

FARMINGTON CITY COUNCIL
REGULAR MEETING
April 21, 2008

A regular meeting of the Farmington City Council was held on Monday, April 21, 2008, in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

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

PRESENT: Knol, McShane, Wiggins, Wright.

ABSENT: Buck.

CITY ADMINISTRATION: City Clerk Halberstadt, Director Nebus, City Manager Pastue, City Attorney Schultz (arrived 8:15 p.m.), Assistant Director Smith and Treasurer Weber.

CONSENT AGENDA

04-08-059 MOTION by Wiggins, seconded by McShane, to approve the following items on the consent agenda:

- Joint Meeting Minutes of March 4, 2008
- Special Meeting Minutes of March 17, 2008
- Regular Meeting Minutes of March 17, 2008
- Joint Agencies Budgets Meeting Minutes of April 1, 2008
- Special Meeting Minutes of April 7, 2008
- Ratify Sewer Credit to the Third Quarter 2007 Utility Bill for Farmington Oaks Apartments
- Special Event Request – “Poppy Days”
- Farmington Monthly Payments Report – March 2008
- Public Safety Monthly Report – March 2008
- Department of Public Works and Water and Sewer Department 3rd Quarter Report – January 1, 2008 through March 31, 2008
- Building Department 3rd Quarter Report – January 1, 2008 through March 31, 2008

MOTION CARRIED UNANIMOUSLY.

APPROVAL OF REGULAR AGENDA

04-08-060 MOTION by Wright, seconded by Wiggins, to approve the agenda as amended, moving Item 5A, “Miller Canfield Paddock & Stone, Consideration of Resolutions Regarding Referendum Language for Grand River Streetscape/Grove Street Bond Issue” to follow Item 5E under Presentations/Public Hearings. MOTION CARRIED UNANIMOUSLY.

PRESENTATIONS/PUBLIC HEARINGS

CHILDREN, YOUTH & FAMILIES/FAMILY NIGHT

Present: Joan McGlincy and Carol Robb

Joan McGlincy discussed "National TV Turn-Off Week" scheduled for April 21 - 27, and the promotion of the "Lean Screen" family by the Commission on Children Youth and Families.

Council proclaimed the week of April 21-27, as "Farmington TV Turnoff Week" and encouraged all citizens and organizations to join together in promoting "Lean Screen" families.

PROCLAMATION – DUCK DAY

Present: Barb Yuhas and Ed Cleland

Barb Yuhas thanked the City Council for their support of Farmington/Farmington Hills Foundation for Youth and Families and recognition of "Duck Day" scheduled for May 16, 2008.

PROCLAMATION – MAY/MENTAL HEALTH MONTH 2008

Council proclaimed May 2008 as Mental Health Month in the City of Farmington.

PROCLAMATION – NATIONAL CHILD ABUSE PREVENTION AND AWARENESS MONTH

Council proclaimed April 2008 as National Child Abuse Prevention and Awareness Month in the City of Farmington.

PRESENTATION – MILLER CANFIELD PADDOCK & STONE, CONSIDERATION OF RESOLUTIONS REGARDING REFERENDUM LANGUAGE FOR GRAND RIVER STREETScape/GROVE STREET BOND ISSUE

City Manager Pastue recommended the City Council place the bond issue for the Grand River Streetscape/Grove Street on the August 5th Primary ballot as a result of receiving sufficient petition signatures to require a referendum.

Lisa Hagan, Miller Canfield Paddock & Stone, presented two alternatives related to ballot language for the Grand River Streetscape/Grove Street Bond Issue. She stated the first alternative would be to adopt ballot language issuing up to \$3.2 Million in Capital Improvement Bonds as previously adopted by Council and as referenced in the petition to hold a referendum on the bond issuance for this project. She stated the second alternative would be to issue General Obligation Unlimited Tax Bonds which provides flexibility in both terms and dollar amount. She stated the unlimited tax pledge in the marketplace is considered very safe and as a result provides a lower interest rate.

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Councilmember McShane stated the limited tax bond sends a strong message to voters that the City will stay within its budget.

Mayor Knol pointed out the language for the unlimited tax bond is confusing because it leads the voter to believe additional mills would be levied. She noted, however, funding under both bond alternatives would be drawn from the General Fund and no additional millage would be levied.

Councilmember Wright clarified under the unlimited tax bond the lender is receiving greater assurance that the City is more legally committed to the bond obligation than they otherwise would be. He stated the bond language should indicate the City does not intend to increase the millage rate. He noted under the unlimited tax bond future Councils would have the opportunity to increase millage.

Mayor Knol stated the tax bond language must reassure voters the millage rate would not be increased.

Ms. Hagan pointed out communications with residents could include a statement that millage rates would not be increased.

Mayor Knol expressed support for the limited tax bonds because the language clearly states the funds would come from the General Fund.

Councilmember McShane discussed the general distrust of government by the public and the need for Council to avoid any misunderstandings.

Councilmember Wiggins asked about potential savings under the unlimited tax bonds and noted voters would understand a savings opportunity.

Administration advised under the unlimited tax bonds, savings would average approximately \$3,000 per year.

Responding to a question, Ms. Hagan advised the City is limited to refinancing the bonds one time only.

City Manager Pastue stated the two bond resolutions with additional financial analysis would be presented to Council for adoption at the next meeting.

UNFINISHED BUSINESS

CONSIDERATION TO ADOPT ORDINANCE C-730-2008 TO PROHIBIT PARKING ON SHIAWASSEE FROM MOONEY TO PROSPECT

04-08-061 MOTION by McShane, seconded by Wiggins, to adopt Ordinance C-730-2008 to amend Traffic Control Orders, incorporating changes in Chapter 4, Prohibited Parking, and Chapter 5, Regulations Prohibiting Parking at Anytime, along Shiawassee between Mooney and Prospect Streets, as provided in

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Section 28-1153 of the Uniform Traffic Code as adopted in Section 31-51 of the city Code of the City of Farmington, and section 31-60 of the City Code of the City of Farmington. [SEE ATTACHED ORDINANCE].

ROLL CALL

Ayes: McShane, Wiggins, Wright, Knol.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

CONSIDERATION TO RATIFY EMERGENCY WATER MAIN REPAIR AND REPLACEMENT

RESOLUTION 04-08-062 Motion by Wiggins, seconded by McShane, to ratify emergency water main repair and replacement and authorize payment to SBG Construction Inc. in the amount of \$44,312.81 calculated on a time and materials basis.

ROLL CALL

Ayes: Wiggins, Wright, Knol, McShane.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO ACCEPT RESIGNATION OF LINDA BATZLOFF FROM THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD

04-08-063 MOTION by Wiggins, seconded by McShane, to accept the resignation of Linda Batzloff from the Downtown Development Authority Board. MOTION CARRIED UNANIMOUSLY.

DISCUSSION – CHARTER AMENDMENT ITEMS TO BE PLACED ON AUGUST PRIMARY ELECTION

Administration advised the Charter Review Committee has recommended placing thirteen (13) proposed Charter amendments on the August 5th Primary Election ballot. Administration recommended placement of the Grand River Streetscape/Grove Street bond issue referendum on the August 5th ballot as well as an amendment to the Charter allowing an agency other than the Farmington Employee Retirement Board to administer the pension plan.

Administration advised the proposed amendments were grouped in functional blocks as follows:

Proposals 1 thru 5 – Chapter 3 related to elections

Proposals 6 thru 9 – Chapter 4 related to organization of government

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Proposals 10 thru 13 – Chapter 9 related to taxation

Administration recommended Council at a minimum place proposals 1 thru 5 on the August 5 Primary Election ballot. Administration advised, based on Council direction, a new resolution would be prepared for adoption at the May 5th meeting.

McShane noted there is no urgency to place proposals on the August ballot given state statute already supersedes many of the provisions. She would like to keep the August ballot clean and simple with the two proposals regarding the bond issue and charter amendment related to pension administration.

Wiggins stated his preference to place more of the proposals on the August ballot to avoid a potential backlog as the Charter Review Committee continues to work on additional amendments. He suggested placing proposals 1-9 on the August ballot with the remainder on the November ballot. He pointed out a large number of voters are absentee voters which gives them ample opportunity to review and understand the ballot proposals.

Mayor Knol expressed concern with placing Charter amendments on the August ballot since two other proposals will already be on the ballot. She expressed further concern regarding voter fatigue, frustration and falloff. She stated the Charter amendments may be difficult for voters to understand and would require ample time to read through and understand. She emphasized the importance of the bond issue and the Charter amendment related to pension administration. She stated the thirteen proposed amendments are not pressing and do not represent a financial stake to the City. She suggested the Charter Review Committee could be suspended for a time to catch up on placing amendments on the ballot.

Wright suggested placing all the proposals on the August ballot rather than by piece meal. He stated the proposals are basically a clean-up of the charter and non-threatening. He emphasized the importance of educating voters on the proposals so they are easily understood. He suggested placing five of the proposals on the August ballot as a compromise.

Wiggins noted the bond issue will likely increase voter turnout in August and the City should take advantage of this opportunity to involve more voters in voting on all the Charter amendment proposals.

McShane stated she would like the Charter amendments placed on the November ballot where there will be a higher voter turnout.

Mayor Knol expressed her support for the placing the thirteen Charter amendments on the November 2009 local election ballot.

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Wright stated the amendments are not substantive and slowing down their placement on the ballot as well as future amendments would not be detrimental to the Charter amendment process.

City Manager Pastue pointed out the Charter Review Committee has already made great strides in the amendment process and many of the substantive issues have already been addressed.

04-08-064 MOTION by McShane, seconded by Wright, to place Charter Amendment Proposals Six (6) through Nine (9) on the November 2008 ballot and defer remaining proposals to a future election. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

PRESENT CITY MANAGER'S FISCAL YEAR 2008-09 PROPOSED BUDGET

City Manager Pastue presented the Fiscal Year 2008-09 proposed City Budget.

PUBLIC COMMENT

Joni Hubred-Golden, 33414 Oakland, representing the Women's Commission for Oakland County, announced the scheduling of a public forum on May 7th at the Commissioners' auditorium, 1200 Telegraph Road. She stated the focus of the forum will address the empowerment of women in the areas of health, safety, leadership and economic autonomy. She stated women can submit written testimony related to these topics.

County Commissioner Mike Rogers announced openings on the Friend of the Court Advisory Committee.

Hank Borgman, 34011 Grand River, requested clarification of the bond resolutions presented earlier.

COUNCIL COMMENT

Wiggins announced a Leadership Luncheon sponsored by the 8 Mile Boulevard Association scheduled for May 9, 2008.

CLOSED SESSION – Review of City Attorney's Confidential Correspondence

04-08-065 MOTION by McShane, seconded by Wiggins, to enter into closed session to discuss City Attorney confidential correspondence.

ROLL CALL

Ayes: Wiggins, Wright, Knol, McShane.

Nays: None.

Absent: Buck.

MOTION CARRIED UNANIMOUSLY.

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Council returned to open session at 10:40 p.m.

ADJOURNMENT

04-08-066 Motion by McShane, seconded by Wiggins, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 10:40 p.m.

Valerie S. Knol, Mayor

Susan K. Halberstadt, City Clerk

APPROVED: May 19, 2008