

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Tuesday, January 3, 1984, 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 by Mayor Yoder at 8:05 p.m.

### ROLL CALL

PRESENT: Mayor Yoder, Councilmen Tupper, Walker.

ABSENT: Councilmen Bennett, Hartsock.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, Adm. Assistant Horner, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 1-84-001

Motion by Councilman Tupper, supported by Councilman Walker, to approve the minutes of the previous meeting of December 19, 1983, as printed. Motion carried, all ayes.

### PUBLIC HEARING

#### TO REVIEW PROPOSED 1984-85 COMMUNITY DEVELOPMENT PROGRAM

The City Manager reviewed the Community Development Program proposed for the 1984-85 fiscal year, advising that the City will receive \$48,800.00 to fund the program year. He advised that the activities for the 1984 program year will include those outlined by the Planning Commission's Community Development Subcommittee, as follows:

1. Beautification - Downtown Central Business District, with a funding level of \$18,800.00. This phase is to include landscaping, pedestrian rest areas, rubbish dumpster enclosures, lighting improvements and tree planting, and will be the first phase of a multi-year project. These improvements should assure the viability of the CBD shopping center when competing with major shopping malls in the area.
2. Continuation of the Sidewalk Ramp Program for the Handicapped, at a funding level of \$5,000.00, which should complete the Sidewalk Ramp Program, thereby providing all of the sidewalk/street intersections with barrier-free ramps for the handicapped.
3. Completion of the Farmington Road Sidewalk System. A \$10,000.00 funding level will complete the Farmington Road sidewalk from downtown Farmington to Nine Mile Road on the west side of Farmington Road. This new sidewalk will provide a walkway for the handicapped and senior citizens who reside in the Community Living Center, the

COUNCIL PROCEEDINGS -2-  
January 3, 1984

Kingslane and Country Estates apartments, as many of these residents walk to downtown Farmington for food, drugs, library and medical services.

4. A Parking Planning Study for the Central Business District at a cost of \$15,000.00. As the success of CBD shopping centers depends on the availability of parking, and major changes have occurred in automobile design and public transportation systems, periodic studies of parking trends and parking availability are necessary. The proposed program will involve research and study of the use of current parking facilities, and the development of recommendations for changes or additions for these facilities.

Manager Deadman pointed out that the Community Development Subcommittee has developed a comprehensive program for the use of Community Development funds which will aid the elderly, the handicapped, and provide economic development for Farmington's Downtown Center.

Mayor Yoder opened the Public Hearing to those present.

In answer to Councilman Walker, the City Manager indicated the possible locations of the proposed pedestrian rest areas. He also explained that Oakland County is one of about seven urban counties across the country which receive Community Development funds. He indicated that the County has chosen to distribute these funds throughout the county on a formula basis based on population, allowing the municipalities to use the funds as they see fit as long as they adhere to the federal guidelines provided.

Since there were no further comments from the audience, the Mayor called for a motion to close the Public Hearing.

1-84-002

Motion by Councilman Tupper, supported by Councilman Walker, to close the Public Hearing. Motion carried, all ayes.

1-84-003

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council approves the 1984-85 Community Development Program as presented, thereby allocating the funds in the amount of \$48,800.00 as follows:

Beautification - Downtown	
Central Business District	\$18,800.00
Sidewalk Handicapped Ramp Program	5,000.00
Completion of Farmington Rd. Sidewalks	10,000.00
Parking Planning Study for C.B.D.	15,000.00

AYES: Tupper, Walker, Yoder.

NAYS: None.

ABSENT: Hartsock, Bennett.

RESOLUTION DECLARED ADOPTED JANUARY 3, 1984

COUNCIL PROCEEDINGS -3-  
January 3, 1984

MINUTES OF OTHER BOARDS

1-84-004

Motion by Councilman Tupper, supported by Councilman Walker, to receive and file the Farmington Community Library Minutes of December 8, 1983. Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER FROM MICHIGAN MUNICIPAL LEAGUE RE:  
REGION IV MEETING

Manager Deadman advised that a notice from the Michigan Municipal League indicates the Region IV meeting will be held in the City of St. Clair Shores on February 16, 1984. The theme is "Achieving Community Excellence."

Councilman Tupper and Mayor Yoder said they will attend.

NOTICE FROM MICHIGAN MUNICIPAL LEAGUE  
RE: TELECONFERENCE ON FUTURE OF  
LOCAL GOVERNMENT

Manager Deadman advised that this teleconference will be beamed by satellite from Washington, D.C. to approximately twenty locations around the country. Nationally known speakers will participate for the two-day event which will take place on January 20 and March 9, 1984. The nearest site to Farmington is the Michigan State University Management Center in Troy.

Councilman Walker said he would be interested in attending the March 9th session.

REQUEST FOR PROCLAMATION RE: JAYCEE WEEK

JoAnn George, President of the Farmington Area Jaycee Women, requested that City Council proclaim the week of January 15 through 21 as JAYCEE WEEK in Farmington, recognizing the services rendered to the community by this organization of young men.

1-84-005

Motion by Councilman Walker, supported by Councilman Tupper, to proclaim the week of January 15 through January 21, 1984, as JAYCEE WEEK in the City of Farmington. Motion carried, all ayes.

LETTER OF RESIGNATION FROM HOWARD E. ALDRICH  
FARMINGTON HISTORICAL COMMISSION

The Mayor requested that the Clerk read Howard E. Aldrich's letter of resignation from the Farmington Historical Commission. Mr. Aldrich stated that moving from the city has necessitated his resignation.

1-84-006

Motion by Councilman Tupper, supported by Councilman Walker, to accept with regret the resignation of Howard Aldrich from the Farmington Historical Commission effective December 31, 1983. Motion carried, all ayes.

COUNCIL PROCEEDINGS -4-  
January 3, 1984

REPORTS FROM CITY MANAGER

BIDS: DRAKE ROAD SIDEWALK

Manager Deadman advised that bids for the construction of sidewalk along the east side of Drake Road were received on December 21, 1983, with the following results:

ITALIA CONSTRUCTION, INC. Sterling Heights, Mi.	\$18,047.00
AQUILA CEMENT CO. Northville, Mi.	19,567.50
LaCARIA CONSTRUCTION, INC. Warren, Mi.	21,760.00
MATTIOLI CEMENT Fenton, Mi.	22,577.50
SINELLI & SONS CEMENT CO., INC. Livonia, Mi.	24,077.50
McCARTHY CONTRACTING, INC. Milford, Mi.	24,538.00
CENTURY CEMENT CO. Riverview, Mi.	24,762.00
CONCORD CEMENT CO. Southfield, Mi.	27,402.50
CORE CONCRETE CONSTRUCTION, INC. Livonia, Mi.	28,341.50

Council was advised that this sidewalk construction will be funded through the Federal Community Development Grant Program, indicating that Italia Construction, Inc., the low bidder, is an approved contractor under the program regulations.

John Hiltz, City Engineer, advised that Italia Construction is equipped and qualified to do the work involved, and recommended that the contract be awarded to Italia in the amount of \$18,047.00.

The City Manager stated that the contractor has done satisfactory work for the Birmingham Schools, the City of Southfield and the City of Marysville. He further stated that Italia's extremely competitive bid is nearly 35% below engineering estimates. As a result of this low bid, the City is able to reallocate \$10,000.00 of its 1984-85 Community Development funds to the continuing revitalization of the Central Business District.

1-84-007

Motion by Councilman Tupper, supported by Councilman Walker, to adopt the following resolution:

COUNCIL PROCEEDINGS -5-  
January 3, 1984

BE IT RESOLVED That the Farmington City Council accepts the low bid of Italia Construction Co., Inc., of Sterling Heights, Michigan, in the amount of \$18,047.00 for the construction of the Drake Road Sidewalk, and

BE IT FURTHER RESOLVED That funds for this project be provided from the 1983-84 Community Development Grant Program.

ROLL CALL

AYES: Walker, Yoder, Tupper.  
NAYS: None.  
ABSENT: Bennett, Hartsock.

RESOLUTION DECLARED ADOPTED JANUARY 3, 1984.

AUTHORIZATION TO PURCHASE PATROL  
AND ADMINISTRATIVE VEHICLES

Manager Deadman advised that in an effort to receive more competitive prices, as the state bid was considerably over the budget figures, he contacted the Oakland County Purchasing Department whose low bid for police vehicles was \$275.69 under the state bid and \$344.41 below the state bid for the administrative vehicle. The following tabulation indicates the price differences:

	<u>State</u>	<u>County</u>
<u>Police Vehicle</u>		
Plymouth Fury	\$10,040.34	
Chevrolet Imapala		\$9,764.65
<u>Administrative Vehicle</u>		
Chevrolet Celebrity	8,017.88	7,673.47

Orders must be placed with the State the first week of January. Orders through the county may be placed through March of this year, giving the city the option of purchasing additional police vehicles prior to the manufacturer's cutoff date if such vehicles are included in next year's budget.

The City Manager suggested that the best value for the city is to purchase the police and administrative vehicles through Oakland County, thus saving the city \$620.10. He further indicated that the cost of the two vehicles, purchased through the county, would be \$17,438.12. The budget appropriation of \$16,655.00, leaves a difference of \$783.12, which Manager Deadman advised would be adjusted later in the fiscal year.

1-84-008

Motion by Councilman Tupper, supported by Councilman Walker, to adopt the following resolution:

COUNCIL PROCEEDINGS -6-  
January 3, 1984

BE IT RESOLVED That the Farmington City Council hereby authorizes the purchase of one Chevrolet Impala police vehicle in the amount of \$9,764.65, and one Chevrolet Celebrity administrative vehicle in the amount of \$7,673.47, for a total cost of \$17,438.12 through the County of Oakland Purchasing Department, and

BE IT FURTHER RESOLVED that funds for these vehicles be provided from the 1983-84 General Fund.

ROLL CALL

AYES: Yoder, Tupper, Walker.  
NAYS: None.  
ABSENT: Hartsock, Bennett.

RESOLUTION DECLARED ADOPTED JANUARY 3, 1984.

PROPOSED 1984-85 WHOLESALE WATER-SEWER RATES

Council was advised that the City of Detroit Water & Sewer Department proposes to adjust wholesale water and sewer rates effective July 1, 1984.

Manager Deadman stated that the recommended water rate will increase from \$3.06 to \$3.07 per mcf. The sewerage treatment rate will decrease from \$4.58 to \$4.06 per mcf. He further indicated that the industrial surcharge rates applied against certain types of industrial users have also been reduced.

The City Manager also pointed out an unexpected 7 1/2% reduction in nonresidential industrial meter charges. He advised that part of this rate reduction resulted from a previous overcharge or surplus. He indicated that further information on this would be forthcoming from the City of Detroit.

Manager Deadman determined that the new rates will cause the cost of wholesale water to increase by approximately \$1,000.00 annually, and reduce the cost of sewer treatment by the City of Detroit next year by approximately \$35,000.00. He further stated that if Oakland County is able to pass on the entire savings offered by the new rate structure, sewer treatment costs through the Farmington/Evergreen system will be reduced by approximately \$6,000.00, with total impact of the new rates on the water and sewer system resulting in an estimated cost saving of \$40,000.00.

Council was advised that the small increase in the proposed water rate and the reduction in the proposed treatment rate will enable the city to at least be able to maintain its current retail rates for another year, and possibly reduce city rates slightly in the coming year.

MISCELLANEOUS

COUNCIL PROCEEDINGS -7-  
January 3, 1984

Council was advised that the Annual Report Calendar would be ready within the next week.

FINANCIAL REPORTS: FIVE MONTHS ENDED  
NOVEMBER 30, 1983

Manager Deadman stated that certain budget adjustments will be addressed later on in the fiscal year. He advised that the big difference is the State Revenue Sharing, as we expect to receive about \$25,000.00 more than we normally receive.

1-84-009

Motion by Councilman Tupper, supported by Councilman Walker, to receive the General Fund and 47th District Court financial reports for the five months ended November 30, 1983. Motion carried, all ayes.

WARRANT LIST

1-84-010

Motion by Councilman Tupper, supported by Councilman Walker, to approve the monthly bills as submitted: General Fund \$28,832.86; Water & Sewer Fund \$6,388.33.

ROLL CALL

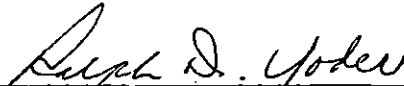
AYES: Tupper, Walker, Yoder.  
NAYS: None.  
ABSENT: Bennett, Hartsock.

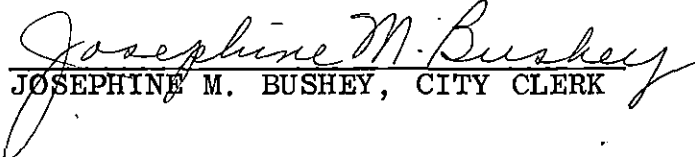
Motion carried.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Walker, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:40 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, January 16, 1984, 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 by Mayor Yoder at 8:00 p.m.

### ROLL CALL

PRESENT: Mayor Yoder, Councilmen Bennett, Hartsock, Tupper, Walker.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 1-84-011

Motion by Councilman Walker, supported by Councilman Tupper, to approve the minutes of the previous meeting of January 3, 1984, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 1-84-012

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of January 9, 1984;  
Board of Zoning Appeals minutes of January 4, 1984;  
Beautification Committee minutes of December 15, 1983;  
Farmington Area Arts Commission minutes of December 15, 1983;  
Board of Education minutes of Special and Regular meetings of December 20, 1983.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR PROCLAMATION

Pamela O'Malley, Counselor at North Farmington High School, requested a proclamation for National School Guidance and Counseling Week.

#### 1-84-013

Motion by Councilman Hartsock, supported by Councilman Tupper, to issue a proclamation designating the week of February 6 - 10, 1984, as NATIONAL SCHOOL GUIDANCE AND COUNSELING WEEK in Farmington. Motion carried, all ayes.

### REPORTS FROM CITY MANAGER

#### LITIGATION SETTLEMENT: OLGA CLEMENS VS. CITY OF FARMINGTON

Manager Deadman reported the results of litigation brought against the City by Olga Clemens who was injured in a fall during the 1981 Water Construction Project in which the contractor, Gerry DiPonio & Sons, Inc., denied liability in the matter. As a result of this



COUNCIL PROCEEDINGS -2-  
January 16, 1984

denial, attorneys for the City's insurance company advised the city not to make its final payment on the water contract. Therefore, \$36,958.84 was withheld.

As the result of a settlement reached prior to trial, Mrs. Clemens agreed to accept the sum of \$18,000.00. The contractor's insurance company is to contribute \$9,000.00, the city's insurance company will contribute \$4,500.00, and the insurance company for ValleyView Condominiums has agreed to contribute \$4,500.00 to the settlement. Further terms of settlement require the city to release the monies owed the contractor after the case has been dismissed.

Council was reminded that since DiPonio & Sons failed to complete the project, Western Casualty Insurance Company was required to complete the project under the terms of their Performance Bond, and all monies owed on the project were assigned to Western Casualty.

1-84-014

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes the City Manager to execute an Acknowledgment and Release Agreement on behalf of the City, and

BE IT FURTHER RESOLVED That Council authorizes release of the final payment for Divisions C, D and E of the Water System Improvement Contracts to Western Casualty & Surety Company in the amount of \$36,958.84 upon receipt of Orders of Dismissal from the Court for the Clemens vs. City of Farmington litigation.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JANUARY 16, 1984.

RECOMMENDATION: INCREASED VEHICLE  
MILEAGE REIMBURSEMENT

Council reviewed a January 6, 1984 survey indicating that Oakland County communities reimburse their employees for personal vehicle use from 14¢ to \$30¢ per mile. The survey showed that the U. S. Postal Service pays its employees 20¢ per mile for using their personal vehicles on business. Manager Deadman indicated that the variations between the lowest and the highest amount is the widest ever, making it difficult to determine an amount which is fair to both the city and its employees. He pointed out that the motoring public now uses a wide variety of automobiles which produce large differences in fuel economy and vehicle maintenance costs. He recommended that Council attempt to maintain its

COUNCIL PROCEEDINGS -3-  
January 16, 1984

practice of reimbursing city employees an average amount based on the experience of others such as the Postal Service.

1-84-015

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes that the current mileage reimbursement amount be raised from 19¢ per mile to 20¢ per mile for the use of personal vehicles on City business.

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JANUARY 16, 1984.

AMENDMENTS TO MASTER LAND USE PLAN

As a result of changes in land use which have occurred since the last review of the plan in 1975, Manager Deadman submitted to Council the Planning Commission's recently amended Master Land Use Plan which the Commission adopted after a Public Hearing on January 9, 1984. Presentation of the Plan to Council is done in compliance with the City Code requirement that the Commission must certify to Council, and to the County Register of Deeds, the amended plan.

An amended Land Use Map and a narrative description of each proposed change was reviewed by Council. There were eight changes submitted by the Planning Commission as follows:

1. The 47th District Court site was changed from Public School to Public-Semipublic-Institutional.
2. The American Legion facility parking lot was changed from Single Family Residential to Public-Semipublic-Institutional.
3. The parcel on Nine Mile Road west of the city's sewer treatment facility was changed from Public-Semipublic-Institutional to Multifamily Residential.
4. The parcel on the southeast corner of Nine Mile and Farmington Road was changed from Educational-Research-Office to Commercial.
5. The parcel west of Drake Road off of Grand River was changed from Single Family to Office.
6. Tall Pines Subdivision off of Drake Road was changed from Cluster Residential to Single Family Residential.

COUNCIL PROCEEDINGS -4-  
January 16, 1984

7. The Missionary Internship property off of Freedom Road was changed from Single Family Residential to Public-Semipublic-Institutional.
8. The boundaries of the Historical District as indicated on the map were changed to correspond with the district as established by the City Ordinance.

Manager Deadman pointed out that all changes except one represent current use.

1-84-016

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive the report of the Master Land Use Plan changes from the Planning Commission as adopted by the Commission on January 9, 1984 by an affirmative vote of seven of its members. Motion carried, all ayes.

CONTRACTOR PAYMENT: SHERWOOD/SHAW PAVING

Manager Deadman advised that Engineer Mariner has submitted approval for Construction Estimate No. 2 for the paving of Sherwood and Shaw Streets, stating that the contractor, Albert A. Dettore & Associates, has completed the project with the exception of final cleanup, seeding and mulching. The City Engineer recommended that sufficient funds for the cleanup and seeding be withheld, as well as 5% retainage for the work completed to date.

The Manager's office concurred with the recommendations of the City Engineer as follows:

Work completed to date	\$34,808.77
Less previous payment	(31,551.25)
Less 5% retainage	<u>( 1,740.44)</u>
Authorized Second Payment	\$ 1,517.08

1-84-017

Motion by Councilman Tupper, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes a second payment to Albert A. Dettore & Associates, in the amount of \$1,517.08 for work completed on the Sherwood/Shaw Paving Project, and

BE IT FURTHER RESOLVED That funds for this payment be provided from the Federal Community Development Grants Program.

ROLL CALL

AYES: Walker, Yoder, Bennett, Hartsock, Tupper.  
NAYS: None.

RESOLUTION DECLARED ADOPTED JANUARY 16, 1984.

COUNCIL PROCEEDINGS -5-  
January 16, 1984

The City Manager advised that the cost of ten deciduous trees which the city planted in the Sherwood/Shaw area is not included in the contract cost. This amounts to about \$1,000.00.

CONTRACTOR PAYMENT: OLD TOWN DRAIN

Manager Deadman advised that the City Engineer has submitted Construction Estimate No. 5 in the amount of \$43,171.88 for payment to the contractor, M. D. Taddie & Company, Inc., for work completed through January 6, 1984, on the Old Town Drain Project.

He further stated that the contractor has closed the project for the winter, and that sufficient funds have been withheld to assure completion of the project during the 1984 construction season. Work still to be completed includes final paving of Cass and Macomb Streets, the installation of driveway approaches, seeding and mulching of grass areas disturbed by the project, and final cleanup.

Manager Deadman indicated that the contractor will be responsible for winter maintenance of areas which were left in a rough grade stage. If the contractor fails to perform this function adequately, city crews will do the work, and the contractor will be billed accordingly.

The Engineering and Administrative review of the completed work found it to be in substantial compliance with the project plans and specifications.

1-84-018

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to M. D. Taddie & Company, Inc., of Ypsilanti, Michigan, in the amount of \$43,171.88 for work completed through January 6, 1984, on the Old Town Drain Project, and

BE IT FURTHER RESOLVED that funds be provided from the proceeds of the Old Town Drain Bonds, General Obligation Bonds, the Alta Loma Special Assessment District Fund and the Local Street Fund.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Tupper, Walker.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED JANUARY 16, 1984.

MISCELLANEOUS

PUBLIC COMMENT

Mrs. Aneda, 31565 Lee Lane, advised Council that on last Thursday, January 12, 1984, at around 1:30 p.m. she was getting water in her basement coming up around the drains, also sludge and the stench of sewage. Due to an apparent misunderstanding of a letter from

COUNCIL PROCEEDINGS -6-  
January 16, 1984

the Department of Public Services, Mrs. Aneda called a plumber rather than the City. She advised that the plumber refused to work on the drains, as he stated that it was the City's responsibility. Due to the time lost waiting for the plumber, Mrs. Aneda stated that the problem became increasingly worse.

Mrs. Madeleine Borman, 31585 Lee Lane, stated that she had a similar problem but not as severe as Mrs. Aneda's. She stated, however, that she was present in support of Mrs. Aneda and others on her block who are having similar difficulties.

Mr. Billing advised that he had received a call relative to this backup problem around 6:30. Someone was sent out immediately to remedy the situation. It was discovered that there was some sort of blockage in the sanitary system which was corrected immediately upon flushing out the system, although they did not get a look at the object that was apparently causing the problem.

Both Mrs. Aneda and Mrs. Borman were advised that this type of problem could happen at any time even in a perfectly clean system, as foreign objects are frequently placed in the sanitary system by certain individuals and some of these objects, even detergent balls which sometimes form in the system, cause blockages. The City Manager suggested that these ladies call the city immediately at any hour if such a situation ever occurs in the future.

Councilman Walker suggested that careful consideration be given to the wording of any correspondence that goes out to residents. He was assured that all departmental letters to homeowners are carefully worded and reviewed before final drafting. Even so, it is hard to prevent individual misunderstandings and/or misinterpretations.

APPOINTMENT TO HISTORICAL COMMISSION

Manager Deadman stated that with the resignation of Howard Aldrich, an opening exists on the Farmington Historical Commission, indicating that Commissioner Nancy Leonard has recommended that Council consider Mrs. Barbara Butler as a Commission member. Mrs. Butler has indicated that she would be interested in serving if Council appointed her. She has been a resident of Farmington for over ten years, has worked as a volunteer at the Farmington Museum, and she is a member of the Farmington Historical Society.

1-84-019

Motion by Councilman Walker, supported by Councilman Tupper, to appoint Barbara Butler of 23975 Gill Road to fill the unexpired term of Howard Aldrich who resigned from the Farmington Historical Commission. Motion carried, all ayes.

COUNCIL PROCEEDINGS -7-  
January 16, 1984

APPOINTMENT: HANDICAPPED COMPLIANCE  
COORDINATOR

The City Manager advised that as part of the recently renewed Federal Revenue Sharing, Congress changed some of the regulations involved. The new regulations require that communities which receive federal revenue sharing funds in excess of \$25,000.00 must establish a review and grievance process to assure that handicapped persons are not discriminated against.

Manager Deadman indicated that the city will shortly receive model regulations from the federal government which are intended to aid the community in establishing local programs that will assure that the Federal Revenue Sharing Guidelines are adhered to.

The new regulations require that the city appoint a contact person to coordinate the city's efforts to comply with the handicapped persons requirements. After the appointment has been made by the local governmental unit, the city is required to publish a notice in a manner to assure that it is received by the visually and hearing impaired. Copies of the notice must be published in local newspapers, posted in governmental buildings and mailed to local radio and TV stations. The notice must also be sent to the local library system which operates special services for the blind and the handicapped.

1-84-020

Motion by Councilman Hartsock, supported by Councilman Bennett, to appoint Gerald Horner as Handicapped Compliance Coordinator to be responsible for coordinating the City's efforts to comply with the Office of Revenue Sharing Handicapped Discrimination Regulations published in October 1983, Section 51.55, Revenue Sharing Regulations. Motion carried, all ayes.

BUILDING DEPARTMENT SECOND QUARTERLY  
REPORT: PERIOD ENDED DECEMBER 31, 1983

1-84-021

Motion by Councilman Tupper, supported by Councilman Bennett, to receive and file the Building Department Second Quarterly report for the period ended December 31, 1983. Motion carried, all ayes.

WARRANT LIST

1-84-022

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$33,306.65; Water & Sewer Fund \$83,667.16.

AYES: Bennett, Hartsock, Tupper, Walker, Yoder.  
NAYS: None.

**MOTION CARRIED.**

COUNCIL PROCEEDINGS -8-  
January 16, 1984

ADJOURNMENT

On motion by Councilman Walker, the meeting was adjourned at 8:45 p.m.

*Ralph D. Yoder*  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

*Josephine M. Bushey*  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

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

### ROLL CALL

PRESENT: Mayor Yoder, Councilmen Bennett, Hartsock, Tupper, Walker.

ABSENT: None.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 2-84-023

Motion by Councilman Tupper, supported by Councilman Walker, to approve the minutes of the previous meeting of January 16, 1984, as submitted. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

Relative to the Farmington Community Library minutes, Councilman Hartsock questioned whether or not the Library should be circulating Polaroid Sun Cameras and computers.

#### 2-84-024

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Board of Review minutes of December 13, 1983;  
Employees Retirement System Board of Trustees minutes of December 21, 1983;  
Farmington Community Library minutes of January 5, 1984;  
Board of Education minutes of January 10, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### AMERICAN SOCIETY OF BUILDING AND CONSTRUCTION INSPECTORS AWARD TO JAY HARRISON, CHIEF BUILDING INSPECTOR

Council was advised that the Executive Director of the American Society of Building and Construction Inspectors, Cleo Hughes, has informed the City that Chief Building Inspector Harrison was awarded the Raymond A. Wheel Award for 1983 due to his activity within the organization and his work with the Michigan Legislature. The Society states that Mr. Harrison has spent his own time to advance professionalism among building inspectors, and worked diligently to develop testing requirements for a "Master Inspector" classification.

Manager Deadman concurred with the Society's recognition, stating that the organization's highest honor was well deserved by Mr. Harrison,



who has worked untiringly to protect the community's interest against intrusion of the State Construction Commission. Without Mr. Harrison's efforts, the Legislature could have adopted many of the Commission's recommendations, the results of which would have unduly increased the local community's cost of inspections.

Mayor Yoder displayed the plaque given by the Society to Mr. Harrison, and stated that Council appreciates the many hours expended by Mr. Harrison to advance the professional status of Building and Construction Inspectors.

Mr. Harrison thanked Council for their tribute and stated that he shared the honor with Representative Brotherton who assisted him in his work with the State Legislature. He further indicated that he shared the honor with Manager Deadman and City Attorney Kelly, his legal counsel.

Councilman Bennett asked that the minutes show Council's recognition of Building Inspector Jay Harrison for his receiving this award and Council's appreciation for his very fine work on behalf of the City of Farmington and the State of Michigan.

REQUEST FROM ST. GERALD'S CHURCH TO HOLD  
ANNUAL FAMILY A-FAIR

Council considered a request from Father Maurice Decker, Pastor of St. Gerald's Church, 21300 Farmington Road, for permission to hold their eighth Annual Family A-Fair fund raiser on the parish grounds during the weekend of May 18, 1984. This charitable event is to include carnival-type rides.

2-84-025

Motion by Councilman Walker, supported by Councilman Tupper, to permit St. Gerald's Church to conduct their eighth annual charitable event called "Family A-Fair", as requested, from May 18 through May 20, 1984, and further to waive the customary permit fee. Motion carried; all ayes.

LETTER FROM OAK PARK RE: RESOLUTION  
REMOVING COPYRIGHT ROYALTY FEES  
AFFECTING CABLE TELEVISION

Manager Deadman advised that the City of Oak Park states that the Federal Copyright Tribunal recently ruled that cable television systems which carry superstations must pay an increase in copyright fees when a third superstation is provided.

The Tribunal raised this copyright fee from 3.5¢ to 32.2¢ when a third superstation is added. Oak Park, therefore, requests that the Federal Legislature adopt legislation redressing the consumer harm caused by the Copyright Tribunal's decision.

The City Manager stated that the Tribunal's decision adversely affected Farmington cable subscribers, as MetroVision elected not

COUNCIL PROCEEDINGS -3-  
February 6, 1984

to include the Chicago Superstation rather than pay a copyright fee of 32.2¢ per subscriber.

2-84-026

Motion by Councilman Hartsock, supported by Councilman Bennett, to take a position similar to Oak Park and to adopt a similar resolution, forwarding said resolution to Senators Carl Levin, Donald Riegle and Congressman William Broomfield. Motion carried, all ayes.

LETTER FROM MICHIGAN MUNICIPAL LEAGUE  
RE: ANNUAL LEGISLATIVE CONFERENCE

Council was advised that the Michigan Municipal League's Annual Legislative Conference will take place on March 21, 1984 in Lansing. Pending legislation will be discussed and current state programs affecting cities will be reviewed. Councilmen Bennett, Walker and Hartsock will attend as well as Mayor Yoder.

REQUESTS FOR PROCLAMATIONS

2-84-027

Motion by Councilman Bennett, supported by Councilman Tupper, to issue the following proclamations:

FARMINGTON AREA JAYCEE WOMEN WEEK - February 12, - 18, 1984  
KELLY WEEK - March 11 - 17, 1984.

Motion carried, all ayes.

The proclamation recognizing the work of the volunteer JayCee Women was requested by David F. Carron, President of the Farmington Area Jaycees.

The Kelly Week proclamation was requested by Gail Pohutski of the Kelly Services Company in recognition of their temporary employees who provide outstanding skills and services to Farmington area businesses.

REPORTS FROM CITY MANAGER

1984 TAXICAB LICENSES

Manager Deadman advised Council that the Suburban Checker Cab, Inc., and Yellow & Red Cabs of Livonia, Michigan, have submitted requests for renewal of their taxicab licenses for 1984. These licenses are for five cabs operating under the name of Yellow & Red Cabs and six cabs operating under the name of Suburban Checker Cabs, Inc.

The Livonia Department of Public Safety reported by letter that each of the cabs for which licenses were requested has successfully passed inspection. The City Clerk has received the necessary Certificates of Insurance for these vehicles.

The City Manager stated that these cab companies have operated in Farmington through the previous year without incident. They

COUNCIL PROCEEDINGS -4-  
February 6, 1984

provide senior citizens and the handicapped with transportation through a joint effort with area communities and SEMTA.

The Public Safety Department reported that the drivers who will operate these taxicabs in Farmington have obtained local taxicab driver's licenses.

2-84-028

Motion by Councilman Tupper, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes the issuance of five (5) licenses for 1984 Taxicab Service in the City of Farmington to Yellow & Red Cabs, and six (6) licenses for 1984 Taxicab Service to Suburban Checker Cab, Inc., both of 31376 Industrial Road, Livonia, Michigan; Mr. Thomas M. Peterson, General Manager.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 6, 1984.

TRANSFER OF CLASS "C" LIQUOR LICENSE:

HENRY C. LUM - THE GREAT WALL RESTAURANT

Manager Deadman advised Council that Henry C. Lum has requested that the Liquor Control Commission drop Wing Gong Yue as a partner on their 1983 Class "C" Liquor License at the Great Wall Restaurant, 35135 Grand River as a result of the reorganization of the business.

The Public Safety Department has completed its investigation of this request and recommend the transfer of the license to the sole possession of Henry C. Lum, operator of the Great Wall.

2-84-029

Motion by Councilman Bennett, supported by Councilman Tupper, that the request from Henry C. Lum for dropping Wing Gong Yue as partner on the 1983 Class "C" licensed business located at 35135 Grand River; Farmington, Michigan, Oakland County, be considered for approval, and further that it is the consensus of this legislative body that the application to the Michigan Liquor Control Commission be recommended for issuance.

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 6, 1984.

ANNUAL CLASS "C" LIQUOR LICENSE REPORT

The Public Safety Department review of the operation of Class "C" Liquor licensed establishments in the community was submitted to Council for their consideration.

The report showed that the total number of incidents involving these establishments increased from 129 in 1982 to 188 in 1983. Incidents involving crimes of regulatory violations also increased from 87 in 1982 to 120 in 1983. The ratio of crimes and regulations as part of all incidents reported decreased in 1983 from the previous year. The total of all incidents reported involving Class "C" licenses, including parking, totaled 251 for 1983.

Council was advised that a review of the data clearly shows that over 50% of all incidents requiring police attention involved the Bootleggers Bar. Over 70% of reported crimes of regulatory violations involved the same establishment.

The Public Safety Department provided a summary of incidents where the owner's employees of a licensed establishment are either involved or are suspects. The summary shows that the majority of these incidents involved the Bootleggers Bar.

So that Council could better understand the types of incidents which are occurring at the Bootleggers Bar, the Department provided a brief summary of each reported incident involving this establishment. A separate report was provided describing the recurring problems involving parking and noise complaints. Eighteen out of nineteen reported noise complaints involved the Bootleggers Bar.

Council was advised of its options concerning Class "C" licenses as follows:

1. Receiving and filing the report,
2. Issuing Oral or written warning,
3. Recommending to the Liquor Control Commission that the license not be renewed.

It was pointed out that if Council elects either of the first two options, it may proceed without further notice to the Licensee or to the Liquor Control Commission. If Council should elect to consider nonrenewal of the license, then further notice must be given and public hearing requirements must be met.

Council was further advised that the Courts have stated that prior to nonrenewal or revocation of a liquor license, the licensee is entitled to a hearing on the alleged misconduct or violations, at which time he is further entitled to present his position on the allegations.

COUNCIL PROCEEDINGS -6-  
February 6, 1984

The City Manager suggested that if Council decides to instruct the Liquor Control Commission not to renew the license at the Bootleggers establishment, a hearing be scheduled on Monday, February 27, 1984. Manager Deadman stated that Council's decision must be rendered to the Liquor Control Commission thirty days prior to expiration of the current license, and that all proceedings must be completed and the recommendations filed by March 30, 1984. Council was further informed that ten to fifteen days notice of the hearing should be given the licensee.

It was the concensus of Council that the situation at the Bootleggers Bar has not improved but gotten worse in spite of repeated warnings.

Councilman Bennett stated that this matter has been dealt with often enough and enough citizens' complaints have been heard; now, factual data which supports these citizens' complaints is being heard. He further stated that it appears from the reports that the establishment is greatly out of line with the accepted code.

2-84-030

Motion by Councilman Bennett, supported by Councilman Walker, that Council establish a Public Hearing for February 27, 1984, at 7:00 p.m. in Council Chambers for the purpose of determining whether or not Council will recommend the renewal of the Bootleggers Class "C" Liquor License.

ROLL CALL

AYES:	Walker, Yoder, Bennett, Hartsock, Tupper.
NAYS:	None.
ABSENT:	None.

MOTION CARRIED UNANIMOUSLY.

Manager Deadman pointed out that none of the calls to the Bootleggers establishment were initiated by the Department, but were the result of citizens asking for assistance from Public Safety.

PROGRESS REPORT: 1984-85 WHOLESALE  
WATER AND SEWER RATES

Council was notified that there will be a Public Hearing at 10:00 a.m. on February 21, 1984, at the Detroit City-County Building to receive input on the proposed wholesale water and sewer rates which are to be effective July 1, 1984. Council was previously informed that the City of Detroit was issuing a credit to Farmington due to some previous overcharge which Detroit has labeled a LOOKBACK ADJUSTMENT.

Manager Deadman advised Council that the Detroit Water & Sewer Department previously informed the city that it planned to rebate the overcharge by reducing sewerage treatment rates from \$4.58 to \$4.06 per mcf. There were some apparent objections raised by wholesale customers regarding this method as the rebate would depend on

COUNCIL PROCEEDINGS -7-  
February 6, 1984

the amount of sewage treated in 1984-85 rather than the amount treated in 1982-83, the year of the overcharge.

As a result of this concern, Detroit has elected to establish a regular sewerage treatment charge of \$4.36 per mcf and issue a dollar amount credit based on the 1982-83 overcharge. The credit issued to the City of Farmington for the Detroit portion of the city's sewer system will be \$14,033.00, and the city will receive one-twelfth of this amount as a credit each month of the 1984-85 fiscal year.

Manager Deadman indicated that since the new credit formula considers the actual sewerage flow to Detroit for 1982-83 rather than for 1984-85, the amount of credit will be approximately \$6,000.00 less than the originally proposed across-the-board rate reduction of \$4.06 per mcf would have produced.

The City Manager did not recommend that City Council object to the proposed credit which appears to be equitable to all users of the system.

2-84-031

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive the progress report on the 1984-85 Wholesale Water and Sewer Rates as presented. Motion carried, all ayes.

XEROX PERSONAL PROPERTY TAX APPEAL

Manager Deadman informed City Council that the Michigan Tax Tribunal has ruled in favor of the county, stating that the governmental units may access Xerox equipment which has been leased to customers the commercial list price of the equipment less 50% of the maximum "option to purchase" credits. The impact of this decision on Farmington is that the assessed valuation of leased Xerox equipment in Farmington will increase in 1981 by \$5,330.00 and in 1982 by \$23,840.00.

The City Manager pointed out that the Tax Tribunal's decision is not final as two issues are still being considered. Xerox continues to press their claim of discrimination as well as a claim of exemption contending that the Tribunal's decision resulted in an overassessment of their property compared to other personal property located in Oakland County. They further claim that their machines are, in fact, not inventory and, therefore, exempt from local personal property taxes.

MISCELLANEOUS

PUBLIC COMMENT

Farmington resident Arnold Campbell asked what would happen to the Class "C" license at Bootleggers if the license were revoked and the owners wanted to sell the business. He was informed that it all depends on how the final disposition is ruled by the Liquor

Control Commission or the Court.. Manager Deadman pointed out that quite often one of the options is that the license is put in escrow, or it could be totally lost so that new owners would have to re-apply.

Nancy Leonard commented on the icy condition of the sidewalks in front of several houses at the top of the hill on Shiawassee. She also asked about the status of the house next to the lumber yard on Grand River. Manager Deadman advised that the house has been purchased and there is an approved site plan for the commercial buildings that are to be constructed there.

Councilman Bennett asked about the status of the Caddell Drain Project. Manager Deadman stated that the Municipal Finance Commission has indicated that the bonds for that drain cannot be sold in excess of the city's charter tax limitation. He further indicated that at a recent meeting with the bonding attorney and the three cities involved in this project, he advised that the City of Farmington would wait to make a decision until the City of Farmington Hills, the prime mover on the project, makes their decision.

Mayor Yoder asked if anything can be done to protest to Detroit Edison relative to the condition that exists along Farmington Road when the electricity goes off from 12 hours to three days three or four times a year.

Manager Deadman stated that the electrical outages in this area occurred fourteen times last year. He advised that he has had long discussions with Edison on this matter. Most of these outages were caused by fallen trees. The problem is that many of the residents in that area will not allow Edison on private property to trim the trees. The City Manager stated that the residents will be given this information, and as a result, will hopefully allow trees to be trimmed when necessary.

The City Manager has indicated to Detroit Edison that if they cannot get the situation resolved to where these outages are no more than occur in the rest of the community, the city's next appeal will be to the Public Service Commission.

#### APPOINTMENTS TO BOARDS AND COMMISSIONS

Council was advised that the terms of Edward V. McBride, William McShane and John Allen on the Construction Board of Appeals expired February 5, 1984.

#### 2-84-032

Motion by Councilman Bennett, supported by Councilman Hartsock, to appoint Edward V. McBride of 33801 State Street, William McShane of 24155 Drake Road and John Allen of 32293 Shiawassee to another two-year term on the Construction Board of Appeals,

COUNCIL PROCEEDINGS -9-  
February 6, 1984

their terms to expire February 5, 1986. Motion carried, all ayes.

The Farmington Beautification Committee recommended Mr. Dale Smith of 21051 Meadowlark for one of the openings presently existing on this Committee. Mr. Smith has been a member of the Friends of the Beautification Committee for several years and has stated that he would be willing to serve, if appointed.

2-84-033

Motion by Councilman Bennett, supported by Councilman Hartsock, to appoint Dale Smith of 21051 Meadowlark to the Farmington Beautification Committee, term to expire June 15, 1986. Motion carried, all ayes.

FINANCIAL REPORTS: PERIOD ENDED  
DECEMBER 31, 1983

2-84-034

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the Financial Reports of the General Fund and the 47th District Court for the six months ended December 31, 1983, and the Financial Report for Water & Sewer Funds for the Quarter ended December 31, 1983. Motion carried, all ayes.

Manager Deadman recommended that City Council establish a Study Session to review the Recreation Plan currently under development by the Planning Commission Subcommittee so that the city is in a position to file for a State Grant by March 31, 1984. Also to be discussed at the Study Session are Budget details and the current status of the Caddell Drain Project.

Council agreed to set a special Study Session on these subjects for Tuesday, February 7, 1984, at 3:30 p.m. in Conference Room "A" at City Hall.

DEPARTMENT OF PUBLIC SERVICES  
QUARTERLY REPORT

2-84-035

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and file the Department of Public Services Quarterly Report for October 1 through December 31, 1983. Motion carried, all ayes.

WARRANT LIST

2-84-035

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$28,864.85; Water & Sewer Fund \$18,686.84.

AYES: Yoder, Bennett, Hartsock, Tupper, Walker.

NAYS: None.

MOTION CARRIED.



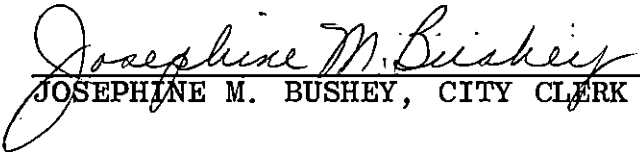
COUNCIL PROCEEDINGS -10-  
February 6, 1984

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Tupper, to adjourn the meeting.

The meeting was adjourned at 9:15 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS  
Special Study Session  
February 7, 1984

A Special Study Session of the Farmington City Council was held on Tuesday, February 7, 1984, at 3:30 p.m. in Conference Room "A" of Farmington City Hall, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

PRESENT: Bennett, Tupper, Walker, Yoder.

ABSENT: Hartsock.

OTHERS PRESENT: City Manager Deadman, City Attorney Kelly (left at 4:00 p.m.), G. Horner, City Clerk Bushey.

The purpose of the meeting was to review the Recreation Plan being developed by the Planning Commission and to discuss the Caddell Drain Project.

City Attorney Kelly was present and reported on a meeting with insurance attorney Ron A. Chio, who is preparing a record of the activities at Bootleggers for City Council.

RECREATION REPORT REVIEW

Manager Deadman advised that G. Horner has been working with the Planning Commission Subcommittee to update the recreation facilities plan, indicating that it will be more complex than the previous plan adopted in 1969. He asked Council for their comments relative to the possible expansion of the Shiawassee Park facilities, pointing out on a map the city's holdings and what the School District owns in that area.

The baseball diamonds were discussed. Mr. Deadman pointed out that many complaints have been received about one diamond in particular, which is difficult to maintain as it is in a wet area. He suggested that the lighting should be improved as it was installed in the 1950's, and is substandard.

G. Horner reported that he has met twice with the Subcommittee, and a statement was placed in THE OBSERVER newspaper asking for citizens' input relative to the Plan. Only two responses were received from senior citizens, stating that there is nothing in the park for them. Mr. Horner indicated that something could be geared to senior citizens with minimal exercise equipment. It was also stated that the parking lots are inadequate and difficult to get into and out of.

It was suggested that there be an area for soccer as well. It was pointed out that the National Parks and Recreation Association has placed a 20-year life expectancy on park facilities, and Farmington's are much older.

Manager Deadman stated that the community has not spent any significant amount on the park system since it was developed, except

COUNCIL PROCEEDINGS -2-  
Special Study Session  
February 7, 1984

to put in some play equipment and a restroom building about nine years ago.

Mr. Deadman suggested that the city lease the school property. He further proposed that the city buy the private parcel on which the Plum house is located. He advised that the Assessor thinks this property is worth between \$8,000.00 and \$10,000.00, and is about 1/2 acre, or 20,000 sq. ft. He indicated that the State would accept this for grant funding.

Mr. Deadman stated that he has talked to Mr. Schulman and Mr. Prisk relative to leasing the Jr. High until it is sold. He proposes a lease at \$1.00 per year. He indicated that if the city should file for a State Grant to develop the park system, we have to have a lease signed by the School District by the middle of March, and the application must be in the State's hands by March 31st. He stated that the development costs would be around \$200,000.00. The State would pay half of these costs; the city would have to pay the other half.

Manager Deadman advised that to meet the Grant Application deadline of March 31st, we will have to write the School Board immediately, asking for a lease on that property.

Council was advised that the final draft of the Recreation Plan should be ready by next week.

CADDELL DRAIN PROJECT

Manager Deadman advised that the City of Farmington Hills is considering whether it wants to fund this project within their charter limitation, and their administration asked him to take up the matter with the Farmington Council. He pointed out the risk involved if a new Headlee proposal is placed on the November ballot and if the proposal were to pass. All taxes would be rolled back to the 1981 level of funding. Farmington would then have to reduce the operations cost to pay the debt service on the drain.

Council was advised that if Farmington chose not to participate in the project, both the County and the City of Farmington Hills could force the city to participate under the Drain Law.

Mr. Deadman feels that the city should enter into something like this very slowly, and know exactly what the costs will be. He stated that he does not see the project costing us any more in debt service than the \$52,000.00 budgeted.

Councilman Yoder asked Mr. Deadman to anticipate what Farmington Hills will do. He stated that the urgency for Farmington Hills is that there is a lawsuit pending; therefore, he feels they will go ahead with the project. He advised Council to do nothing until they see what happens to the tax petitions being circulated.

COUNCIL PROCEEDINGS -3-  
Special Study Session  
February 7, 1984

Councilman Bennett stated that we have other capital projects to take care of, so we want to know just what the time table is for this project. He suggested that Mr. Deadman tell Farmington Hills he has discussed it with Council informally, and no action will be taken at this time.

Mr. Deadman suggested that Council wait to see what Farmington Hills does, and in the meantime tell them he will bring the matter before Council at a formal session to be instructed accordingly.

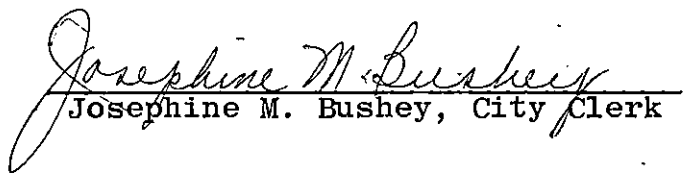
BUDGET PREPARATION

Manager Deadman submitted to Council a projected budget for the coming fiscal year, stating that the figures shown were estimates, as the departmental requests have not yet been received. He stated that the city's cash position is very secure, with over \$700,000.00 presently in fund balance. He advised that approximately \$124,000.00 from the fund balance will be used to balance this year's budget. He pointed out that interest rates are remaining high, so the city is earning more than expected on investments. He advised that the projection for the future is based on no increase in the city's millage rate at this time.

Manager Deadman stated that if Farmington continues at the present spending level, the fund balance will be used up by approximately the fiscal year 1986-87, when we would have to increase millage unless one of the other revenue factors changes.

Councilman Bennett asked if anything further has developed relative to rubbish pickup. Manager Deadman advised that the contract with McCreedy Trucking expires the end of June 1984. He hopes to renew the contract, as it is presently costing the city 70¢ below the marketplace per residence, because the city leases the equipment to the company.

Meeting adjourned at 5:05 p.m.

  
Josephine M. Bushey, City Clerk

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, February 20, 1984, 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 Yoder.

### ROLL CALL

PRESENT: Mayor Yoder, Councilmen Bennett, Hartsock, Tupper, Walker.

ABSENT: None.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Seifert, G. Horner, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

#### 2-84-036

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the minutes of the regular meeting of February 6 and the special meeting of February 7, 1984. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 2-84-037

Motion by Councilman Tupper, supported by Councilman Walker, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of February 13, 1984;  
Economic Development Corporation minutes of February 14, 1984;  
Farmington Historical Commission minutes of January 18, 1984;  
Beautification Committee minutes of January 12, 1984;  
Farmington Area Arts Commission minutes of January 26, 1984;  
Board of Education minutes of January 24 and January 31, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FROM OAK HILL NURSING HOME FOR ONE-DAY PARKING PERMIT ON GILL ROAD

A letter from Carl Simcox, Administrator of Oak Hill Nursing Home, requested that City Council allow parking on Gill Road in the vicinity of the Oak Hill Nursing Home on April 2 between the hours of 9:00 a.m. and 5:00 p.m. to accommodate those who will attend a seminar.

Manager Deadman pointed out that Council has periodically granted permission to waive the prohibited parking regulation on Gill Road for special events at the Nursing Home.

#### 2-84-038

Motion by Councilman Walker, supported by Councilman Tupper, to grant Oak Hill Nursing Home permission to park on Gill Road between 9:00 a.m. and 5:00 p.m. on April 2, 1984. Motion carried, all ayes.

COUNCIL PROCEEDINGS -2-  
February 20, 1984

NOTICE FROM MICHIGAN MUNICIPAL LEAGUE  
RE: TELECONFERENCE '84

Council was advised that the second teleconference on the future of local government will be held on March 9, 1984 at the Michigan State University Management Center in Troy. The City Manager's Office will handle registration requirements.

REQUEST FOR PROCLAMATION

A letter from Ms. Lili M. Donaldson, National Kidney Foundation of Michigan, requested that the month of March be designated as "Organ Donor Awareness Month", to make citizens of Farmington aware of the concept and practice of organ donation, inviting them to consider giving this gift of life.

2-84-039

Motion by Councilman Hartsock, supported by Councilman Bennett, to proclaim March as ORGAN DONOR AWARENESS MONTH in Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED RECREATION FACILITIES DEVELOPMENT  
PLAN 1984-1990

Administrative Assistant Horner presented an overview of the proposed Recreation Facilities Development Plan developed by the Planning Commission Subcommittee. The Plan provided a detailed description of recreational facilities located in the city, including those owned by the School District, private enterprise, civic organizations and the City of Farmington. This description and other pertinent data made possible an analysis of the city's recreational deficiencies.

A review of demographics pointed out that Farmington's population is the second oldest in the county, with the median age of 42, and the neighborhood census tracts west of Gill Road showing that the median age increases to 50. There is also a large variation in age groups in different parts of the community. One quarter of the city's population is sixty years or older; one quarter is eighteen or younger, indicating that a substantial portion of the city's population is middle-aged adult. The review also indicated that family size in Farmington is substantially smaller than average for the State of Michigan or the County of Oakland.

Council was advised that the inventory of all recreational facilities in the community found that sufficient land is dedicated for recreational purposes when School District properties are considered. There is some concern over the future of School District properties, as several schools have closed in the recent past. The drafters of the Plan have suggested that the city attempt to acquire open space provided by school properties if the School District should elect to close others in the future.

COUNCIL PROCEEDINGS -3-  
February 20, 1984

The inventory of city-owned recreational areas indicated that the facilities in Shiawassee Park need to be replaced for the most part, as most have served the community for the past 20 to 30 years. The lighted baseball diamond is inadequately laid out and has substandard lighting. These facilities have served both the residents of Farmington and Farmington Hills, tending to place increased wear and tear on park facilities being used by such large population base. Parking is also inadequate and insufficient at this park.

Council was informed that planned improvements include adding more land when available from the School District, installing a vita course in each of the city parks for senior citizens, the construction of additional parking at the Shiawassee Park, construction of one or two lighted baseball diamonds depending on availability of School District land, and the construction of a picnic shelter.

It is hoped that financing for these projects will be acquired through an application to the State of Michigan Land and Water Conservation Funding Program, which, if approved, will provide 50% of the moneys needed for improvements. The City will be responsible for providing the other half of the necessary costs. All proposed improvements are estimated at \$200,000.00.

Council was advised that the application for State funding for 1984-85 must be submitted by March 31, 1984.

Manager Deadman stated that if the City is successful in obtaining the Grant, he would propose to acquire a section of property from the School District on a 25-year lease at \$1.00 per year.

2-84-040

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby adopts the Recreation Facilities Development Plan for 1984-1990, as submitted.

ROLL CALL:

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 20, 1984.

SIX-YEAR CAPITAL IMPROVEMENT PROGRAM

Manager Deadman submitted to Council the Planning Commission's Six-Year Capital Improvement Program for 1984 through 1989, indicating that improvements include the widening of Orchard Lake Road,

COUNCIL PROCEEDINGS -4-  
February 20, 1984

the replacement of Farmington Road north of Shiawassee, major repair to Shiawassee from Orchard Lake west to Farmington Road and repair of Power Road north of Grand River. Also included is the repair of subdivision streets in Bel-Aire, Warner Farms, Chatham, <sup>Hills</sup> Alta Loma Subdivisions and other local streets throughout the City.

The Caddell and River Rouge Drains are covered by the Program as they include the City of Farmington. As The City of Farmington Hills begins to implement its storm drain plan, it will probably request a contribution from Farmington for the construction of these drains.

It is anticipated that the economic development of the Central Business District will continue under this program, and that a Parking Needs Study will be provided to determine that the city's parking facilities are adequate. Additional beautification is also planned for the Central Business District.

The Capital Improvement Program also includes the implementation of the community Recreation Facilities Plan which proposes acquiring additional land adjacent to Shiawassee Park, the construction of additional parking facilities and the reconstruction of a lighted baseball diamond in the park. Play equipment, picnic benches and barbecue pits are to be replaced, and a picnic shelter is to be constructed.

Council was further advised that the implementation of an Emergency 911 Communications System is included in the Program and will be paid for by a charge to local telephone customers. Sidewalk improvements will include the installation of sidewalk where there are breaks in the sidewalk system.

The lower priority items in the program are participation in the county solid waste disposal system, expansion of the Farmington Museum, construction of bike paths and the construction of a recreation facility.

2-84-041

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive the Six-Year Capital Improvement Program for 1984-1989 as prepared by the Planning Commission. Motion carried, all ayes.

PROPOSED TRAFFIC CONTROL ORDINANCE  
PROHIBITING PARKING ON ORCHARD LAKE ROAD

Council was advised that both the Farmington School District and the City are attempting to cooperate with the Bel-Aire Homeowners Association in maintaining the rights-of-way surrounding their Subdivision. To do this, it will be necessary to prohibit parking in the area, as the vehicles destroy the grass and other vegetation located on the right-of-way.



COUNCIL PROCEEDINGS -5-  
February 20, 1984

2-84-042

Motion by Councilman Tupper, supported by Councilman Hartsock, to introduce Ordinance C-512-84 prohibiting parking on the Orchard Lake right-of-way. Motion carried, all ayes.

Councilman Bennett pointed out the importance of notifying all Leagues relative to the new parking regulations in this area.

BIDS: COMBINED SEWER OVERFLOW/RIVER  
CROSS CONNECTION CORRECTION

Manager Deadman advised Council that bids were received by the City Clerk on February 7, 1984 at 2:00 p.m. for the Combined Sewer Overflow/River Cross Connection Correction and Sewer Separation Project, which has received prior approval from Council. The three low bids out of the twelve received are:

DiNello Construction Company 11302 Lesure Drive Sterling Heights, Mi. 48077	\$69,640.50
MS. Construction Company, Inc. 155 N. Eton Birmingham, Mi. 48008	82,552.00
H & S Contracting 12300 Inkster Road Redford, Mi. 48239	84,641.24

Council was informed that this project provides for raising the elevation of the combined sewer overflows at the Upper Branch of the Rouge River and is designed to remove inflow from the sewer system which comes from the river during flood stages. It also removes one sewer overflow as a section of the combined sewer which is located at Prospect and Shiawassee.

City Engineers Orchard, Hiltz & McCliment advise that the DiNello Construction Company has previously done work for the Cities of Birmingham and Sterling Heights in an excellent and timely manner.

2-84-043

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby accepts the low bid of DiNello Construction Company of Sterling Heights, Michigan, in the amount of \$69,640.50 for the Combined Sewer Overflow/River Cross-Connection Correction and Sewer Separation Project, and

BE IT FURTHER RESOLVED That funds be provided from the improve-

COUNCIL PROCEEDINGS -6-  
February 20, 1984

ment account of the Water and Sewer Fund.

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 20, 1984.

RECOMMENDED PURCHASE OF VACTOR  
JET-RODDER MACHINE

The City Manager advised that the City is experiencing a problem with its Vactor Jet Rodder which was scheduled for replacement in approximately three years but was recently found to require major repair. This machine, which is used in maintaining the city's sewer and storm treatment system, has served well for the past seven years but was recently discovered to have a design flaw.

The City has been advised that to correct this flaw which has caused the framing to collapse would cost around \$10,000.00 plus additional repairs to the two engines and pumps. The total cost of rehabilitating the Jet - Rodder would be approximately \$30,000 not taking into consideration repainting or replacement of the existing hoses.

Council was given a report developed by Director of Public Services Billing in which he assessed similar machines quoted in three city requested proposals:

1. Doheny Supply, Northville, Mi.

Vactor Model 810		\$114,315
	Less Trade	(28,000)
	Net Price	\$ 86,315
Demonstrator Model 810		\$104,305
	Less Trade	(28,000)
	Net Price	\$ 76,305

2. Cyril Burke, Inc., Sterling Heights, Mi.

Vac-All Model E-3010		\$110,057
	Less Trade	(13,000)
	Net Price	\$ 97,057

3. Bell Equipment, Troy, Mi.

Aquateck Model B-10		\$ 92,137
	Less Trade	(20,000)
	Net Price	\$ 72,137

Manager Deadman stated that since there is only one Vac-All machine and no Aquateck machines currently in use in the Metropolitan area,

COUNCIL PROCEEDINGS -7-  
February 20, 1984

maintenance and parts availability could be a problem. He indicated that Doheny Supply has hundreds of the Vactors operating in the Detroit area.

The City Manager suggested that it would be in the best interest of the City to waive the bid process and replace its Vactor Jet-Rodder with the demonstrator model offered by Doheny Supply, rather than expend approximately \$30,000.00 to rehabilitate the present machine for a serviceable life of three or four years as opposed to a life expectancy of ten years on the Demonstrator, Model 810. He pointed out that the Vac-All does not perform the dual function offered by the Vactor and that there no Aquatecks in Michigan. He indicated that the cost of a new machine amortized over its serviceable life would be approximately the same as the amortized cost of the rehabilitation of the old machine, or approximately \$7,500.00.

Manager Deadman proposed to finance this equipment through a five-year title retaining contract through a local bank, either the National Bank of Detroit or the Metropolitan National Bank of Farmington. Interest rates quoted over the five-year period were:

<u>Amount</u>		<u>Interest</u>	<u>Annual Payment</u>
\$76,000	National Bank of Detroit	7.98%	\$18,487
\$76,000	Metropolitan National Bank of Farmington	8.50%	\$18,711

2-84-044

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby permits the waiver of the bid process as being in the best interest of the City, and approves the purchase of one 1983 Demonstrator Vactor Jet-Rodder, Model 810, for a net price of \$76,305.00 from Doheny Supply, Inc., of Northville, Michigan, and

BE IT FURTHER RESOLVED That funds be provided from the Water and Sewer Fund.

ROLL CALL

AYES: Walker, Yoder, Bennett, Hartsock, Tupper.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 20, 1984.

2-84-045

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

COUNCIL PROCEEDINGS -8-  
February 20, 1984

BE IT RESOLVED That the Farmington City Council authorizes the City Manager to enter into a Five-Year Title Retaining Contract with the National Bank of Detroit in the amount of \$76,000.00 for the purchase of a 1983 Demonstrator Vactor Jet-Rodder, Model 810, from Doheny Supply, Inc., of Northville, Michigan, and

BE IT FURTHER RESOLVED That the interest on this amount be 7.98% per year.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED FEBRUARY 20, 1984.

MISCELLANEOUS

Councilman Bennett expressed concern about those residents who do not have sidewalks in front of their houses in areas where sidewalks exist, thus causing breaks in sidewalks. He suggested that they be advised that they should have sidewalks installed the next time the city is doing this work in their particular subdivisions as they are presently not in compliance with city ordinance.

Manager Deadman was asked to bring his report of two or three years ago on this subject to Council's attention for review at the next regular meeting.

Councilman Hartsock stated that he had been contacted relative to a Councilman possibly being an ex-officio member of the Board of the Farmington Community Center. Concern was expressed that this might pose a problem concerning fund-raising for the Center. Councilman Bennett pointed out that Council members have previously removed themselves from other advisory committees in the city.

As representative to SEMCOG, Councilman Walker announced that there would be a meeting for all City elected officials at the Book Building on March 15, 1984.

FINANCIAL REPORTS : SEVEN MONTHS  
ENDED JANUARY 31, 1984

2-84-046

Motion by Councilman Hartsock, supported by Councilman Bennett, to receive and file the Financial Reports for the General Fund and the 47th District Court for the seven months ended January 31, 1984. Motion carried, all ayes.

COUNCIL PROCEEDINGS -9-  
February 20, 1984

WARRANT LIST

2-84-047

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$30,802.01; Water & Sewer Fund \$5,319.87.

ROLL CALL

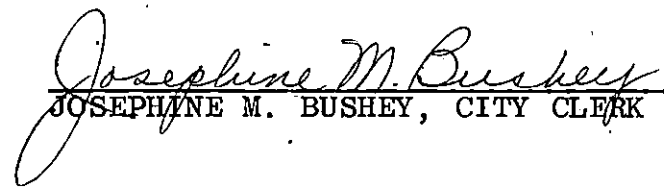
AYES: Bennett, Hartsock, Tupper, Walker, Yoder.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

ADJOURNMENT

On motion by Councilman Tupper, the meeting adjourned at 9:20 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was held on Monday, February 27, 1984, 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 7:05 p.m. by Mayor Yoder.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

OTHERS PRESENT: City Manager Deadman, Director Seifert, Deputy Director Lauhoff, Commander Switzer, Commander Goss, Attorney Acho, Attorney Farhat, City Attorney Kelly, City Clerk Bushey, Court Reporter Burnham.

Council conducted a Public Hearing on the Class "C" Liquor License for a licensed liquor establishment at 32305 Grand River, Farmington, Michigan, known as "The Bootleggers," operated by Pal Joey's, Inc.

The purpose of the Public Hearing is to determine if the Class "C" Liquor License shall be renewed. Council is to receive evidence and hear testimony which is relevant to the purpose of this Hearing. A detailed record of these proceedings is contained in the Court Reporter's transcript.

Mayor Yoder explained the format to be followed, and opened the Public Hearing.

Attorney Acho presented the city administration's case for non-renewal of the license.

Attorney Farhat commented on the charges brought against his client, Joseph Ascione, who was not present at the Hearing.

City Manager Deadman was called as the first witness for the City, and was questioned at length by both attorneys.

The second witness, Director of Public Safety Seifert, was called and also questioned at length by both attorneys.

At 11:45 p.m., Mayor Yoder called for another date to continue the Hearing.

Attorney Acho stated that possibly two more sessions might be necessary, as he has at least four or five more witnesses to call for the City.

Motion by Bennett, supported by Hartsock, to adjourn the Public Hearing until Thursday, March 1, 1984, on which date the Hearing will reconvene at 3:00 p.m. in Council Chambers. Motion carried, all ayes.

COUNCIL PROCEEDINGS -2-  
February 27, 1984

The meeting adjourned at 11:50 p.m.

*Ralph D. Yoder*  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

*Josephine M. Bushey*  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A Special meeting of the Farmington City Council was held on Thursday, March 1, 1984, 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 3:00 p.m. by Mayor Yoder.

### ROLL CALL

PRESENT: Bennett (arrived at 3:05 p.m.), Hartsock, Tupper (excused at 5:05 p.m.), Walker, Yoder.

OTHERS PRESENT: Director Seifert, Deputy Director Lauhoff, Commander Goss, Commander Switzer, Attorney Acho, Attorney Farhat, City Attorney Kelly, City Clerk Bushey, Court Reporter Burnham.

The Mayor stated that the Purpose of the meeting was to reconvene and to continue the Public Hearing which began on February 27, 1984, to receive evidence and hear testimony relevant to determining if the Class "C" Liquor License of the Bootleggers, 32305 Grand River, Farmington, Michigan, shall be recommended for renewal. A detailed record of these proceedings is contained in the Court Reporter's transcript.

After noting that the February 27th session of this Public Hearing concluded with the testimony of Director of Public Safety Seifert, the Mayor called for a motion to reconvene the Hearing.

Motion by Councilman Tupper, supported by Councilman Hartsock, to reconvene the Public Hearing begun at 7:00 p.m. on February 27, 1984. Motion carried, all ayes.

Mayor Yoder opened the Public Hearing.

Attorney Farhat noted that City Manager Deadman was not present, and asked for the record to show that he strongly objected to the \$197.67 charge for the material requested for his client.

Attorney Acho pointed out that the request was made under the Freedom of Information Act, and the statute specifically provides for a charge.

Attorney Acho objected to Attorney Farhat's request to recall Chief Seifert, because he felt that Counsel for the licensee had sufficient opportunity previously to question this witness. It was further pointed out that Mr. Ascione was again absent from this Hearing.

After some discussion, the Mayor allowed Attorney Farhat to recall Director Seifert for further questioning concerning incidents involving certain arrests for driving under the influence by individuals who stated they had just left The Bootleggers.

Attorney Farhat instructed the Court Reporter to enter as Exhibit "A" a Departmental Directive of Chief Seifert relative to Bootleggers,



COUNCIL PROCEEDINGS -2-  
March 1, 1984

and he questioned Mr. Seifert at length concerning this Directive.  
The following individuals were then called as witnesses for the City:

Mrs. Geraldine Homezyn, 22819 Brookdale, a Farmington resident for thirteen years;

Mrs. Darlene Thompson, 22811 Brookdale, a Farmington resident for twelve years;

Mr. Terry Lotz, 22814 Power Road, a Farmington resident since 1979;

Commander Gary Goss, a Police Officer for twelve years, five of which have been with the City of Farmington; the past two years as Shift Commander;

Commander Murray Switzer, with the City of Farmington Public Safety Department for 17 1/2 years, Shift Commander since 1972, with the Detective Bureau from 1969 to 1976 conducting liquor inspections.

All of the above witnesses were questioned by Attorney Acho. Attorney Farhat had no questions for witnesses Thompson and Lotz, but cross-examined Mrs. Homezyn, Commander Goss and Commander Switzer. Detailed testimony of these witnesses is contained in the Court Reporter's transcript of March 1, 1984, relative to this Hearing.

Upon completion of Commander Switzer's testimony, Attorney Acho stated that he had concluded the case for the City Administration. Attorney Farhat informed City Council that he would not call any witnesses, and stated that he had nothing to present in addition to what was elicited on cross-examination.

Motion by Councilman Walker, supported by Councilman Bennett, to close the Public Hearing. Motion carried, all ayes.

The Mayor stated that Council is required by ordinance to submit a written statement of their findings for the renewal or non-renewal of the Class "C" Liquor License. He instructed that both attorneys file written briefs with the City Clerk by March 15, 1984, so that Council may make a decision at their next regular meeting on March 19, 1984.

Motion by Councilman Bennett, supported by Councilman Walker, that the matter of Council action on the Class "C" License for Bootleggers be placed on the Agenda of the regular Council meeting of March 19, 1984. Motion carried, all ayes.

The meeting adjourned at 6:15 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, March 5, 1984, 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 Pro-Tem Hartsock.

ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker.

ABSENT: Mayor Yoder.

OTHERS PRESENT: Director Billing, Director Seifert, City Attorney Kelly, Adm. Assistant Horner, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

2-84-048

Motion by Councilman Bennett, supported by Councilman Walker, to approve the minutes of the regular meeting of February 20, 1984; as submitted. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

3-84-049

Motion by Councilman Tupper, supported by Councilman Walker, to receive and/or file the minutes of the following Boards:

Farmington Employees' Retirement System Board of Trustees Minutes of February 22, 1984;

Farmington Historical Commission minutes of February 15, 1984;

Farmington Area Arts Commission minutes of February 17, 1984;

Farmington Community Library minutes of February 9, 1984.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST OF FARMINGTON COMMUNITY LIBRARY  
FOR SUPPLEMENTAL APPROPRIATION

Lois E. Carey, Secretary, Farmington Community Library Board of Trustees, requested a supplemental appropriation for the Old Town Drain Project special assessment. The City of Farmington's share of the \$7,642.36 assessment is \$1,054.65. This request is necessary because last year's Library Budget did not include this assessment, which was billed after the agency budgets were approved.

3-84-050

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby appropriates an additional \$1,055.00 as its proportionate share of the Farmington Community Library's special assessment for the Old Town Drain Project.

COUNCIL PROCEEDINGS -2-  
March 5, 1984

ROLL CALL

AYES: Hartsock, Tupper, Walker, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED MARCH 5, 1984.

REQUEST FOR PROCLAMATION

Patricia Dates, Farmington Branch of the American Association of University Women (AAUW), requested that Council designate the week of March 18-24, 1984, as AMERICAN ASSOCIATION OF UNIVERSITY WOMEN WEEK in the City of Farmington.

3-84-051

Motion by Councilman Bennett, supported by Councilman Walker, to proclaim the week of March 18 - 24, 1984, as AMERICAN ASSOCIATION OF UNIVERSITY WOMEN WEEK. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSAL TO CREATE EVERGREEN-FARMINGTON  
SEWER SYSTEM CAPITAL RESERVE FUND

The City Manager's report indicated that as a result of a recent reduction in City of Detroit treatment rates, Oakland County is able to reduce its rate from \$5.33 to \$5.11 per thousand cubic feet (mcf). They also propose to establish an Evergreen-Farmington Sewer System Capital Reserve Fund by adding 30¢ per mcf to the new rate, for a total of \$5.41. They will also pass through the credit issued by Detroit as a result of the "look back" adjustment, which should be 30¢ per mcf for the coming year.

Council was advised that the purpose of the Capital Reserve Fund is to comply with an agreement between Oakland County and Detroit dated December 22, 1957. When the Evergreen-Farmington Sewer District was established, Detroit had not completed its interceptor sewer system which would pick up the Evergreen-Farmington sewerage and take it to the treatment plant. On an interim basis, Detroit allowed the county to connect to the Rouge River Interceptor until the First-Hamilton inceptor could be constructed. The estimated cost of connecting the Evergreen-Farmington Sewer to the First-Hamilton Interceptor is between 20 and 30 million dollars.

The Manager's report stated that if the communities served by the Evergreen-Farmington Interceptor agree to disconnect from the Rouge Interceptor and connect to the First-Hamilton Interceptor, the EPA will give this project top priority and provide 75% of the cost of the connection.

Use of the current reserves in the Evergreen-Farmington System held by the county and a charge of thirty cents per mcf of sewerage will provide the cost of this project over the next four years. The county believes that by the time the plans are completed and the work begun, Farmington should be able to pay its proportionate share

COUNCIL PROCEEDINGS -3-  
March 5, 1984

of the construction, and upon completing payments for this project, the 30¢ per mcf will be dropped from the sewer rate.

Council was advised that although the county does not need the local communities' permission to charge the proposed 30¢ per mcf, it is nevertheless seeking community approval for creating the Capital Reserve Fund.

The City Manager's report suggested that it would be in the best interest of the City to notify the county that the Capital Reserve Fund should be established, as it would save interest costs if the project were bonded over a long period of time.

3-84-052

Motion by Councilman Walker, supported by Councilman Bennett, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes the notification of the Oakland County Director of Public Works that Farmington concurs with the county's proposal to establish a thirty cent (30¢) Capital Reserve Fund for the Evergreen-Farmington Sewer System, and

BE IT FURTHER RESOLVED That this charge per MCF of sewerage be continued until such time as the Evergreen-Farmington share of the cost of constructing the connection to the First-Hamilton Interceptor has been paid.

ROLL CALL

AYES: Tupper, Walker, Bennett, Hartsock,  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED MARCH 5, 1984.

PROPOSAL TO PURCHASE PRESENT TELEPHONE  
EQUIPMENT

The City Manager's report proposed that the City of Farmington purchase the Horizon Telephone System presently on a seven-year lease agreement with five years remaining on the lease. A T & T has informed the city that it could buy out the current lease for approximately \$17,439 and purchase the equipment currently used by the city for approximately \$7,903, or a total of \$25,342. Further, A T & T will continue servicing the equipment at a cost of \$194 per month.

Manager Deadman's report estimates that the city can substantially reduce its future telephone costs by buying out the current lease and purchasing the equipment. Even using A T & T to maintain the equipment, the city would save a minimum of 21%, or \$9,475 on future telephone equipment costs.

COUNCIL PROCEEDINGS -4-  
March 5, 1984

Council was advised that the city currently pays a fixed charge of \$396.81 monthly and a variable charge of \$424.53 per month, for a total monthly cost of \$821.34. With 55.5 months left on the Lease Agreement, the city would be required to pay a total cost of \$45,585.37 until completion of the current lease.

3-84-053

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes the City Manager to terminate the City's Lease Agreement with A T & T, and purchase the present telephone equipment at a cost of \$25,342.00, and

BE IT FURTHER RESOLVED That the City of Farmington enter into a Maintenance Agreement with A T & T for the maintenance of the city's telephone equipment, and

FURTHER BE IT RESOLVED That funds be provided from the unappropriated surplus of the General Fund and the Water & Sewer Fund.

ROLL CALL

AYES: Walker, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED MARCH 5, 1984.

ESTABLISH PUBLIC HEARING: ECONOMIC  
DEVELOPMENT CORPORATION PROJECT: NINE  
MILE & FARMINGTON ROAD

Council was advised that the Farmington Economic Development Corporation has approved the project plan for a shopping center at the corner of Nine Mile and Farmington Road, to be known as the Farmington Crossroads Center.

It was noted that the developer, Weatherford/Walker Associates, has secured construction financing and is in the process of negotiating final financing for the purchase of the EDC Bonds upon completion of construction. The site plan for this project has been approved by both the Planning Commission and the Economic Development Corporation.

Council was requested to establish a public hearing on April 2, 1984, to review this project plan.

3-84-054

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following Resolution calling a Public Hearing to review the project plan for the Farmington/Nine Mile Associates Project:

COUNCIL PROCEEDINGS -5-  
March 5, 1984

WHEREAS, there exists in the City the need for certain programs to alleviate and prevent conditions of unemployment and to revitalize the City's economy, and to assist industrial and commercial enterprises, and to encourage the location, expansion or retention of industrial and commercial enterprises to provide needed services and facilities to the City and its residents and to retain employment opportunities in the City; and

WHEREAS, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by the Economic Development Corporation of the City of Farmington (the "Corporation"); and

WHEREAS, the Corporation substantially in conformity with Act 338 of the Public Acts of Michigan, 1974, as amended ("Act 338"), and the Internal Revenue Code of 1954, as amended, has prepared and submitted a project plan (the "Project Plan") involving a commercial project to be undertaken on behalf of Farmington/9 Mile Associates (the "Project"); and

WHEREAS, pursuant to Act 338 it is necessary to hold a public hearing concerning the Project, the Project Plan and the bonds proposed therein to be issued by the Corporation (the "Bonds"), prior to taking legislative action relating to it;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to the aforesaid Act 338 the City Council shall meet on April 2, 1984, at 8:00 o'clock p.m., at which time it shall conduct a public hearing on the Corporation's submission of the Project Plan and the issuance by the Corporation of the Bonds.

2. The Clerk be and is hereby directed to give notice of such public hearing by (1) publishing a notice thereof in the OBSERVER, a newspaper of general circulation in the City; (2) posting in at least ten (10) conspicuous and public places in the project district area; and (3) mailing to the last known owner of each parcel of real property in the project district area at the last known address of the owner as shown by the tax assessment records, which notices shall be published and given at least fourteen (14) full days prior to the date set for said hearing.

3. Said notice shall be in substantially the following form:

OFFICIAL NOTICE TO THE CITIZENS OF THE  
CITY OF FARMINGTON  
OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROJECT PLAN  
AND THE ISSUANCE OF THE BONDS PROPOSED THEREIN  
AS SUBMITTED TO THE CITY COUNCIL OF THE  
CITY OF FARMINGTON  
BY THE ECONOMIC DEVELOPMENT CORPORATION  
OF THE CITY OF FARMINGTON  
FOR FARMINGTON/9 MILE ASSOCIATES PROJECT

COUNCIL PROCEEDINGS -6-

March 5, 1984

PLEASE TAKE NOTICE that pursuant to Act 338 of the Public Acts of Michigan of 1974, as amended, The Economic Development Corporation of the City of Farmington has submitted a project plan to the City Council for its approval.

Said project plan deals with the construction and equipping of a 81,875 square foot retail shopping center facility to be owned by Farmington/9 Mile Associates to be used by the Farmington Crossroads Center, and to be located on a project area or site described as follows:

A parcel of land located in the N.W. 1/4 of Section 34, T. 1 N., R. 9E., City of Farmington, Oakland County, Michigan, is described as commencing at the N.W. corner of said Section 34, thence along the west line of said Section 34, S. 0° 30' W. 33.00 feet; thence S. 89° 38' 37" E. 60.00 feet to a point of beginning; thence along the south Right-of-Way line of Nine Mile Road (south half being 33 feet wide), S. 89° 38' 37" E. 573.17 feet; thence S. 0° 30' 00" W. 567.00 feet; thence N. 89° 38' 37" W. 573.17 feet; thence along the east Right-of-Way line of Farmington Road (east half being 60 feet wide), N. 0° 30' E. 567.00 feet to the point of Beginning. Containing 7.4607 Acres.

The location of the facility is at the southeast corner of the intersection of Farmington and Nine Mile Roads.

Said project plan details all information required by law relative to said project and its impact on the community. No persons will be displaced from the project area as a result of this project. Said project plan also proposes the issuance of revenue bonds by said Economic Development Corporation in a maximum principal amount not to exceed \$10,000,000 to assist in the financing of said project.

The City Council will meet at 8 o'clock p.m. Eastern Standard Time the second day of April, 1984, at the City Hall located at 23600 Liberty Street, Farmington, Michigan, and will conduct a public hearing.

The public hearing shall consider the advisability of the City Council approving, modifying or rejecting by resolution said project plan and the issuance of bonds as proposed therein.

THIS NOTICE is given pursuant to the requirements of Sections 10 and 17 of Act 338, Public Acts of Michigan, 1974, as amended. The project plan and relevant maps or plats are available for inspection at the City Clerk's office.

All interested citizens are encouraged and will be offered an opportunity at said hearing to address the City Council concerning

COUNCIL PROCEEDINGS -7-  
March 5, 1984:

said project, said project plan, and the bonds proposed to be issued. Written comments may also be submitted to the City Clerk prior to said hearing.

JOSEPHINE M. BUSHEY, CITY CLERK

4. The City Council does hereby determine that the foregoing form of notice and the manner of publication directed is adequate notice to the citizens of the City and is well calculated to inform them of the intention of the City Council to hold a public hearing and the purpose of the public hearing.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolutions be and the same hereby are rescinded.

AYES: Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECOARED ADOPTED MARCH 5, 1984.

JOSEPHINE M. BUSHEY, CITY CLERK

ESTABLISH PUBLIC HEARING: LAND AND WATER  
CONSERVATION GRANT APPLICATION

The Manager's report indicated that in discussions with personnel of the Department of Natural Resources, it was apparent that it would be in the City's best interest to have a Public Hearing to review the proposed grant application to the Land and Water Conservation Fund. It was recommended that the Public Hearing be scheduled for March 19, 1984.

3-84-055

Motion by Councilman Walker, supported by Councilman Tupper, to establish a Public Hearing at 8:00 p.m. on March 19, 1984, to review the grant application for Land and Water Conservation Funds. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Arnold Campbell, 21080 Birchwood, asked if the cable company could charge anything they want to charge when they add a new channel. He was advised that they could do so if the channel was not included in the original contract.

Councilman Hartsock was advised that there have been no more complaints relative to the drain project.

Councilman Bennett questioned Director Billing about the water flow on Alta Loma. He was advised that this condition will probably persist through the spring season.



RESOLUTIONS AND ORDINANCES

3-84-056

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following Ordinance:

ORDINANCE NO. C-512-84

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Chief of Police of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 5, Section 5.14, as provided for in Section 2.53 of the Uniform Traffic Code for Cities, Townships and Villages.

Chapter 5 "Prohibited Parking" - Amend and add the following:

Section 5.14 - Orchard Lake Road

- (B) West side from Grand River to Shiawassee (westbound); from Lamar Street to Ten Mile Road.
- (C) West side from Shiawassee (westbound) to Lamar Street, "Tow Away Zone".

This ordinance was introduced at a regular meeting of the Farmington City Council on February 20, 1984, was adopted and enacted at the next regular meeting on March 5, 1984, and will become effective ten days after publication.

AYES: Hartsock, Tupper, Walker, Bennett.  
NAYS: None.  
ABSENT: Yoder.

WARRANT LIST

3-84-057

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the monthly bills as submitted: General Fund \$9,674.85; Water & Sewer Fund \$1,295.35.

ROLL CALL

AYES: Tupper, Walker, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Yoder.

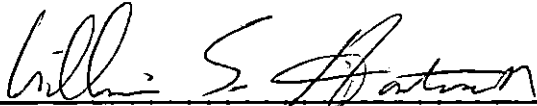
MOTION CARRIED.

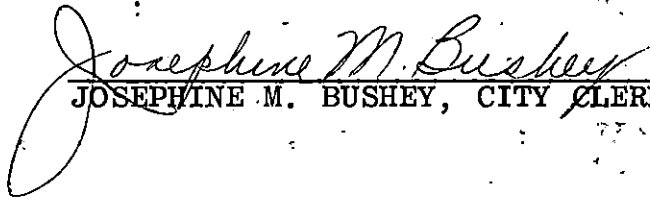
COUNCIL PROCEEDINGS -9-  
March 5, 1984

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Walker, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:38 p.m..

  
WILLIAM S. HARTSOCK, MAYOR PRO-TEM

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, March 19, 1984, 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 8:03 p.m. by Mayor Yoder.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Seifert, Attorney Acho, Attorney Farhat, City Attorney Kelly, G. Horner, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

3-84-058

Motion by Councilman Walker, supported by Councilman Tupper, to approve the minutes of the Special meetings of February 27 and March 1, and the minutes of the regular meeting of March 5, 1984, as submitted. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

3-84-059

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of March 12, 1984;  
Beautification Committee minutes of February 9, 1984.

Motion carried, all ayes.

Mayor Yoder announced a slight change in the order of Agenda items, as Attorney Farhat had to leave for another meeting. The matter of Council's decision on Pal Joey's Class C License was next addressed.

The Mayor stated that as he was out of town since the conclusion of the Public Hearing on Pal Joey's Class C License, he had called upon Councilman Bennett to prepare a statement of findings and determination based on the testimony heard at the Public Hearing and contained in the briefs filed by both attorneys.

Councilman Bennett presented the statement of findings and determination for Council's consideration.

3-84-060

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following statement:

Statement of Farmington City Council

Re: Bootleggers (Pal Joey's, Inc.)  
March 19, 1984

COUNCIL PROCEEDINGS -2-  
March 19, 1984

In compliance with the provisions of Farmington City Ordinance No. C-501-83, a special meeting of the Council of the City of Farmington was held on Monday, February 27, 1984, and by agreement of the parties, was continued on Thursday, March 1, 1984. The meetings were held in Council Chambers with all five Council members present: Mayor Ralph Yoder, Mayor Pro Tem William Hartsock, Councilmen Alton Bennett, Bayard Tupper and Roger Walker.

The purpose of the special meetings was to determine if the Class C Liquor License issued to Pal Joey's, Inc., should be renewed.

The hearing was conducted before the Council with the City of Farmington Administration being represented by Attorney Ronald Acho and Pal Joey's represented by Attorney Norman Farhat.

The Administration presented seven witnesses:

Robert F. Deadman  
G. Robert Seifert  
Geraldine Homeszyn  
Darlene Thompson  
Terry Lotz  
Gary Goss  
Murray Switzer,

and two sets of documents:

A three (3) inch binder with 18 sections, the last section being the Police Incident Reports for 1983 for that establishment;

The second set of documents included the 1981 and 1982 Police Incident Reports for that establishment,

to substantiate the seven (7) allegations presented in the opening argument by Attorney Acho.

The Licensee did not present any witnesses, and presented a single exhibit, a Patrol Directive dated 1982. The Licensee contended that the Council had no authority to decide these issues.

Since the Licensee did not present any witnesses or refute the testimony of the witnesses, the Council accepts the Statement of Fact as presented by the Post Hearing Brief of the Administration of the City of Farmington. The Council does not accept the allegation that they do not have authority in these issues, and proceeds to carry out its obligation to the community.

Upon review of the Briefs and the consideration of the evidence presented during the hearing, the Council finds that the seven charges against the Licensee have been substantiated. The Council

COUNCIL PROCEEDINGS -3-  
March 19, 1984

further finds that The Bootleggers of Pal Joey's, Inc., is in violation of the ordinances of the City of Farmington, and presents a hazard to the health, safety and welfare of the same.

The Council, after due consideration, accepts the recommendation of the Administration not to renew the Class "C" Liquor License of Pal Joey's, Inc., for the operation of The Bootleggers.

The Council, therefore, adopts the following resolution, and instructs the City Clerk to convey this resolution to the State of Michigan Liquor Control Commission:

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

Councilman Bennett pointed out that the Administration had prepared two resolutions for Council's consideration. The first stated that no action would be taken in the renewal or nonrenewal of the license. The second stated the recommendation that the license should not be renewed.

3-84-061

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

WHEREAS, the Constitution of the State of Michigan provides for certain Municipal Powers under Article 7, Section 22, and

WHEREAS, the People of the City of Farmington have elected to exercise said powers in adopting a City Charter, and

WHEREAS, the Charter of the City of Farmington, Chapter 2, Section 2.3, provides that in addition to the powers possessed by the City under the Constitution and Statutes of the State of Michigan and those set forth in the Charter, the City shall have power with respect to and may, by ordinance and other lawful acts of its officers, and provides further under subsection (N) of that section of the Charter for regulation of trades, occupations and amusements within the City, not inconsistent with state and federal laws, and for the prohibition of such trades, occupations and amusements as are detrimental to the health, morals and welfare of its inhabitants, and

WHEREAS, the Charter, Chapter 2, Section 2.3, subsection (P) provides such powers for preventing injury or annoyance to the inhabitants of the City from anything that is dangerous, offensive or unhealthful, and for preventing and abating nuisances and punishing those occasioning them or neglecting or refusing to abate, discontinue or remove same, and

WHEREAS, the Charter, Chapter 2, Section 2.3, subsection (Q) further provides powers in prescribing the terms and conditions upon which

COUNCIL PROCEEDINGS -4-  
March 19, 1984

licenses may be granted, suspended or revoked..... and otherwise conditioning such licenses as Council may prescribe, and

WHEREAS, the Michigan Liquor Control Act, Public Act 8 of 1933, as amended, provides for the local legislative body to object to the renewal of a license to sell beer/wine or spirits for consumption on the premises, and

WHEREAS, the City of Farmington has elected to invoke these powers in meeting its lawful and Charter responsibilities and has, therefore, enacted Ordinance C-501-83, as amended by C-506-83, setting forth regulations for the licensing, sale and consumption of alcoholic liquor in the City of Farmington, and

WHEREAS, said Ordinances of the City of Farmington set forth procedures and criteria for non-renewal of said licenses issued in the City of Farmington for the sale of and consumption of alcoholic liquor, and

WHEREAS, the City Manager of the City of Farmington has recommended to City Council that the Class C Liquor License issued to Pal Joey's, Inc., doing business as "Bootleggers" at 32305 Grand River in the City of Farmington not be renewed, and

WHEREAS, City Council has provided the Licensee with written notice of the proposed action and the reasons for the proposed action and conducted a hearing pursuant to such notice, open to the public, at which the Licensee was afforded representation of counsel and opportunity to confront adverse witnesses and present his own witnesses, evidence and/or testimony, and

WHEREAS, City Council has reviewed and deliberated on the evidence presented at said hearing, and

WHEREAS, City Council has found by the preponderance of the evidence that the Licensee has failed to comply with the provisions of the Ordinance and has specifically found:

1. That the establishment was approved in 1962 as a restaurant with a Class C Liquor License, and that was the same use that was requested by this Licensee when he sought the transfer in May of 1981. However, that the Licensee has, in fact, converted the restaurant into a strictly bar operation which was never an intended use contemplated by the City Council.
2. That the Corporation promoted the consumption of alcoholic beverages beyond what normally may be lawfully consumed by an individual. That the Licensee has done this by conducting FIVE (\$5.00) DOLLAR, all you can drink specials; Twenty (20) beers for THREE (\$3.00)

DOLLAR specials and conducting extensive advertising promotions which featured discounts for the consumption of alcohol.

3. That the Licensee conducted types of promotions which are in direct violation of state regulations requiring an Entertainment Permit. Such licensing violations by the Licensee include the staging of wet T-shirt contests, banana eating contests and a negligee contest.
4. That the site of the Licensee has become a focal point of disturbances and other criminal activity in the CITY OF FARMINGTON. Notably that the reported incidences went from Two (2) in 1979 to Fifteen (15) in 1980, a J and Three (3) for the partial year of 1981 prior to liquor license transfer to Pal Joey's, Inc., then Twenty-three (23) in 1981, then Sixty-eight (68) incidences in 1982 and One Hundred Twenty-two (122) in 1983.
5. That service of alcohol to minors, in violation of the City Ordinances (C-501-83 and C-506-83), is frequently and repeatedly reported to the Department of Public Safety and confirmed in many instances presented.
6. That the location of the Licensee is the scene of numerous complaints of disturbing the peace and other disorderly types of activities.
7. That the business has overburdened existing facilities and disrupted residential and commercial parking. That patron parking has also blocked emergency vehicles which serve the community. Further, despite the City instituting a permit system of parking in the area of the Licensee on February 28, 1983, the establishment's patrons have caused the issuance of Two Hundred Sixty-Five (265) violations only during the period from February 28, 1983 until December 31, 1983, and

WHEREAS, such findings satisfy the criteria required by Ordinance C-501-83 and thereby provides that the City Council may request the non-renewal of a license to the Michigan Liquor Control Commission, and

WHEREAS, the Licensee has refused and/or failed to comply with numerous prior requests/admonitions of the City Administration and City Council, including prior formal notice to conduct his business in accordance with the applicable laws, ordinances and rules to a standard of conduct required by all such licensed establishments in the City of Farmington.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Farmington hereby objects to the renewal of the Class C Liquor

COUNCIL PROCEEDINGS -6-  
March 19, 1984

License with Dance Permit issued to Pal Joey's, Inc., doing business as "Bootleggers" located at 32305 Grand River in the City of Farmington, and prays that the Michigan Liquor Control Commission act upon this objection by not renewing said Class C Liquor License to Pal Joey's, Inc., for operation of the licensed premises located at 32305 Grand River, Farmington, Michigan.

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MARCH 19, 1984.

JOSEPHINE M. BUSHEY, CITY CLERK

PUBLIC HEARING: TO REVIEW LAND & WATER  
CONSERVATION GRANT APPLICATION

The City Manager advised that Farmington intends to file an application for Land and Water Conservation Funds with the Michigan Department of Natural Resources to improve the city's public parks to include equipment for senior citizens and handicapped persons, additional parking facilities, a lighted baseball diamond, land acquisition and a picnic shelter.

Manager Deadman announced that as part of the planned improvements, the city has acquired a 25-year lease on 4 1/2 acres of property owned by the Farmington Public School District. This property is located immediately west of the Shiawassee Park.

It was pointed out that the baseball diamonds and equipment at Shiawassee Park which have been in service for over 25 years are of substandard condition and design and have obsolete lighting. If the grant funds are obtained, 55 additional parking spaces will be added to presently inadequate parking facilities.

Mr. Deadman advised that under the terms of the proposed grant, the City could receive one-half of the total cost of improvements, or \$100,000.00. The local share would be \$100,000.00, 50% of which would be included in the coming fiscal year, with the remaining 50% being budgeted in the next fiscal year.

The Mayor opened the Public Hearing and called for comments from those present.

There were no questions or comments from the audience.

In answer to Councilman Bennett's question relative to upgrading equipment and facilities, Manager Deadman advised that he would propose to relocate the present playground farther west, thus making this area much safer.

3-84-062

Motion by Councilman Hartsock, supported by Councilman Bennett, to



COUNCIL PROCEEDINGS -7-  
March 19, 1984

close the Public Hearing. Motion carried, all ayes.

3-84-063

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the pre-application for Land and Water Conservation funds intended to provide for the improvement of the City's recreation and park facilities, and

BE IT FURTHER RESOLVED that Council authorizes the Administration to submit the application to the Michigan Department of Natural Resources.

RESOLUTION ADOPTED UNANIMOUSLY MARCH 19, 1984.

Manager Deadman stated that if the grant were to be favorably received by the State, the City would be notified by late summer or early fall. He indicated that most of the work would probably be done in 1985.

REQUEST FROM FARMINGTON YMCA RE: TEN METER  
RUN, MAY 19, 1984, THROUGH FARMINGTON

The request from the Farmington YMCA states that the proposed run would be conducted to raise funds for the YMCA "Invest in Youth" program. The run would begin at Shiawassee Park at 8:30 a.m. on Saturday, May 19, 1984. It would proceed west on Shiawassee to Hillcrest, follow Hillcrest around to Shiawassee, then east to Raphael, north on Raphael to Farmington Hills, returning to the city via Power Road and terminating in the Church parking lot.

Council was advised that the race will be sponsored by businesses and citizens of both Farmington and Farmington Hills. Director Seifert determined that the proposed route will require closing Shiawassee from Grand River to Power Road for about one-half hour with traffic being diverted around the area.

The City Manager advised that the race would cost the city approximately \$300.00 in additional police overtime and about \$100.00 in Department of Public Services time to provide barricades and traffic control devices. He suggested that Council may wish to charge a permit fee of \$400.00 to cover these expenses. Mr. Deadman also indicated that if the race is approved, the city should be provided liability insurance in an amount of not less than one million dollars naming the city as an added insured.

Dan Cowan, who was present for the YMCA, assured Council that the City would be named as the added insured in the liability insurance policy.

COUNCIL PROCEEDINGS -8-  
March 19, 1984

Councilman Bennett expressed concern over the costs incurred by the City in an event of this kind. Mr. Cowan stated that the \$400.00 could be paid from the sponsors' contributions, if Council were to impose the permit fee.

Mr. Cowan further indicated that approximately twenty families would have members available to assist in self-policing areas where a P. S. Officer is not required. They will also be involved in cleanup. He further advised that all subdivision associations will be notified if the runners will be passing through their particular area.

The Mayor stated that he appreciated the remarks regarding the use of city funds for such events. He further noted that the time may come when the city may have to become involved in these events without the expenditure of funds.

3-84-064

Motion by Councilman Bennett, supported by Councilman Walker, to approve the ten meter run through Farmington as requested by the YMCA as a non-precedent setting action, and that as a non-precedent action Council waive the proposed permit fee, with the provision that proper insurance arrangements are made to include the City as an added insured. Motion carried, all ayes.

RESOLUTIONS FROM CITIES OF OAK PARK AND  
BIRMINGHAM RE: CLASS "C" LIQUOR LICENSES

The Cities of Oak Park and Birmingham resolutions request that legislation be introduced and adopted which would give local communities additional authority in major changes and expansions of previously approved Class "C" licensed establishments. They state that although local governments are allowed to review and approve the issuance of these licenses, Liquor Control Commission regulations do not allow for local discretion for additional bar permits or expanded operation in existing Class "C" licensed establishments.

3-84-065

Motion by Councilman Tupper, supported by Councilman Bennett, to adopt a resolution supporting other cities' efforts to exercise some control over the issuance of Class "C" Liquor Licenses, and to forward copies of said resolution to the Governor, Senator Faxon, Representative Brotherton and the Michigan Liquor Control Commission. Motion carried, all ayes.

REQUEST FOR MEMORIAL DAY PARADE PERMIT

Parade Chairman Simonson, Farmington Community Veterans Council, advised that this year's Memorial Day Parade on May 28, 1984, will honor the United States Navy. It will begin at 10:00 a.m. from Farmington Plaza and proceed west on Grand River to the Memorial Monument near Oakland Street.

3-84-066.

Motion by Councilman Hartsock, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the Department of Public Safety to submit an application for permit to the Michigan Department of State Highways and Transportation for the closing of Grand River Avenue on May 28, 1984, from 9:00 a.m. until 1:00 p.m. for the purpose of conducting the annual Memorial Day Parade, and

BE IT FURTHER RESOLVED that the City of Farmington will indemnify the State of Michigan against all liabilities arising out of the operations authorized by such permit.

RESOLUTION ADOPTED UNANIMOUSLY MARCH 19, 1984.

REPORTS FROM CITY MANAGER

PROPOSED CONSTRUCTION: RAPHAEL WATER MAIN

The City Manager reported that the Farmington School District office building, the 47th District Court and the Continuing Education building are all serviced from a water main located on school property off of Shiawassee, and this water main has been a maintenance problem for several years.

Manager Deadman advised that the School District has requested that the city accept this water main as part of the city's water system. He has informed the School District that the city would be willing to consider acceptance of this water main only if it were relocated to city right-of-way on Raphael Street and a new system installed according to city specifications. In the meantime as the result of a break in the water main, the court and the School District buildings are being serviced by a temporary connection off of Ten Mile.

The City Manager indicated that he has advised the School District Business Manager that he would recommend to Council that the City share 50% of the cost of the Raphael Water Main. He feels that this cost sharing can be justified as it adds more fire support to Our Lady of Sorrows Church properties and the 47th District Court property. Even greater fire flow could be provided in the future if the main were extended along Raphael Street to Ten Mile Road.

The City Engineer has estimated that the total cost of constructing this water main would be \$42,232.40. The School District's share would be \$23,970.80; the city's share would be \$18,261.60, funded through remaining proceeds of the G. O. Water Improvement Bond Fund.

3-84-067

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes

COUNCIL PROCEEDINGS -10-  
March 19, 1984

the City Manager to enter into an Agreement with the Farmington School District to construct the Raphael Water Main, and

BE IT FURTHER RESOLVED that the total cost of this construction, \$42,232.40, be shared as follows:

Farmington School District - \$23,970.80

City of Farmington - \$18,261.60, and

FURTHER BE IT RESOLVED that the City's share be funded through the remaining proceeds of the General Obligation Water Improvement Bond Fund.

ROLL CALL

AYES: Walker, Yoder, Bennett, Hartsock, Tupper.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED MARCH 19, 1984.

PROPOSED REVISED BOND RESOLUTION:  
CADDELL DRAIN

The City Manager advised that Farmington Hills and Novi have elected to go ahead with the project by adopting a new bonding resolution amending the previous petition to the Drain Commissioner, asking the Commissioner to proceed with the Caddell Drain Project on a limited tax basis. This was necessary as the Finance Commission found that Chapter 20 did not give local governments the right to pledge unlimited taxes to pay the bonded debt until approved by the electorate.

Assessments made in payment for the cost of the drain will be subject to statutory and charter tax rate limitations. Since the City of Farmington has a 20 mill charter limitation and is currently using 10.65 mills of that limitation, the remaining 9.35 mills could be pledged to finance any debt service Council approves.

Council was advised that based on a 12% interest rate, the millage rate required to pay the bonded debt of this project would be approximately 40¢ per \$1,000.00 of assessed valuation.

Manager Deadman indicated that the cost to the taxpayers of Farmington would be approximately the same whether the bonds were sold on a limited or unlimited tax basis; therefore, the primary consideration is whether Council wishes to use a portion of the remaining charter millage to fund this project.

The City Manager pointed out another consideration, indicating that there is an Initiative Petition drive under way referred to as the Voter's Choice, which would be placed on the November ballot if

sufficient voters' signatures are obtained and the petition is found to be valid. He indicated that a reading of this Initiative points out that any new tax imposed by local government would be rolled back to the 1981 rates. Since debt service would receive the highest priority for funding, the city would have to cut other operating expenditures to meet debt service obligations which have been undertaken since December of 1981.

The City of Farmington's 1981 millage rate was 11.25 mills; the current rate is 11.74. The Initiative would require approximately a half-mill rollback. Manager Deadman pointed out that the current tax rate anticipated a debt payment on the Caddell Drain would be made this fiscal year.

It was further pointed out that if the rollback were to occur, Council would either have to go immediately to the electorate to request a millage increase of sufficient size to fund current levels of services including the Caddell Drain Debt Service, or reduce services to the point where they would be financed within the remaining millage rate.

Manager Deadman stated that he believes there is a distinct possibility of the Voter's Choice Initiative being placed on the November ballot.

3-84-068

Motion by Councilman Bennett, supported by Councilman Hartsock, to instruct the City Manager to obtain more information from the City of Farmington Hills on how their total drain projects will affect the City of Farmington. Motion carried, all ayes.

REPORT: COMMUNITY SIDEWALKS

As requested by Council recently, the City Manager provided a copy of his September, 1980 report on a Community Sidewalk Survey and Recommendations. The report includes streets in Farmington which do not have complete sidewalks along them as well as individual lots which have no sidewalks. At the time the 1980 report was submitted it was estimated that the completion of community sidewalks would cost approximately \$631,000.00. Manager Deadman stated that at present this cost would be reduced by \$150,000.00, because of the installation of sidewalks on Grand River and those shortly to be installed on Drake Road and on Farmington Road next year.

Council was advised that in reviewing the survey, it will be noted that many streets do not have sidewalks as they were not required at the time the property was being developed. Also, previous City Council made commitments to property owners west of Gill Road that there would be no requirement to install sidewalks. The report also indicated that other missing sidewalks on several streets were the result of large parcels which were developed without sidewalk as at the time they led to the city limits where no sidewalk would continue.

COUNCIL PROCEEDINGS -12-  
March 19, 1984

Manager Deadman further indicated that in 1980, Council did not elect to install sidewalk on property which had already been developed, except for major streets of the city.

After considerable discussion, a special study session was called for.

3-84-069

Motion by Councilman Bennett, supported by Councilman Tupper, to establish a Study Session for 7:30 p.m. on April 5, 1984, so that Council may consider each of the areas which do not have sidewalks and prepare a recommendation for further consideration at a regular Council meeting. Motion carried, 4 ayes, 1 nay (Walker).

MISCELLANEOUS

PUBLIC COMMENT

In answer to her question concerning the use of dog license fees, Darlene Thompson, 22811 Brookdale, was advised that they are used basically for enforcement of dog regulations and the disposal of dead animals, although the fees are insufficient to pay these disposal costs.

Mrs. Thompson also commented on the Voters' Choice issue.

Alfred Freude, 22930 Manning, publicly thanked Mrs. Thompson and Mrs. Homeszyn for their assistance in the Bootleggers problem. He also expressed appreciation for the proposed installation of the exercise track in the park system.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Manager Deadman advised that the term of Ernest Sauter on the Library Board expires this month. He indicated that under Mr. Sauter's leadership, the library has become one of the finest facilities of its kind in the metropolitan area. Council was informed of Mr. Sauter's willingness to serve another term, if he is appointed.

3-84-070

Motion by Councilman Tupper, supported by Councilman Walker, to appoint Ernest Sauter to the Library Board for another 4-year term to expire in March, 1988. Motion carried, all ayes.

Council was informed that the terms of Nancy Leonard and Charles Carvell on the Historical Commission also expire this month. Although both have served the Commission for many years, they have expressed their willingness to serve another term if Council so appoints them.

3-84-071

Motion by Councilman Bennett, supported by Councilman Hartsock, to appoint Nancy Leonard and Charles Carvell to a new three-year term on the Farmington Historical Commission to expire in March, 1987. Motion carried, all ayes.

COUNCIL PROCEEDINGS -13-  
March 19, 1984

ANNUAL REPORT 1983:

3-84-072

DEPARTMENT OF PUBLIC SAFETY

Motion by Councilman Bennett, supported by Councilman Walker, to receive the Annual Report of the Department of Public Safety for the year 1983, and express Council's thanks to Director Seifert for the fine analysis. Motion carried, all ayes.

WARRANT LIST

3-84-073

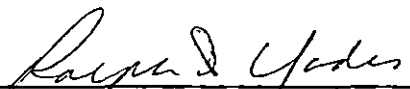
Motion by Councilman Bennett, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$37,035.16; Water & Sewer Fund \$4,071.61.

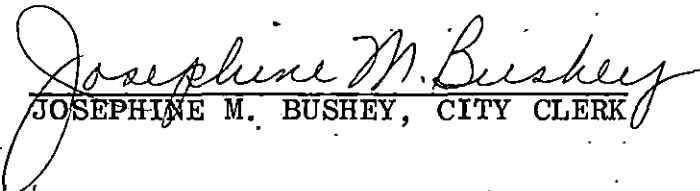
AYES: Yoder, Bennett, Hartsock, Tupper, Walker.  
NAYS: None.

MOTION CARRIED.

ADJOURNMENT

On motion by Councilman Hartsock, the meeting was adjourned at 9:50 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, April 2, 1984, 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 by Mayor Yoder at 8:00 p.m.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

4-84-074

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the minutes of the previous meeting of March 19, 1984, as submitted. Motion carried, all ayes.

### PUBLIC HEARING: TO REVIEW PROJECT PLAN AND ISSUANCE OF E.D.C. BONDS: FARMINGTON/ NINE MILE ASSOCIATES PROJECT

Copies of the approved site plan and project area were submitted to Council for the proposed commercial shopping center to be developed by Weatherford/Walker on approximately eight acres located at Farmington Road and Nine Mile at an estimated cost of \$5,305,000.00.

Manager Deadman advised that financing for the project will include a loan of \$4,350,000.00 from First America Bank of Detroit which will provide interim financing for construction until the bonds are sold.

The City Manager called on R. Richard Walker who was present to explain the project further and answer any questions pertaining to the project. Mr. Walker advised Council that leases have been executed with Borman Foods for a Supermarket on the site and with Perry Drugs for a 15,000 sq. ft. facility. He indicated that the architectural drawings are very near completion, and he displayed the landscape plan for the complex pointing out that as many of the large trees as possible would be retained. He also advised that the architectural treatment on the rear of the buildings will be exactly the same as the front so that the appearance will be attractive when driving north on Farmington Road.

Mayor Yoder opened the Public Hearing to the audience of six people.

Arnold Campbell, 21080 Birchwood, asked Mr. Walker how the project name "The Crossroads" was arrived at.



Mr. Walker compared Farmington to cities like Birmingham, Northville and Plymouth, stating that he considers the proposed Center area as a "crossroads" of the general area since Farmington draws shoppers from the surrounding areas including Farmington Hills and Livonia. There were no further comments from the audience.

4-84-075

Motion by Councilman Bennett, supported by Councilman Hartsock, to close the Public Hearing. Motion carried, all ayes.

4-84-076

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

City of Farmington  
County of Oakland, Michigan

RESOLUTION APPROVING PROJECT PLAN  
AS SUBMITTED BY THE ECONOMIC DEVELOPMENT  
CORPORATION OF THE CITY OF FARMINGTON  
(Farmington/9 Mile Associates Project)

WHEREAS, there exists in the City of Farmington (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and to revitalize the City's economy, and to assist industrial and commercial enterprises, and to encourage the location, expansion or retention of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

WHEREAS, a program to alleviate the aforesaid conditions has been initiated by The Economic Development Corporation of the City of Farmington (the "Corporation"); and

WHEREAS, the Corporation, in conformity with Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), has prepared and submitted a project plan (the "Project Plan"), providing all information and requirements necessary for a commercial project involving the acquisition, construction and equipping of an 81,000 square foot shopping center facility to be owned by, operated by and for the benefit of Farmington/9 Mile Associates located at "The Crossroads" Center (the "Project"); and

WHEREAS, in conformity with Act No. 338 and the Internal Revenue Code of 1954, as amended (the "Code"), this legislative body has conducted a public hearing on the Project, the Project Plan, and the bonds in the maximum aggregate principal amount of not to exceed \$4,800,000 proposed therein to be issued by the Corporation to finance all or part of the costs of the Project (the "Bonds");

COUNCIL PROCEEDINGS -3-  
April 2, 1984

NOW, THEREFORE, BE IT RESOLVED:

1. The Project Plan, as submitted and approved by the Corporation meets the requirements set forth in Section 8 of Act 338, and is hereby approved.
2. The persons who will be active in the management of the Project for not less than one year after approval of the Project Plan have sufficient ability and experience to manage the plan properly.
3. The proposed methods of financing the Project as outlined in the Project Plan are feasible and this Corporation has the ability to arrange, or cause to be arranged, the financing.
4. The Project as submitted is reasonable and necessary to carry out the purposes of Act No. 338, and is hereby approved.
5. Issuance by the Corporation of the Bonds in an amount not to exceed \$4,800,000.00 in accordance with the terms set forth in the Project Plan, to finance all or part of the costs of the Project as described herein and in the Project Plan, is hereby approved.
6. Based upon the information submitted and obtained, the Project Plan as submitted and the Project to which it relates serves to alleviate and prevent conditions of unemployment and strengthen and revitalize the City's economy and, therefore, constitutes a vital and necessary public purpose.
7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.

NAYS: None.

RESOLUTION DECLARED ADOPTED APRIL 2, 1984.

JOSEPHINE M. BUSHEY, CITY CLERK

MINUTES OF OTHER BOARDS

4-84-077

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and/or file the minutes of the Board of Education for the Regular meeting of February 5 and the Special meeting of February 28, 1984. Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER OF RESIGNATION OF WILLIAM CONROY  
CABLE ACCESS COMMITTEE

Mr. Conroy requested that City Council accept his resignation as a Farmington representative on the Southwestern Oakland Cable Access Committee. He thanked Council for the opportunity to serve in this

capacity during the past year.

4-84-078

Motion by Councilman Hartsock, supported by Councilman Bennett, to accept the resignation of William Conroy from the Cable Access Committee, with regret, sending him a letter of appreciation. Motion carried, all ayes.

LETTER FROM MARCH TIRE COMPANY RE:  
ANNUAL TENT SALE

Gerald Swider, Facility Manager of March Tire Company, 33014 Grand River, Farmington, requested permission to conduct their Annual Tent Sale during the week of April 23 - 28, 1984. Tents will be located in the parking lot and banners will be applied to the building without interference to public roads.

4-84-079

Motion by Councilman Walker, supported by Councilman Bennett, to grant permission for the March Tire Company annual Tent Sale from April 23 - 28, 1984, with tents to be located in the company parking lot and banners to be applied to the building at 33014 Grand River, Farmington, as requested. Motion carried, all ayes.

Councilman Tupper advised Mr. Swider who was present in the audience that a number of calls were made to March Tire last winter concerning their snow covered sidewalks. He further stated that at no time during the snowy season were those sidewalks completely cleared, thus making it very difficult for residents of the Farmington Place apartments to get to the Downtown Center.

Mr. Swider, recently transferred from the Plymouth Tire Store, promised to take this information to his manager and see that the sidewalks are kept clear when it snows.

RESOLUTION FROM ROYAL OAK RE: CONTINUA-  
TION OF FUNDING FOR SENIOR CITIZEN PROGRAMS

Royal Oak advised that they have been informed by the Area Agency on Aging that the Agency is considering reorganizing the Home Chore and Outreach Programs to provide these services on a regional basis rather than at the present local level. Royal Oak feels that to reorganize these services on a regional basis would erode the effectiveness of the programs and confuse the clientele they intend to serve.

Manager Deadman pointed out that both the Cities of Farmington and Farmington Hills have provided Home Chore services through their senior program for many years. He doubts that if provided on a regional basis the services offered would reach as many senior citizens, nor would the program be as responsive to the local needs of the community.

Council wished to have more information concerning these services before concurring with Royal Oak's position.

4-84-080

Motion by Councilman Bennett, supported by Councilman Hartsock, that a letter be written to the Area Agency on Aging concerning whether or not certain presently funded senior citizens programs, namely Home Chore and Outreach, are in jeopardy. Motion carried, all ayes.

REQUEST FROM CITIZENS ENGAGED IN REMOVAL  
OF TOXIC SUBSTANCES (CERTS) RE: SUPPORT  
OF LEGISLATION ON UREA FORMALDEHYDE FOAM

Susan Carlson of CERTS stated that the problem of Urea Formaldehyde Foam insulation has become an issue in the state and has had a devastating effect on property taxes in many cities. Homeowners have asked for reductions in assessed valuations if their homes are insulated with this material. Current state and federal legislation is pending to deal with the problem and afford assistance in removing the insulation. Several cities have already indicated their support of this legislation.

Councilman Walker expressed his concern that public funds be used for what he feels is a private sector problem.

4-84-081

Motion by Councilman Bennett, supported by Councilman Tupper, that Council express their concern to our State and Federal Legislators relative to the Urea Formaldehyde Foam insulation problem and the use of public funds to correct the problem. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED AMENDMENT: TRAFFIC CONTROL ORDINANCE

Manager Deadman advised that a recent review of a site plan for construction at the Benchmark on Grand River includes a driveway which will exit onto the Farmington West Apartments entrance road which is part of the city's local road system and officially named by Council resolution as Orchard Court.

The Public Safety Department pointed out that there are no traffic control ordinances which designate Orchard Court as a STOP street at Grand River. In reviewing other entrance roads into other apartment complexes, the Department found no traffic control ordinances designating these entrance roads as STOP streets onto Grand River or Drake Road. Both of these roads have also been dedicated to the city as part of the local road system and they have been posted as STOP streets at the major street intersection.

As a result of this review, the Public Safety Department recommended adopting a traffic control ordinance which would designate Blanchard, Brookdale Court, Chatham Hills Drive, Chatham Hills Lane, Drakeshire Lane, Lamb Court, Orchard Court and Riverview Court as STOP streets to Grand River

COUNCIL PROCEEDINGS -6-  
April 2, 1984

The Department further recommended that Drakeshire Lane, Heritage Lane and Tall Pine Street be designated as STOP streets to Drake Road.

The Department also recommended that parking be prohibited on Orchard Court south of Grand River 185 feet, as this Court is designed with an island dividing opposing traffic lanes. They pointed out that it was not designed to accommodate on-street parking.

The City Manager concurred with the recommendations of the Public Safety Department, and the Mayor called for the introduction of Ordinance C-513-84.

4-84-082

Motion by Councilman Walker, supported by Councilman Tupper, to introduce Ordinance C-513-84 which would amend Chapter 1, STOP STREETS, and Chapter 5, PROHIBITED PARKING of the Traffic Control Ordinances. Motion carried, all ayes.

PROPOSED AMENDMENT: FIRE PREVENTION  
ORDINANCE

Manager Deadman advised that the Building Officials and Code Administrators (BOCA) organization has adopted a new Fire Prevention Code, the "1984 Sixth Edition". This Code establishes construction requirements for buildings depending on size, type of occupancy, location, hazardous materials, public assembly and other variations in building type and use.

The Building Department and the Public Safety Department have reviewed the new 1984 BOCA Basic Fire Prevention Code and determined that there are several modifications and amendments to the Code from our currently used 1975 Third Edition. Since BOCA has elected to change its numbering system, it would be difficult to interpret the meaning of other building codes which reference the Sixth Edition if we do not adopt the latest edition of the Code.

Council was informed that Articles 1 through 30 of the proposed amendments before Council incorporate local modifications to the Code. It is not proposed that any of the local modifications to the Code be changed other than changing the numbering system to be compatible to the system used in the new edition of the Code.

4-84-083

Motion by Councilman Bennett, supported by Councilman Hartsock, to introduce Ordinance C-514-84, which would adopt the 1984 Edition of the BOCA Basic Fire Prevention Code and provide local modifications to that Code. Motion carried, all ayes.

ESTABLISHED PUBLIC HEARING: PROPOSED USE  
FEDERAL REVENUE SHARING FUNDS

Council was informed that to meet federal requirements, a Public

COUNCIL PROCEEDINGS -7-  
April 2, 1984

Hearing must be held by the office which prepare the community budget prior to submitting said budget.

The City Manager stated that according to regulations, the Notice of Public Hearing was published according to federal guidelines and will also be seen on Cable television.

Manager Deadman advised that he will hold this Hearing on Monday, April 9, 1984, at 7:00 p.m. in Council Chambers, just prior to the Planning Commission meeting scheduled for the same date. If any Council member is available to attend this meeting, they will have an opportunity to hear if the public offers any suggestions for the future use of federal revenue sharing funds.

RECOMMENDATION: SDM LICENSE FOR  
PERRY DRUG STORE

Council considered a request from Perry Drug Stores, Inc., for an SDM License which permits the sale of beer and wine for consumption off the premises. Perry Drug Stores is one of the proposed tenants in the shopping center to be constructed by Weatherford/Walker, Inc., at Nine Mile and Farmington Road.

Manager Deadman stated that under the rules of the Michigan Liquor Control Commission, the responsibility for issuing an SpM License is that of the Commission. The local community may only recommend an action to be taken by the the Commission, and the Commission may or may not accept the local community's recommendation.

Director of Public Safety Seifert advised that he knows of no reason why Perry Drug Stores, Inc., would not qualify for the issuance of the requested SDM License. The City Manager's office concurred and recommended that Council take no action in this matter.

4-84-084

Motion by Councilman Bennett, supported by Councilman Walker, to receive and file the recommendation for an SDM License for Perry Drug Stores, Inc.. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Council was advised that the owner of the Oak Hill Nursing Home has withdrawn his request before the Planning Commission to expand the facility as he feels the project is no longer financially viable.

APPOINTMENTS TO CABLE ACCESS COMMITTEE:  
SOUTHWESTERN OAKLAND CABLE COMMISSION

To fill the opening on the Cable Access Committee created by the resignation of William Conroy, it will be necessary to appoint a new member to represent the City of Farmington. Manager Deadman advised that Mrs. Jeannie Liming of 21109 Laurelwood has expressed her interest in serving in this capacity.

COUNCIL PROCEEDINGS -8-  
April 2, 1984

The City Manager feels that Mrs. Liming is a person who would devote the necessary time to assist the community in developing public access programming. He indicated that her Degree in Fine Arts includes a major in Photography and Graphic Technology which together with her experience in serving the Beautification Committee, and Keep Michigan Beautiful as their photographer, should enable her to be an asset to the Cable Access Commission.

Council was further advised that the initial one-year term of James Mitchell on the Cable Access Committee has also expired. He stated that Mr. Mitchell has indicated an interest to continue serving on this Committee.

Council was informed that Mr. Mitchell has ably represented the city on the Committee which has been meeting several times each month since its inception to develop guidelines and regulations for the operation of Public Access Television.

4-84-085

Motion by Councilman Walker, supported by Councilman Tupper, to appoint Mrs. Jeannie Liming, 21109 Laurelwood, to fill the unexpired term of William Conroy on the Cable Access Committee, and to appoint James K. Mitchell, 23211 Floral, to this Committee for a three-year term. Motion carried, all ayes.

Mrs. Liming's term will expire March 7, 1986; Mr. Mitchell's term will expire March 7, 1987.

Manager Deadman advised that cable access programming was to begin April 16, but will be delayed until the end of the month. He stated there are approximately 100 programs in process but none are completed at this time. He indicated that four channels will be available for cable access programming and that the schools and local community college are gearing up for this programming. Mr. Deadman advised that the Observer Newspaper has stated its willingness to publish the schedule for this programming when it is available. MetroVision has expressed its pleasure over the City of Farmington's response to this type of programming.

FINANCIAL REPORTS: EIGHT MONTHS ENDED  
FEBRUARY 19, 1984

4-84-086

Motion by Councilman Hartsock, supported by Councilman Bennett, to receive and file the General Fund and 47th District Court Financial Reports for the eight months ended February 29, 1984. Motion carried, all ayes.

WARRANT LIST

4-84-087

Motion by Councilman Bennett, supported by Councilman Walker, to approve the monthly bills as submitted: General Fund \$20,707.07;

COUNCIL PROCEEDINGS -9-  
April 2, 1984

Water & Sewer Fund \$10,619.01.

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.

MOTION CARRIED.

ADJOURNMENT

On motion by Councilman Tupper, the meeting was adjourned at 9:00 p.m.

*Ralph D. Yoder*  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

*Josephine M. Bushey*  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK



CITY OF FARMINGTON  
PUBLIC HEARING

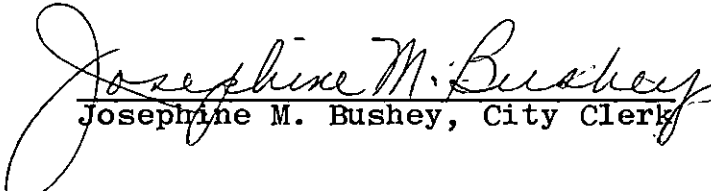
PROPOSED USE OF FEDERAL REVENUE SHARING FUNDS

The City Manager held a Public Hearing concerning the proposed use of Federal Revenue Sharing Funds in Council Chambers, 23600 Liberty Street, Farmington, Michigan. The Hearing took place at 7:00 p.m. on April 9, 1984. Notice of the Hearing was published according to Federal Guidelines, inviting all citizens to provide the City Manager with written and/or oral comments on the possible uses for approximately \$60,000.00 of revenue sharing funds expected to be received by the City of Farmington during the 1984-85 fiscal year.

There were no public comments relative to the proposed use of these revenue sharing funds.

Manager Deadman stated that the administration proposes to use the funds to supplement the salaries of Public Safety Officers.

The Public Hearing was adjourned at 7:07 p.m.

  
Josephine M. Bushey, City Clerk

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, April 16, 1984, 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 by Mayor Yoder at 8:00 p.m.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

4-84-088

Motion by Councilman Bennett, supported by Councilman Walker, to approve the minutes of the previous meeting of April 2, 1984, as submitted. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

4-84-089

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Public Hearing minutes of April 9, 1984, Use of Federal Revenue Sharing Funds;  
Planning Commission minutes of April 9, 1984;  
Board of Zoning Appeals minutes of April 4, 1984;  
Beautification Committee minutes of March 8, 1984;  
Farmington Area Commission on Aging minutes of January 24, February 28 and March 27, 1984;  
Farmington Area Arts Commission minutes of March 15, 1984;  
Farmington Community Library minutes of March 8, 1984;  
Board of Education minutes of March 13, March 20 and March 27, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

LETTER FROM FARMINGTON SOUTH BASEBALL, INC.,  
RE: LITTLE LEAGUE OPENING DAY PARADE

Roxanne Fitzpatrick, Farmington South Baseball, Inc., requested a parade permit for Little League Opening Day, Saturday, May 12, 1984. The event is to begin at 10:00 a.m., and participants will gather at the City Municipal Building grounds, proceeding to the City Park via Oakland Street, Farmington Road and Shiawassee.

4-84-090

Motion by Councilman Bennett, supported by Councilman Hartsock, to approve a parade permit for Farmington South Baseball, Inc., Little League Opening Day on May 12, 1984, from 10:00 a.m. to 11:30 a.m. Motion carried, all ayes.

COUNCIL PROCEEDINGS -2-  
April 16, 1984

REQUEST FROM RECREATION SUPERVISOR DAVID JUSTUS RE: STREET CLOSINGS FOR "KID'S DAY"

Recreation Supervisor David Justus advised that the annual "Kid's Day" celebration is planned for Tuesday, July 17, 1984, from 12:00 Noon to 6:00 p.m. He requested that Raphael Street and Shiawassee be closed in the City Park area from 9:00 a.m. to 6:30 p.m. on that day. Raphael is to be closed between Ten Mile and Shiawassee and Shiawassee is to be closed between Farmington Road and Power Road. They plan to contact the Public Safety Department to coordinate their activities.

4-84-091 a

Motion by Councilman Walker, supported by Councilman Tupper, to close Raphael Street between Ten Mile and Shiawassee and Shiawassee between Farmington Road and Power Road from 9:00 a.m. until 6:30 p.m. on Tuesday, July 17, 1984, for the annual KID'S DAY Celebration. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

4-84-091 b

Motion by Councilman Bennett, supported by Councilman Hartsock, to issue the following proclamations:

MOSLEM SHRINE HOSPITAL PAPER SALE DAYS	- June 15 and 16, 1984;
MUNICIPAL CLERKS WEEK	- May 13 - 19, 1984;
SMALL BUSINESS WEEK	- May 6 - 12, 1984;
NATIONAL CONSUMER WEEK	- April 23 - 28, 1984;
POPPY DAYS	- May 17 - 19, 1984;
KEEP FARMINGTON BEAUTIFUL TIME	- April 21 - May 31, 1984;
ARBOR WEEK/ARBOR DAY (April 26, 1984)	- April 22 - 28, 1984;
KID'S DAY	- July 17, 1984

Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROGRESS REPORT: CADDELL DRAIN

Manager Deadman reported that as a result of his inquiry concerning the Farmington Hills future drain projects, a letter from their City Manager Lawrence Savage indicates that the Master Drain Plan for Farmington Hills has four drainage districts in which the City of Farmington may be requested to participate. These include the Caddell Drain, scheduled for construction in 1984, the Upper Rouge Drain, the Main Ravine Drain and the North Bell Creek Drain all scheduled for construction in 1989. Excluding the Caddell Drain, the other three have an estimated construction cost of \$4,495,000.00. Mr. Savage further indicated that the cost-sharing for engineering estimates have not been so far established for these drains.

Manager Deadman advised Council that participation in the cost of building the other drains will depend on Council's willingness to participate. He indicated that Farmington may derive some benefit from these other drains, suggesting that Council may wish to participate so that the city could have some input concerning the design

COUNCIL PROCEEDINGS -3-  
April 16, 1984

and construction of the projects, particularly in relation to the Main Ravine Drain which is intended to eliminate drainage problems north of the Bel-Aire Subdivision and along the creek running north of the Floral Park Subdivision.

Although Mr. Savage's letter provides no specifics concerning whether or not Farmington Hills expects Farmington to participate in these other projects, Farmington Hills does hope that the Farmington City Council will be in a position to make a decision to participate in the Caddell Drain.

Council was informed that they will need to consider not only the problem of future drainage projects in considering participation in the Caddell Drain Project, but also the impact of the Voters Choice Amendment. Manager Deadman pointed out that if the Voters Choice Amendment were to be adopted, the City of Farmington may be required to reduce its millage rate from 11.74 mills to 11.25 mills, which was the millage rate in place as of December 31, 1981. He further pointed out that this reduction would not alleviate the community's requirement to meet the Debt Service payments that have been assumed since December 31, 1981. City Council raised the city millage rate to handle the Debt Service payment for the Old Town Drain in 1983.

Council was further advised that in anticipation that the Michigan Finance Commission would approve the sale of unlimited tax bonds for the Caddell Drain, the millage rate was raised last year to include the Debt Service payment for this drain. Also budgeted were sufficient funds in the proposed 1984-85 budget for the Caddell Drain Debt Service; however, if the Voters Choice Amendment is adopted, the city may have to immediately take a proposal to the electorate to provide sufficient funds in the future for the Debt Service of the Caddell and Old Town Drains.

The City Manager stated that if Council wishes to participate in the Caddell Drain Project, he recommended the adoption of a resolution pledging limited tax revenues for the Debt Service of the Caddell Drain bonds.

After considerable discussion, Council decided to table its decision on participation in the Caddell Drain Project.

4-84-092

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

WHEREAS, the City of Farmington Hills is desirous of constructing a storm drain to alleviate flooding west of M-102, and

WHEREAS, the City of Farmington Council agreed to finance its proportionate share of the cost of this project, entitled the CADDELL DRAIN, if unlimited tax revenue could be pledged to pay the debt service on the drain bonds, and

COUNCIL PROCEEDINGS -4-  
April 16, 1984

WHEREAS, the Municipal Finance Commission of the State of Michigan at a regular meeting on August 3, 1983, in considering the application of the Caddell Drainage Districts to issue unlimited tax bonds, ordered the said application to be denied and stated that such bonds may be issued on a limited tax basis, and

WHEREAS, Council, in considering the issuance of limited tax bonds, has concern about the pending Voter's Choice Constitutional Amendment proposition, and

WHEREAS, Council believes the Voter's Choice proposal will be on the November, 1984, ballot, and

WHEREAS, if this proposal should be passed by the electorate, the City may be required to reduce its millage rate to the December 31, 1981 level, and

WHEREAS, with a reduced millage rate, the City would not be in position to fund debt service for the Caddell Drain;

NOW, THEREFORE, BE IT RESOLVED that Council table a decision on participation in the Caddell Drain until after the November 1984 election or the disposition of the Voter's Choice Amendment; and

BE IT FURTHER RESOLVED that if the Voter's Choice Amendment fails to qualify for placement on the November 1984 ballot, or if it is rejected by the electorate, the Council will fund its proportionate share of the Caddell Drain Project by the issuance of limited tax revenue bonds.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION ADOPTED APRIL 16, 1984.

JOSEPHINE M. BUSHEY, CITY CLERK

CONTRACTOR PAYMENT: COMBINED SEWER OVERFLOW/RIVER CROSS-CONNECTION

Council was informed that the contractor for the Combined Sewer Overflow Project, DiNello Construction Company, requested partial payment for work completed through April 10, 1984. He has installed manholes and sewer pipe along the south side of Grand River east of Brookdale Street and has begun installation of new sewer pipe in the area of Shiawassee and Prospect Street as part of this project. Manager Deadman stated that the work completed to date is in substantial compliance with city specifications.

The City Engineer recommended payment to DiNello Construction in the amount of \$26,098.09, and the City Manager concurred with this recommendation.

COUNCIL PROCEEDINGS -5-  
April 16, 1984

4-84-093

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the Farmington City Council hereby authorizes the payment of \$26,098.09 to DiNello Construction Company of Sterling Heights, Michigan, for work completed through April 10, 1984, on the Combined Sewer Overflow River Cross-Connection project, and

BE IT FURTHER RESOLVED That funds be provided from the Water and Sewer Fund, Capital Improvement Account.

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED APRIL 16, 1984.

PROPOSED PARKING CONTROL: OAKLAND STREET

As a result of complaints from Norman Lee of 33432 Oakland Street that his driveway is often blocked by parked cars, Manager Deadman advised that the Public Safety Department reviewed the situation and recommends the establishment of a No Parking area on the north side of Oakland, 141 feet east of Grand River. This would prohibit parking on the north side of Oakland west of the driveway from the Salem Church.

The Department also determined that current traffic control ordinances already provide for a two-hour parking zone on Oakland Street, however, these signs were removed through the years and not replaced. The Public Safety Department recommends that the area be re-posted as a two-hour parking zone from 8:00 a.m. to 6:00 p.m., Monday through Saturday.

Manager Deadman agreed that the Department's recommendation to remove parking near Grand River is a good one due to the peculiar alignment of Oakland Street at the Grand River intersection.

4-84-094

Motion by Councilman Bennett, supported by Councilman Hartsock, to introduce Ordinance C-515-84, which would control parking on the north side of Oakland Street. Motion carried, all ayes.

SEMCOG REVIEW: FARMINGTON HILLS  
STORM DRAIN PROJECT

Manager Deadman advised that SEMCOG has requested comments on Farmington Hills' project to use a portion of Community Development Block Grant funds for the construction of storm drains in the Tarabusi Roseland Gardens Subdivision area. At an estimated cost of \$270,000.00, Farmington Hills intends to provide a drainage system which will drain approximately 1.6 miles of roadway in an area southwest of Farmington Road and Colfax Street.

COUNCIL PROCEEDINGS -6-  
April 16, 1984

Since drainage has been a long-standing problem in this area, and the project would improve living conditions for families who will be served by the new drains, the City Manager recommended that Council support the project as presented by the City of Farmington Hills.

4-84-095

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, the City of Farmington Hills has identified a drainage problem which it proposes to correct through the use of Community Development Block Grant Funds, and

WHEREAS, this drainage problem affects low and moderate income families, and

WHEREAS, the correction of the drainage problem will improve the living conditions for low and moderate income families;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Farmington enthusiastically supports the construction of the storm drainage improvements for Tarabusi Roseland Gardens Subdivision, and

FURTHER recommends approval of this project by those regional and federal agencies which will review their request for Community Development Block Grant Entitlement Funds to finance this important project.

RESOLUTION ADOPTED UNANIMOUSLY APRIL 16, 1984.

1984-85 RECOMMENDED BUDGET: GENERAL FUND,  
HIGHWAY FUND, DEBT FUND AND OTHER FUNDS

Manager Deadman submitted the 1984-85 fiscal year recommended budget to Council, stating that it provides for the continuation of the current millage rate of 11.74 mills. He indicated that the distribution of this millage rate between the Operating Fund and the Debt Service Fund is recommended for adjustment, as it is anticipated that the Debt Service Fund will require .98 mill, which is a reduction from the current 1.24 mills. The difference is to be added to the operating millage rate, as well as \$197,344.00 from the Unappropriated Reserve to balance the recommended budget. It is anticipated that property values will increase approximately 1.6% over the previous year.

The City Manager proposed that Council establish a Public Hearing in accordance with state statutes so that the General Operating Fund can derive the revenues generated by this increase in the state equalized assessed valuations.

As City Council is required to adopt the budget by the first Monday in June, it was recommended that study session dates be established so that proper notice can be given in compliance with the Open Meetings Act.

COUNCIL PROCEEDINGS -7-  
April 16, 1984

Council set the following Budget Study Sessions for 7:00 p.m. on

Wednesday, May 9, 1984,  
Tuesday, May 15, 1984, and  
Wednesday, May 16, 1984.

It was suggested that the Public Hearing for review of the proposed 1984-85 recommended budget be established at the next regular meeting of May 7, 1984.

MISCELLANEOUS

Manager Deadman advised that the work on local roads would begin again around May 1st.

Councilman Walker advised that he would pick up his mail rather than have it inserted with the Council Agendas. In answer to his question concerning the location of the former Wishing Well Restaurant, he was informed that a dress shop will occupy this space.

Referring to a letter he received from the Farmington Community Center Board, relative to Ex Officio representation from the City, the Mayor stated that he would serve in this capacity if there were no objections.

JOINT BUDGET REVIEW MEETING WITH  
CITY OF FARMINGTON HILLS

Manager Deadman presented the proposed budgets for the Farmington Community Library, the 47th District Court, Youth Service Agencies, Commission on Aging and the Commission on Arts, stating that the City of Farmington Hills has set aside Wednesday, May 2, 1984, at 7:00 p.m. to review these budgets.

Council members stated that they would attend this joint meeting to be held at Farmington Hills City Hall.

BUILDING DEPARTMENT THIRD QUARTERLY REPORT

4-84-096

Motion by Councilman Hartsock, supported by Councilman Bennett, to receive and file the Building Department Third Quarterly Report, January through March, 1984. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

4-84-097

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following ordinance:

ORDINANCE NO. C-513-84

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Chief of Police of the



COUNCIL PROCEEDINGS -8-  
April 16, 1984

City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 1, Section 1.1; Chapter 1, Section 1.15; and Chapter 5, Section 5.41, as provided for in Section 2.53 of the Uniform Traffic Code for Cities, Townships and Villages.

CHAPTER 1 "STOP" STREETS - Section 1.1, Grand River

DELETE the following: Drake Road  
Farmington Road  
Power

ADD the following: Blanchard  
Brookdale Court  
Chatham Hills Drive  
Chatham Hills Lane  
Drakeshire Lane  
Lamb Court  
Orchard Court  
Riverview Court

- Section 1.15, Drake Road

ADD the following: Drakeshire Lane @ Drake Road  
Heritage Lane @ Drake Road  
Tall Pines @ Drake Road

CHAPTER 5 "PROHIBITED" PARKING - Section 5.41, Orchard Court

ADD the following: A. Both east and west sides of  
the street 185 feet south  
from Grand River.

This ordinance was introduced at a regular meeting of the Farmington City Council on April 2, 1984; was adopted and enacted at the next regular meeting on April 16, 1984, and will become effective ten days after publication.

AYES: Walker, Yoder, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: None.

4-84-098

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following ordinance:

ORDINANCE NO. C-514-84

See Attached Ordinance

COUNCIL PROCEEDINGS -9-  
April 16, 1984

WARRANT LIST

4-84-099

Motion by Councilman Tupper, supported by Councilman Walker, to approve the monthly bills as submitted: General Fund \$24,811.98; Water & Sewer Fund \$81,285.25.

AYES: Bennett, Hartsock, Tupper, Walker, Yoder.

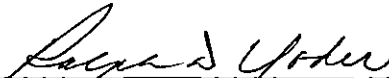
NAYS: None.

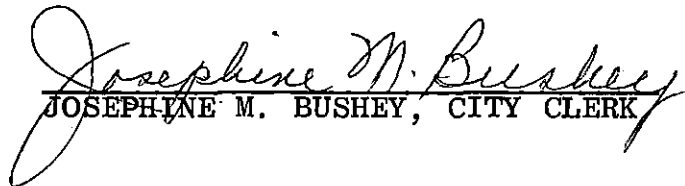
ABSENT: None.

MOTION CARRIED.

ADJOURNMENT

The meeting was adjourned at 9:27 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

ORDINANCE NO. C-514-84

AN ORDINANCE TO ADOPT THE 1984 BOCA BASIC FIRE PREVENTION CODE BY REFERENCE AND TO PROVIDE CERTAIN MODIFICATIONS THEREIN FOR ITS APPLICATION TO THE CITY OF FARMINGTON

THE CITY OF FARMINGTON ORDAINS:

9.301. Adoption of Fire Prevention Code. There is hereby adopted by the City of Farmington for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the BOCA Basic Fire Prevention Code, as recommended and maintained by the active membership of the Building Officials and Code Administrators International, Inc., being particularly the 1984 Sixth Edition thereof and the whole thereof, except as hereinafter amended, of which Code not less than three (3) copies have been and are now filed and available during regular business hours for business use and inspection in the Office of the City Clerk of the City of Farmington, and the same is hereby adopted and incorporated as full as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Farmington.

9.302. Modifications to the Adopted Fire Prevention Code. The following Articles, Sections and Sub-sections of the adopted Fire Prevention Code are hereby amended or deleted as set forth and additional sections and sub-sections are added as indicated. Subsequent Articles and Section Numbers used in Section 9.302 (this section) shall refer to like numbered Articles, Sections and Sub-sections of the adopted Fire Prevention Code.

ARTICLE 1  
ADMINISTRATION AND ENFORCEMENT

Section F-100.0. General.

F-100.1. Title. Sub-section amended to read:

F-100.1. Title. These regulations as set forth herein shall be known as the Fire Prevention Code of the City of Farmington and are herein referred to as such or as "this code".

Section F-101.0. Applicability.

F-101.3.1. Uniformity with Law of State of Michigan. Sub-section added to read:

F-101.3.1. Uniformity with Law of State of Michigan. It is the intention of the City Council that this ordinance and the code adopted thereby shall be in conformity to the laws of the State of Michigan relative to fire prevention. In case of any conflict between the provisions of this ordinance or the code adopted thereby with the laws of the State of Michigan, the latter shall prevail.

Section F-102.0. Enforcement Authority.

AN ORDINANCE TO ADOPT THE 1984 BOCA BASIC FIRE PREVENTION CODE BY REFERENCE AND TO PROVIDE CERTAIN MODIFICATIONS THEREIN FOR ITS APPLICATION TO THE CITY OF FARMINGTON

THE CITY OF FARMINGTON ORDAINS:

2.301. Adoption of Fire Prevention Code. There is hereby adopted by the City of Farmington for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the 1984 Basic Fire Prevention Code, as recommended and maintained by the active membership of the Building Officials and Code Administrators International, Inc., and particularly the 1984 Sixth Edition thereof and the whole thereof, except as hereinafter amended, of which Code not less than three (3) copies have been set and now filed and available during regular business hours for business use and inspection in the Office of the City Clerk of the City of Farmington, and the same is hereby adopted and incorporated as full as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Farmington.

2.302. Modifications to the Adopted Fire Prevention Code. The following Articles, Sections and Sub-sections of the adopted Fire Prevention Code are hereby amended or deleted as set forth and additional sections and sub-sections are added as indicated. Subsequent Article and Section Numbers used in Section 2.302 (this section) shall refer to like numbered Articles, Sections and Sub-sections of the adopted Fire Prevention Code.

ARTICLE I

ADMINISTRATION AND ENFORCEMENT

Section F-100.0. General.

F-100.1. Title. Sub-section amended to read:

F-100.1. Title. These regulations as set forth herein shall be known as the Fire Prevention Code of the City of Farmington and are herein referred to as such or as "this code".

Section F-101.0. Applicability.

F-101.3.1. Uniformity with Law of State of Michigan. Sub-section added to read:

F-101.3.1. Uniformity with Law of State of Michigan. It is the intention of the City Council that this ordinance and the code adopted thereby shall be in conformity to the laws of the State of Michigan relative to fire prevention. In case of any conflict between the provisions of this ordinance or the code adopted thereby with the laws of the State of Michigan, the latter shall prevail.

Section F-102.0. Enforcement Authority.

F-102.1. Enforcement Officer. Sub-section amended to read:

F-102.1. Enforcement Officer. It shall be the duty and responsibility of the Director of Public Safety or his authorized representative to enforce the provisions of the Fire Prevention Code as herein set forth. The designated enforcement officer of this code is herein referred to as the Fire Official.

F-102.7. Rules and Regulations. Sub-section amended to read:

F-120.7. Rules and Regulations. The Director of Public Safety shall have authority as may be necessary in the interest of public safety, health and general welfare to promulgate rules and regulations, to interpret and implement the provisions of the Fire Prevention Code, to secure the intent thereof and to designate requirements applicable because of climatic or other conditions, and to allow modifications of any of the provisions of the Fire Prevention Code, but no such modifications shall have the effect of waiving any fire safety requirements specifically provided in the Fire Prevention Code, or violating any accepted engineering practice or safety standard as recommended by those organizations which are listed in the Appendix of this Code.

The owner, lessee or agent for the property requesting such modification may be required to make application for such modification to the Director of Public Safety in writing and as so directed. The particulars of such modification when permitted shall be entered upon the records of the Department of Public Safety and a signed copy shall be furnished the applicant.

Section F-105.0. Orders to Eliminate Dangerous or Hazardous Conditions.

F-105.5. Failure to Correct Violations. Sub-section amended to read:

F-105.5. Failure to Correct Violations. If the notice of violation is not complied with within the time specified, the Fire Official or his duly authorized representative of the Department of Public Safety is authorized to grant time extensions for correction of violations, beyond the time limits initially specified, when such time extensions are deemed to be reasonable and necessary, and which would not constitute a distinct hazard to life or property.

F-105.5.1. Penalty for Violations. Sub-section amended to read:

F-105.5.1. Penalty for Violations. Any person, firm or corporation convicted of a violation of this ordinance or the Code adopted thereby may be imprisoned in the County jail or the City jail for not more than 90 days or fined not more than \$500.00, or both, together with costs of prosecution. Each day that a violation continues after service of notice as provided for in this ordinance shall be deemed a separate offense.

## ARTICLE 2 - DEFINITIONS

Section F-201.0. Applied Meaning of Words and Terms. Section amended by the addition of the following terms and words:

DECLARATION

I, the undersigned, do hereby declare that

the foregoing is a true and correct copy of the original as the same appears in the files of the Department of Justice, and that the same has been compared with the original and found to be a true and correct copy thereof.

Witness my hand and the seal of the Department of Justice at Washington, D.C., this 1st day of January, 1951.

Very truly yours,  
[Signature]

Special Agent in Charge

UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

and that the same is a true and correct copy of the original as the same appears in the files of the Department of Justice.

I, the undersigned, do hereby declare that the foregoing is a true and correct copy of the original as the same appears in the files of the Department of Justice, and that the same has been compared with the original and found to be a true and correct copy thereof.

I, the undersigned, do hereby declare that

the foregoing is a true and correct copy of the original as the same appears in the files of the Department of Justice, and that the same has been compared with the original and found to be a true and correct copy thereof.

I, the undersigned, do hereby declare that the foregoing is a true and correct copy of the original as the same appears in the files of the Department of Justice, and that the same has been compared with the original and found to be a true and correct copy thereof.

UNITED STATES DEPARTMENT OF JUSTICE

I, the undersigned, do hereby declare that the foregoing is a true and correct copy of the original as the same appears in the files of the Department of Justice, and that the same has been compared with the original and found to be a true and correct copy thereof.

UNITED STATES DEPARTMENT OF JUSTICE

- BUILDING** - Building means any structure, framework or housing, public or private, and includes tanks, receptacles, reservoirs and containers for the storage and handling of commodities or other materials.
- OCCUPANT** - Occupant shall mean tenant in possession of or other person occupying or having charge of buildings or premises.
- PREMISES** - Premises shall mean any lot or parcel of land exclusive of buildings thereon, however used, owned or occupied.

**ARTICLE 3**  
**GENERAL PRECAUTIONS AGAINST FIRE**

**Section F-301.0. Bonfires and Outdoor Rubbish Fires.**

**F-301.1. General.** Sub-section amended to read:

**F-301.1. General.** Bonfires, Outside Fires and Incinerators.

- (1) No person shall dispose of any leaves, rubbish, trash, garbage, refuse, containers, paper, wood, or any other combustible material whatever in any street, alley, private place, or in any public place by burning within the City of Farmington, except in a proper incinerator.
- (2) No incinerator shall be installed or used within any building or on any premises without a permit and approval of the City of Farmington Building Department.
- (3) The burning of any material in incinerators, stoves or furnaces which emits, or is likely to emit, noxious or excessive smoke, odors, or other emissions is prohibited.
- (4) Within the Central Business District, as defined in Chapter 39 (Zoning) of the Farmington City Code, the following additional regulations shall apply:
  - (a) Prior to the construction or installation of any incinerator, stove or furnace to be utilized for the disposal by burning of any material, the location, type, construction and utilization thereof shall have been previously approved by the Building Department and the Fire Official.
  - (b) No outside incinerator or separate structure to be utilized for the disposal by burning of any material shall be located within a distance of fifteen (15) feet of any other combustible material.

Article 10

Article 11

(a) Article 12

Article 13

Article 14

(b) Article 15

Article 16

(c) Article 17

Article 18

(d) Article 19

Article 20

(e) Article 21

Article 22

(f) Article 23

Article 24

(g) Article 25

Article 26

Article 27

ARTICLE 28

Article 29

Article 30

Article 31

Article 32

Article 33

Article 34

Article 35



(5) This Chapter is not intended to prohibit fires used for the preparation of food in appliances/devices designed and manufactured for such use except as provided herein, the use of indoor fireplaces or outdoor campfires in designated areas in public parks, provided such outdoor campfires in public parks shall not be kindled unless prior written authorization is obtained.

(6) No charcoal cooker, brazier, hibachi, grill, or any gasoline or other flammable liquid or liquefied petroleum gas-fired stove or similar device shall be ignited or used on the balconies above ground level of any apartment building, townhouse, condominium, or similar occupancy. Use on the ground level of such devices shall be prohibited unless such device is at least eight (8) feet from every part of the building, including any portion of any balcony, overhang, or protrusion therefrom.

The Management of such occupancies which have balconies and/or in which dwelling units are superimposed above ground level shall notify their tenants in writing of this Code requirement at the time the tenant initially occupies the premises and at any time thereafter as may be reasonably required by the Fire Marshal, as necessary to insure compliance.

(7) City Council may temporarily permit the burning of leaves. Whenever such permit is granted, it shall be for a specific period of time as set by Council. No person shall burn leaves on any improved road.

F-301.2. Permit Required. Sub-section amended to read:

F-301.2. Permit Required. Any person or persons desiring to have a campfire in a public park must first obtain authorization from the Department of Public Safety, and no such authorization shall be granted unless:

(1) The location is approved by the Department of Public Safety and such location is safely removed from any building, structure, or other material which would ignite because of the proximity to the campfire.

(2) Atmospheric, climatic and other conditions would not make such campfire hazardous.

(3) A competent adult shall remain in attendance until the fire is extinguished and adequate fire extinguishing equipment is on hand.

(4) Such campfire shall not become offensive or objectionable due to smoke or odor emissions.

(5) The fuel for such campfire shall consist of dry wood and/or charcoal only, and the allowable quantity of fuel, and size of campfire shall be kept to a minimum; bonfires shall be prohibited.



F-301.6. Prohibited Fires. Sub-section amended to read:

F-301.6. Prohibited Fires. The Fire Official or his duly authorized representative shall order the immediate extinguishment, by Department equipment if necessary, of any outdoor fire which is an unauthorized fire as prohibited by this ordinance, or a previously authorized campfire which creates or adds to a hazardous or objectionable situation.

ARTICLE 4  
FIRE PROTECTION SYSTEMS

Section F-409.0. Manual Fire Extinguishing Equipment.

F-409.2. Required Auxiliary Fire Appliances. Sub-section amended to read:

F-409.2. Required Auxiliary Fire Appliances. All buildings and structure, existing and new, except one and two-family dwellings, shall be equipped with sufficient portable fire extinguishing equipment in accordance with the recommendations of Standard No. 10 of the National Fire Protection Association, and the determinations of the Fire Official or his duly authorized representative.

Sections F-411.0 - F-411.9 amended to read as follows:

F-411.0. Residential Smoke Detector. Sub-section amended to read:

F-411.0. Smoke Detection.

F-411.1. Requirement. It shall be the responsibility of the owner of each existing occupied dwelling unit to install smoke detectors in each dwelling unit as hereinafter provided. Said smoke detectors shall be capable of sensing visible or invisible particles of combustion and providing a suitable audible alarm thereof; further, they shall be installed in all multiple dwellings (three (3) family or more) within six (6) months of the effective date of this amendment. All single dwellings shall comply with this section upon resale or before any major alteration, addition or re-occupancy, whichever occurs first, in the manner hereinafter provided (unless any other provision of County, State or Federal law shall require installation before that date). Failure to install smoke detectors as and where required by said date will subject the property owner to the penalties set forth in Section F-105.1 of the Fire Prevention Code of the City of Farmington.

F-411.2. Location. At least one (1) smoke detector shall be installed in each sleeping area. A sleeping area is defined as the area or areas of the family living unit where the bedrooms (or sleeping rooms) are located. Where bedrooms or rooms ordinarily used for sleeping are separated by other use areas (such as kitchens or living rooms, but not bathrooms or closets), they shall be considered as separate sleeping areas for the purpose of this section. At least one (1) smoke detector shall be installed to protect each stairway leading up to an occupied area in such a manner as to assure that rising smoke is not obstructed in reaching the detector and the detector intercepts rising smoke before it reaches the sleeping area.

1. The first part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

2. The second part of the document is a list of the names and addresses of the members of the committee who have been elected to the office of Secretary. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

3. The third part of the document is a list of the names and addresses of the members of the committee who have been elected to the office of Treasurer. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

4. The fourth part of the document is a list of the names and addresses of the members of the committee who have been elected to the office of Chairman. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

5. The fifth part of the document is a list of the names and addresses of the members of the committee who have been elected to the office of Vice-Chairman. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

6. The sixth part of the document is a list of the names and addresses of the members of the committee who have been elected to the office of Secretary. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

7. The seventh part of the document is a list of the names and addresses of the members of the committee who have been elected to the office of Treasurer. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

8. The eighth part of the document is a list of the names and addresses of the members of the committee who have been elected to the office of Chairman. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

MEMBERS OF THE COMMITTEE  
AND THEIR ADDRESSES

9. The ninth part of the document is a list of the names and addresses of the members of the committee who have been elected to the office of Secretary. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

10. The tenth part of the document is a list of the names and addresses of the members of the committee who have been elected to the office of Treasurer. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

11. The eleventh part of the document is a list of the names and addresses of the members of the committee who have been elected to the office of Chairman. The names are listed in alphabetical order, and the addresses are given in full. The list includes names such as Mr. J. B. Smith, Mr. W. H. Jones, and Mrs. A. M. White, among others.

F-411.3. Equipment. All devices, combinations of devices and equipment herein are to be installed in conformance with the City of Farmington Building Code and this section. All detectors shall be Underwriters Laboratories approved.

F-411.4. Installation. In multiple family and single family dwellings hereafter constructed, smoke detectors shall be wired directly (hard wired) to the building's power supply. If more than one (1) detector is required in a single family dwelling, all detectors shall be inter-connected. For the purpose of installation and maintenance only, the applicable sections of National Fire Protection Association No. 74, 'Standard for the Installation, Maintenance and Use of a Household Fire Warning System', shall be considered accepted engineering practices. Installation of said fire detection system shall have prior approval of the City of Farmington Building Department.

F-411.5. Maintenance. It shall be the responsibility of the owner of each multiple family building to certify in writing to the City of Farmington Fire Marshal on or before July 1st of each year (effective July 1, 1979) that the manufacturer's prescribed maintenance has been performed on all smoke detectors.

F-411.6. Inspections. The Director of Public Safety, or his authorized representative, shall conduct periodic spot inspections of multiple family buildings to assure proper maintenance and operation of smoke detectors.

F-411.7. Permits and Fees. No smoke detector shall be directly connected (permanently wired) to the electrical system of the structure unless an electrical permit shall have been first obtained from the City of Farmington Building Department.

F-411.8. Certification at Change in Occupancy. At every change of occupancy of every dwelling unit occasioned by or incidental to a sale, lease or sub-lease of said unit, it shall be the duty of the grantor thereof (i.e. the seller, lessor or sub-lessor as the case may be) to certify before occupancy to the new occupant that all smoke detectors as required by this section (or other applicable laws) are installed and in proper working condition. Upon the re-sale of any single family or multiple family dwelling the City of Farmington Building Department shall also receive certification that all smoke detectors are installed and are in proper working condition. Failure to comply with this sub-section shall be punishable as set forth herein.

Section F-411.9 added to read as follows:

F-411.9. Automatic Sprinklers. A system of automatic sprinklers controlled by thermostatic operating devices for the diffusion of water or approved fire extinguishing chemicals or gases shall be installed and maintained with the following requirements:

- (1) In every dwelling, except one and two-family dwellings, in which locker room or space for the storage of belongings, goods, effects or properties of the individual occupants of the dwelling or space for the storage of materials or articles of combustible nature, such as paper, rags, paints, oils, cardboard boxes, and similar



materials, is provided or made available, such space shall be equipped with an adequate sprinkler system, with sprinkler heads so arranged as to provide not less than one head for each 100 sq. ft. or fraction thereof, of area, and in any case if the space is divided into separate smaller compartments by any material other than open mesh screening, there shall be not less than one head over each compartment.

- (2) In all buildings, except one and two-family dwellings, where incinerators are provided to burn refuse, an approved automatic sprinkler system, or one source water supply if practicable, shall be provided over the incinerator area.
- (3) All boiler rooms, storage rooms, spray booths and all hazardous locations that can be protected with sprinkler heads supplied from the existing water supply shall be so protected.
- (4) In all fully enclosed lumberyard storage buildings, woodworking plants and auxiliary structures, an approved automatic sprinkler system shall be provided.
- (5) Approved Automatic Sprinkler Systems, shall be installed in all buildings of institutional occupancy, including buildings used for housing people suffering from physical limitations because of health or age, hospitals, sanitariums, infirmaries, orphanages, homes for the aged or infirm and housing for the elderly.
- (6) Approved Automatic Sprinkler Systems shall be installed in all buildings exceeding three (3) stories in height.

#### ARTICLE 15 - PLACES OF ASSEMBLY

##### Section F-1500.0. General.

##### F-1500.4.1. Overcrowding. Sub-section amended to read:

F-1500.4.1. Overcrowding. A person shall not permit overcrowding or admittance of any person beyond the approved number of occupants of any place of assembly. The Fire Official or his duly authorized representative, upon finding overcrowding conditions or obstruction in aisles, passageways or other means of egress, or upon finding any condition which constitutes a hazard to life and safety shall cause the performance, presentation, spectacle or entertainment to be stopped until such condition or obstruction is corrected.

#### ARTICLE 26

#### EXPLOSIVES, AMMUNITION AND BLASTING AGENTS

##### Section F-2600.0. General.

##### F-2600.3. Bond Required for Blasting. Sub-section DELETED.

##### Section F-2601.0. General Requirements.

ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

### ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

### ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

- (α) ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ
- (β) ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

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ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

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ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ



F-2601.2. Storage. Sub-section amended to read:

F-2601.2. Storage. The storage of explosives and blasting agents is prohibited; however, this prohibition shall not apply to small arms ammunition, explosive bolts, explosive rivets or cartridges for explosive-actuated power tools, in quantities involving less than five hundred (500) pounds of explosive materials.

F-2603.0. Storage of Explosives. Section DELETED.

F-2605.0. Storage of Blasting Agents and Supplies. Section DELETED.

F-2607.0. Handling of Explosives. Section DELETED.

F-2608.0. Blasting. Section amended by DELETING Sub-sections F-2608.1 through F-2608.7 inclusive; and ADDING Sub-section F-2608.01 to read:

F-2608.01. Blasting Prohibited. Blasting operations of any kind shall be prohibited.

#### ARTICLE 27 - FIREWORKS

Section F-2700.0. General.

F-2700.2. Permit Required. Sub-section amended to read:

F-2700.2. Permit Required. A permit shall be obtained from the Fire Official for the display or discharge of fireworks.

F-2700.3. Permit Applications. Sub-section amended to read:

F-2700.3. Permit Applications. Application for permits shall be made in writing at least fifteen (15) days in advance of the date of the display or discharge of fireworks. The possession and use of fireworks for such display or discharge shall be lawful under the terms and conditions approved with the permit and for that purpose only. A permit granted hereunder shall not be transferable, nor shall any such permit be extended beyond the dates set out therein.

Section F-2701.0. Sale and Discharge.

F-2701.1. Exceptions. Sub-section DELETED.

#### ARTICLE 28 FLAMMABLE AND COMBUSTIBLE LIQUIDS

Section F-2801.0. Fire Safety Requirements.

F-2801.10. General Precautions. Sub-section added to read:

F-2801.10. General Precautions. All flammable liquids shall be manufactured, processed, kept or stored, transported or otherwise handled or disposed of in such manner and by such method as not to constitute a fire hazard or a menace

ΕΠΙΣΤΡΟΦΗ ΣΤΗΝ ΠΑΤΡΙΔΑ

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to the public peace, health or safety, or so as to endanger or cause loss, injury or damage to persons or property.

F-2801.11. Private Property. Sub-section added to read:

F-2801.11. Private Property. No person shall place or cause to be placed any flammable liquid in or on any private property without the express consent of the owner, tenant or person having charge of such property, nor shall any person kindle or start any fire in any receptacle or otherwise upon the private property of another person without express consent of the owner, tenant or person in charge of such property.

### ARTICLE 30 - LIQUEFIED PETROLEUM GASES

Section F-3004.0. Fire Safety Requirements.

F-3004.4. Terminals, Plants, Refineries and Tank Farms. Sub-section amended to read:

F-3004.4. Terminals, Plants, Refineries and Tank Farms. Installations and facilities maintained for the manufacturing or processing of, the refining, distribution or storage of liquefied petroleum gas is prohibited.

APPENDIX "B" OF THE BOCA FIRE PREVENTION CODE, AS ADOPTED, IS AMENDED BY DELETING SECTION 19 AND 20, AND BY THE INSERTION OF WORDS AND PHRASES IN THE SPACES PROVIDED IN THE FOLLOWING SECTIONS, AS LISTED HEREUNDER:

Section 1: ADD the phrase "City of Farmington".

Section 6: ADD the word "Michigan".

Section 9.303. False Alarm. No person shall willfully turn in, sound or otherwise communicate or cause to be communicated to the Department of Public Safety a false alarm of fire or explosion; nor shall any person cause a false alarm or fire to be communicated within or to any place of public assembly, educational, religious institutional, or multiple dwelling occupancy, or any other place where persons are congregated.

Section 9.304. Repeal of Conflicting Ordinances. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance, or of the Code hereby adopted, are hereby repealed.

Section 9.305. Validity. The City Council hereby declares that should any section, sub-section, paragraph, sentence or word of this ordinance or of the Code adopted hereby, be declared to be invalid for any reason, it is the intent of the City Council that it would have passed all other portions of this ordinance, independent of the elimination herefrom of any such portion as may be declared invalid.

to the extent of the amount of the bond, the amount of the bond shall be paid to the bondholder.

Section 11. Bondholders' Lien.

Section 11. Bondholders' Lien. The bondholders shall have a lien in and to the property of the corporation, in and to the amount of the bond, for the payment of the bond, and the amount of the bond shall be paid to the bondholder.

ARTICLE 12 - FINANCIAL STATEMENTS

Section 12.01. Financial Statements.

Section 12.01. Financial Statements. The corporation shall file with the board of directors, and the board of directors shall file with the stockholders, a statement of the financial condition of the corporation.

Section 12.02. Financial Statements. The corporation shall file with the board of directors, and the board of directors shall file with the stockholders, a statement of the financial condition of the corporation.

SECTION 13.01. OF THE CORPORATION. THE CORPORATION SHALL BE A CORPORATION OF THE STATE OF ILLINOIS.

Section 13.01. Name of Corporation.

Section 13.02. Purpose of Corporation.

Section 13.02. Purpose of Corporation. The purpose of the corporation shall be to engage in the business of the state of Illinois.

Section 13.03. Capital of Corporation. The capital of the corporation shall be the amount of the bond.

Section 13.04. Officers and Directors. The officers and directors of the corporation shall be the board of directors.

Section 9.306. Date of Effect. This ordinance shall take effect and be in force from and after its approval as required by the Charter of the City of Farmington.

This ordinance was introduced at a regular meeting of the Farmington City Council on April 2, 1984, was adopted and enacted at the next regular meeting of the City Council on April 16, 1984, and will become effective ten (10) days after publication.

AYES: Yoder, Bennett, Hartsock, Tupper, Walker.

NAYS: None.

RALPH D. YODER, MAYOR

JOSEPHINE M. BUSHEY, CITY CLERK

Published: April 26, 1984

Effective: May 7, 1984

1954-1955  
1956-1957

1958-1959

1960-1961

1962-1963

1964-1965

1966-1967

1968-1969

1970-1971

1972-1973

COUNCIL PROCEEDINGS  
SPECIAL MEETING  
April 24, 1984

A Special Meeting of the Farmington City Council was held on Tuesday, April 24, 1984, in Conference Room "A" of Farmington City Hall, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order by Mayor Yoder at 7:30 p.m.

PRESENT: Bennett, Hartsock (arrived at 7:50 p.m.), Tupper, Yoder  
ABSENT: Walker

CITY OFFICIAL PRESENT: City Manager Robert F. Deadman

REQUEST TO HOLD GARAGE SALE  
IN CENTRAL BUSINESS DISTRICT

Council reviewed the request of Sharon Koretz to conduct a sidewalk garage sale in front of the Century 21 Real Estate office in the Central Business District. The purpose of the sidewalk sale is to raise funds for the Farmington Museum for the construction of a gazebo. The sale will be held on May 5, 1984 from 9:00 a.m. to 5:00 p.m.

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the sidewalk sale for Century 21 to be held on May 5, 1984 from 9:00 a.m. to 5:00 p.m. Motion carried, all ayes. Hartsock and Walker absent.

REQUEST FOR PROCLAMATION:  
COMMUNITY CENTER WEEK

Request from Ms. Betty Paine, Executive Director of the Farmington Community Center, to proclaim the week of May 6-12, 1984 as COMMUNITY CENTER WEEK.

4-84-100

Motion by Councilman Tupper, supported by Councilman Bennett, to proclaim the week of May 6-12, 1984 as COMMUNITY CENTER WEEK. Motion carried, all ayes. Hartsock and Walker absent.

LIQUOR CONTROL COMMISSION REQUEST  
TO TRANSFER CLASS "C" LICENSE

Request from the Michigan Liquor Control Commission to delete Zannetta F. Frankford, deceased, as a partner in the 1983 Class "C" liquor licensed business located at 31030 Grand River Road, Farmington.

Manager Deadman stated that Mr. Frankford is not able to receive a 1984 Class "C" License unless he can delete his recently deceased wife from the current liquor license.

4-84-101

Motion by Councilman Tupper, supported by Councilman Bennett, to approve transfer of the Class "C" Liquor License by deleting Zannetta F. Frankford, deceased, as a partner from the license located at 31030 Grand River Avenue, Farmington. Motion carried, all ayes.

COUNCIL PROCEEDINGS -2-  
SPECIAL MEETING  
April 24, 1984

REVIEW OF COMMUNITY SIDEWALK POLICY

Council reviewed its policy on the construction of sidewalk. Council decided that sidewalk would be required to be constructed in such locations where no sidewalk exists between existing sidewalks. It was further agreed that Council would not require the construction of new sidewalk where such sidewalk would not connect at both ends to existing sidewalk, or in such areas where Council had previously agreed that sidewalk would not be required on specific streets or subdivisions.

4-84-102

Motion by Councilman Bennett, supported by Councilman Tupper, to instruct the City Manager to develop a proposed Sidewalk Construction Policy which would require construction of sidewalk at locations where said sidewalk would connect to existing sidewalk at both ends of the new sidewalk. Motion carried, all ayes.

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Bennett, to adjourn the meeting.

The meeting was adjourned at 9:00 p.m.

  
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RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK



## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, May 7, 1984, 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 Yoder.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Clerk Bushey.

Mayor Yoder introduced the Farmington High School students who will participate in Student Government Day on May 15, 1984.

### MINUTES OF PREVIOUS MEETINGS

#### 5-84-103

Motion by Councilman Tupper, supported by Councilman Walker, to approve the minutes of the regular meeting of April 16 and the special meeting of April 24, 1984, as submitted. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 5-84-104

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Historical Commission minutes of March 21, 1984;  
Beautification Committee minutes of April 12, 1984;  
Farmington Community Library minutes of April 12, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR SIGN VARIANCE: BENCHMARK 32715 GRAND RIVER

Council was advised that Charles Spriggs, who recently acquired a building on the southwest corner of Grand River and Mayfield Street which he is converting from an auto dealership to a retail store has requested permission to use the existing ground sign to advertise his business. Since ground signs are prohibited in the Central Business District, he requested a variance to Title 8, Chapter 81, Section 8.42, paragraph 11 of the City Code.

While Councilman Walker had no objection to the request, he expressed concern about the frequency of requests for variances to the City's Sign Ordinance.

Mayor Yoder agreed, but he pointed out that an existing ground sign can remain, and that each case for a variance is considered on its own merit.

COUNCIL PROCEEDINGS -2-  
May 7, 1984

Councilman Bennett stated that this is a good time to bring this particular sign into conformity.

5-84-105

Motion by Councilman Bennett, supported by Councilman Hartsock, that the requested variance to Title 8, Chapter 81, Section 8.42, paragraph 11 of the City Code be granted, with the qualification that the pole located west of the existing sign be removed and that the sign be refurbished. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE:

SPRINGBROOK GARDENS, 23614 POWER ROAD

Manager Deadman advised that Mr. Hatfield, owner of Springbrook Gardens, 23614 Power Road, has requested a sign variance to permit temporary signs to be placed on the corner of Power Road and Shiassee and at Ten Mile Road and Power Road. Since Mr. Hatfield's business is uniquely located in a residential district, he finds it difficult to advertise his location, therefore, requesting permission to install these temporary signs for Easter, Mother's Day, Valentine's Day, Thanksgiving Day and Christmas.

Mr. Hatfield proposed that the signs would be two feet by two feet in size and installed on metal legs similar to a real estate "for sale" sign. They would be used for three or four days during each holiday period. They would be placed at these locations during regular business hours and removed each night.

If allowed, the requested variance would be to Title 8, Chapter 81, Section 8.33, Subsection 7 (c) of the City Code.

Councilman Bennett expressed concern over this type of sign as the two proposed would advertise a particular product and not merely advertise or give location to the business.

Mr. Hatfield stated that when a similar request was turned down by Council several years ago, he was advised that he could not have a sign affixed to the ground and it was suggested that some type of temporary sign might be used during the day and removed at night.

Councilman Hartsock pointed out that this matter has been addressed in the past for each particular holiday and Council has never denied Mr. Hatfield's request for a temporary sign.

5-84-106

Motion by Councilman Hartsock, supported by Councilman Tupper, to grant the requested variance to Springbrook Gardens to Title 8, Chapter 81, Section 8.33, Subsection 7 (c) of the City Code, with the stipulation that the signs be allowed not to exceed four days prior to Easter, Mother's Day, Valentine's Day, Thanksgiving Day and Christmas, and that the signs be 2 ft. x 2 ft. in size, installed on metal legs similar to those used by real estate companies.

COUNCIL PROCEEDINGS -3-  
May 7, 1984

Discussion of the motion: Councilman Bennett asked Councilman Hartsock if his motion meant advertising product or advertising business location. Councilman Hartsock stated that it was the intent to advertise product as well as location.

Motion carried, 4 ayes, 1 nay (Bennett).

REQUEST FOR SIGN VARIANCE:

ROMANO'S PIZZA, 30930 GRAND RIVER

Manager Deadman stated that Joseph Mannino of Romano's Pizza on Grand River has advised that his current roof sign has become too costly to maintain and has requested to install a new wall sign which would exceed the square foot limitation required by ordinance by approximately 9.2 square feet. This sign which he proposes to install on the front of his building will be three feet high and twelve feet wide.

As the City Ordinance limits signage to 10% of a building front, and this building is 20 feet wide by 13.4 feet high, a sign which measures 26.8 square feet would be permitted. The proposed sign is 36 square feet, requiring a variance to Title 8, Chapter 81, Section 8.33, Subsection (2) (d) of the City Code.

The City Manager stated that initially he was in favor of recommending that Council grant the requested variance, because he thought the roof sign would be removed, but the roof sign is to stay in place and the proposed sign exceeds ordinance requirements. He pointed out that two signs, both in violation of the City Ordinance, would not be in the best interest of the Sign Ordinance.

Since he would like to retain the current roof sign, Mr. Mannino asked if there were any other way of installing another sign along with it. He was advised that a wall sign within the measurements of the front of the building would not require a variance and that the sign should be 2 1/2 ft. wide by 10 ft. long to comply.

5-84-107

Motion by Councilman Bennett, supported by Councilman Tupper, that the sign variance as requested by Romano's Pizza be denied. Motion carried, all ayes.

REQUEST FOR SIGN VARIANCE:

GLENDALE AUTO SUPPLY, 23281 Orchard Lake Rd.

Rosanne Ponkowski of Glendale Auto Supply on Orchard Lake Road requested a sign variance to use an entranceway sign identifying a new driveway until the widening of Orchard Lake Road. She advised that to comply with Oakland County regulations they have closed one driveway and paved the other. After completing this work, they found that many customers were having trouble locating the new driveway, so they installed an entranceway sign to identify the new driveway. They would, therefore, require a variance to Title 8,

COUNCIL PROCEEDINGS -4-  
May 7, 1984

Chapter 81, Section 8.33 (1) and (e), and a variance to Title 8, Chapter 81, Section 8.32, paragraph 8 of the City Code, as not more than one ground sign may be erected at any one development.

Ms. Ponkowski was advised to check whether or not the proposed sign to identify the driveway is in the County right-of-way. She stated that it is in the right-of-way.

Council advised that if the top panel identifying the business were removed, this could be considered strictly a directional sign identifying the driveway.

5-84-108

Motion by Councilman Bennett, supported by Councilman Tupper, that the request for sign variance of Glendale Auto Supply be denied, with the understanding that an entrance sign could be used in that location. Motion carried, all ayes.

NOTICE OF MICHIGAN MUNICIPAL LEAGUE  
CONFERENCE IN SEPTEMBER

Council was advised that the Annual Conference of the Michigan Municipal League will be held in Dearborn at the Hyatt Regency Hotel on September 12 - 14, 1984. Manager Deadman stated that if City Council has any issue to bring before the the Annual Meeting on September 13, it must be submitted by June 1, 1984.

REQUEST FROM FARMINGTON FESTIVAL COMMITTEE  
RE: FESTIVAL PARADE PERMIT

Manager Deadman advised that the Farmington Festival Committee has requested a parade permit for the annual Festival Parade scheduled for July 21, 1984. The Festival dates this year are July 19-21. The parade is to begin at 10:00 a.m. and terminate at Noon, which will require that Grand River be closed during that time.

The City Manager recommended that Council authorize filing for a street-closing permit with the Michigan Department of Transportation, indemnifying the Department against any liability resulting from the closing of Grand River.

5-84-109

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby grants permission to the Founders Festival Committee to conduct the Founders Festival Parade along the traditional Grand River route, and

BE IT FURTHER RESOLVED that Council authorizes the application for a State of Michigan Department of Transportation permit indemnifying

COUNCIL PROCEEDINGS -5-  
May 7, 1984

the State Department against any claims arising from the closing of Grand River on July 21, 1984, to accommodate this parade.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 7, 1984.

RESOLUTIONS FROM BIRMINGHAM, NORTHVILLE,  
AND OAK PARK RE: PENALTIES FOR LIQUOR  
CONTROL VIOLATIONS

The Cities of Birmingham, Northville and Oak Park asked for Council's support of a resolution urging the State Legislature to increase the maximum amount of \$300.00 which the Michigan Liquor Control Commission has the authority to levy against licensees who violate the Liquor Control Act. They believe that the present fines and penalties for such violations are insufficient to provide an effective deterrent.

5-84-110

Motion by Councilman Walker, supported by Councilman Tupper, that City Council approve the concept of increasing the maximum fine which the Michigan Liquor Control Commission is authorized to levy against violators of the Liquor Control Act. Motion carried, all ayes.

REQUESTS FOR PROCLAMATIONS

May Arvo, Chairman of National Music Week, asked that Council proclaim May 6 - 13, 1984, as NATIONAL MUSIC WEEK.

Paul R. Phelps, Division of Emergency Medical Services, Oakland County requested that May 6 - 12, 1984 be designated OAKLAND COUNTY EMERGENCY MEDICAL SERVICES AWARENESS WEEK.

Fred Pellerito, Muscular Dystrophy Association District Director asked that May 12 to June 12, 1984 be designated MUSCULAR DYSTROPHY MONTH.

5-84-111

Motion by Councilman Bennett, supported by Councilman Hartsock, to issue the following proclamations:

--NATIONAL MUSIC WEEK	-	May 6 - 13, 1984;
--OAKLAND COUNTY EMERGENCY MEDICAL SERVICES AWARENESS WEEK		May 6 - 12, 1984;
--MUSCULAR DYSTROPHY MONTH	-	May 12 - June 12, 1984

Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED ORDINANCE TRANSFERRING ELECTRICAL  
CONTRACTOR LICENSING TO STATE OF MICHIGAN

Council was advised that since the adoption of the Uniform Construction Code, the State of Michigan has assumed the responsibility of licensing various construction trades and contractors. In South-eastern Michigan, the licensing of electrical tradesmen and contractors has been done on a reciprocal basis with the communities located in the region. Currently, member representatives are elected by the Reciprocal Electrical Code organization to prepare, conduct and review applicant tests for electrical licenses.

Manager Deadman stated that under the current State Code, the City has several options:

1. The City may opt out of the Michigan Electrical Code and adopt a nationally recognized electrical code by local ordinance.
2. The City may stay under the provisions of the Michigan Electrical Code and adopt an ordinance allowing the city to continue to exercise its authority to issue master, contractor and journeymen electrical licenses.

This option would require a new ordinance setting forth qualifications, testing procedures, and establishing an electrical review board, as well as procedures for revocation of the license and establishing fees.

3. The City can remain under the provisions of the Michigan Electrical Code and transfer the authority for licensing of electrical master contractors and journeymen to the State of Michigan.

Building Inspector Harrison recommends that the city adopt the last option, transferring the electrical licensing function to the State of Michigan. He believes that the fees currently collected on these licenses are insufficient to cover the legal liability or responsibility or the time necessary to develop and administer the testing for licenses and publication costs for amending the ordinance to allow the city to continue the electrical licensing function.

5-84-112

Motion by Councilman Walker, supported by Councilman Tupper, to introduce Ordinance C-516-84, which would transfer the Electrical Contractor Licensing Function to the State of Michigan. Motion carried, all ayes.

May 7, 1984

PROPOSED BUDGET ADJUSTMENTS  
FISCAL YEAR 1983-84

Manager Deadman advised that in reviewing revenues and expenditures to date, it has been determined that certain adjustments will be necessary in the 1983-84 fiscal year budget to comply with the State Budget Control Act, which prohibits the City Treasurer from expending funds from accounts where expenditures exceed budget appropriations. It further requires that the city maintain a balanced budget.

The City Manager stated that the difference between the approved and the recommended budget is approximately \$60,000.00. The difference in the Water & Sewer Fund revenues is \$700.00. He indicated that the Gas and Highway Fund budget amendments will amount to about \$180,000.00 due to road construction mostly.

5-84-113

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby adjusts the 1983-84 budget as shown in the budget document on Page 5, and

BE IT FURTHER RESOLVED that the following adjustments to revenues and expenditures are hereby approved in accordance with the attached line item detail:

GENERAL FUND REVENUES

	<u>FROM</u>	<u>TO</u>
LOCAL TAXES	\$1,773,775	\$1,778,360
INTERGOVERNMENT REVENUES	299,620	404,590
STATE SHARED REVENUES	476,000	486,000
FEDERAL SHARED REVENUES	113,000	134,200
TRANSFERS FROM OTHER FUNDS	366,005	380,100
APPROPRIATION FROM UNAPPROPRIATED FUNDS	<u>143,300</u>	<u>47,227</u>
TOTAL GENERAL FUND REVENUES:	\$3,171,700	\$3,230,477

WATER & SEWER FUND REVENUES

WATER & SEWER SALES	1,137,200	1,104,900
SERVICE FEES	16,085	33,485
MISCELLANEOUS REVENUES	3,630	30,630
TRANSFERS FROM OTHER FUNDS	<u>52,500</u>	<u>41,100</u>
TOTAL WATER & SEWER FUND REVENUES:	\$1,209,415	\$1,210,115

HIGHWAY FUND REVENUES

GAS & WEIGHT TAXES	234,500	228,000
CONTRACTS & GRANTS	94,920	100,330
TRANSFERS & ASSESSMENTS	<u>117,060</u>	<u>292,680</u>
TOTAL HIGHWAY FUND REVENUES	446,480	621,010
TOTAL REVENUES ALL FUNDS:	\$4,827,595	\$5,061,602

COUNCIL PROCEEDINGS -8-  
May 7, 1984

<u>GENERAL FUND EXPENDITURES</u>	<u>FROM</u>	<u>TO</u>
GENERAL GOVERNMENT	593,555	587,905
PUBLIC SAFETY	946,230	940,280
FEDERAL REVENUE SHARING:		
PUBLIC SAFETY OFFICERS	55,200	55,200
PUBLIC SERVICES	542,420	562,075
PARKS & RECREATION	92,990	117,987
LIBRARY	142,555	142,555
MISCELLANEOUS	107,800	125,300
INSURANCE, FIXED EXPENDITURES	476,030	459,230
INTER-FUND & DEBT SERVICE TRANSFERS	<u>214,920</u>	<u>239,945</u>
TOTAL GENERAL FUND EXPENDITURES:	3,171,700	3,230,477
<u>WATER &amp; SEWER FUND EXPENDITURES</u>		
OPERATING & MAINTENANCE	1,093,410	1,092,285
CAPITAL IMPROVEMENTS	75,330	88,830
DEBT SERVICE	<u>40,675</u>	<u>29,000</u>
TOTAL WATER & SEWER FUND EXP.:	1,209,415	1,210,115
<u>HIGHWAY FUND EXPENDITURES</u>		
CONSTRUCTION	112,800	238,400
OPERATING & MAINTENANCE	281,480	330,510
DEBT SERVICE	<u>52,200</u>	<u>52,100</u>
TOTAL HIGHWAY FUND EXPENDITURES	446,480	621,010
TOTAL EXPENDITURES ALL FUNDS:	4,827,595	5,061,602

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 the said claims and accounts have been lawfully incurred and approved by Council, Board, Commission or other officer authorized to make such expenditures.

BE IT FURTHER RESOLVED that the City Treasurer shall report to the Council quarterly the status of the amounts as shown in the budget document on Pages 7 through 11.

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
 NAYS: None.  
 ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 7, 1984.



REQUEST FOR ADDITIONAL FUNDS:  
1976 DETROIT WATER RATE LITIGATION

Manager Deadman reported that suburban wholesale water customers recently met in the City of Livonia to discuss the status of the suit against the City of Detroit for its 1976 water rate increase.

Although suburban customers have prevailed in the lower court system, the City of Detroit has filed an Application for Leave to Appeal with the Michigan Supreme Court which is still pending. Mr. Deadman stated that since the suburban customers have financed this litigation on a pay-as-you-go basis through voluntarily accepting a per capita assessment, the City of Farmington has agreed to pay a total of 9.5¢ times its population, for a total assessment of \$1,069.86.

The City Manager further advised Council that since the appeal to the Supreme Court will add more attorney fees to this litigation, the consortium of suburban communities requests an additional .05¢ per capita assessment, which would cost the City of Farmington \$551.10. He recommended that Council authorize this amount.

5-84-114

Motion by Councilman Hartsock, supported by Councilman Bennett, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Treasurer to pay an assessment of \$551.10 to the Suburban Association of Detroit Water Customers to pay for legal fees in connection with the pending litigation against the City of Detroit for its 1976 water rate increase.

ROLL CALL

AYES: Walker, Yoder, Bennett, Hartsock, Tupper,  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED MAY 7, 1984.

STUDENT GOVERNMENT DAY

Council was advised that Student Government Day is planned for May 15, 1984, in cooperation with the Farmington High School and the Farmington Rotary Club. The day will begin at 9:00 a.m. in Council Chambers when the students will be introduced to their official counterparts. They will be guests of the Farmington Rotary Club at a luncheon at the Farmington Elks Club.

MISCELLANEOUS

PUBLIC COMMENT

Reta Mosshamer thanked Council members for all they do to make Farmington a pleasant place to live.

COUNCIL PROCEEDINGS -10-  
May 7, 1984

Councilman Bennett asked about the status of the lighting on Farmington Road. Manager Deadman advised that although the poles are in place, he has had no report lately from Detroit Edison.

FINANCIAL REPORTS: NINE MONTHS ENDED  
MARCH 31, 1984

5-84-115

Motion by Councilman Bennett, supported by Councilman Walker, to receive and file Financial Reports as follows:

General Fund - Nine months ended March 31, 1984;  
Water & Sewer Fund - Quarter ended March 31, 1984;  
47th District Coirt - Nine months ended March 31, 1984

Motion carried, all ayes.

ESTABLISH PUBLIC HEARING TO REVIEW  
1984-85 FISCAL YEAR BUDGET

Manager Deadman stated that the City Charter and other laws require Council to establish a Public Hearing for the review of the proposed 1984-85 budget for the various city funds. So that Council may have adequate time to receive comments from community residents, he recommended that the hearing be scheduled for May 21, 1984.

5-84-116

Motion by Councilman Walker, supported by Councilman Tupper, to establish a Public Hearing for 8:00 p.m. on May 21, 1984, to review the 1984-85 Fiscal Year Budget, instructing the City Clerk to publish notice of this meeting. Motion carried, all ayes.

APPOINTMENT OF ADDITIONAL ALTERNATE  
TO ZONING BOARD OF APPEALS

Manager Deadman advised Council that since the Zoning Board of Appeals requires an affirmative vote of four of its six members to grant a variance or to overrule an Administrative decision, and there has been occasion when it has been very difficult to maintain a quorum of sufficient size to meet ordinance requirements, he recommended the appointment of a second Alternate to the Board.

He listed Planning Chairman William Burke and Economic Development Board member John Gilin as possible appointees; stating that both have indicated a willingness to serve in this capacity if so appointed.

Councilman Bennett expressed concern relative to the difficulty of maintaining a quorum, stating that it is quite difficult for an Alternate to step in at a particular point in the Board's meetings and maintain continuity on the background of a particular appeal.

COUNCIL PROCEEDINGS -11-  
May 7, 1984

5-84-117

Motion by Councilman Tupper, supported by Councilman Walker, to appoint William Burke as Second Alternate to the Zoning Board of Appeals. Motion carried, all ayes.

DEPARTMENT OF PUBLIC SERVICES  
QUARTERLY REPORT

5-84-118

Motion by Councilman Bennett, supported by Councilman Tupper, to receive and file the Department of Public Services Quarterly Report for January 1 through March 31, 1984. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

5-84-119

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following ordinance:

ORDINANCE NO. C-515-84

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Chief of Police of the City of Farmington, dated February 4, 1972, is hereby amended as follows: Chapter 4, Section 4.6 and Chapter 5, Section 5.7 as provided for in Section 2.53 of the Uniform Traffic Code for Cities, Townships and Villages.

CHAPTER 4 "TIMED PARKING" - Amend the following:

Section 4.6 Oakland Street

- (a) North side, from Farmington Road 348 feet west. Two hour parking 8:00 a.m. to 6:00 p.m. Monday through Saturday.

CHAPTER 5 "PROHIBITED PARKING" - ADD the following:

Section 5.7 Oakland Street

- (c) North side from Grand River 141 feet east.

This ordinance was introduced at a regular meeting of the Farmington City Council on April 16, 1984, was adopted and enacted at the next regular meeting on May 7, 1984, and will become effective ten days after publication

COUNCIL PROCEEDINGS -12-  
May 7, 1984

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: None.

WARRANT LIST

5-84-120

Motion by Councilman Bennett, supported by Councilman Hartsock, to approve the monthly bills as submitted: General Fund \$28,535.79; Water & Sewer Fund \$15,864.86.

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Walker, Yoder.  
NAYS: None.  
ABSENT: None.

Motion carried.

The City Manager reported that the contractor for the Old Town Drain is beginning to put in driveway approaches on Alta Loma St., and the cleanup crew will be moving in shortly.

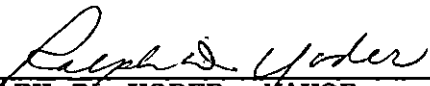
The contractor is also working on the sewer project on Shiawassee, and beginning to clean up Grand River.

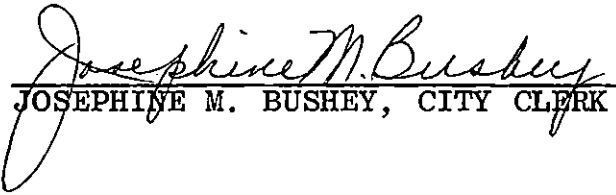
The contractor on Drake Road is beginning to install sidewalk.

ADJOURNMENT

Motion by Councilman Bennett, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:20 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS

A Special Meeting of the Farmington City Council was held on Wednesday, May 9, 1984, in Conference Room "A" of Farmington City Hall, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order by Mayor Yoder at 7:00 p.m.

PRESENT: Bennett, Hartsock, Walker, Yoder.

ABSENT: Tupper.

CITY OFFICIAL PRESENT: City Manager Deadman.

Council reviewed the recommended revenues contained in the City's proposed budget. They adjusted the property tax revenues for operations from \$1,632,000 to \$1,656,000; adjusted the property tax for debt from \$147,900 to \$150,100.


State shared revenues were adjusted by deleting revenues from intangibles tax, \$11,000. Total revenues adjustments added \$15,200 to revenues.


Council began the review of proposed expenditures in the budget.

The City Manager recommended adjustments to account 528; Rubbish and Garbage Collection by increasing expenditures by \$5,000, Account 738, Library, by increasing expenditures by \$3,100; Farmington Area Advisory Council by increasing expenditures by \$1,035; Farmington Youth Assistance Account by increasing expenditures by \$685; Farmington Commission on aging, reducing expenditures by \$190; Farmington Area Arts Council by increasing expenditures \$195, for a total increase in expenditures of \$10,205.

Council began the line item review of budget accounts through the Public Safety Department. No adjustments were made in these accounts at this time.

The meeting adjourned at 9:00 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS  
BUDGET SESSION  
May 15, 1984

A Special Meeting of the Farmington City Council was held on Wednesday, May 15, 1984, in Conference Room "A" of Farmington City Hall, 23600 Liberty Street, Farmington, Michigan.

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

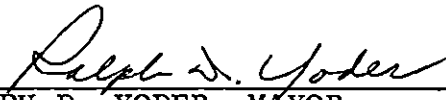
CITY OFFICIAL PRESENT: City Manager Robert F. Deadman.

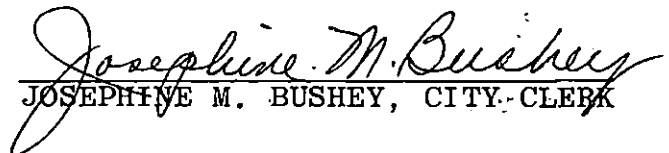
City Council discussed appropriations for the Farmington Library, 47th District Court and other jointly-funded organizations. Council reviewed the City Manager's recommended budget for General Fund, Debt Service, Highway Fund and the Water and Sewer Fund.

Council generally concurred with the proposed millage rate and the need to remain at the current rate to fund 1984-85 fiscal year's proposed appropriations.

Council stated they would make a final decision on the budget appropriations and millage rate after the public hearing which would be held on May 21st at 8:00 p.m.

The meeting was adjourned at 9:15 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, May 21, 1984, 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 Yoder.

### ROLL CALL

PRESENT: Bennett, Walker, Yoder.

ABSENT: Hartsock, Tupper.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 5-84-121

Motion by Councilman Bennett, supported by Councilman Walker, to approve the minutes of the previous meeting of May 7, 1984, as printed. Motion carried, all ayes.

### PUBLIC HEARING: TO REVIEW 1984-85 BUDGET

The purpose of the Public Hearing was to receive input prior to adoption of the 1984-85 fiscal year budget pertaining to the General Fund, Water & Sewer Fund, Federal Revenue Sharing Funds, Highway Fund and Debt Service. Nine persons attended the Public Hearing.

The Mayor opened the Public Hearing, and Darlene Thompson, 22811 Brookdale, asked for an explanation of the proposed property tax increase. She was advised that it was the result of an increase in assessed valuation rather than an increase in the tax rate. The Manager stated that the total proposed millage rate of 11.74 mills would remain the same as last year and would provide a 4.75% increase in operating property tax revenues.

Councilman Bennett called attention to the reduction of the debt retirement this year, pointing out that this is a four-year projection.

#### 5-84-122

Motion by Councilman Bennett, supported by Councilman Walker, to close the Public Hearing, as there were no further public comments. Motion carried, all ayes.

### PRESENTATION: BEAUTIFICATION COUNCIL OF SOUTHEASTERN MICHIGAN AWARD

Carol Kurth, Vice-Chairperson of the Farmington Beautification Committee presented to the Mayor and City Council the Beautification Council of Southeastern Michigan Award for 20 years of consecutive membership and activities within the Council. The Mayor gratefully

COUNCIL PROCEEDINGS -2-  
May 21, 1984

accepted the award on behalf of the City.

Mrs. Kurth advised that along with the award, six white rose bushes were presented to the City and have been planted on the City grounds. She further stated that as the result of a very successful flower sale held the past weekend, the Beautification Committee was able to present to the City approximately 27 flats of annuals to be planted throughout the community. The Committee has also furnished portico boxes and other floral arrangements to beautify the Farmington Museum throughout the summer.

MINUTES OF OTHER BOARDS

5-84-123

Motion by Councilman Bennett; supported by Councilman Walker, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of May 14, 1984;  
Board of Zoning Appeals minutes of May 2, 1984;  
Economic Development Corporation minutes of May 8, 1984;  
Historical Commission minutes of April 18, 1984;  
Beautification Committee minutes of May 8, 1984;  
Farmington Area Commission on Aging minutes of April 24, 1984;  
Farmington Area Arts Commission minutes of April 19, 1984;  
Board of Education minutes of Regular meetings of April 10 and  
May 1, Special Meeting and Public Hearing minutes of  
May 8, 1984.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

CITY OF BIRMINGHAM RESOLUTION RE:  
IMPROPER USE OF DRIVER'S LICENSE

The City Manager advised that the City of Birmingham has asked Council's support of a resolution to increase penalties for improper use of driver's license by making it mandatory that the person's license be suspended for a minimum of thirty days.

After considerable discussion, it was the consensus of City Council that the issues addressed in the resolution are already violations of state laws and local ordinances. Director Seifert pointed out that the penalty which Birmingham is suggesting is already available to the Secretary of State.

5-84-124

Motion by Councilman Walker, supported by Councilman Bennett, to receive and file the City of Birmingham's resolution relative to increasing penalties for improper use of the driver's license.  
Motion carried, all ayes.



REPORTS FROM CITY MANAGER

RECOMMENDATION TO RENEW  
RUBBISH REMOVAL CONTRACT

Council was advised that the current rubbish removal contract with McCreedy Trucking, Inc., expires on June 30, 1984. The City Manager stated that McCreedy Trucking has served the City since the 1950's, and since the owner died recently, his brother (Pete McCreedy) has continued to provide this service to the city.

Manager Deadman pointed out that during the last year of the contract, brush removal and disposal was turned over to McCreedy Trucking, as the city was spending in excess of \$30,000 a year for this service. McCreedy Trucking agreed to include brush removal on a one-year trial basis for \$10,000, but it was determined that this amount is too low because this particular service has required more man-hours and trips to the landfill site than originally anticipated. It has also been determined that to secure dependable workers, the contractor has had to increase wages substantially.

As a result of these changes, the contractor would require a 15% increase the first year of the contract, 2.6% increase the second, and 3.4% increase the third year.

The Manager's rate study indicated that the average monthly rate for rubbish pickup in 1983 was \$4.82 per residential stop compared to Farmington's cost of \$3.16 per month, considerably below what other cities are paying. Costs for the duration of a new three-year contract would be as follows:

Cost per Residential Stop

	<u>Average Monthly</u>	<u>Farmington</u>
1984	\$4.94	\$3.60
1985	5.12	3.74
1986	5.40	3.91

Manager Deadman suggested that the contract be adjusted according to the recommended percentages of increase for the next three-year contract, as he feels it would be in the best interest of the city to waive the bid process. Effective July 1, 1984, the contract price would increase as follows:

	<u>From</u>	<u>To</u>
Effective 7/1/85	\$112,150	\$128,972
Effective 7/1/86		132,337
		136,823

COUNCIL PROCEEDINGS -4-  
May 21, 1984

5-84-125

Motion by Councilman Walker, supported by Councilman Bennett, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager and the City Clerk to enter into a new three-year contract with McCreedy Trucking, Inc., for rubbish removal services from July 1, 1984 through June 30, 1987, and

BE IT FURTHER RESOLVED that the bid process be waived as being in the best interest of the City.

ROLL CALL

AYES: Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: Hartsock, Tupper.

RESOLUTION DECLARED ADOPTED MAY 21, 1984.

BIDS: REROOFING OF FOUR D.P.W. BUILDINGS

Council was advised that bids were accepted for reroofing four Department of Public Works buildings on May 10, 1984, with the following results:

Bidder

BESTWAY BUILDERS 27719 West 7 Mile Road Livonia, Mi.	\$4,644
SULLIVAN-WIDMER ROOFING, Inc. 30510 Salisbury Farmington Hills, Mi.	3,698

The low bidder, Sullivan-Widmer, complied with city specifications, and investigation determined that the contractor is acceptable.

Manager Deadman stated that this project was originally bid in November of 1983, but the accepted low bidder, Sealtop Roofing could not furnish proper insurance coverage.

5-84-126

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council accepts the low bid of Sullivan-Widmer Roofing Company, Farmington Hills, Michigan, in the amount of \$3,698.00 for roof repair of the Shiawassee Park and Drake Park restrooms, the Shiawassee Park storage building and the Nine Mile Sewer Pumping Station, and

COUNCIL PROCEEDINGS -5-  
May 21, 1984

BE IT FURTHER RESOLVED that funds be provided from the 1983-84 Budget, Park Building Improvement Fund and the Sewerage Treatment Maintenance Fund.

ROLL CALL

AYES: Yoder, Bennett, Walker.  
NAYS: None.  
ABSENT: Tupper, Hartsock.

RESOLUTION DECLARED ADOPTED MAY 21, 1984.

SECOND CONTRACTOR PAYMENT: COMBINED  
SEWER OVERFLOW RIVER CROSS-CONNECTION

Manager Deadman advised that the City Engineers have recommended partial payment of \$23,264.93 to DiNello Construction Company for work completed through May 15, 1984, on the Combined Sewer Overflow River Cross-Connection project.

DiNello Construction has completed installation of all sewer pipes, catch basins and manholes required for this project. Cleanup along Grand River and Shiawassee has also begun. Work should be completed in the next thirty days.

The City Manager's office concurs with the City Engineers who indicate that the work completed to date is in substantial compliance with specifications.

5-84-127

Motion by Councilman Walker, supported by Councilman Bennett, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to DiNello Construction Company of Sterling Heights, Michigan, in the amount of \$23,264.93 for work completed through May 15, 1984, on the Combined Sewer Overflow River Cross-Connection project, and

BE IT FURTHER RESOLVED that funds be provided from the Water & Sewer Fund, Capital Improvement Account.

ROLL CALL

AYES: Bennett, Walker, Yoder.  
NAYS: None.  
ABSENT: Hartsock, Tupper.

RESOLUTION DECLARED ADOPTED MAY 21, 1984.

PROPOSED AMENDMENT: SIDEWALK POLICY

According to Council's instructions, the City Manager presented for their consideration a draft of a proposed Sidewalk Policy. This draft modifies Council's previous policy by requiring the

COUNCIL PROCEEDINGS -6-  
May 21, 1984

installation of sidewalk along the public right-of-way on property which was previously developed without sidewalk. It requires the installation of sidewalk along major and local streets as property is developed, unless City Council deems it necessary to construct sidewalk before property development.

In cases where property has been developed without installing sidewalk and the lack of sidewalk has left a break in the middle of existing sidewalk, the policy requires that sidewalk be installed.

There is a provision included allowing either the property owner or the Administration to appeal to Council to waive the sidewalk requirement. This provision would apply where it has been determined that the cost of installing sidewalk is unreasonable due to topographic conditions or where existing structures or utilities interfere with the construction of sidewalk.

The amended policy also establishes a flexible timetable for sidewalk installation along major streets.

5-84-128

After considerable discussion, there was a motion by Councilman Walker, supported by Councilman Bennett, to table a decision on the proposed amendment to the Sidewalk Policy until the next regular Council meeting. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

In answer to Councilman Bennett, Brookdale residents who were present stated that the situation on their street has greatly improved, but they are waiting to see if it remains so during the coming summer months.

Council was advised that the Department of Public Works has rebuilt the small park at Shiawassee and Grand River and planted grass in the nearby area next to the cemetery which had previously been used as a materials storage area.

In answer to the Mayor's question on the status of the Old Town Drain cleanup, the City Manager advised that work is in progress and that Cass Street has to be redone; also a section of Macomb.

BOARD OF REVIEW: 1984 TAX APPEALS

5-84-129

Motion by Councilman Bennett, supported by Councilman Walker, to receive and file the Board of Review Report on the 1984 Tax Appeals. Motion carried, all ayes.

CERTIFICATION OF DELINQUENT AMOUNTS  
TO BE PLACED ON 1984 CITY TAX ROLL

5-84-130

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

COUNCIL PROCEEDINGS -7-  
May 21, 1984

BE IT RESOLVED that the Farmington City Council hereby directs that the Delinquent Special Assessment payments and Unpaid Service invoices, as certified by the City Treasurer, in the amount of \$25,958.47, be placed on the 1984 City Tax Roll, and

BE IT FURTHER RESOLVED that the attached list be made a part of this resolution:

ROLL CALL

AYES: Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: Tupper, Hartsock.

RESOLUTION DECLARED ADOPTED MAY 21, 1984.

(See list of delinquent amounts attached to Official minutes).

RESOLUTIONS AND ORDINANCES

5-84-131

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following ordinance:

ORDINANCE NO. C-516-84

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON BY ADDING A NEW SECTION, WHICH NEW SECTION SHALL BE DESIGNATED AS SECTION 8.4 OF CHAPTER 79 OF TITLE VIII OF SAID CODE

THE CITY OF FARMINGTON ORDAINS:

Pursuant to the laws of the State of Michigan, the City of Farmington authority for issuing Electrical Licensing is hereby transferred to the State of Michigan.

An Electrical License issued by the City of Farmington and currently in effect shall remain in effect until December 31, 1984, provided that the license complies with applicable laws and ordinances.

This ordinance was introduced at a regular meeting of the Farmington City Council on May 7, 1984, was adopted and enacted at the next regular meeting on May 21, 1984, and will become effective ten days after publication.

AYES: Yoder, Bennett, Walker.  
NAYS: None.  
ABSENT: Tupper, Hartsock.

COUNCIL PROCEEDINGS -84  
May 21, 1984

WARRANT LIST

5-84-132

Motion by Councilman Bennett, supported by Councilman Walker, to approve the monthly bills as submitted: General Fund \$21,631.21; Water & Sewer Fund \$5,807.02.

ROLL CALL

AYES: Bennett, Walker, Yoder.  
NAYS: None.  
ABSENT: Tupper, Hartsock.

Motion carried.

ADJOURNMENT

Motion by Councilman Walker, supported by Councilman Bennett, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:02 p.m.

*Ralph D. Yoder*  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

*Josephine M. Bushey*  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

## CITY OF FARMINGTON

## CERTIFICATION OF DELINQUENT SPECIAL ASSESSMENT PAYMENTS, INVOICES &amp; WATER BILLS

MAY 21, 1984

I, Winona Woods, Treasurer for the City of Farmington, Oakland County, Michigan, do hereby certify that as of May 8, 1984, the following Special Assessment invoices, City service invoices and water bills were delinquent and should be placed on the 1984 City of Farmington tax roll in accordance with the Farmington City Code, Chapter 7, Section 1.188; and I further certify that the property owners have been notified of this action.

<u>PARCEL NO.</u>	<u>ACCOUNT NAME</u>	<u>ROLL NO.</u>	<u>AMOUNT DUE</u>
23 27 377 018	K. Henrikson	73-54	\$105.56
23 27 451 016	W. Ely	73-54	75.40
23 27 451 063	S. Meredith	75-63	127.67
23 27 329 025	R. Hamrick	76-67	205.66
23 27 330 027	H. Bassman	76-67	141.19
23 26 354 015	M. Nance	78-70	819.22
23 26 359 024	R. Tinker	78-70	252.62
23 26 359 031	K. Luark	78-70	389.94
23 26 377 005	M. Goodrich	78-70	325.46
23 27 102 003	R. Carlson	1980 Sidewalk	286.98
23 28 280 009	J. Schweizer	1980 Sidewalk	250.19
23 26 352 012	H. Kellogg	1981 Sidewalk	191.05
23 27 254 001	C. Diamond	1981 Sidewalk	126.46
23 28 204 006	C. Borbi	82-72	71.41
23 28 204 042	D. McDonald	82-72	103.17
23 28 205 022	W. Yauch	82-72	213.89
23 28 228 002	D. Cassell	82-72	97.93
23 28 228 006	M. Denby	82-72	71.27
23 28 228 007	R. Lenrowich	82-72	31.96
23 28 228 012	M. Denby	82-72	79.23
23 28 228 020	R. Ajluni	82-72	67.33
23 28 231 011	Professional Realty Investments	82-72	134.73
23 28 252 009	D. & N. Brado	82-72	155.98
23 28 256 006	G. Yastic	82-72	297.56
23 28 256 008	W. Corliss	82-72	332.01
23 28 256 014	A. Barbrick	82-72	241.25
23 28 258 004	R. Mackey	82-72	320.86
23 28 258 005	R. & A. Banas	82-72	320.86
23 28 276 003	D. & B. Campbell	82-72	151.52
23 28 276 019	G. Faydenko	82-72	227.79
23 28 278 004	J. Elsmen	82-72	56.39
23 28 278 005	J. Elsmen	82-72	136.28
23 28 279 019	C. & M. Misch	82-72	198.79
23 28 280 002	H. & J. Schoenberg	82-72	272.96
23 28 280 005	W. Dobes, Jr.	82-72	254.90
23 28 280 009	J. Schweizer	82-72	239.82
23 28 280 009	J. Schweizer	83-74	156.76

TOTAL DELINQUENT SPECIAL ASSESSMENTS

\$7,532.05

CERTIFICATION OF DELINQUENT SPECIAL ASSESSMENT PAYMENTS, INVOICES & WATER BILLS

MAY 21, 1984 (CONTINUED)

<u>PARCEL NO.</u>	<u>ACCOUNT NAME</u>	<u>INVOICE NO.</u>	<u>AMOUNT DUE</u>
23 26 301 019	T. L. Dehetro	6176	\$ 15.00
23 26 301 020	J. B. Otto	6207	10.00
23 26 301 022	E. Mozdy	5943	10.00
23 26 301 043	L. Vaughan	6060	15.00
23 26 302 004	D. Woodward	5590	40.00
23 26 354 015	M. B. Nance	6062	10.00
23 26 357 013	Ray Mawhorter	5686	72.00
23 27 203 027	J. Heenan	5720	10.00
23 27 226 028	J. Masterton	5878	10.00
23 27 226 028	J. E. Masterton	6132	10.00
23 27 229 020	J. Lawson	5925	20.00
23 27 231 023	P. Harmon	5498	10.00
23 27 276 029	R. Boston	6150	10.00
23 27 301 044	S. Kopitz	6003	10.00
23 27 302 015	J. Moskal	5971	10.00
23 27 326 009	C. Hannan	5645	29.04
23 27 326 009	C. Hannan	5833	29.04
23 27 403 002	G. Gotsis	5470	20.00
23 28 252 009	D. R. Brado	5950	10.00
23 28 254 014	R. Kopicko	5914	125.00
23 28 276 003	D. Campbell	5463	10.00
23 28 403 011	R. Klinkman	5812	30.00
23 28 403 011	R. Klinkman	5648	66.00
23 28 403 011	R. Klinkman	5862	125.00
23 28 428 053	Professional Medical Center	5649	29.04
23 28 428 053	Professional Medical Center	5839	29.04
23 29 177 004	L. Zugel	6170	10.00
23 29 177 004	L. Zugel	6119	10.00
23 29 226 047	J. R. Wagner	5658	32.04
23 29 226 050	J. R. Wagner	5658	32.04
23 29 252 022	A. Poirier	6133	20.00
23 34 102 010	S. Zajdel	5698	10.00
23 34 153 009	B. Nadon	5775	30.00

TOTAL DELINQUENT INVOICES

\$908.24



## CITY OF FARMINGTON DELINQUENT WATER ACCOUNTS

PARCEL NO	RESIDENT'S NAME	SERVICE ADDRESS	AMOUNT
23-26-301-019	THOMAS DE HETRE	23038 ORCHARD LAKE	137.94
23-26-301-022	MARK MOZDY (T)	23008 ORCHARD LAKE	192.06
23-26-304-017	CAROL STABLEIN	23277 HAWTHORNE	205.70
23-26-355-008	DOUGLAS KENNEDY	22499 VIOLET	81.50
23-26-355-009	PATRICIA JONES	22487 VIOLET	162.36
23-26-357-002	FRANK KUZINSKI	22500 VIOLET	81.69
23-26-357-021	JOSEPH D AMBROSE (T)	22415 LILAC	237.16
23-26-358-005	JOYCE FRIZZELL	22520 LILAC	104.06
23-26-359-010	WALTER CHRISTENSON	22408 FLORAL	283.14
23-26-359-024	ROBERT TINKER	22427 HAWTHORNE	336.38
23-26-377-003	WILLIAM MAGEE	22460 HAWTHORNE	220.22
23-27-106-004	MURDO J MAC LEOD	33325 SHIAWASSEE	217.80
23-27-151-014	GERALD HARRINGTON	23617 WARNER	152.46
23-27-154-007	PRESTON W PORTS	33108 GRAND RIVER	193.60
23-27-201-005	WALTER LEONARD JR	32280 MARBLEHEAD	142.78
23-27-203-052	TERENCE HEIN (T)	32012 LEELANE	50.78
23-27-226-019	DONALD B STINSON	31688 FOLKSTONE	150.04
23-27-226-028	JOYCE E MASTERTON	31616 FOLKSTONE	440.44
23-27-230-006	DOUGLAS WENDRICK	23863 BEACON	193.60
23-27-251-018	EDWARD G HARKINS	23550 BICKING CT	290.40
23-27-276-019	SANDRA BYRNES	31681 LAMAR	275.88
23-27-301-006	ROBERT MC GRAW (T)	33309 ORCHARD	38.61
23-27-301-013	GLEN MOODY	33109 ORCHARD	62.92
23-27-302-004	FRED C NELSON	23100 FARMINGTON	350.90
23-27-302-015	JOSEPH MOSKAL	22840 FARMINGTON	193.60
23-27-305-036	GORDON P HOLMES	22803 MANNING	75.02
23-27-329-025	ALICE HAMRICK	23015 MAPLE	104.06
23-27-329-046	CREATIVE CAR CARE	32663 GRAND RIVER	157.44
23-27-330-038	MRS WAYNE ALDRICH	22827 POWER	150.04
23-27-376-005	RICHARD L DONNER JR	32765 CLOVERDALE	145.20
23-27-404-007	GRAND Q PARTY STORE	32330 GRAND RIVER	221.64
23-27-427-030	GREAT GETAWAY	31606 GRAND RIVER	66.62
23-27-428-010	GROUP TEN	22821 ORCHARD LAKE	179.53
23-27-451-014	MARK BERGER	22810 POWER	210.54
23-27-451-016	WILLIAM ELY	22800 POWER	338.80
23-27-451-043	DALE WINSTON	22731 BROOKDALE	88.57
23-27-478-001	LOIS I PIERON	31370 SHAW	129.08
23-28-128-030	COZY CAFE	34637 GRAND RIVER	651.04
23-28-153-006	GLENFORD R HUBER	35109 DRAKE HEIGHTS	435.60
23-28-179-013	ALFRED W ORLANDO	23371 GILL	254.10
23-28-204-042	DONALD MC DONALD	34016 OAKLAND	1130.14
23-28-205-022	WALTER YAUCH	33702 OAKLAND	53.24
23-28-226-002	WILLIAM MC SHANE	33808 GLENVIEW CT	330.88
23-28-226-007	ARTHUR G SCHUETZLER	33736 GLENVIEW	198.46
23-28-228-002	DOROTHY CASSELL	34002 GRAND RIVER	171.82
23-28-256-006	GAIL KAREN YASTIC	33725 STATE	152.46
23-28-280-005	WILLIAM DOBES	23366 LIBERTY	295.24
23-28-402-003	CARL F GEISTLER JR	34124 MOORE	505.78
23-29-127-012	EVELYN PALINKO	36619 VICARY LANE	162.48
23-29-177-015	NEIL FLYNN	36612 LANSBURY	728.42
23-29-203-002	JAMES FERNQUIST	35826 BRIAR RIDGE L	77.44
23-29-203-013	PENELOPE DAUM	35836 SMITHFIELD CT	203.28
23-29-252-006	THOMAS ADAMS	23527 STONEHOUSE CT	399.30
23-34-151-005	RICHARD E KRAUSS	33137 MAPLENUT	267.04

CITY OF FARMINGTON DELINQUENT WATER ACCOUNTS

PARCEL NO	RESIDENT'S NAME	SERVICE ADDRESS	AMOUNT
23-34-151-028	JOHN G O'NIEL	21411 CHESTNUT LANE	435.60
23-34-303-004	DONALD FERRY	21310 BIRCHWOOD	341.22
23-34-326-007	RONALD YAGEMAN	21330 ROBINWOOD	208.90
23-34-326-011	MICHAEL WILLIHNGANZ	21252 ROBINWOOD	430.76
23-34-328-011	DONALD L HOLMES	20942 ROBINWOOD	234.74
<del>23-34-328-023</del>	<del>TERRY PETERSON</del>	<del>21009 LAURELWOOD</del>	<del>880.88</del>
23-34-329-008	DONALD DORSCH	21018 LAURELWOOD	532.40
23-34-352-012	DALE F NELMARK	21073 BIRCHWOOD	355.74
23-34-352-017	FRED SMALES	20965 BIRCHWOOD	176.66
23-34-353-022	HAJDAR CUMULAJ	20955 ROBINWOOD	65.06
23-34-354-009	WARREN T WOOD	33155 MEADOWLARK	358.98
23-34-354-013	DOMINIC A ROTI	33107 MEADOWLARK	430.76
23-34-354-015	THEODORE L BYRNE	33041 MEADOWLARK	387.20
TOTAL DELINQUENT WATER ACCOUNTS			\$17,518.18
GRAND TOTAL DELINQUENT ACCOUNTS			<u>\$25,958.47</u>

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, June 4, 1984, 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 Yoder.

### ROLL CALL:

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETINGS

#### 6-84-133

Motion by Councilman Walker, supported by Councilman Tupper, to approve the minutes of the Special Meeting of May 9 and the Regular Meeting of May 21, 1984, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 6-84-134

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Budget Review minutes, Jointly Funded Agencies, May 2, 1984;  
Farmington Area Commission on Aging minutes of May 22, 1984;  
Farmington Area Arts Commission minutes of May 17, 1984;  
Farmington Community Library minutes of May 10, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR TAXICAB LICENSE:

#### VETERANS CAB COMPANY

The City Manager asked that this item be addressed later in the meeting to allow the Cab Company owner time to arrive and add whatever information he wishes to the discussion. Council had no objection.

#### REQUEST FOR TENT SALE: TERRACE SHOPPE

Robert Whitcomb of the Terrace Shoppe, 33021 Grand River, requested Council's permission to conduct his annual Tent Sale in the store's parking lot from Friday, June 8 through Sunday, June 10, 1984. The sale hours on Friday would be from Noon to 9:00 p.m., between 10:00 a.m. and 9:00 p.m. on Saturday and Noon to 5:00 p.m. on Sunday.

Since previous outdoor sales were conducted at this location without incident, the City Manager recommended that Council permit this sale.

#### 6-84-135

Motion by Councilman Bennett, supported by Councilman Hartsock, to

COUNCIL PROCEEDINGS -2-  
June 4, 1984

approve the Terrace Shoppe's requested Tent Sale from Friday, June 8 through Sunday, June 10, 1984. Motion carried, all ayes.

REQUEST FOR BLOCK PARTY: MOORE DRIVE

On behalf of the residents of Moore Drive, Alex Nagy, 33959 Moore Drive, requested Council's permission to close his street between Fleming and Gill Road for a Block Party on June 16, 1984, from 4:00 p.m. to Midnight.

6-84-136

Motion by Councilman Hartsock, supported by Councilman Tupper, to close Moore Drive between Fleming and Gill Road for a Block Party on Saturday, June 16, 1984, from 4:00 p.m. to Midnight, and to instruct the Department of Public Services to provide barricades for this street closing. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

APPROVAL: 1984-85 BUDGET

After reviewing the City Manager's recommended budget and adjusting several accounts, City Council determined that funding the 1984-85 Budget can be accomplished by continuing the existing millage rate of 11.74 mills. The split of this millage rate between Debt Service and Operations will be adjusted to the new Operating millage rate of 10.76 mills per thousand dollars of State Equalized Valuation (SEV), and the new Debt Service millage rate of .98 mill per thousand dollars of SEV.

In compliance with City Charter and State law requirements, the Manager submitted two resolutions for Council consideration to establish the proposed millage rate and level of General Fund appropriation at \$3,437,140.00, and to approve appropriations for the General Fund expenditures of \$3,437,140.00, Water and Sewer expenditures of \$1,233,000.00 and Highway Fund expenditures of \$332,440.00. Total expenditures for these Funds will be \$5,002,580.

6-84-137

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, the City Manager has presented to the Council a proposed budget for fiscal year beginning July 1, 1984, in accordance with the provisions of the City Charter; and

WHEREAS, the City Council has held Public Hearings in accordance with the provisions of the Federal Revenue Sharing Act, the State Statutes and the City Charter; and

WHEREAS, the City of Farmington Council, in accordance with provisions of Public Act 5 of 1982, has advertised that the operating millage rates will be higher by twenty-six cents (26¢) per thousand of State Equalized Assessed Valuation; and

COUNCIL PROCEEDINGS -3-  
June 4, 1984

WHEREAS, the City of Farmington has advertised its Debt Service millage rate will be lowered by twenty-six cents (26¢) per thousand of State Equalized Assessed Valuation;

THEREFORE, BE IT RESOLVED, that the budget for fiscal year beginning July 1, 1984 in the amount of \$3,437,140 as prepared by the City Manager, is hereby approved and adopted; and

BE IT FURTHER RESOLVED, that to meet the portion of the General Fund budget cost, the City Treasurer is hereby directed to spread taxes on real and personal property in the amount of ten dollars and seventy-six cents (\$10.76) per thousand of State Equalized Assessed Valuation; and

BE IT FURTHER RESOLVED, that to meet portions of the Debt Service cost, the City Treasurer is hereby directed to spread taxes on real and personal property in the amount of ninety-eight cents (98¢) per thousand of State Equalized Assessed Valuation.

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED: June 4, 1984

6-84-138

Motion by Councilman Walker, supported by Councilman Bennett, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby adopts the 1984-85 budget as shown in the budget document on Page 5; and

BE IT FURTHER RESOLVED that the following sums are hereby appropriated as the budget for the operation of the City of Farmington for fiscal year 1984-85, beginning July 1, 1984, and ending June 30, 1985;

GENERAL FUND EXPENDITURES:

General Government	\$ 647,715
Public Safety	993,760
Federal Revenue Sharing	
Public Safety Officers	56,925
Public Services	619,130
Parks & Recreation	146,730
Library	152,780
Miscellaneous	121,135
Insurance, Fixed Expenditures	499,155
Inter-Fund & Debt Service Transfers	199,810
TOTAL GENERAL FUND EXPENDITURES:	\$3,437,140

COUNCIL PROCEEDINGS -4-  
June 4, 1984

WATER & SEWER FUND EXPENDITURES

Operating & Maintenance	\$1,078,715
Capital Improvements	128,490
Debt Service	<u>25,795</u>

TOTAL WATER & SEWER FUND EXPENDITURES \$1,233,000

HIGHWAY FUND EXPENDITURES

Construction	\$ - 0 -
Operating & Maintenance	283,020
Debt Service	<u>49,420</u>

TOTAL HIGHWAY FUND EXPENDITURES: \$ 332,440

TOTAL EXPENDITURES - ALL FUNDS: \$5,002,580

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 the said claims and accounts have been lawfully incurred and approved by Council, Board, Commission, or other officer authorized to make such expenditures.

BE IT FURTHER RESOLVED that the City Treasurer shall report to the Council quarterly the status of the amounts as shown in the budget document on Pages 7 through 11.

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED June 4, 1984.

TABLED DECISION: SIDEWALK POLICY

At the last regular meeting of City Council on May 21, 1984, Council decided to postpone further discussion and a final decision on the Sidewalk Policy Amendments presented by the City Manager.

Manager Deadman pointed out that under the provision of Chapter 34, Sidewalks, of the City Code, Council may by resolution require the owners of lots to build sidewalk within thirty days of notice requiring such installation. The owner's failure to construct sidewalk would cause the city to do so and special assess the lot owner for the construction cost.

The City Manager further pointed out that the special assessment procedures for sidewalk construction are unique as there is no Public Hearing on necessity. Therefore, the sidewalk is actually constructed either by the owner or by the city prior to any Public Hearing, making it apparent that the ordinance was intended to eliminate hazards that could result from lack of sidewalk or existing sidewalk which is in disrepair. Manager Deadman stated that placing Public Hearing

requirements ahead of actual repair or installation of sidewalk would only prolong any hazards involved.

6-84-139

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby adopts the following Sidewalk Improvement Policy:

PROBLEM

Pedestrian and bicycle traffic has increased dramatically since the 1973 gasoline crisis. Roadways which lack sidewalks increase safety hazards to pedestrians, as pedestrians oftentimes are required to walk in the roadway.

The city, as a general policy, has required the construction of sidewalk as part of the development of all property. This policy was waived for property located west of Gill Road after the annexation of the area into the city in 1968. The waiver was brought about by the fact that the property west of Gill Road originally was located in the Township of Farmington, which did not require sidewalks.

The lack of sidewalks within an urbanized area is contrary to good public facility planning; therefore, Council now deems it necessary to have sidewalk installed along designated major streets.

GOAL

To provide sidewalk for pedestrian and bicycle traffic along major and local streets within the city.

To implement this goal, Council adopts the following Sidewalk Construction and Maintenance Requirements.

SIDEWALK REQUIRED

Sidewalk shall be installed along major and local streets within the city as property is developed, or at such time as Council deems it appropriate to order the construction of said sidewalk.

In the case where property has been developed without the installation of sidewalk and the lack of said sidewalk has left a break in the middle of existing sidewalk, sidewalk shall be installed so the sidewalk shall continue uninterrupted.

In the case where the installation of sidewalk would cause unreasonable cost because of topographic conditions, existing structures or utilities interfere with construction of sidewalk, or other reasons which made the installation of sidewalk to be unreasonable, City Council may grant a variance to the requirement of this policy. The City Administration or property owners may request a variance to this policy.

ASSESSMENT POLICY FOR THE CONSTRUCTION OF SIDEWALK

The cost of improving sidewalks shall be special assessed against abutting properties. The city shall participate to the extent that the costs of the sidewalk improvements are not offset by the assessment policy.

MAJOR STREETS - Construction Timetable

Installation of sidewalk along major roads shall be completed at the earliest time possible with consideration given to future road improvement projects which may damage or remove the sidewalks. In such case, sidewalk should not be installed until after road improvements are completed. Council shall approve a timetable for sidewalk installation taking into consideration future road improvements, topographical conditions, obstruction, and the continuation of said sidewalk beyond the limits of the city.

MAJOR STREET ASSESSMENT

Properties that abut a major road on which sidewalk is required to be installed shall be assessed on a front-foot formula. Properties abutting the improvement, other than frontage, shall be special assessed on a side yard footage formula. The following formula shall be used in assessing sidewalk costs on a lineal foot basis:

Residential Properties

Front Yard

Sidewalk Lineal Footage x Assessment per Lineal Foot  
= Total Assessment Cost

Side Yard

Sidewalk Lineal Footage ÷ 2 x Assessment per Lineal Foot  
= Total Assessment Cost

Rear Yard

No Assessment

Nonresidential Properties

All property which is contiguous to the sidewalk being constructed shall be assessed as if it were front yard footage without regard to the actual location of the sidewalk.

Sidewalk Lineal Footage x Assessment per Lineal Foot  
= Total Assessment Cost

Other Properties

Properties which are dedicated for the common use of more than one property owner, such as parks, swimming pools or other facilities, and are contiguous to the sidewalk being constructed shall be assessed as if they were front yard footage without regard to the actual location of the sidewalk.

Sidewalk Lineal Footage x Assessment per Lineal Foot  
= Total Assessment Cost



COUNCIL PROCEEDINGS -7-  
June 4, 1984

LOCAL STREETS - Construction Timetable

Installation of sidewalks in accordance with this policy shall be completed not later than seven (7) years from the day of adoption of the policy. Council may order installation of sidewalk at an earlier date if Council deems it necessary.

LOCAL STREET ASSESSMENT

Properties that abut local roads on which sidewalk is required to be installed shall be assessed at the rate of 100% of the cost of the improvement.

$$\begin{array}{rcl} \text{Sidewalk Lineal Footage} & \times & \text{Assessment per Lineal Foot} \\ & & = \text{Total Assessment Cost} \end{array}$$

ROLL CALL

AYES: Walker, Yoder, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 4, 1984.

PROBLEM: EAST OVERHANG ON THE  
CITY MUNICIPAL BUILDING

Manager Deadman advised Council that he recently discovered the overhang on the east side of the Municipal Building is beginning to pull away from the wall to which it is attached. He stated that he is uncertain at this time what measures are required to correct the situation. As an interim measure, the City Manager authorized support jacks installed to bear the weight of the overhang until it is determined what method will be used to correct the problem. It appears that the parapet on the east wall has broken loose.

Mr. Deadman stated that it is apparent that when the wall was built, the two blocks which make up the parapet wall were not rodded and the blocks filled with concrete. Consequently, the overhang, which is attached to the parapet wall by retaining bolts, has pulled away from the top of the exterior wall approximately two to four inches.

Initial inspection indicates that the entire fascia will have to be removed from the overhang to expose a supporting structure. The architect who designed the parapet may, however, find another method which is less expensive to correct this situation.

It is believed that the supports that were installed this week will reduce the hazard for the present. Manager Deadman indicated that correction should be expedited due to the uncertainty of how dangerous the situation could be if the lower portion of the overhang were to pull loose from the wall.

Manager Deadman advised that the material has been ordered, and that a carpenter, mason and helper will be needed for the repair.

COUNCIL PROCEEDINGS -8-  
June 4, 1984

6-84-140

Motion by Councilman Walker, supported by Councilman Tupper, to authorize the City Manager to proceed with the repair of the East overhang of the Municipal Building, and to hire a contractor on a time and material basis to make the repair.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

BID RESULTS: RAPHAEL STREET WATER MAIN

The City Clerk received bids on May 29, 1984 at 10:00 a.m. for construction of the Raphael Street Water Main. Bid results are as follows:

MICHAEL CROSS EXCAVATING, INC. Southfield, Mi.	\$42,447.70*
STATE-WIDE EXCAVATING, INC. Farmington Hills, Mi.	51,322.00
FORT WAYNE CONSTRUCTION, INC. Walled Lake, Mi.	51,903.14
DENNIS J. SINACOLA Farmington Hills, Mi.	62,008.47
J. L. CONSTRUCTION Pontiac, Mi.	66,742.60

\*Extension Errors corrected by City Engineer.

City Engineers Orchard, Hiltz & McCliment reviewed the bids and recommended the job be awarded to the low bidder, Michael Cross Excavating, Inc., of Southfield, Michigan, who reportedly completed work satisfactorily for former clients.

Manager Deadman stated that the purpose of this project is to replace the water main on Raphael Street as the main currently servicing school buildings and the District Court is no longer repairable. Both the City Manager and Mr. Prisk, School District Business Manager find the bid acceptable.

6-84-141

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

COUNCIL PROCEEDINGS -9-  
June 4, 1984

BE IT RESOLVED that the Farmington City Council hereby accepts the low bid of Michael Cross Excavating, Inc., Southfield, Michigan, in the amount of \$42,447.70 for the Raphael Water Main, and

BE IT FURTHER RESOLVED that funds be provided from the Farmington School District and the City of Farmington Water and Sewer General Obligation Water Bond Account.

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Walker, Yoder.  
NAYS: None.

RESOLUTION DECLARED ADOPTED JUNE 4, 1984.

REQUEST TO SPLIT VACANT PROPERTY  
OAKLAND STREET (WILLIAM SLOCUM)

The City Manager's office advised that William Slocum requested that a vacant parcel owned by himself and his sister Mrs. Susan Klingbeil and their spouses be split. This parcel contains approximately 8/10 of an acre on the north side of Oakland Street between Cass and Wilmarth Streets.

Council was advised that after the split, the lots will contain frontage of 108.58 feet each on Oakland Street and a depth of 160 feet. Each lot will contain approximately 17,373 square feet. The eastern portion of the property is listed for sale, while the west half has already been sold.

After reviewing the legal description and City Code requirements, the City Assessor determined that the proposed split complies with both the City Code and the Subdivision Control Act.

The lots in question are located in the Fred M. Warner Addition Subdivision directly south of the Farmington Museum.

6-84-142

Motion by Councilman Tupper, supported by Councilman Walker, to adopt the following resolution:

WHEREAS, Mr. William Slocum and his spouse and Mrs. Susan Klingbeil and her spouse have requested a vacant parcel of property located on the north side of Oakland Street between Cass Avenue and Wilmarth Street, and known as Parcel 23-28-205-012 of the Fred M. Warner Addition Subdivision, be split into two parcels, and

WHEREAS, the parcels, after division, meet the requirements of the City Zoning Ordinance and the State Subdivision Control Act;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Farmington, having reviewed this request, hereby authorizes the split of said parcel of property into two parcels of the following descriptions:

COUNCIL PROCEEDINGS -10-  
June 4, 1984

DESCRIPTION PARCEL 1

The West 98.58 feet of Lot B and 1/2 of the vacated alleys adjacent to same.  
Fred M. Warner's Additions Subdivision  
Liber 4 - P 66 Oakland County Records.

DESCRIPTION PARCEL 2

Part of Lot B and 1/2 of the vacated alleys excepting the E 265 feet thereof and the W 98.58 feet thereof.  
Fred M. Warner's Additions Subdivision  
Liber 4 - P 66 Oakland County Records.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 4, 1984.

REQUEST FOR TAXICAB LICENSE  
VETERANS CAB COMPANY

As Mr. Manning of Veterans Cab Company had not yet arrived at 8:35 p.m., it was suggested that his request for a taxicab license be addressed before continuing with the Agenda items.

Mr. Ronald J. Manning's request stated that he recently founded the Veterans Cab Company which presently operates in Farmington Hills. He stated that for the past seventeen years he has been employed by the Detroit Cab Company, the Metropolitan Cab Company and the Checker Cab Company of Livonia.

Director Seifert's Public Safety report indicates that Mr. Manning's driving record shows he has been involved in nine personal injury accidents over the past seven years in which a total of nineteen persons were injured. The report further indicates that the majority of points against the driver are the result of speeding violations issued during the same period.

Director Seifert's report also pointed out in place of a current insurance policy, Mr. Manning provided a binder issued by the Michigan Automobile Placement Facility, indicating that either no insurance currently exists or that his current insurance has expired.

Director Seifert stated that if Mr. Manning were employed as a driver by a taxicab company presently licensed to serve the City of Farmington, it is doubtful that the Public Safety Department would issue a Public Vehicle Operator's License to him because of his accident and driving record of the past seven years. The Director, therefore, recommended that Mr. Manning's request be denied.

COUNCIL PROCEEDINGS -11-  
June 4, 1984

Manager Deadman concurred with Director Seifert's recommendation.

6-84-143

Motion by Councilman Bennett, supported by Councilman Hartsock, to deny Ronald J. Manning's request for a taxicab license to operate the Veterans Cab Company in the City of Farmington. Motion carried unanimously.

MISCELLANEOUS

PUBLIC COMMENT

The City Manager reported on the repair and cleanup work to be done on Macomb, Cass and Alta Loma Streets.

Nancy Leonard mentioned that the four corners drinking fountain near the Masonic Temple is constantly running all over the sidewalk and into the street. She was informed that it will probably be removed.

The Mayor asked about the fountain in the Downtown Shopping Center which is not working. He was advised that it could not be turned on during the recent flower sale as it is broken.

Councilman Bennett asked about the gas markers along Alta Loma. He was advised that the contractor requested that the entire street be staked.

Director Billing advised that Consumers Power Company is abandoning a 6 inch gas line on the north side of Grand/<sup>River</sup> It is being replaced by a 2 1/2 inch line under the sidewalk on the south side of Grand River which will necessitate tearing up the sidewalk in the area.

David Cornwell, 35476 Tall Pine, was present to ask Council's permission to allow workmen to complete construction of his new house during the coming weekend. He was asked to cease working last weekend due to a resident's complaint about the noise on Sunday morning.

Mr. Cornwell advised that the weekend is the only time he can get workmen to do the tasks necessary, and that he could very likely complete the construction by working through another weekend.

Council expressed reluctance to approve that such work would begin at the start-up time of 7:00 a.m. on Sunday.

6-84-144

Motion by Councilman Walker, supported by Councilman Hartsock, to grant permission to David Cornwell for one Sunday only to allow workmen to complete construction of his new house, with the stipulation that no work is to begin before 9:00 a.m. Motion carried, all ayes.

COUNCIL PROCEEDINGS -12-  
June 4, 1984

SOUTHWESTERN OAKLAND CABLE COMMISSION  
1984-85 PROPOSED BUDGET

Manager Deadman submitted to Council copies of the proposed budget for the Southwestern Oakland Cable Commission, which included expected revenues of 2% of MetroVision's gross revenues intended for the operation of Public Access Channels. Based on projected customer revenues of an average of \$20 per customer, the Commission is expected to receive approximately \$72,000.00 in fiscal year 1984-85; also approximately \$7,000.00 in interest income for monies previously received as part of the initial grant from MetroVision.

A review of expenditures determined that \$717.00 needs to be appropriated from the fund balance to balance this budget. Manager Deadman indicated that proposed expenditures are divided into two categories: Administrative expenses for overseeing the Franchise on behalf of the three communities involved, and Public Access expenditures.

The Budget proposes that the Commission will provide approximately \$10,000.00 in grants to groups or individuals for use in offsetting program development expenses.

Internships, a new category of expenditure, was established to pay students whose curriculum includes Television Arts a minimum wage in order to foster a higher level of dedication to projects assigned and enable the Commission to be in a position to dictate their work hours.

The City Manager stated that the proposed budget, as presented to Council, is in compliance with the agreement between the three communities involved in the Franchise.

6-84-145

Motion by Councilman Bennett, supported by Councilman Hartsock, to accept the proposed budget of the Southwestern Oakland Cable Commission for the fiscal year 1984-85 as presented. Motion carried, all ayes.

FINANCIAL REPORTS: TEN MONTHS  
ENDED APRIL 30, 1984

6-84-146

Motion by Councilman Bennett, supported by Councilman Tupper, to receive the General Fund and 47th District Court Financial Reports for the ten months ended April 30, 1984. Motion carried, all ayes.

47TH DISTRICT COURT AUDIT REPORT  
YEAR ENDED DECEMBER 31, 1983

6-84-147

Motion by Councilman Bennett, supported by Councilman Hartsock, to accept the Plante & Moran Audit Report for the 47th District Court for the year ended December 31, 1983. Motion carried; all ayes.

COUNCIL PROCEEDINGS -13-  
June 4, 1984

DEPARTMENT OF PUBLIC SAFETY  
QUARTERLY OPERATIONS REPORT

Councilman Hartsock asked what results have been noted from the Neighborhood Watch Programs.

Director Seifert informed him that so far there has been no apparent increase in calls to the Department. He advised that the fourteenth neighborhood group is forming and that the groups range from one block areas to entire streets, or four or five blocks. The Director feels that the program is progressing very well.

The most positive effect of the program thusfar is that neighbors are getting better acquainted.

Councilman Walker asked what is happening at The Bootleggers. Director Seifert stated that in the past several months it has been relatively quiet; only one noise complaint was received shortly after 2:00 a.m. on a Sunday morning. He advised that business at this establishment has dropped considerably.

The increase in the number of drunk driver arrests was noted by Council; also the length of time the city has gone without a fatality.

Director Seifert stated that he has been informed that the City of Farmington will shortly receive an award for 34 months without a fatal accident. Councilman Walker felt this would be worthy of some press release.

6-84-148

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and file the Department of Public Safety Quarterly Operations Report for the period ended March 31, 1984. Motion carried, all ayes.

WARRANT LIST

6-84-149

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the monthly bills for payment as submitted: General Fund \$6,767.87; Water & Sewer Fund \$20,577.40.

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.

MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Walker, to adjourn the meeting.

COUNCIL PROCEEDINGS -14-  
June 4, 1984

The meeting was adjourned at 9:17 p.m.

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*Ralph D. Yoder*  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

*Josephine M. Bushey*  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK



## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, June 18, 1984, 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 Yoder.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker (arrived at 8:03 p.m.), Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, Deputy Director Lauhoff, City Attorney Kelly, City Clerk Bushey

### MINUTES OF PREVIOUS MEETINGS

#### 6-84-150

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the minutes of the Special Meeting of May 15 and the Regular Meeting of June 4, 1984, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 6-84-151

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of June 11, 1984;  
Board of Zoning Appeals minutes of June 6, 1984;  
Economic Development Corporation minutes of June 12, 1984;  
Board of Education minutes of May 15, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### APPLICATION FOR FENCE VARIANCE:

DAVID NITZ, 23925 Wilmarth

Mr. Nitz requested a variance to Chapter 85, Section 8.203 of the City Code to construct a wooden picket fence in front of the front building line and across the front building line. This fence is prohibited by the Code. The proposed fence would entirely enclose the property with the exception of the south building line and the entranceway drive.

As the proposed fence would for the most part enclose the residential parcel, Manager Deadman expressed concern that granting this request may be precedent setting.

Mayor Yoder and Councilman Bennett stated they could not go along with this request since the proposed fence would almost completely enclose the property. Councilman Walker felt that the proposed fence was a radical departure from community standards.

Mr. Nitz stated that in driving through the area, he noted several apparent violations of the Code. He pointed out that the fence on

COUNCIL PROCEEDINGS -2-  
June 18, 1984

the southwest corner of Wilmarth across the street from his house appears to include even more fence than his proposed fence. Mr. Nitz was advised that this particular fence was in place prior to the Ordinance.

Mr. Nitz asked if he could perhaps change his address to a Grand River address, thus making use of 80 to 90 feet of frontage on Grand River, and could then have a sideyard setback in lieu of a front yard setback. He was advised that he would still be in violation and further that street addresses are assigned by Detroit Edison.

6-84-152

Motion by Councilman Bennett, supported by Councilman Tupper, to sustain the Ordinance and deny the request of David Nitz, 23925 Wilmarth, for a fence variance to Chapter 85, Section 8.203 of the Farmington City Code. Motion carried, all ayes.

REQUEST TO LOCATE CARNIVAL AT THE  
FARMINGTON PLAZA DURING FOUNDERS FESTIVAL

Manager Deadman advised that a request was received from Jonathan L. Grant, President of the Farmington Founders Festival to locate a carnival in the Farmington Plaza during Festival Week. The Festival Committee has received permission from the president of the Farmington Plaza Merchants Association to locate the W. G. Wade Shows Carnival on the Mooney Street side of the Plaza. The carnival has provided a ten million dollar liability insurance policy which names the City of Farmington and the Farmington City Council as added insured.

Mr. Grant advised that the Festival Committee can use the revenue generated from the carnival to pay for festival activities.

6-84-153

Motion by Councilman Hartsock, supported by Councilman Bennett, to grant permission to Founders Festival Committee to locate the W. C. Wade Shows Carnival at the Farmington Plaza, Grand River and Mooney Street, during Festival Week, July 17 - 21, 1984. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

TRANSFER COMMUNITY DEVELOPMENT FUNDS:  
HISTORICAL PRESERVATION PROJECT

Manager Deadman reported that a total of \$8,800.00 remains in the 1983 Community Development Funds, as the funds received for street improvements were \$57,800.00 and the paving of Sherwood and Shaw Streets final completion cost was \$49,000.00. He advised that a resolution approved by Council is necessary to relocate these funds to another program, suggesting that \$3,000.00 of these residual funds be assigned to a historical preservation project. The suggested project would involve rebuilding the carriage house roof at the Farmington Museum. Mr. Deadman indicated that Community

COUNCIL PROCEEDINGS -3-  
June 18, 1984

Development funds may be expended in such areas where preservation of historical properties are necessary to continue the viability of the site for future use by the community. He stated that this specific project is necessary to check the increasing deterioration of the carriage house roof structure.

Councilman Bennett suggested that while the carriage house roof is being repaired, perhaps something could be done to make the garage doors more in keeping with the 1850's rather than having a more modern look.

The City Manager stated that it would be necessary to secure cost estimates on the restoration of the carriage house doors.

6-84-154

Motion by Councilman Bennett, supported by Councilman Walker, to table the Transfer of Community Development Funds until cost estimates can be obtained by the City Manager on the restoration of the carriage house doors at the Farmington Museum. Motion carried, all ayes.

REQUEST FOR CLOSED COUNCIL MEETING:  
NEGOTIATING POSITION

Manager Deadman advised that current negotiations with the Public Safety Officers have reached the point where the Administration needs direction from City Council in order to proceed toward a new contract. He recommended that Council meet immediately following this meeting of June 18, 1984, in a closed session to discuss the city's bargaining position for contract negotiations with the Public Safety Officers Unit.

The City Manager stated that under the requirements of the Open Meetings Act, City Council may meet in closed session to discuss the city's bargaining position for contract negotiations.

6-84-155

Motion by Councilman Tupper, supported by Councilman Walker, that City Council meet in closed session for the purpose of developing a city position in negotiations with the Public Safety Officers Association, said closed session to begin immediately following this regular Council Meeting of June 18, 1984. Motion carried, all ayes.

CONTRACTOR PAYMENT: COMBINED SEWER OVER-  
FLOW CROSS CONNECTION CORRECTION PROJECT

Manager Deadman advised that DiNello Construction Company has requested a third estimated payment for work completed through June 12, 1984 on the Combined Sewer Overflow Cross Connection Correction Project as follows:

COUNCIL PROCEEDINGS -4-  
June 18, 1984

Total Completed Work	\$63,682.05
Less Retention	( 3,184.10)
Less Previous Payments	<u>(49,363.02)</u>
Authorized Third Payment	\$11,134.93

The City Engineer recommends payment of this amount as the work completed is in substantial compliance with the bid specifications, and the City Manager concurs with the Engineer's recommendation. Only cleanup along Grand River and Shiawassee are to be completed. This work is presently in progress.

6-84-156

Motion by Councilman Walker, supported by Councilman Bennett, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the third estimated contractor payment to DiNello Construction Company of Sterling Heights, Michigan, in the amount of \$11,134.93 for work completed through June 12, 1984, on the Combined Sewer Overflow Cross Connection Correction Project, and

BE IT FURTHER RESOLVED that funds be provided from the Water and Sewer Capital Improvement account.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED JUNE 18, 1984.

CITY CLERK'S OFFICE HOURS: LAST DAY  
OF REGISTRATION (ELECTION OR PRIMARY ELECTION)

Council was informed that under recently approved House Bill 4961, the city's governing body may by resolution designate the Clerk's office hours on the last day of registration for an election or primary election ("the 30th day preceding an election or primary...").

Prior to the new legislation, the Clerk was required to be in her office between the hours of 8:00 a.m. and 8:00 p.m.

Because so many people throughout the State are now applying for voter's registration when they renew their Driver's License in the Secretary of State offices, this legislation was passed to give local legislative bodies the opportunity to designate hours of registration on the last day.

The State Elections Division has recommended that at a minimum, the Clerk be available for registrations on the last day from 8:00 a.m. to 5:00 p.m., or during regular office hours, whichever is feasible for the particular governmental unit.

COUNCIL PROCEEDINGS -5-  
June 18, 1984

Because so few registrations are taken in the Clerk's office on the last day of registration outside of regular office hours, the proposed resolution submitted suggests that the Clerk's office hours on the last day be from 8:30 a.m. to 5:00 p.m., the city's regular office hours.

After considerable discussion, Council felt that registrations should be taken on the last day until 8:00 p.m. since this is a Presidential Election year.

6-84-157

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

WHEREAS, Act No. 89, Public Acts of 1984, provides that the governing body of a city may provide by resolution that the City Clerk shall be at her office during the hours designated by the governing body on the thirtieth day preceding an election or primary election in the city, and

WHEREAS, prior to Act No. 89, Section 498 (1) of the Michigan Election Law provided that the Clerk's office hours on the last day of registration for any election or primary election in the city be from 8:00 a.m. to 8:00 p.m.,

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby authorizes the Clerk to be in her office on the thirtieth day preceding an election or primary election in the city between the hours of 8:30 a.m. and 8:00 p.m., and

BE IT FURTHER RESOLVED that these hours will be reviewed by City Council following the November 6, 1984, Presidential Election.

ROLL CALL

AYES:	Tupper, Walker, Yoder, Bennett, Hartsock.
NAYS:	None.
ABSENT:	None.

RESOLUTION DECLARED ADOPTED JUNE 18, 1984.

MISCELLANEOUS

PUBLIC COMMENT

John Campbell, 23701 Cass Street, complained about the condition of his street. He stated that the unfinished condition causes the street to be very dusty. Mr. Campbell pointed out that he has registered a number of complaints with the city on this matter and nothing has been done to improve the situation.

The City Manager advised him that the City is having a problem with the contractor.

COUNCIL PROCEEDINGS -6-  
June 18, 1984

Mike Jones, 23700 Cass, asked why he was not informed of the problem with the contractor when he called about the condition of the street.

Manager Deadman advised that the city did not know a problem existed until the asphalt companies reopened this spring.

Councilman Bennett pointed out that the contractor has not been paid and the city is also holding 10% on even the work that has been completed. He further indicated that this matter has been discussed consistently at various council meetings.

Although he was unable to give a date for the work, the City Manager advised that Cass Street will be completed as soon as the base can be reworked and dried after which the roadway will be put down.

Josephine Potts, 33703 Macomb, asked if the broken sidewalks could be taken care of. She also suggested that perhaps the dust problem could be alleviated if the city brought in the sweeper. She was advised that both matters would be taken care of.

Mr. Campbell advised that two pieces of his sidewalk are broken which were not broken before the street construction began last year. He was advised that these would be taken care of if the city caused the breaks.

APPOINTMENTS: BOARDS AND COMMISSIONS

Manager Deadman advised that the terms of certain commission and committee members would expire this month. Among those who would accept reappointments are:

Norman Potts and James Abernethy - Planning Commission  
Three-Year term

J. Lee Ratliff and Paul J. McKeough - Zoning Board of Appeals  
Three-Year Term

Carol Kurth, DeDe Adams, Elizabeth Meredith and Rick Hatfield  
Beautification Committee: Two-Year Term

Council was advised that although Mr. Abernethy was elected to the School Board recently, he would be willing to remain on the Planning Commission, if appointed by Council. He feels he would be an effective liaison between the School Board and Planning.

There was some discussion concerning the recent difficulty in obtaining a quorum of the Zoning Board of Appeals. Mayor Yoder assured Council that this has been discussed with the Board members.

COUNCIL PROCEEDINGS -7-  
June 18, 1984

6-84-158

Motion by Councilman Bennett, supported by Councilman Hartsock, to make the following appointments to the

PLANNING COMMISSION: Norman Potts  
James Abernethy

Three-year term to expire June 30, 1987;

ZONING BOARD OF APPEALS: J. Lee Ratliff  
Paul J. McKeough

Three-Year term to expire June 15, 1987;

BEAUTIFICATION COMMITTEE:  
Carol Kurth  
DeDe Adams  
Elizabeth Meredith  
Rick Hatfield

Two-year term to expire June 15, 1986.

Motion carried, all ayes.

RETIREMENT: CITY TREASURER, WINONA WOODS  
Manager Deadman advised Council that City Treasurer Winona Woods has informed him that she will retire effective December 1, 1984. He stated that Mrs. Woods has worked for the City a total of sixteen years, and has been instrumental in modernizing the city's financial systems.

Mrs. Woods stated that she has appreciated the opportunity to work with the community and the support given her by City Council during her tenure.

The City Manager advised that he proposes to advertise in state and national periodicals requesting resumés from those who meet the job qualifications and are interested in the position. He suggested that it would be in the city's best interest to fill the position prior to Mrs. Woods' retirement so she is available to make available her expertise to the incoming treasurer and inform the new employee of the current procedures involved in maintaining the city's fiscal records.

As the Treasurer, under the provisions of the City Charter, is appointed by City Council, the Manager indicated that he stands ready to implement their instructions concerning the recruiting process.

6-84-159

Motion by Councilman Bennett, supported by Councilman Walker, to instruct the City Manager to begin a search for a City Treasurer,

COUNCIL PROCEEDINGS -8-  
June 18, 1984

and bring to the Council a minimum of three qualified individuals at the earliest opportunity. Motion carried, all ayes.

WARRANT LIST

6-84-160

Motion by Councilman Bennett, supported by Councilman Hartsock, to approve the monthly bills for payment as submitted: General Fund \$23,172.26; Water & Sewer Fund \$13,461.73.

ROLL CALL

AYES:	Walker, Yoder, Bennett, Hartsock, Tupper.
NAYS:	None.
ABSENT:	None.

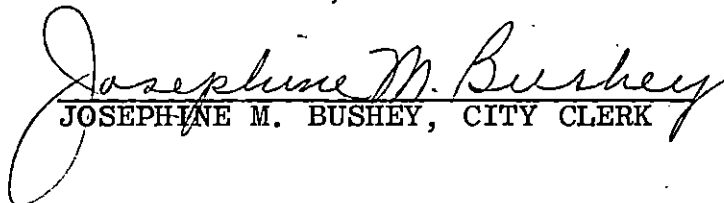
Motion carried.

ADJOURNMENT

Motion by Councilman Bennett, supported by Councilman Hartsock, to adjourn the meeting.

The meeting was adjourned at 9:00 p.m.

  
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RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK



## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, July 2, 1984, 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 Yoder.

### ROLL CALL

PRESENT: Hartsock, Tupper, Yoder.

ABSENT: Bennett, Walker.

OTHERS PRESENT: City Manager Deadman, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

7-84-161

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the minutes of the previous meeting of June 18, 1984, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

7-84-162

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Farmington Historical Commission minutes of May 16, 1984;  
Board of Education minutes of June 5, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### RESOLUTION RE: NON-PROFIT STATUS OF FARMINGTON/FARMINGTON HILLS CHAMBER OF COMMERCE AND FOUNDERS FESTIVAL COMMITTEE

Manager Deadman advised that the Farmington/Farmington Hills Chamber of Commerce requested a resolution recognizing the non-profit status of the Chamber and the Founders Festival Committee in order to qualify for a State permit to conduct a raffle and other events during the Festival.

7-84-163

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, the Farmington Chamber of Commerce has been established for the betterment of the commercial, industrial and office enterprises located within the Cities of Farmington and Farmington Hills, and

WHEREAS, the Farmington Founders Festival Committee has been

COUNCIL PROCEEDINGS -2-  
July 2, 1984

established to conduct an Annual Festival in the City of Farmington and the City of Farmington Hills, and

WHEREAS, the programs of both organizations primarily serve for the betterment of the communities of Farmington and Farmington Hills, and

WHEREAS, both organizations are operated as non-profit organizations in the community;

NOW, THEREFORE, BE IT RESOLVED that the City of Farmington Council recognizes that the Farmington/Farmington Hills Chamber of Commerce and the Farmington Founders Festival Committee are non-profit organizations located within the City of Farmington.

AYES: 3 (Hartsock, Tupper, Yoder)  
NAYS: None  
ABSENT: 2 (Bennett, Walker)

RESOLUTION DECLARED ADOPTED JULY 2, 1984.

LETTER FROM OAKLAND COUNTY EXECUTIVE MURPHY  
RE: COUNTY SOLID WASTE MANAGEMENT PLAN

Council was informed that meetings have been established to review the draft agreement and support documents for the implementation of the Oakland County Solid Waste Management Plan.

Manager Deadman advised that the nearest meeting for Farmington is on July 18th in the City of Wixom and suggested that any available Council member attend. A meeting for municipal attorneys is scheduled for July 10 in the Commissioners Auditorium at the Oakland County complex in Pontiac. It was suggested that Attorney Kelly attend this meeting.

REQUEST FOR PROCLAMATION

The Farmington Area Jaycees requested a proclamation for Muscular Dystrophy Week.

7-84-164

Motion by Councilman Hartsock, supported by Councilman Tupper, to designate the week of July 14 - 21, 1984, as JAYCEE MUSCULAR DYSTROPHY WEEK in Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

CONTRACTOR PAYMENT: DRAKE ROAD SIDEWALK

Italia Construction, Inc., Sterling Heights, Michigan, requested payment of \$17,567.68 for work completed to date on the Drake Road Sidewalk project.

Manager Deadman advised that the work completed is in substantial compliance with city specifications. He further indicated that

COUNCIL PROCEEDINGS -3-  
July 2, 1984

5% retainage will be held to determine whether the grass seed germinates in the sections that have been replanted. The Manager's office concurs with the City Engineer's recommendation for payment, and the contractor provided necessary release and payroll forms and has met other requirements of the Community Development Grant Program.

7-84-165

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment of \$17,567.68 to Italia Construction, Inc., Sterling Heights, Michigan, for work completed to date on the Drake Road Sidewalk Program, and

BE IT FURTHER RESOLVED that funds be provided from the Federal Community Development Grant Program.

ROLL CALL

AYES: Hartsock, Tupper, Yoder.  
NAYS: None.  
ABSENT: Bennett, Walker.

RESOLUTION DECLARED ADOPTED JULY 2, 1984.

BIDS: PLASTIC TRASH CAN LINERS

Council was advised that bids on plastic trash can liners were received in the City Clerk's Office and opened at 11:00 a.m. on June 21, 1984, as follows:

PETOSKEY PLASTICS Petoskey, Mi.	\$7,500.00
ADVANCE BAG MANUFACTURING Drayton Plains, Mi.	10,350.00
CHAL-CLEAN CORPORATION Detroit, Mi.	10,740.00
ARROW INDUSTRIES, INC. Dallas, Texas	10,430.00
EXOTIC RUBBER & PLASTICS Farmington, Mi.	11,959.14
SPECIALTY PRODUCTS, INC. Novi, Mi.	8,021.00

The City Manager stated that the low bidder, Petoskey Plastics, has provided the city with poly-liners for the past two years, and

COUNCIL PROCEEDINGS -4-  
July 2, 1984

their product is of high quality. The total quantity of liners to be purchased is 100,000 and will provide the city requirements for municipal use as well as distribution to the public for approximately one year.

Manager Deadman recommended that the 100-count dispenser boxes be made available to the public at the continued cost of \$9.00 per box. These are 2-mill liners, the same as previously provided.

7-84-166

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby accepts the low bid of Petoskey Plastics, Petoskey, Michigan, in the amount of \$7,500.00 for the purchase of 100,000 plastic trash can liners.

ROLL CALL

AYES: Tupper, Yoder, Hartsock,  
NAYS: None.  
ABSENT: Walker, Bennett.

RESOLUTION DECLARED ADOPTED JULY 2, 1984.

AUTHORIZATION TO PURCHASE POLICE VEHICLES

Manager Deadman advised Council that the replacement of three existing police patrol vehicles has been included in the 1984-85 General Fund budget. Although it was intended that the vehicles would be ordered during this fiscal year for delivery in September 1984, additional 1984 police vehicles will not be available due to the manufacturer's early cutoff period. Because of production scheduling, new 1985 vehicles will be unavailable for delivery prior to April or May of 1985.

The City Manager stated that the three police vehicles to be replaced in the next fiscal year which now have from 62,500 to 72,400 miles on them will accumulate over 100,000 miles if the Department waits until April or May of 1985 to replace them.

Manager Deadman informed Council that he recently contacted Dick Morris Chevrolet, the dealership which supplied vehicles to the County, to determine if any of the cities which ordered vehicles failed to complete the transaction. He was informed that the City of Warren ordered several vehicles more than they are now able to purchase, and three of these vehicles have been offered to the City of Farmington at the same price as the Oakland County bid.

The vehicles from Dick Morris Chevrolet are slightly different in specifications from those ordered by the city, as they are equipped with limited slip differentials and tinted glass on the side windows, all extra cost items. Manager Deadman stated that he expects these

COUNCIL PROCEEDINGS -5-  
July 2, 1984

vehicles with the extra cost items will be \$10,093.00 each compared to the previous \$9,764.00 paid by the City. He believes it would be in the best interest of the city to purchase three of the available vehicles at a cost of approximately \$30,300.00.

7-84-167

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the purchase of three police vehicles from Dick Morris Chevrolet at the price bid to the County of Oakland not to exceed \$30,300.00 for 1984 police patrol vehicles, and

BE IT FURTHER RESOLVED that funds be provided from the 1984-85 General Fund appropriations.

ROLL CALL

AYES: Yoder, Hartsock, Tupper.  
NAYS: None.  
ABSENT: Bennett, Walker.

RESOLUTION DECLARED ADOPTED JULY 2, 1984.

TRANSFER OF COMMUNITY DEVELOPMENT FUNDS:  
HISTORICAL PRESERVATION PROJECT

As Council instructed previously, Manager Deadman presented cost estimates for replacing the two modern garage doors on the Carriage House at the Farmington Museum. The new doors will have to be custom made to fit the existing openings, and they will appear similar to barn doors prevalent in the early 1900's. Black metal hardware will be used in keeping with that period.

Manager Deadman estimates that the carpentry work will be approximately \$1,250.00, including removal of the existing doors and construction and installation of the new doors. Painting will require a separate contractor at an estimated cost of \$150.00.

Council was advised that sufficient funds be transferred from the Community Development Fund to include the following recommended repairs to the Farmington Museum:

	<u>Estimated Costs</u>
Roof repair - Carriage House	\$3,000.00
Replacing garage doors	1,400.00
Repair siding - western portion	1,600.00
Repainting north side of building	<u>1,000.00</u>
Estimated Total	\$7,000.00

7-84-168

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

COUNCIL PROCEEDINGS -6-  
July 2, 1984

WHEREAS, the City Council has determined that there are excess funds allocated to the Road Repair Program in the 1983 Community Development Program, and

WHEREAS, the City has preserved an historical structure as part of the community heritage, known as the FARMINGTON MUSEUM property, and

WHEREAS, the Carriage House of these properties requires a new roof; garage doors, siding repair and painting to preserve the building;

NOW, THEREFORE, BE IT RESOLVED that Seven Thousand (\$7,000.00) Dollars from the 1983 Oakland County Community Development Program allocation will be transferred from the Road Repair Program to the Historical Preservation Program.

AYES: Hartsock, Tupper, Yoder.  
NAYS: None.  
ABSENT: Bennett, Walker.

RESOLUTION DECLARED ADOPTED JULY 2, 1984.

The City Manager stated that he has checked on the energy use at the Farmington Museum. He found that the building needs roof insulation to prevent heat loss. He also indicated that in the near future consideration should be given to installing storm windows on the second floor and reworking those on the first floor. Mr. Deadman advised that the owner of Smith Lumber Company would sell storm windows to the city for this purpose at 10% over cost. These would be aluminum windows at an approximate cost of \$3,800.00. He indicated that the insulation could probably be installed for about \$600.00 to \$700.00.

MISCELLANEOUS

There were no public comments.

Mayor Yoder advised that he has received an invitation for the City to join the National League of Cities. The membership fee for a city of Farmington's size is \$741.00 per year. It was the consensus of those present that it would be beneficial for the City to belong to this organization.

7-84-169

Motion by Councilman Hartsock, supported by Councilman Tupper, that the City Manager be instructed to enter the City of Farmington's membership in the National League of Cities. Motion carried, all ayes.

COUNCIL PROCEEDINGS -7-  
July 2, 1984

FINANCIAL REPORTS: ELEVEN MONTHS  
ENDED MAY 31, 1984

Relative to Revenues, Manager Deadman advised that through this financial period, the city has collected 93.2% of its expected revenues. He projects that the General Fund will collect the remaining 7% prior to the end of the fiscal year.

He reported the addition of a new revenue account entitled "Franchise Fees: Cable Television," stating that we expect to collect approximately \$6,000.00 in this account through the end of the fiscal year.

Concerning Expenditures, the City Manager pointed out that the Attorney account will exceed budget due to the pending liquor license litigation. The Road Maintenance account will also exceed budget due to repairs to storm water systems located within the roads.

7-84-170

Motion by Councilman Hartsock, supported by Councilman Tupper, to receive and file the financial reports for the eleven months ended May 31, 1984 for the General Fund and the 47th District Court. Motion carried, all ayes.

TRAFFIC SAFETY AWARD: PUBLIC SAFETY DEPT.

Council was informed that Chief Seifert has been advised by the Michigan Association of Chiefs of Police that the Farmington Department of Public Safety is the recipient of a First Place Traffic Safety Memorial Award for cities with a population of 5,000 to 20,000.

The Award was given in recognition of the Department's outstanding effort among Michigan communities for reducing human and economic loss resulting from highway traffic accidents. The Association further commends the Department for its efforts in traffic accident investigation, selective enforcement, and particularly, its drunk driver program.

On behalf of City Council, Mayor Yoder congratulated Director Seifert and the Department for receiving this award.

WARRANT LIST

7-84-171

Motion by Councilman Tupper, supported by Councilman Hartsock, to approve the monthly bills for payment as submitted: General Fund \$35,269.19; Water & Sewer Fund \$39,043.80.

AYES: Tupper, Yoder, Hartsock.  
NAYS: None.  
ABSENT: Bennett, Walker.  
MOTION CARRIED.

COUNCIL PROCEEDINGS -8-  
July 2, 1984

ADJOURNMENT

The meeting adjourned at 8:37 p.m.

*Ralph D. Yoder*  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

*Josephine M. Bushey*  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK



## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, July 16, 1984, 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 Yoder.

### ROLL CALL

PRESENT: Hartsock, Tupper, Walker, Yoder.

ABSENT: Bennett.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

7-84-172

Motion by Councilman Walker, supported by Councilman Hartsock, to approve the minutes of the previous meeting of July 2, 1984, as printed. Motion carried, all ayes.

### PRESENTATION: BOYS STATE REPRESENTATIVE

Joseph Hickey, 33935 Glenview, reported on his recent experience as the City's Boys' State candidate. He was especially appreciative of the educational benefits as well as the social benefits afforded him by this experience, and he urged Council to continue sponsoring Boys' State participants.

Mayor Yoder noted that it was particularly gratifying that Joseph was elected to office at the Boys State mock governmental program.

### MINUTES OF OTHER BOARDS

7-84-173

Motion by Councilman Tupper, supported by Councilman Walker, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of July 9, 1984;  
Employees Retirement System Board of Trustees minutes of May 16 and June 20, 1984;  
Historical Commission minutes of June 20, 1984;  
Farmington Area Commission on Aging minutes of June 26, 1984;  
Farmington Community Library minutes of June 7, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR SIGN VARIANCE: MICHELE MARC'S FLOWERS, 30748 GRAND RIVER

Manager Deadman advised that Ms. Lapinsky, operator of Michele Marc's Flowers at 30748 Grand River near Hawthorne Street, has requested the use of an A-frame sign temporarily on the public right-of-way to advertise specials offered at the shop.

COUNCIL PROCEEDINGS -2-  
July 16, 1984

Ms. Lapinsky stated that because this is a new business, she needs the sign to let the public know her shop is open.

Both Mayor Yoder and Councilman Walker did not think the A-frame sign was the answer. A banner type sign on the fence or the building was suggested to be displayed for a 30-day period.

7-84-174

Motion by Councilman Walker, supported by Councilman Tupper, that Ms. Lapinsky be permitted to install a banner-type sign on the building at 30748 Grand River for a period of thirty days beginning next week to advertise the specials in her shop. Motion carried, all ayes.

REQUEST FROM FOUNDERS FESTIVAL COMMITTEE  
RE: INSTALLING BANNERS AND STREET CLOSING

Council was advised that the Farmington Festival Committee has requested permission to install overhead banners on Grand River and on Farmington Road to advertise the Festival. The Committee has further requested that Council authorize the closing of Grove Street from Grand River south to the Downtown Shopping Center driveway entrance, beginning on Wednesday, July 18 until Sunday, July 22, 1984.

7-84-175

Motion by Councilman Hartsock, supported by Councilman Walker, that City Council authorizes the closing of Grove Street from Grand River to the entranceway of the Downtown Shopping Center from Wednesday, July 18 to Sunday, July 22, 1984. Motion carried, all ayes.

7-84-176

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves that the banner type signs requested by the Farmington Festival Committee be installed at certain locations on Grand River and Farmington Road to advertise the Festival to be held from July 17 through July 21, 1984, and

BE IT FURTHER RESOLVED that City Council authorizes the city administration to obtain the proper State Highway and County Road permits for the installation of these banners, saving harmless the State Highway Department and the County of Oakland against all claims arising out of or relating to operations authorized by such permits as issued.

RESOLUTION ADOPTED UNANIMOUSLY JULY 16, 1984.

REQUEST FROM HURON RIVER HUNTING & FISHING  
CLUB TO ERECT TENT IN PARKING LOT

Irene Kalosky, General Manager of the Huron River Hunting & Fishing

COUNCIL PROCEEDINGS -3-  
July 16, 1984

advised that their Annual Lobster & Clam Party will take place on Sunday, August 12, 1984, and they request Council's permission to erect a tent in their parking lot for this event.

7-84-177

Motion by Councilman Tupper, supported by Councilman Walker, to grant permission to the Huron River Hunting & Fishing Club to erect a tent in their parking for the Annual Lobster & Clam Party to be held on Sunday, August 12, 1984. Motion carried, all ayes.

NOTICE FROM MICHIGAN MUNICIPAL LEAGUE  
RE: ANNUAL CONFERENCE

Council received notice from the Michigan Municipal League that their Annual Convention will be held September 12 through 14, 1984, at the Hyatt Regency Hotel in Dearborn. The League also requested that Council appoint a representative and an alternate to vote on Council's behalf at the business meeting to be held on September 13th.

The Mayor advised that he would be out of town at that time, but Councilmen Hartsock and Walker indicated that they would attend the Convention.

7-84-178

Motion by Councilman Walker, supported by Councilman Tupper, that Councilman Hartsock be appointed as Delegate and the City Manager as Alternate representing the City at the Michigan Municipal League Convention in September. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

PROPOSED CHANGE IN BANK TRUST SERVICES  
EMPLOYEES' RETIREMENT FUND INVESTMENTS

Manager Deadman advised that the Farmington Employees Retirement System Board of Trustees has decided to change investment advisers from the National Bank of Detroit to the Manufacturers National Bank of Detroit. He indicated that this decision was reached after very lengthy and careful analysis of the National Bank's trust services versus those of other major Michigan banks. Mr. Deadman pointed out that the Trustees have always been prudent investors, giving primary consideration to the safety of the retirement fund assets and to the earnings that can be generated from these assets.

Mr. Deadman indicated two separate sections of the City Ordinance which regulate the Employees Retirement System and deal with the investment of the System's assets.

Section 1.252 seems to indicate that the Board has the power to determine how the assets of the System are invested as long as it complies with other laws which regulate the investment of public pension fund assets.

COUNCIL PROCEEDINGS -4-  
July 16, 1984

Section 1.260 of the same ordinance states that Council may delegate the fund investments to a bank trust agency of their choice, if so warranted.

Manager Deadman advised that in reviewing these two provisions with the City Attorney, it was concluded that there appears to be some conflict between the two sections as one section seems to give full power to the Board of Trustees to invest the System's assets, while the other seems to relegate at least part of its powers to the City Council. It is hoped that the conflicting language will be removed when an amended ordinance is presented for Council consideration.

In the interim, the City Manager requested that Council confirm the action of the Board of Trustees to terminate the investment and agency services of the National Bank of Detroit Trust Department and to authorize that a new agreement be established for the employees' pension system with the Manufacturers National Bank of Detroit.

Manager Deadman submitted to Council a brief summary of the performance of Michigan based bank funds, which clearly indicates that the Manufacturers National Bank has out-performed all other major banks in Michigan in the management of equity funds and also performed very well in the management of fixed income funds.

7-84-179

Motion by Councilman Walker, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby confirms the action of the Farmington Employees Retirement System Board of Trustees to terminate the Trust Investment Agreement with the National Bank of Detroit, and

BE IT FURTHER RESOLVED that Council approves the establishment of a new Trust Investment Agreement with the Manufacturers National Bank of Detroit.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder.  
NAYS: None.  
ABSENT: Bennett.

RESOLUTION DECLARED ADOPTED JULY 16, 1984

PROPOSED PROGRAMS: GOVERNOR'S  
YOUTH SERVICE CORPS

Manager Deadman advised that the Governor's Youth Service Corps personnel will be available shortly and the City has requested sixteen workers, including two supervisors.

Three programs are proposed for Council's consideration:

COUNCIL PROCEEDINGS -5-  
July 16, 1984

1. Installation of gabion-type erosion control at the culvert type bridges over the Tarabusi Creek in the city.

Manager Deadman advised that purchasing the 500 tons of stone necessary to fill the gabion wire baskets on hand to do the proposed work will cost approximately \$4,000.00

2. Complete cleanup and landscaping along Orchard Lake Road right-of-way east of the Farmington High School property.

Estimated cost of materials for this project will be approximately \$500.00.

3. Development of a passive recreational area along the right-of-way of Elm/Fink Street between Floral and Hawthorne Streets.

Manager Deadman advised that he has received a petition signed by 39 residents of the Floral Park Subdivision requesting the installation of a sidewalk along the Elm Street right-of-way, also that pedestrian paths be provided, that the area be lighted and generally cleaned up.

Approximate cost of this project is \$3,000.00.

A fourth project was recommended, if time permits, to remove the old restroom at Shiawassee Park, as it is no longer used and presently detracts from the park's natural beauty. Manager Deadman advised that the only cost entailed here would be the dumping charges for the building debris.

All labor and fringes for the Youth Service Corps employees would be provided by the State of Michigan. The cost to the city for each of these programs would be only for the materials involved.

7-84-180

Motion by Councilman Hartsock, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the expenditure of \$7,500.00 to purchase necessary materials and equipment to permit the Governor's Youth Service Corps employees to complete certain recommended projects in the city as follows:

Tarabusi Creek Erosion Control	\$4,000.00
Orchard Lake Rd. Cleanup & Landscaping	500.00
Elm/Fink St. Passive Recreation Area	3,000.00

BE IT FURTHER RESOLVED that funds for these projects will be provided by the State of Michigan.

COUNCIL PROCEEDINGS -6-  
July 16, 1984

ROLL CALL

AYES: Tupper, Walker, Yoder, Hartsock.  
NAYS: None.  
ABSENT: Bennett.

RESOLUTION DECLARED ADOPTED JULY 16, 1984.

ESTABLISHMENT OF GOVERNMENTAL CASH  
INVESTMENT TRUST AGREEMENT

Manager Deadman advised that now that State law allows banks to pay market rates daily on deposits of less than \$100,000.00, governmental units can establish special accounts for the deposit of surplus funds and draw daily interest at market rates. He stated that most of the major banks offer this type of service, and interest rates vary from bank to bank. The City Manager further stated that it would be in the city's best interest to be able to shop the banks periodically to determine where the highest rate of yield is available.

Although satisfied with the rate of return received from the National Bank of Detroit on presently deposited surplus funds, Mr. Deadman suggested that the city could be better served by being able to select other banks for the deposit of surplus funds if a better rate of return can be obtained.

In answer to Councilman Hartsock's question concerning the use of the Metropolitan Bank of Farmington for these deposits, Manager Deadman advised that it is a relatively small bank with limited funds and therefore not authorized to accept these surplus funds for deposit.

Councilman Walker asked if Council will have an opportunity to review these investments. He indicated that he would like to have the Treasurer prepare a report of the city's investments periodically.

The Mayor instructed the City Manager to prepare a report on the city's investments for Council.

7-84-181

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the resolution provided which permits the City Treasurer and the City Manager to enter into a Governmental Cash Investment Trust Agreement with the Manufacturers National Bank of Detroit for the deposit of temporary surplus funds.

ROLL CALL

AYES: Walker, Yoder, Hartsock, Tupper.  
NAYS: None.  
ABSENT: Bennett.

RESOLUTION DECLARED ADOPTED JULY 16, 1984.

(Formal resolution attached to official minutes)

MISCELLANEOUS

PUBLIC COMMENT

Mr. George, 33904 Glenview, was present at the meeting to advise Council that his water pressure has been very poor for the past several weeks. He asked what could be done to alleviate the problem.

Manager Deadman advised that although the City of Detroit controls the pumps that supply water to the City's water tower, he will see that every effort is made to get the water pressure to its proper level.

Nancy Leonard of Shiawassee stated that there is a loose manhole cover across from her house which is creating a noise nuisance.

She also suggested that brooms be carried in police cars to sweep up glass after minor fender benders rather than call the Dept. of Public Services. The City Manager advised that there is no room for these items in the trunks of police cars as all space is taken up with police and fire gear. She was also advised that this could cause difficulties with the Union.

Councilman Walker asked to be brought up to date concerning the case pending against Pal Joey's. Manager Deadman advised that the case has been assigned to another Judge, and no court hearing has yet taken place. Director Seifert advised that he has received several noise complaints lately. He indicated that the owner has been found responsible for three of the violations that were pending against him, and he is appealing all three.

BUILDING DEPARTMENT ANNUAL REPORT  
YEAR ENDED JUNE 30, 1984

Manager Deadman pointed out that this report indicates more activity in new housing starts and construction than the past three years have shown. He advised Council that the Planning Commission is considering a site plan for the construction of a new shopping center in the current location of Farmington Lumber which will close next month. The plan calls for commercial buildings up to Grand River and Office to the rear of the property. This construction will also incorporate the Hunt house next door.

Mayor Yoder asked if Farmer Jack intends to finish their project. Manager Deadman advised that they have made their final change in the interior layout.

7-84-182

Motion by Councilman Walker, supported by Councilman Tupper, to receive the Building Department 1983-84 yearend report, June 30, 1984. Motion carried, all ayes.

COUNCIL PROCEEDINGS -8-  
July 16, 1984

WARRANT LIST  
7-84-183

Motion by Councilman Hartsock, supported by Councilman Walker, to approve the monthly bills for payment as submitted: General Fund \$43,219.00; Water & Sewer Fund \$118,280.58.

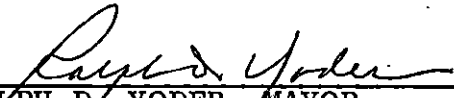
ROLL CALL

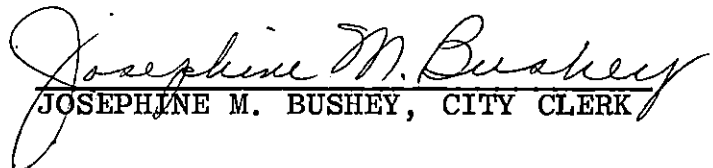
AYES: Yoder, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: Bennett.

MOTION CARRIED.

ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK



# RESOLUTION for Political Subdivision

## MANUFACTURERS NATIONAL BANK OF DETROIT

**RESOLVED:**

1. That Manufacturers National Bank of Detroit, a National Banking Association, of Detroit, Michigan (hereinafter referred to as "Bank") be and hereby is designated as trustee on behalf of the City of Farmington  
(Name of political subdivision)  
("Local Unit") and authorized to accept the Local Unit's surplus funds as defined in Michigan Public Act 367 of the Public Acts of 1982 ("Act").

2. That the Treasurer of the Local Unit be and hereby is authorized to enter into a trust agreement with the Bank providing for the investment of surplus funds in accordance with the Act.

3. That any agreements, authorizations or directions required to be signed or given in connection with the intent of this resolution may be signed or given by the Treasurer and/or any \_\_\_\_\_ of the following:  
(insert number, if any)

NAME	TITLE
<u>WINONA WOODS</u>	<u>TREASURER</u>
<u>ROBERT F. DEADMAN</u>	<u>CITY MANAGER</u>

whose signature(s) shall be duly certified to the Bank, and the Bank hereby is authorized to accept any surplus funds for investment in accordance with the Act and any agreement entered into between the Local Unit and Bank in connection therewith.

TO MANUFACTURERS NATIONAL BANK OF DETROIT

I, the undersigned, do hereby certify that I am the duly ~~signed~~ <sup>authorized,</sup> qualified and acting Clerk  
(Clerk-Secretary)

of the City Council  
(Name of legislative body)

of the City of Farmington, that the foregoing is a true and correct  
(Name of political subdivision)  
copy of resolutions duly adopted by said body at a duly convened meeting of said body held on the 16th day of July, 19 84, and that the same are in full force and effect as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand as City Clerk  
(Clerk-Secretary)

this 17th day of July, 19 84.

*Josephine M. Burshey*  
(Clerk-Secretary)

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, August 6, 1984, 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 Yoder.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, Acting Clerk Ugrin.

### MINUTES OF PREVIOUS MEETING

#### 8-84-180

Motion by Councilman Walker, supported by Councilman Tupper, to approve the minutes of the previous meeting of July 16, 1984, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 8-84-181

Motion by Councilman Bennett, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of July 23, 1984;  
Board of Zoning Appeals minutes of July 3, 1984;  
Employees' Retirement System Board of Trustees minutes of Special Meeting of July 11, 1984;  
Beautification Committee minutes of June 14, 1984;  
Farmington Area Commission on Aging minutes of July 24, 1984;  
Farmington Community Library minutes of July 12, 1984;  
Board of Education minutes of Special and Regular meetings of June 19, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### LETTER FROM RESIDENT RE: FOUNDERS FESTIVAL PARADE

The City Manager introduced a letter from Mrs. Frances Caldwell, Drakeshire Apartments, in which she listed several concerns relative to the Founders Festival Parade. Mrs. Caldwell particularly objected to the dignitaries leaving their vehicles at a point which left certain spectators unable to observe anything but empty cars.

#### 8-84-182

Motion by Councilman Bennett, supported by Councilman Tupper, to have the City Clerk respond to Mrs. Caldwell, indicating that City Council does not organize or control the Festival activities and will pass her comments on to the Festival Committee. Motion carried, all ayes.

LETTER FROM RESIDENT RE: ALLEY BEHIND  
VIOLET STREET

Council reviewed a letter from an unidentified resident on Violet Street in which he requested that residents should receive violations for not cleaning up their portion of the alley.

Manager Deadman stated that he and Director Billing checked the area and found no debris in the alley, only overgrown weeds.

Council requested that the City Manager write a letter to the residents in this area asking their cooperation in controlling the weed growth.

LETTER FROM UNITED STATES CONFERENCE OF  
MAYORS RE: NEEDS OF THE DISABLED AND ELDERLY

A letter from Hernan Padilla, President of the U. S. Conference of Mayors requested that Council give its full support to the promotion and fostering of greater opportunities for disabled citizens.

Manager Deadman pointed out that Council has already adopted a proclamation designating the period of 1983-1992 the Decade of Disabled Persons. He further suggested the reappointment of Gerald Horner as the city's liaison to the National Organization on Disability.

The City Manager also indicated that the city has instituted several programs in recognition of the needs of the handicapped and the elderly, including the installation of a barrier-free sidewalk system, a special transportation system, and the more recent city's proposal for exercise stations in the city park.

8-84-183

Motion by Councilman Bennett, supported by Councilman Hartsock, to reappoint Gerald Horner as the city's liaison to the National Organization on Disability for 1984-85. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

REQUEST FOR TAXICAB VEHICLE LICENSES

Manager Deadman advised that he has received a request from Arlene E. Clarke for three taxicab vehicle licenses. Both Mr. and Mrs. Clarke have been in the taxicab business for many years in the City of Detroit and in Redford Township. The Department of Public Safety conducted a background investigation and found that the applicants are qualified to hold a license in the City of Farmington.

The ABC Cab Company was established July 23, 1984 and is located in Redford Township. Mrs. Clarke is sole owner and Mr. Clarke will act as General Manager.

The City Manager reviewed the Ordinance provisions governing the number of cabs and taxicab companies which may operate in the City. He pointed out that currently eleven licenses are allocated to the

Suburban Cab Company and the Yellow & Red Cab Company of Livonia.

Council considered the merits of having more than one company operating in the city and pointed out that some competition between companies might result in a higher level service and better rates. It was also suggested that too many cabs operating in the city could result in none of the companies being successful and the residents being deprived of cab service.

8-84-184

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the issuance of two (2) Bond Plates for 1984 Taxicab Service in the City of Farmington to the ABC Cab Company, 18723 Olympia, Redford Township, Michigan; Robert Clarke, General Manager.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 6, 1984.

JOSEPHINE M. BUSHEY, CITY CLERK

PRE-APPLICATION FOR LAND & WATER  
CONSERVATION FUND ASSISTANCE

The City Manager reported that Farmington has received approval from the Michigan Department of Natural Resources on the Pre-application for Land and Water Conservation Fund assistance. The Screening Committee has recommended funding for park equipment (senior citizens), parking lot paving, baseball field development and picnic shelter construction. All of the city's requests have been met except the baseball field lighting and the purchase of about one-half acre of land.

Manager Deadman advised that since all communities recommended for funding are required to prepare and submit a full application to the Office of Budget and Federal Aid, presentation of the approved projects must be made at a public hearing for citizen input and discussion. The administration, therefore, recommended establishing a Public Hearing on August 20, 1984, at the regular Council meeting to fulfill the application requirements.

The following categories and costs incurred for this project are:

- | <u>Approved Project Categories</u>                                       |           |
|--|-----------|
| 1. Park Equipment<br>(Senior Citizen & Handicapped<br>Exercise Stations) | \$ 20,000 |

COUNCIL PROCEEDINGS -4-  
August 6, 1984

2. Parking Lot Paving	\$ 35,000
3. Baseball Field Redevelopment	25,000
4. Picnic Shelter Construction	<u>25,000</u>
TOTAL PROJECT	\$105,000*

\*(This project is a 50% matching fund program and the City of Farmington's share is \$52,500).

Manager Deadman pointed out that the city's original grant application included acquisition of approximately one-half acre of property located west of the property presently owned by the School District. He believes that the city should not go forward with plans to acquire this property as this land is not essential to the park system.

The City Manager suggested that Council may wish to reevaluate the need for providing a lighted ball field in Shiawassee Park until the City of Farmington Hills reaches a final decision concerning plans to construct lighted ball fields at the Harrison Senior High School.

Council was advised that the process of developing final designs and specifications for the park improvements is now ready to begin. It was further indicated that the city is ready to begin the project as soon as final approval is obtained from the Federal Government.

Motion by Councilman Hartsock, supported by Councilman Bennett, to establish a Public Hearing for August 20, 1984, at 8:00 p.m. to receive public input relative to the proposed improvements at Shiawassee Park. Motion carried, all ayes.

APPLICATION TO ADD STOCKHOLDER TO CLASS "C"  
LIQUOR LICENSE - CHARLIES PLACE

Council was advised that the Liquor Control Commission has received an application to add a stockholder to a Class "C" Liquor License held by Marilyn K. Williams (Mari-Pearl, Inc.) d.b.a. Charlies Place, 23619-23621 Farmington Road.

The application proposes to add Dennis George Page to the current license. The police investigative report, presented for Council review, indicated no objection to this addition.

8-84-185

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt a resolution indicating that the request from Dennis George Page to be added as a stockholder in a business at 23621 Farmington Road, Farmington, Michigan 48024, Oakland County, which has a Class C and SDM Liquor License with Entertainment permit be

COUNCIL PROCEEDINGS -5-  
August 6, 1984

considered for approval.

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

It is the consensus of this legislative body that the application be recommended for issuance.

RESOLUTION DECLARED ADOPTED AUGUST 6, 1984.

RECOMMENDATION TO REORGANIZE ADMINISTRATIVE  
STRUCTURE OF THE PUBLIC SERVICES DEPARTMENT

Manager Deadman proposed to change the Foreman's position in the Department of Public Services to Assistant to the Director, indicating that new duties would be added to this position. He advised that the city is seeking a person with a higher degree of education, training and experience than currently required in the Foreman's position. The starting salary for the new position would be \$25,100, with a 4-year progressive salary schedule including a top salary of \$28,250.

Council was advised that this would be considered an administrative position, and the person selected will not be entitled to overtime compensation, but will be entitled to all other fringe benefits provided the city's general employees.

8-84-186

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the termination of the current Foreman position in the Department of Public Services, and

BE IT FURTHER RESOLVED that Council hereby creates a new position in said Department entitled "Assistant to the Director of Public Services," with salary and fringe benefits as indicated in the City Manager's report.

RESOLUTION ADOPTED UNANIMOUSLY AUGUST 6, 1984.

CITY INVESTMENT PRACTICES

As requested by Council at the last regular Council meeting, the City Manager presented the Treasurer's report highlighting current investment procedures, recent investment earnings and her comments on the development of a periodic report. Manager Deadman stated that if Council wishes further discussion concerning the city's investments, both he and the Treasurer will arrange to meet with them to further review the subject.

COUNCIL PROCEEDINGS -6-  
August 6, 1984

ELECTION OF OFFICERS: MICHIGAN MUNICIPAL  
WORKERS COMPENSATION FUND

Manager Deadman advised that seven persons have been nominated for the Michigan Municipal Worker's Compensation Fund this year. Six of the nominees will serve a two-year term to expire September 30, 1986, and one will serve an unexpired term ending September 30, 1985.

The nominees represent a variety of cities of different sizes and locations as well as a township.

The City Manager recommended that Council authorize the City Clerk to vote on behalf of Council.

8-84-187

Motion by Councilman Bennett, supported by Councilman Tupper, to authorize the City Clerk to vote on Council's behalf for the slate of nominees presented for the Michigan Municipal Worker's Compensation Fund officers. Motion carried, all ayes.

PROPOSED INCREASE: ELECTION WORKERS  
COMPENSATION

Manager Deadman stated that in recent budget reviews, it was noted that based on the minimum hourly wage of \$3.35, election workers are compensated at a rate less than the minimum, especially when they work in excess of thirteen hours on election day. He proposed an increase of \$2.50 per day for Inspectors, an increase of \$5.00 per day for Precinct Chairman and an increase of \$3.00 per machine for automatic voting machine setup fees.

The City Manager pointed out that this would be the first increase for these individuals since 1980. He stated that the election workers' wages do not reflect the importance of the work and its worth to the community.

8-84-188

Motion by Councilman Walker, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves increases in the daily rates of Election Inspectors, Precinct Chairmen and machine setup personnel as follows:

Election Inspector:	From \$45.00	To	\$47.50 per day
Precinct Chairman:	From \$50.00	To	\$55.00 per day
Machine Setup Fee:	From \$15.00	To	\$18.00 per machine

BE IT FURTHER RESOLVED that these increases are effective immediately so as to be paid beginning with the Primary Election of August 7, 1984.

AYES: Walker, Yoder, Bennett, Hartsock, Tupper.

NAYS: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 6, 1984.

COUNCIL PROCEEDINGS -7-  
August 6, 1984

FINAL PAYMENT: COMBINED SEWER OVERFLOW  
RIVER CROSS-CONNECTION CORRECTION PROJECT

Manager Deadman advised Council that the Combined Sewer Overflow River Cross-Connection Correction Project has been completed by the contractor, DiNello Construction Company, in substantial compliance with the city's plans and specifications. The cleanup is also complete. The engineering firm and the administration is satisfied with the work done. The City Manager's office concurs with the engineer's recommendation to pay the requested final balance on the project.

8-84-189

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council approves final payment in the amount of \$6,334.10 to DiNello Construction Company, Sterling Heights, Michigan, for the Combined Sewer Overflow River Cross-Connection Correction Project, and

BE IT FURTHER RESOLVED that funds be provided from the Water and Sewer Capital Improvement Account.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 6, 1984.

CONTRACTOR PAYMENT: RAPHAEL STREET  
WATER MAIN

The City Manager advised that this project is well under way now. Most of the major water main has been installed, and the contractor, Michael Cross Excavating, Inc., has requested payment for work completed to date. Less a 10% retainage figure of \$1,705.80, the first authorized payment on this project is recommended to be \$15,352.20.

8-84-190

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes partial payment to Michael Cross Excavating, Inc., Southfield, Michigan, in the amount of \$15,352.20 for the Raphael Street Water Main, and

BE IT FURTHER RESOLVED that funds be provided from the Farmington School District and the City of Farmington Water & Sewer General Obligation Water Bond account.



COUNCIL PROCEEDINGS -8-  
August 6, 1984

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Walker, Yoder.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED AUGUST 6, 1984.

MISCELLANEOUS

There were no public comments.

Councilman Walker asked if the city incurred any outstanding obligations caused by damage done to underground watering systems, etc., during the sewer construction project. Manager Deadman stated that all legitimate complaints of damage caused by the contractor or the city will be replaced in kind. He pointed out that the video tape taken of the project area before any work was done will reveal any damages that pre-existed the project. He further stated that the city will need specific details relative to any damage claims.

PROGRESS REPORT: LITIGATION - 1982  
STATE PROPERTY ASSESSMENT FACTOR

Manager Deadman stated that Oakland County has advised that the Equalization suit against the Michigan State Tax Commission is now before the Michigan Supreme Court, and they are awaiting the Court's final decision.

The City Manager advised that when the State increased the assessed valuation by 6% in 1982, Council rolled back the taxes by 6%. He stated that no matter how the Supreme Court rules on the matter, the City will not have to pay any money back to the taxpayers as City Council decided not to collect the additional taxes.

Council will be advised when the State Supreme Court renders its decision.

DEPARTMENT OF PUBLIC SAFETY OPERATIONS  
REPORT: SIX MONTHS ENDED JUNE 30, 1984

8-84-191

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and file the Department of Public Safety Operations Report for the six months ended June 30, 1984. Motion carried, all ayes.

DEPARTMENT OF PUBLIC SERVICES QUARTERLY  
REPORT: APRIL THROUGH JUNE 1984

Councilman Walker asked if any of the local streets that are in rather poor condition will be repaired in the near future. The City Manager advised that it has been Council's policy to do whatever is necessary to keep the streets driveable. He pointed out that a simple base repair and overlay will not correct the situation in Chatham Hills because of ground water conditions.

COUNCIL PROCEEDINGS -9-  
August 6, 1984

Manager Deadman stated that Council will undoubtedly have some difficult decisions to make in future relative to the local street repair program.

8-84-192

Motion by Councilman Hartsock, supported by Councilman Bennett, to receive and file the Department of Public Services Quarterly Report of April 1 through June 31, 1984. Motion carried, all ayes.

WARRANT LIST

8-84-193

Motion by Councilman Tupper, supported by Councilman Walker; to approve the monthly bills for payment as submitted: General Fund \$20,747.12; Water & Sewer Fund \$1,722.50.

ROLL CALL

AYES:	Hartsock, Tupper, Walker, Yoder, Bennett.
NAYS:	None.
ABSENT:	None.

MOTION CARRIED.

ADJOURNMENT

The meeting was adjourned at 9:08 p.m.

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RALPH D. YODER, MAYOR

*Dorothy S. Ugren*  
DOROTHY UGREN, ACTING CLERK

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, August 20, 1984, 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 Pro-Tem Hartsock.

ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker.

ABSENT: Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Seifert, City Attorney Kelly, G. Horner, City Clerk Bushey.

MINUTES OF PREVIOUS MEETING

8-84-194

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the minutes of August 6, 1984, as printed. Motion carried, all ayes.

PUBLIC HEARING: TO REVIEW APPLICATION FOR LAND & WATER CONSERVATION FUNDS FOR IMPROVEMENTS TO SHIAWASSEE PARK

Manager Deadman advised that to comply with regulations established by the Michigan Department of Natural Resources, and to fulfill requirements of the federal application procedure, Council needs to adopt a resolution authorizing a full grant application to the D.N.R. for Land and Water Conservation Funds. He asked Mr. Horner to explain the project for improvements to Shiawassee Park which would include the following:

Park Equipment (Senior Citizens and handicapped exercise stations)	\$ 20,000
Parking Lot Paving	35,000
Baseball Field Redevelopment	25,000
Picnic Shelter Construction	<u>25,000</u>
*Total:	\$105,000

\*This is a 50% cost-sharing program. Farmington's share is \$52,500.

Mr. Horner stated that since the original plan included a lighted baseball diamond and the State of Michigan does not fund this type of project, both this item and the proposed purchase of a small piece of property to the east of the Rouge River have been dropped.

COUNCIL PROCEEDINGS -2-  
August 20, 1984

Manager Deadman stated that since the city intends to fund its portion of this project over a two-year period, it may be possible to fund the lighting for the women's softball diamond at a lesser price than the \$80,000.00 previously quoted if one of the new available lighting schemes is used. He reminded Council that they may wish to reevaluate the need to light the ball diamond after Farmington Hills decides whether or not to construct lighted ball fields at Harrison Sr. High School.

Mayor Pro-Tem Hartsock opened the Public Hearing for comments from the audience. There were nine people present.

There being no public comments, the Mayor Pro-Tem called for a motion to close the Hearing.

8-84-195

Motion by Councilman Bennett, supported by Councilman Tupper, to close the Public Hearing. Motion carried, all ayes.

8-84-196

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the full application for Land and Water Conservation funds intended to provide for the improvement of the City's recreation and park facilities, and

BE IT FURTHER RESOLVED that Council authorizes the Administration to submit the application to the Michigan Department of Natural Resources.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED AUGUST 20, 1984.

MINUTES OF OTHER BOARDS

8-84-197

Motion by Councilman Tupper, supported by Councilman Walker, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of August 13, 1984;  
Farmington Historical Commission minutes of July 18, 1984.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

LETTER OF RETIREMENT: CITY TREASURER

Manager Deadman presented to Council the City Treasurer's Letter of Retirement in which she stated that her last<sup>day</sup> of work will be September 28, 1984. Mrs. Woods stated that her sixteen years as Treasurer of the City of Farmington have been enjoyable, and she appreciates having worked under a most supportive and progressive City Council. She thanks the Administration and the Council for the many challenges and opportunities she was offered.

8-84-198

Motion by Councilman Bennett, supported by Councilman Walker, to accept, with regret, the Letter of Retirement of the City Treasurer and to extend to Mrs. Woods the best wishes of City Council as she retires. Motion carried, all ayes.

LETTER OF RESIGNATION: DIRECTOR OF  
PUBLIC SAFETY

Director Seifert's Letter of Resignation informed the Administration and City Council that he has accepted a new position with the City of Oak Park effective September 1, 1984. He thanked the Administration and Council for the opportunities and support given him during his four and one-half years with the City.

Mr. Seifert was commended by Council for the manner in which he has conducted the Department of Public Safety and for the way he has attracted the good will and confidence of the public.

8-84-199

Motion by Councilman Bennett, supported by Councilman Tupper, to accept with sincere and deep regret the resignation of Director of Public Safety G. Robert Seifert. Motion carried, all ayes.

NOTICE: TRANSFER OF KROGER COMPANY 1984-85  
SDM LICENSE

Council was notified by the Department of Commerce, Liquor Control Commission of an application from Timken Eagle Ltd. for transfer of the 1984-85 licensed business from The Kroger Company located at 37025 Grand River, Farmington, Michigan. The Specially Designated Merchant license permits the sale of beer and wine for consumption off the premises.

Manager Deadman stated that the transfer may not go through since The Kroger Company now plans to reopen the Farmington store.

No Council action is required.

REQUEST FOR OUTDOOR SALE PERMIT AND  
TEMPORARY SIGN PERMIT: FANTASTIC SAMS

Janice Wright and Delores Johnson, who are opening a beauty salon in mid-September on Orchard Lake Road and Ten Mile requested an outdoor sale permit and a temporary sign permit for their new business.

COUNCIL PROCEEDINGS -4-  
August 20, 1984

They request the temporary sale permit to sell hotdogs and cokes for 25¢ for a two- or three-day period during their Grand Opening. They also request permission to display a Grand Opening banner, and invite the Mayor for a ribbon-cutting ceremony.

City Council has previously granted permission to conduct outdoor sales for events such as this, and also granted permission to display outdoor banners during the Grand Openings of new businesses.

8-84-200

Motion by Councilman Walker, supported by Councilman Bennett, to grant a three-day permit to conduct an outdoor sale for Fantastic Sam's beauty salon Grand Opening, and further, to grant a temporary sign permit to install a banner on their building for a period not to exceed thirty days to advertise this Grand Opening. Motion carried. all ayes.

REQUEST FOR OUTDOOR SALES PERMIT:  
FRESH CATCH EXPRESS

Priscilla and Alan Toth requested Council's permission to conduct outdoor sales for a mobile seafood market called the FRESH CATCH EXPRESS. Mr. Toth stated that it is the first of its kind in the State of Michigan to be approved by the State Department of Agriculture. He advised that the seafood is flown in daily from New England and is usually marketed within twenty-four hours.

The Toths plan to be in the City of Farmington for a half-day every Thursday. They advised that they have permission from the owner of Warren's Corners at 23285 Farmington Road to park their truck on their parking lot weekly to market the fresh fish.

Manager Deadman advised that this business would qualify as an outside sale under the City Zoning Ordinance. It is not a peddler's business, as it would be operating out of a fixed location. He stated that currently, three other communities, Northville, Plymouth and Ann Arbor, have allowed this business to operate in parking lots.

The City Manager stated that the location selected is zoned C-2, advising that Council has the authority to grant a permit for outside sales on a temporary basis for periods not to exceed ten consecutive days. He advised that under the language of the ordinance, Council may grant permission to conduct an outside sale on a half-day per week basis for whatever time period deemed appropriate. He pointed out that Council has granted outside sale permits for unique cases such as Farmer's Markets.

Council was advised that all sorts of restrictions have been placed on this business by the Department of Agriculture to assure strictly fresh seafood. It is sold from a specialized truck built especially for this purpose. Mr. Toth stated that the fish is sealed in containers which are kept buried in ice which actually keeps it cooler than in traditional quality markets where the fish is kept on top of ice. This also eliminates any noise pollution that would be

caused by a motorized cooling unit.

Councilman Hartsock asked Mr. Toth how the people purchase the fish? He was shown a photograph and advised that purchasers step up to the rear of the truck and make their selections from insulated storage bins.

Councilman Bennett expressed his concern relative to the philosophy of something less than permanent about a store on wheels. He questioned the impact of this type of business on the community and in particular how it would affect the other merchants in town who have their roots here.

Councilman Tupper indicated that this type of business is highly accepted in Florida.

Councilman Walker could not reconcile the ten consecutive days ordinance requirement for an outside sales permit with the half-day per week requested by the Fresh Catch Express. Manager Deadman pointed out that this unique type of business was not envisioned when the ordinance was written.

Councilman Hartsock expressed concern relative to the traffic patterns as the Warren's Corners parking<sup>lot</sup> has two entrances and is located at a rather busy intersection. He also questioned the mobile market's impact on the community.

Mr. Toth suggested that Council check with one or more of the cities in which the Fresh Catch Express is presently operating to ascertain its impact on those communities.

Although the City Manager agreed with all that was said, he felt that the location selected was rather ideal as it is so centralized. The operation would lend uniqueness to the downtown area, perhaps give a reason for coming downtown to a location where people would then shop the other businesses. He pointed out that the question is whether or not Council would want any business on a permanent basis operating out of the back of a truck even though it could have some positive aspects.

There was a motion by Councilman Tupper that permission be granted, which motion died for lack of support.

Further discussion indicated that Council would require more time to evaluate the impact of this type of business on the community. It was their consensus that additional consideration and more information is needed.

8-84-202

Motion by Councilman Bennett, supported by Councilman Walker, that the matter of granting a permit to the Fresh Catch Express be tabled until the next regularly scheduled Council meeting. Motion carried, all ayes.

REQUEST FOR PROCLAMATION: CONSTITUTION WEEK

The Quakertown Chapter of the Daughters of the American Revolution requested a proclamation designating the week of September 17 - 23, 1984, as CONSTITUTION WEEK. This year marks the 197th anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention.

8-84-203

Motion by Councilman Bennett, supported by Councilman Tupper, to issue a proclamation designating the week of September 17 - 23, 1984, as CONSTITUTION WEEK in the City of Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

ADJUSTMENT OF TAXICAB RATES

Manager Deadman advised that the ABC Cab Company informed Council that their cabs are equipped with new electronic meters which allow for a one mile distance to be broken into smaller increments of 1/10 of a mile compared to the older mechanical meters which divide miles into 1/5 of a mile increments.

In order to allow the ABC Cab Company to use the new electronic meters, it will be necessary that Council adjusts the taxicab rates, by resolution.

Manager Deadman explained that the ordinance currently allows a charge of \$1.00 on the meter throw and an additional 20¢ per 1/5 mile and 20¢ for each 72 seconds of waiting time. The ABC Cab Company proposes to charge \$1.00 on the meter throw and 10¢ per 1/10 of a mile and 10¢ for each 36 seconds of waiting time. This could cost 10¢ more than the city's current rates if a person were to ride less than 1/5 of a mile. Based on the senior citizen taxicab program, there are few rides which encompass a distance of only 1/5 of a mile or less.

If Council believes that the ABC Cab Company should be allowed to use the modern electronic meters, the City Ordinance gives Council the authority to establish the necessary taxicab rates, by resolution.

8-84-204

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, Council has determined that mechanical taxicab meters are being replaced by electronic taxicab meters, and

WHEREAS, the electronic taxicab meter divides the distance traveled by the taxicab into smaller increments than the mechanical meter which results in charges that are different than those required by City Code, and



COUNCIL PROCEEDINGS -7-  
August 20, 1984

WHEREAS, the City Code authorizes City Council to change the rates to be charged and collected by taxicab services;

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council establishes the following rates and increments be charged and collected for services by taxicabs:

The first one-fifth (1/5) of a mile or fraction thereof, one dollar (\$1.00), and for each additional one-fifth (1/5) of a mile or fraction thereof, twenty cents (20¢). For each seventy-two (72) seconds of waiting time or fraction thereof, a charge may be made of twenty cents (20¢).

For the first one-tenth (1/10) of a mile or fraction thereof, one dollar (\$1.00), and for each additional one-tenth (1/10) of a mile or fraction thereof, ten cents (10¢). For each thirty-six (36) seconds of waiting time or fraction thereof, a charge may be made of ten cents (10¢).

All other provisions of Section 7.141 of the City Code shall apply.

ROLL CALL:

AYES: Tupper, Walker, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED AUGUST 20, 1984.

JOSEPHINE M. BUSHEY, CITY CLERK

BIDS: WOODEN STOCKADE FENCE REPLACEMENT

Manager Deadman advised that the City Clerk's office received bids for Wooden Stockade Fence Replacement on August 8, 1984, as follows:

FENCE SPECIALISTS 33035 Beechwood Westland, Mi. 48185	\$18,265
NEW HUDSON FENCE CO., INC. 44375 Grand River Novi, Mi. 48050	13,697
PROFESSIONAL FENCE SERVICES P. O. Box #1 Livonia, Mi. 48152	18,180 (Alternate Bid:14,814)

This fence is to replace the deteriorated wooden fence along Chesley Drive separating the Farmington Meadows Subdivision from the Chesley Drive Industrial Park.

COUNCIL PROCEEDINGS -8-  
August 20, 1984

The City Manager informed Council that each of the homeowners and business owners with adjacent property to this fence have been contacted and have approved a 50% cost-sharing plan between them for funding this project. Both the residents and the industrial property owners were informed that the city would receive bids on the project and bill them based on a lineal foot assessment for their share of the fence replacement cost.

Council was advised that the city plans to pay the contractor, then bill each of the property owners for their proportionate share of the total cost. Based on bids received, it has been determined that a fifty per cent share of the cost would be \$3.62 per lineal foot of property. Charges to the residential property owners will be approximately \$300.00 each. Corner lot homeowners will incur costs of approximately \$600.00, as they have more lineal footage along Chesley Drive.

The City Manager stated that he has written assurance from the business owners that they will pay 50% of the project, but there is no written agreement with the homeowners, however, although the twenty-four residents affected by the project were very responsive.

8-84-205

Motion by Councilman Tupper, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby accepts the low bid of New Hudson Fence Company, Inc., of Novi, Michigan, in the amount of \$13,697.00 for replacement of the Chesley Drive wooden stockage fence, and

BE IT FURTHER RESOLVED that this project will be funded by each of the homeowners and business owners with property adjacent to this fence, namely, a 50% cost-sharing plan between the said homeowners and business owners, and

FURTHER BE IT RESOLVED that in case any homeowner or business owner fails to pay their share of the fence cost, the City will be responsible for payment to New Hudson Fence Company, Inc., in accordance with the bid price.

ROLL CALL

AYES: Walker, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED AUGUST 20, 1984.

PURCHASE OF NEW PHOTOCOPIER

Manager Deadman advised that the 1984-85 budget provides for the purchase of a new photocopier to replace the Xerox 3107 which has served the city for the past seven years. It has experienced

COUNCIL PROCEEDINGS -9-  
August 20, 1984

considerable downtime during the past twelve months, however.

In lieu of the formal bid process, price quotations were obtained on the most highly rated equipment now available. The City Manager stated that because of the many different copiers on the market, this procedure was used to eliminate those brands which had not performed well in the evaluation by Product Information Network and DataPro Research. Price quotations were obtained from manufacturers whose models met, or exceeded, a 30-copy per minute copy speed. These quotations include the basic copier, a semi-automatic document feeder, sorter and stand.

The Mita, Cannon, and the Sharp copiers were demonstrated at City Hall for three-day trial periods, and the most favorable product was the Mita DC-312RE supplied by Diversified Business Products of Farmington Hills, Michigan. It was also determined that this supplier provides competent maintenance service, and that service contract costs cover all parts and labor on service calls during the day or evening. Based on a five-year projection, the purchase of a Mita DC-312-RE machine and service contract will be the lowest total cost package available to the city.

8-84-206

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby accepts the quotation of \$6,000.00 from Diversified Business Products, Farmington Hills, Michigan, for the purchase of one Mita DC-312RE photocopier, and

BE IT FURTHER RESOLVED that Council authorize the Administration to enter into a service contract with Diversified Business Products for service maintenance on the Mita photocopier at \$1,365.00 annually, and

FURTHER BE IT RESOLVED that funding be provided from the General Fund, City Clerk Capital Equipment account.

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED AUGUST 20, 1984.

PROPOSED TRAFFIC CONTROL ORDINANCE AMENDMENT: PROHIBITED PARKING - OAKLAND STREET

Council was advised that as a result of Director Seifert's review of existing "No Parking" provisions on Oakland Street west of Grand River, it was discovered that current parking restrictions were implemented in 1980.

COUNCIL PROCEEDINGS -10-  
August 20, 1984

There was a consensus of the residents on the south side of Oakland Street at that time that the prohibited on-street parking would be advantageous to them. The basic concern of the Public Safety Department was to provide a clear turning radius from Grand River onto westbound Oakland Street. Parking was, therefore, removed from Oakland Street from Grand River west to Cass.

To accommodate the residents without creating any additional safety problems, the Department now recommends permitting parking on the south side of Oakland at a point beginning 125 feet west from the southeast corner of Grand River. The proposed change will allow for a safe intersection at Grand River.

Since the Department is not recommending that the prohibited parking on the north side of Oakland be changed, there is sufficient roadway width on Oakland Street to accommodate two-way traffic even if cars are parked on the south side.

8-84-207

Motion by Councilman Walker, supported by Councilman Tupper, to introduce Ordinance C-518-84 restricting parking on Oakland Street. Motion carried, all ayes.

CONTRACTOR PAYMENT: RAPHAEL WATER MAIN

Manager Deadman stated that the contractor has requested second payment for work completed through August 13, 1984, on the Raphael Water Main Project. He expects that the project will be completed by the end of September.

The City Engineer advises that the contractor has installed the items requested for payment in accordance with plans and specifications.

Cost of work completed to date is:

Contract	\$31,854.00
Less retainage	(2,122.38)
Less Previous Payment	<u>(15,352.20)</u>
Authorized Payment	\$14,379.42

The City Manager concurred with the recommendation of the City Engineer, and suggested payment as requested.

8-84-208

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes a second payment to Michael Cross Excavating, Inc., Southfield, Michigan, in the amount of \$14,379.42 for work completed through August 13, 1984, on the Raphael Water Main Project, and

COUNCIL PROCEEDINGS -11-  
August 20, 1984

BE IT FURTHER RESOLVED that payment be made from the proceeds of the General Obligation Water Bonds and from the Farmington School District based on a previously approved cost-sharing formula.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED AUGUST 20, 1984.

RECOMMENDATION TO PARTICIPATE IN FEDERAL  
LAWSUIT: OAKLAND COUNTY VS. CITY OF DETROIT

Manager Deadman advised that Detroit is being sued by the Oakland County Drain Commissioner in an attempt to recover some of the damages resulting from improper management of the sewer services provided suburban communities. They are also asking various other communities that also receive sewer treatment services through the County system from the City of Detroit to join in the lawsuit.

A resolution has been provided by the County which proposes to share the cost of the lawsuit based on the flows through the sewer system. The City Manager estimates that Farmington's cost over the length of the lawsuit would probably be approximately \$2,000.00. He indicated that it will probably take three to four years for the suit to go through all of the appeals before reaching the Supreme Court.

Mr. Deadman pointed out that the suit seeks to acquire remedy of treble damages, the cost of attorneys fees and such further damage relief as the court deems just. He stated that as a participant in this lawsuit, Farmington would be responsible for its pro rata share of attorney fees and other costs and expenses for preparing, instituting and prosecuting the civil lawsuit.

The City Manager suggested that it is in Farmington's best interest to join in this lawsuit, as the city not only transmits sewage to Detroit through the county-operated Evergreen/Farmington System but also through its own system which is the Farmington Interceptor.

Attorney Kelly pointed out that paragraph 3 of the Participation Agreement, line 1, "Allen Park" should be changed to "Farmington".

8-84-209

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the resolution for the City of Farmington to join in the lawsuit, Oakland County vs. City of Detroit, and authorizing the City Manager to sign the Participation Agreement as corrected.

ROLL CALL

AYES: Tupper, Walker, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED AUGUST 20, 1984.

(Resolution and Agreement are attached to Official Minutes).

Miscellaneous Resolution No. 8-84-209

Date: August 21, 1984

By: Josephine M. Bushey, Farmington City Clerk

In Re: Authorization of Joining Civil Lawsuit

Motion by Councilman Bennett, supported by Councilman Tupper,  
to adopt the following resolution:

WHEREAS, the CITY OF FARMINGTON (FARMINGTON) operates a sewage disposal district, the Farmington District, for the disposal of sanitary sewage and storm water from the municipality served by that district; and

WHEREAS, FARMINGTON has entered into a contract with the City of Detroit for the disposal and treatment of the sewage flows originating within that sewage disposal district; and

WHEREAS, FARMINGTON is obligated by law to operate the above named sewage disposal district according to governing law, and pursuant to the terms of the contract to which FARMINGTON is a party; and

WHEREAS, pursuant to such contract, the City of Detroit has always and continues to pass through to FARMINGTON, a portion of the costs incurred by the City of Detroit in providing sewage treatment and disposal for the City of Detroit, the above named Sewage Disposal District, and other sewage disposal districts, including a portion of the costs for sludge and scum hauling and disposal; and

WHEREAS, certain individuals were indicted and convicted in the case of U.S. v Beckham, et al., No. 83-CR-60070, in the United States District Court for the Eastern District of Michigan, for participating in a conspiracy relating to the bribery of a public official employed by the Detroit Water and Sewage Department, and the letting of certain sludge and scum hauling and disposal contracts; and

WHEREAS, FARMINGTON is empowered to take all actions reasonable and necessary to protect the interests of FARMINGTON and the above named sewage disposal district;

NOW, THEREFORE, BE IT RESOLVED that FARMINGTON finds and declares that it is in the interest of FARMINGTON and the above-named sewage disposal district to approve and authorize, and hereby does approve and authorize the following:

1. Approval of (i) the joining in and prosecution of a civil lawsuit heretofore commenced in the U.S. District Court for the Eastern District of Michigan in the name of Oakland County with respect to its three sewage disposal districts, in the form identified and described by counsel on this date, for the recovery of damages and other appropriate relief from the City of Detroit and all other appropriate defendants for all past unlawful charges and conduct, and (ii) the filing and prosecution against any and all persons and entities, any and all claims and causes of action which may inure to the benefit of the municipality and which arise out of, or relate to, sewage treatment and disposal by the City of Detroit, and such ancillary lawsuits and other actions as counsel deems necessary or advisable in connection therewith;

2. Authorization of the payment by FARMINGTON of its pro rata share of attorney fees and other costs and expenses for preparing, instituting and prosecuting the civil lawsuit and other ancillary lawsuits and actions identified in Paragraph 1 hereof, including payment for services heretofore rendered in preparation for such litigation, to the extent such fees, costs, and expenses are approved and authorized by the agreement, attached hereto and by reference is made a part hereof, by and between FARMINGTON and OAKLAND.

3. Indemnification and holding harmless of all counsel and attorneys employed by such law firms against any and all claims, demands, liabilities of whatsoever kind or nature, judgments and defense costs, including attorney fees, which any counsel, including attorneys employed by such counsel, may incur in connection with or arising out of any lawsuit or other action which may be brought against them, as a result of the filing and/or prosecution of the lawsuits and other actions authorized hereby.

ROLL CALL VOTE:

AYES: Tupper, Walker, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED AUGUST 20, 1984.

JOSEPHINE M. BUSHEY, CITY CLERK





PARTICIPATION AGREEMENT

IT IS HEREBY AGREED by and between the CITY OF FARMINGTON (FARMINGTON) and George W. Kuhn, the Oakland County Drain Commissioner, for and on behalf of the COUNTY OF OAKLAND (OAKLAND) as signatories hereto that:

1. FARMINGTON does herewith agree and authorize OAKLAND to take all steps necessary for its addition as party plaintiff to Federal Civil Action No. 84-CV-1068-DT, that being County of Oakland, et al. v The City of Detroit, et al., and does further agree to provide counsel for plaintiff with all documents, records, information and assistance as may be necessary for the prosecution of this action.
2. FARMINGTON further agrees to share with OAKLAND and other parties plaintiff, to the extent of its pro rata percentage of \_\_\_\_ %, in all costs incurred in the prosecution of the above-named action, including but not limited to: Court costs, transcription fees, expert witness fees, materials fees, equipment fees and attorney fees, with the understanding that FARMINGTON is liable for that assigned share notwithstanding the verdict.
3. That as consideration for this agreement and participation, FARMINGTON, shall receive as its pro rata share \_\_\_\_% of any and all damages awards as a result of the successful termination of the above-named action.

IN WITNESS WHEREOF, the parties hereto have set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 1984.

\_\_\_\_\_  
FOR FARMINGTON

\_\_\_\_\_  
GEORGE W. KUHN, for and on behalf of  
OAKLAND COUNTY

COUNCIL PROCEEDINGS -12-  
August 20, 1984

MISCELLANEOUS

PUBLIC COMMENT

Arnold Campbell, 21080 Birchwood, expressed his thanks to Director Seifert for the manner in which he ran the Public Safety Department during his tenure. On behalf of the Farmington Meadows Homeowners Association, Mr. Campbell also expressed his thanks for the Department's fire protection over the years. He further expressed his appreciation to Manager Deadman and to Mr. Horner for their assistance with the Chesley Drive fence issue.

Councilman Bennett requested the Chair for permission to propose a motion. Permission was granted.

8-84-210

Motion by Councilman Bennett, supported by Councilman Tupper, that the Farmington City Council offer to Patricia K. Cantrell, the City Treasurer's position at an annual salary of \$33,610.00 to begin within thirty days.

ROLL CALL

AYES: Walker, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: Yoder.

MOTION CARRIED.

The Mayor Pro-Tem pointed out that Council has known for sometime that City Treasurer Woods will be retiring soon, and they thought it important to find a replacement before she leaves to facilitate a smooth transition.

FINANCIAL REPORTS: TWELVE MONTHS ENDED  
JUNE 30, 1984

8-84-211

Motion by Councilman Walker, supported by Councilman Tupper, to receive and file the General Fund and 47th District Court Financial Reports for the twelve months ended June 30, 1984, and the Water & Sewer Financial Report for the Quarter ended June 30, 1984. Motion carried, all ayes.

WARRANT LIST

8-84-212

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the monthly bills for payment as submitted: General Fund \$26,446.51; Water & Sewer Fund \$1,770.38.

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: Yoder.

MOTION CARRIED.

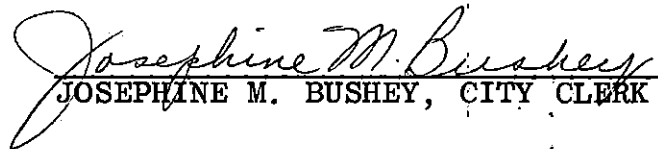
COUNCIL PROCEEDINGS -13-  
August 20, 1984

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Bennett, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:37 p.m.

  
WILLIAM S. HARTSOCK, MAYOR PRO-TEM

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Tuesday, September 4, 1984, 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 8:02 p.m. by Mayor Pro-Tem Hartsock.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker.

ABSENT: Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, Deputy Director Lauhoff, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 9-84-213

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the minutes of the previous meeting of August 20, 1984, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 9-84-214

Motion by Councilman Tupper, supported by Councilman Walker, to receive and/or file the minutes of the following Boards:

Board of Zoning Appeals minutes of August 1, 1984;  
Economic Development Corporation minutes of August 15, 1984;  
Board of Education minutes of August 7, 1984.

Motion carried, all ayes.

The City Manager advised Council that the Mayor must appoint two additional directors to the new Economic Development District, which is the old Farmington Lumber Project.

### PETITIONS AND COMMUNICATIONS

#### TABLED REQUEST OF ALAN AND PRISCILLA TOTH TO OPERATE OUTSIDE SALE AT 23285 FARMINGTON RD.

At the last regular meeting, the City Council considered the Toth request concerning the operation of the FRESH CATCH EXPRESS in the Warren's Corners parking lot at 23285 Farmington Road.

The City Manager stated that if Council wishes to permit the sale of fish from a truck parked in the lot for a half day weekly, a motion would be necessary stating that the business may operate at the location stated, on a particular day of the week and during those times approved.

Manager Deadman advised that he had visited the parking lot in

COUNCIL PROCEEDINGS -2-  
September 4, 1984

Northville where the mobile seafood market operates, stating that the lot was extremely small.

Councilman Bennett stated that he had observed the operation also and still had reservations concerning whether or not a mobile business of this type would add anything to the community. Councilman Walker agreed.

9-84-215

Motion by Councilman Walker, supported by Councilman Tupper, to deny the request of Mr. and Mrs. Toth to operate the mobile FRESH CATCH EXPRESS out of the parking lot at 23285 Farmington Road. Motion carried, all ayes.

REQUEST FOR FENCE VARIANCE: FRANKLIN HIXSON  
23235 FLORAL

Manager Deadman advised that Mr. and Mrs. Hixson have installed a three-foot split rail fence in front of their front building line, along their side and front yard in violation of the City Code. He pointed out that Title 9, Chapter 85, Section 8.203 of the Code states that no fence shall extend toward the street beyond the front building line except by special permit issued by City Council. He stated that the Hixsons request a special permit to leave the fence in place. Pictures were provided for Council review.

A letter from Barbara A. Springman, 23249 Floral, was submitted to Council in which Ms. Springman stated that she objects to the fence on the following grounds:

1. It may partially be located on her property line.
2. It is located very near to her driveway, and could be hit relatively easily while backing her car out of her driveway.

Ms. Springman also expressed concern that future residents of her home could have more difficulties if they own a medium or large sized car.

The Hixsons, who were present in the audience, stated that they had spoken to Ms. Springman before installing the fence and she voiced no objection at that time or when the fence was being built. They presented to Council letters from some of their neighbors who have no objections to the fence. Councilman Bennett asked that the names and addresses of these individuals be noted in the record, as follows:

James K. Mitchell, 23211 Floral  
Guy E. McMahon, 23194 Floral  
Andrew Kirtos, 23212 Floral  
Harry and Delores Kansman, 23258 Floral  
David and Debra Dean, 23234 Floral  
Timothy M. Howell, 23182 Floral  
Ronald and Lynn Maloney, 23189 Floral

COUNCIL PROCEEDINGS -3-  
September 4, 1984

Manager Deadman stated that the photographs seem to show that the fence is on the public right-of-way, which is one foot behind the sidewalk. He pointed out that if this is true, the City would be liable if anyone were to run into the fence on a bicycle.

Councilman Hartsock pointed out that a resident along Grand River recently asked for a similar fence permit which was denied by Council. He pointed out that except in cases which pose hardship of some type, Council has traditionally upheld the ordinance.

Councilman Walker noted that from the pictures submitted, it appears that the fence is very close to the driveway.

9-84-216

Motion by Councilman Bennett, supported by Councilman Walker, to table the Hixsons request for fence variance until the next regular Council meeting. Motion carried, all ayes.

Manager Deadman will confirm whether or not the fence is on the public right-of-way before the next Council meeting.

REQUEST FOR BLOCK PARTY: BIRCHWOOD STREET

On behalf of the residents of Birchwood Street, James Abernethy requested that Council permit the street to be closed between Flanders and Annewood on Sunday, September 16, 1984, between 2:00 p.m. and 7:00 p.m. for their third annual Block Party.

Manager Deadman recommended the street closing as requested, and further suggested that Council permit the use of city barricades and warning devices.

9-84-217

Motion by Councilman Bennett, supported by Councilman Tupper, to grant permission to close Birchwood Street from Flanders to Annewood on September 16, 1984, between 2:00 p.m. and 7:00 p.m. for the residents annual Block Party, using DPW barricades and warning devices. Motion carried, all ayes.

REQUEST FROM FARMINGTON HILLS PARKS &  
RECREATION TO APPOINT ADVISORY COM-  
MITTEE REPRESENTATIVE

A letter from Dennis Fitzgerald, Chairman of Farmington Hills Parks and Recreation Commission states that Farmington Hills is seeking to purchase the Spicer property which contains 212 acres of open space northwest of Farmington Road and Ten Mile. He advised that the purchase is being funded in part from a Michigan Land Trust Fund. In order to recommend to the Farmington Hills City Council a plan for the use and development of the property, the Commission is forming a citizens advisory committee. Mr. Fitzgerald invites the City of Farmington to appoint a representative on the committee.

COUNCIL PROCEEDINGS -4-  
September 4, 1984

Manager Deadman stated that the development of the Spicer property will have future impact on the City of Farmington, because the residents will use the facilities of the park and major roads leading to the property from the south and east, also serve the City.

Jack Cotton was suggested, as he spent his life in the field of Recreation. The City Manager will contact Mr. Cotton before the next Council meeting.

9-84-218

Motion by Councilman Bennett, supported by Councilman Tupper, to table the matter of the appointment to the citizens advisory committee until the next regular meeting. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

APPOINTMENT: DIRECTOR OF PUBLIC SAFETY

Manager Deadman stated that he wished to present the appointment of Frank J. Lauhoff as the Director of Public Safety to City Council for confirmation. He advised that Mr. Lauhoff has been employed in the Department of Public Safety since July of 1974, advancing through the ranks to his current position of Deputy Director. Mr. Lauhoff was promoted to the rank of Commander in 1978, and became Deputy Director in January, 1982. He is currently working on a Bachelor of Science degree in the field of Criminal Justice, and has participated in numerous special training courses including managerial courses offered by universities and colleges in the area.

The City Manager referred to Mr. Lauhoff as an outstanding officer, well versed in the operation of the Department. He feels that Mr. Lauhoff has the skills and experience that are required for someone selected as a Director of Public Safety.

9-84-219

Motion by Councilman Tupper, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby confirms the appointment of Frank J. Lauhoff as Director of Public Safety, at a starting salary of \$35,835.00, effective immediately.

AYES: 4  
NAYS: None.  
ABSENT: 1 (Yoder).

RESOLUTION DECLARED ADOPTED SEPTEMBER 4, 1984.

Councilman Bennett asked about the status of filling the ranks in the Department. He was advised that it will probably be around April of next year before the Deputy Director's position is filled, as there are certain requirements that must be met as each officer moves through the ranks.

FARMINGTON COMMUNITY LIBRARY REQUEST FOR  
FUNDS: DRIVEWAY IMPROVEMENTS

Manager Deadman advised that he has received a request from both the City of Farmington Hills and the Farmington Community Library to share in the cost of building a new driveway to service the library facility on Twelve Mile Road and adjacent property owners. He submitted for Council's review a letter from the Library Director, a report from the City Manager of Farmington Hills describing the agreements reached with private property owners relating to the construction of the proposed new driveway to be located on the east side of the library. The new driveway will service the land to the rear of the library and the post office as well as the library property.

Negotiations with the developer of the property to the rear of the library determined that it was in the best interest of all parties that a new driveway approach with signalized control be constructed to service the parcels.

Total estimated cost of the driveway portion which would service the library property and the post office is \$62,532.00. The contractor has agreed to pick up 50% of the cost of that portion of the driveway adjacent to the library and post office, if the library funds the other half. The developer would finance the remaining cost of constructing the driveway, including the cost of building a new bridge over a creek located to the rear of the library property.

The developer would allow the library to exit through his property into the Alexander Hamilton property.

The City of Farmington Hills has agreed to finance their proportionate share of the library's cost of constructing the new driveway. They request the City of Farmington to fund its share on the same cost-sharing basis that is used to finance the library's operational budget, or \$4,250.00.

9-84-220

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby appropriates \$4,250.00 to the Farmington Community Library to pay a portion of the Library's share of the cost of a new driveway approach at the Twelve Mile Road Branch, and

BE IT FURTHER RESOLVED that funds be provided from the Contingency Fund of the 1984-85 General Fund Budget.

AYES: Hartsock, Tupper, Walker, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 4, 1984.



AUTHORIZATION TO PARTICIPATE IN OAKLAND  
COUNTY COMMUNITY DEVELOPMENT PROGRAM

Council was advised that the Oakland County Department of Community Development has notified the city of its option to continue participating in the county's Community Development Program or to participate in the State of Michigan Small Cities Program. They indicated that the choice, once made, is for a three-year period.

Manager Deadman stated that after reviewing the benefits and requirements of both programs, it continues to be in the best interest of the City of Farmington to again participate in the County's program. This will assure that Farmington will receive Community Development funding, whereas, under the Small Cities Program, we can only compete for funding.

If the City wishes to be included in their program, the County must be notified in writing by September 14, 1984. The Agreement would cover the period of January 1, 1985 through December 31, 1987.

9-84-221

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to execute the Cooperative Agreement between the City and the County of Oakland to participate in the Oakland County Community Development Program during the period beginning January 1, 1985 through December 31, 1987.

AYES: 4  
NAYS: None.  
ABSENT: 1 (Yoder).

RESOLUTION ADOPTED UNANIMOUSLY.

PROPOSED IMPROVEMENTS TO ORCHARD LAKE ROAD  
FROM FREEDOM ROAD TO GRAND RIVER

Council was advised that Oakland County plans to improve Orchard Lake Road from Freedom Road north to Grand River. The improvements include widening at each of the intersections and improvements to the signalization at a cost of \$106,640.45.

Manager Deadman stated that no financial participation is being requested from the City of Farmington, although one of the legs of the Grand River/Orchard Lake/Nine Mile Road intersection is geographically located in Farmington. The local share will be paid by Oakland County and the City of Farmington Hills.

COUNCIL PROCEEDINGS -7-  
September 4, 1984

9-84-222

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the City Manager to enter into a contract with the Michigan Department of Transportation, the Oakland County Road Commission and the City of Farmington Hills, to widen and resurface all four legs of the Freedom Road/Orchard Lake Road intersection, and to provide for a center left-turn lane from Orchard Lake to Grand River, and

BE IT FURTHER RESOLVED that funds be provided by other parties to the contract.

AYES: 4  
NAYS: None.  
ABSENT: 1 (Yoder).

RESOLUTION DECLARED ADOPTED SEPTEMBER 4, 1984.

CONTRACTOR PAYMENT: REPAIR OF  
CITY HALL OVERHANG

Manager Deadman advised that repairs to the overhang on the east side of City Hall have now been completed. He stated that on the basis of the lowest labor and equipment cost proposal, the Gleeson Company of New Hudson, Michigan, was awarded the contract on a time and material basis.

The final repair included rebuilding the parapet wall which originally held the overhang. Now, the overhang is affixed to the building at the top with steel anchors supported by several courses of block, which should result in no further problems.

The project was completed at a lower cost than originally anticipated, as city crews worked with the contractor. The exterior finish on the face of the overhang was saved, thereby, eliminating the cost of refinishing. Upon completion of the work by the contractor, DPW crews applied new roofing material on the top and west side of the overhang.

The City Manager stated that his office was involved in the project on a day-to-day basis, and can certify that the hours worked, the equipment used and the materials purchased as requested by the contractor are accurate. He, therefore, recommended payment in the amount of \$5,627.48 to the Gleeson Company of New Hudson, Michigan.

9-84-223

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves payment of \$5,627.48 to the Gleeson Company, New Hudson, Michigan,

COUNCIL PROCEEDINGS -8-  
September 4, 1984

for repair of the City Hall overhang on the east side of the building, and

BE IT FURTHER RESOLVED that funds be provided from the Building and Grounds account, General Fund Budget.

AYES: Tupper, Walker, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 4, 1984.

SPECIAL WORK SESSION WITH COUNCIL

Manager Deadman stated that he would appreciate the opportunity to review with Council at a Work Session the city's business regulation ordinances and the community's local road replacement policies.

Mr. Deadman believes it is now possible to fund local road repair programs with revenues carried over from the previous year. He pointed out that such repairs have not been funded for the past two years. He would like to discuss with Council priorities of local streets to be repaired and the city's local road policies on sharing expenses incurred when major repairs are done to local roads.

Council agreed to establish a special work session to discuss these matters on Wednesday, October 10, 1984, at 7:00 p.m.

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard of Shiawassee Street again mentioned the noise caused by cars running over the manhole across from her house. Director of Public Services Billing stated that in order for the problem to be alleviated he will have to pull out the road and put in a new structure.

Manager Deadman advised that the cleanup on the Old Town Drain is in process, and the contractor should complete the project by next week.

Council was advised that some of the trees in the city are infested with caterpillars and residents have been calling in expressing concern that they are the gypsy moth. Director Billing stated that they are fall tentworms due to the exceptionally dry summer weather.

Councilman Walker asked for an update on the Bootleggers' court case. Manager Deadman advised that the City went to Court last Friday and the Ingham County Judge assigned to the case has decided to hear the case on the briefs filed. His decision is expected in about sixty days. Neighbors in the area state that their street is much quieter as business at the bar is down.

COUNCIL PROCEEDINGS - 9 -  
September 4, 1984

Manager Deadman advised that he will not be at the next Council meeting, as he will be on vacation. He also stated that a new administrative assistant was hired this week.

APPOINTMENT: FARMINGTON AREA  
ARTS COMMISSION

Council was informed that O. Herbert Henry's term on the Farmington Area Arts Commission expired last month. Manager Deadman stated that he contacted Mr. Henry, who indicated he would be willing to serve another term, if Council wishes him to continue on the Commission.

9-84-224

Motion by Councilman Walker, supported by Councilman Bennett, to appoint O. Herbert Henry for another three-year term on the Farmington Area Arts Commission which will expire in August of 1987. Motion carried, all ayes.

PUBLIC HEARING: CABLE TV FRANCHISE AMEND-  
MENTS AND PROPOSED RATE INCREASE

Manager Deadman stated that the Southwestern Oakland Cable Commission will hold a Public Hearing on September 11, 1984, at 7:30 p.m. in the City of Farmington Council Chambers. The purpose of the Hearing is to review a proposed rate increase and several proposed amendments to the current franchise agreement. He indicated that if any Council member is available to attend this meeting they will receive a current update concerning the proposed amendments and the reason for the proposed rate increase.

Mr. Deadman pointed out that Council has sixty days to act on proposed rate increases. If Council takes no action within that time, the cable operator may institute the rate increase as recommended by the Commission. He will provide Council with further details after the Cable Commission has acted.

RESOLUTIONS AND ORDINANCES

9-84-225

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following ordinance:

ORDINANCE NO. C-518-84

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Orders issued by the Chief of Police of the City of Farmington and dated February 4, 1972, are hereby amended as follows: CHAPTER 5 -"REGULATIONS PROHIBITING PARKING AT ANY TIME," Section 5.7, as provided for in Section 2.53 of the

COUNCIL PROCEEDINGS -10-  
September 4, 1984

Uniform Traffic Code for Cities, Townships and Villages.

CHAPTER 5 - REGULATIONS PROHIBITING PARKING  
AT ANY TIME

Section 5.7 - Oakland Street

DELETE from Subsection (c):

"South side of Oakland, west from  
Grand River to Cass."

ADD THE FOLLOWING:

(d) South side of Oakland Street 125 feet  
west from Grand River.

This ordinance was introduced at a regular meeting of the Farmington City Council on August 20, 1984, was adopted and enacted at the next regular meeting on September 4, 1984, and will become effective ten (10) days after publication.

AYES: Walker, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: Yoder.

WARRANT LIST:  
9-84-226

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the monthly bills for payment as submitted: General Fund \$19,279.50; Water & Sewer Fund \$6,148.43.

ROLL CALL


AYES: Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: Yoder.

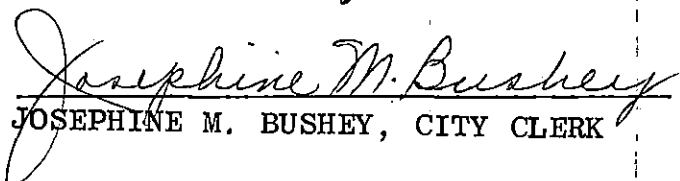
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Bennett, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:05 p.m.

  
WILLIAM S. HARTSOCK, MAYOR PRO-TEM

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, September 17, 1984, 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 Pro-Tem Hartsock.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker.

ABSENT: Mayor Yoder.

OTHERS PRESENT: Director Billing, Director Lauhoff, City Clerk Bushey, Administrative Assistant Schultz.

### MINUTES OF PREVIOUS MEETING

9-84-227

Motion by Councilman Tupper, supported by Councilman Walker, to approve the minutes of the previous meeting of September 4, 1984, as submitted. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

9-84-228

Motion by Councilman Bennett, supported by Councilman Walker, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of September 10, 1984;  
Beautification Committee minutes of July 25, 1984;  
Farmington Community Library minutes of August 9, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### TABLED REQUEST FOR FENCE VARIANCE AT 23235 FLORAL: FRANKLIN HIXSON

At the last regular meeting, City Council considered Mr. Hixson's request for a fence variance but postponed their decision pending the results of an investigation of the fence site concerning whether or not the fence is on the public right-of-way. If this is the case, Council maintained that the City could be held liable for any hazards that could be caused by the fence.

The Building Department's review of the position of the existing fence revealed that the front line of the fence is indeed located on the public right-of-way next to the sidewalk. The Department could not, however, assure Council that the fence is located on the owner's property along the side lot line, although it appears that along the side lot line in front of the building the fence is not infringing on the neighboring properties.

COUNCIL PROCEEDINGS -2-  
September 17, 1984

The City Manager's report indicated that it is very difficult to grant an exception to the fence ordinance for the purpose of aesthetic appeal and at the same time maintain some continuity concerning fence locations throughout the community.

It was the consensus of the Council members present that the ordinance should be adhered to.

9-84-229

Motion by Councilman Walker, supported by Councilman Tupper, that the request for fence variance at 23235 Floral which would allow the three foot split rail fence to remain in place be denied. Motion carried, all ayes.

Although Council indicated that there was no particular urgency for the removal of the fence, Mr. Hixson stated that he would see that it is taken down by the coming weekend.

REQUEST FOR PROCLAMATION:  
LEAGUE OF WOMEN VOTERS

Council considered a request from Julie Shier, West Bloomfield/Farmington League of Women Voters, for a proclamation designating September as LEAGUE OF WOMEN VOTERS MONTH in Farmington.

9-84-230

Motion by Councilman Bennett, supported by Councilman Tupper, to proclaim the month of September, 1984, as LEAGUE OF WOMEN VOTERS MONTH in Farmington. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

RATIFICATION OF THREE-YEAR CONTRACT WITH  
PUBLIC SAFETY OFFICERS ASSOCIATION

The City Manager's report stated that as a result of negotiations, the bargaining teams of the Public Safety Officers Association and the City have agreed on terms and provisions of a new three-year contract for the period beginning July 1, 1984, through June 30, 1987. The report summarized new provisions of the contract having economic impact as follows:

An increase over current SALARY in the amount of 4% effective January 1, 1985; 2.5% January 1, 1986 and 5.75% January 1, 1987.

Changes in RETIREMENT benefits concerning eligibility, age 50 with 25 years of service. Final average salary is changed to the best three of the last five years of service. Amount to be received to age 62, or earliest age a retiree is eligible for social security retirement benefits is 2% x Final Average Salary x years of service. After age 62, retiree retirement benefits shall be reduced to 1.7% x FAS x years of service.

The WORK SCHEDULE establishes more permanent shifts. New shift

COUNCIL PROCEEDINGS -3-  
September 17, 1984

arrangements will permit officers to remain on the same shift for an 18-week period.

The new FUNERAL LEAVE is one day for close relatives.

SICK LEAVE was reduced from 12 days to 10 days per year. The maximum employee sick leave bank was increased from 120 days to 150 days.

COST-OF-LIVING benefits were removed.

FIRE CALLBACK PAY was reduced from three hours at time and one-half to two hours at time and one-half.

Among non-economic changes in the contract are a change in representation for the bargaining unit, worker's compensation provisions, and the strengthening of management rights.

The City Manager's report indicated that the proposed contract will increase total current personnel costs by approximately \$86,000.00 at the end of the three-year contract. This is a 9.3% increase over current costs, or an average increase of 3.1% per year over the term of the contract.

9-84-231

Motion by Councilman Walker, supported by Councilman Bennett, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby ratifies the new three-year agreement for the Public Safety Officers Association, effective July 1, 1984 through June 30, 1987, and

BE IT FURTHER RESOLVED that Council authorizes the City Manager to sign the agreement on behalf of the City.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 17, 1984.

FINAL CONTRACTOR PAYMENT:  
DRAKE ROAD SIDEWALK

Council was advised that the contractor has completed the Drake Road Sidewalk Program, and City Engineers have presented a final cost estimate in which they recommend release of the 5% retainage in the amount of \$924.62.

Manager Deadman's report indicated that the city has received all the necessary documentation from the contractor, including Contractor's Affidavit, Declaration, Maintenance and Guarantee Bond and Release of Surety.



COUNCIL PROCEEDINGS -4-  
September 17, 1984

The City Manager's office concurs with the City Engineers' recommendation and suggests that Council authorize final payment as requested, as the project has been completed in accordance with the bid specifications.

9-84-232

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes final payment of \$924.62 to Italia Construction, Inc., Sterling Heights, Michigan, which represents release of the 4% retainage on the Drake Road Sidewalk Program, and

BE IT FURTHER RESOLVED that funds be provided from the 1984 Community Development Program.

ROLL CALL

AYES: Tupper, Walker, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 17, 1984.

AUTHORIZATION TO REPAIR SAXONY STREET

The City Manager's report advised Council that a section of Saxony Street in the Chatham Hills Subdivision has experienced serious base failure. As a section of this road is unsafe, the Department of Public Services has barricaded the unsafe portion, and Director Billing requests authorization to secure a contractor for the road's immediate repair. Due to the emergency nature of the problem, Mr. Billing has obtained three quotations from contractors who have previously done work for the City. He advised that the existing concrete will be removed, new base material will be installed by the City; then the contractor will replace the concrete.

Manager Deadman's report indicated that the roads in Chatham Hills have an ongoing problem of base failure because of the high ground water conditions, which in combination with water from individual home sump pumps tends to wash out the sand base from under the roads. Although emergency repairs have been previously made in this subdivision, this particular repair is larger than past repairs.

The Manager stated in his report that it is in the best interest of the city to waive the normal bid process and accept the low quotation from the following contractors:

GAGLIO BROTHERS	\$21.00/sq. yd.	\$4,819.50
MC CARTHY PAVING CO.	23.00/sq. yd.	5,278.50
L. W. PETERS, INC.	36.54/sq. yd.	8,385.93

COUNCIL PROCEEDINGS -5-  
September 17, 1984

Manager Deadman estimates that it will be necessary to remove and replace approximately 228.5 sq. yds. of concrete on Saxony Street.

Councilman Bennett asked Director Billing what is being done to solve the washout problem in this area. Mr. Billing stated that a new edge drain will have to be installed, and connecting the sump pumps to the new edge drain should take care of the problem.

9-84-233

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby waives the normal bidding process as being in the best interest of the city, and authorizes a contract with Gaglio Brothers Cement Contractors, Southgate, Michigan, in the amount of \$4,819.50 for concrete removal and replacement on Saxony Street, Chatham Hills Subdivision, and

BE IT FURTHER RESOLVED that funds be provided from the 1984-85 Local Street Highway Account.

ROLL CALL

AYES: Walker, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 17, 1984.

BID: VACUUM LEAF COLLECTOR

Council was advised that bids were received on September 11, 1984, at 11:00 a.m. for a Vacuum Leaf Collector, with results as follows:

	<u>Giant VAC</u> <u>#6800-TR20</u>	<u>American Road</u> <u>#ARM-20 LC</u>
Miller Equipment Co. Livonia, Mi.	\$17,545.00	\$16,990.00

The Manager's report indicated that although invitations to bid were sent to all known equipment suppliers in the area, it appears that the two machines bid by Miller Equipment are the only vacuum leaf collectors equipped with a leaf-container type trailer distributed and serviced in the Detroit metropolitan area. The design of this machine incorporates a leaf vacuum mounted on a closed-in trailer with a capacity to hold 20 cubic yards of leaves. The trailer may be pulled either by a small truck or by a utility tractor.

Director Billing advised that the American Road Vacuum Leaf Collector is presently in use by the Cities of Grosse Pointe Shores and Grosse Pointe Woods both of which report good results.

The trucks presently used in the leaf collection program must be run in low gear for several weeks during the process, which has resulted

COUNCIL PROCEEDINGS -6-  
September 17, 1984

in the necessity of replacing one or more of the automatic transmissions. The new equipment will be pulled by a tractor which is designed for slow operation. By using the tractor instead of a truck, a saving of between \$2,500.00 to \$4,000.00 in transmission repairs can be hopefully realized each year.

9-84-234

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby accepts the low bid of Miller Equipment Company, Livonia, Michigan, for one American Road Machine, Model No. ARM-20 LC, in the amount of \$16,990.00, and

BE IT FURTHER RESOLVED that funds be provided from the 1984-85 General Fund Budget.

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED SEPTEMBER 17, 1984.

MISCELLANEOUS

PUBLIC COMMENT

There were no public comments.

Director Billing advised Council that the construction of the fence on Chesley Drive has begun. Councilman Walker asked how the residents in the area would pay their portion of this fence. He was advised that the City has already billed the residents involved in the project.

CITY REPRESENTATIVE TO CITY OF FARMINGTON  
HILLS SPICER PROPERTY DEVELOPMENT COMMITTEE

As requested by Council at the last regular meeting, the City Manager contacted Jack Cotton, 33318 Oakland Street, to determine if he would be willing to serve as the city's representative on the Blue Ribbon Citizens Advisory Committee for planning to develop the Spicer property. Mr. Cotton advised that he would be pleased to serve in this capacity if Council were to appoint him.

Manager Deadman's report stated that he believes Mr. Cotton would be an excellent representative on this committee as he has participated in the development of physical education and recreational activities for most of his adult life. Mr. Cotton has also served on the City of Farmington's Recreational Needs Study Committee, and has been instrumental in developing most of the Farmington School System's recreational facilities, thus giving him a varied background in the recreational field.

COUNCIL PROCEEDINGS -7-  
September 17, 1984

9-84-235

Motion by Councilman Walker, supported by Councilman Tupper, to appoint Jack Cotton, 33318 Oakland Street, as Farmington's representative on the Blue Ribbon Citizens Advisory Committee to aid in planning for the development of the Spicer property in the City of Farmington Hills. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

BANK MASTER DEPOSITORY AND  
FACSIMILE SIGNATURES RESOLUTIONS

9-84-236

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the name of PATSY K. CANTRELL be added to the National Bank of Detroit Master Depository Account, the Time and Savings Deposit Account, and the Negotiable Certificates of Deposit and Facsimile Signatures bank resolutions; and the name of WINONA WOODS be removed.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED: SEPTEMBER 17, 1984.

9-84-237

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED That the name of PATSY K. CANTRELL be added to the Metropolitan National Bank of Farmington Bank Accounts, Master Depository and Facsimile Signature Resolutions; and the name of WINONA WOODS be removed.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED: SEPTEMBER 17, 1984.

WARRANT LIST

9-84-238

Motion by Councilman Tupper, supported by Councilman Walker, to approve the monthly bills for payment as submitted: General Fund \$24,022.12; Water & Sewer Fund \$4,433.73.

ROLL CALL

AYES: Tupper, Walker, Bennett, Hartsock  
NAYS: None.  
ABSENT: Yoder.

MOTION CARRIED.

COUNCIL PROCEEDINGS -8-  
September 17, 1984

ADJOURNMENT

Motion by Councilman Bennett, supported by Councilman Tupper, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:38 p.m.

*William S. Hartsock*

WILLIAM S. HARTSOCK, MAYOR PRO-TEM

*Josephine M. Bushey*

JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, October 1, 1984, 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 Pro-Tem Hartsock.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker.

ABSENT: Mayor Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Lauhoff, Treasurer Cantrell, City Attorney Kelly, Plante & Moran representatives Doescher and Krater, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 10-84-239

Motion by Councilman Tupper, supported by Councilman Walker, to approve the minutes of the previous meeting of September 17, 1984, as submitted. Motion carried, all ayes.

#### PRESENTATION: ANNUAL AUDIT REPORT PLANTE & MORAN

The city's auditors, Plante & Moran, submitted the following financial reports for the year ended June 30, 1984:

City of Farmington Financial Report with additional information;  
Economic Development Corporation of the City of Farmington;  
Farmington Building Authority;  
47th District Court Administration Fund.

Plante & Moran representative Gordon Krater reviewed the distribution of the city's General Fund Revenues and Expenditures for 1984 as compared to 1983, as well as the dollar figures of revenues or receipts for the various funds for the year ended June 30, 1984.

Thomas Doescher, Plante & Moran representative stated that the city's financial statements for the 1983-84 fiscal year are in good order and in complete compliance with the Budget Act. He pointed out two suggestions resulting from the audit relative to off-site storage of computer data to insure the security of the financial records and the combining of Cemetery Trust and Perpetual Care Funds to facilitate the bookkeeping process.

Mr. Doescher indicated that in the near future he would submit a report on the impact of the Voter's Choice Proposal on property taxes and governmental revenues.

COUNCIL PROCEEDINGS -2-  
October 1, 1984

10-84-240

Motion by Councilman Bennett, supported by Councilman Tupper, to receive and file the annual audit reports submitted by Plante & Moran, Certified Public Accountants. Motion carried, all ayes.

MINUTES OF OTHER BOARDS

10-84-241

Motion by Councilman Bennett, supported by Councilman Walker, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of September 24, 1984;  
Board of Zoning Appeals minutes of September 5, 1984;  
Beautification Committee minutes of September 12, 1984;  
Farmington Area Commission on Aging minutes of September 25, 1984;  
Board of Education minutes of August 21 and September 11, 1984.

Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR SIGN VARIANCE:  
VILLAGE MALL MERCHANTS

Manager Deadman advised that a letter from Mary Belleville, representing the Village Mall Merchants, requested permission to erect an oil cloth banner between the buildings owned by the Farmington Holding Company at 33335 Grand River and 33305 Grand River. This banner will state that free pumpkins will be given away by the merchants on October 27 between 9:00 a.m. and Noon. It will remain in place from October 13, through October 29, 1984.

Ms. Belleville, who was present in the audience, advised that the proposed banner would measure 36" wide by 57" long and would extend almost completely between the Village Mall and the Arts Alcove buildings on Grand River. Ms. Belleville stated that the merchants are trying to do more advertising as a Mall to bring more business into Farmington.

10-84-242

Motion by Councilman Bennett, supported by Councilman Tupper, to grant a variance to Section 8.43, Subsection (11) of the City's Sign Ordinance which would permit the display of a banner between the Village Mall and the Arts Alcove buildings as requested from October 13 through October 29, 1984. Motion carried, all ayes.

REQUEST FROM FARMINGTON SENIOR HIGH SCHOOL  
RE: SECOND ANNUAL FALCON WINTER RUN

The City Manager advised that the Farmington High School Track Club proposes to conduct a run on Saturday, December 1, 1984, at 10:00 a.m. The run is to begin on the school property, then proceed west on Shiawassee, north on Power Road to the Orchard Ridge Community College parking lot. The run will then be reversed, returning to Farmington High School. Proceeds from sponsors and entry fees are to be divided between the Farmington High School

COUNCIL PROCEEDINGS -3-  
October 1, 1984

Track program and the Farmington Goodfellows.

Manager Deadman referred Council to last year's report from the Department of Public Safety which outlines the commitment of Public Safety personnel and costs necessary to provide for an orderly closing of major streets involved in the run. He pointed out that since the run involves the use of several city streets, the city could have some liability exposure. He further advised that last year's sponsors provided the city with liability insurance coverage naming the city as co-insured.

10-84-243

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the temporary closing of Shiawassee, Power Road and Raphael Street on December 1, 1984, to facilitate the second annual Falcon Winter Run to be conducted by the Farmington High School Track Club, and

BE IT FURTHER RESOLVED that the sponsors of the Falcon Winter Run provide the City of Farmington with a liability insurance policy in an amount not less than one million dollars.

RESOLUTION UNANIMOUSLY ADOPTED OCTOBER 1, 1984.

RESOLUTION FROM CITY OF BIRMINGHAM RE:  
LEGISLATION GRANTING GOVERNMENT IMMUNITY  
FROM ANTITRUST LAWS

Council was advised of a resolution from the City of Birmingham supporting House Bills and Senate Bills which would grant local government immunity from antitrust laws. The resolution stated that recent antitrust cases against home rule cities have had a disastrous effect on some municipalities, in particular, an Illinois village against which a \$9.5 million antitrust verdict over development rights and sewage treatment permits was trebled to \$28.5 million. If upheld, this will be the largest judgment against a local unit since the Supreme Court ruling subjected municipalities to antitrust suits.

Manager Deadman advised that Congressional hearings have been held and legislation is currently pending in the U. S. Congress (HR 3361, 2981, 3688 and S1578) purporting to grant local governments the same immunity from Federal antitrust laws as now provided state governments.

Revised State antitrust legislation (H.B. 4994), which exempts local government from antitrust laws when they are acting on matters on which they are authorized by law to act has passed the Michigan House and is under consideration by the Senate. Birmingham urges that the United States Congress and the State Senate adopt the House Bill currently pending before them.



Although Council has previously expressed its opinion to both the U. S. Congress and the State Legislature, the City Manager suggested that it is helpful to continue reminding Representatives and Senators of the urgency of this problem. He pointed out that there are currently several cases pending against cities across the country for purported violations of antitrust acts. He feels that the faster Congress deals with this problem, the less it may cost these communities and others which might be in danger of such litigation.

10-84-244

Motion by Councilman Bennett, supported by Councilman Tupper, that Council instruct the City Clerk to prepare a letter indicating its desire to urge passage of legislation to exempt local governmental units from antitrust laws, and further, that this communication be sent to United States Senators Riegle and Levin and Representative Broomfield; also to State Senator Faxon. Motion carried, all ayes.

RESOLUTION FROM OAK PARK RE: LEGISLATION  
SUPPORTING NATIONAL CABLE POLICY

Council was advised that the City of Oak Park believes it is essential that local communities support House Bill 4103 in order to avoid problems which cities will encounter if the legislation is not passed. They urge the House and Senate members to support this legislation.

Manager Deadman stated that as a result of a recent Supreme Court decision which seems to give control of cable television to the Federal Communications Commission, the cable television industry has rescinded its support of House Bill 4103. This bill provides for reasonable control of cable services and rates by local government as well as giving the cable industry some security in the renewal of their franchises as long as they continue to operate their franchises properly.

The City Manager recommended that Council once again reaffirm its stand relative to cities maintaining some control concerning cable television, and opposing deregulation of the industry so as to prevent cable television monopoly.

10-84-245

Motion by Councilman Tupper, supported by Councilman Walker, to support House Bill 4103 providing for reasonable control of cable services and rates by local government and urging Congressman Broomfield, Senators Carl Levin and Donald Riegle to support this legislation. Motion carried, all ayes.

REQUEST FOR PROCLAMATION: CPCU DAY

Council considered a request from Geraldine T. Lowman, President of CPCU, ARM, to proclaim October 15, 1984 as CHARTERED PROPERTY AND CASUALTY UNDERWRITERS (CPCU) DAY. Governor Blanchard has designated that date as CPCU Day, and she asks that Farmington do the same.

COUNCIL PROCEEDINGS -5-  
October 1, 1984

10-84-246

Motion by Councilman Bennett, supported by Councilman Tupper, that Council proclaim October 15, 1984, as CHARTERED PROPERTY & CASUALTY UNDERWRITERS (CPCU) DAY in the City of Farmington. Motion carried, all ayes.

BIDS: HISTORICAL MUSEUM CARRIAGE  
HOUSE ROOF REPAIR

Council was advised that the City Clerk's office received bids on September 12, 1984, for replacement of the carriage house roof at the Farmington Museum. Bid results were as follows:

Firebaugh & Reynolds Novi, Michigan	\$3,393.00
Dun-Rite Roofing Farmington Hills, Mi.	3,213.00
Sullivan-Widmer Farmington Hills, Mi.	2,660.00

Manager Deadman stated that original specifications required removing the asphalt shingles and retaining the shake shingles, and invitations to bid were mailed to ten contractors on August 27, 1984. He advised that further investigation revealed that the shake shingles were badly deteriorated, so alternate specifications were forwarded to all contractors on the original bid list on September 7, 1984. Revision involved removing all the existing shingles and covering the roof with 3/8 inch plyscore. The bids listed above are the result of alternate specifications. He pointed out that the low bidder, Sullivan-Widmer, recently did work for the City, and Director Billing advised that this work was satisfactory.

The City Manager indicated that a review of the prices showed that the city could save some money and simplify the paperwork by buying the materials and furnishing them to the contractor. On September 24, 1984, each bidder was asked to quote a price with the City furnishing the shingles and the plyscore. Sullivan-Widmer was again the low bidder at \$1,840 versus \$2,213 from Dun-Rite.

Informal comparison of material prices took place on September 28, 1984, with the following results:

Newburg Lumber	\$929.31 Delivered
Smith Lumber	893.80 Delivered
Pine Lumber Cashway	773.00 Delivered

COUNCIL PROCEEDINGS -6-  
October 1, 1984

Manager Deadman recommended that City Council accept the low bid of \$1,840.00 from Sullivan-Widmer and Pine Lumber Cashway's quotation of \$773.00 delivered for materials. He stated that work will begin as soon as the Museum Subcommittee selects the color.

10-84-247

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby accepts the low bid of Sullivan-Widmer, Farmington Hills, Michigan, in the amount of \$1,840.00 with materials purchased from Pine Lumber Cashway, in the amount of \$773.00 Delivered, for the Historical Museum Carriage House Roof Repair, and

BE IT FURTHER RESOLVED that funds be provided by the Community Development Block Grant Program as approved by Council on June 18, 1984.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Bennett.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED OCTOBER 1, 1984.

TAXICAB BOND PLATE: ABC CAB COMPANY

Manager Deadman advised that the owner of the ABC Cab Company requests that Council issue another bond plate for the operation of a third cab in the City of Farmington.

Two Bond Plates were previously issued to the company at which time the owner/operator indicated that they may wish to operate a third cab and would request an additional bond plate.

The City Manager pointed out that under the provisions of the City Ordinance, Council determines the number of bond plates that may be issued. He indicated that there are currently eleven bond plates issued to both the Suburban Cab Company and the Red and Yellow Cab Company of Livonia and two plates to ABC Cab Company.

Manager Deadman stated that since the ABC Cab Company has a much smaller fleet than their competitor, they have less flexibility in assigning vehicles to Farmington. A third taxicab license would simplify their operation.

Council was advised that under Section 7.122 of the City Code regulating taxicabs, it stated, ". . . the City Council shall consider the number of taxicabs now operating in the city, and shall in the issuance of licenses prefer those now owning or operating such taxicabs, . . ."

COUNCIL PROCEEDINGS -7-  
October 1, 1984

Councilman Bennett asked Manager Deadman if he has heard any comments from citizens relative to the availability of cabs in the city. He also asked if Mr. Deadman has had any discussion with Suburban and Red and Yellow Cab Companies about their equipment and the fact that licenses have been issued to another company.

Manager Deadman stated that no comments relative to cab availability have been received from residents. He further stated that he presently has no way of knowing how many cabs from Suburban and Red & Yellow are available in the city.

Mayor Pro-Tem Hartsock asked Mrs. Clarke of ABC Cab Company what her company's response time is. She stated that to begin with it was within five to ten minutes, but business has backed up some, and they are running close to seven to ten minutes. She also stated that senior citizens were given 10% off regular fares as an introductory offer, but she stated that her company cannot continue this as they are not large enough.

10-84-248

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the issuance of a third Bond Plate to the ABC Cab Company of Redford-Township for Taxicab Service in the City of Farmington.

ROLL CALL

AYES: Tupper, Walker, Bennett, Hartsock.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED OCTOBER 1, 1984.

1987 CONVENTION: KNIGHTS TEMPLAR

Council was advised that the Knights Templar of the Order of Masonics plan to hold a convention in the Farmington area in June of 1987, and they are requesting permission to host a parade along the major street in the City of Farmington.

Manager Deadman submitted to Council Director Lauhoff's report analyzing the cost of providing security and traffic control for a parade. The Knights Templar parade has been scheduled for Saturday, June 6, 1987, at 10:00 a.m. The parade route would be Grand River from Power Road to Farmington Road, which would necessitate detouring traffic from Grand River in a manner similar to that used for the Memorial Day parades. Director Lauhoff estimates that it would require approximately 14 officers to control five intersections and one Department of Public Services employee to assist with traffic control devices. Estimated cost to the city would be approximately \$500.00 to manage this parade event on the Grand River parade route.

COUNCIL PROCEEDINGS -8-  
October 1, 1984

An alternate parade route on Twelve Mile was considered, but City Manager Deadman felt it would be more difficult to close portions of Twelve Mile and detour traffic. Grand River has two parallel streets, Shiawassee and Freedom Road, which work reasonably well as detours.

The City Manager stated that we will probably get some assistance from the City of Farmington Hills Police Department since this is to be a Farmington area venture.

10-84-249

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby grants permission to the Knights Templar for a parade to be held during their State Convention on June 6, 1987, from 9:30 a.m. to 11:30 a.m., and

BE IT FURTHER RESOLVED that the Public Safety Department shall file with the State Highway Department for the necessary permit to close Grand River for this event, holding the State Highway Department harmless for any event which results from the said street closing, and

FURTHER BE IT RESOLVED that the City of Farmington Hills be requested to share the cost of managing this event.

AYES: Walker, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED OCTOBER 1, 1984.

IMPACT OF PROPOSAL "C" ON CITY REVENUES

The City Manager presented an analysis of Proposal "C", the Voters Choice Amendment, which included potential revenue losses to the city should the amendment pass in November. Based on his interpretation of the proposed amendment's rollback provisions, he stated that the proposal would affect both the rate (tax rate) and base (State Equalized Value) of local taxes as well as impact state shared revenues and highway, weight and gasoline taxes.

Manager Deadman pointed out that the amendment states that after December 31, 1981, there shall be no legislative change in the base or rate of any local tax which would increase its revenue yield." It further states that no new tax shall be implemented unless approved by a majority of qualified electors voting on the question. He stated that under the city's interpretation, Farmington would be allowed to have a maximum millage of 11.25 mills.

COUNCIL PROCEEDINGS -9-  
October 1, 1984

The following summary of estimated revenue losses was presented to Council:

PROPERTY TAXES

Tax Rate Rollback	\$ 77,100
Loss in Tax Base SEV	124,800

GAS AND WEIGHT TAXES

Major Roads	\$32,000
Local Roads	8,000

STATE SHARED REVENUES

Unknown

TOTAL LOSS

\$241,900

Council was informed that the most severe problem under Proposal "C" would be that of receiving timely payments of state shared revenues from the state, which impacts the city's cash flow.

Manager Deadman stated that retroactivity is one of the most serious flaws in the proposal, as communities like Farmington have constructed projects, sold bonds and made promises to bond purchasers since December 31, 1981. Bond purchasers relied on the faith and credit of the local community to be able to fund the debt service on bonds sold, so that bond holders state-wide may now be in jeopardy if the proposal is successful.

The City Manager pointed out that even if the millage rate or tax base were rolled back as a result of Proposal "C", the city would continue to have the debt obligation of the Old Town Drain Project. He advised that the City millage rate was increased in 1983 to provide debt service payments for this project.

The City Manager further stated that if the gas and weight taxes are reduced, Council will have a choice of either reducing the current level of road maintenance or increasing General Fund contributions to the road funds.

Council was advised that the loss of local tax revenues represents the equivalent of 1.54 mills of tax rate, or approximately 13.12% of the city's current local tax revenues. If it is determined that the local millage must be reduced to the 1982 rate of 10.785 mills, the revenue loss would be even greater. Mr. Deadman indicated that further impact of Proposal "C" is that Council would no longer have the flexibility of operating within the city's 20 mill charter.

10-84-250

Motion by Councilman Bennett, supported by Councilman Tupper, that the City Manager prepare a resolution stating Council's position as opposing Proposal "C", and further, that said resolution be

COUNCIL PROCEEDINGS -10-  
October 1, 1984

submitted for Council's consideration at the next regular meeting.  
Motion carried, all ayes.

MISCELLANEOUS

Manager Deadman advised that Farmer Jack has begun clearing the land at Farmington Road and Nine Mile Road for their new complex.

APPOINTMENT TO ECONOMIC DEVELOPMENT CORP.

Council was advised that the one-year term of the City Manager on the Economic Development Corporation terminated in August, and the Mayor (with the consent of Council) must make such new appointments under the provisions of Public Act 338 of 1974. With the exception of the first appointments, all terms on this Board are to be six years. It was suggested that the City Manager's appointment to this Board provides continuity between the City Administration and the Corporation's projects and programs.

10-84-251

Motion by Councilman Bennett, supported by Councilman Tupper, that the appointment of the City Manager to the Farmington Economic Development Corporation be tabled, in the absence of the Mayor, until the next regular meeting of Council. Motion carried, all ayes.

ESTABLISHMENT OF SPECIAL COUNCIL SESSION

Manager Deadman stated that since he has been informed by two members of Council that they will be unable to attend the previously scheduled work session of October 10, an alternate date should be established.

It was the consensus of those Council members present that two work sessions be established at 6:30 p.m. prior to the Council meetings of October 15 and November 5, 1984. The purpose of these work sessions is to review the city's local road replacement policies, the priority of local streets to be repaired and the proposed new business ordinance.

RESOLUTION APPROVING SPECIAL ASSESSMENT  
DEFERRED PAYMENTS

10-84-252

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, the Review Committee for Special Assessment Deferred Payments has recommended approval of certain requests,

NOW, THEREFORE, BE IT RESOLVED that the Farmington City Council hereby approves the following deferments for the period of one year to September 1, 1984:

Parcel No. 23-28-204-028, 23911 Wilmarth

Installment for 1975 Sidewalk Repair

\$152.00

COUNCIL PROCEEDINGS -11-  
October 1, 1984

Parcel No. 23-27-452-021, 22418 Brookdale

Installments 1 through 5 and 7 through 9	\$2,105.04	
Installation 10. SAD 75-63	<u>195.50</u>	\$2,300.54

Parcel No. 23-27-203-014, 24019 Colchester

Installation - 1981 Sidewalk Repair	<u>81:00</u>
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TOTAL DEFERMENTS	<u>\$2,533.54</u>
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BE IT FURTHER RESOLVED that the above special assessment deferred payments shall become a lien against the described properties in accordance with the Farmington City Code, Title I, Chapter 7, Section 1.196 - Deferred Payments.

ROLL CALL

AYES: Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: Yoder.

RESOLUTION DECLARED ADOPTED OCTOBER 1, 1984.

The Review Committee for Deferred Payment of Special Assessments reviewed these three requests for deferments and recommended to Council approval of all three at their meeting held at 7:30 p.m. just prior to this Council meeting of today.

WARRANT LIST

10-84-253

Motion by Councilman Bennett, supported by Councilman Walker, to approve the monthly bills for payment as submitted: General Fund \$21,104.18; Water & Sewer Fund \$34,486.03.

ROLL CALL


AYES: Hartsock, Tupper, Walker, Bennett.  
NAYS: None.  
ABSENT: Yoder.

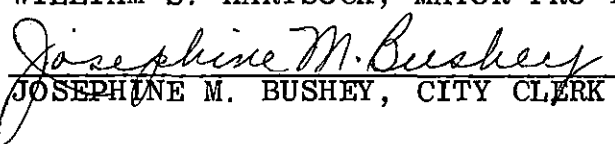
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Walker, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:17 p.m.

  
WILLIAM S. HARTSOCK, MAYOR PRO-TEM

  
JOSEPHINE M. BUSHEY, CITY CLERK



## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, October 15, 1984, 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 Yoder.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

CITY OFFICIALS PRESENT: City Manager Deadman, Director Billing, Director Lauhoff, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

10-84-254

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the minutes of the previous meeting of October 1, 1984, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

10-84-255

Motion by Councilman Bennett, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of October 8, 1984;  
Farmington Historical Commission minutes of September 19, 1984;  
Farmington Community Library minutes of September 6, 1984;  
Farmington Area Arts Commission minutes of September 20, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### LETTER FROM OAK PARK SUPPORTING STATE PROPOSAL "B", MICHIGAN LAND TRUST

Manager Deadman stated that State Proposal "B" (Michigan Land Trust), will prevent Executive and Legislative transfers of land trust funds for purposes other than those for which the fund was established. He explained that revenues from certain leases and royalties on oil and gas drilling and production and from other mining operations go into a special restricted trust fund. The earned income and portions of the principal should be used annually to buy land and water for public recreation purposes. The proposal would restrict these funds so that not more than 25% of the available funds may be used for development purposes on public recreation.

Mr. Deadman noted that the implementation of this fund was brought about by Public Act 204 of 1976. The intent of the proposal was to place this Legislative Act into the Michigan Constitution. He pointed out that the other requirements of the Act include that when the funds have reached \$200 million, the excess will go directly into the State's General Fund.

COUNCIL PROCEEDINGS -2-  
October 15, 1984

Council was advised that this proposal has been supported by the Michigan State Chamber of Commerce, the Michigan Municipal League, the Michigan Environmental Council and the Michigan United Conservation Clubs.

Manager Deadman stated that some of the funds would be used to buy a portion of the Spicer property in Farmington Hills under this proposal.

10-84-256

After some discussion, there was a motion by Councilman Hartsock, supported by Councilman Tupper, that City Council take a position on Proposal "B" in support of the Michigan Land Trust, and forward a copy of their resolution of support to the local media and the Michigan Municipal League. Motion carried, all ayes. (Copy of resolution attached to official minutes).

REQUEST FOR PROCLAMATION:

NATIONAL BIBLE WEEK

Harold Washington, Chairman of the Mayors' Committee for National Bible Week, requested in a letter that Council proclaim the week of November 18 - 25, 1984, as BIBLE WEEK in the City of Farmington to commemorate the interfaith celebration supported by religious communities, civic clubs and community organizations.

10-84-257

Motion by Councilman Bennett, supported by Councilman Walker, to proclaim the week of November 18 - 25, 1984, as BIBLE WEEK in the City of Farmington. Motion carried, all ayes.

PRESENTATION: LISA HARWIN REPRESENTING THE  
SOUTHWESTERN OAKLAND COUNTY CABLE COMMISSION  
PUBLIC ACCESS COMMITTEE

Student Intern Harwin outlined a Thursday Review weekly half-hour information program she proposes to air over the local cable television channel. She stated that the program will include local events, sporting events, news of interest and local political issues for the Cities of Farmington, Farmington Hills and Novi.

She asked Council's permission to periodically videotape Council meetings so that she may include segments of these meetings in the information program.

Council granted this permission, and Manager Deadman stated that she would have access to staff members as well in the preparation of these programs.

REPORTS FROM CITY MANAGER

PROPOSED TRAFFIC CONTROL IMPROVEMENT  
GRAND RIVER AND HALSTED

COUNCIL PROCEEDINGS -3-  
October 15, 1984

Manager Deadman submitted to Council a report showing the results of a Michigan Department of Transportation study of the Grand River/Halsted intersection. He advised that the Department recommends changing the signalization at this intersection to allow a lagging left turn phase for eastbound Grand River and prohibit the opposing left turn from westbound Grand River to southbound Freedom Road. By prohibiting westbound to Freedom left turn movement, eastbound Grand River traffic could continue to flow after westbound Grand River traffic has been stopped by the signal. They believe this would allow the intersection to function more efficiently, as the new signalization would provide additional time for traffic movement on the leg of the intersection which carries the largest number of vehicles.

Council was advised that the State Department's study determined that the west leg of Grand River at the intersection handles approximately 4,500 more cars during a peak eight hour period than the east leg. Part of the difference in volume is a result of turning movements at Halsted. The study revealed that in an eight hour peak period 1,117 cars turned left from eastbound Grand River, whereas during the same period, only 28 westbound Grand River vehicles turned left to southbound Freedom Road.

The Public Safety Department has been assured that with the change in signalization westbound Grand River traffic would still have access to the center lane allowing entrance into the Shell Gas Station on the southeast corner of the intersection.

The City Manager stated that the recommended change in signalization will provide a needed improvement which should help to relieve some of the congestion existing at this intersection during the Noon and evening peak hours.

10-84-258

Motion by Councilman Walker, supported by Councilman Hartsock, to approve the proposed change in signalization at the Grand River/Halsted intersection in accordance with the recommendation of the Michigan Department of Transportation. Motion carried, all ayes.

PROPOSED CHANGE IN PARK HOURS DURING  
HALLOWEEN WEEK

Manager Deadman pointed out that since for the past several years the Public Safety Department has found that early closing of the parks has been helpful in eliminating problems prior to Halloween, they request that City Council authorize the closing of both city parks again this year. They request that this be done beginning October 27 through November 1, 1984, from 6:00 p.m. to 7:00 a.m. daily.

The Department advised that Raphael Street, which services the school administration building, the District Court and Our Lady of Sorrows, would also be closed.

COUNCIL PROCEEDINGS -4-  
October 15, 1984

10-84-259

Motion by Councilman Tupper, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes the closing of Shiawassee and Drake Road Parks and Raphael Street during the week preceding Halloween, October 27 through November 1, 1984, from 6:00 p.m. to 7:00 a.m. daily.

RESOLUTION ADOPTED UNANIMOUSLY OCTOBER 15, 1984.

RECOMMENDATION TO TERMINATE THE  
FARMINGTON SEWER FACILITY PLAN

Manager Deadman advised that as a result of the Department of Natural Resources three-year study, it was recommended that certain segments of the city's sanitary and combined sewer system should be improved. The engineers' recommendation that the sanitary manholes be rebuilt in the Bel-Aire Subdivision has been completed. It was discovered that to do the same in the Twin Valley Subdivision to remove ground water infiltration the manholes in the Twin Valley Subdivision would also have to be rebuilt, which is still to be done. Council was advised further that the DNR's recommendation that the Twin Valley Sewer Pumping Station be rebuilt to eliminate failures causing raw sewage overflows into the river was met by replacing the station.

The City Manager stated that all of the overflow outlets at the river have been raised in accordance with the DNR recommendation. He further indicated that the Department of Public Services is scheduled to begin the work of inspecting and rebuilding the manholes of the combined sewer system throughout the city. He advised that this will probably be an on-going process, taking many years to complete.

Council was further advised that when the DNR study began, it was believed by the administration and the engineers that the effluence from the combined sewer system overflow was having an adverse effect on the quality of the river water and that the elimination of these overflows would improve the water quality. The study found, however, that the Farmington Combined Sewer System had little impact on the river water quality, and that if the city were to remove its overflows, the overall water quality improvement would be insignificant. It was determined that many other sources of effluence affected the river water quality; also, that if the water quality of the river is to be improved, it will require a program which addresses each of the effluence causation factors. It was determined that the impact of the City of Farmington overflows are extremely small compared to other causes of effluence.

Manager Deadman pointed out that the DNR study found that it would not be cost-effective to separate the city's combined sewer system.

COUNCIL PROCEEDINGS -5-  
October 15, 1984

The engineers' recommended, therefore, to take "no action" at this time and until the entire river basin problem of effluence could be dealt with.

The City Manager advised that the DNR wishes to accept the "no action" recommendation, and close out the City Facility Planning Grant. Council was advised that for the DNR to do this, City Council must accept the findings of the Facility Plan.

Manager Deadman recommended that City Council accept the engineering recommendation as stated in the Facility Plan by adopting a resolution accepting the "no action" findings and requesting the DNR to terminate the City Facility Planning Grant.

DNR

10-84-260

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

WHEREAS, a portion of the City of Farmington's sewers are combined sanitary/storm sewers; and

WHEREAS, the City operates, under permit issued by the Department of Natural Resources, overflows from this system into the Upper Rouge River; and

WHEREAS, a Facility Plan was developed to evaluate the impact of the overflows on the water quality of the river; and

WHEREAS, the Facility Plan determined that the elimination of the overflows would not significantly reduce the impact on the river; and

WHEREAS, the Facility Plan further determined that it would not be cost-effective to separate the combined sewer system; and

WHEREAS, consulting engineers, based upon the results of a computer program for alternatives, have determined that there is no significant pollution reduction in the drainage basin resulting in a poor cost-benefit ratio; therefore, under the current Environmental Protection Agency (EPA) criteria, the "No Action" alternative is the recommended solution;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Farmington concurs with recommendations of the engineers and accepts the "No Action" alternative and requests the Department of Natural Resources terminate the Step 1 Facility Plan Grant C26 2777 01.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.

NAYS: None.

RESOLUTION DECLARED ADOPTED OCTOBER 15, 1984.

POLICE TRAINING GRANT FOR MICHIGAN  
MUNICIPAL RISK MANAGEMENT AUTHORITY

Council was advised that the Michigan Municipal Risk Management Authority filed a grant application with the Michigan Office of Criminal Justice to provide monies to train police officers from communities which are members of the Authority. As the Attorney General determined that the Authority is not qualified for this grant because it is not a governmental agency, any member community of the Authority would be a qualified applicant.

Manager Deadman stated that the Authority's Board of Directors requests that Farmington file a grant application on behalf of the Authority. The purpose of the grant is to allow the Authority to double the amount of training provided to police and corrections officers in various subjects pertaining to police officer training.

The Authority believes the best way to bring about uniformity in police and corrections procedures is through training, and part of their premiums is used for training of city personnel. They wish to expand the amount of training without raising premiums.

The City Manager advised that Farmington's only obligation in filing this grant application would be to manage the fiscal portions of the grant, and to assure the State that the training projects offered through the grant comply with the Michigan Justice Training Program standards. The city would have no other financial obligation than to administer the grant.

Manager Deadman feels that if this funding can be acquired, it would be not only in the best interest of the city but of all Authority members as well.

10-84-261

Motion by Councilman Bennett, supported by Councilman Tupper, to authorize the City Manager to file an application with the Michigan Office of Criminal Justice for funding from their training program funds on behalf of the Michigan Municipal Risk Management Authority. Motion carried, all ayes.

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard asked when the leaf pickup program would begin. Director Billing advised that it will begin on October 22, 1984.

The City Manager advised that the Cable Commission's Intern Program is working out very well.

TABLED ECONOMIC DEVELOPMENT CORPORATION  
BOARD APPOINTMENT

Council was advised that since the one-year term of the City Manager on the Economic Development Corporation expired in August, the Mayor is required, under the provisions of Public Act 338 of 1974, to

COUNCIL PROCEEDINGS -7-  
October 15, 1984

make an appointment to fill this opening. Since under the initial appointment, the City Manager received a one-year term and all terms thereafter are for six years, the new appointment shall be a six-year appointment.

Council was advised that the appointment of the City Manager would provide continuity between the City Administration and the projects and programs of the EDC.

With the consent of Council, the Mayor appointed the City Manager to a six-year term on the Economic Development Corporation, said term to expire August 1, 1990.

FINANCIAL REPORTS: TWO MONTHS ENDED  
AUGUST 31, 1984

10-84-262

Motion by Councilman Hartsock, supported by Councilman Bennett, to receive and file the General Fund and 47th District Court Financial Reports for the two months ended August 31, 1984. Motion carried, all ayes.

FINANCIAL STATEMENT: MICHIGAN MUNICIPAL  
RISK MANAGEMENT AUTHORITY-JUNE 30, 1983-84

The City Manager stated that the Michigan Municipal Risk Management Authority is in good condition. In answer to Councilman Bennett, he advised that the Authority has worked as well as anticipated. He pointed out that not one member of the Authority has left since joining. He further indicated that the reinsurance people are very happy with the Authority.

Manager Deadman stated that the loss prevention program of the Authority is the most important and unique segment of the service. He advised that the reinsurance portion was recently changed from Fremont to Lloyds of London, indicating that Fremont has totally withdrawn from the municipal market.

Councilman Hartsock asked what happens on those municipalities that have negative fund balances. Manager Deadman stated that the negative balances shown on the statement include reserves. He stated that there is no Authority member with a negative cash balance. He further advised that should a member end up with a negative balance, that member would have the option of borrowing from the other members and paying interest to the other members on what they borrow. Should the experience of a negative balance community become bad over a long time, the premiums would go up to cover the losses.

10-84-263

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and file the Financial Statements of the Michigan Municipal Risk Management Authority for June 30, 1984 and 1983. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

COUNCIL POSITION ON STATE PROPOSAL "C"

Manager Deadman submitted for Council's approval a resolution stating Council's opposition to State Proposal "C". Council instructed the City Manager at the last regular meeting to prepare this resolution.

Mr. Deadman stated that he felt the resolution presented clearly states the impact of Proposal "C", including its adverse impact on home rule cities.

10-84-264

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution opposing Proposal "C" (Voters' Choice Amendment):

WHEREAS, Proposal "C" to amend the Constitution of the State of Michigan will appear on the November 6, 1984, General Election ballot; and

WHEREAS, Proposal "C" would roll state and local taxes back 3 years to 1981 levels and require both statewide and numerous local special elections be called within 90 days if any of those various taxes are to be partly or fully restored to current levels; and

WHEREAS, Proposal "C" destroys provisions of long-standing Home Rule City and Home Rule Village Acts under which citizens already have the power to set city and village maximum tax rates in their charters within which locally elected city and village councils have the flexibility to levy to meet changing needs; and

WHEREAS, Proposal "C" would require cities and villages to conduct costly and frequent special elections to increase operating levies in the future even though such increases were clearly within previously voter-approved charter limits; and

WHEREAS, Proposal "C" also requires voter approval or an extraordinary four-fifths approval by the governing body for any new or increased fee, license, user fee or permit; and, furthermore, rolls back such rates to 1981 levels unless previously approved by four-fifths of the governing body; and

WHEREAS, Proposal "C" already has cast a cloud on state and local bond issues and would make future borrowings needed to improve neglected street and road systems and meet other infrastructure needs more costly if not impossible because of the uncertainty of future revenue for repayment; and



COUNCIL PROCEEDINGS -9-  
October 15, 1984

WHEREAS, the impact of this proposal on the state's economic recovery and business climate will be devastating as businesses face a more uncertain future in Michigan from an immediate threat to unemployment compensation system costs and a future threat to all other business taxes if subjected to popular votes; and

WHEREAS, this proposal would undermine the basic concept of a representative government and replace it with a system of expensive elections on complicated or narrow tax and fee questions; and

WHEREAS, the four-fifths extraordinary legislative approval of fees could quickly lead to manipulation by narrow special interests exercising minority control when 8 of 9 local council votes are necessary for the required passage rather than the traditional majority rule; and

WHEREAS, Proposal "C" is complicated, confusing, and subject to various and conflicting interpretations which will lead to expensive litigation to gain judicial clarification;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Farmington, at a regular meeting on October 15, 1984, opposes Proposal "C" and urges the citizens of the City of Farmington and the State of Michigan to carefully balance a desire for reasonable and responsible tax reform against the disastrous, costly and ill-considered provisions of Proposal "C" and then to vote "NO" on Proposal "C".

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED OCTOBER 15, 1984.

JOSEPHINE M. BUSHEY, CITY CLERK

WARRANT LIST

Councilman Walker questioned amounts listed in the monthly bills: AT & T \$152.76 and AT & T \$77.63. The City Clerk's bill check indicated that the first amount of \$152.76 in General Fund was for the Service Contract and the \$77.63 amount was for the W & S Telephone/Telegraph Service.

10-84-265

Motion by Councilman Hartsock, supported by Councilman Tupper, to approve the monthly bills for payment as submitted:

COUNCIL PROCEEDINGS -10-  
October 15, 1984

General Fund \$36,362.51; Water & Sewer Fund \$37,805.00.

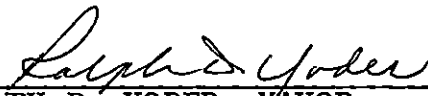
ROLL CALL

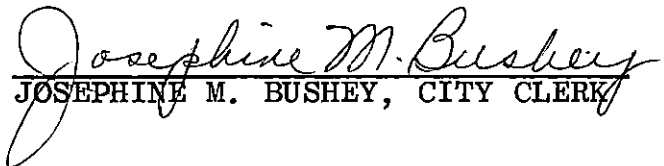
AYES: Walker, Yoder, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

Mayor Yoder showed a plaque from AAA which gives recognition to communities with less than 10 year fatality record. This plaque recognizes the Farmington Public Safety Department for seven years without a fatality.

The meeting adjourned at 8:55 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

R E S O L U T I O N

No. 10-84-256

CITY OF FARMINGTON, MICHIGAN

RESOLUTION: SUPPORT OF PROPOSAL B, MICHIGAN LAND TRUST

Motion by Councilman Hartsock, supported by Councilman Tupper, to adopt the following Resolution urging the approval of Proposal B at the General Election of November 6, 1984:

- WHEREAS, the MICHIGAN LAND TRUST fund has been placed on the November 6 general election ballot by more than two-thirds vote of the Michigan Legislature; and
- WHEREAS, adoption by the voters of the State of Michigan will place the Michigan Land Trust fund into the Michigan Constitution in perpetuity to protect the Legislative Intent of Act 204 of 1976; and
- WHEREAS, such action will prevent Legislative and Executive Transfers for purposes other than those outlined in House Joint Resolution M of 1984; and
- WHEREAS, revenues from certain leases and royalties on oil and gas drilling and production and from other mining operations go into the special restricted Michigan Land Trust Fund; and
- WHEREAS, the earned income and a portion of the principal should be used annually to buy land and water for public recreation purposes; and
- WHEREAS, not more than 25 per cent of the available funds may be used for development purposes on public recreation lands and waters; and
- WHEREAS, successful implementation of this Act will generate considerable employment opportunities for the State of Michigan and directly enhance the quality of life, as well as diversify the economy; and
- WHEREAS, the Legislative Act, House Joint Resolution M, had the support of the Michigan State Chamber of Commerce, the Michigan Municipal League via a Board Resolution, the Michigan Environmental Council, the Michigan United Conservation Clubs, and many other private and public organizations; and
- WHEREAS, all revenues collected after a ceiling of \$200 million has been reached will go directly into the General Fund of the State of Michigan.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Farmington, in a Regular assembled meeting of October 15, 1984, supports Proposition B, placement of the MICHIGAN LAND TRUST fund into the Michigan Constitution.

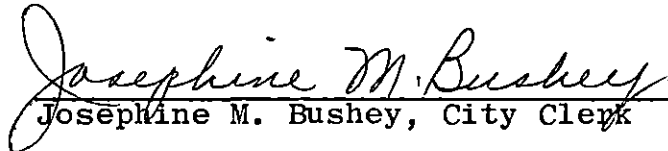
V O T E :

AYES: 5

NAYS: None.

.....

I, Josephine M. Bushey, duly authorized Clerk for the City of Farmington, do hereby certify the above is a true and correct copy of a resolution adopted by the Farmington City Council at a regular meeting held on October 15, 1984, in the City of Farmington, Oakland County, Michigan.

  
Josephine M. Bushey, City Clerk

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, November 5, 1984, 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 8:04 p.m. by Mayor Yoder.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Lauhoff, City Attorney Kelly, Acting Clerk Ugrin.

### MINUTES OF PREVIOUS MEETING

#### 11-84-266

Motion by Councilman Walker, supported by Councilman Bennett, to approve the minutes of the previous meeting of October 15, 1984, as printed. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 11-84-267

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Beautification Committee minutes of October 8, 1984;  
Farmington Area Commission on Aging minutes of October 23, 1984;  
Farmington Area Arts Commission minutes of October 18, 1984;  
Board of Education minutes of September 25 and October 9, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR SIGN VARIANCE: PAGE'S 23621 FARMINGTON ROAD

Manager Deadman advised that the Detroit-Detroit Design Company has requested permission to install an awning on the front of Page's Restaurant and Bar at 23621 Farmington Road. He indicated that this would require a variance to Section 8.42 of the Sign Ordinance which prohibits signs to be placed across any public right-of-way without permission from City Council.

The proposed awning, which will be approximately six feet in height across the entire front of the building, will protrude three feet over the sidewalk. It will contain, in the center, a sign advertising Page's. This portion of the awning is to project four feet over the sidewalk and be an additional one foot in height.

Mr. Andrew O'Neil, a representative of the sign company, presented drawings of the proposed awning and pictures illustrating this concept for Council's review.

It was the consensus of those present that although awnings could be an attractive addition to the Central Business District, they

COUNCIL PROCEEDINGS -2-  
November 5, 1984

must be maintained on a regular basis, or be removed if they become unsightly.

Council members expressed concern relative to the aesthetic appeal of the proposed awning.

Councilman Walker stated that before taking a position on the installation of the awning he would like to contact the nearby business owners to see what effect such an installation would have on their businesses. Councilman Bennett agreed.

11-84-268

Motion by Councilman Bennett, supported by Councilman Hartsock, to table further discussion of the requested sign variance for Page's Restaurant and Bar until the next regular meeting, giving Council an opportunity to contact surrounding businesses and to take a closer look at similar installations. Motion carried, all ayes.

OAK PARK RESOLUTION SUPPORTING U.S.  
HOUSE RESOLUTION 5944

The City of Oak Park requested Council's support of their resolution urging passage of House Resolution 5944, under current review by the U. S. Legislature, which would relieve local communities of some of the mailing costs resulting from the Federal election process. If adopted, this proposed legislation would allow election officials to mail postage free such items as applications for absentee ballots, absentee ballots and other official documents essential to the conduct of a Federal election.

Manager Deadman stated that with the trend towards the use of the absentee ballot, the city's mailing costs have increased substantially in the previous two Federal elections. He advised that it costs the city 20¢ for each application that is mailed. He further advised that the absentee ballot for this year's General Election costs 54¢ each to mail. He anticipated that the city will spend approximately \$1,400.00 in postal fees to conduct this election, as nearly 2,000 voters are expected to use absentee ballots.

The City Manager pointed out that there is precedent for the larger unit of government to aid local communities in defraying the expense of an election since the State of Michigan reimbursed local communities for most of the costs involved in conducting the Presidential Primary.

11-84-269

Motion by Councilman Bennett, supported by Councilman Hartsock, to support Oak Park's position relative to U. S. House Resolution 5944 and further to request Senators Carl Levin and Donald Riegle and U. S. Representative Broomfield to urge passage of this legislation. Motion carried, all ayes.

REPORTS FROM CITY MANAGER

RECOMMENDED APPROVAL: OAKLAND COUNTY  
EMERGENCY OPERATIONS PLAN

Manager Deadman stated that in 1977 City Council elected to participate in the Oakland County Emergency Operations Plan, as State statutes allow communities of over 10,000 population to make this election. Council was advised that the Michigan State Police now request that each community acknowledge their participation in this plan by signing their approval of the plan.

The City Manager explained the provisions of this plan under which the Oakland County Executive has the power to declare an emergency and utilize emergency forces in accordance with the plan. He stated that local communities may activate the plan by requesting the County Executive for aid.

Manager Deadman pointed out that several communities of over 10,000 population (including Royal Oak, Southfield and Birmingham), elected to prepare their own emergency operations plan, but that the County Executive is empowered to coordinate county assistance to these communities if they request aid.

Mr. Deadman believes the plan is beneficial to Farmington, as it provides for county resources to be used in handling any emergency, whether it be natural or man-made, including tornados, fires, toxic spills, flooding, etc. Since the City of Farmington has rather limited resources to handle a community-wide emergency, Manager Deadman believes it is in the community's best interest to continue participating in the Oakland County Emergency Operations Plan.

11-84-270

Motion by Councilman Walker, supported by Councilman Tupper, to approve participation in the Oakland County Emergency Operations Plan for the ensuing two-year period, and further, to authorize the City Manager to sign the plan on behalf of the City. Motion carried, all ayes.

AMENDMENT TO CITY WHOLESALE WATER AND  
SEWER RATES EFFECTIVE AUGUST 1, 1984

Manager Deadman pointed out that water and sewer services for certain Farmington Hills properties west of Gill Road to Halsted Road and north of Freedom Road are based on an agreement between the City of Farmington and the Township of Farmington as a result of city annexation which occurred in 1968. According to this agreement, Farmington would provide water and sewer services at a wholesale rate to these properties.

The City Manager explained that by agreement with the Oakland County Department of Public Works, operators of the City of Farmington Hills Water & Sewer Department, Farmington has historically marked up its cost of water and sewer services at the same amount which Oakland County marks up these same services to Farmington.

COUNCIL PROCEEDINGS -4-  
November 5, 1984

Council was advised that effective July 1, 1984, the City of Detroit and Oakland County increased their wholesale water and sewer rates to Farmington. Manager Deadman stated that in accordance with previous agreements, Farmington proposes to mark up these rates, whereby, the new wholesale sewer rate to Farmington Hills for Areas 1 and 2, which are serviced by the Evergreen/Farmington Sewer System, would be increased from \$5.09 to \$5.41 per thousand cubic feet (MCF). Area 3, serviced by the Farmington Sewer System, would be increased from \$6.03 to \$6.05 per MCF. Wholesale water rates for Area 2, serviced with water purchased from Oakland County, would be increased from \$3.45 to \$3.93 per MCF. Area 3, serviced with water purchased through the City of Detroit, would be increased from \$3.02 to \$3.50 per MCF.

Manager Deadman advised that all water and sewer billed after August 1, 1984, would be affected by the new wholesale rates.

Two proposed resolutions were submitted for Council's consideration. One adjusts the wholesale water rates; the other adjusts the wholesale sewer rates. Maps were also provided which indicate the areas involved in each of the districts affected by the rate increases.

11-84-271

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby establishes the following wholesale sewer rates to Oakland County in accordance with Exhibit "C", which is hereby made a part of this resolution:

EXHIBIT "C" - SEWER SERVICE AREAS AND CHARGES

	<u>Wholesale Rate</u>	<u>Meter Reading</u>	<u>Method of Payment</u>
AREA 1: City of Farmington Sewer	\$5.41 MCF	Individual meters read by City	County to issue Cr. to City
AREA 2: Oak. Co. Sewer	\$5.41 MCF	Individual meters read by County	County to issue Cr. to City
AREA 3: City of Farmington Sewer	\$6.05 MCF	Individual meters to be read by County	County to issue Cr. to City

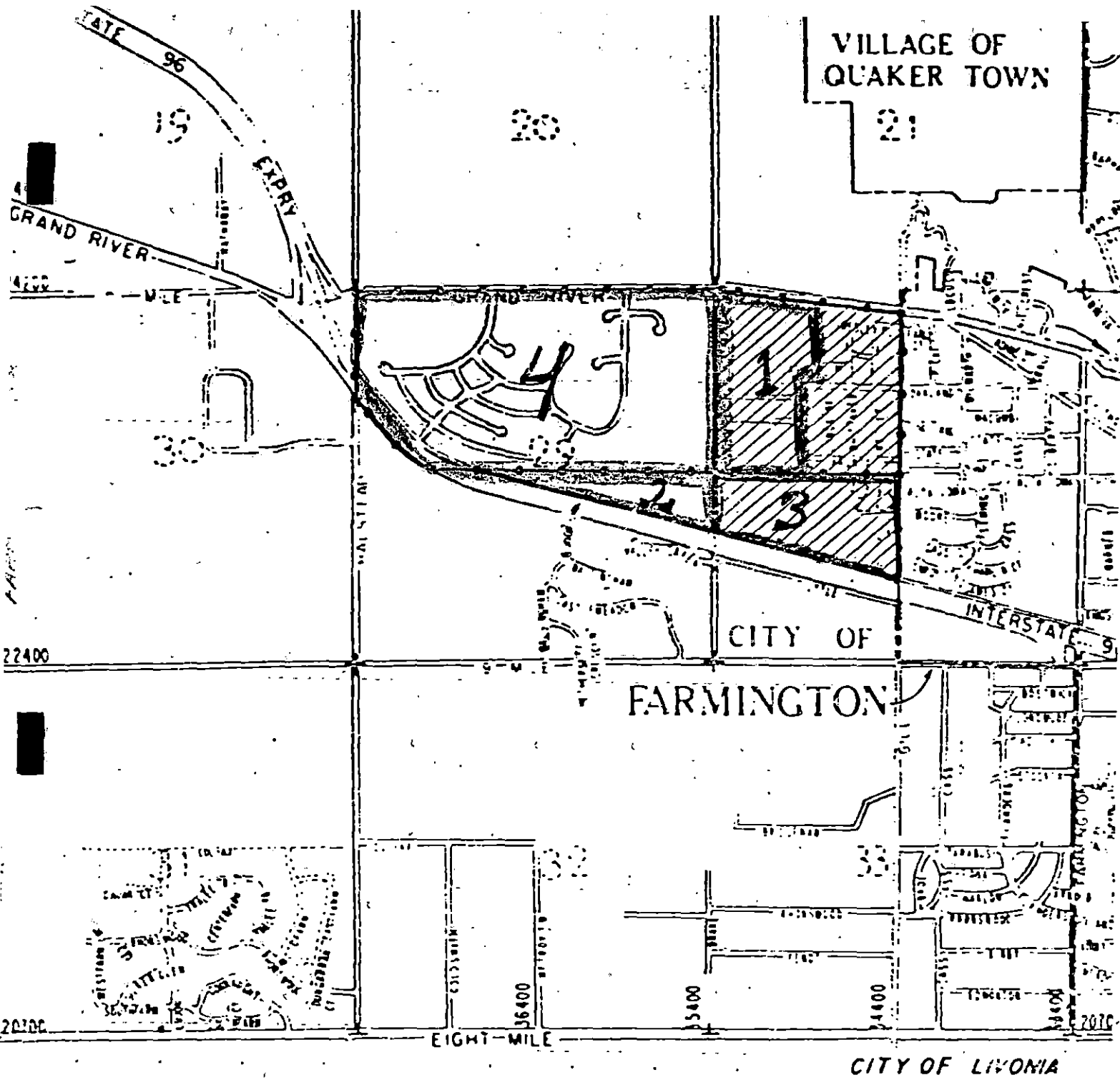
Industrial surcharges shall be applied for nonresidential wastewater flow.

Effective Date of Rates: August 1, 1984

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 5, 1984.








## EXHIBIT "C" SEWER SERVICE AREAS



KEY

-  Boundaries of annexed area
-  Area to discharge into City System
-  Area to discharge into Tarabusi Industrial Arm

Agreement relative to Farmington Sewage Disposal System  
 and its Tarabusi Industrial Arm and the Oakland County  
 Water Supply System for Farmington Township - Industrial  
 Section I. 10-1-67

COUNCIL PROCEEDINGS -6-  
November 5, 1984

11-84-272

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby establishes the following wholesale water rates to Oakland County in accordance with Exhibit "D", which is hereby made a part of this resolution:

\*EXHIBIT "D" - WATER SERVICE AREAS AND CHARGES

	<u>Wholesale Rate</u>	<u>Meter Reading</u>	<u>Method of Payment</u>
AREA 2: City of Farmington Water	\$3.93 MCF	Individual meters to be read by County	County to issue Cr. to City
AREA 3: City of Farmington Water	\$3.50 MCF	Individual meters to be read by County	County to issue Cr. to City

Effective Date of Rates: August 1, 1984

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 5, 1984.

BIDS: TREE TRIMMING

The City Manager advised that earlier this year, bids were received for trimming of trees located on city right-of-way properties, with the following results:

	<u>Tree Trim</u>	<u>Stump Removal</u>
	<u>Begin After 7/1/84</u>	<u>7/1/84 12/1/84</u>
Green Ridge Tree Service Northville, Mi.	\$38.75 ea. 35.75 ea.	\$23.00 ea. 23.00 ea.
Mountaintop Northville, Mi.	65.35 ea. 58.82 ea.	35.00 ea. 35.00 ea.
<b>TOTALS:</b>	<u>Begin 7/1/84</u>	<u>\$12,942.50</u>
Green Ridge	Begin 12/1/84	11,940.50
Mountaintop	Begin 7/1/84	21,826.90
	Begin 12/1/84	19,645.88

Manager Deadman stated that \$8,000.00 was allocated for tree trimming in the 1984-85 budget. He advised that as a result of Director

\*(See attachment, official minutes)

COUNCIL PROCEEDINGS -7-  
November 5, 1984

Billing's meeting with Green Ridge Tree Service, the low bidder, approximately 100 trees were eliminated from the scheduled trimming list, thereby reducing the City's cost to approximately \$8,000.00.

Based on the low unit price of \$35.75 per tree trim and \$23.00 for each stump removed, the contract would allow the tree service company to trim approximately 210 trees and to remove 22 stumps.

Manager Deadman advised that this year's tree trimming will take place in the southeast quadrant of the city, including Farmington Road, Warner Farms, Brookdale, Power and Maple. He noted that the trees in this area are now overhanging the road so as to obstruct vehicular and bicycle traffic as they have not been trimmed in over 20 years.

11-84-273

Motion by Councilman Walker, supported by Councilman Bennett, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the low bid of Green Ridge Tree Service, Northville, Michigan, at the unit price of \$35.75 per tree trimmed and \$23.00 per stump removed, for a maximum bid of \$8,000.00, and

BE IT FURTHER RESOLVED that funds be provided from the 1984-85 Local Street Fund.

ROLL CALL

AYES: Walker, Yoder, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 5, 1984.

CONTRACTOR PAYMENT: CHESLEY DRIVE  
SCREENING FENCE

Manager Deadman advised that the contractor, New Hudson Fence Company, has completed installation of a wooden stockade fence along the north right-of-way on Chesley Drive. He reported that this work was completed in accordance with the materials and specifications provided in the bid documents. Constructed of natural cedar posts attached to steel supports, this fence is approximately 1,890 feet long.

Council was informed that all of the adjacent neighbors are satisfied with the materials and workmanship provided in the construction of this fence. The City Manager stated that invoices have been mailed to the residential and industrial property owners who agreed to share the cost of this fence replacement project.

COUNCIL PROCEEDINGS -8-  
November 5, 1984

11-84-274

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves payment to New Hudson Fence Company of Novi, Michigan, in the amount of \$13,697.00 for installation of the Chesley Drive wooden stockade screening fence, and

BE IT FURTHER RESOLVED that funds be provided from the adjacent residential and industrial property owners.

ROLL CALL

AYES: Yoder, Bennett, Hartsock, Tupper, Walker.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED NOVEMBER 5, 1984.

MISCELLANEOUS

PUBLIC COMMENT

Ms. J. Potts, of Macomb Street, asked the City Manager how far the decorative fence could extend at Mr. Sundquist's house on Grand River. She was advised that it can come to the front of the house, but not beyond.

Nancy Leonard of Shiawassee Street pointed out that the paint used on the house next to March Tire Company does not seem to be the color proposed by the architect when he appeared before the Planning Commission. The City Manager advised that this is probably just the primer and that the painting, because of the weather, will not be completed until the spring.

BUILDING DEPARTMENT QUARTERLY REPORT

The City Manager advised that the building permits are ready to be pulled for the Nine Mile/Farmington Road project, indicating that the drainage problems in the area have been solved.

11-84-275

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and file the Building Department Quarterly Report for the period July - September, 1984. Motion carried, all ayes.

PUBLIC SERVICES DEPARTMENT QUARTERLY  
REPORT - July - September, 1984

11-84-276

Motion by Councilman Tupper, supported by Councilman Walker, to receive and file the Department of Public Services Quarterly Report for the period July - September, 1984. Motion carried, all ayes.

COUNCIL PROCEEDINGS -9-  
November 5, 1984

PUBLIC SAFETY OPERATIONS REPORT  
PERIOD JULY - SEPTEMBER, 1984

11-84-277

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and file the Public Safety Department Operations Report for the period July - September, 1984. Motion carried, all ayes.

FINANCIAL REPORTS: THREE MONTHS  
ENDED SEPTEMBER 30, 1984

11-84-278

Motion by Councilman Tupper, supported by Councilman Walker, to receive the Financial Reports for the three months ended September 30, 1984, for the General Fund, the 47th District Court and the Water & Sewer Fund. Motion carried, all ayes.

WARRANT LIST

11-84-279

Motion by Councilman Bennett, supported by Councilman Hartsock, to approve the monthly bills for payment as submitted: General Fund \$36,686.65; Water & Sewer Fund \$17,128.32.

ROLL CALL

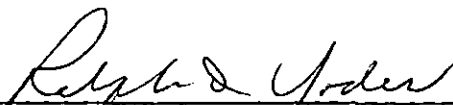
AYES: Bennett, Hartsock, Tupper, Walker, Yoder.  
NAYS: None.  
ABSENT: None.

MOTION CARRIED.

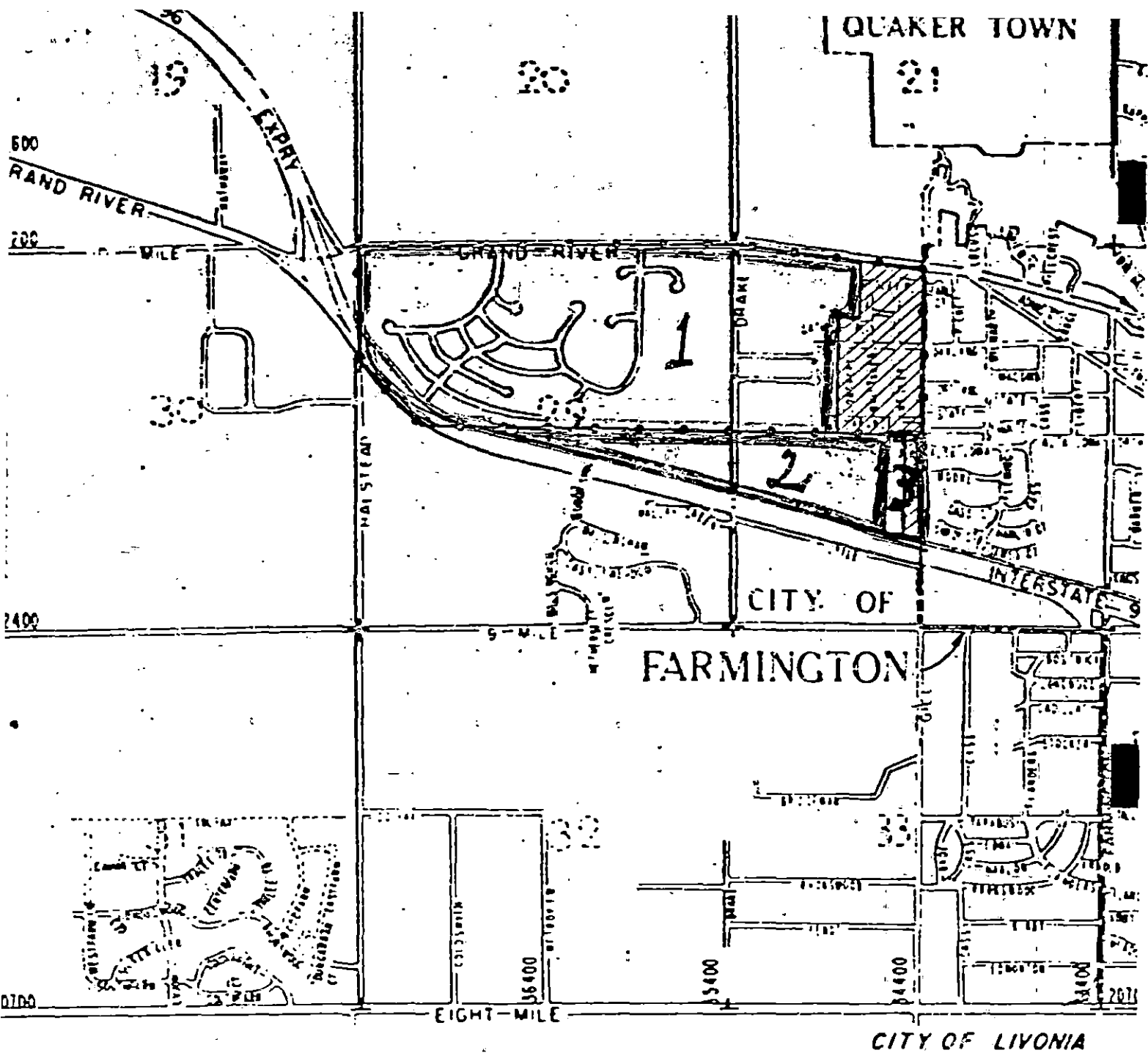
ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Bennett, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:08 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
DOROTHY S. UGRIN, ACTING CLERK






## EXHIBIT "D"

### WATER SERVICE AREAS



**KEY**

-  Boundaries of annexed area
-  Area to receive water from City System.
-  Area to receive water from Oakland County Water Supply System for Farmington Township - Industrial Section I.

Agreement relative to Farmington Sewage Disposal System and its Tarabusi Industrial Arm and the Oakland County Water Supply System for Farmington Township - Industrial Section I.  
10-1-67

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, November 19, 1984, 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 Yoder.

### ROLL CALL

PRESENT: Bennett, Tupper, Walker, Yoder.

ABSENT: Hartsock.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Lauhoff, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 11-84-280

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the minutes of the previous meeting of November 5, 1984, as presented. Motion carried, all ayes.

### PRESENTATION: CIVILIAN CITATIONS

On behalf of the Department of Public Safety Awards Committee, the Mayor presented Civilian Citation Awards to the following individuals for aiding the Department in the prevention of crimes:

Mark S. Palinko  
Joel A. Bartram  
Craig Bartram

President of the Oakland County Chamber of Commerce Earl Kreps and Chairman of the Crime Prevention Committee of the Chamber, Bill Kirkland were present to give the Silent Observer Award to Joel Bartram for his assistance in the subsequent arrest of arsonists.

### MINUTES OF OTHER BOARDS

#### 11-84-281

Motion by Councilman Tupper, supported by Councilman Walker, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of November 12, 1984;  
Historical Commission minutes of October 17, 1984;  
Farmington Community Library minutes of October 4, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### TABLED REQUEST TO INSTALL AWNING AT PAGESS 23621 FARMINGTON ROAD

Manager Deadman stated that as a result of his visit to Windsor, Ontario, with Councilmen Bennett and Walker, to view several backlit awnings, they found that the use of this type awning is not objectionable.

November 19, 1984

Mayor Yoder stated that if this awning is approved, it should be kept in good repair; otherwise the City will remove it.

Councilman Walker agreed that it is extremely important that the awning should be properly maintained.

Manager Deadman advised that the two variances required for the installation of this awning were to Section 8.42, subsections (1) and (11) of the Sign Ordinance which respectively grant permission to overhang the right-of-way and to permit a projecting sign in the Central Business District.

11-84-282

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby grants the two variances necessary for the installation of the back-lighted awning at Page's Restaurant and Bar, 23621 Farmington Road, with the stipulation that if this awning should fall into disrepair, the owners will have to return it to proper repair, or the City will remove the awning with backcharges to the owner.

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: Hartsock.

RESOLUTION DECLARED ADOPTED NOVEMBER 19, 1984.

REQUEST FOR SIGN VARIANCE: CARPETS OF FARMINGTON, 33001 GRAND RIVER

A letter from Thomas E. Hay of Carpet Contract Group, Inc., indicated his request for variance to the city sign ordinance which would allow him to display an outside banner and pennants across the top of his parking lot at 33001 Grand River during the store's Grand Opening. During the ten-day to two-week period beginning Friday, November 23, 1984, he states that the store will be open from 9:00 a.m. to 9:00 p.m. Monday through Saturday, and 12:00 Noon to 6:00 p.m. on Sunday.

11-84-283

Motion by Councilman Walker, supported by Councilman Bennett, to grant permission to Mr. Hay to display a banner with his store name and to string pennants across the top of the parking lot for a two-week period beginning November 23, 1984 through December 7, 1984, to celebrate the Grand Opening of his new business at 33001 Grand River. Motion carried, all ayes.

Councilman Bennett asked if any special action would be required by Council for the carpet company to incorporate its name on the former Benchmark sign. The City Manager indicated that it would



COUNCIL PROCEEDINGS -3-  
November 19, 1984

not be necessary for Mr. Hay to return to Council relative to the outdoor sign if he does not change the format.

REQUEST FOR SIGN VARIANCE: GOODYEAR  
SERVICE STORE, 33014 GRAND RIVER

Tom Davis, Manager of the Goodyear Service Store at 33014 Grand River requested a variance to the city sign ordinance which would allow him the use of special displays from November 19 through December 1, 1984, during Goodyear's Detroit area Traction Sale. He proposes that outside flags would be strung from the building to the Goodyear sign on Grand River. He also requested that an A-frame sign be permitted by their ground sign.

Manager Deadman stated that although Council has traditionally granted the use of tents and other special display items for outdoor sales, they have normally denied the use of the A-frame due to the precedent it may establish.

11-84-284

Motion by Councilman Bennett, supported by Councilman Walker, to grant permission to the Manager of the Goodyear Service Store at 33014 Grand River for the use of pennants and a banner indicating the highlight of their "Traction Sale" from November 19 through December 1, 1984. Motion carried, all ayes.

PETITIONS AND COMMUNICATIONS

REQUEST FOR TAXICAB LICENSE

Manager Deadman advised that Michael D. Reggish, D.C., has requested one taxicab license to operate a limousine service from 32328 Grand River. Dr. Reggish operates a Cadillac limousine for hire by the hour from this location. The City Manager stated that Chapter 65 of the Farmington City Code defines "taxicab" as "any vehicle used for the transportation of passengers for hire." He indicated that under this definition, a limousine which may be hired by the public must have a license issued by Council.

He further indicated that the same ordinance, under Section 7.141, establishes the rates charged for taxicab services. He advised that Dr. Reggish charges by the hour for the limousine service. His current rate is \$140.00 for the first three hours and \$40.00 per hour thereafter, with a 15% gratuity required.

Manager Deadman stated that if Council grants the license to operate the limousine service, it will be necessary for Council either to establish a rate or waive rate control for the service. He recommended that Council waive rate control of this service since it is a luxury service which in all probability would not be considered as part of the community's basic public or quasi-public transportation system. The City Manager further recommended that the purpose of the license be specifically stated so that it would not be transferable to operate an additional taxicab-type vehicle in the community.

COUNCIL PROCEEDINGS -4-  
November 19, 1984

11-84-285

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves the issuance of a license to Michael D. Reggish to operate one vehicle from 32328 Grand River, Farmington, Michigan, and

BE IT FURTHER RESOLVED that this vehicle is to be used in his limousine service entitled "Absolute Class Limousine Service," and

FURTHER BE IT RESOLVED that City Council waives control of the rates for this service.

ROLL CALL

AYES: Walker, Yoder, Bennett, Tupper.  
NAYS: None.  
ABSENT: Hartsock.

RESOLUTION DECLARED ADOPTED NOVEMBER 19, 1984.

PROPOSED AMENDMENT: CITY LICENSING ORDINANCE

As a result of work sessions with City Council, the City Manager submitted a proposed amendment to the City's licensing ordinance which would repeal Chapters 59 through 63 of the current City Code and add a new chapter 59. Manager Deadman explained that the proposed amendment would divide current licensing provisions into two categories: Category One - Registration, and Category Two - Licensing.

He further stated that the only businesses required to be licensed by the City would be those of auctioneers, transient merchants, peddlers, solicitors, amusement arcades or parks, coin operated devices, billiard parlors, pool rooms, circuses, taxicabs, junk or scrap dealers and pawnbrokers. All other types would be required to register with the City Clerk. Believing that it is inequitable for a business to be dual-licensed, Manager Deadman proposes that only those businesses which are either not licensed by other units of government or are of particular concern to the community be licensed by the city.

The City Manager further explained that the provisions of the proposed amendment also expand the types of commercial, professional or manufacturing business which must be registered. Under the provisions of the current ordinance, many businesses are exempt. The proposed amendment would exempt only those businesses which are charitable in nature or provide products for resale in the community. The amendment also removes the fee structure from the ordinance and grants Council the authority to establish a fee structure by resolution.

COUNCIL PROCEEDINGS -5-  
November 19, 1984

Also presented for Council's review was a proposed fee structure which may be adopted if Council elects to adopt the proposed ordinance. If adopted, the amendment would become effective January 1, 1985.

Councilman Bennett asked if this ordinance language follows a pattern of other ordinance language. The City Manager advised that the majority of this ordinance presently exists with the exception of the registration versus licensing and the registration of those businesses not currently registered.

Councilman Walker asked how those involved will be apprised of the amended ordinance if it is adopted by Council. Manager Deadman stated that the city will send out an informational flyer.

11-84-286

Motion by Councilman Bennett, supported by Councilman Tupper, to introduce Ordinance C-517-84 which would amend the City Code by repealing Chapters 59 - 63 and designate a new Chapter 59 which would establish the regulations for business licenses, registrations and the required fees. Motion carried, all ayes.

CONTRACTOR PAYMENT: RAPHAEL WATER MAIN

Council was advised that Michael Cross Excavating, Inc., has completed the installation of the water main on Raphael Street to service the school and court properties. The contractor has agreed to return in the spring of 1985 to rework some settlement which has occurred in the trench areas.

The City Engineers recommend that the city retain \$1,000.00 until the trench areas can be inspected and the contractor has completed repairs to whatever problems are found as a result of settlement.

The third authorized payment of \$11,738.98 results from the construction cost of work completed through November 10, 1984, as follows:

Construction Cost	\$42,470.60
Previous Payments	(29,731.62)
Retainage	<u>( 1,000.00)</u>
	\$11,738.98

11-84-287

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes payment to Michael Cross Excavating, Inc., of Southfield, Michigan, in the amount of \$11,738.98 for work completed through November 10, 1984, on the Raphael Water Main, and

COUNCIL PROCEEDINGS -6-  
November 19, 1984

BE IT FURTHER RESOLVED that payment be made by the Farmington School District in the amount of \$7,765.82 and from the City's General Obligation Water Fund in the amount of \$3,973.16.

ROLL CALL

AYES: Yoder, Bennett, Tupper, Walker.  
NAYS: None.  
ABSENT: Hartsock.

RESOLUTION DECLARED ADOPTED NOVEMBER 19, 1984.

BID: 1985 ANNUAL CALENDAR REPORT

Council was advised that the City Clerk received bids on November 8, 1984, for the printing of the 1985 Annual Report Calendar. Six of the nine printers invited to bid did so showing the three low bidders to be as follows:

JOHNSTON SMITH GRAPHICS Romulus, Mi.	\$3,364.00
J & J GRAPHICS AND DESIGN Canton, Mi.	3,425.00
ARBOR PRESS Detroit, Mi.	3,535.50

Manager Deadman pointed out that the cost of last year's calendar, with essentially the same specifications and quantity, was \$3,666.00.

Since the low bidder, Johnston Smith Graphics, was unfamiliar to the city, investigation revealed that they are one of the primary printing contractors to Burroughs World Headquarters, who indicated that they are satisfied with the firm. Johnston Smith is also a prime subcontractor for Lloyd Waters and Associates, printers.

11-84-288

Motion by Councilman Bennett, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby accepts the low bid of Johnston Smith Graphics, Romulus, Michigan, in the amount of \$3,364.00 for printing the City's 1985 Annual Report Calendar, and

BE IT FURTHER RESOLVED that funds be provided from the 1984-85 General Fund Budget.

ROLL CALL

AYES: Bennett, Tupper, Walker, Yoder.  
NAYS: None.  
ABSENT: Hartsock.

RESOLUTION DECLARED ADOPTED NOVEMBER 19, 1984.

COUNCIL PROCEEDINGS -7-  
November 19, 1984

BID: GARAGE DOORS & SIDING BOARDS  
FARMINGTON MUSEUM CARRIAGE BARN

Council was informed that the City Clerk received bids on November 8, 1984, for replacing the garage doors and siding boards on the carriage barn at the Farmington Museum. Two of eleven invited bidders responded as follows:

D. E. Roberts, Inc.                    \$3,150.00  
Dearborn, Mi.

Oak Builders                            3,332.00  
Livonia, Mi.

Manager Deadman informed Council that the low bidder, D. E. Roberts, has done similar work for Greenfield Village, whose Buildings and Grounds Director advised that Mr. Roberts is an excellent craftsman.

11-84-289

Motion by Councilman Tupper, supported by Councilman Walker, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby accepts the low bid of D. E. Roberts, Inc., of Dearborn, Michigan, in the amount of \$3,150.00 to replace the carriage barn doors and siding boards at the Farmington Museum, and

BE IT FURTHER RESOLVED that funds be provided from the Community Development Block Grant Program as approved by Council on June 18 and July 2, 1984.

ROLL CALL

AYES:                                    Tupper, Walker, Yoder, Bennett.  
NAYS:                                    None.  
ABSENT:                                 Hartsock.

RESOLUTION DECLARED ADOPTED NOVEMBER 19, 1984.

MISCELLANEOUS

There were no public comments.

BOOTLEGGERS LIQUOR LICENSE LITIGATION

Council was advised that the Ingham County Circuit Court has rendered a decision in the case of Pal Joey's, Inc., vs. City of Farmington upholding the action of City Council and the Michigan Liquor Control Commission in the nonrenewal of the Class "C" Liquor License held by Pal Joey's, and used in the operation of The Bootlegger's Bar.

Manager Deadman stated that the City's Special Legal Counsel, Ron Acho, has advised that Pal Joey's attorney has requested a hearing before Judge Bell to enjoin the Liquor Control Commission from

COUNCIL PROCEEDINGS -8-  
November 19, 1984

taking the license pending his appeal to the Michigan Court of Appeals. Attorney Acho and representatives of the Michigan Attorney General's Office have objected to this hearing.

Pal Joey's attorney is expected to go directly to the Court of Appeals for a court order returning the license to Pal Joey's pending appeal, as the Liquor Control Commission has issued an order permitting the Farmington Public Safety Department to take the Class "C" Liquor License. This court date is set for December 4, 1984.

FINANCIAL REPORTS: FOUR MONTHS ENDED  
OCTOBER 31, 1984

Manager Deadman advised Council that four months into the city's fiscal year, all departments are operating in the black and he anticipates no unusual expenditures.

11-84-290

Motion by Councilman Bennett, supported by Councilman Walker, to receive and file the General Fund and the 47th District Court Financial Reports for the four months ended October 31, 1984. Motion carried, all ayes.

WARRANT LIST

11-84-291

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the monthly bills for payment as submitted: General Fund \$30,610.86; Water & Sewer Fund \$7,298.35.

ROLL CALL

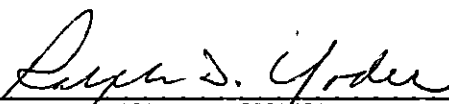
AYES: Walker, Yoder, Bennett, Tupper.  
NAYS: None.  
ABSENT: Hartsock.

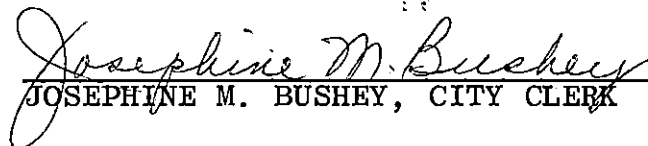
MOTION CARRIED.

ADJOURNMENT

Motion by Councilman Tupper, supported by Councilman Bennett, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:43 p.m.

  
RALPH D. YODER, MAYOR

  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, December 3, 1984, 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 Yoder.

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Lauhoff, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 12-84-292

Motion by Councilman Bennett, supported by Councilman Walker, to approve the minutes of the previous meeting of November 19, 1984, as presented. Motion carried, all ayes.

### MINUTES OF OTHER BOARDS

#### 12-84-293

Motion by Councilman Tupper, supported by Councilman Hartsock, to receive and/or file the minutes of the following Boards:

Economic Development Corporation minutes of November 27, 1984;  
Beautification Committee minutes of November 14, 1984;  
Farmington Area Arts Commission minutes of November 15, 1984;  
Board of Education minutes of October 23, 1984.

Motion carried, all ayes.

### PETITIONS AND COMMUNICATIONS

#### REQUEST FOR SIGN VARIANCE: CARL GAISER, 33018 GRAND RIVER

Council was advised that Mr. Gaiser is refurbishing a home at 33018 Grand River for use as an architectural office and has requested a variance to the Sign Ordinance to allow the installation of a ground sign on the front lawn of the property. The proposed sign would be held in place by a wooden post seven feet high, and would contain approximately eight square feet of advertising space on each side which would display Mr. Gaiser's name and title. Mr. Gaiser does not wish to install a sign on the building, as he feels such a sign would detract from the historical and residential nature of the structure.

#### 12-84-294

Motion by Councilman Walker, supported by Councilman Tupper, to grant a variance to Chapter 81, Section 8.42, Subsection 11 of the City Sign Ordinance to allow Mr. Gaiser to install the requested ground sign on the front lawn of his architectural business at 33018 Grand River with the stipulation that no wall or other type of sign be installed on the building. Motion carried, all ayes.

REQUEST FOR NEW WHOLESALE BEER AND WINE  
LICENSE: INTERNATIONAL IMPORT/EXPORT CO.

A Public Safety Investigative Report was submitted to Council concerning the request of Frank Camaj, Thomas Whaling and Gerald Pavazalo for a Wholesale Beer and Wine License to operate the Camaj International Import-Export Company at 31505 Grand River. Based on their investigation, the Department has no objection to the approval of the license for these applicants.

12-84-295

Motion by Councilman Bennett, supported by Councilman Hartsock, to receive and file the Department of Public Safety Report concerning the requested Wholesale Beer and Wine License to operate the Camaj International Import-Export Company at 31505 Grand River. Motion carried, all ayes.

PROPOSED AMENDMENT: CLASS "C" LIQUOR  
LICENSE: PAGE'S, 23619-21 Farmington Rd.

Council was advised of a request from Mari-Pearl, Inc., to add new stockholders to the Class "C" Liquor License with Dance Permit at 23619-21 Farmington Road. The new stockholders will be added by the sale of partial shares from existing stockholder Dennis G. Page and all the shares from existing stockholder Marilyn K. Williams to Lucille and Patricia Page.

Council was informed that the Public Safety Department's Investigative Report determined that there is no reason to object to the addition of the two new stockholders to this Class "C" Liquor License. The City Manager concurred with the recommendation of the Public Safety Department.

12-84-296

Motion by Councilman Bennett, supported by Councilman Hartsock, that the request from Mari-Pearl, Inc., to add Lucille A. Page and Patricia M. Page as new stockholders in the 1984 Class "C" licensed business with Dance Permit, located at 13619-21 Farmington Road through sale of all shares from existing stockholder, Marilyn K. Williams and partial shares from existing stockholder, Dennis G. Page, be considered for approval.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

It is the consensus of this legislative body that the application be recommended for issuance.

AUTHORIZATION TO PARTICIPATE IN OAKLAND  
COUNTY TRI-PARTY ROAD IMPROVEMENT PROGRAM

Manager Deadman advised that the Oakland County Road Commission proposes a multi-year Tri-Party construction program, the cost of



COUNCIL PROCEEDINGS -3-  
December 3, 1984

which will be shared by Oakland County, the Road Commission and the local jurisdiction. The Oakland Planning and Building Committee has recommended to the County Board that they approve a one-year program of \$500,000.00 to be funded in the January 1, 1985 budget year. The Oakland County Road Commission will also provide \$500,000.00, and they request a similar match from the townships, villages and cities. A \$1.5 million road safety program will be formulated from this agreement.

Conditions of funding require that programs must be of a safety type improvement on roads under the jurisdiction of the Road Commission. Each party will share equally in the cost of the improvement. Miles of such roads in each jurisdiction have been used to develop the distribution formula, since the Tri-party improvements are limited to county roads.

In the case of the City of Farmington, the County and the Road Commission will each provide \$3,450.00. Including the city's share, funds available under the program will be \$10,350.00. In order to participate in the program, the City is requested to identify a needed improvement and inform the county of the proposed project.

Manager Deadman advised that in reviewing with the Department of Public Services needs along county roads within the city, it has been determined that the replacement of the intersection of Leelane and Orchard Lake Road is a high priority item. Drainage in this area is inadequate, and road surface needs to be replaced. Mr. Deadman pointed out that concrete failure is expected in the near future if the intersection is not rebuilt.

The City Manager further stated that the estimated cost of the proposed repair of this intersection is \$12,472.00, and this improvement meets the guidelines established for the program.

12-84-297.

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves participation in the Oakland County Tri-Party Road Improvement Program and the proposed reconstruction of the Leelane and Orchard Lake Road intersection, and

BE IT FURTHER RESOLVED that City Council allocates the city's share for these improvement costs in an amount not to exceed \$5,700.00, and

FURTHER BE IT RESOLVED that funds be provided from the 1984-85 Highway Fund.

COUNCIL PROCEEDINGS -4-  
December 3, 1984

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 3, 1984.

FINAL CONTRACTOR PAYMENT: 1983 ROAD  
IMPROVEMENT PROJECT

Manager Deadman advised that the contractor for the 1983 Road Improvement Program, which included paving Sherwood and Shaw Streets, has requested final payment. All of the necessary documents have been submitted to close out the project, including Contractor's Affidavit, Declaration and Waivers of Lien from the suppliers used on the project. The following work has been completed under this contract:

Construction	\$35,966.27
Previous Payments	<u>(33,068.33)</u>
Authorized Final Payment	\$ 2,897.94

The City Manager recommended that final payment be submitted as requested as the City Engineer reviewed the work completed and found it to be in substantial compliance with previous plans and specifications.

12-84-298

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby approves final payment to Albert A. Dettore & Associates of Livonia, Michigan, in the amount of \$2,897.94 for work on the 1983 Road Improvement Project, including paving Sherwood and Shaw Streets, and

BE IT FURTHER RESOLVED that funds be provided from the Community Development Block Grant Program.

ROLL CALL

AYES: Walker, Yoder, Bennett, Hartsock, Tupper.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED DECEMBER 3, 1984.

MISCELLANEOUS

PUBLIC COMMENT

Nancy Leonard of Shiawassee Street advised that there is a street light out on McGee Hill, near the turn.

APPOINTMENT TO BOARD OF REVIEW

Council was advised that the term of Mary Joan Sundt on the Farmington Board of Review will expire on December 31, 1984, as she was appointed in December of 1983 to fill the unexpired term of Councilman Walker.

Manager Deadman advised that he contacted Mrs. Sundt to ask if she would be willing to serve another term on the Board. Mrs. Sundt stated that she would be willing to serve if appointed. Mr. Deadman pointed out that Mrs. Sundt's training in real estate is a desirable attribute for one who serves on this important Board.

12-84-299

Motion by Councilman Hartsock, supported by Councilman Tupper, to appoint Mary Joan Sundt to a three-year term on the Board of Review, said term to expire December 31, 1987. Motion carried, all ayes.

RESOLUTIONS AND ORDINANCES

12-84-300

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following ordinance:

ORDINANCE NO. C-517-84

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON BY REPEALING CHAPTERS 59, 60, 61, 62 and 63 OF TITLE VII AND BY ADDING A NEW CHAPTER WHICH NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER 59 OF TITLE VII OF SAID CODE.

THE CITY OF FARMINGTON ORDAINS:

7.1. Registration Required. No person shall, directly or indirectly, operate a mercantile establishment in the City of Farmington; or no person shall, directly or indirectly, operate, conduct, maintain or manage any business, manufacturing business, trade, or occupation in the City of Farmington without first registering with the City Clerk in the manner provided in this Ordinance.

7.2. License Required. No person, firm or corporation shall, directly or indirectly, operate, conduct or engage in the business of an auctioneer, transient merchant, peddler or solicitor, amusement arcade or park, coin operated devices, billiard parlor, pool room, carnival, circus, taxicabs, junk or scrap dealer, or pawnbroker without first procuring a license in the manner provided in this Ordinance.

7.3. Definition of Terms and Meaning of Ordinance.

- (1) The word "Merchant" as used in this Ordinance shall be deemed to mean any person, firm or corporation who

COUNCIL PROCEEDINGS -6-  
December 3, 1984

engages in or conducts a business selling goods, wares and merchandise, and who for the purpose of carrying on such business uses, lists or occupies, either in whole or in part, a room, building, structure or vacant property for the exhibition of such wares and merchandise.

- (2) The word "Transient Merchant" as used in this Ordinance shall be deemed to mean any person, firm or corporation who engages in or conducts a business buying or selling goods, wares and merchandise and does not have a mercantile establishment in the City of Farmington. Auctioneers shall not be deemed to be transient merchants.
- (a) The word "peddler" as used in this Chapter shall include any person traveling by foot, wagon, automotive vehicle or other conveyance, from place to place, from house to house, or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, or other vehicle or conveyance. Any person who solicits orders and as a separate transaction makes deliveries to purchasers as part of a scheme or design to evade the provisions of this Chapter, shall be deemed a peddler. The word "peddler" shall include the words "Hawker" and "Huckster".
- (b) The word "Solicitor" as used in this Chapter shall include any individual whether a resident of the City or not, traveling either by foot, wagon, automobile, motor truck, or any other type of conveyance, from place to place, from house to house, or from street to street, taking or attempting to take orders for sale of goods, wares and merchandise, books or magazines, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether he is collecting advance payments on such sales or not, and such definition shall include any person who, for himself, or for another person, hires, leases, uses, or occupies any building, structure, tent, railroad boxcar, boat, hotel room, lodging house, apartment, shop, or any other place within the City for the sole purpose of exhibiting samples and taking orders for future delivery. The word "solicitor" shall include the word "canvasser".

COUNCIL PROCEEDINGS -7-  
December 3, 1984

- (3) The word "Business" as used in this Ordinance shall be deemed to mean any form of activity that has for its end the production and/or supplying of commodities. The words "manufacturing business" shall be deemed to mean any form of process of making, working, fabricating or producing wares.
  - (a) "Trade," "Business," or "Profession" is meant to include all kinds of vocations, occupations, enterprises, establishments, and all other kinds of activities, which are conducted for private profit, either directly or indirectly, on any premises in the City of Farmington, and is also meant to include occupations and activities conducted for private profit by certain employees when such occupations and activities are specifically listed in the City Council resolution which establishes license and registration fees.
- (4) The word "Trade" shall be deemed to be all other kinds of vocations, occupations, enterprises, establishments and kinds of activity not included in definition of merchant or business.
- (5) The provisions of this Ordinance shall not apply to commercial travelers making sales to dealers or selling agents in the usual course of business for resale, nor to societies making sales for charitable or religious organizations.
- (6) The following shall be exempt from the licensing requirements of this Chapter but shall be subject to the other provisions hereof:
  - (a) Any person under eighteen (18) years of age, when engaged in peddling on foot in the neighborhood of his residence under the direct supervision of any school or recognized charitable or religious organization.
  - (b) Food peddlers licensed under the provisions of Chapter 46 of this Code.
  - (c) Persons under eighteen (18) years of age, when engaged in soliciting on foot in the neighborhood of their residence under the direct supervision of any school or recognized charitable or religious organization.
- (7) The word "Person" shall include individual persons acting for themselves or in behalf of others, partnerships, corporations, joint ventures and all other kinds of business associations.

7.4. State or County License or Permit No Exemption. The fact that a license or permit has been granted to any person by the State or County to engage in the operation, conduct, maintenance or management of any business, trade, occupation or premises shall not exempt such person from the necessity of registering with the City Clerk or procuring a license or permit from the City, as required by this Ordinance or any other Ordinance of the City. No registration fee shall be required from any person exempt from payment of the fee by State, County or Federal law.

7.5. Registration.

A. Each person required to register with the City Clerk under the provisions of this Ordinance shall make application for such registration with the City Clerk in the form and manner prescribed by him and shall state such facts as may be required for, or applicable to such registration including:

- (1) The full names, business addresses and residence addresses of the owners, proprietors, officers, and local addresses of all owners, proprietors, officers, and managers of the applicant's business; the names and addresses of each officer, if the applicant is a corporation; the names and addresses of all partners, if a partnership.
- (2) The place or places where business or equipment is maintained, and the nature of the business.
- (3) A list of all assumed, trade or firm names under which the registering applicant intends to do business.

B. The City Clerk shall not accept any application for registration unless said applicant has complied with Section 7.8 of this Ordinance.

7.6. License: Application, Form Contents. Each person required to procure a license from the City shall make application for such license from the City Clerk in the form and manner prescribed by him/her and shall state, under oath, such facts as may be required for, or applicable to the granting of such license, including the following:

- (1) The full names, business addresses and residence addresses of the owners, proprietors, officers, managers and local addresses of all owners, proprietors, officers, and managers of the applicant's business; the names and addresses of each officer, if the applicant is a corporation; the names and addresses of all partners, if a partnership. If a Transient Merchant, the names of persons to be employed in the City.

- (2) The place or places in the City where the applicant proposes to maintain its business, and the length of time during which it is proposed that such business be conducted if temporary in nature.
- (3) The nature, kind and character of the goods, wares, merchandise or services to be rendered or offered for sale by the applicant, and manner of operation.
- (4) A list of all assumed, trade or firm names under which the applicant intends to do business.
- (5) Whether or not the applicant or person conducting or managing the applicant's business has been convicted of a crime, misdemeanor or the violation of any municipal ordinance, and if so, full particulars in connection therewith.
- (6) If a business or operation thereof, or use of business facilities require state or county license, proof that such license has been obtained and the expiration date.

7.7. Expiration Date. A license year and registration year shall terminate on the 31st day of December at 12:00 Midnight, next after the issuance of said license or date of registration. The expiration date of each license and registration shall be indicated on the face thereof.

7.8. State or County Law, Compliance Pre-requisite to Issuance. No license, permit or registration required by this Ordinance or any other ordinance of the City shall be issued to any person who is required to procure a license or permit from the State or County until such person shall submit evidence that the required State or County license or permit has been issued and that all fees appertaining thereto have been paid.

7.9. Exhibition of License. No licensee shall fail to carry any license or registration issued in accordance with the provisions of this Chapter upon his/her person at all times when engaged in the operation, conduct or carrying on of any trade or business for which the license was granted, except that where such trade or business is operated, conducted or carried on at a fixed place or establishment, such license shall be exhibited at all times at some conspicuous place in such place of business. Where the owner or operator of a vehicle is required by the provisions of this Code to pay a license fee for such vehicle, such owner and operator shall display and cause to be displayed on such vehicle at all times such tags or stickers as are furnished by the City Clerk to indicate that such vehicle is properly licensed hereunder.

7.10. Defaulters. No license or registration shall be issued to any person who is in default to the City of Farmington.

7.11. Compliance with Laws. No license or registration shall be issued to any person unless he/<sup>she</sup> has complied with all of the provisions of this Chapter and with all of the provisions of all other laws, provisions of this Code and rules and regulations applicable to the trade or business and the same is in full compliance with Chapter 39 (Zoning) of the City Code.

7.12. Inspection. All licensees or registrants shall permit the inspection of their premises and facilities by authorized representatives of the issuing authority at all reasonable times for compliance with the provisions of this Ordinance.

7.13. Licenses Non-Transferable. All licenses or registrations issued under the provisions of this Chapter shall be non-transferable. Upon the transfer of ownership of any trade or business, the new owner shall obtain a license as herein provided and pay the required license fee.

7.14. Where Certification Required. No license or registration shall be granted where the certification of any officer of the City is required prior to the issuance thereof until such certification is made.

7.15. Health Officer's Certificate. In all cases where the certification of the Health Officer is required prior to the issuance of any license or registration by the City Clerk, such certification shall be based upon an actual inspection and finding that the person making application and the premises in which he/<sup>she</sup> proposes to conduct or is conducting the trade, profession, business or privilege comply with all the sanitary requirements of the State of Michigan and of the City.

7.16. Public Safety Director's Certificate. In all cases where the certification of the Director of Public Safety is required prior to the issuance of any license or registration by the City Clerk, such certification shall be based upon a finding that the person making application for such license is of good moral character, and if the applicant for such license proposes to conduct or is conducting the trade, profession, business or privilege to be licensed within any building in the City that such premises comply with all the fire regulations of the State of Michigan and of the City.

7.17. Building Inspector's Certificate. In all cases where the carrying on of the trade, profession, business or privilege involves the use of any structure or land, a license or registration therefor shall not be issued until the Building Inspector shall certify that the proposed use is not prohibited by Title V of this Code, or other zoning regulations of the City.

7.18. Suspension and Revocation. The City Council may suspend or revoke for cause any license or registration issued by the City in the manner herein provided.



7.19. "Cause" Defined. The term "cause" as used in Section 7.18 shall include:

A. The doing or omitting of any act or permitting any condition to exist in connection with any trade or business for which a license or registration is issued under the provisions of the Chapter, or any premises or facilities used in connection therewith, which act, omission or condition is injurious to the health, morals, safety or welfare of the public; is unlawful or fraudulent; is unauthorized or beyond the scope of the license granted; or is forbidden by the provisions of the City Code or rule or regulation of the City, or any state or federal law, applicable to the trade or business for which the license was issued.

B. The arrest and conviction of the licensee or registrant for any crime involving moral turpitude.

C. Fraud, misrepresentation or any false statement made in the application for license or registration.

D. Any violation of the Ordinance.

E. Conducting a business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, morals, safety or welfare of the public.

F. Failure or inability of an applicant to meet and satisfy the requirements and provisions of this Ordinance and every other ordinance of the City.

7.20. Procedure to Suspend or Revoke License or Registration. Wherever the City Manager shall have evidence which in his opinion shall warrant the suspension or revocation of a license or registration, he shall submit a complete report, in writing, to the City Council at its next regular meeting, which report shall detail the nature of the charges against the licensee or registrant and the City Manager's recommendation as to the action to be taken. Should the City Council decide, after considering the matter, that if the charges against the licensee or registrant are true, the same would warrant a suspension or revocation of his/her license or registration, the City Council shall set a time and place when it will hear the matter, which shall not be sooner than fifteen (15) days nor later than twenty (20) days from the date of its decision to hear the same, and shall direct the City Clerk to mail a copy of the charges and a notice of the time and place of the hearing to the licensee or registrant, by certified mail, return receipt requested, at the last known business address of the licensee or registrant, no later than ten (10) days prior to the time of hearing.

7.21. Evidence. At the hearing, the licensee or registrant shall have an opportunity to be heard and answer the charges made against him/her, and to cross-examine all witnesses and examine all evidence produced against him/her.

7.22. Decision of Council. Within five (5) days after hearing and weighing the evidence presented the City Council shall render its decision on whether or not such license or registration should be suspended or revoked and the licensee or registrant shall be immediately notified of such decision. In all cases the decision of the City Council shall be final and conclusive. If the Council shall decide that the license or registration shall be suspended or revoked, the licensee or registrant shall forthwith surrender the same to the City Clerk and shall not thereafter conduct, operate or carry on the trade or business for which he was licensed or registered unless and until said license or registration shall be restored or a new license or registration is issued to him/her.

7.23. New License or Registration. Upon suspension or revocation of any license or registration, the City Clerk shall not issue a new license or registration of any kind to the licensee or registrant except upon the express approval of the City Council.

7.24. Renewal. A renewal license or registration can be obtained by filing application therefor, with information supplied as in the original application, and by payment of pre-requisite license or registration fee, provided inspection of involved premises has been made, if required.

7.25. Termination of Business. Any person discontinuing or terminating any business, trade, or occupation covered in this Ordinance, shall notify the City Clerk to such effect personally or by certified mail, and when said discontinuance or termination is voluntary, such notice shall precede the same by thirty (30) days.

7.26. Fixed Stands Prohibited. No licensee or registrant shall stop or remain in any one place upon any street, alley or public place, longer than necessary to make a sale to a customer wishing to buy, any peddler using a vehicle, when stopped, shall place his/her vehicle parallel to and within twelve (12) inches of the curb and shall depart from such place as soon as he/she has completed sales with customers actually present.

7.27. Prohibited Areas. No peddler, in the sale of goods, wares and merchandise, shall obstruct any street, alley, sidewalk or driveway except as may be necessary and reasonable to consummate a sale nor remain, barter, sell, offer or expose for sale any goods, wares or merchandise in front of or at the side of any property against the wish or desire of the property owner or the tenant or occupant of such property. No peddler shall engage in peddling on any street, alley or public place after having been requested to desist by any public safety officer of the City because of congested or dangerous traffic conditions.

7.28. Practices Prohibited. No peddler shall shout or cry out his goods or merchandise, nor blow any horns, ring any bell or use any other similar device to attract the attention of the public.

7.29. Curb Service Prohibited. No person shall operate or maintain any stand, vehicle, store or place of business on or near to any highway in such a manner that the customers of or traders with such person occupy or congregate within the limits of any street, lane, highway, or public place within the City. No person shall be permitted to use the street, alleys, lanes or public places of the City for the service of customers or for the transaction of business, or to use any stands, stores or other places of business in any manner that shall require the customer, when transacting said business, to stand within the limits of the streets, highways, alleys or public places of the City.

7.30. Registration Fees. Every applicant for registration or renewal thereof shall pay a registration fee in an amount to be set by resolution of the City Council.

7.31. License Fees. Upon approval of license or renewal thereof, a license fee shall be paid in an amount to be set by resolution of the City Council.

7.32. Penalties. A person who violates any provision or provisions of this Ordinance, upon conviction, shall be punished with a fine not exceeding Five Hundred Dollars (\$500.00), or imprisonment in the County Jail of Oakland County, Michigan, for a period not to exceed ninety (90) days, or both, at the discretion of the Court. Each day of the violation shall be considered a separate offense.

7.33. Severability. The provisions of this Ordinance are hereby declared to be severable, and if any clause, sentence, paragraph, section or sub-section is declared void or inoperable for any reason, it shall not affect any other part or portion thereof.

This ordinance was introduced at a regular meeting of the Farmington City Council on November 19, 1984, was adopted and enacted at the next regular meeting on December 3, 1984, and will become effective ten days after publication.

AYES: . Yoder, Bennett, Hartsock, Tupper, Walker.  
NAYS: . None.  
ABSENT: . None.

RESOLUTION ESTABLISHING BUSINESS LICENSE  
AND REGISTRATION FEES

12-84-301

Motion by Councilman Bennett, supported by Councilman Tupper, to adopt the following resolution:

WHEREAS, Ordinance No. C-517-84 for the City of Farmington requires the licensing or registration of businesses, manufacturing businesses, trades or occupations in the City; and

COUNCIL PROCEEDINGS -14-  
December 3, 1984

WHEREAS, said ordinance authorizes the City Council to establish license and registration fees by resolution;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Farmington hereby establishes the following Fee Schedule for the licensing or registration of businesses, manufacturing businesses, trades or occupations within the City.

NOW, THEREFORE, BE IT FURTHER RESOLVED that businesses, manufacturing businesses, trades or occupations which are currently licensed or registered, or are operating within the City as of January 1, 1985, shall be charged a fee which shall not exceed the annual fee as stated within the attached Fee Schedule.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the attached Fee Schedule shall be effective beginning with the issuance of 1985 licenses and registrations.

LICENSE AND REGISTRATION FEES

7.32 Fees for:

Accounting or Bookkeeping Office	
Initial Fee	\$ 50.00
Annual Fee	30.00
Ambulance Service	
Annual Fee	50.00
Amusement Arcade	
Annual Fee	100.00
Per Machine or Device	50.00
Amusement Parks	
Annual Fee	150.00
Antique Shop	
Initial Fee	50.00
Annual Fee	30.00
Apartment Complex	
Annual Fee	30.00
Appliance Store	
Initial Fee	50.00
Annual Fee	30.00
Architect's Office	
Initial Fee	50.00
Annual Fee	30.00
Attorney's Office	
Initial Fee	50.00
Annual Fee	30.00
Auctioneer	
Per Day	15.00
Annual Fee	75.00
Automatic Laundries	
Initial Fee	50.00
Annual Fee	30.00

COUNCIL PROCEEDINGS -15-  
December 3, 1984

Automobile Dealer, New	
. Initial Fee	\$ 50.00
. Annual Fee	30.00
Automobile Dealer, Used	
. Initial Fee	50.00
. Annual Fee	30.00
Automobile Parts or Accessories	
. Initial Fee	50.00
. Annual Fee	30.00
Automobile Washing	
. Initial Fee	50.00
. Annual Fee	30.00
7.33 Fees for:	
.	
Bakery	
. Initial Fee	50.00
. Annual Fee	30.00
Banks	
. Initial Fee	50.00
. Annual Fee	30.00
Per Office	30.00
Bar or Tavern	
Annual Fee	75.00
Billboard or Sign Erector (See Sign	
of Billboard Erector)	
. Annual Fee	25.00
Bond	10,000.00
Billiard Parlor, Pool Room or Smoke Shop	
Per Table	20.00
. Minimum	50.00
Bowling Alley	
First Alley	20.00
. Each Additional Alley	3.00
Building Contractor	
Annual Fee	30.00
Building Wrecker	
. Annual Fee	30.00
Business or Professional Office	
. Initial Fee	50.00
. Annual Fee	30.00

7.34 Fees for:

.	
Carnival	
. Per Day	100.00
Christmas Tree or Wreath Dealer	
. Annual Fee	15.00
. Bond (Cash)	100.00
Circus	
. Per Day	100.00
.	

COUNCIL PROCEEDINGS -16-  
December 3, 1984

Clinic, Medical or Dental Office	
Initial Fee	\$ 50.00
Annual Fee	30.00
Clothing Store	
Initial Fee	50.00
Annual Fee	30.00
Coin Operated Amusement Devices	
Annual Fee	50.00
Per Machine or Device	50.00
Coin Operated Music Devices	
Initial Fee	20.00
Each Additional Machine	15.00
Confectionery Store	
Initial Fee	50.00
Annual Fee	30.00
Convalescent Home	
Initial Fee	50.00
Annual Fee	30.00
Credit Union	
Initial Fee	50.00
Annual Fee	30.00

7.35 Fees for:

Dance School or Studio	
Initial Fee	50.00
Annual Fee	30.00
Dance Hall	
Annual Fee	80.00
Dairy Store	
Initial Fee	50.00
Annual Fee	30.00
Delicatessen Store	
Initial Fee	50.00
Annual Fee	30.00
Dentist's Office	
Initial Fee	50.00
Annual Fee	30.00
Department Store	
Initial Fee	50.00
Annual Fee	30.00
Doctor's Office	
Initial Fee	50.00
Annual Fee	30.00
Dog Licenses	
Male, Female or Unsexed	4.00
Dray (See Moving Van)	
Initial Fee	50.00
Annual Fee	30.00
Drug Store	
Initial Fee	50.00
Annual Fee	30.00

COUNCIL PROCEEDINGS -17-  
December 3, 1984

Dry Cleaner		
. Initial Fee	\$	50.00
. Each Truck Annually		5.00
Annual Fee		30.00

7.36 Fees for:

Electrical Contractor		
Annual Fee		30.00
Electrical Journeyman and Registration		
Annual Fee		10.00
Employment Agency		
. Initial Fee		50.00
Annual Fee		30.00
Engineer's Office		
. Initial Fee		50.00
Annual Fee		30.00
Excavating Contractors		
. Annual Fee		40.00

7.37 Fees for:

Fence Contractor or Erectors		
Annual Fee		20.00
Fish or Meat Market (See Meat or Fish Market)		
. Initial Fee		60.00
A . Annual Fee		40.00
Floor Covering Store		
. Initial Fee		50.00
Annual Fee		30.00
Florist		
. Initial Fee		50.00
Annual Fee		30.00
Fuel or Fuel Oil Dealer		
. Annual Fee		30.00
Per Truck Annually		2.00
Fumigator		
Annual Fee		50.00
Furniture Store		
Initial Fee		50.00
Annual Fee		30.00
Funeral Homes		
Initial Fee		50.00
Annual Fee		30.00

7.38 Fees for:

Garbage Collector		
Annual Fee		30.00
Gasoline Service Station		
Initial Fee		50.00
Annual Fee		30.00

COUNCIL PROCEEDINGS -18-  
December 3, 1984

General Merchant		
Initial Fee	\$	50.00
Annual Fee		30.00
Grocery Store		
Initial Fee		60.00
Annual Fee		40.00

7.39 Fees for:

Hawker or Peddler		
Per Day		4.00
Annual Fee		75.00
Heating Services Contractor		
Annual Fee		15.00
Hotel or Motel		
Annual Fee		40.00
Per Room		1.00
House Mover or Raiser		
Annual Fee		50.00
Income Tax Office		
Initial Fee		50.00
Annual Fee		30.00
Industrial Factory or Assembler		
Initial Fee		50.00
Annual Fee		30.00
Industrial, All Other		
Initial Fee		50.00
Annual Fee		30.00
Insurance Office		
Initial Fee		50.00
Annual Fee		30.00

7.40 Fees for:

Jeweler		
Initial Fee		50.00
Annual Fee		30.00
Junk or Scrap Dealer		
Annual Fee		100.00
Laboratory, Medical or Dental		
Initial Fee		50.00
Annual Fee		30.00
Leasing Company		
Initial Fee		50.00
Annual Fee		30.00



COUNCIL PROCEEDINGS -19-  
December 3, 1984

7.41 Fees for:

Manufacturer		
Initial Fee	\$	50.00
Annual Fee		30.00
Meat or Fish Market		
Initial Fee		60.00
Annual Fee		40.00
Mechanical Contractor		
Initial Fee		50.00
Annual Fee		30.00
Motion Picture Theater (Indoors & Outdoors)		
Initial Fee		60.00
Annual Fee		40.00
Motorcycle Rentals		
Initial Fee		100.00
Annual Fee		15.00
Moving Van Business		
Initial Fee		50.00
Annual Fee		30.00
Optical Office		
Initial Fee		50.00
Annual Fee		30.00
Other Contractors		
Annual Fee		30.00

7.42 Fees for:

Parking Lot		
Initial Fee		50.00
Annual Fee		30.00
Pawnbroker		
Annual Fee		100.00
Peddler (See Hawker or Peddler)		
Per Day		4.00
Annual Fee		75.00
Photography Studio		
Initial Fee		50.00
Annual Fee		30.00
Plumbing Contractor, Annual Fee		
Master		1.00
JournJourneyman		.50
Pool Room		
Per Table		20.00
Annual Fee (Minimum)		50.00

7.43 Fees for:

Refrigeration Contractor		
Annual Fee		15.00
Repair Establishment		
Initial Fee		50.00
Annual Fee		30.00

COUNCIL PROCEEDINGS -20-  
December 3, 1984

Restaurant	
Initial Fee	\$ 50.00
Annual Fee	30.00
Retail Stores	
Initial Fee	50.00
Annual Fee	30.00
Savings or Loan Office	
Initial Fee	50.00
Annual Fee	30.00

7.44 Fees for:

Second-Hand Dealer	
Annual Fee	45.00
Sidewalk Builder	
Annual Fee	20.00
Sign Erector	
Annual Fee	25.00
Bond	110,000.00
Skating Rinks	
Annual Fee	50.00
Solicitor	
Per Day	4.00
Annual Fee	75.00

7.45 Fees for:

Taxicab Business	
Annual Fee Per Cab	40.00
Taxicab Driver	
Annual Fee	5.00
Tourist Home	
Annual Fee	20.00
Per Room	1.00
Transient Merchant	
Per Day	5.00
Annual Fee	75.00
Vending Machines	
Annual Fee	15.00
Plus Each Machine Annually	5.00
1¢ to 5¢ Machines Annually	1.00

7.46 Fees for All Other:

Business, Professional Offices, Services, Contractors and Industrial Type Companies	
Initial Fee	50.00
Annual Fee	30.00

ROLL CALL

AYES: . Bennett, Hartsock, Tupper, Walker, Yoder.  
NAYS: . None.  
ABSENT: . None.

RESOLUTION DECLARED ADOPTED DECEMBER 3, 1984.

COUNCIL PROCEEDINGS -21-  
December 3, 1984

RESOLUTION ESTABLISHING PUBLIC HEARING  
AMENDMENT ECONOMIC DEVELOPMENT CORPOR-  
ATION PROJECT PLAN: FARMINGTON/9 Mile

Council was informed that the developer, Weatherford/Walker Developments, has secured financing for the Farmington/9 Mile Associates Project, the Crossroads Shopping Center.

Manager Deadman submitted for Council consideration an amended project plan approved by the Farmington Economic Development Corporation. He advised that prior to Council adopting the project plan, it is necessary to hold a Public Hearing. He recommended that since the developer is attempting to complete the ECD financing by year-end, the public hearing be scheduled for December 17.

The City Clerk will advertised the public hearing in accordance with Economic Development Corporation regulations.

12-84-302

CITY OF FARMINGTON  
Couny of Oakland, Michigan

RESOLUTION CALLING PUBLIC HEARING  
CONCERNING AMENDED PROJECT PLAN  
(FARMINGTON/9 MILE ASSOCIATES,  
A MICHIGAN LIMITED PARTNERSHIP PROJECT)

The following preamble and resolution were offered by Councilman Bennett, supported by Councilman Hartsock:

WHEREAS, there exists in the City the need for certain programs to alleviate and prevent conditions of unemployment and to revitalize the City's economy, and to assist industrial and commercial enterprises, and to encourage the location, expansion or retention of industrial and commercial enterprises to provide needed services and facilities to the City and its residents and to retain employment opportunities in the City; and

WHEREAS, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by the Economic Development Corporation of the City of Farmington (the "Corporation"); and

WHEREAS, the Corporation substantially in conformity with Act 338 of the Public Acts of Michigan, 1974, as amended ("Act 338"), and the Internal Revenue Code of 1954, as amended, has prepared and submitted a project plan as amended (the "Project Plan") involving a commercial project to be undertaken on behalf of Farmington/9 Mile Associates, a Michigan Limited Partnership (the "Project"); and

WHEREAS, pursuant to Act 338 it is necessary to hold a public hearing concerning the Project, the Project Plan and the bonds proposed therein to be issued by the Corporation (the "Bonds"), prior to taking legislative action relating to it;

COUNCIL PROCEEDINGS -22-  
December 3, 1984

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to the aforesaid Act 338 the City Council shall meet on December 17, 1984; at 8:00 o'clock p.m., at which time it shall conduct a public hearing on the Corporation's submission of the Project Plan and the issuance by the Corporation of the Bonds.
2. The Clerk be and is hereby directed to give notice of such public hearing by (1) publishing a notice thereof in the FARMINGTON OBSERVER, a newspaper of general circulation in the City; (2) posting in at least ten (10) conspicuous and public places in the project district area; and (3) mailing to the last known owner of each parcel of real property in the project district area at the last known address of the owner as shown by the tax assessment records, which notices shall be published and given at least fourteen (14) full days prior to the date set for said hearing.
3. Said notice shall be in substantially the following form:

OFFICIAL NOTICE TO THE CITIZENS OF THE  
CITY OF FARMINGTON  
OF PUBLIC HEARING TO CONSIDER APPROVAL  
OF AN AMENDED PROJECT PLAN  
AND THE ISSUANCE OF THE BONDS PROPOSED THEREIN  
AS SUBMITTED TO THE CITY COUNCIL OF THE  
CITY OF FARMINGTON  
BY THE ECONOMIC DEVELOPMENT CORPORATION  
OF THE CITY OF FARMINGTON  
FOR FARMINGTON/9 MILE ASSOCIATES,  
A MICHIGAN LIMITED PARTNERSHIP PROJECT

PLEASE TAKE NOTICE that pursuant to Act 338 of the Public Acts of Michigan of 1974, as amended, The Economic Development Corporation of the City of Farmington has submitted a project plan to the City Council for its approval.

Said project plan deals with the construction and equipping of a 81,875 square foot retail shopping center facility to be owned by Farmington/ 9 Mile Associates, a Michigan Limited Partnership to be used by various retail stores, and to be located on a project area or site described as follows:

A parcel of land located in the N.W. 1/4 of Section 34, T.1 N., R. 9E., City of Farmington, Oakland County, Michigan, is described as commencing at the N.W. corner of said Section 34, thence along the west line of said Section 34, S. 0° 30' W. 33.00 feet; thence S. 89° 38' 37" E. 60.00 feet to a point of beginning; thence along the south Right-of-Way line of

COUNCIL PROCEEDINGS -23-  
December 3, 1984

Nine Mile Road (south half being 33 feet wide), S. 89° 38' 37" E. 573.17 feet; thence S. 0° 30' 00" W. 567.00 feet; thence N. 89° 38' 37" W. 573.17 feet; thence along the east Right-of-Way line of Farmington Road (east half being 60 feet wide), N. 0° 30' E. 567.00 feet to the point of Beginning. Containing 7.4607 Acres.

The location of the facility is at the southeast corner of the intersection of Farmington and Nine Mile Roads.

Said project plan details all information required by law relative to said project and its impact on the community. No persons will be displaced from the project area as a result of this project. Said project plan also proposes the issuance of revenue bonds by said Economic Development Corporation in a maximum principal amount not to exceed \$10,000.00 to assist in the financing of this project.

The City Council will meet at 8:00 o'clock p.m., E.S.T., the 17th day of December, 1984, at the City Hall located at 23600 Liberty Street, Farmington, Michigan, and will conduct a public hearing.

The public hearing shall consider the advisability of the City Council approving, modifying or rejecting by resolution said project plan and the issuance of bonds as proposed therein.

THIS NOTICE is given pursuant to the requirements of Sections 10 and 17 of Act 338, Public Acts of Michigan, 1974, as amended. The project plan and relevant maps or plats are available for inspection at the City Clerk's office.

All interested citizens are encouraged and will be offered an opportunity at said hearing to address the City Council concerning said project, said project plan, and the bonds proposed to be issued. Written comments may also be submitted to the City Clerk prior to said hearing.

JOSEPHINE M. BUSHEY, CITY CLERK

4. The City Council does hereby determine that the foregoing form of notice and the manner of publication directed is adequate notice to the citizens of the City and is well calculated to inform them of the intention of the City Council to hold a public hearing and the purpose of the public hearing.
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.

RESOLUTION DECLARED ADOPTED DECEMBER 3, 1984.

JOSEPHINE M. BUSHEY, CITY CLERK

COUNCIL PROCEEDINGS -24-  
December 3, 1984

WARRANT LIST.

Councilman Bennett questioned an item in the amount of \$2,496.00 paid to the City's Planning Consultant for Community Development projects. He was advised that this is for work done on the north side of Grand River and on Orchard Lake Road.

12-84-303

Motion by Councilman Bennett, supported by Councilman Tupper, to approve the monthly bills for payment as submitted: General Fund \$12,004.08; Water & Sewer Fund \$1,144.63.

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

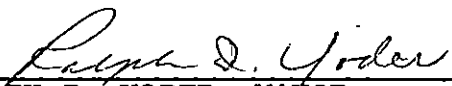
MOTION CARRIED.

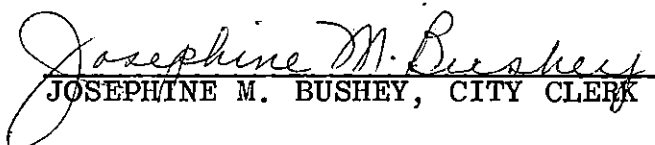
Manager Deadman informed of tentative plans to develop more parking in the Thomas Street area. He advised that he has been discussing with the Economic Development Corporation the possibility of acquiring the Miller property just off Thomas Street which has been for sale the past several years. He indicated that this is a difficult location and would be a difficult conversion to another use. He also mentioned the possibility of obtaining Mrs. Porter's "L" shaped parcel off Warner which backs onto Thomas Street, and a large vacant area abutting the Miller property. Mr. Deadman advised that he would like to begin negotiations with the owner, and he indicated that funding would be provided through the Community Development Funds.

ADJOURNMENT

Motion by Councilman Bennett, supported by Councilman Hartsock, to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 8:45 p.m.

  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, December 17, 1984, 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 Yoder..

### ROLL CALL

PRESENT: Bennett, Hartsock, Tupper, Walker, Yoder.

OTHERS PRESENT: City Manager Deadman, Director Billing, Director Lauhoff, City Attorney Kelly, City Clerk Bushey.

### MINUTES OF PREVIOUS MEETING

#### 12/84-304

Motion by Councilman Tupper, supported by Councilman Bennett, to approve the minutes of the previous meeting of December 3, 1984, as printed. Motion carried, all ayes.

The new caseworker for Farmington Youth Assistance was not available for introduction to Council due to illness.

### PUBLIC HEARING

#### AMENDED ECONOMIC DEVELOPMENT CORPORATION PROJECT PLAN: FARMINGTON/9 MILE ASSOCIATES

Manager Deadman advised that the project plan submitted by Farmington/9 Mile Associates for the financing of the Crossroads Shopping Center has been amended. He stated that final arrangements have been made for financing the project through a Letter of Credit issued by Equitable Savings and Loan Association of Columbus, Ohio. He further stated that E.D.C. Reserve Bonds will be purchased or underwritten by Meuse, Rincken & Chapman, Inc. He indicated that although the maximum bond amount that may be issued remains at \$10 million for this project, it is anticipated that the actual bond issue will be \$4.5 million.

The amended project plan, approved by the Economic Development Corporation, was submitted for Council's consideration at the last regular meeting. City Council established this Public Hearing to receive input and comment on the proposed amended project plan.

The City Manager stated that if Council approves the plan, the E.D.C. Board will meet on December 18, 1984, to consider adoption of a Bond Authorizing Resolution in the hope that funding arrangements can be completed and the E.D.C. Bonds sold before December 31, 1984.

Mayor Yoder declared the Public Hearing open and called for comments from the audience of eight people present. There were no comments from the audience.

COUNCIL PROCEEDINGS -2-  
December 17, 1984

12-84-305

Motion by Councilman Bennett, supported by Councilman Hartsock, to close the Public Hearing. Motion carried, all ayes.

12-84-306

Motion by Councilman Tupper, supported by Councilman Hartsock, to adopt the following resolution:

WHEREAS, there exists in the City of Farmington (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and to revitalize the City's economy, and to assist industrial and commercial enterprises, and to encourage the location, expansion or retention of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

WHEREAS, a program to alleviate the aforesaid conditions has been initiated by The Economic Development Corporation of the City of Farmington (the "Corporation"); and

WHEREAS, the Corporation in conformity with Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), has prepared and submitted a project plan (the "Project Plan"), providing all information and requirements necessary for a commercial project involving the acquisition, construction and equipping of an 82,000 square foot shopping center facility to be owned by, operated by and for the benefit of Farmington/9 Mile Associates, a Michigan Limited Partnership located at Farmington and 9 Mile Roads (the "Project"); and

WHEREAS, in conformity with Act No. 338 and the Internal Revenue Code of 1954, as amended (the "Code"), this legislative body has conducted a public hearing on the Project, the Project Plan, and the bonds in the maximum aggregate principal amount of not to exceed \$10,000,000 proposed therein to be issued by the Corporation to finance all or part of the costs of the Project (the "Bonds");

NOW, THEREFORE, BE IT RESOLVED:

1. The Project Plan, as submitted and approved by the Corporation meets the requirements set forth in Section 8 of Act 338, and is hereby approved.
2. The persons who will be active in the management of the Project for not less than one year after approval of the Project Plan have sufficient ability and experience to manage the plan properly.
3. The proposed methods of financing the Project as outlined in the Project Plan are feasible and this Corporation has the ability to arrange, or cause to be arranged, the financing.



COUNCIL PROCEEDINGS -3-  
December 17, 1984

4. The Project as submitted is reasonable and necessary to carry out the purposes of Act No. 338, and is hereby approved.
5. Issuance by the Corporation of the Bonds in an amount not to exceed \$10,000,000, in accordance with the terms set forth in the Project Plan, to finance all or part of the costs of the Project as described herein and in the Project Plan, is hereby approved.
6. Based upon the information submitted and obtained, the Project Plan as submitted and the Project to which it relates serves to alleviate and prevent conditions of unemployment and strengthen and revitalize the City's economy and, therefore, constitutes a vital and necessary public purpose.
7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

ROLL CALL

AYES: Hartsock, Tupper, Walker, Yoder, Bennett.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED.

JOSEPHINE M. BUSHEY, CITY CLERK

MINUTES OF OTHER BOARDS

12-84-307

Motion by Councilman Bennett, supported by Councilman Tupper, to receive and/or file the minutes of the following Boards:

Planning Commission minutes of December 10, 1984;  
Farmington Area Commission on Aging minutes of November 27, 1984;  
Board of Education minutes of November 20, 1984;  
Farmington Community Library minutes of November 15, 1984.

Motion carried, all ayes.

Relative to the Planning Commission minutes, the City Manager noted that the Rezoning of the parcel on Orchard Lake Road will be on the next Council Agenda.

REPORTS FROM CITY MANAGER

PARTICIPATION IN CADDELL DRAIN

Manager Deadman advised that the Oakland County Drain Commissioner has requested that Council continue its participation in the Caddell Storm Drain Project. He pointed out that on April 16, 1984, City Council stated in a resolution that it would agree to finance its proportionate share of the cost of this project if the Voter's Choice Amendment were rejected by the electorate. Council further

COUNCIL PROCEEDINGS -4-  
December 17, 1984

agreed that it would fund its proportionate share by issuing limited tax revenue bonds.

The Drain Commissioner provided a revision in the estimated cost of the project which has increased from \$4,000,000 to \$4,250,000. The City Manager stated that part of this cost revision is due to the increased cost of construction during the delay; other portions of the costs are due to the redesign of certain sections of the project.

Council was advised that the City of Farmington's share of the project will be 11.90% of the total cost, or \$505,750. Council was further advised that the drain commission proposes to sell bonds with a maturity schedule of 20 years. If the bonds can be sold at an interest rate of 10%, it will cost the city approximately 4/10 of a mill annually to finance these drain improvements.

Council was informed that this drainage district begins in the City of Novi and flows through Farmington Hills, Farmington, and back into the City of Farmington Hills. The City Manager stated that the purpose of the drain is to reduce the incidence of flooding in all three communities, and the cost sharing was determined by the amount of drainage flowing into the district to each community. The proposed design, which is for open drainage, will allow the communities to build a large drainage system at relatively moderate cost when compared to a closed drainage system.

Council was further informed that one of the largest retention area systems will be located in the City of Farmington at Chatham Hills Subdivision's park.

Since through previous action Council committed itself to go forward with this project, the City Manager recommended the adoption of a resolution reaffirming the desire to proceed with the Caddell Drain Project on a limited tax basis and to further agree that the cost of the Drain will be subject to applicable constitutional, statutory and charter rate limitations.

Council was informed that the City's share is to come out of the local tax base. They were advised that there is a reserve of \$36,000 in this year's budget.

12-84-308

Motion by Councilman Bennett, supported by Councilman Hartsock, to adopt the following resolution:

WHEREAS, this City has previously petitioned for the location, establishment and construction of an intra-county drain now known as the Caddell Drain; and

WHEREAS, the Municipal Finance Commission of the State of Michigan has required as a condition of its approval of the issuance of

COUNCIL PROCEEDINGS -5-  
December 17, 1984

drain bonds by the Caddell Drainage District that this City reaffirm its desire to proceed with the project on a limited tax basis; and

WHEREAS, it is the desire of this City Council to proceed with the project on a limited tax basis.

THEREFORE, BE IT RESOLVED that this City Council hereby reaffirms its desire to proceed with the Caddell Drain project on a limited tax basis and agrees that taxes levied for the payment of special assessments made for the payment of the cost of the Caddell Drain will be subject to applicable constitutional, statutory and charter tax rate limitations.

ROLL CALL

AYES: Tupper, Walker, Yoder, Bennett, Hartsock.  
NAYS: None.  
ABSENT: None.

RESOLUTION DECLARED ADOPTED.

JOSEPHINE M. BUSHEY, CITY CLERK

PROPOSED AMENDMENT TO CABLE TELEVISION  
FRANCHISE ORDINANCE AND RATE STRUCTURE

Council was advised that Metrovision of Oakland County requests modifications of the cable franchise ordinance and an rate increase. The cable company stated that the cost of building the system to service Farmington, Farmington Hills and Novi exceeded their original projections, and some of the proposed services are not feasible due to technical difficulties or lack of customer acceptance.

As a result of their study, the Southwestern Oakland Cable Commission concluded that amendments to the cable franchise ordinance, the cable franchise agreement and the rate structure should be recommended to the three city councils. City Council was presented with the proposed amendments as well as other documents which provided additional details concerning the proposed amendments.

The City Manager provided some history about the construction of the cable system to assist Council in its deliberations. He also explained the reasons for additional expenses that were not previously anticipated; also enumerated the services and interactive systems that were not provided.

Council was advised that a compliance study and report of Cable Television Information Center, requested by the Cable Commission, listed several deviations from Metrovision's proposal. The study revealed that the most serious deviation was the provider's failure to install a separate 44 miles of institutional network cable, which the Commission currently believes is not needed due to the existence of a second cable which is not presently in use.

COUNCIL PROCEEDINGS -6-  
December 17, 1984

Manager Deadman pointed out that a major change in the proposal was combining local and public access programming into the concept presently referred to as community programming.

The Commission recommended that the City Councils amend the franchise agreements and ordinances to allow certain changes from the original proposal. Although the proposed amendments would amend the construction map and schedule entitled "Exhibit A" in the ordinance, the proposed changes in the map do not affect the City of Farmington. It is proposed that the ordinance section which establishes the timetable for a rate increase be removed, adding a new section limiting rate increases to not more often than once in twelve months. The ordinance amendments further state that no further modifications or alterations shall be made by the cable company without prior written approval of the cities involved.

The City Manager pointed out that no modification of the provider's rate structure is possible unless the proposed amendment to the ordinance and agreements are adopted by all three councils. He further stated that the Cable Commission concurred with the findings of the Cable Television Information Center indicating that the requested rate increase is justified.

Councilmen Bennett and Hartsock pointed out that certain residents have reported their inability to get through to the Metrovision Service Department and have experienced long, frustrating delays in obtaining service when necessary.

The Metrovision representatives present at the meeting assured Council that they have been working on the telephone problems, and stated that the system has improved over the past several months. They stated that they are continuing to update their equipment in this area.

12-84-309

Motion by Councilman Bennett, supported by Councilman Tupper, to introduce Ordinance C-519-84 which would amend the cable franchise ordinance C-486-82. Motion carried, all ayes.

PROPOSED COMMUNITY DEVELOPMENT PROGRAM  
GRANT PLAN

Manager Deadman advised that the city recently renewed its contract with Oakland County for continuing participation in the Community Development Block Grant Program. He stated that regulations require the city to prepare and submit a three-year plan for the expenditure of these funds, and the plan must be submitted to Oakland County by January 25, 1985. Prior to this, a Public Hearing must be held by the city.

Council was provided with a proposed Three-year Plan for their consideration and a report providing a history of the program and

COUNCIL PROCEEDINGS -7-  
December 17, 1984

the city's expenditure of Community Development funds since the program's inception in 1975.

The City Manager stated that to date the allocated amount of \$445,700 was applied to such projects as street improvements, sidewalk improvements (including handicapped curb cuts), housing rehabilitation loans and grants and Central Business District improvements.

Manager Deadman advised that the proposed three-year plan includes providing some direct services to the handicapped and senior citizens such as the installation of deadbolt locks and minor home repairs. Some funding would also be allocated to improve access to public buildings for the handicapped, and to provide special equipment in the City Parks for the handicapped. The majority of the funding is proposed for the purpose of improving the parking, aesthetics, and marketability of the city's business district.

The City Manager recommended that Council establish a Public Hearing to receive additional input on the proposed use of the Community Development funds.

12-84-310

Motion by Councilman Bennett, supported by Councilman Walker, to establish a Public Hearing for 8:00 p.m. on January 7, 1984, to review the proposed three-year Community Development Block Grant Program and the annual funding application for 1985-86. Motion carried, all ayes.

AUTHORIZATION TO CHANGE LIFE INSURANCE  
PROVIDER FOR AUXILIARY POLICE OFFICERS  
AND FIREMEN

Farmington Insurance Agency informed the city that they were unable to continue insurance coverage for the auxiliary police and firemen. The insurance agent could find no company to provide both Police and Firemen's coverage.

The City Manager was able to continue coverage for the city's auxiliary officers by contacting the Michigan Municipal Risk Management Authority, but was unable to obtain disability insurance in the same amount as the previous policy. The total policy was restructured so that the total benefit level may be even higher than the previous policy at about the same premium. Hartford Insurance Company will provide life insurance, while on duty, in the amount of \$25,000, with a disability benefit of \$100 per week to age 65. Although the weekly disability payment is less than the previous \$150 per week, the 104 week limitation was removed.

Manager Deadman indicated that since there was very little time to secure new coverage due to the December 10th expiration of the previous policy, it may still be possible to find a company willing to increase the weekly disability payment.

COUNCIL PROCEEDINGS -8-  
December 17, 1984

12-84-311

Motion by Councilman Walker, supported by Councilman Tupper, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby authorizes changing the life insurance provider for Auxiliary Police Officers and Firemen, and

BE IT FURTHER RESOLVED that Council authorize the City Manager to change companies if a provider can be found to increase the weekly disability payment from \$100 to \$150 per week, this action being contingent upon a reasonable premium.

RESOLUTION ADOPTED UNANIMOUSLY.

MISCELLANEOUS

It was noted that the Nazi Party was in town over the weekend.

Councilman Bennett noted that there has been some activity at Grand River and Valley View and asked if we are losing the National Bank Office. The City Manager stated that there has been a problem in that location for some time, and the city finally got the State Highway Department to bore a test hole to find out what is happening, as the sidewalk keeps breaking up and the guard rails are moving.

The City Manager brought Council up to date on his recent meeting with the Oakland County Road Commission concerning the widening of Orchard Lake Road. The Commission's response was favorable to the City's willingness to modify the demand for a five-lane road and take some intersection improvements at Ten Mile and Shiawassee and Grand River. The City's further willingness to pick up the County's share, or 12 1/2% of the cost of the improvement would also prompt the Road Commission to give this project higher priority. The Manager asked Council's approval to proceed with negotiations as described so that the Orchard Lake Improvements can be accomplished within the next four years. He stated that this would be a formal agenda item within the near future.

WARRANT LIST

In answer to Councilman Bennett, Director Billing advised that the Green Ridge Tree Service has finished its work.

12-84-312

Motion by Councilman Bennett, supported by Councilman Hartsock, to approve the monthly bills for payment as submitted: General Fund \$53,239.68; Water & Sewer Fund \$4,586.24.

ROLL CALL

AYES: Walker, Yoder, Bennett, Hartsock, Tupper.  
NAYS: None.

MOTION CARRIED.

COUNCIL PROCEEDINGS -9-  
December 17, 1984

ADJOURNMENT

Motion by Councilman Hartsock, supported by Councilman Bennett,  
to adjourn the meeting. Motion carried, all ayes.

The meeting was adjourned at 9:12 p.m.

*Ralph D. Yoder*  
\_\_\_\_\_  
RALPH D. YODER, MAYOR

*Josephine M. Bushey*  
\_\_\_\_\_  
JOSEPHINE M. BUSHEY, CITY CLERK

Approved: January 7, 1985