needs to maintain high standards for schools, especially in attracting young families to the community.

Galvin thanked school staff for their presentation. He pointed out Farmington Public Schools is the largest land owner in Farmington and currently holds the most vacant land. He cited the importance of redeveloping the Maxfield Training Center and Flanders property.

Buck thanked the school staff for their presentation and providing detail on the bond proposals. He stressed the importance of millage comparison with other communities. He stated redevelopment of vacant school properties would generate more students creating significant revenue. He encouraged the District

to expedite sale of the properties.

Zurvalec advised a marketing agent has been hired for those properties.

Buck note the city has been working hard on addressing retiree healthcare liability. He asked regarding pension and retiree healthcare funding for the schools.

Reynolds replied the District has no control over the retirement system since it is state controlled and operated. She stated currently over 29% of every dollar goes to the state for pension/retiree healthcare benefits, whereas in 2002, it was 12%. She noted employees now contribute 20-30% of health, dental, and vision costs.

Buck asked if the benefit plans were completely funded. Reynolds responded no, the state is billions behind in funding those plans. Buck inquired if the District has been impacted by the economic challenges of the Detroit Public Schools. Reynolds responded not currently.

Buck then asked if they would continue to allocate \$2 million dollars to capital fund or would those dollars be applied elsewhere. Reynolds stated they had not made that determination as yet. She spoke about the need to maintain technology and to set aside dollars in the general operating budget for same.

Buck commented it is an excellent time to go out for a bond, pointed out rates are historically low. He is very proud of Farmington schools and grateful to the Board of Education and the staff for their presentation.

5. HISTORIC DISTRICT STUDY COMMITTEE

A. Presentation - Historic District Study Committee

Present: Marilyn Weimer and Jenna Stacey, Historical Commission Members

Pastue indicated the Historical Commission has requested the establishment of an Historic District Committee. He then turned the item over to Marilyn Weimer for presentation.

Weimer stated the first step in establishing this Committee is for City Council to agree to appoint members to the Committee.

Pastue pointed out changes had taken place since the last time Council addressed this item. He stated State Historic Tax Credits are no longer available, a driving force for establishing a Historic District. He advised another primary reason is to maintain the character and quality of homes within the District thereby increasing property values. He stated in earlier discussions there was concern over the Historic District ordinance itself, but he reiterated that it is City Council who establishes the content of the ordinance.

Weimer stated that history is a large part of Farmington and the activities of the

city and it seems like a good fit to establish this committee. She named the surrounding communities that have such committees and districts.

Schneemann inquired if the Historic District boundaries would remain the same. Weimer responded in the affirmative. He questioned the standards utilized in the State Historic Preservation Office (SHPO) and whether they were the same as Federal ones. Weimer responded in the affirmative.

Weimer said the purpose of a Historic District ordinance is to preserve the historic nature and character of homes. She stated the purpose of the study committee is to evaluate the homes to decide if they are appropriate for this ordinance and the correct framework to begin to address these questions.

Schneemann commented that he is very skeptical about the SHPO, noting he currently lives in the Historic District and has made a significant investment in his home. In his experience as an architect he has serious doubts that SHPO can look at our community objectively. He pointed out SHPO is currently opposed to some upgrades proposed for Farmington Road that would match what was done along Grand River. He is doubtful that SHPO can look at Farmington and apply Federal standards objectively.

McShane inquired if SHPO always applied to communities in which there is a Historic District Ordinance adopted for redevelopment of a home. Jenna responded in the negative, that SHPO has no input whatsoever in the wording of the ordinance. She pointed out there is a model ordinance available on the SHPO website, but there is no requirement in any way to follow it.

Buck asked regarding requirements for State approval. Pastue responded the final report must be approved, but after that the city is on its own to set up its own ordinance. Buck pointed out an element of the ordinance is to have binding approval by the Historic District Committee on proposed changes to the facade of historic homes. Pastue agreed and pointed out SHPO is minimized on the back end.

McShane inquired if they had talked to other communities regarding their experience in enacting a Historic District Ordinance. Weimer and Stacey responded in the negative, but supported the idea. McShane cited the benefits of having such an ordinance including retaining the character of the homes, increased property values, and bringing a sense of pride and history to the community.

McShane stated that the DDA is based on historic preservation and pointed out many of the surrounding communities have the ordinance in place so it must be working. She noted maintaining and preserving our historic structures is of the utmost importance in our community. She believes this is a win/win ordinance and the standards created as a result are worth the rewards. She expressed support for the Historic District Study Committee and commended the Historical Commission for tackling it again.

Cowley noted most people who own historic homes were not in favor of the ordinance last time. He inquired what they were going to do to change their opinions.

Weimer responded there seems to be more excitement and energy surrounding the Historic District. She noted education has begun with articles appearing in the Observer, the utilization of social media with preservation briefs, etc.

Cowley indicated he will vote with the majority of homeowners in the Historic District and encouraged their involvement in this process.

Schneemann asked why the findings in a 2005 study would not still be valid. Weimer responded that useful parts of that study would be included in the report.

Buck pointed out this process requires a great deal of time and effort. He asked Councilmembers to provide a clear signal that the endeavor will be worthwhile. He expressed support for the committee and believes it would boost economic development, preservation of properties and would be an important tool in the heritage of the city. He thanked Weimer and Stacey for their presentation.

Pastue indicated this item will be brought back to Council at the October 21st meeting. He provided a list of interested and potential members.

6. CONSIDERATION TO INTRODUCE ORDINANCE #C-773-2013

A. Consideration to Introduce Ordinance #C-773-2013 Amending Chapter 31 of the City Code Dealing with Local Super Drunk Prosecutions

Pastue gave background on the proposed ordinance. He indicated it would be placed on the October 21st agenda for adoption.

Motion to introduce Ordinance C-773-2013 amending Chapter 31 of the City Code dealing with Local super Drunk Prosecutions

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Galvin, Mayor Pro Tem
SECONDER:	JoAnne McShane, Councilmember
AYES:	Buck, Cowley, Galvin, McShane, Schneemann

McShane expressed strong support for lobbying the legislature to provide treatment for these individuals.

Cowley expressed the need for more cabs in the city.

7. OAKLAND COUNTY ANIMAL CONTROL SERVICES

1. Discussion - Oakland County Animal Control Services

Pastue indicated the Public Safety Department has been boarding strays at a local veterinarian for the past 25 years. The department was recently informed that at the end of September the veterinarian would no longer provide that services. He stated different avenues were pursued and it was determined that Oakland County could provide that service. He stated as part of this changeover, the city would need to cancel Chapter 5 "Animals" from our local ordinances and start selling Oakland County dog licenses in place of city licenses. The city could still institute an emergency ordinance under Chapter 19 "Nuisances" or Chapter 20 "Offenses." The costs were delineated and no action was required on this item at this time.

8. OTHER BUSINESS

Pastue provided a brief review of October 21st agenda items. He provided status updates including: status of the ice rink, DDA/Chamber and Farmers Market, status of Grove and Oakland Streets construction projects, completion of Drake Road, status of the marketing and sale of Maxfield Training Center and Flanders properties, State status on OPEB bonds, SHPO problem with Farmington Road and status of the Orchards property.

9. COUNCIL COMMENT

McShane commented Los Tres Amigos does not currently have a walkway and she had to walk through 3 inches of mud to get to their door. She also inquired if the bike committee has been consulted on the Ten Mile Road reconstruction.

Galvin indicated this Saturday there is a Mad Scientist Family Day for an ice rink fundraiser. He inquired about the effect of the Detroit bankruptcy on Detroit Water and Sewer service. Pastue responded he does not know the impact of same as yet.

Cowley spoke about the school bond issue; that he was disappointed that schools never engaged with Council to talk about millage/costs; and his concern that there is no Plan C.

Schneemann concurred with McShane stating it is a good time to implement bike lines in street development; remains skeptical regarding a historic district ordinance.

10. ADJOURNMENT

Motion to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	William Galvin, Mayor Pro Tem
AYES:	Buck, Cowley, Galvin, McShane, Schneemann

John Kamstra, 23825 Wilmarth, asked about ordinance regarding riding bike on sidewalk, lights, etc.

Minutes Acceptance: Minutes of Oct 7, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

Meeting adjourned at 9:15 p.m

Mayor J.T. Buck

Susan K. Halberstadt, City Clerk

Approval Date: _____

Minutes Acceptance: Minutes of Oct 7, 2013 7:00 PM (APPROVAL OF ITEMS ON CONSENT AGENDA)

**Farmington City Council
Staff Report****Council Meeting Date:**
October 21, 2013**Reference
Number
(ID # 1382)****Submitted by:** Vincent Pastue, City Manager**Description:** Farmington Monthly Payments Report, September 2013**Requested Action:****Background:****Agenda Review****Review:**

Vincent Pastue Pending

City Manager Pending

City Council Pending

CITY OF FARMINGTON - MONTHLY PAYMENTS REPORT**MONTH OF SEPTEMBER 2013**

FUND #	FUND NAME	AMOUNT:
101	GENERAL FUND	\$ 874,168.07
202	MAJOR STREET FUND	\$ 91,216.08
203	LOCAL STREET FUND	\$ 38,779.43
204	MUNICIPAL STREET FUND	\$ 190,186.83
247	CAPITAL IMPROVEMENT FUND	\$ 102,028.50
351	GENERAL DEBT SERVICE FUND	\$ 51,106.27
592	WATER & SEWER FUND	\$ 231,867.23
595	FARMINGTON COMMUNITY THEATER FUND	\$ 91,417.36
740	DPW EQUIPMENT REVOLVING FUND	\$ 70,939.76
701	AGENCY FUND	\$ 251,655.58
736	PUBLIC EMPLOYEE HEALTH CARE FUND	\$ 53,790.30
	TOTAL CITY PAYMENTS ISSUED:	\$ 2,047,155.41
136	47TH DISTRICT COURT FUND	\$ 523,138.80
248	DOWNTOWN DEVELOPMENT AUTHORITY FUND	\$ 67,490.02
296	SWOCC FUND	\$ 9,507.13
	TOTAL OTHER ENTITIES PAYMENTS ISSUED:	\$ 600,135.95
	TOTAL PAYMENTS ISSUED	\$ 2,647,291.36

A detailed Monthly Payments Report is
on file in the Treasurer's Office.

CITY OF FARMINGTON - ACH PAYMENTS REPORT**MONTH OF SEPTEMBER 2013**

TRANSFER FROM:	TRANSFER TO:	DESCRIPTION:	AMOUNT:
Agency Tax	Farmington Public Schools	Tax Payment #6	393,794.48
Agency Tax	Oakland County	Tax Payment #6	623,114.59
Agency Tax	Farmington Comm. Library	Tax Payment #6	41,199.18
Agency Tax	Farmington Public Schools	Tax Payment #7	1,005,350.28
Agency Tax	Oakland County	Tax Payment #7	2,035,020.39
Agency Tax	Farmington Comm. Library	Tax Payment #7	133,157.19
Agency Tax	Farmington Public Schools	Tax Payment #8	81,705.74
Agency Tax	Oakland County	Tax Payment #8	161,399.83
Agency Tax	Farmington Comm. Library	Tax Payment #8	10,201.76
General Fund	Chase (Payroll Acct)	Direct Deposit Payroll	190,974.33
General Fund	Federal Gov't	W/H & FICA Payroll	69,448.52
General Fund	MERS	August Transfer	46,766.84
	TOTAL CITY ACH TRANSFERS		4,792,133.13
Court Fund	Chase (Payroll Acct)	Direct Deposit Payroll	83,811.98
Court Fund	Federal Gov't	W/H & FICA Payroll	30,459.44
SWOCC Fund	Chase (Disbursing Acct)	Dir.Dep. Pay & W/H & FICA	24,696.10
DDA Fund	Included in General Fund Transfers		
	TOTAL OTHER ENTITIES ACH TRANSFERS		138,967.52

**Farmington City Council
Staff Report****Council Meeting Date:**
October 21, 2013**Reference
Number
(ID # 1383)****Submitted by:** Vincent Pastue, City Manager**Description:** Farmington Financial Report Quarter Ended June 30, 2013**Requested Action:****Background:****Agenda Review****Review:**

Vincent Pastue Pending

City Manager Pending

City Council Pending

FINANCIAL REPORT
CITY OF FARMINGTON
QUARTER ENDED JUNE 30, 2013

Submitted by:
Christopher M. Weber, Treasurer/Finance Director

CITY OF FARMINGTON - FINANCIAL REPORT - QUARTER ENDING 6-30-13

BUDGETED FUNDS:

REVENUES:	AMENDED BUDGET	YTD REVENUES	VARIANCE OVER (UNDER)	EXPENDITURES:	AMENDED BUDGET	YTD EXPENDITURES	VARIANCE OVER (UNDER)
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GENERAL FUND:

Property Taxes	4,265,672.00	4,304,273.07	38,601.07	General Government	1,727,846.00	1,597,344.82	(130,501.18)
Licenses & Permits	79,750.00	95,590.20	15,840.20	Court	470,097.00	437,930.79	(32,166.21)
Federal Grants	101,173.00	107,327.43	6,154.43	Public Safety	3,721,146.00	3,636,885.57	(84,260.43)
State Shared Revenues & Grants	897,662.00	896,805.11	(856.89)	Public Services	1,201,904.00	1,192,933.51	(8,970.49)
Charges For Services	1,718,444.00	1,717,251.77	(1,192.23)	Health & Welfare	12,816.00	12,196.00	(620.00)
Fines & Forfeits	485,500.00	484,821.37	(678.63)	Community & Econ. Development	150,636.00	143,842.72	(6,793.28)
Other Revenue	178,040.00	228,884.05	50,844.05	Recreation & Cultural	439,025.00	406,905.60	(32,119.40)
Transfer, Capital Improvement Fund	103,000.00	102,028.50	(971.50)	Transfer, Corridor Improvement Authority	90,000.00	90,000.00	0.00
				Transfer, Capital Improvement Fund	250,000.00	250,000.00	0.00
				Contingency	0.00	0.00	0.00
Total Revenues:	7,829,241.00	7,936,981.50	107,740.50	Total Expenditures:	8,063,470.00	7,768,039.01	(295,430.99)
Appropriation, Fund Equity	234,229.00			Transfer, Fund Equity	0.00	168,942.49	
Total Revenues/Appr Fund Equity:	8,063,470.00	7,936,981.50		Total Expenditures/Trans Fund Equity	8,063,470.00	7,936,981.50	

CAPITAL IMPROVEMENT FUND:

Other Revenue	9,000.00	9,732.29	732.29	Transfer, General Fund	103,000.00	102,028.50	(971.50)
Transfer, General Fund	250,000.00	250,000.00	0.00	Transfer, Major Street Fund	535,000.00	0.00	(535,000.00)
				Transfer, Nonvoted Debt Service	136,424.00	136,424.00	0.00
				Transfer, Special Assess. Debt Service	112,684.00	112,684.00	0.00
Total Revenues:	259,000.00	259,732.29	732.29	Total Expenditures:	887,108.00	351,136.50	(535,971.50)
Appropriation, Fund Equity	628,108.00	91,404.21		Transfer, Fund Equity	0.00		
Total Revenues/Appr Fund Equity:	887,108.00	351,136.50		Total Expenditures/Trans Fund Equity	887,108.00	351,136.50	

CITY OF FARMINGTON - FINANCIAL REPORT - QUARTER ENDING 6-30-13

BUDGETED FUNDS:

REVENUES:	AMENDED BUDGET	YTD REVENUES	VARIANCE OVER (UNDER)	EXPENDITURES:	AMENDED BUDGET	YTD EXPENDITURES	VARIANCE OVER (UNDER)
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MAJOR STREET FUND:

Federal Grants	46,200.00	0.00	(46,200.00)	Operation & Maintenance	246,063.00	196,507.10	(49,555.90)
State Shared Revenue	383,926.00	389,755.06	5,829.06	Construction	1,445,802.00	551,058.99	(894,743.01)
Contracts and Grants	77,044.00	74,526.02	(2,517.98)	Transfer, Debt Service Fund	139,688.00	139,687.50	(0.50)
Other Revenue	50.00	39.84	(10.16)				
Transfer, Capital Improvement Fund	535,000.00	0.00	(535,000.00)				
Transfer, Municipal Street Fund	609,525.00	395,342.89	(214,182.11)				
Total Revenues:	1,651,745.00	859,663.81	(792,081.19)	Total Expenditures:	1,831,553.00	887,253.59	(944,299.41)
Appropriation, Fund Equity	179,808.00	27,589.78		Transfer, Fund Equity			
Total Revenues/Appr Fund Equity:	1,831,553.00	887,253.59		Total Expenditures/Trans Fund Equity	1,831,553.00	887,253.59	

LOCAL STREET FUND:

State Shared Revenue	161,998.00	163,961.09	1,963.09	Operation & Maintenance	186,645.00	176,539.45	(10,105.55)
Special Assessments	14,850.00	16,050.00	1,200.00	Construction	152,253.00	142,164.79	(10,088.21)
Other Revenue	50.00	28.41	(21.59)				
Transfer, Municipal Street Fund	152,000.00	141,912.33	(10,087.67)				
Total Revenues:	328,898.00	321,951.83	(6,946.17)	Total Expenditures:	338,898.00	318,704.24	(20,193.76)
Appropriation, Fund Equity	10,000.00			Transfer, Fund Equity		3,247.59	
Total Revenues/Appr Fund Equity:	338,898.00	321,951.83		Total Expenditures/Trans Fund Equity	338,898.00	321,951.83	

MUNICIPAL STREET FUND:

Property Taxes	289,671.00	292,911.45	3,240.45	Transfer, Major Street Fund	609,525.00	395,342.89	(214,182.11)
Other Revenue	0.00	229.34	229.34	Transfer, Local Street Fund	152,000.00	141,912.33	(10,087.67)
Total Revenues:	289,671.00	293,140.79	3,469.79	Total Expenditures:	761,525.00	537,255.22	(224,269.78)
Appropriation, Fund Equity	471,854.00	244,114.43		Transfer, Fund Equity	0.00		
Total Revenues/Appr Fund Equity:	761,525.00	537,255.22		Total Expenditures/Trans Fund Equity	761,525.00	537,255.22	

CITY OF FARMINGTON - FINANCIAL REPORT - QUARTER ENDING 6-30-13

BUDGETED FUNDS:

REVENUES:	AMENDED BUDGET	YTD REVENUES	VARIANCE OVER (UNDER)	EXPENDITURES:	AMENDED BUDGET	YTD EXPENDITURES	VARIANCE OVER (UNDER)
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BROWNFIELD REDEVELOP AUTHORITY:

Total Revenues:	(2,080.00)	(2,081.35)	(1.35)	Total Expenditures:	2,000.00	2,000.00	0.00
Appropriation, Fund Equity	0.00	4,081.35		Transfer, Fund Equity	(4,080.00)		
Total Revenues/Appr Fund Equity:	(2,080.00)	2,000.00		Total Expenditures/Trans Fund Equity	(2,080.00)	2,000.00	

CORRIDOR IMPROVEMENT AUTHORITY:

Total Revenues:	90,000.00	90,000.46	0.46	Total Expenditures:	30,000.00	26,123.44	(3,876.56)
Appropriation, Fund Equity	0.00			Transfer, Fund Equity	60,000.00	63,877.02	
Total Revenues/Appr Fund Equity:	90,000.00	90,000.46		Total Expenditures/Trans Fund Equity	90,000.00	90,000.46	

DWTWN DEVELOPMENT AUTHORITY:

Total Revenues:	1,370,600.00	1,266,187.87	(104,412.13)	Total Expenditures:	1,475,300.00	1,255,486.53	(219,813.47)
Appropriation, Fund Equity	104,700.00			Transfer, Fund Equity	0.00	10,701.34	
Total Revenues/Appr Fund Equity:	1,475,300.00	1,266,187.87		Total Expenditures/Trans Fund Equity	1,475,300.00	1,266,187.87	

TOTAL BUDGETARY FUNDS REVENUE:	\$11,025,577.20	TOTAL BUDGETARY FUNDS EXPENDITURES:	\$11,145,998.53
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CITY OF FARMINGTON - FINANCIAL REPORT - QUARTER ENDING 6-30-13

SUPPLEMENTAL INFORMATION:

REVENUES:	AMENDED BUDGET	YTD REVENUES	VARIANCE OVER (UNDER)	EXPENDITURES:	AMENDED BUDGET	YTD EXPENDITURES	VARIANCE OVER (UNDER)
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WATER & SEWER FUND:

Water & Sewer Sales	4,042,750.00	4,089,350.31	46,600.31	Operating & Maintenance	3,624,842.00	3,414,078.20	(210,763.80)
Service Fees	60,000.00	67,912.03	7,912.03	Total O & M Expenditures:	3,624,842.00	3,414,078.20	(210,763.80)
Other Revenue	11,500.00	37,893.90	26,393.90	Capital Outlay	324,801.00	271,588.34	(53,212.66)
				Debt, Principal and Interest	210,519.00	210,517.08	(1.92)
Total Revenues:	4,114,250.00	4,195,156.24	80,906.24	Capital & Debt Outlays	535,320.00	482,105.42	(53,214.58)
Appropriation, Fund Equity	45,912.00			Transfer, Debt & Equity	0.00	298,972.62	
Total O & M/ Other Revenues:	4,160,162.00	4,195,156.24		Total O & M Exp.& Trans Debt & Equity	4,160,162.00	4,195,156.24	

FARMINGTON COMMUNITY THEATRE FUND:

Admission/Rentals/Concessions	507,400.00	481,928.00	(25,472.00)	Operation & Maintenance	451,292.00	436,957.28	(14,334.72)
Other Revenue	920.00	(140.96)	(1,060.96)	Total O & M Expenditures:	451,292.00	436,957.28	(14,334.72)
				Capital Outlay	11,000.00	5,245.00	(5,755.00)
Total Revenues:	508,320.00	481,787.04	(26,532.96)	Capital Outlay	11,000.00	5,245.00	(5,755.00)
Appropriation, Fund Equity	0.00			Transfer, Fund Equity	46,028.00	39,584.76	
Total Financing Sources:	508,320.00	481,787.04		Total O & M Exp.& Trans Debt & Equity	508,320.00	481,787.04	

CITY OF FARMINGTON - FINANCIAL REPORT - QUARTER ENDING 6-30-13

MULTI YEAR CAPITAL PROJECT FUND

REVENUES:	PROJECT TO DATE REVENUES	EXPENDITURES:	PROJECT TO DATE EXPENDITURES
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SHIAWASSEE PARK CAPITAL PROJECTS FUND (AMOUNTS REPRESENT TOTAL PROJECT TO DATE):

Federal Grants	0.00	Switchback Staircase	8,692.36
Grants, Other	0.00	Trail Improvements	0.00
Transfer, Capital Improvement Fund	8,692.36	Park Acquisition	0.00
Total Revenues:	8,692.36	Total Expenditures:	8,692.36

DRAKESHIRE CAPITAL PROJECTS FUND (AMOUNTS REPRESENT TOTAL PROJECT TO DATE):

Bond Proceeds	400,000.00	Engineering & Supervision	39,026.56
Investment Income	27.61	Contractual Services	310,890.41
		Cost of Bond Issuance	19,100.00
Total Revenues:	400,027.61	Total Expenditures:	369,016.97

GROVE STREET CAPITAL PROJECTS FUND (AMOUNTS REPRESENT TOTAL PROJECT TO DATE):

Bond Proceeds	1,300,000.00	Engineering & Supervision	3,624.08
Investment Income	45.74	Contractual Services	960.12
		Capital Outlay, Land	632,560.00
		Cost of Bond Issuance	45,919.70
Total Revenues:	1,300,045.74	Total Expenditures:	683,063.90

**Farmington City Council
Staff Report****Council Meeting Date:**
October 21, 2013**Reference
Number
(ID # 1384)****Submitted by:** Vincent Pastue, City Manager**Description:** Farmington Investment Report Quarter Ended June 30, 2013**Requested Action:****Background:****Agenda Review****Review:**

Vincent Pastue	Pending
City Manager	Pending
City Council	Pending

INVESTMENT REPORT
CITY OF FARMINGTON
QUARTER ENDED JUNE 30, 2013

Submitted by:
Christopher M. Weber, Treasurer/Finance Director

CITY OF FARMINGTON
 QUARTER ENDING JUNE 30, 2013

	BALANCE	BALANCE	BALANCE	RATE OF RETURN			MATURITY	RATING	RATING AGENCY
	4/30/13	5/31/13	6/30/13	4/30/13	5/31/13	6/30/13			
Pooled Mutual Funds:									
Chase	\$ 5,239,330	\$ 4,799,782	\$ 4,220,459	0.020%	0.020%	0.020%	Daily	Aaa	Moody's
Comerica	251,246	251,256	251,267	0.080%	0.060%	0.070%	Daily	Not rated	N/A
Oakland County Investment Pool	3,085,789	3,087,354	3,089,000	2.008%	0.601%	0.685%	Daily	Not rated	N/A
MBIA Class	251,662	251,675	251,683	0.070%	0.060%	0.040%	Daily	AAAm	S&P
Total Pooled Funds:	8,828,028	8,390,067	7,812,409						
Certificates of Deposit:									
Bank of Michigan	500,000	500,000	500,000	0.750%	0.750%	0.750%	11/14/2013	3.5	Bauer
Flagstar Bank FSB	500,000	-	-	0.550%			5/9/2013	3	Bauer
Mercantile Bank	250,000	250,000	-	0.840%	0.840%		6/27/2013	4	Bauer
Mercantile Bank	-	-	252,288			0.150%	7/29/2013	4	Bauer
Talmer Bank	203,200	203,200	203,200	0.250%	0.250%	0.250%	11/21/2013	5	Bauer
Total Certificates of Deposit:	1,453,200	953,200	955,488						
Uninvested:	\$ 577,402	\$ 323,701	\$ 496,336	Bank Analysis Credit Earned			N/A		
TOTAL:	\$ 10,858,630	\$ 9,666,967	\$ 9,264,232						

** Investment Balances do not include the investments of the 47th District Court, the Farmington Brownfield Redevelopment Authority, the Corridor Improvement Authority, the Farmington Downtown Development Authority, the Southwestern Oakland Cable Commission, or the Public Employee Health Care Funds invested with Morgan Stanley Smith Barney.

**Farmington City Council
Staff Report****Council Meeting Date:**
October 21, 2013**Reference
Number
(ID # 1385)****Submitted by:** Vincent Pastue, City Manager**Description:** 47Th District Court Financial Report Quarter Ended June 30, 2013**Requested Action:****Background:****Agenda Review****Review:**

Vincent Pastue Pending

City Manager Pending

City Council Pending

FINANCIAL REPORT
47TH DISTRICT COURT
QUARTER ENDED JUNE 30, 2013

Distribution:

District Judges
Court Administrator
City Manager, Farmington Hills
Finance Director, Farmington Hills
City Council, Farmington
City Manager, Farmington

Submitted by:
Christopher M. Weber, Treasurer/Finance Director

GL NUMBER	DESCRIPTION	2012-13 AMENDED BUDGET	BEG. BALANCE 07/01/2012	ACTIVITY FOR MONTH 06/30/2013	YEAR-TO-DATE THRU 06/30/13	END BALANCE 06/30/2013	AVAILABLE BALANCE	% BGD USED
Fund 136 - 47TH DISTRICT COURT FUND								
Assets								
Dept 000.00								
136-000.00-001.000	CASH-GENERAL RECEIVING		0.00	37,781.02	39,948.24	39,948.24		
136-000.00-004.000	IMPREST CASH		1,950.00	0.00	0.00	1,950.00		
136-000.00-005.101	INVESTMENTS, CHASE POOL		341,724.73	(362,509.10)	4,697.81	346,422.54		
136-000.00-040.000	A/R MISCELLANEOUS		17,230.27	17,190.64	(39.63)	17,190.64		
136-000.00-102.000	PREPAID EXPENSES		485.00	1,660.77	1,175.77	1,660.77		
Total Dept 000.00			361,390.00	(305,876.67)	45,782.19	407,172.19		
TOTAL Assets			361,390.00	(305,876.67)	45,782.19	407,172.19		
Liabilities								
Dept 000.00								
136-000.00-202.000	ACCOUNTS PAYABLE, P O		66,611.49	66,917.15	305.66	66,917.15		
136-000.00-202.002	ACCOUNTS PAYABLE, ACCRUED		17,340.94	996.00	(16,344.94)	996.00		
136-000.00-214.101	DUE TO GENERAL FUND		762.85	(5.98)	(732.75)	30.10		
136-000.00-221.000	DUE TO CITY OF FARMINGTON		17,797.12	28,607.25	10,810.13	28,607.25		
136-000.00-221.001	DUE TO FARMINGTON HILLS		101,330.34	205,524.49	104,194.15	205,524.49		
136-000.00-231.011	PAYROLL, LINCOLN NATIONAL		(8.00)	316.80	8.00	0.00		
136-000.00-257.000	ACCRUED WAGES		63,969.35	64,094.66	125.31	64,094.66		
136-000.00-285.600	FLEX ACCOUNT 2012, COURT		4,525.53	0.00	(4,525.53)	0.00		
136-000.00-285.601	FLEX ACCOUNT 2013, COURT		0.00	1,703.02	2,812.04	2,812.04		
Total Dept 000.00			272,329.62	368,153.39	96,652.07	368,981.69		
TOTAL Liabilities			272,329.62	368,153.39	96,652.07	368,981.69		
Fund Equity								
Dept 000.00								
136-000.00-368.000	NONSPENDABLE, INVENTORIES, PRE		485.00	1,175.77	1,175.77	1,660.77		
136-000.00-390.000	FUND BALANCE		38,967.24	12,191.87	12,191.87	51,159.11		
136-000.00-393.000	DESIGNATED FUND BALANCE		49,608.14	(13,367.64)	(13,367.64)	36,240.50		
Total Dept 000.00			89,060.38	0.00	0.00	89,060.38		
TOTAL Fund Equity			89,060.38	0.00	0.00	89,060.38		
Revenues								
Dept 000.00								
136-000.00-539.901	STATE GRANT, DRUNK DRIVING	15,000.00		22,954.99	22,954.99	22,954.99	(7,954.99)	153.03
136-000.00-539.902	DRUG CASE MANAGEMENT	900.00		(236.29)	759.51	759.51	140.49	84.39
136-000.00-539.903	JUDGES, SALARY STD	91,448.00		22,862.00	91,448.00	91,448.00	0.00	100.00
136-000.00-539.904	DRUG COURT	0.00		995.80	995.80	995.80	(995.80)	100.00
136-000.00-664.000	INVESTMENT INCOME	1,000.00		409.47	519.35	519.35	480.65	51.94
136-000.00-671.000	REVENUES, OTHER	7,500.00		9,404.16	14,670.55	14,670.55	(7,170.55)	195.61
136-000.00-674.400	COMMUNITY WORK PROGRAM	20,585.00		16,630.24	19,054.89	19,054.89	1,530.11	92.57
136-000.00-678.001	CONTRIBUTIONS, FARMINGTON	474,970.00		10,270.92	437,930.79	437,930.79	37,039.21	92.20
136-000.00-678.002	CONTRIBUTIONS FARMINGTON HILLS	2,623,331.00		13,086.50	2,417,806.51	2,417,806.51	205,524.49	92.17

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TRIAL BALANCE REPORT FOR CITY OF FARMINGTON

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User: anorgard

DB: Farmington

PERIOD ENDING 06/30/2013

GL NUMBER	DESCRIPTION	2012-13 AMENDED BUDGET	BEG. BALANCE 07/01/2012	ACTIVITY FOR MONTH 06/30/2013	YEAR-TO-DATE THRU 06/30/13	END BALANCE 06/30/2013	AVAILABLE BALANCE	% BDGT USED
Fund 136 - 47TH DISTRICT COURT FUND								
Revenues								
136-000.00-679.000	HEALTH INSURANCE CONTRIBUTIONS	10,068.00		605.00	7,629.00	7,629.00	2,439.00	75.77
Total Dept 000.00		3,244,802.00		96,982.79	3,013,769.39	3,013,769.39	231,032.61	92.88
TOTAL Revenues		3,244,802.00		96,982.79	3,013,769.39	3,013,769.39	231,032.61	92.88
Expenditures								
Dept 000.00								
136-000.00-703.001	SALARIES, JUDGES	91,448.00		10,551.66	91,448.00	91,448.00	0.00	100.00
136-000.00-703.002	SALARIES, COURT ADMINISTRATORS	178,783.00		20,628.80	178,782.97	178,782.97	0.03	100.00
136-000.00-704.000	SALARIES, COURT REPORTERS	110,328.00		12,730.19	110,328.27	110,328.27	(0.27)	100.00
136-000.00-704.001	SALARIES, DEPUTY COURT CLERKS	676,481.00		69,941.84	615,561.03	615,561.03	60,919.97	90.99
136-000.00-704.002	SALARIES, COURT OFFICERS	93,958.00		11,768.86	85,542.03	85,542.03	8,415.97	91.04
136-000.00-704.003	SALARIES, PROBATION OFFICER	285,246.00		29,288.20	272,209.17	272,209.17	13,036.83	95.43
136-000.00-707.000	SALARIES, PART-TIME/TEMP	76,497.00		9,783.90	70,728.97	70,728.97	5,768.03	92.46
136-000.00-707.001	SALARIES, BLDG MAINT CWP	3,500.00		655.59	3,298.47	3,298.47	201.53	94.24
136-000.00-707.002	SALARIES, BLDG MAINT, PT	51,996.00		5,756.19	51,660.35	51,660.35	335.65	99.35
136-000.00-707.003	SALARIES, MAGISTRATE, PT	54,000.00		5,910.00	48,290.00	48,290.00	5,710.00	89.43
136-000.00-709.000	SALARIES, OVERTIME	3,000.00		35.81	406.48	406.48	2,593.52	13.55
136-000.00-714.000	SALARIES, ACCRUED BENEFITS	0.00		0.00	21,527.08	21,527.08	(21,527.08)	100.00
136-000.00-715.000	LONGEVITY PAY	60,871.00		0.00	59,451.78	59,451.78	1,419.22	97.67
136-000.00-719.000	FRINGE BENEFITS	0.00		87.50	532.50	532.50	(532.50)	100.00
136-000.00-719.004	INSURANCE ALLOWANCE	840.00		70.00	840.00	840.00	0.00	100.00
136-000.00-719.005	VEHICLE ALLOWANCE	3,600.00		300.00	3,600.00	3,600.00	0.00	100.00
136-000.00-720.007	PYMT IN LIEU OF HOSP INS	30,240.00		2,326.10	32,987.70	32,987.70	(2,747.70)	109.09
136-000.00-720.100	SOC SEC, EMPLOYER'S SHARE	129,102.00		13,052.41	116,063.66	116,063.66	13,038.34	89.90
136-000.00-720.200	COMPREHENSIVE MEDICAL INS	256,835.00		39,318.00	231,646.57	231,646.57	25,188.43	90.19
136-000.00-720.300	LIFE INSURANCE	16,250.00		0.00	14,150.23	14,150.23	2,099.77	87.08
136-000.00-720.400	RETIREMENT CONTRIBUTION	245,802.00		245,802.00	248,354.05	248,354.05	(2,552.05)	101.04
136-000.00-720.450	RETIREE HEALTHCARE CONTRIBUTIC	166,492.00		166,492.00	166,492.00	166,492.00	0.00	100.00
136-000.00-720.500	WORKMEN'S COMPENSATION INS	11,283.00		0.00	9,757.00	9,757.00	1,526.00	86.48
136-000.00-720.550	UNEMPLOYMENT COMPENSATION	10,000.00		996.00	1,099.80	1,099.80	8,900.20	11.00
136-000.00-720.700	DENTAL	44,500.00		0.00	42,804.70	42,804.70	1,695.30	96.19
136-000.00-727.000	OFFICE SUPPLIES	36,000.00		2,527.58	23,254.32	23,254.32	12,745.68	64.60
136-000.00-728.000	POSTAGE, METER	15,000.00		5,032.41	20,947.86	20,947.86	(5,947.86)	139.65
136-000.00-733.000	RECORDS MANAGEMENT	2,000.00		39.00	858.00	858.00	1,142.00	42.90
136-000.00-735.000	LAW LIBRARY	5,201.00		977.62	6,446.40	6,446.40	(1,245.40)	123.95
136-000.00-740.500	NON-CAPITALIZED ASSETS	5,000.00		3,950.16	4,544.47	4,544.47	455.53	90.89
136-000.00-801.000	PROFESSIONAL SERVICES	10,000.00		0.00	2,847.50	2,847.50	7,152.50	28.48
136-000.00-801.002	PRO SERVICES, LABOR RELATIONS	5,000.00		21.00	1,660.00	1,660.00	3,340.00	33.20
136-000.00-802.101	WITNESS FEES	7,500.00		815.30	4,898.30	4,898.30	2,601.70	65.31
136-000.00-802.102	JURY FEES	5,000.00		0.00	2,672.84	2,672.84	2,327.16	53.46
136-000.00-802.104	INTERPRETER FEES	7,000.00		1,310.83	3,862.62	3,862.62	3,137.38	55.18
136-000.00-802.105	SUBSTITUTE COURT REPORTER	5,000.00		390.00	2,280.00	2,280.00	2,720.00	45.60
136-000.00-802.107	ACCOUNTING FEES	30,821.00		0.00	30,821.00	30,821.00	0.00	100.00
136-000.00-802.109	APPOINTED COUNSEL-C, R, 2	35,000.00		3,450.00	29,900.00	29,900.00	5,100.00	85.43
136-000.00-802.110	APPOINTED COUNSEL-C. R. 1	45,000.00		3,250.00	33,900.00	33,900.00	11,100.00	75.33
136-000.00-806.101	AUDIT & ACCOUNTING FEES	17,000.00		0.00	17,200.00	17,200.00	(200.00)	101.18
136-000.00-818.000	CONTRACTUAL SERVICES	97,929.00		17,981.11	90,376.51	90,376.51	7,552.49	92.29
136-000.00-853.000	TELECOMMUNICATIONS	15,500.00		2,310.53	13,656.34	13,656.34	1,843.66	88.11
136-000.00-860.000	TRANSPORTATION	5,900.00		1,777.05	5,996.56	5,996.56	(96.56)	101.64
136-000.00-861.000	MILEAGE	2,000.00		740.08	2,067.35	2,067.35	(67.35)	103.37
136-000.00-920.000	PUBLIC UTILITIES	120,000.00		15,506.16	96,908.78	96,908.78	23,091.22	80.76

PERIOD ENDING 06/30/2013

GL NUMBER	DESCRIPTION	2012-13 AMENDED BUDGET	BEG. BALANCE 07/01/2012	ACTIVITY FOR MONTH 06/30/2013	YEAR-TO-DATE THRU 06/30/13	END BALANCE 06/30/2013	AVAILABLE BALANCE	% BDGT USED
Fund 136 - 47TH DISTRICT COURT FUND								
Expenditures								
136-000.00-934.000	MAINTENANCE, OFFICE EQUIPMENT	12,441.00		0.00	4,019.04	4,019.04	8,421.96	32.30
136-000.00-935.000	MAINT, BUILDINGS & GROUNDS	50,314.00		28,385.04	71,041.70	71,041.70	(20,727.70)	141.20
136-000.00-936.000	CLEANING & UNIFORMS	3,000.00		111.47	3,121.00	3,121.00	(121.00)	104.03
136-000.00-943.000	EQUIPMENT RENTAL	13,700.00		4,282.30	24,375.76	24,375.76	(10,675.76)	177.93
136-000.00-955.000	MEMBERSHIPS	5,105.00		(45.00)	4,583.50	4,583.50	521.50	89.78
136-000.00-956.000	MISCELLANEOUS EXPENSE	8,000.00		285.34	5,305.65	5,305.65	2,694.35	66.32
136-000.00-959.500	BANKING CHARGES	1,000.00		566.54	566.54	566.54	433.46	56.65
136-000.00-963.000	INSURANCE & BONDS	35,725.00		8,727.25	34,098.25	34,098.25	1,626.75	95.45
136-000.00-977.000	CAPITAL OUTLAY, EQUIPMENT	63,500.00		22,770.50	43,145.36	43,145.36	20,354.64	67.95
Total Dept 000.00		3,265,688.00		770,657.32	3,062,918.46	3,062,918.46	202,769.54	93.79
Dept 000.01-DRUG COURT								
136-000.01-801.702	MI DRUG COURT	3,000.00		355.53	1,720.81	1,720.81	1,279.19	57.36
Total Dept 000.01-DRUG COURT		3,000.00		355.53	1,720.81	1,720.81	1,279.19	57.36
TOTAL Expenditures		3,268,688.00		771,012.85	3,064,639.27	3,064,639.27	204,048.73	93.76
Total Fund 136 - 47TH DISTRICT COURT FUND								
TOTAL ASSETS			361,390.00	(305,876.67)	45,782.19	407,172.19		0.00
BEG. FUND BALANCE			89,060.38			89,060.38		0.00
+ NET OF REVENUES & EXPENDITURES		(23,886.00)		(674,030.06)	(50,869.88)	(50,869.88)	26,983.88	212.97
= ENDING FUND BALANCE			89,060.38	(674,030.06)	(50,869.88)	38,190.50		0.00
+ LIABILITIES			272,329.62	368,153.39	96,652.07	368,981.69		0.00
= TOTAL LIABILITIES AND FUND BALANCE			361,390.00	(305,876.67)	45,782.19	407,172.19		0.00

**Farmington City Council
Staff Report****Council Meeting Date:**
October 21, 2013**Reference
Number
(ID # 1386)****Submitted by:** Vincent Pastue, City Manager**Description:** Farmington Public Safety Monthly Report, September 2013**Requested Action:****Background:****Agenda Review****Review:**

Vincent Pastue Pending

City Manager Pending

City Council Pending



MONTHLY REPORT SEPTEMBER 2013

SUSPICIOUS CIRCUMSTANCE

On September 1st, at approximately 10:07 p.m., officers were dispatched to Chatham Hills Subdivision for a report of a woman screaming. Upon arrival officers spoke with the reporting person who advised that she heard a woman screaming in horror three separate times in the area of Briar Ridge and Smithfield. Officers checked the area for forty minutes but could not determine where the screams came from or who was screaming.

MALICIOUS DESTRUCTION OF PROPERTY

On September 2nd, at approximately 7:30 p.m., officers were dispatched to a report of five juveniles who were caught stealing tickets from a game machine. Upon arrival the officers located the manager and the juveniles. The manager discovered that a small ticket receptacle had been busted open and that approximately thirty game tickets were missing. The manager noticed that the five juveniles had been at the business playing games, but had not yet purchased any tickets. The manager believes that the five juveniles were the ones responsible for stealing the tickets. The juveniles denied stealing the tickets, but officers did locate three tickets on one of the juveniles. The juveniles claim that they observed a young light skinned black male running through the parking lot and that eight tickets fell out of his pockets. The juveniles grabbed the eight tickets and used them to play laser tag. The juveniles were ordered out of the establishment and advised that if they returned they would be arrested for trespassing.

OPERATING WHILE INTOXICATED

On September 5th an officer stopped a vehicle near Ten Mile and Orchard Lake Road for speeding on Shiawassee 42 mph in a 25 mph zone. The officer detected an odor of intoxicants coming from the vehicle. The driver admitted to consuming three beers at a friend's residence. The driver failed field sobriety tests with a PBT of .12. The driver was arrested for Operating While Intoxicated (OWI) and the vehicle was impounded. The driver submitted to a breath test with a BrAC of .14. The officer issued the driver a citation for OWI. The driver was housed until sober.

LARCENY OF AUTO PARTS

On September 5th, at approximately 4:50 p.m., an officer was dispatched to Jamestown Apartments for a report of a catalytic converter that had been stolen. Upon arrival the officer learned that the victim had parked his car at the complex for the last three

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months and noticed that the catalytic converter was missing when he started the vehicle recently. The victim has no suspects.

SOLICITOR

On September 5th, at approximately 6:06 p.m., officers were dispatched to a report of two solicitors in the Warner-Farms Subdivision going door to door without a permit. Upon arrival the officers located the two subjects and learned that they were soliciting for Atlas Home Improvement. Both subjects did not have a permit for soliciting and both were issued citations for soliciting without a permit.

LARCENY IN A BUILDING

On September 6th, at 2:16 p.m., an employee of Kentucky Fried Chicken came to this police department to report that sometime during her shift on September 1st, from 12:00 p.m. to 4:00 p.m., her Michigan Personal Identification and her Bridge card were stolen from her wallet. The employee reported it to her manager who claimed that she had watched the surveillance footage and saw nothing suspicious. The reporting party does not believe that the manager watched the video. The matter has been turned over to the Detective Bureau for possible suspect development.

KITCHEN FIRE

On September 6th, at approximately 5:17 p.m., a man came to the Farmington Public Safety Department reporting that Cowley's Restaurant was on fire. Officers responded to the restaurant with Engine 3 and Engine 2 noting heavy smoke coming from the roof. Officers learned from staff that a fire had started in the kitchen and had traveled up the ventilation system towards the roof. Officers quickly extinguished the fire, but noted that there was still a fire inside the ventilation system. Officers were sent up to the roof as well as the second floor where the fire in the ventilation system was attacked. Farmington Hills fire was requested to bring a ladder truck so that the officers working on the roof would have a means of secondary egress should something happen. The flames were extinguished and the ventilation system cooled down. No one was injured during this incident.

DISTURBING THE PEACE

On September 6th, at approximately 9:17 p.m., officers were dispatched to Marathon gas station for a report of loud music. Upon arrival officers noted that the music was coming from the loud speakers on the outside of the business. Management was contacted and the music was turned off. The company was warned that future violations of the noise ordinance would result in a citation.

OPERATING WHILE INTOXICATED

On September 7th, at approximately 9:35 p.m., officers were dispatched to Big Lots for a report of a suspicious intoxicated male in the parking lot. Officers further learned from dispatch that the man had been shopping in the store and asking the employees odd questions about what time the store closes and what time they get off work. Upon arrival officers located the man sleeping in a blue Cadillac that was illegally parked in the fire lane. Officers woke the man who appeared intoxicated. The man advised that

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he was waiting in the fire lane for one of the employees to get out of the store because he was going to drive her home. None of the employees advised that the man was with them. A subsequent investigation revealed that the man had open intoxicants in the vehicle. The man failed several sobriety exams and was arrested for Operating While Intoxicated. The man's BAC was a .11 according to the Datamaster breath test. The man was held at the Farmington jail until sober.

VEHICLE FIRE

On September 9th, at 3:10 p.m., officers and Engine 3 responded to Kingslane Condominiums for the report of a vehicle with smoke coming from the steering wheel. Upon arrival there was still smoke coming from the steering column area so the vehicle's battery and the electronic connection to the column were both disconnected. The owner will have the vehicle towed for repairs.

SUSPICIOUS PERSON

On September 9th, at approximately 8:24 p.m., officers were dispatched to Bargain Books on Grand River Avenue for a report of an unconscious male in the restroom. Upon arrival officers learned from employees that the male had been in the restroom for approximately a half hour and was unresponsive when the employees checked on him. Officers went into the bathroom and woke the man up. Officers noted that the man was intoxicated. The man advised that he had gone into the bathroom to use it when he suddenly passed out due to intoxication. The man was given a trespass order against coming into the book store again and was released on the scene. The man walked home from the scene.

DISTURBING THE PEACE

On September 9th, at approximately 11:00 p.m., an officer was dispatched to the Marathon gas station on Grand River Avenue for a report of loud music. Upon arrival the officer noted that the gas station's outdoor radio was playing loudly. The officer also noted that this department had received two previous complaints about the station playing loud music at night. The officer advised the gas station clerk that the outdoor radio is in violation of the noise ordinance and same advised that the controls for the radio are locked in the manager's office. The clerk also advised that the manager refuses to turn the music off at night and doesn't give the employees the access to the radio in order to silence it. The clerk contacted his manager via telephone and the manager gave the clerk permission to silence the music by cutting the speaker wires. The speakers were silenced and the clerk warned that future violations will result in citations.

WIRES DOWN

On September 10th, at approximately 3:48 p.m., Engine 3 responded to the Wilmarth and Macomb area for a report of a tree resting upon electrical wires and smoking. Upon arrival officers located the wires and noted that a large tree had fallen on top of the electrical wires. Detroit Edison was contacted and same responded to the scene.

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LARCENY OF BICYCLES

On September 10th, at approximately 5:53 p.m., officers were dispatched to the 23000 block of Violet for a report of a larceny of bicycles. Upon arrival officers learned that the complainants children's bicycles had been stolen from her side yard approximately one week prior. On September 10th the complainant was driving down Shiawassee when she thought she saw one of the bikes on the lawn of a residence. The complainant requested officers to check the bicycle and see if it was her daughter's. The officers went to the Shiawassee address and noted that the bicycle did not match the description of the complainant's stolen bike. Officers took a picture of the bicycle and the complainant confirmed it was not hers'.

ASSAULT AND BATTERY

On September 10th, at approximately 9:36 p.m., officers were dispatched to Burger King on Grand River Avenue for a report of an assault and battery. Upon arrival officers learned that the victim had arrived at Burger King and decided to prank a friend by slapping him in the face while filming it. The friend was not happy that he had been slapped, so he slapped the victim back. The friend continued to be angry and left the scene. Several minutes later the friend returned with five more friends and confronted the victim over assaulting the friend. The victim attempted to apologize but was thrown to the ground and kicked in the face by one of his friend's acquaintances.

MISDEMEANOR WARRANT OTHER DEPARTMENT

On September 11th, at approximately 5:46 p.m., an officer stopped a vehicle in the area of Farmington Road and Freedom for speeding. A LEIN check of the driver revealed that he had a warrant out of Northville Township for a liquor violation. The man posted a \$500 bond on the street for the Northville warrant and was released on the scene. The bond was turned over to Northville Township.

WIRES DOWN/HAZARDS

On September 11th officers handled eight separate storm related runs regarding trees that had fallen onto electrical wires, wires down, and trees blocking the roadway.

NATURAL GAS BREAK

On September 12th, at approximately 4:19 p.m., Engine 3 responded to the area of Oakland and Warner for a gas main break. Upon arrival officers learned that the gas line was broken by the construction crew working on the roadway. Consumer's Energy was contacted and the scene turned over to them.

ASSIST CITIZEN

On September 12th, at approximately 8:12 p.m., officers assisted a ninety year old female on Frederick Street in shutting off the water to a broken pipe that was flooding her basement.

GAS LEAK

On September 13th, at 9:08 a.m., while walking downtown, Director Schulz discovered a

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gas main break which was caused by the same construction crew that is responsible for numerous other gas related incidents. Officers and Engine 3 responded and awaited the arrival of Consumers Energy. The scene was turned over and the leak repaired by Consumers Energy.

DISORDERLY INTOXICATION

On September 14th, at approximately 4:53 p.m., officers were dispatched to Mooney Street Apartments for a report of an intoxicated male breaking the windows on a car. Upon arrival the officers located the man cleaning up glass in the parking lot. Officers learned that the man, who is the owner of the car, was heavily intoxicated and had locked his keys in his car. The man ended up breaking three separate windows in his car before he was eventually able to retrieve his keys. The man was escorted back to his apartment where he was warned not to drive and to not cause any further disturbances. The man advised that he was going to go to sleep and would not be a further problem.

POSSESSION OF MARIJUANA

On September 15th an officer stopped a vehicle on Farmington Road north of Eight Mile for speeding 55 mph in a 40 mph zone. The officer detected an odor of Marijuana coming from the interior of the vehicle. The officer searched the vehicle and located several Marijuana blunts in the center console. The officer confiscated the Marijuana and arrested the driver. The officer issued the driver a citation for Marijuana possession. The driver was housed pending receipt of bond money.

OPERATING WHILE INTOXICATED THIRD OFFENSE

On September 16th an officer stopped a moped on Grand River near Hawthorne to identify a passenger who was not wearing a helmet. The officer detected an odor of intoxicants on the driver's breath. The driver denied consuming alcohol. The driver failed field sobriety tests with a PBT of .10. The driver was arrested for Operating While Intoxicated (OWI) and the moped was impounded. The adult passenger was driven to her residence. The driver refused a breath test at the station. A search warrant was authorized and a blood draw completed. The driver had four prior OWI convictions out of Mount Clemens, Oak Park, Allen Park and Cheboygan on his driving record. The driver was held pending warrant submittal to the Oakland County Prosecutor's Office for OWI III.

POSSESSION OF MARIJUANA

On September 17th, at approximately 5:23 p.m., an officer heading south on Farmington Road near Nine Mile Road observed a white Pontiac G6 fail to yield to traffic as it made a left hand turn onto Nine Mile Road from northbound Farmington Road. The officer stopped the vehicle on Nine Mile Road and confronted the driver regarding the infraction. The officer noted an odor of Marijuana emitting from inside the vehicle and the driver admitted that there was a Marijuana pipe in the center console and that he had been smoking Marijuana in the car earlier in the day. A subsequent search of the vehicle revealed the Marijuana pipe, a Marijuana grinder, and two baggies of Marijuana

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inside the vehicle. The driver was arrested for being in possession of Marijuana and housed at the Farmington jail.

ANIMAL COMPLAINT

On September 18th an officer responded to 23591 Bicking Court on a found shepherd dog. Officers could not locate an owner. The dog was confiscated and turned over to Advanced Veterinarian for safekeeping.

RECOVERED RUNAWAY

On September 19th an officer observed a black female juvenile running down the middle of Grand River near Orchard Lake. The officer made contact with the juvenile who provided the officer with a false name. After further questioning by the officer, the juvenile (seventeen years old) provided her real name. The officer learned the juvenile was a wanted missing person out of Van Buren. The juvenile was detained and transported to I-275 and Ford Road where she was turned over to Van Buren Police Department.

IDENTITY THEFT

On September 19th, at approximately 7:47 p.m., a Twin Valley resident came into this police department to report that she and her husband are victims of identity theft. The victim advised that both she and her husband had received a text message from their cell phone carrier advising that their old phones were being disabled and the accounts being moved to their new phones. The victim did not purchase new phones and contacted her cell phone provider. The victim learned from her provider that the fraud was committed at a Radio Shack in Troy and that since she was eligible for two new phones, that the suspect(s) received two free I-phones. The victim has no suspects and the incident was forwarded to the Detective Bureau for investigation.

POSSESSION OF COCAINE

On September 19th, at approximately 10:53 p.m., an officer on patrol observed a Dodge Durango sitting occupied in a hidden corner of the LG Auto Care at Farmington Road and Nine Mile. The officer approached the lone occupant and observed her sitting in the vehicle with her door open. The officer noted a white powdery substance on the exterior door of the vehicle as well as narcotic paraphernalia on the driver's floor. A LEIN check of the driver revealed a felony Cocaine warrant for her arrest out of Grand Traverse County. The driver was arrested and a subsequent search of her person revealed a small mirror and razor blade on her person, both items had a white powdery substance on it. A subsequent search of the vehicle revealed a baggie containing 15.2 grams of Cocaine in it. The vehicle was impounded and the driver housed at the Farmington jail pending arraignment for possession of Cocaine.

CHILD NEGLECT

On September 20th this department was contacted by a tenant regarding a suspicious circumstance at 23635 Farmington Road. The tenant reported an open door at a neighboring unit with an abandoned eighteen month old child crying inside. This department took custody of the child and contacted Child Protective Services. The

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mother was subsequently contacted and interviewed. The mother admitted to leaving the child unattended while visiting with her boyfriend. The child was turned over to his grandmother. The mother was arrested for child neglect/endangerment and processed. The mother was released pending warrant submittal and review by the Oakland County Prosecutor's Office.

SUSPICIOUS CIRCUMSTANCE

On September 20th, at approximately 6:38 p.m., a resident contacted this department to report that she had received a suspicious telemarketing call from a man claiming to represent the Farmington Benevolent Association. The man advised that the benevolent association was throwing a charity concert to raise money for the association. The woman disconnected the call but copied the name and phone number off of the caller ID. The officer learned that the company, Public Safety 123, is a company that solicits funds for various charities, including the Fraternal Order of Police. There is no Farmington Benevolent Association, but there is a Farmington Hills Police Benevolent Association. They do not use telemarketers to solicit funds. The officer attempted to call the company in order to clear up any confusion, but was hung up on the first call and subsequent calls led to a busy signal.

LARCENY

On September 21st officers responded to Farmington Auto Wash located at 22883 Orchard Lake Road on a larceny report. The owner stated several of his coin operated vacuum cleaners were attacked during the evening. The owner estimates \$200-\$300 worth of coins were taken. No suspect information.

ASSAULT AND BATTERY/RECEIVING AND CONCEALING STOLEN PROPERTY

On September 21st, at approximately 4:05 p.m., officers were dispatched to Starbucks on Grand River Avenue for a report of a fight in progress. Upon arrival several bystanders were motioning and directing officers to stop a silver vehicle that was leaving the scene. Officers stopped the vehicle and confronted the lone occupant. The driver advised that he was selling a camera flash on craigslist and had agreed to meet a potential buyer at Starbucks. Upon meeting with the man, the man took his flash so the driver attacked him. The man got free of the driver so the driver ran away rather than calling the police. Officers spoke with the man who was still in possession of the camera flash. The man advised that he is a photographer who had loaned his wife's architectural company his equipment so that they could take professional photos. While the company was in possession of the equipment, the property was stolen by an unknown suspect. The man had been checking craigslist.org every day in hopes that he would find his equipment. The man located an old flash that had been stolen at the company being sold by the driver. The man showed the driver's name and phone number to his wife and learned that the driver works in her office and has a cubicle near hers. The man pretended to be a customer and arranged the meeting with the driver. Once the driver showed up to Starbucks, the man positively identified his camera flash and advised that he would not press charges if the driver returned all of the equipment. The driver refused so the man took the flash and tried to exit the building to call police. At that point the driver grabbed the flash and the man's camera bag and a scuffle

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occurred over the property. The driver placed the man into a headlock and the fight moved to the outside of the business. The man was able to get free from the driver and advised that he was going to call the police. At that point the man attempted to flee the scene. The driver admitted to officers that the flash was probably stolen but advised that he was not the one that had stolen it. The driver also admits to working with the man's wife. The driver was arrested for being in possession of stolen property and for assault and battery. The man was held at the Farmington jail until he could post bond. A copy of the report was forwarded to the Farmington Hills Police Department to assist them in their investigation of the stolen camera equipment.

DISORDERLY INTOXICATION

On September 21st, at approximately 4:54 p.m., an officer was dispatched to an intoxicated female on Oakland Street who had just damaged a fence. Upon arrival the officer located the intoxicated female and recognized her as someone that this department has an active arrest warrant out for disorderly intoxication. The officer learned from witnesses that the woman had damaged a wooden fence in order to get into a home's backyard. Once in the yard the woman attempted to grab the dog that belongs to the homeowner and then refused to leave when told to by neighbors. The woman told the officer that she had been drinking behind the dumpster in the city public parking area when she heard a dog talking to her in the nearby yard. The woman decided to rescue the dog so she pulled down the fencing in order to retrieve the dog. The woman was highly intoxicated and was arrested for destroying the fence and for being disorderly in public. The woman was housed in the Farmington jail pending arraignment.

SMOKE INVESTIGATION

On September 22nd officers responded to a unit in Drakeshire Apartments on smoke in a building. Upon arrival, officers found the origin of the smoke to be from a careless cook. The apartment unit was ventilated.

HARASSMENT

On September 22nd, at approximately 11:30 p.m., a Chatham Hills Apartment resident came into this police department to report that his ex-girlfriend has been harassing him. The man reports that he has been dating the woman for approximately four months and recently broke up with her via email. Since then the woman has been calling and texting him non-stop. The man is afraid that his ex will show up to his home or work. An officer called the woman and advised her that if she continued her actions, or trespasses at his apartment, that she will be arrested.

CITIZEN ASSIST

On September 23rd, at 12:44 p.m., an officer responded to Judge Asset Management and met with the owner who stated that he had received a threatening email and phone message after he had several vehicles towed from his parking lot. The officer reviewed the messages and determined there to be no threat, but spoke with the upset vehicle owner and advised him to have no further contact with the property owner.

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RETAIL FRAUD

On September 23rd, at approximately 5:50 p.m., officers were dispatched to CVS Pharmacy on Farmington Road for a report of a retail fraud (shoplifting) in progress. Officers learned while enroute that an employee was watching the suspect conceal cans of beer, make up, and a watch into a bag of returnables and his pockets. Upon arrival officers waited in the parking lot until the man left the building. Officers confronted the man in the parking lot and located the items on his person. The man is homeless and admitted to stealing the items. The man has a prior criminal record for stealing and was housed at the Farmington jail pending arraignment.

WARRANT ARREST OTHER DEPARTMENT

On September 25th, at approximately 10:49 p.m., an officer running stationary radar stopped a vehicle in the area of Drake and Lark Harbour for speeding. A LEIN check of the passenger revealed nine warrants for his arrest out of various metro-Detroit departments. The man was arrested on the warrants and housed at the Farmington jail pending pick up from the Wayne County Sheriff's Office.

DISORDERLY PERSON

On September 27th an officer was flagged down by a citizen regarding a male passed out in the bushes on Farmington Road south of Nine Mile. The officer made contact with the subject. The officer detected a strong odor of intoxicants on the subject's breath. The officer administered a PBT with a result of .14. The officer issued the subject a citation for disorderly person and transported him home.

BREAKING AND ENTERING

On September 27th officers responded to Farmington Village Pharmacy located at 32736 Grand River on an alarm. Upon arrival officers observed a shattered front door. The business was cleared and a key holder contacted. Surveillance footage showed two subjects wearing scarves around their faces and gloves on their hands. The two made entry at approximately 4:27 a.m. by prying the front door causing it to shatter. The subjects took medication from the shelves and cabinets. The medication consisted of Morphine, Ritalin, Adderal and Vicodin. The case was turned over to the Detective Bureau. No further suspect information.

LARCENY OF TRAILER

On September 27th officers responded to Garden City Upholstery located at 32725 Grand River on a report of a stolen trailer. Upon arrival the owner reported the enclosed trailer taken between 10:00 p.m. on September 26th and 7:00 a.m. on September 27th. The empty trailer had a value of \$4300. No suspect information. The trailer was entered into LEIN.

SKATEBOARDING COMPLAINT

On September 27th, at approximately 5:37 p.m., an officer was dispatched to Shiawassee Park for a report of teens skateboarding down the stairs. Upon arrival the officer located the teens who were actually skateboarding in the Maxfield Training

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Center lot. The juveniles were advised of the local city ordinance prohibiting skateboarding in the downtown area and were sent on their way.

POSSESSION OF MARIJUANA

On September 29th an officer stopped a vehicle on Grand River near Power Road for a defective brake light. The officer detected an odor of Marijuana coming from the interior of the vehicle. The driver admitted to possessing Marijuana. The driver produced a jar of suspected Marijuana from the center console of the vehicle. The officer confiscated the Marijuana. A search of the vehicle also produced a Marijuana pipe and sifter. The driver was arrested for Marijuana possession and drug paraphernalia and the vehicle was impounded. During booking the officer located an expired medical Marijuana card in the driver's wallet. The officer issued the driver a citation for Marijuana possession, drug paraphernalia and a defective brake light.

RECOVERED STOLEN AUTO

On September 30th, at 9:56 a.m., an officer responded to Lansbury Street where a Harrison Township woman had located her car that had been stolen the night before. The woman advised that she had met a man at the Lions game the previous day and invited him back to her apartment. At some point the man took the woman's keys and drove off with her car. She reported the car stolen, but when he told her where it was, she decided not to prosecute the man.

ACCIDENTAL PROPERTY DAMAGE

On September 30th, at 11:06 a.m., an officer responded to the Grand River/Orchard Lake Valero for a report of a vehicle that had driven off while the gas pump was still in her vehicle. The woman returned and spoke with management but left the scene prior to the officer's arrival.

SOLICITOR COMPLAINT

On September 30th, at 1:58 p.m., officers responded to Fleming Street for a report of two males distributing handbills. The males were located and cited for distributing handbills for 'All Seasons Construction' without a permit.

SOLICITOR COMPLAINT

On September 30th, at 3:34 p.m., an officer responded to Lilac Street for a report of two male solicitors selling candy. The males were located and cited for soliciting for 'Americans of Today' without a permit.

Year to Date Through September

4.9.a

Packet Pg. 62

Classification	2012	2013	% Change
09001 MURDER/NONNEGLIGENT MANSLAUGHTER (VOLUNTARY)	0	1	-
09002 NEGLIGENT HOMICIDE/MANSLAUGHTER (INVOLUNTARY)	0	0	-
09004 JUSTIFIABLE HOMICIDE	0	0	-
10001 KIDNAPPING/ABDUCTION	0	0	-
10002 PARENTAL KIDNAPPING	0	0	-
11001 SEXUAL PENETRATION PENIS/VAGINA -CSC 1ST DEGREE	0	0	-
11002 SEXUAL PENETRATION PENIS/VAGINA -CSC 3RD DEGREE	1	0	-100.0%
11003 SEXUAL PENETRATION ORAL/ANAL -CSC 1ST DEGREE	0	0	-
11004 SEXUAL PENETRATION ORAL/ANAL -CSC 3RD DEGREE	0	0	-
11005 SEXUAL PENETRATION OBJECT -CSC 1ST DEGREE	0	0	-
11006 SEXUAL PENETRATION OBJECT -CSC 3RD DEGREE	0	0	-
11007 SEXUAL CONTACT FORCIBLE -CSC 2ND DEGREE	0	0	-
11008 SEXUAL CONTACT FORCIBLE -CSC 4TH DEGREE	3	2	-33.3%
12000 ROBBERY	0	1	-
13001 NONAGGRAVATED ASSAULT	39	31	-20.5%
13002 AGGRAVATED/FELONIOUS ASSAULT	7	7	0%
13003 INTIMIDATION/STALKING	20	11	-45.0%
20000 ARSON	0	1	-
21000 EXTORTION	0	0	-
22001 BURGLARY -FORCED ENTRY	11	19	72.7%
22002 BURGLARY -ENTRY WITHOUT FORCE (Intent to Commit)	0	2	-
23001 LARCENY -POCKETPICKING	0	0	-
23002 LARCENY -PURSES/NATCHING	0	0	-
23003 LARCENY -THEFT FROM BUILDING	31	15	-51.6%
23004 LARCENY -THEFT FROM COIN-OPERATED MACHINE/DEVICE	0	2	-
23005 LARCENY -THEFT FROM MOTOR VEHICLE	39	17	-56.4%
23006 LARCENY -THEFT OF MOTOR VEHICLE PARTS/ACCESSORIES	4	2	-50.0%
23007 LARCENY -OTHER	22	25	13.6%
24001 MOTOR VEHICLE THEFT	7	2	-71.4%
24002 MOTOR VEHICLE, AS STOLEN PROPERTY	0	1	-
24003 MOTOR VEHICLE FRAUD	0	0	-
25000 FORGERY/COUNTERFEITING	2	3	50.0%
26001 FRAUD -FALSE PRETENSE/SWINDLE/CONFIDENCE GAME	2	7	250.0%
26002 FRAUD -CREDIT CARD/AUTOMATIC TELLER MACHINE	1	12	1100.0%
26003 FRAUD -IMPERSONATION	11	17	54.5%
26004 FRAUD -WELFARE FRAUD	0	0	-
26005 FRAUD -WIRE FRAUD	0	1	-
27000 EMBEZZLEMENT	4	1	-75.0%
28000 STOLEN PROPERTY	5	2	-60.0%
29000 DAMAGE TO PROPERTY	29	19	-34.5%
30001 RETAIL FRAUD -MISREPRESENTATION	1	3	200.0%

Year to Date Through September

Classification	2012	2013	% Change
30002 RETAIL FRAUD -THEFT	8	5	-37.5%
30003 RETAIL FRAUD -REFUND/EXCHANGE	0	0	-
35001 VIOLATION OF CONTROLLED SUBSTANCE ACT	36	36	0%
35002 NARCOTIC EQUIPMENT VIOLATIONS	24	15	-37.5%
36001 SEXUAL PENETRATION NONFORCIBLE -BLOOD/AFFINITY	0	0	-
36002 SEXUAL PENETRATION NONFORCIBLE -OTHER	0	0	-
37000 OBSCENITY	1	1	0%
39001 GAMBLING- BETTING/WAGERING	0	0	-
39002 GAMBLING- OPERATING/PROMOTING/ASSISTING	0	0	-
39003 GAMBLING -EQUIPMENT VIOLATIONS	0	0	-
39004 GAMBLING -SPORTS TAMPERING	0	0	-
40001 COMMERCIALIZED SEX -PROSTITUTION	0	0	-
40002 COMMERCIALIZED SEX -ASSISTING/PROMOTING PROSTITUTI	1	0	-100.0%
51000 BRIBERY	0	0	-
52001 WEAPONS OFFENSE- CONCEALED	5	5	0%
52002 WEAPONS OFFENSE -EXPLOSIVES	0	0	-
52003 WEAPONS OFFENSE -OTHER	0	2	-
Total for Group A	314	268	-14.6%
01000 SOVEREIGNTY	0	0	-
02000 MILITARY	0	0	-
03000 IMMIGRATION	0	0	-
09003 NEGLIGENT HOMICIDE -VEHICLE/BOAT	0	0	-
14000 ABORTION	0	0	-
22003 BURGLARY - UNLAWFUL ENTRY (NO INTENT)	2	0	-100.0%
22004 POSSESSION OF BURGLARY TOOLS	0	0	-
26006 FRAUD -BAD CHECKS	5	3	-40.0%
36003 PEEPING TOM	0	0	-
36004 SEX OFFENSE -OTHER	3	0	-100.0%
38001 FAMILY -ABUSE/NEGLECT NONVIOLENT	3	2	-33.3%
38002 FAMILY -NONSUPPORT	0	0	-
38003 FAMILY -OTHER	1	0	-100.0%
41001 LIQUOR LICENSE -ESTABLISHMENT	0	0	-
41002 LIQUOR VIOLATIONS -OTHER	41	31	-24.4%
42000 DRUNKENNESS	0	0	-
48000 OBSTRUCTING POLICE	7	7	0%
49000 ESCAPE/FLIGHT	0	0	-
50000 OBSTRUCTING JUSTICE	80	18	-77.5%
53001 DISORDERLY CONDUCT	14	11	-21.4%
53002 PUBLIC PEACE -OTHER	13	4	-69.2%
54001 HIT and RUN MOTOR VEHICLE ACCIDENT	4	2	-50.0%
54002 OPERATING UNDER THE INFLUENCE OF LIQUOR OR DRUGS	92	57	-38.0%

Year to Date Through September

4.9.a

Packet Pg. 64

Classification	2012	2013	% Change
55000 HEALTH AND SAFETY	5	5	0%
56000 CIVIL RIGHTS	0	0	-
57001 TRESPASS	18	9	-50.0%
57002 INVASION OF PRIVACY -OTHER	0	0	-
58000 SMUGGLING	0	0	-
59000 ELECTION LAWS	0	0	-
60000 ANTITRUST	0	0	-
61000 TAX/REVENUE	0	0	-
62000 CONSERVATION	1	2	100.0%
63000 VAGRANCY	1	0	-100.0%
70000 JUVENILE RUNAWAY	1	4	300.0%
73000 MISCELLANEOUS CRIMINAL OFFENSE	43	41	-4.7%
75000 SOLICITATION	0	0	-
77000 CONSPIRACY (ALL CRIMES)	0	0	-
Total for Group B	334	196	-41.3%
2800 JUVENILE OFFENSES AND COMPLAINTS	39	58	48.7%
2900 TRAFFIC OFFENSES	166	144	-13.3%
3000 WARRANTS	161	171	6.2%
3100 TRAFFIC CRASHES	197	249	26.4%
3200 SICK / INJURY COMPLAINT	529	552	4.3%
3300 MISCELLANEOUS COMPLAINTS	1256	1192	-5.1%
3400 WATERCRAFT COMPLAINTS / ACCIDENTS	0	0	-
3500 NON-CRIMINAL COMPLAINTS	970	1346	38.8%
3600 SNOWMOBILE COMPLAINTS / ACCIDENTS	0	0	-
3700 MISCELLANEOUS TRAFFIC COMPLAINTS	253	287	13.4%
3800 ANIMAL COMPLAINTS	97	124	27.8%
3900 ALARMS	250	229	-8.4%
Total for Group C	3918	4352	11.1%
2700 LOCAL ORDINANCES - GENERIC	0	0	-
4000 HAZARDOUS TRAFFIC CITATIONS / WARNINGS	2	6	200.0%
4100 NON-HAZARDOUS TRAFFIC CITATIONS / WARNINGS	3	1	-66.7%
4200 PARKING CITATIONS	0	4	-
4300 LICENSE / TITLE / REGISTRATION CITATIONS	3	0	-100.0%
4400 WATERCRAFT CITATIONS	0	0	-
4500 MISCELLANEOUS A THROUGH UUUU	566	560	-1.1%
4600 LIQUOR CITATIONS / SUMMONS	0	0	-
4700 COMMERCIAL VEHICLE CITATIONS	0	0	-
4800 LOCAL ORDINANCE WARNINGS	0	0	-
4900 TRAFFIC WARNINGS	0	0	-
Total for Group D	574	571	-0.5%
5000 FIRE CLASSIFICATIONS	102	105	2.9%

4.9.a

Packet Pg. 65

Classification	2012	2013	% Change
5100 18A STATE CODE FIRE CLASSIFICATIONS	0	0	-
Total for Group E	102	105	2.9%
6000 MISCELLANEOUS ACTIVITIES (6000)	0	0	-
6100 MISCELLANEOUS ACTIVITIES (6100)	0	0	-
6200 ARREST ASSIST	0	0	-
6300 CANINE ACTIVITIES	0	0	-
6500 CRIME PREVENTION ACTIVITIES	0	0	-
6600 COURT / WARRANT ACTIVITIES	0	0	-
6700 INVESTIGATIVE ACTIVITIES	0	0	-
Total for Group F	0	0	-
Total for all Groups	5242	5492	4.8%

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number
(ID # 1397)**

Submitted by: Vincent Pastue, City Manager

Description: Farmington Building Department First Quarter Report July 1, 2013 through September 30, 2013

Requested Action:

Background:

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

CITY OF FARMINGTON
BUILDING DEPARTMENT

1st Quarter Report

July 1, 2013
through
September 30, 2013

John D. Koncsol
Building Inspector

FY 2012 - 13

MONTH	NEW HOMES		HOME REMODEL		SHEDS/GARAGES		COMMERCIAL REMODEL		COMMERCIAL BUILDING		INDUSTRIAL REMODEL	
	No. of Permits	Value	No. of Permits	Value	No. of Permits	Value	No. of Permits	Value	No. of Permits	Value	No. of Permits	Value
JULY			1	\$30,000			1	\$97,600				
AUGUST			2	\$33,400	2	\$5,000						
SEPTEMBER			2	\$637,000	2	\$24,988	4	\$375,646				
OCTOBER												
NOVEMBER												
DECEMBER												
JANUARY												
FEBRUARY												
MARCH												
APRIL												
MAY												
JUNE												
TOTAL			5	\$700,400	4	\$29,988	5	\$473,246				

BUILDING PERMITS

MONTH	2013 - 14		2012 - 13		2011 - 12	
	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES
JULY	20	\$3,021	19	\$2,346	21	\$2,776
AUGUST	20	\$2,602	20	\$2,458	19	\$1,860
SEPTEMBER	19	\$5,789	13	\$1,335	21	\$1,943
OCTOBER					17	\$2,325
NOVEMBER					19	\$2,423
DECEMBER					14	\$1,765
JANUARY					6	\$1,080
FEBRUARY					7	\$605
MARCH					10	\$895
APRIL					22	\$2,957
MAY					21	\$2,830
JUNE					25	\$4,025
TOTAL			52	\$6,139	202	\$25,484

ELECTRIC PERMITS

MONTH	2013 - 14		2012 - 13		2011 - 12	
	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES
JULY	15	\$1,741	7	\$535	7	\$408
AUGUST	7	\$980	2	\$140	6	\$419
SEPTEMBER	15	\$1,413	6	\$528	3	\$273
OCTOBER					6	\$768
NOVEMBER					4	\$279
DECEMBER					6	\$647
JANUARY					7	\$535
FEBRUARY					5	\$475
MARCH					8	\$2,519
APRIL					9	\$804
MAY					8	\$570
JUNE					8	\$1,087
TOTAL	37	\$4,134	15	\$1,203	77	\$8,784

MECHANICAL PERMITS

MONTH	2013 - 14		2012 - 13		2011 - 12	
	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES
JULY	14	\$1,080	11	\$820	10	\$725
AUGUST	7	\$535	6	\$605	5	\$195
SEPTEMBER	12	\$1,465	4	\$220	7	\$560
OCTOBER					15	\$1,305
NOVEMBER					10	\$665
DECEMBER					14	\$1,155
JANUARY					7	\$720
FEBRUARY					11	\$985
MARCH					6	\$515
APRIL					6	\$580
MAY					7	\$420
JUNE					12	\$965
TOTAL	33	\$3,080	21	\$1,645	110	\$8,790

PLUMBING PERMITS

MONTH	2013 - 14		2012 - 13		2011 - 12	
	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES
JULY	8	\$640	5	\$690	4	\$280
AUGUST	4	\$895	1	\$50	8	\$477
SEPTEMBER	11	\$862	3	\$130	6	\$324
OCTOBER					4	\$270
NOVEMBER					3	\$120
DECEMBER					7	\$330
JANUARY					2	\$80
FEBRUARY					5	\$580
MARCH					4	\$530
APRIL					7	\$530
MAY					4	\$440
JUNE					9	\$870
TOTAL	23	\$2,397	9	\$870	63	\$4,831

CODE ENFORCEMENT LOG

MONTH: July, 2013

VIOLATIONS	METHOD OF CONTACT				
	PHONE	VERBAL	LETTER	WARNING TICKET	TOTAL
Automobiles				1(1)	1
Recreational Vehicles				2	2
Trash					
Streets / Sidewalks				1	1
Commercial Property Maint.				5(2)	5
Signs					
Housing Code				2(4)	2
Fences					
Nuisances				1	1
Zoning:				1	1
City Cut Grass					
*Tennis Club					
*31608 Marblehead					
*Ely Ct					
Final Inspection & Temp		1			1
C&O to Los Tres					
		1		13	14

RESULTS						
COMPLIANCE	NON-COMPLIANCE	COURT	PENDING	CITY COUNCIL	ZONING BOARD	TOTAL
1						1
		2(3)(12)				2
1(9)						1
1		4(5)(7)(8)(11)				5
2						2
1(6)						1
		1(10)				1
1						1
7		3	4			14

INSPECTIONS	
Gas Pressure Tests	
Rough Building	1
Final Building	10
Foundation	9
Observable Component	
Roof	
Heating/Cooling	12
Dryer duct installs	32
at Kensington Manor	
Foreclosures:	
22418 Brookdale	
Total	64

PLAN REVIEW	
Signs	5
Buildings	2
Fences	3
Decks	
Hood Suppression	
Demolition	
Zoning Compliance	
	10

COMPLAINTS:

- 1 Warning notice to homeowner on Farmington Rd about car parked on grass.
- 2 Warning notice to Tennis Club about fallen dead tree.
- 3 Civil infraction boat/trailer parked in driveway on Birchwood.
- 4 Warning notices to 2 properties on Power - garages needed painting and brush piles to be removed.
- 5 Owners of World Wide sent warnings about leaking roof. Owners have advised they are getting estimates to fix.
- 6 Warning to Trikes Sign Company about grass/weeds over 8".
- 7 Warning, then ticket, to Village Shoe Inn about landscape planting areas not maintained.
- 8 Mobil at 8 Mile/Farmington sent warning about planting areas not maintained. Weeds/dead plants.
- 9 Warning notice to homeowner on Tall Oaks about vegetation overgrowing sidewalk.
- 10 Ginger Weichers (S.O.U.L.) ticketed for product out for sale and illegal signs on Mooney St. - paid \$50.00 fines and plead responsible.
- 11 Ameritech sent warning about deteriorated sidewalk and parking lot on Power. They are going to replace both soon.
- 12 Occupant and Trust that owns house on Maplenut ticketed twice for RO trailer in driveway over 48 hrs.

CODE ENFORCEMENT LOG

MONTH: August, 2013

VIOLATIONS	METHOD OF CONTACT				
	PHONE	VERBAL	LETTER	WARNING TICKET	TOTAL
Automobiles				1(2)	1
Recreational Vehicles				1(1)	1
Trash					
Streets / Sidewalks					
Comm. Property Maint.					
Signs				2	2
Housing Code				3	3
Fences					
Nuisances				1	1
Zoning:					
Property Blight					
Grass (over 8")				1	1
Brush					
Blight Vehicles				4(4)	4
Rodent Activity					
Grass cut by City				3	3
Gill/Schulte, Tennis Club					
22730 Lilac					
Total				16	16

RESULTS						
COMPLIANCE	NON-COMPLIANCE	COURT	PENDING	CITY COUNCIL	ZONING BOARD	TOTAL
1						1
1						1
2(5)						2
3(6)(7)						3
		1(3)				1
1						1
4						4
	3					3
12	3	1				16

INSPECTIONS	
Gas Pressure Tests	
Rough Building	4
Final Building	17
Foundation	8
Observable Component	
Roof	
Heating/Cooling	9
Fireplace	
Foreclosures	3
31925 Shiawasse	
33825 James Ct	
32120 Marblehead	
total	41

PLAN REVIEW	
Signs	12
Buildings	5
Fences	3
Decks	1
Hood Suppression	
Demolition	
Basement Remodel	
Pool	2
total	23

COMPLAINTS:

- 1 Utility trailer parked in street on Hayden.
- 2 Vehicle parked on grass Power Road
- 3 City obtained court order to clear fallen tree from tennis club property. New owners stepped up and cleaned tree. No need to use court order.
- 4 Warning notice to Soleil Furniture about 3 unlicensed vehicles in parking lot and one (1) boat trailer. All removed in warning period.
- 5 Old Chili Bu'ul warned about neon around windows and flag sign outside.
- 6 Brush not properly put out on Kirby for pickup. Not tied or bundled. House on Lilac gutters filled with debris, discards, outside.
- 7 House on Manning has grass and debris outside. Being cleaned by contractors week of September 2, 2013.

CODE ENFORCEMENT LOG

MONTH: September, 2013

VIOLATIONS	METHOD OF CONTACT					RESULTS						
	PHONE	VERBAL	LETTER	WARNING TICKET	TOTAL	COMPLIANCE	NON-COMPLIANCE	COURT	PENDING	CITY COUNCIL	ZONING BOARD	TOTAL
Automobiles				2	2	2						2
Recreational Vehicles				1	1	1						1
Trash				1(1)	1			1(1)				1
Streets / Sidewalks												
Comm. Property Maint.												
Signs												
Housing Code				1(2)	1			1(2)				1
Fences												
Nuisances												
Zoning:												
Work (no permit)												
Grass (over 8")												
Comm. Vehicle												
				5	5	3		2				5

INSPECTIONS	
Gas Pressure Tests	
Rough Building	8
Final Building	29
Foundation	2
Observable Component	
Roof	
Heating/Cooling	9
Fireplace	
Foreclosures	1
32013 ValleyView	
Final CoFO	2
Peterlins	
Tuesday Morning	
	51

PLAN REVIEW	
Signs	9
Buildings	4
Fences	1
Decks	
Hood Suppression	1
Demolition	
Fire Repairs	
Pool	1
Shed	1
	17

COMPLAINTS:

- 1 Basement Burger Bar ticketed for trash on ground not inside dumpster. Prior written / verbal warnings about trash issue over last few years.
- 2 Vacant property, not foreclosure, as of yet. Obtained court order to cut trees/shrubs from around house to compare with neighborhood standard. Owner invoiced for \$440.00

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Hold Public Hearing and Adopt Resolution to Vacate Public Right-Of-Way in Farmington Woods Subdivision

Requested Action:

No specific action requested. The purpose of the public hearing is to accept any comments, questions, or concerns regarding the proposed vacation of public right-of-way in the Farmington Woods Subdivision

Background:

At the September 16, 2013 regular meeting, the City Council scheduled a public hearing to accept comments, questions, and concerns regarding the proposed vacation of public right-of-way within the Farmington Woods Subdivision. The purpose of the proposed action is to provide clear title to the Courthouse property. After looking at the original plat, none of the streets identified in the plat and referenced in the public notice are functioning as streets nor do we believe any contain public utilities.

Later in the meeting, the City Council will consider a resolution to vacate streets within the Farmington Woods Subdivision referenced in the public hearing notice

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

RESOLUTION NO. (ID # 1388)**CITY OF FARMINGTON**

OAKLAND COUNTY, MICHIGAN

RESOLUTION VACATING CERTAIN PUBLIC STREETS**IN THE FARMINGTON WOODS SUBDIVISION****IN THE CITY OF FARMINGTON**

At a regular meeting of the City Council of the City of Farmington, County of Oakland, State of Michigan, held on the 21st day of October, 2013, at 7:00 p.m., with those present and absent being,

PRESENT:

ABSENT:

the following resolution was offered by Councilperson _____ and supported by Councilperson _____:

WHEREAS, the Farmington City Council held a public hearing on October 21, 2013 to consider and hear objections to the proposed vacation of certain streets in the Farmington Woods Subdivision, within the City of Farmington, County of Oakland, State of Michigan, located in an area north of Shiawassee and south of 10 Mile Road, and West of Power Road and shown on the attached Exhibit A and described as:

1. Marblehead Boulevard, between 10 Mile Road and Power Road.
2. East Haven Drive, between Marblehead Boulevard and Shiawassee Road.
3. Granby Road, between 10 Mile Road and Power Road.
4. Folkstone Road between 10 Mile Road and Power Road.
5. Hadley Road, north of Shiawassee Road.

WHEREAS, the City Council has jurisdiction to vacate the street in question, no part of which is within 25 meters of a lake or in the general course of a stream; and

WHEREAS, the Farmington City Council is satisfied that the described portions of such streets are not and will not be needed as a public way or alley and may be vacated without any

adverse effects on the public health, safety, and/or welfare.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Farmington City Council that:

Marblehead Boulevard, between 10 Mile Road and Power Road.

East Haven Drive, between Marblehead Boulevard and Shiawassee Road.

Granby Road, between 10 Mile Road and Power Road.

Folkstone Road between 10 Mile Road and Power Road.

Hadley Road, north of Shiawassee Road.

as depicted and shown on Exhibit A shall be and hereby are vacated. An easement for the construction, maintenance, repair, use, and replacement of drainage and utility (including, but not limited to, sewer and water) improvements, is hereby reserved in, over, upon, and through the entirety of such streets. This action is taken pursuant to Sections 2526 and 2527 of Act 288 of the Public Acts of 1967, as amended, being MCL 560.256 and MCL 560.257.

2. Within 30 days after the effective date of City Council's approval of this Resolution, the City Clerk shall submit for recording a certified copy of this Resolution with the Oakland County Register of Deeds, and shall file a copy of this Resolution with the office of the Michigan State Treasurer.

3. The vacation of the portion of such streets shall be effective on the date this Resolution is recorded with the Oakland County Register of Deeds, and upon the vacation of the portion of such street becoming effective, the portion of such street shall be removed from the street plan map and any other official maps or street plans for the City of Farmington.

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, SUSAN K. HALBERSTADT, the duly-qualified 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 by the City Council of the City of Farmington with at least five (5) affirmative votes, at a duly-called meeting held on October 21, 2013, a copy of which is on file in my office.

SUSAN K. HALBERSTADT
Clerk, City of Farmington

This Resolution was signed and acknowledged before me on October 21, 2013, by Susan K. Halberstadt, the duly-authorized Clerk for the City of Farmington, a Michigan municipal corporation.

Notary Public, Oakland County, Michigan
My Commission Expires:_____



Farmington City Council Staff Report

Council Meeting Date:
October 21, 2013

**Reference
Number**

Submitted by: Frank Demers,

Description: Consideration to Adopt Ordinance #C-770-2013 Regulating Precious Metal and Gem Dealers

Requested Action:

Move to adopt Ordinance #770-2013 to amend Chapter 8, Registration and Licensing, of the City Code to add Article III to regulate precious metal and gem dealers.

Background:

This ordinance was introduced at the September 16 meeting. There was further discussion at the September 30 study session regarding this ordinance and companion ordinances regulating pawnbrokers, and junk and second hand dealers. No changes are recommended from the ordinance introduced at the September 16 meeting.

In recent months, new legislation has been passed which requires pawn brokers, precious metals dealers, junk dealers and second hand dealers to comply with strict reporting and record keeping rules. These laws were passed to address the large number of pawn/precious metal shops that have opened businesses in cities throughout Michigan as the price of gold increased and the economic climate was such that second hand stores were in high demand. In addition, the laws were passed to address the sharp increase in copper theft and other precious metal thefts.

The proposed amendments to Chapter 8, Registration and Licensing, which will require Precious Metal Dealers, Second Hand Dealers, Junk Dealers and Pawn Brokers to conduct business in compliance with new state reporting/record keeping laws and to require the electronic transmittal of transaction information to the public safety department. Article III specifies the business licensing and reporting requirements for precious metal and gem dealers.

With respect to the reporting of transactions to law enforcement, state law now recognizes electronic reporting as an acceptable means of transmitting required transaction data from businesses to local law enforcement. In May, 2013, the public safety department entered into an agreement with LeadsOnline via the CLEMIS membership. Based out of Plano, Texas, LeadsOnline is an online clearinghouse of pawn, second hand and precious metals transactions from businesses throughout the United States. Through LeadsOnline, law enforcement is able to track pawn transactions from businesses that are registered with the database and search the database for stolen items. For example, if an item with a serial number is brought in and recorded, LeadsOnline will check the serial number through the system to

Ordinance (ID # 1389) Meeting of October 21, 2013
determine if it has been stolen. If it had been reported stolen, the service will contact police to report the location of the item, who pawned it and how much money the business paid for the item.

The public safety department has already reaped the benefits of LeadsOnline. In August, 2013, a resident reported an Ipad stolen from her home. She suspected a recent guest was the culprit. The detective assigned to the case entered the Ipad information into LeadsOnline and found that the item had been pawned at a second hand store in Harper Woods by the suspected culprit. The item was returned to the owner and charges are pending against the suspect.

There is no cost to vendors who register with LeadsOnline. In addition, LeadsOnline offers free training to store owners and employees who utilize the system.

Agenda Review

Review:

Frank Demers Pending

City Manager Pending

City Council Pending

ORDINANCE NO. (ID # 1389)
STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

ORDINANCE NO. C-770-2013

AN ORDINANCE TO AMEND CHAPTER 8, REGISTRATION AND LICENSING, OF THE CITY OF FARMINGTON CODE OF ORDINANCES, IN ORDER TO ADD A NEW ARTICLE, ARTICLE III, PRECIOUS METAL AND GEM DEALERS, TO REQUIRE THE REGISTRATION OF PRECIOUS METAL AND GEM DEALERS; TO REQUIRE THE CREATION AND MAINTENANCE OF RECORDS OF TRANSACTIONS; AND, TO REQUIRE THE TRANSMITTAL OF INFORMATION REGARDING THE PURCHASE OF PRECIOUS ITEMS TO THE PUBLIC SAFETY DEPARTMENT.

THE CITY OF FARMINGTON ORDAINS:

Section 1. Chapter 8, Registration and Licensing is hereby amended to add Article III, Precious Metal and Gem Dealers, which shall read as follows in its entirety:

ARTICLE III. - PRECIOUS METAL AND GEM DEALERS

Sec.8-40. - Definitions.

Definitions utilized under this chapter shall be the same definitions as provided in the Precious Metal and Gem Dealer Act, Public Act 95 of 1981, as set forth in MCL 445.481, et seq., as amended.

Sec. 8-41. Registration and transaction fee.

A registration fee and renewal fee shall be assessed from each licensee in a manner and amount as set from time to time by resolution of City Council. A transaction fee per transaction shall be payable in an amount as set from time to time by City Council.

Sec. 8-42. Records of transactions.

(a) A dealer shall maintain a permanent record of each transaction, on record of transaction forms provided for in Act 95 of 1981. Such record shall be legibly written or otherwise printed in ink in the English language. Each record of transaction form shall be filled out in quadruplicate

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by the dealer or agent or employee of the dealer. One copy of the form shall go to the Public Safety Department pursuant to state law in accordance with Section 8-43; one copy shall go to the customer; and one copy shall be retained by the dealer pursuant to state law.

(b) At the time a dealer receives or purchases a precious item, the dealer or the agent or employee of the dealer shall ensure that the following information is recorded accurately on a record of transaction form:

(1) The dealer certificate of registration number.

(2) A general description of the precious item or precious items received or purchased, including the type of metal or precious gem. In the case of watches, the description shall contain the name of the maker and the number of both the works and the case. In the case of jewelry, all letters and marks inscribed on the jewelry shall be included in the description.

(3) The date of the transaction.

(4) The name of the person conducting the transaction.

(5) The name, date of birth, driver's license number or state of Michigan personal identification card number, and street and house number of the customer, together with a legible imprint of the right thumb of the customer, or if that is not possible, of the left thumb or a finger of the customer. However, the thumbprint or fingerprint shall only be required on the record of transaction form retained by the dealer. The thumbprint or fingerprint shall be made available to a police agency during the course of a police investigation involving a precious item or items described on the record of transaction. After a period of one year from the date of the record of transaction, if a police investigation concerning a precious item or items described on the record of transaction has not occurred, the dealer and any police agency or sheriff's department holding a copy of the record of transaction shall destroy, and not keep a permanent record of, the record of transaction. A dealer who goes out of business or changes his or her business address to another local jurisdiction either within or out of this state shall transmit the records of all transactions made by the dealer within one year before his or her closing or moving, to the Public Safety Department.

(6) The price paid by the dealer for the precious item or precious items.

(7) The form of payment to the customer; check, money order, bank draft, or cash. If the payment is by check, money order, or bank draft, the dealer shall indicate the number of the check, money order, or bank draft.

(8) The customer's signature.

(c) The record of each transaction shall be numbered consecutively, commencing with the number 1 and the calendar year (example, 01-2013).

(d) The record of transaction forms of a dealer and each precious item received shall be open to an inspection by the County Prosecuting Attorney, the Public Safety Department, the police agency or sheriff's department of the local governmental unit in which the customer

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resides, and the Michigan State Police, at all times during the ordinary business hours of the dealer. As a condition of doing business, a dealer is considered to have given consent to the inspection prescribed by this subsection. The record of transaction forms of a dealer shall not be open to inspection by the general public.

(e) The items shall be photographed and any serial number or other markings provided, as well as any other information as required pursuant to the electronic transaction reporting processes utilized by the City. Additionally, the driver license, state identification, passport, or other photographic identification of a customer shall be photographed.

(f) The form of the record of transaction shall have an 8-1/2 by 11-inch size and shall be as follows:

RECORD OF TRANSACTION
Dealer _____ Certificate _____ # _____

(Transaction Number)

(1) Description of Property

(2) _____, 20____ (3) _____
(Date) (Name of Dealer/Employee)

(4) _____
(Name of Customer) (Date of Birth)

(Driver's license No./ (Street Address) (Mich. Personal ID Number)

(City and state) Zip

(5) _____
(Price Paid) (County of Residence)

(6) _____
(Check no., bank draft no., money order no., or cash)

(Name of police agency of city, village, or township in which customer resides)

Thumbprint of Customer

Signature of Customer

Sec. 8-43. Retention of transaction and transmittal to Public Safety Department.

(a) Except as otherwise provided by state law, each record of a transaction shall be retained by the dealer for not less than one year after the transaction to which the record pertains.

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(b) Within 48 hours after receiving or purchasing a precious item, the dealer shall send a copy of the record of transaction form to the Public Safety Department and, if the record of transaction form indicates that the customer resides outside the jurisdiction of the City, the dealer shall send a copy of the record of transaction form to the police agency of the city, village, or township in which the customer resides as set forth on the record of transaction, or, if that city, village, or township does not have a police agency, to the sheriff's department of the county in which the customer resides as set forth on the record of transaction.

(1) Every licensee, owner and employee, shall keep a record of all persons and/or entities with whom business has transacted and all property coming into their possession. Reports must be electronically transmitted to the Director of Public Safety or his or her designee. Within 48 hours of receipt by purchase, or otherwise of a precious item, a report must be transmitted by means of electronic transmission through a modem, or similar device in a format that the data is capable of direct electronic entry into the Public Safety Department's computerized system, as approved by the Director of Public Safety, or his or her designee for identifying property coming into the possession of a licensor. A transaction report by electronic transmission under this subsection shall not be reported on paper forms, unless the Director of Public Safety, or his or her designee so requires. All dealers must have the equipment installed in their place of business and begin reporting electronically within six (6) months from enactment of ordinance.

(2) The record of transaction forms received by any police agency or sheriff's department shall not be open to inspection by the general public. Each police agency or sheriff's department holding record of transaction forms shall be responsible for ensuring the confidentiality of the record of transaction forms and ensuring that the record of transaction forms are used only for the purpose for which they were received.

Sec. 8-44. Certificate of registration.

No person shall carry on the business of a precious metal or gem dealer in the City without first having a Certificate of Registration issued from the Public Safety Department, authorizing such person or entity to carry on such business subject to the provisions of this chapter.

Sec. 8-45. Application; prerequisites.

A dealer shall apply to the City Clerk for a certificate of registration, and pay a fee, as set by Resolution of City Council, to cover the cost of processing and issuing the certificate of registration, by disclosing the following information:

- (a) The name, address, and thumbprint of the applicant(s).
- (b) The name and address under which the applicant does business.

(c) The name, address, and thumbprint of all agents or employees of the dealer. Within 24 hours after hiring a new employee, the dealer shall forward to the Public Safety Department the name, address, and thumbprint of the new employee.

Sec. 8-46. Public Safety Department review.

(a) This act shall not be construed to excuse a dealer from complying with the Zoning Ordinance or any other ordinance regulating commercial activities.

(b) Upon receipt of the completed application described in Section 8-45, the Public Safety Department shall issue a certificate of registration in accordance with this section.

Sec. 8-47. Certificate of registration, Duration; renewal; changes.

Not less than ten days before a dealer changes the name or address under which the dealer does business, the dealer shall notify the Public Safety Department in writing of the change.

Sec. 8-48. Display of certificate of registration.

Upon receipt of the certificate of registration from the Public Safety Department, the dealer shall post it in a conspicuous place in the dealer's place of business.

Sec. 8-49. Precious item retention; alteration or defacing unlawful.

A precious item received by a dealer shall be retained by the dealer for nine calendar days after it was received, without any form of alteration other than that required for an accurate appraisal of its value.

Sec. 8-50. Precious items: acceptance prohibited and unlawful.

A dealer or an agent or employee of a dealer shall not:

(a) Knowingly receive or purchase a precious item from any person who is less than 18 years of age or any person known by the dealer or agent or employee of the dealer to have been convicted of theft or receipt of stolen property within the preceding five years, whether the person is acting in his or her own behalf or as the agent of another.

(b) Knowingly receive or purchase a precious item from a person unless that person presents a valid driver's license or a valid state of Michigan personal identification card.

Sec. 8-51. Violations; penalty.

Any violation of any provision of this act shall be a misdemeanor punishable by imprisonment of not more than 93 days and/or a fine of five hundred (\$500.00) dollars, or both in addition to any other penalty provisions provided for violation of a misdemeanor as set forth in the general penalty provisions of this code of ordinances.

Section 2 of Ordinance. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 3 of Ordinance. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4 of Ordinance. 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 were commenced.

Section 5 of Ordinance. Effective Date.

The provisions of this Ordinance are ordered to take effect following publication in the manner prescribed by the Charter of the City of Farmington.

Section 6 of Ordinance. Adoption.

This ordinance is hereby declared to have been adopted by the Farmington City Council in a meeting thereof duly held and called on the ___ day of _____, 2013, in order to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by _____ and supported by _____.

- AYES:
- NAYS:
- ABSTENTIONS:
- ABSENT:

Ordained this ___ day of _____, 2013, by the City Council of the City of Farmington.

TOM BUCK, Mayor

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

STATE OF MICHIGAN)

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)SS.

COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington at a meeting held on the _____ day of _____, 2013, the original of which is on file in my office.

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

Introduced:
Adopted:
Effective:
Published:

Introduced:
Adopted:
Effective:
Published:

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number**

Submitted by: Frank Demers,

Description: Consideration to Adopt Ordinance #C-771-2013 Regulating Secondhand Dealers and Junk Dealers

Requested Action:

Move to adopt Ordinance #771-2013 to amend Chapter 8, Registration and Licensing, of the City Code to add Article IV to regulate secondhand dealers and junk dealers

Background:

This ordinance was introduced at the September 16 meeting. There was further discussion at the September 30 study session regarding this ordinance and companion ordinances regulating pawnbrokers, and precious metal and gem dealers. At the September 30 study session, changes to ordinance, as introduced, were discussed. The changes pertain to eliminating language that references *auto salvage dealers* and similar operation types, and language changes dealing with property maintenance. Attached is a redlined version of the ordinance highlighting these changes from what was introduced as well as a clean version incorporating the recommended changes.

In recent months, new legislation has been passed which requires pawn brokers, precious metals dealers, junk dealers and second hand dealers to comply with strict reporting and record keeping rules. These laws were passed to address the large number of pawn/precious metal shops that have opened businesses in cities throughout Michigan as the price of gold increased and the economic climate was such that second hand stores were in high demand. In addition, the laws were passed to address the sharp increase in copper theft and other precious metal thefts.

The proposed amendments to Chapter 8, Registration and Licensing, which will require Precious Metal Dealers, Second Hand Dealers, Junk Dealers and Pawn Brokers to conduct business in compliance with new state reporting/record keeping laws and to require the electronic transmittal of transaction information to the public safety department. Article IV specifies the business licensing and reporting requirements for secondhand dealers and junk dealers.

With respect to the reporting of transactions to law enforcement, state law now recognizes electronic reporting as an acceptable means of transmitting required transaction data from businesses to local law enforcement. In May, 2013, the public safety department entered into an agreement with LeadsOnline via the CLEMIS membership. Based out of Plano, Texas, LeadsOnline is an online clearinghouse of pawn, second hand and precious metals transactions from businesses throughout the

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United States. Through LeadsOnline, law enforcement is able to track pawn transactions from businesses that are registered with the database and search the database for stolen items. For example, if an item with a serial number is brought in and recorded, LeadsOnline will check the serial number through the system to determine if it has been stolen. If it had been reported stolen, the service will contact police to report the location of the item, who pawned it and how much money the business paid for the item.

The public safety department has already reaped the benefits of LeadsOnline. In August, 2013, a resident reported an Ipad stolen from her home. She suspected a recent guest was the culprit. The detective assigned to the case entered the Ipad information into LeadsOnline and found that the item had been pawned at a second hand store in Harper Woods by the suspected culprit. The item was returned to the owner and charges are pending against the suspect.

There is no cost to vendors who register with LeadsOnline. In addition, LeadsOnline offers free training to store owners and employees who utilize the system.

Agenda Review

Review:

Frank Demers Pending

City Manager Pending

City Council Pending

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STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

ORDINANCE NO. C-771-2013

AN ORDINANCE TO AMEND CHAPTER 8, REGISTRATION AND LICENSING, OF THE CITY OF FARMINGTON CODE OF ORDINANCES, IN ORDER TO ADD A NEW ARTICLE, ARTICLE IV, SECONDHAND DEALERS AND JUNK DEALERS, TO REQUIRE THE LICENSING OF SECONDHAND DEALERS AND JUNK DEALERS; TO REQUIRE THE CREATION AND MAINTENANCE OF RECORDS OF TRANSACTIONS; AND, TO REQUIRE THE TRANSMITTAL OF INFORMATION REGARDING TRANSACTIONS TO THE PUBLIC SAFETY DEPARTMENT.

THE CITY OF FARMINGTON ORDAINS:

Section 1. Chapter 8, Registration and Licensing is hereby amended to add Article IV, Secondhand Dealers and Junk Dealers, which shall read as follows in its entirety:

**ARTICLE IV -SECONDHAND
DEALERS AND JUNK DEALERS**

Sec. 8-60. Definitions.

As used in this chapter, unless the context requires a different meaning, the following words and phrases shall have the meaning ascribed by this section:

- (a) “**Employee:**” Any person 18 years of age, or older, who renders any services in connection with the operation of a secondhand dealer, or junk dealer business and who receives compensation from the business, or patrons thereof.
- (b) “**Goods:**” Any item not specifically covered by other definitions contained in this section.
- (c) “**Junk:**” Any personal property which is, or may be salvaged for reuse, resale, reduction, or similar disposition, or which is possessed, transported, owned, collected, accumulated, dismantled, or assorted for any of the aforesaid purposes. Without limiting the aforesaid definition of “junk” terms shall include used, or salvaged rope, bags, paper, rags, glass, rubber, wood pellets, and similar articles of property. “**Junk dealer:**” Any person whose

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substantial business is buying, exchanging, collecting, receiving, storing, accumulating, selling, or otherwise handling junk, but does not include a scrap processor, an automotive recycler, or a junkyard that deals principally in industrial scrap and is licensed by a city, village or a county.

- (d) **“Junk yard” or “junk shop:”** Any place at which a junk dealer buys, exchanges, collects, receives, stores, accumulates, sells, or otherwise handles junk.
- (e) **“Owner or operator:”** Any person who owns, or controls a secondhand dealer, or junk dealer business. This includes individuals, licensees, managers, lessees, sponsors, partnerships, corporations, societies, organizations, associations, limited liability companies, or any combination of individuals, of whatever form or character.
- (f) **“Patron:”** Any person 18 years of age, or older, who does business in any form with secondhand dealer or junk dealer business.
- (g) **“Secondhand dealer:”** Any person, corporation, member of a co-partnership, or firm, or limited liability company whose business is that of purchasing, storing, selling, exchanging, and receiving secondhand personal property of any kind, or description but does not include a scrap processor, an automotive recycler, or a junkyard that deals principally in industrial scrap and is licensed by a city, village or a county. Excluded from the procedures for fingerprinting and recording transactions and inspection records shall be any business, whose primary business is the purchase and resale of clothing. “Primary business” means more than 90% of revenues derived.
- (h) **“Secondhand store:”** Any place at which a second dealer buys, exchanges, collects receives, stores, or sells secondhand property. Excluded from the procedures for fingerprinting and recording transactions and inspection records shall be any business, whose primary business is the purchase and resale of clothing. “Primary business” means more than 90% of revenues derived.

Sec. 8-61. License required.

No owner, or operator shall engage in or carry on the operation of a secondhand dealer, or junk dealer business without first obtaining and maintaining a valid business license issued by the City pursuant to this chapter for each separate office, or place of business conducted by such owner or operator.

Sec. 8-62. License application.

Any owner or operator desiring a secondhand dealer, or junk dealer, or business license shall file a written application with the City on a form to be furnished by the City. The applicant shall accompany the application with the correct license fee, which fee shall not be refundable, and shall furnish the following information:

- (a) Type of ownership of the business, i.e., whether individual, partnership, corporation, or otherwise, including copies of the most recent annual statement and most recent Articles of Incorporation, Partnership Agreement, Articles of Organization, or other applicable document.

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(b) The name, style and designation under which the business or practice is to be conducted, including each address at which the business is to be conducted.

(c) A complete list of the names, resident addresses, birth dates, and driver licenses numbers, if applicable, of all owners and employees in the business, identifying where applicable, any employees who will manage, or be in charge of the operation of the business at any time.

(d) A full accurate and complete business history detailing experience, including, but not limited, whether or not owner(s) have previously had any ownership interest in, or worked at, in this or another city or state, the same or similar business, including whether any license or permit issued, whether any such license or permit was ever denied, revoked, or suspended, the reason thereof and business activities, or occupations including the full name and address of the business and the name and phone number of any contact persons;

(e) Authorization for the City, its agents and employees to seek information and conduct an investigation to the truth of the statements set forth in the application and qualifications of the applicant.

(f) A written declaration by the applicant under penalty of perjury that the information contained in this application is true and correct with such declaration dated and signed in the City.

(g) Execution of any and all necessary documents and a statement indicating that proper equipment will be installed for the direct electronic entry into the City's computerized system, transaction information, or recording by electronic transmission pursuant to this chapter.

Sec. 8-63. Investigations and inspections.

(a) Upon receipt of an application for a secondhand dealer, or junk dealer business license, the City shall refer application to the Public Safety Director, or his or her designee who shall review the application for completeness and accuracy.

(b) The Public Safety Director, or his or her designee shall cause to be conducted an investigation of the premises where the business is to be carried on for the purpose of ensuring that the premises comply with all requirements set forth in this Chapter and with ordinances of the City relating to zoning and public, health, safety and welfare. Additionally, no applicant's license shall be considered as issued until all equipment is installed and demonstrated to be operating for the electronic transmission of information relating to transactions as required pursuant to this chapter.

(c) An applicant shall submit to lawful inspections by the City and any of its departments, as well as the County and any other governmental agencies as necessary to ensure that the proposed business and applicant comply with applicable laws, ordinances and regulations of the City. An application may be refused for submission for approval until a report form applicable departments is received and information furnished such that the applicant or proposed premises

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comply with all applicable laws, ordinances and regulations.

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Sec. 8-64. License issuance; conditions for denial.

The Public Safety Director shall issue the license unless he or she finds that:

- (a) The correct fee has not been tendered or any fee in the form of check or draft has been dishonored.
- (b) The operation as proposed is not compliant with the applicable laws including but not limited to the City's building, fire, zoning and health ordinances.
- (c) The applicant has knowingly made any false misleading or fraudulent statement of fact in the permit application, or in any document required by the City.
- (e) The applicant has had a similar business license, or other similar permit, or license denied, revoked, or suspended for any of the causes set forth here and above in this Chapter, or any other State or local agency within the prior year to the date of application.
- (f) The applicant or any owner is not 18 years of age or older.

The Public Safety Director shall specify any grounds for denial, notifying the applicant by regular mail, addressed to the address furnished in the application which notice shall specify the grounds for denial.

Sec. 8-65. Hearings on appeals or variances.

(a) Within 20 days of the date of denial of an application, the applicant may request in the form of a written application to the City, furnished to the City Clerk, a hearing before the City Council for reconsideration of the license application, or exemption request denial, or for a variance of any of the provisions of this Chapter, which provision constituted grounds for the original denial of the application. Such hearings shall be conducted as follows:

- (1) The applicant and his or her attorney may present and submit evidence on the applicant's behalf to show that the grounds for the original denial do not exist, or are inaccurate.
- (2) After reviewing the evidence, the City Council shall determine whether to uphold the denial, or grant the application.
- (3) The applicant and his or her attorney, may present a statement and adequate evidence, demonstrating that:

A. Exceptional or extraordinary circumstances or conditions apply to the business referred to in the appeal submitted which circumstances or conditions do not apply generally to any proposed business which warrant the issuance of the application notwithstanding conformity to this chapter.

B. That the granting of such license will not materially affect the health, safety, or

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welfare of persons residing or working in the neighborhood, patrons, or the public at large and that such issuance shall not be a material detriment, or injurious to public welfare.

C. A State law adequately achieves the same goals as this chapter in the case of an exemption denial.

(b) In all cases where a variance is granted, City Council shall find:

(1) That the grant of the variance will be in harmony with the general purpose and intent of this chapter; and

(2) That the grant of the variance will not be detrimental or injurious to the neighborhood or the City at large.

(3) The City Council may impose reasonable conditions, if the license is approved for issuance.

Sec. 8-66. Inspections of business premises.

(a) Every licensee shall permit all reasonable inspections of the business premises, including during regular business hours and otherwise after regular business hours, and shall at all times comply with all applicable laws, including after expiration of any license and during any period the license may be revoked or suspended.

(b) Any licensee shall display the license in an open and conspicuous place on the premises visible to the patrons of the premises.

(c) During the pendency of any application, or during the term of any license, if any information provided in the application changes, such change of information shall be furnished in writing to the Public Safety Director, or his or her designee within 72 hours after such change.

Sec. 8-67. License fees; expirations; transfers.

(a) Fees shall be established from time to time by resolution of the City Council.

(b) Licenses granted shall expire one year from issuance and shall require payment of a renewal fee for the ensuing year.

(c) No license shall be deemed transferable, separable, or divisible.

Sec. 8-68. Procedures and forms for fingerprinting, statements and recording of transactions; inspection of records.

(a) The City shall furnish forms for the taking of fingerprints and furnishing additional information as required by regulations of the Public Safety Department. Every person licensed to

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conduct, maintain, or engage in a business of secondhand dealers and junk dealers, shall maintain in a form provided by the Public Safety Director, or his or her designee, records in the manner and form as provided herein, which shall be subject to inspection by the Public Safety Department upon request.

(b) Every licensee, owner and employee, shall keep a record of all persons and/or entities with whom business has been transacted and all property coming into their possession. The record shall include the description of the goods, the name, description, fingerprint, operator's or chauffeur's license or state identification number, registration plate number, and address of the person from whom the goods were purchased and received, the day and hour the purchase or exchange was made, and the location from which the item was obtained. The second hand dealer or junk dealer shall make a copy of the operator's license, chauffeur's license, or state identification card as part of the book or record. Payment for an item shall be made only by check or by an electronic payment system. The record shall indicate the method of payment. Except for old rags, waste paper, and household goods (not including radios, televisions, record players, and electrical appliances), records of transactions must be electronically transmitted to the Public Safety Director or his or her designee. Each Monday before 12 noon, the record must be transmitted by means of electronic transmission through a modem, or similar device in a format that the data is capable of direct electronic entry into the Public Safety Department's computerized system, as approved by the Public Safety Director, or his or her designee for identifying property coming into the possession of a licensor, including but not limited to all transactions in which used goods have been received the preceding week by trade, purchase, or consignment and items received by junk dealers. A record reported by electronic transmission under this subsection shall not be reported on paper forms, unless the Public Safety Director, or his or her designee so require. All secondhand dealers and junk dealers must have the equipment installed in their place of business and begin reporting electronically within six (6) months from enactment of ordinance.

Sec. 8-69. Retention of articles for specified periods.

(a) Items, goods, articles and junk purchased or exchanged, shall be retained for not less than 15 days before disposal in an accessible place in the building where licensed activity occurs. A tag shall be attached to such item in some visible and conspicuous place with a number corresponding to the entry in the electronic record, or other record provided, in accordance with Section 8-68(b).

(b) This section does not apply to old rags, waste paper, and household goods except radios, televisions, record players, and electrical appliances and does not require the purchaser to retain articles purchased from individuals, firms, or corporations having a fixed place of business after those articles shall have been reported.

Sec. 8-70. Prohibited purchases.

No licensee, owner, or employee shall receive any item, goods, or junk from any person who at the time is intoxicated, or appears to be under the influence of a controlled substance, or is known to be a thief, or receiver of stolen property, or from any person who is suspected not to be

the owner of the property, or from any minor under the age of 18 years.

Sec. 8-71. Premises condition.

(a) All fences and enclosures shall be maintained in a neat and substantial manner, including but not limited to painting, removal, or replacement of dilapidated areas and maintenance of a continuous uninterrupted even perimeter of the same materials.

(b) No items, goods, or junk shall be permitted to lean on or touch any such enclosure, or be in front of or suspended on any such enclosure. Items may not be piled higher than two feet below the top of such enclosure and items must be arranged so that safety aisles, driveways and uniformed passage ways are provided, allowing reasonable access to all parts of the premises by law enforcement and fire fighting operations.

(c) All premises shall be maintained in a clean, sanitary and neat condition, in accordance with the standards of the Property Maintenance Code, and all applicable laws and ordinances.

Sec. 8-72. Compliance with state laws.

Each licensee and employees must comply with the terms of all applicable State laws, including but not limited to, Public Act 350 of 1917, as set forth in MCL 445.40, et seq., and any amendments thereto, the State Act regulating pawnbrokers where applicable, Public Act 273 of 1917, as set forth in MCL 446.201 et seq., and any amendments thereto, the Precious Metal and Gem Dealer Act, Public Act 95 of 1981, as set forth in MCL 445.481, et seq., and any amendments thereto, and the Sale of Secondhand Watches Act, Public Act 200 of 1937, as set forth in MCL 445.551 et seq., and any amendments thereto is required.

Sec. 8-73. Compliance with Zoning Ordinance.

Every licensee and employee shall comply with all requirements for business as provided in the Zoning Ordinance.

Sec. 8-74. Purchases from minors prohibited.

No licensee, dealer, employee, person or entity shall purchase or receive any item or property on the premises or otherwise off premises associated with the business conducted on the premises, from any person under the age of 18 years.

Sec. 8-75. Penalty.

Any licensee, dealer, employee, person, or entity who violates the terms and provisions of this chapter shall be guilty of a misdemeanor, punishable by imprisonment for not more than 93 days, or a fine of not more than five hundred (\$500.00) dollars, or both, plus costs. Any violation may also result in a suspension or revocation of such license as prescribed by statute and as otherwise imposed by the City after notice of such proposed action at least seven days beforehand. The licensee shall be permitted a hearing before the Public Safety Director and a right of appeal as prescribed for denial of the issuance of a license.

Section 2 of Ordinance. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 3 of Ordinance. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4 of Ordinance. 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 were commenced.

Section 5 of Ordinance. Effective Date.

The provisions of this Ordinance are ordered to take effect following publication in the manner prescribed by the Charter of the City of Farmington.

Section 6 of Ordinance. Adoption.

This ordinance is hereby declared to have been adopted by the Farmington City Council in a meeting thereof duly held and called on the ___ day of _____, 2013, in order to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by _____ and supported by _____.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

Ordained this ___ day of _____, 2013, by the City Council of the City of Farmington.

TOM BUCK, Mayor

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington at a meeting held on the ____ day of _____, 2013, the original of which is on file in my office.

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

Introduced:
Adopted:
Effective:
Published:

Introduced:
Adopted:
Effective:
Published:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON

ORDINANCE NO. C-~~771~~-2013

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AN ORDINANCE TO AMEND CHAPTER 8, REGISTRATION AND LICENSING, OF THE CITY OF FARMINGTON CODE OF ORDINANCES, IN ORDER TO ADD A NEW ARTICLE, ARTICLE IV, SECONDHAND DEALERS AND JUNK DEALERS, TO REQUIRE THE LICENSING OF SECONDHAND DEALERS AND JUNK DEALERS; TO REQUIRE THE CREATION AND MAINTENANCE OF RECORDS OF TRANSACTIONS; AND, TO REQUIRE THE TRANSMITTAL OF INFORMATION REGARDING TRANSACTIONS TO THE PUBLIC SAFETY DEPARTMENT.

THE CITY OF FARMINGTON ORDAINS:

Section 1. Chapter 8, Registration and Licensing is hereby amended to add Article IV, Secondhand Dealers and Junk Dealers, which shall read as follows in its entirety:

**ARTICLE IV –SECONDHAND
DEALERS AND JUNK DEALERS**

Sec. 8-60. Definitions.

As used in this chapter, unless the context requires a different meaning, the following words and phrases shall have the meaning ascribed by this section:

- (a) ~~“Employee:”~~ Any person 18 years of age, or older, who renders any services in connection with the operation of a secondhand dealer, or junk dealer business and who receives compensation from the business, or patrons thereof.
- (b) ~~“Goods:”~~ Any item not specifically covered by other definitions contained in this section.
- (c) ~~“Junk:”~~ Any personal property which is, or may be salvaged for reuse, resale, reduction, or similar disposition, or which is possessed, transported, owned, collected, accumulated, dismantled, or assorted for any of the aforesaid purposes. Without limiting the aforesaid definition of “junk” terms shall include used, or salvaged rope, bags, paper, rags, glass, rubber, wood pellets, and similar articles of property. ~~“Junk dealer:”~~ Any person whose substantial business is buying, exchanging, collecting, receiving, storing, accumulating,

Deleted: ~~“Auto salvage dealer:”~~ Any junk dealer engaged substantially in the business of purchasing or receiving, wrecking or dismantling, and the sale or exchange of motor vehicles for the purpose of salvaging parts or materials therefrom.¶
<#>~~“Auto salvage yard or shop:”~~ Any place where an auto salvage dealer purchases, receives, wrecks, dismantles, sells, or exchanges used motor vehicles, or parts, or materials salvaged therefrom.¶

Deleted: and used motor vehicles, machinery, or parts thereof which are used, owned, or possessed for the purpose of wrecking or salvaging parts of materials there from. Metals available or used for as scrap, shall be considered as junk.¶

selling, or otherwise handling junk, but does not include a scrap processor, an automotive recycler, or a junkyard that deals principally in industrial scrap and is licensed by a city, village or a county.

- (d) **“Junk yard”** or **“junk shop:”** Any place at which a junk dealer buys, exchanges, collects, receives, stores, accumulates, sells, or otherwise handles junk.
- (e) **“Owner or operator:”** Any person who owns, or controls a secondhand dealer, or junk dealer business. This includes individuals, licensees, managers, lessees, sponsors, partnerships, corporations, societies, organizations, associations, limited liability companies, or any combination of individuals, of whatever form or character.
- (f) **“Patron:”** Any person 18 years of age, or older, who does business in any form with secondhand dealer or junk dealer business.
- (g) **“Secondhand dealer:”** Any person, corporation, member of a co-partnership, or firm, or limited liability company whose business is that of purchasing, storing, selling, exchanging, and receiving secondhand personal property of any kind, or description but does not include a scrap processor, an automotive recycler, or a junkyard that deals principally in industrial scrap and is licensed by a city, village or a county. Excluded from the procedures for fingerprinting and recording transactions and inspection records shall be any business, whose primary business is the purchase and resale of clothing. “Primary business” means more than 90% of revenues derived.
- (h) **“Secondhand store:”** Any place at which a second dealer buys, exchanges, collects receives, stores, or sells secondhand property. Excluded from the procedures for fingerprinting and recording transactions and inspection records shall be any business, whose primary business is the purchase and resale of clothing. “Primary business” means more than 90% of revenues derived.

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Deleted: **“Scrap iron and metal processor or recycler:”** Any junk dealer engaged substantially in the business of purchasing or receiving scrap iron and metal (except scrap motor vehicles not purchased from a licensed auto salvage dealer, or junk dealer) and the storing, processing, recycling, and sale or exchange thereof.¶
<#>**“Scrap yard:”** Any place where a scrap iron and metal processor, or recycler engages in the business or receiving, storing, processing or recycling scrap iron or metal.¶

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Sec. 8-61. License required.

No owner, or operator shall engage in or carry on the operation of a secondhand dealer, or junk dealer business without first obtaining and maintaining a valid business license issued by the City pursuant to this chapter for each separate office, or place of business conducted by such owner or operator.

Sec. 8-62. License application.

Any owner or operator desiring a secondhand dealer, or junk dealer, or business license shall file a written application with the City on a form to be furnished by the City. The applicant shall accompany the application with the correct license fee, which fee shall not be refundable, and shall furnish the following information:

- (a) Type of ownership of the business, i.e., whether individual, partnership, corporation, or otherwise, including copies of the most recent annual statement and most recent Articles of Incorporation, Partnership Agreement, Articles of Organization, or other applicable document.

(b) The name, style and designation under which the business or practice is to be conducted, including each address at which the business is to be conducted.

(c) A complete list of the names, resident addresses, birth dates, and driver licenses numbers, if applicable, of all owners and employees in the business, identifying where applicable, any employees who will manage, or be in charge of the operation of the business at any time.

(d) A full accurate and complete business history detailing experience, including, but not limited, whether or not owner(s) have previously had any ownership interest in, or worked at, in this or another city or state, the same or similar business, including whether any license or permit issued, whether any such license or permit was ever denied, revoked, or suspended, the reason thereof and business activities, or occupations including the full name and address of the business and the name and phone number of any contact persons;

(e) Authorization for the City, its agents and employees to seek information and conduct an investigation to the truth of the statements set forth in the application and qualifications of the applicant.

(f) A written declaration by the applicant under penalty of perjury that the information contained in this application is true and correct with such declaration dated and signed in the City.

(g) Execution of any and all necessary documents and a statement indicating that proper equipment will be installed for the direct electronic entry into the City's computerized system, transaction information, or recording by electronic transmission pursuant to this chapter.

Sec. 8-63. Investigations and inspections.

(a) Upon receipt of an application for a secondhand dealer, or junk dealer business license, the City shall refer application to the Public Safety Director, or his or her designee who shall review the application for completeness and accuracy.

(b) The Public Safety Director, or his or her designee shall cause to be conducted an investigation of the premises where the business is to be carried on for the purpose of ensuring that the premises comply with all requirements set forth in this Chapter and with ordinances of the City relating to zoning and public, health, safety and welfare. Additionally, no applicant's license shall be considered as issued until all equipment is installed and demonstrated to be operating for the electronic transmission of information relating to transactions as required pursuant to this chapter.

(c) An applicant shall submit to lawful inspections by the City and any of its departments, as well as the County and any other governmental agencies as necessary to ensure that the proposed business and applicant comply with applicable laws, ordinances and regulations of the

City. An application may be refused for submission for approval until a report from applicable departments is received and information furnished such that the applicant or proposed premises comply with all applicable laws, ordinances and regulations.

Sec. 8-64. License issuance; conditions for denial.

The Public Safety Director shall issue the license unless he or she finds that:

- (a) The correct fee has not been tendered or any fee in the form of check or draft has been dishonored.
- (b) The operation as proposed is not compliant with the applicable laws including but not limited to the City's building, fire, zoning and health ordinances.
- (c) The applicant has knowingly made any false misleading or fraudulent statement of fact in the permit application, or in any document required by the City.
- (e) The applicant has had a similar business license, or other similar permit, or license denied, revoked, or suspended for any of the causes set forth here and above in this Chapter, or any other State or local agency within the prior year to the date of application.
- (f) The applicant or any owner is not 18 years of age or older.

The Public Safety Director shall specify any grounds for denial, notifying the applicant by regular mail, addressed to the address furnished in the application which notice shall specify the grounds for denial.

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Sec. 8-65. Hearings on appeals or variances.

(a) Within 20 days of the date of denial of an application, the applicant may request in the form of a written application to the City, furnished to the City Clerk, a hearing before the City Council for reconsideration of the license application, or exemption request denial, or for a variance of any of the provisions of this Chapter, which provision constituted grounds for the original denial of the application. Such hearings shall be conducted as follows:

(1) The applicant and his or her attorney may present and submit evidence on the applicant's behalf to show that the grounds for the original denial do not exist, or are inaccurate.

(2) After reviewing the evidence, the City Council shall determine whether to uphold the denial, or grant the application.

(3) The applicant and his or her attorney, may present a statement and adequate evidence, demonstrating that:

A. Exceptional or extraordinary circumstances or conditions apply to the business referred to in the appeal submitted which circumstances or conditions do not apply generally to

any proposed business which warrant the issuance of the application notwithstanding conformity to this chapter.

B. That the granting of such license will not materially affect the health, safety, or welfare of persons residing or working in the neighborhood, patrons, or the public at large and that such issuance shall not be a material detriment, or injurious to public welfare.

C. A State law adequately achieves the same goals as this chapter in the case of an exemption denial.

(b) In all cases where a variance is granted, City Council shall find:

(1) That the grant of the variance will be in harmony with the general purpose and intent of this chapter; and

(2) That the grant of the variance will not be detrimental or injurious to the neighborhood or the City at large.

(3) The City Council may impose reasonable conditions, if the license is approved for issuance.

Sec. 8-66. Inspections of business premises.

(a) Every licensee shall permit all reasonable inspections of the business premises, including during regular business hours and otherwise after regular business hours, and shall at all times comply with all applicable laws, including after expiration of any license and during any period the license may be revoked or suspended.

(b) Any licensee shall display the license in an open and conspicuous place on the premises visible to the patrons of the premises.

(c) During the pendency of any application, or during the term of any license, if any information provided in the application changes, such change of information shall be furnished in writing to the Public Safety Director, or his or her designee within 72 hours after such change.

Sec. 8-67. License fees; expirations; transfers.

(a) Fees shall be established from time to time by resolution of the City Council.

(b) Licenses granted shall expire one year from issuance and shall require payment of a renewal fee for the ensuing year.

(c) No license shall be deemed transferable, separable, or divisible.

Sec. 8-68. Procedures and forms for fingerprinting, statements and recording of transactions; inspection of records.

(a) The City shall furnish forms for the taking of fingerprints and furnishing additional information as required by regulations of the Public Safety Department. Every person licensed to conduct, maintain, or engage in a business of secondhand dealers and junk dealers, shall maintain in a form provided by the Public Safety Director, or his or her designee, records in the manner and form as provided herein, which shall be subject to inspection by the Public Safety Department upon request.

(b) Every licensee, owner and employee, shall keep a record of all persons and/or entities with whom business has been transacted and all property coming into their possession. The record shall include the description of the goods, the name, description, fingerprint, operator's or chauffeur's license or state identification number, registration plate number, and address of the person from whom the goods were purchased and received, the day and hour the purchase or exchange was made, and the location from which the item was obtained. The second hand dealer or junk dealer shall make a copy of the operator's license, chauffeur's license, or state identification card as part of the book or record. Payment for an item shall be made only by check or by an electronic payment system. The record shall indicate the method of payment. Except for old rags, waste paper, and household goods (not including radios, televisions, record players, and electrical appliances), records of transactions must be electronically transmitted to the Public Safety Director or his or her designee. Each Monday before 12 noon, the record must be transmitted by means of electronic transmission through a modem, or similar device in a format that the data is capable of direct electronic entry into the Public Safety Department's computerized system, as approved by the Public Safety Director, or his or her designee for identifying property coming into the possession of a licensor, including but not limited to all transactions in which used goods have been received the preceding week by trade, purchase, or consignment and items received by junk dealers. A record reported by electronic transmission under this subsection shall not be reported on paper forms, unless the Public Safety Director, or his or her designee so require. All secondhand dealers and junk dealers must have the equipment installed in their place of business and begin reporting electronically within six (6) months from enactment of ordinance.

Sec. 8-69. Retention of articles for specified periods.

(a) Items, goods, articles and junk purchased or exchanged, shall be retained for not less than 15 days before disposal in an accessible place in the building where licensed activity occurs. A tag shall be attached to such item in some visible and conspicuous place with a number corresponding to the entry in the electronic record, or other record provided, in accordance with Section 8-68(b).

(b) This section does not apply to old rags, waste paper, and household goods except radios, televisions, record players, and electrical appliances and does not require the purchaser to retain articles purchased from individuals, firms, or corporations having a fixed place of business after those articles shall have been reported.

Deleted: (b) Any person engaged in the business of buying, exchanging, collecting, receiving, storing, or selling any used motor vehicles for the purpose of wrecking or salvaging parts there from shall report each such transaction to the Public Safety Director, or his or her designee within five business days, excluding Saturday and Sunday, from the date of the transaction. The report shall contain a description of each such motor vehicle inquired, including vehicle identification number, hour and date when purchased, a description of the person, including a copy of photo identification from whom it was acquired and a photo of the vehicle. Such reports shall be on forms approved by the Public Safety Director, or his or her designee and made under oath. Such vehicles shall not be disposed of, or altered in any manner for a period of five days from the time the report is received by the City.¶

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Sec. 8-70. Prohibited purchases.

No licensee, owner, or employee shall receive any item, goods, or junk from any person who at the time is intoxicated, or appears to be under the influence of a controlled substance, or is known to be a thief, or receiver of stolen property, or from any person who is suspected not to be the owner of the property, or from any minor under the age of 18 years.

Sec. 8-71. Premises condition.

(a) All fences and enclosures shall be maintained in a neat and substantial manner, including but not limited to painting, removal, or replacement of dilapidated areas and maintenance of a continuous uninterrupted even perimeter of the same materials.

(b) No items, goods, or junk shall be permitted to lean on or touch any such enclosure, or be in front of or suspended on any such enclosure. Items may not be piled higher than two feet below the top of such enclosure and items must be arranged so that safety aisles, driveways and uniformed passage ways are provided, allowing reasonable access to all parts of the premises by law enforcement and fire fighting operations.

(c) All premises shall be maintained in a clean, sanitary and neat condition, in accordance with the standards of the Property Maintenance Code, and all applicable laws and ordinances.

Sec. 8-72. Compliance with state laws.

Each licensee and employees must comply with the terms of all applicable State laws, including but not limited to, Public Act 350 of 1917, as set forth in MCL 445.40, et seq., and any amendments thereto, the State Act regulating pawnbrokers where applicable, Public Act 273 of 1917, as set forth in MCL 446.201 et seq., and any amendments thereto, the Precious Metal and Gem Dealer Act, Public Act 95 of 1981, as set forth in MCL 445.481, et seq., and any amendments thereto, and the Sale of Secondhand Watches Act, Public Act 200 of 1937, as set forth in MCL 445.551 et seq., and any amendments thereto is required.

Deleted: All premises shall be maintained in a clean, sanitary and neat condition and no fire shall be permitted unless a permit from the Fire Marshal and any other regulatory agency has been obtained and is in full force.¶

Sec. 8-73. Compliance with Zoning Ordinance.

Every licensee and employee shall comply with all requirements for business as provided in the Zoning Ordinance.

Sec. 8-74. Purchases from minors prohibited.

No licensee, dealer, employee, person or entity shall purchase or receive any item or property

on the premises or otherwise off premises associated with the business conducted on the premises, from any person under the age of 18 years.

Sec. 8-75. Penalty.

Any licensee, dealer, employee, person, or entity who violates the terms and provisions of this chapter shall be guilty of a misdemeanor, punishable by imprisonment for not more than 93 days, or a fine of not more than five hundred (\$500.00) dollars, or both, plus costs. Any violation may also result in a suspension or revocation of such license as prescribed by statute and as otherwise imposed by the City after notice of such proposed action at least seven days beforehand. The licensee shall be permitted a hearing before the Public Safety Director and a right of appeal as prescribed for denial of the issuance of a license.

Section 2 of Ordinance. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 3 of Ordinance. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4 of Ordinance. 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 were commenced.

Section 5 of Ordinance. Effective Date.

The provisions of this Ordinance are ordered to take effect following publication in the manner prescribed by the Charter of the City of Farmington.

Section 6 of Ordinance. Adoption.

This ordinance is hereby declared to have been adopted by the Farmington City Council in a meeting thereof duly held and called on the ___ day of _____, 2013, in order to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by _____ and supported by _____.

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

Ordained this ____ day of _____, 2013, by the City Council of the City of Farmington.

TOM BUCK, Mayor

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington at a meeting held on the ____ day of _____, 2013, the original of which is on file in my office.

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

Introduced:
Adopted:
Effective:
Published:

Farmington City Council Staff Report

Council Meeting Date:
October 21, 2013

**Reference
Number**

Submitted by: Frank Demers,

Description: Consideration to Adopt Ordinance #C-772-2013 Regulating Pawnbrokers

Requested Action:

Move to adopt Ordinance #772-2013 to amend Chapter 8, Registration and Licensing, of the City Code to add Article V to regulate Pawnbrokers

Background:

This ordinance was introduced at the September 16 meeting. There was further discussion at the September 30 study session regarding this ordinance and companion ordinances regulating precious metal and gem dealers, along with junk and second hand dealers. Attached is a redlined ordinance from what was introduced. The only change deals with strengthening the property maintenance language for pawnbrokers.

In recent months, new legislation has been passed which requires pawn brokers, precious metals dealers, junk dealers and second hand dealers to comply with strict reporting and record keeping rules. These laws were passed to address the large number of pawn/precious metal shops that have opened businesses in cities throughout Michigan as the price of gold increased and the economic climate was such that second hand stores were in high demand. In addition, the laws were passed to address the sharp increase in copper theft and other precious metal thefts.

The proposed amendments to Chapter 8, Registration and Licensing, which will require Precious Metal Dealers, Second Hand Dealers, Junk Dealers and Pawn Brokers to conduct business in compliance with new state reporting/record keeping laws and to require the electronic transmittal of transaction information to the public safety department. Article V specifies the business licensing and reporting requirements for pawnbrokers.

With respect to the reporting of transactions to law enforcement, state law now recognizes electronic reporting as an acceptable means of transmitting required transaction data from businesses to local law enforcement. In May, 2013, the public safety department entered into an agreement with LeadsOnline via the CLEMIS membership. Based out of Plano, Texas, LeadsOnline is an online clearinghouse of pawn, second hand and precious metals transactions from businesses throughout the United States. Through LeadsOnline, law enforcement is able to track pawn transactions from businesses that are registered with the database and search the database for stolen items. For example, if an item with a serial number is brought in and recorded, LeadsOnline will check the serial number through the system to

Ordinance (ID # 1391) Meeting of October 21, 2013
determine if it has been stolen. If it had been reported stolen, the service will contact police to report the location of the item, who pawned it and how much money the business paid for the item.

The public safety department has already reaped the benefits of LeadsOnline. In August, 2013, a resident reported an Ipad stolen from her home. She suspected a recent guest was the culprit. The detective assigned to the case entered the Ipad information into LeadsOnline and found that the item had been pawned at a second hand store in Harper Woods by the suspected culprit. The item was returned to the owner and charges are pending against the suspect.

There is no cost to vendors who register with LeadsOnline. In addition, LeadsOnline offers free training to store owners and employees who utilize the system.

Agenda Review

Review:

Frank Demers Pending

City Manager Pending

City Council Pending

ORDINANCE NO. (ID # 1391)

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

ORDINANCE NO. C-772-2013

AN ORDINANCE TO AMEND CHAPTER 8, REGISTRATION AND LICENSING, OF THE CITY OF FARMINGTON CODE OF ORDINANCES, IN ORDER TO ADD A NEW ARTICLE, ARTICLE V, PAWNBROKERS, TO REQUIRE THE LICENSING OF PAWNBROKERS; TO REQUIRE THE CREATION AND MAINTENANCE OF RECORDS OF TRANSACTIONS; AND, TO REQUIRE THE TRANSMITTAL OF INFORMATION REGARDING TRANSACTIONS TO THE PUBLIC SAFETY DEPARTMENT.

THE CITY OF FARMINGTON ORDAINS:

Section 1. Chapter 8, Registration and Licensing is hereby amended to add Article V, Pawnbrokers, which shall read as follows in its entirety:

ARTICLE V - PAWNBROKERS**Sec. 8-80. Definitions.**

As used in this chapter, unless the context requires a different meaning, the following words and phrases shall have the meaning ascribed by this section:

- (a) ***Employee:*** Any person 18 years of age, or older, who renders any services in connection with the operation of a pawnbroker business and who receives compensation from the business, or patrons thereof.
- (b) ***“Good moral character:”*** The propensity on the part of the person to serve the public in a licensed area in a fair, honest and open manner.
- (c) ***“Goods:”*** Any item not specifically covered by other definitions contained in this section.
- (d) ***“Owner or operator:”*** Any person who owns, or controls a pawnbroker business. This includes individuals, licensees, managers, lessees, sponsors, partnerships, corporations, societies, organizations, associations, limited liability companies, or any combination of individuals, of whatever form or character.

Ordinance (ID # 1391)

Meeting of October 21, 2013

- (e) **“Patron.”** Any person 18 years of age, or older, who does business in any form with a pawnbroker business.
- (f) **“Pawnbroker.”** Means any person, corporation, member of a limited liability company, member of a partnership, or firm who loans money on deposit, or pledge personal property, or other valuable thing, other than securities, or printed evidence of indebtedness, or who deals in the purchasing of personal property, or other valuable things on condition of selling the same back at a stipulated price.
- (g) **“Pawn shop.”** Any place where a pawnbroker regularly conducts the business of being a pawnbroker.

Sec. 8-81. License required.

No owner, or operator shall engage in or carry on the operation of a pawnbroker business without first obtaining and maintaining a valid business license issued by the City pursuant to this chapter for each separate office, or place of business conducted by such owner or operator.

Sec. 8-82. License application.

Any owner or operator desiring a pawnbroker business license shall file a written application with the City on a form to be furnished by the City. The applicant shall accompany the application with the correct license fee, which fee shall not be refundable, and shall furnish the following information:

- (a) Type of ownership of the business, i.e., whether individual, partnership, corporation, or otherwise, including copies of the most recent annual statement and most recent Articles of Incorporation, Partnership Agreement, Articles of Organization, or other applicable document.
- (b) The name, style and designation under which the business or practice is to be conducted, including each address at which the business is to be conducted.
- (c) A complete list of the names, resident addresses, birth dates, and driver licenses numbers, if applicable, of all owners and employees in the business, identifying where applicable, any employees who will manage, or be in charge of the operation of the business at any time. A complete list of the names, resident addresses, birth dates and driver license numbers, if applicable, of any persons or entities lending, investing, or giving money to the business, including financial records verifying the source of such funds being furnished.
- (d) The following personal information concerning the applicant and owners, if an individual; concerning each stockholder, officer, or director if a corporation; concerning each member, if a limited liability company; concerning the partners, including general and limited partners, if a partnership and concerning the manager or other person principally in charge of the operation of the business:
 - (1) Name, address and telephone number, date of birth and driver license number, if applicable;

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Meeting of October 21, 2013

- (2) Two previous addresses prior to the present address of the applicant;
- (3) Written proof showing date of birth;
- (4) Height, weight, color of hair, eyes and sex;
- (5) Two front-faced portrait photographs taken within 30 days of the date of application, at least two inches by two inches in size;
- (6) A full accurate and complete business history detailing experience, including, but not limited, whether or not such person has previously had any ownership interest in, or worked at, in this or another city or state, the same or similar business, including whether any license or permit issued, whether any such license or permit was ever denied, revoked, or suspended, the reason thereof and business activities, or occupations including the full name and address of the business and the name and phone number of any contact persons;
- (7) All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which such conviction occurred, the offense for which conviction, or such conviction and the circumstances thereof;
- (8) Complete set of fingerprints taken and to be retained on file by the Public Safety Director or his or her authorized representative;
- (e) Authorization for the City, its agents and employees to seek information and conduct an investigation to the truth of the statements set forth in the application and qualifications of the applicant.
- (f) The names and addresses of three adult residents in the County who will serve as character references, who must be persons other than relatives and business associates.
- (g) A written declaration by the applicant under penalty of perjury that the information contained in this application is true and correct with such declaration dated and signed in the City.
- (h) Execution of any and all necessary documents and a statement indicating that proper equipment will be installed for the direct electronic entry into the City's computerized system, transaction information, or recording by electronic transmission pursuant to this chapter.

Sec. 8-83. Investigations and inspections.

(a) Upon receipt of an application for a pawnbroker business license, the City shall refer application to the Public Safety Director, or his or her designee who shall conduct an investigation into the applicant's moral character, personal and criminal history. A personal interview may be required and such further information, identification of the person and physical examination of the proposed business premises and records of the applicant as shall bear on the investigation.

(b) The Public Safety Director, or his or her designee shall cause to be conducted an

Ordinance (ID # 1391)

Meeting of October 21, 2013

investigation of the premises where the business is to be carried on for the purpose of ensuring that the premises comply with all requirements set forth in this Chapter and with ordinances of the City relating to zoning and public, health, safety and welfare. Additionally, no applicant's license shall be considered as issued until all equipment is installed and demonstrated to be operating for the electronic transmission of information relating to transactions as required pursuant to this chapter.

(c) An applicant shall submit to lawful inspections by the City and any of its departments, as well as the County and any other governmental agencies as necessary to ensure that the proposed business and applicant comply with applicable laws, ordinances and regulations of the City. An application may be refused for submission for approval to the City Council until a report from applicable departments is received and information furnished such that the applicant or proposed premises comply with all applicable laws, ordinances and regulations.

(d) Before issuance of any license, the Public Safety Director, or his or her designee, shall submit within 45 days of receipt of an application and report of investigations, inspections and a recommendation for approval or denial.

Sec. 8-84. License issuance; conditions for denial.

The City, upon receipt of an application for a license required by this Chapter, and reports and recommendations of the Public Safety Director, or his or her designee shall place the application upon the agenda for the next regularly scheduled City Council meeting, provided that such meeting date is not less than 14 business days from the date of receipt of such application by the City Clerk. If it is less than 14 business days from such receipt, such application shall be placed upon the agenda for the following regular meeting of the City Council. The Council shall determine whether or not such license shall be issued, after reviewing the reports of investigation and inspection and recommendation by the Public Safety Director. If City Council approves the license, City Council shall direct that a license be issued within 14 business days, provided, in addition, that the applicant has demonstrated that he or she is capable of meeting the electronic transmission requirements of this Article, unless it finds that:

(a) The correct fee has not been tendered or any fee in the form of check or draft has been dishonored.

(b) The operation as proposed is not compliant with the applicable laws including but not limited to the City's building, fire, zoning and health ordinances.

(c) The applicant or any person having an ownership interest in any entity which is the applicant, or a manager, has been convicted of any crime involving moral turpitude, including but not limited to prostitution and pandering, gambling, extortion, fraud, criminal usury, controlled substances, weapons, assault, theft, unless such conviction occurred at least 15 years prior to the date of application.

(d) The applicant has knowingly made any false misleading or fraudulent statement of fact in the permit application, or in any document required by the City.

(e) The applicant has had a similar business license, or other similar permit, or license

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denied, revoked, or suspended for any of the causes set forth here and above in this Chapter, or any other State or local agency within the prior 2 years to the date of application.

- (f) The applicant or any owner is not 18 years of age or older.

City Council shall specify any grounds for denial, notifying the applicant by regular mail, addressed to the address furnished in the application which notice shall specify the grounds for denial.

Sec. 8-85. Hearings on appeals or variances.

(a) Within 20 days of the date of denial of an application, the applicant may request in the form of a written application to the City, furnished to the City Clerk, a hearing before the City Council for reconsideration of the license application, or exemption request denial, or for a variance of any of the provisions of this Chapter, which provision constituted grounds for the original denial of the application. Such hearings shall be conducted as follows:

(1) The applicant and his or her attorney may present and submit evidence on the applicant's behalf to show that the grounds for the original denial do not exist, or are inaccurate.

(2) After reviewing the evidence, the City Council shall determine whether to uphold the denial, or grant the application.

(3) The applicant and his or her attorney, may present a statement and adequate evidence, demonstrating that:

A. Exceptional or extraordinary circumstances or conditions apply to the business referred to in the appeal submitted which circumstances or conditions do not apply generally to any proposed business which warrant the issuance of the application notwithstanding conformity to this chapter.

B. That the granting of such license will not materially affect the health, safety, or welfare of persons residing or working in the neighborhood, patrons, or the public at large and that such issuance shall not be a material detriment, or injurious to public welfare.

C. A State law adequately achieves the same goals as this chapter in the case of an exemption denial.

- (b) In all cases where a variance is granted, City Council shall find:

(1) That the grant of the variance will be in harmony with the general purpose and intent of this chapter; and

(2) That the grant of the variance will not be detrimental or injurious to the neighborhood or the City at large.

- (3) The City Council may impose reasonable conditions, if the license is approved for

Sec. 8-86. Inspections of business premises.

(a) Every licensee shall permit all reasonable inspections of the business premise, including during regular business hours and otherwise after regular business hours, and shall at all times comply with all applicable laws, including after expiration of any license and during any period the license may be revoked or suspended.

(b) Any licensee shall display the license in an open and conspicuous place on the premises visible to the patrons of the premises.

(c) During the pendency of any application, or during the term of any license, if any information provided in the application changes, such change of information shall be furnished in writing to the Public Safety Director, or his or her designee within 72 hours after such change.

Sec. 8-87. License fees; expirations; transfers.

(a) Fees shall be established from time to time by resolution of the City Council.

(b) Licenses granted shall expire one year from the date of issuance and shall require payment of a renewal fee for the ensuing year.

(c) No license shall be deemed transferable, separable, or divisible.

Sec. 8-88. Procedures and forms for fingerprinting, statements and recording of transactions; inspection of records.

(a) The City shall furnish forms for the taking of fingerprints and furnishing additional information as required by regulations of the Public Safety Department. Every person licensed to conduct, maintain, or engage in a business of pawnbroker shall maintain in a form provided by the Public Safety Director, or his or her designee, records in the manner and form as provided herein, which shall be subject to inspection by the Public Safety Department upon request.

(b) Every licensee, owner and employee, shall keep a record of all persons and/or entities with whom business has transacted and all property coming into their possession. The record shall include a description of the article received, a sequential transaction number, any amount of money loaned on the article, the name, residence, general description, and driver license number, official state personal identification card number, or government identification number of the person from whom the article was received, and the day and hour when the article was received. The record must be electronically transmitted to the Public Safety Director or his or her designee. Within 48 hours, the record must be transmitted by means of electronic transmission through a modem, or similar device in a format that the data is capable of direct electronic entry into the Public Safety Department's computerized system, as approved by the Public Safety

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Director, or his or her designee for identifying property coming into the possession of a licensor, including but not limited to all pawn property, all transactions in which used goods have been received the preceding day by pawn. A record reported by electronic transmission under this subsection shall not be reported on paper forms, unless the Public Safety Director, or his or her designee so require. All pawnbrokers must have the equipment installed in their place of business and begin reporting electronically within six (6) months from enactment of ordinance.

Sec. 8-89. Prohibited sale or possession of items with serial numbers altered, removed.

(a) No licensee, or agent, or employee shall conceal or misrepresent the identity by removing, concealing, defacing, adding to, substituting, or altering, the serial number or manufacturer's number on any motor vehicle, motor, appliance, mechanical device, watch, clock, camera, precision instrument, outboard motor, radio, shotgun, or any other article or thing where the manufacturer has placed numbers for the purpose of identification; by altering or replacing any part of such article, or thing, baring the serial or manufacturer's number with a new or replaced part upon which the proper serial number, or manufacturer's number has not been stamped or placed.

(b) No person licensed under this Article, or employee of such licensed person, shall deal in, or possess, any item as described herein above from which the serial numbers have been removed, concealed, defaced, added, substituted, altered, or replaced.

(c) In all prosecutions under this section, possession by any dealer, licensor, person, or entity of an item from which the serial numbers, or manufacturer's number, or identification number has been removed, concealed, defaced, added, substituted, altered, or replaced shall be prima facie evidence of violation of the provisions of this section.

Sec. 8-90. Time of possession.

A pawnbroker shall not sell any pawn or pledge until the item has remained in his or her possession for at least 3 months.

Sec. 8-91. Prohibited purchases.

No licensee, owner, or employee shall receive any item or goods from any person who is suspected not to be the owner of the property, or from any minor under the age of 18 years.

Sec. 8-92. Premises condition.

(a) All fences and enclosures shall be maintained in a neat and substantial manner, including but not limited to painting, removal, or replacement of dilapidated areas and

maintenance of a continuous uninterrupted even perimeter of the same materials.

(b) No items or goods shall be permitted to lean on or touch any such enclosure, or be in front of or suspended on any such enclosure. Items may not be piled higher than two feet below the top of such enclosure and items must be arranged so that safety aisles, driveways and uniformed passage ways are provided, allowing reasonable access to all parts of the premises by law enforcement and fire fighting operations.

(c) All premises shall be maintained in a clean, sanitary and neat condition, in accordance with the standards of the Property Maintenance Code, and all applicable laws and ordinances. All premises shall be maintained in a clean, sanitary and neat condition and no fire shall be permitted unless a permit from the Fire Marshal and any other regulatory agency has been obtained and is in full force.

Sec. 8-93. Bonds.

(a) Prior to any license being issued, the applicant shall furnish a corporate security bond, Best A Rated, or better and the penal sum of three thousand (\$3,000.00) dollars with sufficient sureties to be approved by the City which bond shall be conditioned that the owner, operator shall during the time of the license comply with all the laws of the State of Michigan and City pursuant to this Chapter and in regard to Pawnbrokers the foregoing State laws. Any person aggrieved by the action of the licensee shall have a right of action on the bond for recovery of money damages. Such bond shall remain in full force and effect for 90 days after the expiration or cancellation of any license, or after the termination of any action upon such bond.

(b) On the recommendation of the Building Inspector, City Manager, or Public Safety Director, an additional bond may be required in order to assure that the conditions at the site of the business are maintained from which the costs of any enforcement action shall be repaid to the City in the event of any enforcement action for compliance with this chapter.

Sec. 8-94. Compliance with state laws.

Each licensee and employees must comply with the terms of all applicable State laws, including but not limited to, Public Act 350 of 1917, as set forth in MCL 445.40, et seq., and any amendments thereto, the State Act regulating pawnbrokers where applicable, Public Act 273 of 1917, as set forth in MCL 446.201 et seq., and any amendments thereto, the Precious Metal and Gem Dealer Act, Public Act 95 of 1981, as set forth in MCL 445.481, et seq., and any amendments thereto, and the Sale of Secondhand Watches Act, Public Act 200 of 1937, as set forth in MCL 445.551 et seq., and any amendments thereto is required.

Sec. 8-95. Compliance with Zoning Ordinance.

Every licensee and employee shall comply with all requirements for business location at which work, pursuant to any license issued under this Chapter, occurs as provided in the Zoning Ordinance.

Sec. 8-96. Penalty.

Any licensee, dealer, employee, person, or entity who violates the terms and provisions of this chapter shall be guilty of a misdemeanor, punishable by imprisonment for not more than 93 days, or a fine of not more than five hundred (\$500.00) dollars, or both, plus costs. Any violation may also result in a suspension or revocation of such license as prescribed by statute and as otherwise imposed by the City after notice of such proposed action at least seven days beforehand. The licensee shall be permitted a hearing before the Public Safety Director and a right of appeal as prescribed for denial of the issuance of a license.

Section 2 of Ordinance. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 3 of Ordinance. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4 of Ordinance. 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 were commenced.

Section 5 of Ordinance. Effective Date.

The provisions of this Ordinance are ordered to take effect following publication in the manner prescribed by the Charter of the City of Farmington.

Section 6 of Ordinance. Adoption.

This ordinance is hereby declared to have been adopted by the Farmington City Council in a meeting thereof duly held and called on the ___ day of _____, 2013, in order to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by _____ and supported by _____.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

Ordained this ___ day of _____, 2013, by the City Council of the City of Farmington.

TOM BUCK, Mayor

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington at a meeting held on the _____ day of _____, 2013, the original of which is on file in my office.

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

Introduced:
Adopted:
Effective:
Published:

Introduced:
Adopted:
Effective:
Published:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON
ORDINANCE NO. C-772-2013

AN ORDINANCE TO AMEND CHAPTER 8, REGISTRATION AND LICENSING, OF THE CITY OF FARMINGTON CODE OF ORDINANCES, IN ORDER TO ADD A NEW ARTICLE, ARTICLE V, PAWNBROKERS, TO REQUIRE THE LICENSING OF PAWNBROKERS; TO REQUIRE THE CREATION AND MAINTENANCE OF RECORDS OF TRANSACTIONS; AND, TO REQUIRE THE TRANSMITTAL OF INFORMATION REGARDING TRANSACTIONS TO THE PUBLIC SAFETY DEPARTMENT.

THE CITY OF FARMINGTON ORDAINS:

Section 1. Chapter 8, Registration and Licensing is hereby amended to add Article V, Pawnbrokers, which shall read as follows in its entirety:

ARTICLE V – PAWNBROKERS

Sec. 8-80. Definitions.

As used in this chapter, unless the context requires a different meaning, the following words and phrases shall have the meaning ascribed by this section:

- (a) ***Employee:***” Any person 18 years of age, or older, who renders any services in connection with the operation of a pawnbroker business and who receives compensation from the business, or patrons thereof.
- (b) ***Good moral character:***” The propensity on the part of the person to serve the public in a licensed area in a fair, honest and open manner.
- (c) ***Goods:***” Any item not specifically covered by other definitions contained in this section.
- (d) ***Owner or operator:***” Any person who owns, or controls a pawnbroker business. This includes individuals, licensees, managers, lessees, sponsors, partnerships, corporations, societies, organizations, associations, limited liability companies, or any combination of individuals, of whatever form or character.

- (e) “**Patron:**” Any person 18 years of age, or older, who does business in any form with a pawnbroker business.
- (f) “**Pawnbroker:**” Means any person, corporation, member of a limited liability company, member of a partnership, or firm who loans money on deposit, or pledge personal property, or other valuable thing, other than securities, or printed evidence of indebtedness, or who deals in the purchasing of personal property, or other valuable things on condition of selling the same back at a stipulated price.
- (g) “**Pawn shop:**” Any place where a pawnbroker regularly conducts the business of being a pawnbroker.

Sec. 8-81. License required.

No owner, or operator shall engage in or carry on the operation of a pawnbroker business without first obtaining and maintaining a valid business license issued by the City pursuant to this chapter for each separate office, or place of business conducted by such owner or operator.

Sec. 8-82. License application.

Any owner or operator desiring a pawnbroker business license shall file a written application with the City on a form to be furnished by the City. The applicant shall accompany the application with the correct license fee, which fee shall not be refundable, and shall furnish the following information:

- (a) Type of ownership of the business, i.e., whether individual, partnership, corporation, or otherwise, including copies of the most recent annual statement and most recent Articles of Incorporation, Partnership Agreement, Articles of Organization, or other applicable document.
- (b) The name, style and designation under which the business or practice is to be conducted, including each address at which the business is to be conducted.
- (c) A complete list of the names, resident addresses, birth dates, and driver licenses numbers, if applicable, of all owners and employees in the business, identifying where applicable, any employees who will manage, or be in charge of the operation of the business at any time. A complete list of the names, resident addresses, birth dates and driver license numbers, if applicable, of any persons or entities lending, investing, or giving money to the business, including financial records verifying the source of such funds being furnished.
- (d) The following personal information concerning the applicant and owners, if an individual; concerning each stockholder, officer, or director if a corporation; concerning each member, if a limited liability company; concerning the partners, including general and limited partners, if a partnership and concerning the manager or other person principally in charge of the operation of the business:
 - (1) Name, address and telephone number, date of birth and driver license number, if

applicable;

- (2) Two previous addresses prior to the present address of the applicant;
 - (3) Written proof showing date of birth;
 - (4) Height, weight, color of hair, eyes and sex;
 - (5) Two front-faced portrait photographs taken within 30 days of the date of application, at least two inches by two inches in size;
 - (6) A full accurate and complete business history detailing experience, including, but not limited, whether or not such person has previously had any ownership interest in, or worked at, in this or another city or state, the same or similar business, including whether any license or permit issued, whether any such license or permit was ever denied, revoked, or suspended, the reason thereof and business activities, or occupations including the full name and address of the business and the name and phone number of any contact persons;
 - (7) All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which such conviction occurred, the offense for which conviction, or such conviction and the circumstances thereof;
 - (8) Complete set of fingerprints taken and to be retained on file by the Public Safety Director or his or her authorized representative;
- (e) Authorization for the City, its agents and employees to seek information and conduct an investigation to the truth of the statements set forth in the application and qualifications of the applicant.
 - (f) The names and addresses of three adult residents in the County who will serve as character references, who must be persons other than relatives and business associates.
 - (g) A written declaration by the applicant under penalty of perjury that the information contained in this application is true and correct with such declaration dated and signed in the City.
 - (h) Execution of any and all necessary documents and a statement indicating that proper equipment will be installed for the direct electronic entry into the City's computerized system, transaction information, or recording by electronic transmission pursuant to this chapter.

Sec. 8-83. Investigations and inspections.

- (a) Upon receipt of an application for a pawnbroker business license, the City shall refer application to the Public Safety Director, or his or her designee who shall conduct an investigation into the applicant's moral character, personal and criminal history. A personal interview may be required and such further information, identification of the person and physical

examination of the proposed business premises and records of the applicant as shall bear on the investigation.

(b) The Public Safety Director, or his or her designee shall cause to be conducted an investigation of the premises where the business is to be carried on for the purpose of ensuring that the premises comply with all requirements set forth in this Chapter and with ordinances of the City relating to zoning and public, health, safety and welfare. Additionally, no applicant's license shall be considered as issued until all equipment is installed and demonstrated to be operating for the electronic transmission of information relating to transactions as required pursuant to this chapter.

(c) An applicant shall submit to lawful inspections by the City and any of its departments, as well as the County and any other governmental agencies as necessary to ensure that the proposed business and applicant comply with applicable laws, ordinances and regulations of the City. An application may be refused for submission for approval to the City Council until a report from applicable departments is received and information furnished such that the applicant or proposed premises comply with all applicable laws, ordinances and regulations.

(d) Before issuance of any license, the Public Safety Director, or his or her designee, shall submit within 45 days of receipt of an application and report of investigations, inspections and a recommendation for approval or denial.

Sec. 8-84. License issuance; conditions for denial.

The City, upon receipt of an application for a license required by this Chapter, and reports and recommendations of the Public Safety Director, or his or her designee shall place the application upon the agenda for the next regularly scheduled City Council meeting, provided that such meeting date is not less than 14 business days from the date of receipt of such application by the City Clerk. If it is less than 14 business days from such receipt, such application shall be placed upon the agenda for the following regular meeting of the City Council. The Council shall determine whether or not such license shall be issued, after reviewing the reports of investigation and inspection and recommendation by the Public Safety Director. If City Council approves the license, City Council shall direct that a license be issued within 14 business days, provided, in addition, that the applicant has demonstrated that he or she is capable of meeting the electronic transmission requirements of this Article, unless it finds that:

(a) The correct fee has not been tendered or any fee in the form of check or draft has been dishonored.

(b) The operation as proposed is not compliant with the applicable laws including but not limited to the City's building, fire, zoning and health ordinances.

(c) The applicant or any person having an ownership interest in any entity which is the applicant, or a manager, has been convicted of any crime involving moral turpitude, including but not limited to prostitution and pandering, gambling, extortion, fraud, criminal usury, controlled substances, weapons, assault, theft, unless such conviction occurred at least 15 years

prior to the date of application.

(d) The applicant has knowingly made any false misleading or fraudulent statement of fact in the permit application, or in any document required by the City.

(e) The applicant has had a similar business license, or other similar permit, or license denied, revoked, or suspended for any of the causes set forth here and above in this Chapter, or any other State or local agency within the prior 2 years to the date of application.

(f) The applicant or any owner is not 18 years of age or older.

City Council shall specify any grounds for denial, notifying the applicant by regular mail, addressed to the address furnished in the application which notice shall specify the grounds for denial.

Sec. 8-85. Hearings on appeals or variances.

(a) Within 20 days of the date of denial of an application, the applicant may request in the form of a written application to the City, furnished to the City Clerk, a hearing before the City Council for reconsideration of the license application, or exemption request denial, or for a variance of any of the provisions of this Chapter, which provision constituted grounds for the original denial of the application. Such hearings shall be conducted as follows:

(1) The applicant and his or her attorney may present and submit evidence on the applicant's behalf to show that the grounds for the original denial do not exist, or are inaccurate.

(2) After reviewing the evidence, the City Council shall determine whether to uphold the denial, or grant the application.

(3) The applicant and his or her attorney, may present a statement and adequate evidence, demonstrating that:

A. Exceptional or extraordinary circumstances or conditions apply to the business referred to in the appeal submitted which circumstances or conditions do not apply generally to any proposed business which warrant the issuance of the application notwithstanding conformity to this chapter.

B. That the granting of such license will not materially affect the health, safety, or welfare of persons residing or working in the neighborhood, patrons, or the public at large and that such issuance shall not be a material detriment, or injurious to public welfare.

C. A State law adequately achieves the same goals as this chapter in the case of an exemption denial.

(b) In all cases where a variance is granted, City Council shall find:

- (1) That the grant of the variance will be in harmony with the general purpose and intent of this chapter; and
- (2) That the grant of the variance will not be detrimental or injurious to the neighborhood or the City at large.
- (3) The City Council may impose reasonable conditions, if the license is approved for issuance.

Sec. 8-86. Inspections of business premises.

- (a) Every licensee shall permit all reasonable inspections of the business premise, including during regular business hours and otherwise after regular business hours, and shall at all times comply with all applicable laws, including after expiration of any license and during any period the license may be revoked or suspended.
- (b) Any licensee shall display the license in an open and conspicuous place on the premises visible to the patrons of the premises.
- (c) During the pendency of any application, or during the term of any license, if any information provided in the application changes, such change of information shall be furnished in writing to the Public Safety Director, or his or her designee within 72 hours after such change.

Sec. 8-87. License fees; expirations; transfers.

- (a) Fees shall be established from time to time by resolution of the City Council.
- (b) Licenses granted shall expire one year from the date of issuance and shall require payment of a renewal fee for the ensuing year.
- (c) No license shall be deemed transferable, separable, or divisible.

Sec. 8-88. Procedures and forms for fingerprinting, statements and recording of transactions; inspection of records.

- (a) The City shall furnish forms for the taking of fingerprints and furnishing additional information as required by regulations of the Public Safety Department. Every person licensed to conduct, maintain, or engage in a business of pawnbroker shall maintain in a form provided by the Public Safety Director, or his or her designee, records in the manner and form as provided herein, which shall be subject to inspection by the Public Safety Department upon request.
- (b) Every licensee, owner and employee, shall keep a record of all persons and/or entities

with whom business has transacted and all property coming into their possession. The record shall include a description of the article received, a sequential transaction number, any amount of money loaned on the article, the name, residence, general description, and driver license number, official state personal identification card number, or government identification number of the person from whom the article was received, and the day and hour when the article was received. The record must be electronically transmitted to the Public Safety Director or his or her designee. Within 48 hours, the record must be transmitted by means of electronic transmission through a modem, or similar device in a format that the data is capable of direct electronic entry into the Public Safety Department's computerized system, as approved by the Public Safety Director, or his or her designee for identifying property coming into the possession of a licensor, including but not limited to all pawn property, all transactions in which used goods have been received the preceding day by pawn. A record reported by electronic transmission under this subsection shall not be reported on paper forms, unless the Public Safety Director, or his or her designee so require. All pawnbrokers must have the equipment installed in their place of business and begin reporting electronically within six (6) months from enactment of ordinance.

Sec. 8-89. Prohibited sale or possession of items with serial numbers altered, removed.

(a) No licensee, or agent, or employee shall conceal or misrepresent the identity by removing, concealing, defacing, adding to, substituting, or altering, the serial number or manufacturer's number on any motor vehicle, motor, appliance, mechanical device, watch, clock, camera, precision instrument, outboard motor, radio, shotgun, or any other article or thing where the manufacturer has placed numbers for the purpose of identification; by altering or replacing any part of such article, or thing, baring the serial or manufacturer's number with a new or replaced part upon which the proper serial number, or manufacturer's number has not been stamped or placed.

(b) No person licensed under this Article, or employee of such licensed person, shall deal in, or possess, any item as described herein above from which the serial numbers have been removed, concealed, defaced, added, substituted, altered, or replaced.

(c) In all prosecutions under this section, possession by any dealer, licensor, person, or entity of an item from which the serial numbers, or manufacturer's number, or identification number has been removed, concealed, defaced, added, substituted, altered, or replaced shall be prima facie evidence of violation of the provisions of this section.

Sec. 8-90. Time of possession.

A pawnbroker shall not sell any pawn or pledge until the item has remained in his or her possession for at least 3 months.

Sec. 8-91. Prohibited purchases.

No licensee, owner, or employee shall receive any item or goods from any person who is suspected not to be the owner of the property, or from any minor under the age of 18 years.

Sec. 8-92. Premises condition.

(a) All fences and enclosures shall be maintained in a neat and substantial manner, including but not limited to painting, removal, or replacement of dilapidated areas and maintenance of a continuous uninterrupted even perimeter of the same materials.

(b) No items or goods shall be permitted to lean on or touch any such enclosure, or be in front of or suspended on any such enclosure. Items may not be piled higher than two feet below the top of such enclosure and items must be arranged so that safety aisles, driveways and uniformed passage ways are provided, allowing reasonable access to all parts of the premises by law enforcement and fire fighting operations.

(c) All premises shall be maintained in a clean, sanitary and neat condition, in accordance with the standards of the Property Maintenance Code, and all applicable laws and ordinances.

Deleted: All premises shall be maintained in a clean, sanitary and neat condition and no fire shall be permitted unless a permit from the Fire Marshal and any other regulatory agency has been obtained and is

Deleted: in full force.

Sec. 8-93. Bonds.

(a) Prior to any license being issued, the applicant shall furnish a corporate security bond, Best A Rated, or better and the penal sum of three thousand (\$3,000.00) dollars with sufficient sureties to be approved by the City which bond shall be conditioned that the owner, operator shall during the time of the license comply with all the laws of the State of Michigan and City pursuant to this Chapter and in regard to Pawnbrokers the foregoing State laws. Any person aggrieved by the action of the licensee shall have a right of action on the bond for recovery of money damages. Such bond shall remain in full force and effect for 90 days after the expiration or cancellation of any license, or after the termination of any action upon such bond.

(b) On the recommendation of the Building Inspector, City Manager, or Public Safety Director, an additional bond may be required in order to assure that the conditions at the site of the business are maintained from which the costs of any enforcement action shall be repaid to the City in the event of any enforcement action for compliance with this chapter.

Sec. 8-94. Compliance with state laws.

Each licensee and employees must comply with the terms of all applicable State laws, including but not limited to, Public Act 350 of 1917, as set forth in MCL 445.40, et seq., and any amendments thereto, the State Act regulating pawnbrokers where applicable, Public Act 273 of 1917, as set forth in MCL 446.201 et seq., and any amendments thereto, the Precious Metal and Gem Dealer Act, Public Act 95 of 1981, as set forth in MCL 445.481, et seq., and any

amendments thereto, and the Sale of Secondhand Watches Act, Public Act 200 of 1937, as set forth in MCL 445.551 et seq., and any amendments thereto is required.

Sec. 8-95. Compliance with Zoning Ordinance.

Every licensee and employee shall comply with all requirements for business location at which work, pursuant to any license issued under this Chapter, occurs as provided in the Zoning Ordinance.

Sec. 8-96. Penalty.

Any licensee, dealer, employee, person, or entity who violates the terms and provisions of this chapter shall be guilty of a misdemeanor, punishable by imprisonment for not more than 93 days, or a fine of not more than five hundred (\$500.00) dollars, or both, plus costs. Any violation may also result in a suspension or revocation of such license as prescribed by statute and as otherwise imposed by the City after notice of such proposed action at least seven days beforehand. The licensee shall be permitted a hearing before the Public Safety Director and a right of appeal as prescribed for denial of the issuance of a license.

Section 2 of Ordinance. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 3 of Ordinance. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4 of Ordinance. 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 were commenced.

Section 5 of Ordinance. Effective Date.

The provisions of this Ordinance are ordered to take effect following publication in the manner prescribed by the Charter of the City of Farmington.

Section 6 of Ordinance. Adoption.

This ordinance is hereby declared to have been adopted by the Farmington City Council in a meeting thereof duly held and called on the ____ day of _____, 2013, in order to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by _____ and supported by _____.

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

Ordained this ____ day of _____, 2013, by the City Council of the City of Farmington.

TOM BUCK, Mayor

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

STATE OF MICHIGAN)
)SS.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington at a meeting held on the ____ day of _____, 2013, the original of which is on file in my office.

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

Introduced:
Adopted:
Effective:
Published:

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Adopt Ordinance #C-773-2013 Amending Chapter 31 of the City Code Dealing with Local Super Drunk Prosecutions

Requested Action:

Move to adopt ordinance #C-773-2013 which amends Chapter 31 of the City Code, Traffic and Motor Vehicles, Section 29, "Limitations," to allow the prosecution of cases under Section 625(1)(c) of the Michigan Vehicle Code, 149 PA 300.

Background:

The City Council discussed Administration's recommendation at the September 30 special meeting to adopt an ordinance to allow for City prosecution of super drunk as provided by Michigan statutes. The City Council introduced the ordinance at the October 7 meeting.

Super drunk is established as operating a motor vehicle with a blood alcohol level exceeding .017. This would allow for increased fines, increased jail time, and increased community service over existing penalties for conviction of drunk driving. As discussed at the special meeting, the Public Safety Department is currently able to process super drunks under state statute only. However, the ordinance would allow the department to now write citations by local ordinance.

It is estimated that approximately 20 of the annual arrests would be classified as super drunk.

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

ORDINANCE NO. (ID # 1392)**STATE OF MICHIGAN****COUNTY OF OAKLAND****CITY OF FARMINGTON****ORDINANCE NO. C-773-2013**

AN ORDINANCE TO AMEND THE CITY OF FARMINGTON CITY CODE OF ORDINANCES, AT CHAPTER 31 "TRAFFIC AND MOTOR VEHICLES," SECTION 29, "LIMITATIONS," TO ALLOW THE PROSECUTION OF CASES UNDER SECTION 625(1)(c) OF THE MICHIGAN VEHICLE CODE, 149 PA 300.

THE CITY OF FARMINGTON ORDAINS:**Section 1 of Ordinance**

Chapter 31, Traffic and Motor Vehicles," of the City of Farmington Code of Ordinances, Section 29, "Limitations," is hereby amended to read as follows:

Section 31-29. Limitations

Violations of any code or regulation adopted in this article for which the maximum period of imprisonment exceeds ninety-three (93) days shall not be enforced by the City as an ordinance violation; except for a violation of MCL 257.625(1)(c), which the City adopts by reference in Section 31-26 of the City Code of Ordinances in conformity with the Michigan Vehicle Code, Public Act 300 of 1949, as amended, and which shall constitute a misdemeanor punishable by one (1) or more of the following: community service for not more than three hundred sixty (360) hours, imprisonment for not more than one hundred eighty (180) days, and a fine of not less than two hundred (\$200.00) dollars or more than seven hundred (\$700.00) dollars.

Section 2 of Ordinance Severability

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

Section 3 of Ordinance Savings

This amendatory ordinance shall not affect violations of the zoning ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

Section 4 of Ordinance Effective Date: Publication.

This amendatory ordinance shall be effective 10 days after adoption by the City Council and after publication as provided by the Charter of the City of Farmington.

Ayes:
Nayes:
Abstentions:
Absent:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington at a meeting held on the ____ day of _____, 2013, the original of which is on file in my office.

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

Adopted:
Published:
Effective:

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Introduced:
Adopted:
Effective:
Published:

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Introduce Ordinance #C-774-2013 Amending Regulations Dealing with Animals

Requested Action:

Move to introduce Ordinance #C-774-2013 which deletes Chapter 5 of the City Code in its entirety and re-enacts certain provisions in Chapter 20, Offenses.

Background:

As discussed at the October 7 study session, the local veterinarian that has boarded stray dogs and cats captured by Farmington Public Safety will no longer provide this service. Consequently, Farmington will rely on Oakland County Animal Control Department to board captured dogs; they will not board cats unless the department delivers them to their facility in Waterford.

As part of this transition to the County Animal Control Department, their regulations and licensing as it pertains to dogs and cats now has primacy. This requires Farmington to amend its ordinances dealing with dogs and cats. Ordinance C-774-2013 eliminates in its entirety Chapter 5 of the City Code dealing with Animals. However, it re-enacts all of the provisions of Chapter 5 in Chapter 20 with the exception of domestic dogs and cats. For example, we still retain regulations dealing with vicious animals as well as regulations dealing with other domestic animals, livestock, and exotic animals.

In consultation with the City Attorney, we are recommending that this ordinance be introduced. Initially, City Administration felt we should treat it as a possible emergency ordinance. However, given the arrangement and timetable agreed upon by the County Animal Control department, this no longer meets the test for an emergency action. The ordinance would be presented to the City Council at their November 18 meeting for adoption.

The change to the County now requires the City Treasurer's Office to sell dog and cat licenses issued by the County rather than the City.

Agenda Review

Review:

Vincent Pastue **Pending**
City Manager **Pending**
City Council Pending

ORDINANCE NO. (ID # 1394)

Introduced:
Adopted:
Effective:
Published:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON

ORDINANCE NO. C-774-2013

AN ORDINANCE TO AMEND THE CITY OF FARMINGTON CITY CODE OF ORDINANCES, CHAPTER 5, ANIMALS, TO DELETE IT IN ITS ENTIRETY, AND TO RE-ENACT CERTAIN PROVISIONS OF IT IN CHAPTER 20, "OFFENSES," BY CREATING NEW ARTICLE X, "OFFENSES RELATING TO ANIMALS."

THE CITY OF FARMINGTON ORDAINS:

Section 1 of Ordinance

That the City of Farmington Code of Ordinances is amended to delete Chapter 5, Animals, in its entirety.

Section 2 of Ordinance

That the City of Farmington Code of Ordinances, Chapter 20, "Offenses," is hereby amended to create a new Article X, entitled "Offenses Relating to Animals," to read in its entirety as follows:

Division 1. In General.

Sec. 20-220. - Cruelty.

Whoever tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates or kills, or whoever causes or procures to be so tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated or killed any animal, and whoever having the charge or custody of any animal, either as owner or otherwise, inflicts unnecessary cruelty upon the same, or willfully fails to provide the same with proper food, drink, shelter or protection from the weather, is guilty of a misdemeanor.

Sec. 20-221. - Poisoning.

No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal or bird.

Sec. 20-222. - Birds and birds' nests.

No person, except a public safety officer acting in his official capacity, shall molest, injure, kill or capture any wild bird, or molest or disturb any wild bird's nest or the contents thereof.

Sec. 20-223. - Riding horses, etc.

No person shall ride, drive or lead any horse, pony, donkey or mule other than in the traveled roadway of streets and public ways, except when upon privately owned property with the consent of the owner.

Sec. 20-224. - Raising and keeping of animals.

No person shall keep an animal upon their property that creates a nuisance by means, such as, but not limited to, the annoyance, injury or endangerment of the safety, health or quiet enjoyment of persons upon public property or upon private property within reasonable proximity of the animal's place of keeping.

Sec. 20-225. - Trapping, confiscation; exception.

- (a) It shall be unlawful for any person, at any time, to trap, ensnare or to set out to make use of any kind or type of trap or ensnaring device for the purpose of trapping or ensnaring any animals, birds or fowl, whether domestic or wild, within the city limits; provided that nothing contained in this section shall otherwise prohibit lawful methods of pest and rodent control within the interior portion of any building.
- (b) Any traps, ensnaring devices or other apparatus used in prohibited trapping shall be seized and disposed of by the order of the court in which such violation is prosecuted. If there exists no court order for the disposition of such seized property, such property shall be returned to the owner or person entitled to possession thereof, provided that such seized property is so identified by the person or person's name and address being attached or affixed upon the seized property. If such person or persons are not known or cannot be determined, then such seized property shall be disposed of in the same manner provided for the disposition of abandoned property.
- (c) This section shall not prohibit the owner or occupant of any property from trapping any rodents by use of a live trap, or any animal thereon for the purpose of live release thereafter of any such trapped animal as permitted by and in accordance with the department of public safety, the county animal control department, or the state department of natural resources rules and regulations.

Sec. 20-226. - Duty to keep control.

No owner shall take or permit an animal to leave his property or property under the owner's control unless the animal is under the owner's reasonable control.

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:

Owner means a person as defined in section 1-2 of this Code and his or her or its agents, assigns, delegates or bailees.

Reasonable control means keeping:

- (a) An animal upon a leash not exceeding six (6) feet in length held by a person, or within a closed vehicle, or cage, or shipping container when located upon any property other than that owned or controlled by the owner of the animal.
- (b) An animal within an enclosed yard or within a side or rear yard as defined in Chapter 35, Zoning, of this Code, equipped with an operating electrified invisible fence designed to confine animals.

Sec. 20-227. - Barking, yowling dog or cat.

No person shall harbor or keep any dog or cat which by loud, frequent or habitual barking, yelping or howling, shall cause a serious annoyance to the neighborhood or to people passing to and fro upon the street.

Sec. 20-228. - Vicious dog or cat.

No person shall own or harbor a fierce or vicious dog or cat, or a dog or cat that has been bitten by any animal known to have been afflicted with rabies. All dogs or cats found to be vicious, and all rabid dogs or cats, shall be destroyed, unless otherwise disposed of by the owner thereof.

Sec. 20-229. - When bitten by another dog or cat.

It shall be the duty of any person owning or harboring a dog or cat which has been attacked or bitten by another dog or cat or other animal showing symptoms of rabies to immediately notify the department of public safety or the health department that such person has such dog or cat in his possession, and such person shall comply with all lawful orders and requirements of the department of public safety and the health department.

Sec. 20-230. - Sanitation.

No owner, as defined in this article, of any dog or cat shall cause, suffer, or allow such dog or cat to soil, defile, defecate or to commit any nuisance on any public thoroughfare, sidewalk, passageway, bypass, play area, park, or any place where people congregate or walk, or upon any public property whatsoever, or upon any private property without the permission of the owner of said property unless:

- (a) The owner of such dog or cat shall immediately remove all droppings deposited by such dog or cat by any sanitary method. The owner shall possess a container of sufficient size to collect and remove the above-mentioned droppings and exhibit the container, if requested, by any official empowered to enforce this article.
- (b) The droppings removed from the aforementioned areas shall be disposed of by the owner of such dog or cat in a sanitary method on the property of the owner of such dog or cat.

Division 2. Domesticated Animals.

Sec. 20-231. - 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:

Domesticated animal/pet: Any animal that is commonly considered capable of being trained or is capable of adapting to living in a human environment and being of use to human beings, and which is not likely to bite without provocation, nor cause death, maiming, or illness to human beings, including, but not limited to: dogs, cats (domesticated), birds (caged), fish, turtles, rodents (bred, such as a gerbils, rabbits, hamsters or guinea pigs) and lizards (nonpoisonous). Livestock, wild, vicious, or exotic animals shall not be considered domesticated.

Exotic or vicious animal:

- (a) Any animal of a species not indigenous to the State of Michigan and not a domesticated animal, including any hybrid animal that is part exotic animal; or
- (b) Any animal which, irrespective of geographic origin, is of wild or predatory character, or which, because of size, aggressive, or vicious characteristics, would constitute an unreasonable danger to human life or property if not kept, maintained or confined in a safe and secure manner, including any hybrid animal that is part exotic animal; or
- (c) Any animal that attacks, bites, or injures human beings or other domesticated/pet animals without adequate provocation, or which, because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated/pet animals.
- (d) Without limitation to the foregoing, the following animals shall be considered exotic or vicious:
 - (1) Apes, monkeys, chimpanzees, and related forms.
 - (2) Poisonous reptiles, spiders, insects, and animals.

- (3) Constrictor snakes four (4) or more feet in length. Constrictor snakes less than four (4) feet in length must be kept in cages and not allowed to roam freely.
- (4) Except as permitted by the Large Carnivore Act, MCL 287.1101, as amended, the following large carnivore:
 - a. Any of the following cats of the Felidae family, whether wild or captive bred, including a hybrid cross with such a cat: a lion, a leopard (including, but not limited to, a snow leopard or clouded leopard), a jaguar, a tiger, a cougar, a panther, a cheetah, a bobcat, a lynx, a mountain lion, or a puma;
 - b. A bear of a species that is native or nonnative to this state, whether captive or wild bred.
- (5) Nondomesticated carnivorous animals, including hybrid crosses of nondomesticated carnivorous, including, but not limited to, raccoons, skunks, and foxes;
- (6) Predatory reptiles, including, but not limited to, crocodiles and alligators;
- (7) Carnivorous fish, including, but not limited to, sharks;
- (8) Flightless birds, including, but not limited to, ostrich;
- (9) Large mammals that have a trunk, including, but not limited to, elephants;
- (10) Hoofed mammals with an odd number of toes, including, but not limited to, rhinoceros and tapir.
- (11) Hoofed mammals with an even number of toes, including, but not limited to, camels, sheep, and deer.

Livestock: Any domestic species of animal that is kept and raised for use as food or in the production of food, or in the operation of a farm, and is not (a) an exotic or vicious animal as defined in section 32-252 of the zoning ordinance, or (b) a domesticated animal/pet as defined in section 35-252 of the zoning ordinance, such as a dog, cat, or similar animal. Livestock shall include, but is not limited to, mules, donkeys, cattle, sheep, goats, buffaloes, swine, chickens, ducks, geese and turkeys.

Sec. 20-232. - Domesticated animals/pets.

The keeping of a household domesticated animal/pet is permitted, provided it is not any exotic or vicious animal.

Sec. 20-233. - Livestock, exotic or vicious animals.

The keeping of livestock is prohibited. The keeping of any exotic or vicious animal is prohibited.

Sec. 20-234. - Exception.

The prohibition in section 20-233 shall not apply to the following:

- (a) Animals under the control of a law enforcement or military agency;
- (b) Animals that are kept for the protection of property, provided that such animals are restrained by a leash or chain, cage, fence, or other adequate means, from contact with the public, or with persons who enter the premises with the actual or implied permission of the owner or occupant;
- (c) Animals kept in a licensed veterinary hospital for treatment;
- (d) Animals for sale in a commercial establishment; and
- (e) Animals under display or exhibition to the public, provided that:
 - (1) Such animals are restrained by a leash or chain, cage, fence, or other adequate means, from contact with the public;
 - (2) The display or exhibition is for a period of not exceeding ten (10) days;
 - (3) The display or exhibition is conducted in full compliance with the City of Farmington Zoning Ordinance.

Section 2 of Ordinance Severability

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

Section 3 of Ordinance Savings

This amendatory ordinance shall not affect violations of the zoning ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

Section 4 of Ordinance Effective Date: Publication.

This amendatory ordinance shall be effective 10 days after adoption by the City Council and after publication as provided by the Charter of the City of Farmington.

Ayes:
Nayes:
Abstentions:
Absent:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington at a meeting held on the ____ day of _____, 2013, the original of which is on file in my office.

SUSAN K. HALBERSTADT, City Clerk
City of Farmington

Adopted:
Published:
Effective:

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Adopt Resolution to Initiate Animal Control Services with Oakland County

Requested Action:
Move to adopt resolution to initiate animal control services with Oakland County.

Background:
Oakland County Animal Control Department is willing to initiate services while the City is in the process of amending its ordinances dealing with animals, and in particular dog and cat regulations. The attached ordinances allow the City to begin services with the County effective Tuesday, October 22 as long as the City has introduced Ordinance C-774-2013. As previously mentioned, the local veterinarian that has boarded stray dogs and cats captured by Farmington Public Safety officers is no longer willing to provide this service. Therefore, this action allows the County to begin service immediately.

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

RESOLUTION NO. (ID # 1404)
STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON

RESOLUTION RELATING TO ANIMAL CONTROL ORDINANCE

RESOLUTION NO. _____

At a regular meeting of the City Council of the City of Farmington, County of Oakland, State of Michigan, held on the ___ day of _____, 2013, at 7:00 p.m., with those present and absent being,

PRESENT:

ABSENT:

the following resolution was offered by Councilperson _____ and supported by Councilperson _____:

WHEREAS, the City of Farmington Animal Control Ordinance, Chapter 5 of the City Code, provides standards for the licensing of certain animals and for the enforcement thereof by the City, as well as provisions relating to impoundment of certain animals by the City; and

WHEREAS, the City Council has determined that it is more appropriate for Oakland County's Animal Control Division to provide for licensing of animals and for the enforcement of such provisions, as well as the impoundment of animals; and

WHEREAS, under the State Dog Law, MCL 287.289a, the County's Animal Control Division has jurisdiction to enforce the State Dog Law in any city that does not have an animal control ordinance; and

WHEREAS, the City Council on this date introduced an ordinance that would repeal those sections of the City's existing Animal Control Ordinance that conflict with or overlap provisions of the State Dog Law, with second reading and adoption of same to occur at a future meeting; and

WHEREAS, even prior to final enactment of the introduced ordinance, the City has requested that the County immediately take over the previous obligations of the City under that Animal Control Ordinance.

NOW, THEREFORE, BE IT HEREBY RESOLVED, as follows:

1. The City Council hereby suspends any enforcement of the provisions of its Animal Control Ordinance, Chapter 5 of the Farmington City Code, that are repealed in the proposed Ordinance C-774-2013, introduced by City Council on October 21, 2013, until further notice, with the expectation that such provisions shall be completely repealed on second reading and adoption of said ordinance.

AYES:
 NAYS:
 ABSENT:
 ABSTENTIONS:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)ss.
 COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and acting City Clerk of the City of Farmington, County of Oakland, State of Michigan, do hereby certified that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Farmington at a regular meeting held on the ___ day of _____, 2013, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature, this ___ day of _____, 2013.

 SUSAN K. HALBERSTADT, City Clerk

**Farmington City Council
Staff Report**
Council Meeting Date:
October 21, 2013

**Reference
Number**
Submitted by: Vincent Pastue, City Manager

Description: Consideration to Adopt Resolution to Establish Historic District Study Committee

Requested Action:

Move to adopt resolution to establish a Historic District Study Committee and appoint initial members

Background:

At the October 7 study session, City Council discussed with members of the Historical Commission the merits and process to establish a Historic District pursuant to Public Act 169 of 1970, as amended. As presented at the study session, City Administration supports the formation of a Historic District Study Committee. While concerns exist regarding potential regulatory controls established within the district, it is important to remember that the City Council is always the body that would establish any regulations in the district by ordinance. Furthermore, it is beneficial for the City to have a record of contributing and non-contributing properties within the district.

Attached is a resolution to establish a Historic District Study Committee. The resolution authorizes the City Council to appoint up to thirteen members to the serve on the committee. The resolution also makes six initial appointments: Jane Gundlach, Don Munter, Laura Myers, Marilyn Weimar, Jena Stacey, and Brian Golden. Since the study session, the City received correspondence from three individuals expressing interest to serve on the committee. In order to move the process along, City Administration is recommending the initial appointment of the six individuals previously mention, inform the interested individuals of the first study committee meeting and encourage their attendance, and at a later date consider formalizing their appointment

Agenda Review
Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

RESOLUTION NO. (ID # 1393)
STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

**A RESOLUTION OF THE FARMINGTON CITY COUNCIL TO ESTABLISH A
HISTORIC DISTRICT STUDY COMMITTEE PURSUANT TO PUBLIC ACT 169 OF
1970, AS AMENDED**

Minutes of a Regular Meeting of the City Council of the City of Farmington, County of
Oakland, Michigan, held in the City Hall in said City on October 21, 2013 at 7:00 P.M.

Prevailing Eastern Time.

PRESENT:

ABSENT:

The following preamble and Resolution were offered by Councilmember _____,
and supported by Councilmember _____.

RECITATIONS:

WHEREAS, the formation of a Historic District Study Committee pursuant to Public Act 169 of 1970, as amended, MCL 399.201 *et seq.*, allow the City to consider options with regard to the creation of such a district in order to secure additional opportunities to receive grant funds for eligible construction projects, public education, and planning; and

WHEREAS, it is the desire of the Farmington City Council to study all means available to safeguard the heritage of the community, to stabilize and improve property values in each district, to foster civic beauty, to strengthen the local economy, and to promote the use of historic districts for the education, pleasure, and welfare of the citizens of Farmington; and

WHEREAS, the City Council previously established a Study Committee in or around 2005, but did not formally accept a report of findings therefrom; and

WHEREAS, the City Council desires to reassess and address the options available to it through all existing historical preservation laws, and therefore desires to establish a Historic District Study Committee in order to pursue these objectives.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Farmington City Council hereby establishes a Historic District Study Committee in accordance with Public Act 169 of 1970, as amended, MCL 399.201 *et seq.*
2. That the Historic District Study Committee shall do all of the following:
 - (a) Conduct a photographic inventory of resources within each proposed historic district following procedures established or approved by the department.
 - (b) Conduct basic research of each proposed historic district and the historic resources located within that district.
 - (c) Determine the total number of historic and nonhistoric resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the significance of historic resources, the committee shall be guided by the selection criteria for evaluation issued by the United States Secretary of the Interior for inclusion of resources in the national register of historic places, as set forth in 36 C.F.R. part 60, and criteria established or approved by the department, if any
 - (d) Prepare a preliminary historic district study committee report that addresses at a minimum all of the following:
 - (i) The charge of the committee.
 - (ii) The composition of the committee membership.
 - (iii) The historic district or districts studied.
 - (iv) The boundaries for each proposed historic district in writing and on maps.
 - (v) The history of each proposed historic district.
 - (vi) The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.
 - (e) Transmit copies of the preliminary report for review and recommendations to the local planning body, to the department, to the Michigan historical commission, and to the state historic preservation review board.
 - (f) Make copies of the preliminary report available to the public pursuant to subsection (4).
3. That the City Council may appoint up to thirteen members to the Study Committee that have demonstrated an interest in historic preservation, including one or more

Resolution (ID # 1393)

Meeting of October 21, 2013

duly-organized local historic preservation organizations.

4. That the City Council will initially appoint the following individuals to serve on the Study Committee:

Jane Gundlach
Don Munter
Laura Myers
Marilyn Weimer
Jenna Stacey
Brian Golden

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

RESOLUTION DECLARED ADOPTED OCTOBER 21, 2013

CERTIFICATION

It is hereby certified that the foregoing Resolution is a true and accurate copy of the Resolution adopted by the City Council of the City of Farmington at a meeting duly called and held on the 21st day of October, 2013.

CITY OF FARMINGTON

By: _____
SUSAN K. HALBERSTADT, CLERK

**Farmington City Council
Staff Report**
Council Meeting Date:
October 21, 2013

**Reference
Number
(ID # 1387)**
Submitted by: Amy Norgard, Controller

Description: Consideration to Reschedule Public Hearing Regarding the 2014 Community Block Grant Application

Requested Action:

Motion to reschedule a public hearing for public comment on the proposed PY2014 CDBG program application to November 18, 2013

Background:

The City Council initially scheduled a public hearing for October 21, 2013 regarding the Program Year 2014 Community Development Block Grant (CDBG) program application. After scheduling the public hearing, the City received notice from Oakland County, grant administrator, that there was a change in the process for approving grant applications. The result is that all participating cities and villages could no longer hold their public hearings in October. Consequently, City Administration is recommending that the City Council hold the PY2014 CDBG program application public hearing for November 18, 2013 at 7:00 p.m. Contained below is the background information submitted earlier.

The city's Community Development Block Grant (CDBG) funding for 2014 is projected by Oakland County to be \$25,750. As part of the application process, the city must hold a public hearing. Our completed application, accompanied by a resolution of Council approval, must be submitted to Oakland County by late November 2013.

As Council knows, CDBG funding eligibility is restricted to projects or programs that meet specific objectives determined by the federal Department of Housing and Urban Development (HUD). Of these objectives, Farmington is limited to CDBG funding for projects where "the primary beneficiaries are low or moderate income people." Council may recall from previous years' CDBG applications that senior programs/projects receive special eligibility consideration. The administration's preliminary recommendation, outlined below, proposes a CDBG program that is not administratively burdensome, and continues current city funding level for the senior center and senior services.

CDBG funds are federal funds administered by the Department of Housing and Urban Development. The administration's preliminary recommendation is that Council considers establishing the following development objectives: (1) senior center and (2) public services (senior services). The administration proposes allocating \$18,025 for senior center and \$7,725 for public services (senior services).

Agenda Review
Review:

Amy Norgard	Pending
City Manager	Pending
City Council	Pending

LEGAL NOTICE
CITY OF FARMINGTON
NOTICE OF PUBLIC HEARING
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Notice is hereby given that the City of Farmington will hold a public hearing in the Council Chambers, 23600 Liberty Street, Farmington, Michigan at 7:00 pm on Monday, November 18, 2013 for the purpose of hearing public comments on the Oakland County Community Development Block Grant Program 2014 annual application in the approximate amount of \$25,750.

The purpose of the public hearing is to review community development and housing needs, inform citizens of the availability of funds and eligible uses of Community Development Block Grant (CDBG) funds, and receive comments on proposed activities, particularly from low- and moderate-income persons. The Farmington City Council will consider any public comments on this matter at this time. The hearing is open to the public to voice their views or submit written comments.

The Council Chambers is handicap accessible. Arrangements to reasonably accommodate special needs, including handicap accessibility or interpreter, will be made upon receiving 72-hour advance notice. Contact the City Manager's Office at 248-474-5500, ext 2221, for further information or special services.

Susan K. Halberstadt
City Clerk

Publish: Farmington Observer, Thursday, November 7, 2013

**Farmington City Council
Staff Report**
Council Meeting Date:
October 21, 2013

**Reference
Number
(ID # 1395)**
Submitted by: Vincent Pastue, City Manager

Description: Consideration to Renew Farmington Road Maintenance Agreement with the Road Commission for Oakland County

Requested Action:

Move to renew Farmington Road Maintenance Agreement with the Road Commission for Oakland County

Background:

City Administration is recommending that the City Council renew the Farmington Road Maintenance Agreement with the Road Commission for Oakland County. Under the agreement, which covers a one-year period beginning October 1, 2013, the City provides ordinary maintenance on Farmington Road between Eight Mile and Grand River. This maintenance includes patching, crack sealing, sweeping, landscape maintenance, snow and ice removal and general maintenance. This year, the County has offered to compensate the City at a rate of \$11,952.66 per mile for a total compensation of \$20,319.52. This amount has not changed for the past several years.

Agenda Review
Review:

Vincent Pastue	Pending
City Manager	Pending
City Council	Pending

Board of Road Commissioners

Ronald J. Fowkes
Commissioner

Gregory C. Jamian
Commissioner

Eric S. Wilson
Commissioner

Dennis G. Kolar, P.E.
Managing Director

*Gary Piotrowicz, P.E.,
P.T.O.E.*
Deputy Managing Director
County Highway Engineer

September 23, 2013

Mr. Vincent Pastue
City Manager
City of Farmington
23600 Liberty Street
Farmington, Michigan 48335

RE: 2013-2014 Maintenance Agreement

Dear Mr. Pastue:

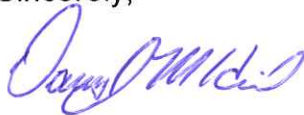
Attached are two copies of a Maintenance Agreement between the Road Commission for Oakland County and the City of Farmington.

If this agreement is satisfactory, please return the two-signed copies and the resolution of approval by your City Council. One fully signed copy will be returned to you upon approval by the Board of Road Commissioners.

Please furnish proof that your liability insurance covers this agreement, and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. If there are any changes in this coverage during the term of this agreement, we must be notified of these changes. We will also need a current certificate of membership in the Michigan Municipal Workers Compensation Fund.

The Board of Road Commissioners and I extend our appreciation to you, the City Council, and your personnel for the fine work that has been done. We will continue to cooperate in anyway to provide our citizens with the best road system possible.

Sincerely,



Darryl M. Heid, P.E.
Director of Highway Maintenance

/slp
attachment

Highway Maintenance
Department

Office of the Director

2420 Pontiac Lake Road
Waterford, MI 48328

248-858-4881

FAX
248-858-7607

CITY OF FARMINGTON

Under 1951 PA 51, As Amended

This Maintenance Agreement ("Agreement") is made this ___ day of _____, 2013, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, hereinafter referred to as the "Board," and the City of Farmington, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the "City."

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain maintenance of said roads under the terms of this Agreement, and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City will perform Maintenance of certain roads under the terms of this Agreement, and the Board will participate in the cost thereof as provided in Section III of this Agreement. "Maintenance," herein required to be performed by the City, shall mean routine roadway surface operations, care and maintenance of shoulders and approaches, drainage and roadside maintenance and snow removal and ice control, which shall include the following minimum requirements:

ROUTINE ROADWAY SURFACE OPERATIONS

- Patching, including Base repairs
- Blading
- Joint and Crack Filling
- Sweeping

CARE AND MAINTENANCE OF SHOULDERS AND SIDE APPROACHES

- Patching, Blading, etc.
- Gravel
- Seeding and Sodding

DRAINAGE AND ROADSIDE MAINTENANCE

- Erosion Control and Repair
 - Repairing Drainage Ditches and Structures (includes Ditch Clean-out)
 - Grass and Weed Cutting (Twice Yearly)
- Tree Trimming and Emergency Tree Removal (Normal Tree Removal to be done by Road Commission)
- Repairing Retaining Walls, etc.
- Roadside Clean-up

SNOW REMOVAL AND ICE CONTROL

SNOW REMOVAL by grading, plowing and other methods necessary to make the road reasonably safe for public travel.

Ice Control by salting, sanding, scraping and other methods necessary to make the road reasonably safe for public travel.

Maintenance shall also include other methods necessary to make the roads reasonably safe for public travel in accordance with MCL 224.21; and such other work and services, such as recordkeeping and maintenance of insurance, required by this Agreement. The city shall perform Maintenance on the roads listed in Exhibit A. All Maintenance work and services performed by the City shall be in accordance with the Board's maintenance guidelines, including but not limited to, the Board adopted Winter Maintenance Guidelines, the Board's standard practices and this Agreement. Should any dispute arise as to the character or extent of Maintenance or as to the City's performance hereunder, the controversy may be referred to an arbitration board consisting of the Road Commission for Oakland County Director of Highway Maintenance, the City of Farmington Engineer and a third person to be chosen by them for settlement thereof.

II

The City agrees to keep said road in such condition as to be reasonably safe and convenient for public travel, in accordance with MCL 224.21, and to promptly notify the Board as soon as possible, but not longer than 5 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects are not Maintenance subject to this Agreement.

The City shall keep accurate and uniform records of all Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the assumption of Maintenance of Farmington Road, between Eight Mile and Grand River by the City, the Board agrees to pay the City the sum of \$20,319.52 as set forth in Exhibit A, attached hereto and made a part hereof. Such amount is to be used by the City for Maintenance.

Payments are to be made by the Board to the City as follows:

- 25% in December, 2013
- 25% in March, 2014
- 25% in June, 2014
- 25% in September, 2014

The making of said payments shall constitute Board's entire obligation in reference to said Maintenance.

IV

The City hereby agrees to hold harmless, represent, defend and indemnify the Board, the Road Commission for Oakland County, its officers, and employees the County of Oakland; the Office of the Oakland County Water Resources Commissioner and applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; and any and all local units(s) of government within which the roads subject to this Agreement are located, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons (including death), or (c) other claims, charges, complaints, damages or causes of action arising out of

nt,
specifically those activities set out in Section I, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation insurance, employer's liability insurance, automobile and comprehensive general liability insurance coverages, as more fully described in Exhibit B attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement.

VI

The City further agrees to comply with all applicable laws and regulations, including without limitation, laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements). Further, the City must obtain DEQ permission to perform culvert replacements, when same involves a stream or lake. The City will be responsible for the proper disposal of the solid waste and other debris related to the maintenance described in Section I, and the costs associated therewith.

VII

In accordance with Michigan 1976 Public Acts No. 220 and 453, being MCLA §§37.1209 and 37.2209, as the same may be amended, the City and its subcontractors shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status; or because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position.. A breach of this covenant may be regarded as a material breach of this Agreement.

VIII

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Maintenance activities will be executed annually by the Parties hereto.

The terms and conditions of this Agreement shall become effective on October 1, 2013, and shall continue in full force and effect until a subsequent Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Maintenance agreement has not been executed by the parties hereto on or before September 1, 2014, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of _____, and by the City by authority of a resolution of its governing body, adopted _____, (copy attached as Exhibit C).

Witnesses:

CITY OF FARMINGTON
A Municipal Corporation

_____ By: _____

Its: _____

_____ By: _____

Its: _____

Witnesses:

BOARD OF COUNTY ROAD COMMISSIONERS
OF THE COUNTY OF OAKLAND,
A Public Body Corporate

_____ By: _____

Its: _____

_____ By: _____

Its: _____

MAINTENANCE AGREEMENT
2013-2014

CITY OF FARMINGTON

EXHIBIT A

Farmington Road

Extending from Eight Mile Road to Grand River Avenue

1.70 Miles at \$11,952.66 per mile \$20,319.52

25% in December of 2013	\$ 5,079.88
25% in March of 2014	\$ 5,079.88
25% in June of 2014	\$ 5,079.88
25% in September of 2014	<u>\$ 5,079.88</u>

TOTAL	<u>\$20,319.52</u>
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2013-2014 WINTER MAINTENANCE AGREEMENT

ROAD COMMISSION FOR OAKLAND COUNTY

INSURANCE PROVISION
(CITY)Insurance Coverage:

The City, prior to execution of the maintenance agreement, shall file with the Road Commission for Oakland County, copies of completed certificates of insurance as evidence that he carries adequate insurance satisfactory to the Board. Insurance coverage shall be provided in accordance with the following:

- a. Worker's Compensation and Employer's Liability Insurance: The insurance shall provide worker's compensation protection for the City's employees, to the statutory limits of the State of Michigan, and provide Part B Employers Liability as follows:

Each Accident	\$1,000,000
Disease – Each Employee	\$1,000,000
Disease – Policy Limit	\$1,000,000

The indemnification obligation under this section shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker's disability compensation coverage established by law.

- b. Bodily Injury and Property Damage: The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operation for one year, after completion of the work.
1. Bodily Injury and Property Damage Other Than Automobile: The minimum limits of property damage and bodily injury liability covering each contract shall be:

Bodily Injury and Property Damage Liability:	or: Combined Single Limit:
Each Person \$1,000,000	Aggregate \$2,000,000
Each Occurrence \$1,000,000	
Aggregate \$2,000,000	

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors coverages.

2. Bodily Injury Liability and Property Damage Automobiles: The minimum limits of bodily injury liability and property damage liability shall be:

Bodily Injury and Property Damage Liability:	or: Combined Single Limit:
Each Person \$1,000,000	Each Occurrence: \$1,000,000
Each Occurrence \$1,000,000	

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- c. Excess and Umbrellas Insurance – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- d. The City shall provide for and in behalf of the Road Commission for Oakland County and all agencies specified by the Road Commission, as their interest may appear, Owner's Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City's General Liability Insurance.
- e. Notice – The City shall not cancel, renew, or non-renew the coverage of any insurance required by this Section without providing 30 day prior written notice to the Road Commission for Oakland County. All such insurance shall include an endorsement whereby the insurer shall agree to notify the Road Commission for Oakland County immediately of any reduction by the City. The City shall cease operations on the occurrence of any such cancellation or reduction, and shall not resume operations until new insurance is in force. If the City cannot secure the required insurance within 30 days, the Board reserves the right to terminate the Contract.
- f. Reports: The City or its insurance carrier shall promptly report to the Road Commission all of the following events each time as they occur: Claims received, claims investigations made, and disposition of claims.

See provisions of the maintenance agreement to which this Exhibit B is attached.

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number
(ID # 1396)**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Approve Construction Estimate #5 for the 2013 Streetscape & Utilities Improvements and Change Order #3

Requested Action:

Move to approve construction estimate #5 with Warren Contractors in the amount of \$376,217.19 and change order #3 decreasing the contract amount by \$84.26.

Background:

At the March 18, 2013 meeting, the City Council approved a construction contract with Warren Contractors in the amount of \$1,988,168.20 for the Grove Street Project and the Warner/Oakland Street Project. Attached is construction estimate #5 for the project in the amount of \$376,217.19 for work completed through October 11, 2013. Two-thirds of the payment is for work associated with the Warner/Oakland segment of the project. City Administration is also requesting approval of change order #3 that decreases the contract amount by \$84.26.

The City engineer's Orchard Hiltz & McCliment (OHM) have reviewed the construction estimate recommends approval

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

October 14, 2013

Mr. Chuck Eudy
DPW Superintendent
City of Farmington
33720 W. 9 Mile Road
Farmington, Michigan 48335

Regarding: 2013 Streetscape & Utilities Improvements
OHM Job No. 0111-11-0163

Dear Mr. Eudy:

Enclosed are Construction Estimate No. 5 with the Contractor's Declaration and three copies of Change Order No. 3 for the referenced project. We would recommend approval of this Change Order. If you concur, please sign all three copies, retain one copy for your files and return the other two copies to OHM for further processing.

Warren Contractors & Development Inc. has completed the work shown on the attached construction estimate for the period ending October 11, 2013 and we would recommend payment to the Contractor in the amount of \$376,217.19.

The itemization of the Total Earnings This Period is as follows:

Breakdown by Category:

Category – Grove Street: General	-\$95.80
Category – Grove Street: Water Main	\$0.00
Category – Grove Street: Paving	\$45,431.89
Category – Grove Street: Streetscape	<u>\$86,744.21</u>
Grove Street Total this Estimate:	\$132,080.30
Category – Warner St. & Oakland Ave: General	\$-1,040.04
Category – Warner St. & Oakland Ave: Water Main	\$120,181.98
Category – Warner St. & Oakland Ave: Sanitary	\$12,103.73
Category – Warner St. & Oakland Ave: Paving	\$114,699.18
Category – Warner St. & Oakland Ave: Streetscape	<u>\$17,992.95</u>
Warner St. & Oakland Ave Total this Estimate:	\$263,937.80

Sincerely,
OHM Advisors


Gary M. Smolinski
Construction Manager

cc: Warren Contractors & Development, Inc., 14979 Technology Drive, Shelby Township, MI 48315
Matt Parks, P.E., OHM
File

P:\0101_0125\0111110161_Warner Street_Oakland Estimate\CONST\Estimates_Co\Estimates\No.5\Estimate No.5_CO No.3.docx

OHM Advisors
34000 PLYMOUTH ROAD T 734.522.6711
LIVONIA, MICHIGAN 48150 F 734.522.6427 OHM-Advisors.com



CONSTRUCTION ESTIMATE


ORCHARD, HILTZ & McCLIMENT, INC.
34000 Plymouth Road
Livonia, MI 48150

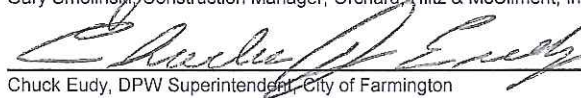
p: (734) 522-6711
f: (734) 522-6427
w: ohm-advisors.com

<p>PROJECT: Farmington - 2013 Streetscape & Utility Improvements</p> <p>OWNER: City of Farmington 33720 W 9 Mile Rd (248) 473-7250 Farmington, MI 48335</p> <p>STATUS: On Schedule</p>	<p>CONTRACTOR: Warren Contractors & Development, Inc. 14979 Technology Drive 586-323-3350 Shelby Township, MI 48315</p>	<p>Job Numbers: 0111-07-0063 0111-11-0163</p>	<p>Estimate Number: 5</p> <p>Period End Date: 10/11/2013 00:00:00</p> <p>Estimate Status: Approved</p> <p>Contract Start Date: 05/02/2013</p> <p>Contract End Date: 10/15/2013</p> <p>Contract Duration: 166 days</p> <p>Print Date: 10/14/2013 15:18:30</p>
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*Retainage: 5% of Total Earnings to Date

Original Contract Amount:	\$1,988,168.20	A) Changes due to CO No. 1 :	(\$36,583.69)	Earnings this Period:	\$396,018.10
Change Orders:	(\$36,160.14)	B) Changes due to CO No. 2 :	\$507.81	Earnings to Date:	\$1,154,724.67
Current Contract Amount:	\$1,952,008.06	C) Changes due to CO No. 3 :	(\$84.26)	Previous Retainage:	\$37,935.33
			\$(36,160.14)	Retainage this Estimate:	\$19,800.90
				Less Total Retained to Date (5% of Total Earnings to Date):	\$57,736.23
				Net Earned:	\$1,096,988.43
				Previous Estimates:	\$720,771.24
				Amount Due Contractor:	\$376,217.19

Prepared By: 
Gary Smolinski, Construction Manager, Orchard, Hiltz & McCliment, Inc.

Approved By: 
Chuck Eudy, DPW Superintendent, City of Farmington

Date: 10/17/13

Date: 10/14/13



CHANGE ORDER

ORCHARD, HILTZ & McCLIMENT, INC.
34000 Plymouth Road
Livonia, MI 48150

p: (734) 522-6711
f: (734) 522-6427
w: ohm-advisors.com

Change Order Number: 3
Date: 09/20/2013
Print Date: 10/07/2013 14:19:11
Job Numbers: 0111-07-0063
0111-11-0163

PROJECT: Farmington - 2013 Streetscape & Utility Improvements

OWNER: City of Farmington
33720 W 9 Mile Rd
Farmington, MI 48335
(248) 473-7250

CONTRACTOR: Warren Contractors & Development, Inc.
14979 Technology Drive
Shelby Township, MI 48315
586-323-3350

TO THE CONTRACTOR:

You are hereby directed to comply with the changes to the contract documents.
This change order reflects work completed or anticipated.

ORCHARD, HILTZ & McCLIMENT, INC.
34000 Plymouth Road
Livonia, Michigan 48150 Phone (734) 522-6711

CURRENT PROJECT PLANS AND SPECIFICATIONS WILL BE ADHERED TO UNLESS SPECIFICALLY CHANGED BY THIS CHANGE ORDER DOCUMENT.

The changes addressed by this Change Order hereby increase the contract duration by 0 days.

THE CONTRACT AMOUNT SHALL BE CHANGED BY THE SUM OF:	\$(84.26)
Original Contract Amount:	\$1,988,168.20
Contract Amount Including Previous Change Orders:	\$1,952,092.32
Amount of this Change Order:	\$(84.26)
REVISED CONTRACT AMOUNT:	\$1,952,008.06

Accepted By: Date: 10-7-13
Warren Contractors & Development, Inc.

Prepared By: 10/7/13 Date: 10/7/13
Gary Smolinski, Construction Manager, Orchard, Hiltz & McCliment, Inc.

Approved By: 10/14/13 Date: 10/14/13
Chuck Eudy, DPW Superintendent, City of Farmington

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number**

Submitted by: Vincent Pastue, City Manager

Description: Consideration of Resolution to Amend City Fee Schedule

Requested Action:

Move to adopt resolution amending fee schedule to establish vehicle impoundment fee, establishing licensing fees for pawnbrokers, and precious metal and gem deals, and eliminating City dog and cat licenses along with animal boarding fees

Background:

City Administration is recommending that the City Council amend the City fee schedule based on a number of operational and regulatory items. Listed below is an explanation of each.

Vehicle Impoundment Fee - The City Council discussed with the public safety director at the September 30 study session establishing a vehicle impoundment fee to cover departmental administrative time and expenses associated with impounding vehicles as a result of vehicle abandonment, or an individual arrested at a scene in which their vehicle must be towed. The fee does not pertain to accidents or vehicle removed as a result of parking. City Administration is recommending that the amount be set at \$25.00. It is anticipated that this charge will generate approximately \$2,500 each year.

Animal Control - The City Council also discussed at the October 7 study session that the local veterinary will no longer board stray dogs and cats captured by Farmington Public Safety Officers. Consequently, the City will now rely on the Oakland County Animal Control Department to board animals. A condition of Oakland County Animal Control Department is that the City can no longer issue its own dog and cat licenses. It also means that the City will no longer charge for boarding animals; that will be done by the County. Therefore, the resolution eliminates Chapter 4 of the City Fee Schedule dealing with Animal Licensing and eliminates Chapter 6 - Public Safety Department, Section 2 - Animal Confinement. This change takes effect October 22, 2013 when the County will assume responsibility for boarding of animals.

Business Licensing - The City Council is considering adoption of ordinances dealing with the regulation of precious metal and gem dealers, along with pawnbrokers. The ordinances involve additional investigation by the public safety department of applicants. Similar to other licenses, an application fee and annual renewal fee is established. Given the anticipated amount of time associated with investigating new applications and reviewing annual renewals, City Administration is recommending that both application fee and annual renewal be established at \$100.00. The effective date of November 18, 2013 coincides with the estimated effective date of the two ordinances.

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

RESOLUTION NO. (ID # 1398)**A RESOLUTION OF THE FARMINGTON CITY COUNCIL AMENDING THE CITY FEE SCHEDULE.**

WHEREAS, the City of Farmington maintains a fee schedule that covers all charges for services, sales, deposits, permits, and licenses;

WHEREAS, it is necessary to periodically update the fee schedule as a result of operational changes, regulatory changes, and policy decisions to insure that revenues are adequate to cover the cost of services; and

WHEREAS, the Farmington City Council discussed the implementation of an vehicle impound fee to cover Public Safety administrative time associated with impounding vehicles that have been abandoned or individuals arrested at a scene where the vehicle must be towed; and

WHEREAS, the Farmington City Council discussed operational changes regarding animal control services that will require the City to rely on Oakland County to house stray dogs within the City of Farmington which will require the City to eliminate animal boarding charges and the elimination of City dog and cat licenses; and

WHEREAS, the Farmington City Council is considering ordinances regulating pawnbrokers, along with precious metal and gem dealers, which expands the Public Safety Departments investigation of the license application and has been determined to cover portions of this departmental cost.

NOW, THEREFORE BE IT RESOLVED that the Farmington City Council hereby amends the City Fee Schedule as indicated below:

1. Amend Chapter 6 - Department of Public Safety, Section 1 - Miscellaneous, to add a new fee, effective November 18, 2013.

Vehicle Impoundment (Abandoned or Arrests) - \$25.00

2. Eliminate Chapter 6, Section 2 dealing with Public Safety animal confinement fees, effective October 22, 2013.

3. Eliminate Chapter 4 pertaining to Animal Licensing, effective October 22, 2013.

4. Amend Chapter 7 - Business License, Permit and Registration Fees to add new fees for annual licensing, effective November 18, 2013

Precious Metal and Gem Dealers	Application:	\$100.00
	Annual License:	\$100.00
Pawnbrokers	Application:	\$100.00
	Annual License:	\$100.00

CHAPTER 6

DEPARTMENT OF PUBLIC SAFETY

SECTION 1 – MISCELLANEOUS

Bicycle license	\$2.00
Copies – First page	\$5.00
Additional pages	\$1.50 each
Photo - Black/white	\$10.00 + cost
Color	\$10.00 + cost
Accident Reports	\$10.00
Fingerprints (card) – Resident	\$5.00
Non-Resident	\$8.00
Local record clearance (non-governmental)	\$10.00
Permit Parking Fee – First two permits	(no cost)
Additional permits	\$2.00 per permit
Police Records (video, phone)	\$10.00 tape + hourly wage

~~SECTION 2 – ANIMAL CONFINEMENT~~

Animal confinement – first day	\$20.00
 Additional days	\$9.00 each

SECTION 3 – ALARMS

False Alarm –Up to 4	(no cost)
5 and up	\$25.00 per occurrence

Revised 3-1-10
Revised 5-16-05

~~CHAPTER 4~~

~~ANIMAL LICENSING~~

~~Dog and cat license \$7.00~~

~~Delinquent dog and cat license \$10.00~~

~~Lost tags \$1.00~~

~~Dogs and cats acquired after July 1 ½ annual fee~~

~~Dogs and cats 6 months old after July 1 ½ annual fee~~

~~Neutered dogs and cats shall receive a license fee reduction of \$3.00~~

Amended 7-1-95

CHAPTER 7

BUSINESS LICENSE, PERMIT AND REGISTRATION FEES

REGISTRATION FEES:

Per Business (each location (Unless Chapter 7 establishes a specific fee)	Annual	\$40.00
Outside Sales	Annual	\$100.00
(Excluding sidewalk promotions) (Bond up to \$500 may be required)		
Vending Machines:		
Inside a registered business		No charge
Other locations (per machine)		
\$.50+ Machines	Annual	\$20.00
.01 to .49 Machines	Annual	\$5.00

LICENSING/PERMIT/REGISTRATION FEES:

Establishment offering alcohol (Sec. 3.26-3.37)	Application (see Ch. 3) Annual	\$100.00
Auction (Bond requirement per code: \$1,000 - \$50,000) (Sec. 6.26-6.28)	Daily Annual	\$30.00 \$150.00
Auctioneer (Sec. 6.46-6.49)	Daily Annual	\$20.00 \$100.00
Bed and Breakfast (Sec. 8-30)	Application Annual	\$150.00 \$40.00
Carnival/Circus/Exhibition (Bond: \$1,000 - \$10,000) (Sec. 4.91-4.92)	Daily	\$200.00
Coin Operated Amusement Device Establishments	Application Annual	\$150.00 \$40.00

Distributor-per device (Does not apply to incidental Use on registered businesses) (Sec 4.111-4.140)	Annual	\$10.00
* Collecting/Disposing/Hauling Solid Waste within City (Sec. 16-26)	Annual	\$75.00
* Kennel License (Sec. 5.81-5.82)	Annual	\$75.00
Massage Parlor (Sec.18.26-18.31)	Application	\$250.00
* Masseuse	Annual	\$200.00
	Application	\$150.00
	Annual	\$100.00
Pornographic Business (Sec.4.181-4.185)	Application	\$350.00
	Annual	\$300.00
Public Dances (Bond: \$500 to \$5,000) (Sec. 4.51)	Daily	\$100.00
** Solicitors (Annual application required) For daily registration (Sec. 22.4-22.9)	Application	\$20.00
	Daily	\$10.00
	Annual	\$100.00
Taxicabs (Sec. 33.46-33.54)	Application	\$150.00
	Annual	\$40.00
Theaters (Sec. 4.93)	Application	\$150.00
	Annual	\$40.00

NOTE: ***

1. Delinquent penalty of 10% will be levied after due date.
2. Registrations in the last quarter of the year will be applied to the following year as well

*Amended 7-1-98

**Amended 6-18-01

*** Amended 10-17-11

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Amend Fiscal Year 2013-14 Budget

Requested Action:

Move to adopt resolution amending Fiscal Year 2013/14 Budget

Background:

City Administration is requesting that City Council approve a number of budget amendments to the adopted Fiscal Year 2013-14 Budget. Most of the budget amendments are carry forwards from uncompleted projects in the previous fiscal year. However, a couple involve new items that were not anticipated when the Fiscal Year 2013-14 budget was adopted. Contained below is a listing of the budget amendments.

Budget Amendment #1 - This is simply a carry forward of unexpended budget for the Grove Street project which involves the Major Street Fund, Municipal Street Fund, Capital Improvements Fund, and Water and Sewer Fund.

Budget Amendment #2 - Carry forward of unexpended budget for Drakeshire Shopping Center project.

Budget Amendment #3 - Carry forward of \$70,000 to replace computers and servers as part of the Farmington Hills information technology shared service.

Budget Amendment #4 - This budget amendment reduces the capital outlay line item by \$28,000 since the actual cost of the projection equipment was less budgeted. It also reduces the debt service expense by \$70,000.

Budget Amendment #5 - This budget amendment incorporates the net sale price of the Courthouse Property.

Budget Amendment #6 - This budget amendment increases the capital outlay line item to add the purchase and installation of electronic read water meters as approved by City Council at the August 19 meeting.

Budget Amendment #7 - There are two components to this budget amendment. The first would appropriate \$31,000 from the Municipal Street Fund to the Major Street for on-street parking improvements on Ten Mile Road, west of Orchard Lake. The second would appropriate and transfer \$95,000 from the Capital Improvements Fund to the General Fund to construct new sidewalk from Power Road to the shopping center at the corner of Ten Mile Road and Orchard Lake.

Budget Amendment #8 - This budget amendment would transfer \$8,000 from the Cemetery Trust Fund to the Cemetery Account in the General Fund to remove dangerous trees.

Budget Amendment #9 - This budget amendment would transfer \$200,000 from the Capital Improvements Fund to the DDA Fund for the Riley Ice Rink. The \$200,000 represents the City's transfer plus the necessary advance as additional donations are secured. The DDA will need to take action to amend their budget which will subsequently require City Council approval.

Financial Impact

Funds are available for the requested budget amendment.

Recommendations

Move to approve Budget Amendments No. 1-9 for Fiscal Year 2013/14.

Attachments

Budget Amendment Resolution

Agenda Review

Review:

Vincent Pastue Pending

City Manager Pending

City Council Pending

RESOLUTION NO. (ID # 1400)

CITY OF FARMINGTON

RESOLUTION _____

Motion by, _____ seconded by, _____

Budget Amendment No 1

Fund: Major Street Fund		
Construction	\$868,372	
Transfer, Municipal Street Fund		\$214,182
Transfer, Capital Improvement Fund		\$535,000
Appropriation, Fund Balance		\$119,190
Fund: Municipal Street Fund		
Transfer, Major Street Fund	\$214,182	
Appropriation, Fund Balance		\$214,182
Fund: Capital Improvement Fund		
Transfer, Major Street Fund	\$535,000	
Appropriation, Fund Balance		\$535,000
Fund: Water and Sewer Fund		
Capital Outlay	\$70,989	
Appropriation, Fund Balance		\$70,989
Fund: Grove Street Capital Project Fund		
Capital Outlay	\$267,000	
Appropriation, Fund Balance		\$267,000
To Add Grove Street Expenditures Budgeted in 2012-13		

Budget Amendment No 2

Fund: Drakeshire Capital Improvement Fund		
Bond Costs	\$900	
Construction Costs	\$30,083	
Appropriation, Fund Balance		\$30,983
To Add Drakeshire Expenditures Budgeted in 2012-13		

Budget Amendment No 3

Fund: General Fund		
General Government	\$70,000	
Appropriation, Fund Balance		\$70,000
To Add Computer, Network, and Server Upgrades Budgeted in 2012-13		

Budget Amendment No 4

Fund: Theater Fund		
Bond Proceeds	\$60,000	
Debt Service		\$7,000
Capital Outlay		\$28,000
Appropriation, Fund Balance		\$25,000
To Lower Capital Outlay and Debt for Theater Equipment Approved 9/16/13		

Budget Amendment No 5

Fund: Capital Projects Fund		
Appropriation, Fund Balance	\$403,750	
Sale of Capital Assets		\$403,750
To Add Sale of Old 47th District Court Building Approved 7/15/13		

Attachment: Budget%20Amendments%201-9(1) (1400 : Consideration to Amend Fiscal Year 2013-14 Budget)

Budget Amendment No 6

Fund: Water and Sewer Fund

Capital Outlay	\$42,500	
Operations and Maintenance		\$15,000
Appropriation, Fund Balance		\$27,500

To Add Purchase of Water Meters Approved 8/19/13

Budget Amendment No 7

Fund: Major Street Fund

Construction	\$31,000	
Transfer, Municipal Street Fund		\$31,000

Fund: Municipal Street Fund

Transfer, Major Street Fund	\$31,000	
Appropriation, Fund Balance		\$31,000

Fund: General Fund

Public Services	\$95,000	
Transfer, Capital Improvement Fund		\$95,000

Fund: Capital Projects Fund

Transfer, General Fund	\$95,000	
Appropriation, Fund Balance		\$95,000

To Add On Street Parking and Sidewalk Improvements

Budget Amendment No 8

Fund: General Fund

General Government	\$8,000	
Transfer, Cemetery Trust Fund		\$8,000

To Transfer Funds for the Removal of Dangerous Trees

Budget Amendment No 9

Fund: Capital Projects Fund

Contribution, DDA	\$200,000	
Appropriation, Fund Balance		\$200,000

To Transfer Funds to DDA for Ice Rink

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 said claims and accounts have been lawfully incurred and approved by Council, Board, Commission or other City Officer authorized to make such expenditures, and

BE IT FURTHER RESOLVED that the City Manager 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:

Nays:

Absent:

RESOLUTION DECLARED ADOPTED

SUSAN K. HALBERSTADT, CITY CLERK

I, Susan K. Halberstadt, 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 Monday, October 21, 2013 in the City of Farmington, Oakland County, Michigan.

SUSAN K. HALBERSTADT, CITY CLERK

Attachment: Budget%20Amendments%201-9(1) (1400 : Consideration to Amend Fiscal Year 2013-14 Budget)

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Adopt Resolution Supporting Grant Proposal to the MiPlace Partnership Placeplans Grant Program

Requested Action:

Move to adopt resolution supporting a joint grant proposal with the City of Farmington Hills to the MiPlace Partnership Placeplans Grant Program

Background:

City Administration is recommending the City Council adopt the attached resolution supporting a joint grant proposal with the City of Farmington Hills to the MiPlace Partnership Placeplans Grant Program. The City of Farmington Hills, with concurrence of City Administration, submitted a grant application on behalf of both cities under this program. The program provides assistance to communities to help design and plan for transformative strategic place-making projects in a defined geographical area. The grant program is administered by Michigan State University (MSU) and the Michigan Municipal League (MML).

The Farmington Hills-Farmington application is one of 15 out of the original 35 state-wide applications to proceed to the next round. The resolution of support from the City Council is necessary to proceed with the grant application. The planning commissions for both cities have adopted resolutions supporting the grant application, as has the Farmington Hills City Council. It is interesting to note that the master plans of both cities identified the Orchard Lake/Ten Mile intersection as a focus area for redevelopment. Farmington's Master Plan specifically recognizes the importance of working with Farmington Hills regarding the redevelopment of this intersection.

If the full application is approved by MSU/MML, the local match for the grant application is \$6,000. Farmington's share would be \$1,500.

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending

RESOLUTION NO. (ID # 1401)
STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

RESOLUTION SUPPORTING A GRANT PROPOSAL TO THE MIPLACE PARTNERSHIP
PLACEPLANS GRANT PROGRAM

At a regular meeting of the City Council of the City of Farmington, County of Oakland, State of Michigan, held on the 21st day of October, 2013, at 7:00 p.m., Eastern Daylight Savings Time, with those present and absent being,

PRESENT:

ABSENT:

the following resolution was offered by Councilperson _____ and supported by Councilperson _____:

WHEREAS, the Farmington Master Plan adopted in 2009 sets the following goals for the Orchard Lake Road/Ten Mile Redevelopment Area:

- The zoning district applied to this node should allow small-scale or low-intensity commercial uses that serve the surrounding neighborhoods;
- Adequate buffers, such as brick walls and lower level lighting, should be provided between the commercial and surrounding residential uses;
- The City should work with Farmington Hills on upgrading the streetscape image of Orchard Lake Road and to develop a more specific redevelopment plan for all corners of the intersection that is more pedestrian oriented.

WHEREAS, the MiPlace Partnership is a statewide initiative with the purpose of keeping Michigan at the forefront of a national movement known as placemaking, and includes such partners as MSHDA, MML, Michigan State University, and many others; and

WHEREAS, the City of Farmington, in partnership with the City of Farmington Hills, submitted a letter of interest to participate in the 2013/2014 PlacePlans Grant Program; and

WHEREAS, the Cities of Farmington Hills and Farmington were one of 15 out of 35 invited to submit a full proposal for the program.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

1. The Farmington Hills City Council supports the proposal to the MiPlace Partnership PlacePlans Program.
2. The City Council is committed to supporting the PlacePlan process as needed.
3. The City is committed to providing the necessary in-kind and financial match to support the grant project.

Resolution (ID # 1401)

Meeting of October 21, 2013

AYES:
 NAYS:
 ABSENT:
 ABSTENTIONS:

THE RESOLUTION WAS DECLARED _____.

STATE OF MICHIGAN)

COUNTY OF OAKLAND)ss.
)

I, the undersigned, the duly qualified and acting City Clerk of the City of Farmington, County of Oakland, State of Michigan, do hereby certified that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Farmington at a regular meeting held on the 21st day of October, 2013, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature, this ___ day of _____, 2013.

 Susan K. Halberstadt, City Clerk
 City of Farmington

**Farmington City Council
Staff Report**

Council Meeting Date:
October 21, 2013

**Reference
Number
(ID # 1402)**

Submitted by: Vincent Pastue, City Manager

Description: Consideration to Cancel November 4, 2013 Study Session

Requested Action:

Move to cancel November 4, 2013 study session

Background:

City Administration is recommending that the City Council cancel the November 4, 2013 study session. The study session would be the evening before the City election. Since the City Council chambers serves as a precinct, it is easier for the City Clerk to set up the precinct the night before voting like all of the other precincts. Also, City Administration does not have any pressing items for Council that cannot wait until after the election

Agenda Review

Review:

Vincent Pastue Pending
City Manager Pending
City Council Pending