

FARMINGTON CITY COUNCIL
REGULAR MEETING

A regular meeting of the Farmington City Council was held on Monday, August 1, 2005 in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 8:00 p.m. by Mayor Campbell.

PRESENT: Bush, Campbell, Knol, McShane, Mitchell.

ABSENT: None.

CITY ADMINISTRATION: Clerk/Treasurer Cantrell, Director Gushman, Deputy Clerk Halberstadt, Director Nebus, City Manager Pastue, Attorney Joppich.

APPROVAL OF AGENDA

08-05-179 MOTION by Bush, seconded by Mitchell, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

08-05-180 MOTION by Knol, seconded by McShane, to approve the special meeting minutes of June 30, 2005, and the special and regular meeting minutes of July 5, 2005. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS/PUBLIC HEARINGS

2005 DYSLEXIA AWARENESS PROCLAMATION

Council presented a proclamation to members of the 32nd Degree Masons in recognition of their years of service in combating dyslexia and to support the "Walk to Help Children with Dyslexia," event to be held on October 16, 2005.

PETITIONS AND COMMUNICATIONS

SPECIAL EVENT APPLICATION – CROSSING CHURCH

Administration recommended approval of a special event request received from the Crossing Church to conduct a garage sale in the parking lot of the old Frank Nursery building. Administration noted that the event would be held on private property making the requirement for an indemnification agreement or certificate of insurance unnecessary.

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Councilmember Knol asked if the Crossing Church planned to display a sign publicizing their new location. City Manager Pastue responded that the City's Sign Ordinance allows for temporary display of signs during construction.

RESOLUTION 08-05-181 Motion by McShane, seconded by Mitchell, to approve a special event request from The Crossings Church to conduct a garage sale on August 12 and 13, 2005 from 9:00 a.m. to 5:00 p.m., in the parking lot at 31590 Grand River Avenue. MOTION CARRIED UNANIMOUSLY.

SPECIAL EVENT APPLICATION – CROMWELL CHIROPRACTIC

Administration recommended approval of a special event request received from Cromwell Family Chiropractic to conduct a Family Fun Festival similar to the same event held last year. Administration advised that the event would be held on private property making the requirement for an indemnification agreement or certificate of insurance unnecessary.

RESOLUTION 08-05-182 Motion by Bush, seconded by Knol, to approve a special event request from Cromwell Family Chiropractic, 33211 Grand River Avenue, to hold a "Family Fun Festival" on Saturday, August 20, 2005, from 11:00 a.m. to 4:00 p.m., in their parking lot between the Farmington Insurance and Village Clipper buildings. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDERATION TO ADOPT ORDINANCE #C-709-2005 TO AMEND CITY TRAFFIC CONTROL ORDERS

Administration advised that the proposed ordinance was developed in response to a petition signed by sixty-three residents of the Meadows Subdivision requesting traffic changes along Flanders Street to address pedestrian safety. Administration further advised that recommended changes were the result of a combined effort by the Traffic and Safety Board, Director Nebus and Traffic Engineer DeCorte.

Administration stated that residents had been notified of the proposed changes and as a result several responses had been received. Director Nebus reviewed those responses, indicating that the primary concern was speeding along Flanders and the need for at least one or more stop signs.

Mayor Campbell invited public comment concerning the proposed changes.

Tim Wardle, 21156 Meadowlark, expressed concern regarding the proposed removal of stop signs and proper enforcement of no parking zones. Director Nebus responded that there would be increased enforcement of no parking, stopping and standing in front of Flanders School.

Jeff McGowan, 21052 Larkspur, expressed his concern regarding the removal of the east/west stop signs along Flanders. He proposed retaining an east/west sign at

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Flanders and Larkspur that would provide an additional crosswalk and slow down drivers.

Jeff Ely, 21222 Larkspur, expressed his concern at the proposed removal of east/west stop signs at Flanders and Larkspur. He stated that with the removal of those stop signs, Flanders would become a "race track". He stated that the safety of the children should be a priority and noted that traffic concerns are not confined to school hours only.

Bob DeCorte, Traffic Engineer, stated that the proposed ordinance reduces the number of crosswalks on Flanders to ensure that children cross the least number of streets as possible. He further stated that with only one crosswalk on Flanders, drivers would not have to worry about students crossing elsewhere. He advised that parking controls are set up so that parents will only pick up and drop off on the school side of the street, avoiding the need for students to cross over Flanders.

Jeff Ely agreed that the number of crosswalks should be limited, but continued to express concern regarding speeding.

DeCorte suggested that once the changes have been made, traffic counters should be installed to collect data on traffic speed. He stated that if a speeding problem is indicated, Public Safety would respond accordingly.

Mayor Campbell noted a concern regarding speeding by drivers who are unfamiliar with the neighborhood during the baseball season. He asked about the impact of leaving the stop signs at Larkspur and Flanders. Director Nebus responded that leaving the stop signs would probably make the residents feel safer, however, such action would not meet the criteria established for pedestrian and traffic safety.

Councilmember Knol asked about placing a median at the intersection of Birchwood and Flanders. DeCorte responded that a median would be hazardous and a liability for the City.

Knol asked about placing "Stop for Pedestrian" signs on Flanders. DeCorte responded that the signs are unnecessary because they are not informing drivers of something they don't already know.

McShane discussed the need for enforcement of traffic controls. She expressed support for the proposed changes, but requested a review after six months to determine their effectiveness. DeCorte recommended a review in October.

Mitchell acknowledged the concern of residents regarding speeding and the need for special enforcement when necessary. He expressed confidence in the recommendations made by DeCorte, Nebus and the Traffic and Safety Board and further expressed support for the proposed plan. He recommended monitoring the changes once school has opened.

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Knol expressed support for the ordinance, but noted some reservations. She stated her belief that if the stop signs were removed on Flanders, speeding would increase. She recommended radar rather than a trailer for monitoring traffic speed. She recommended monitoring traffic after school begins and if traffic problems continue, stop signs should be reinstalled or a median installed to slow cars down.

Bush recognized the expertise of those who contributed to the ordinance and recommended a review after changes have been implemented.

Mayor Campbell confirmed that Director Nebus and members from the Traffic and Safety Board would meet once again with representatives from Flanders Elementary School to reconfirm where students would be crossing Flanders and he further confirmed that there would be increased speed enforcement on Flanders.

In response to a question, Nebus stated that he would report back to Council in October regarding the effectiveness of the new ordinance.

08-05-183 MOTION by Bush, seconded by Mitchell, to adopt Ordinance C-709-2005 to amend the City of Farmington Traffic Control Orders in order to implement changes along Flanders Street. **[SEE ATTACHED ORDINANCE]**.

ROLL CALL

Ayes: Campbell, Knol, McShane, Mitchell, Bush.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE RESOLUTIONS REGARDING CHARTER AMENDMENT BALLOT LANGUAGE PERTAINING TO PURCHASING REQUIREMENTS

Administration recommended that Council approve placing proposed changes to Sections 12.1 and 12.2 of the City Charter relative to purchasing requirements on the November 2005 ballot.

Knol requested that information regarding the proposed amendments be placed on the City's website and an announcement made on cable.

RESOLUTION 08-05-184 Motion by McShane, seconded by Knol, to adopt a resolution to place proposed language on the November 8, 2005 ballot to amend Section 12.1 of the City Charter relating to *Purchase and Sale of Property*. **[SEE ATTACHED RESOLUTION]**.

ROLL CALL

Ayes: Knol, McShane, Mitchell, Bush, Campbell.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

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RESOLUTION 08-05-185 Motion by Bush, seconded by Mitchell, to adopt a resolution to place proposed language on the November 8, 2005 ballot to amend Section 12.2 of the City Charter relating to *Contracts*. [SEE ATTACHED RESOLUTION].

ROLL CALL

Ayes: McShane, Mitchell, Bush, Campbell, Knol.
Nays: None.
Absent: None.
MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE PAY ESTIMATE #1 FOR DOWNTOWN CENTER IMPROVEMENTS PROJECT

Administration advised that Council had approved a contract with the ABC Paving Company in the amount of \$1,898,914.49 for the Downtown Center Improvement Project. Administration recommended Council's approval of construction estimate #1 for that project. Administration advised that the City's consulting engineers and Director Gushman have reviewed the pay request and recommended its approval.

RESOLUTION 08-05-186 Motion by Mitchell, seconded by McShane, to approve payment of construction estimate #1 in the amount of \$82,293.96 to ABC Paving Company for work completed on the Downtown Center Improvements Project.

ROLL CALL

Ayes: Mitchell, Bush, Campbell, Knol, McShane.
Nays: None.
Absent: None.
MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE PAY ESTIMATE #1 FOR 2005 PAVING PROGRAM

Administration advised that Council approved a contract with Cadillac Asphalt in the amount of \$274,518.85 for the 2005 Paving Program. Administration recommended Council's approval of construction estimate #1 for that project. Administration advised that the City's consulting engineers and Director Gushman have reviewed the pay request and recommended its approval.

RESOLUTION 08-05-187 Motion by Knol, seconded by Bush, to approve payment of construction estimate #1 in the amount of \$96,097.45 to Cadillac Asphalt for the 2005 Paving Program.

ROLL CALL

Ayes: Bush, Campbell, Knol, McShane, Mitchell.
Nays: None.
Absent: None.
MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO AWARD BID FOR FOOTING DISCONNECT PROJECT

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Administration advised that the City's receipt of only one bid, Bidigare Contractors of Northville, for the footing disconnect project in Chatham Hills, was a result of the project's uniqueness and grant requirements. Administration further advised that the City's consulting engineers have recommended awarding the contract to Bidigare due to their experience in this type of work.

In response to a question from McShane, City Manager Pastue confirmed that Bidigare Contractors would be able to comply with the staffing requirements of the grant. Gushman confirmed that Bidigare understood the scope of the project and noted that they had provided excellent references.

Responding to an additional question, Pastue stated that the bid is a fair price based upon the engineers' estimate and the uniqueness of the project.

Gushman confirmed that the grant is through the federal government, but administered by Wayne County.

Pastue stated that careful consideration was given to the merit of the grant in light of its many stipulations and it was determined to be worthwhile.

Responding to a question, Gushman stated that the project should be completed in Spring 2006 followed by a monitoring period to evaluate the water quality.

RESOLUTION 08-05-188 Motion by Bush, seconded by McShane, to accept bids for the Footing Disconnect Project and award the contract to Bidigare Contractors in the amount of \$596,551.00; and authorize the City Manager to sign the contract upon review and approval by the City Attorney.

ROLL CALL

Ayes: Campbell, Knol, McShane, Mitchell, Bush.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO RENEW FARMINGTON ROAD MAINTENANCE AGREEMENT WITH ROAD COMMISSION FOR OAKLAND COUNTY

Administration advised that the Road Commission for Oakland County has proposed continuance of the agreement with the City of Farmington for the maintenance of Farmington Road. Administration further advised that the County has offered to compensate the City at a rate of \$11,263.54 per mile, for a total annual compensation of \$19,147.54, resulting in a 2.0% increase over last year.

RESOLUTION 08-05-189 Motion by Mitchell, seconded by Knol, to approve an agreement in the amount of \$19,147.00 with the Road Commission for Oakland County for the maintenance of Farmington Road, for a one-year period beginning October 1, 2005. **[SEE ATTACHED AGREEMENT].**

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ROLL CALL

Ayes: Knol, McShane, Mitchell, Bush, Campbell.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

APPROVE MONTHLY PAYMENTS REPORT

08-05-190 MOTION by McShane, seconded by Bush, to approve the monthly payments report for July 2005. MOTION CARRIED UNANIMOUSLY.

FOURTH QUARTER REPORT: DEPT. OF PUBLIC WORKS AND WATER & SEWER DEPT., APRIL 1, 2005 – JUNE 30, 2005

08-05-191 MOTION by Bush, seconded by Knol, to receive and file the Department of Public Works and Water & Sewer Department Report for quarter ending June 30, 2005. MOTION CARRIED UNANIMOUSLY.

FOURTH QUARTER REPORT: BUILDING DEPT., APRIL 1, 2005 – JUNE 30, 2005

Mitchell recognized the great job the Building Department is doing.

08-05-192 MOTION by Knol, seconded by Mitchell, to receive and file the Building Department Report for quarter ending June 30, 2005. MOTION CARRIED UNANIMOUSLY.

JUNE 2005 PUBLIC SAFETY DEPARTMENT REPORT

McShane thanked Director Nebus for the report and recognized its value to the Council.

08-05-193 MOTION by McShane, seconded by Bush, to receive and file the Public Safety Report for June 2005. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT

No public comments were heard.

COUNCIL COMMENT

Mitchell announced plans for a hoedown sponsored by Farmington Youth Assistance, scheduled for August 12th at the William Grace Elementary School; and on the following night, August 13th, an Akebono Appreciation Picnic has been planned.

McShane thanked City staff for their efforts during Founders Festival and Director Nebus and his department for keeping order and calm. Responding to a question, Nebus stated that Oakland County officers were on stand-by, but were not needed due to a sufficient number of reserve officers and additional Farmington Hills police.

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McShane expressed appreciation for the significant police presence in the Downtown during the Founders Festival.

Bush noted the success of the Founders Festival and expressed appreciation to the Public Services Department for their efforts. She requested an update on the results of the Founders Festival and possible future changes. She asked about the status of the liquor license transfer to the Gala restaurant. Nebus responded that he would follow-up with the Liquor Control Commission.

Bush announced that she would not seek re-election to City Council. She informed Council that she plans to spend more time with her mother who is ill and on her real estate business. She stated that it has been a privilege and honor to serve the residents of Farmington over the past twelve years.

Mayor Campbell recognized both the Public Safety and Public Services Departments for their efforts during the Founders Festival. He thanked Councilmember Bush for her distinguished service to the City over the past twelve years.

ADJOURNMENT

08-05-194 MOTION by Knol, seconded by McShane, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:30 p.m.

Arnold T. Campbell, Mayor

Patsy K. Cantrell, City Clerk/Treasurer

Susan K. Halberstadt, Recording Secretary

APPROVED: SEPTEMBER 6, 2005