

FARMINGTON CITY COUNCIL
SPECIAL MEETING
April 20, 2009

A special meeting of the Farmington City Council was held on Monday, April 20, 2009, 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 6:35 p.m. by Councilperson Buck.

COUNCIL MEMBERS PRESENT: Buck, Knol (arrived at 6:43 p.m.), McShane, Wiggins.

COUNCIL MEMBERS ABSENT: Wright.

CITY ADMINISTRATION: City Clerk Halberstadt, City Manager Pastue (arrived at 7:40 p.m.), City Attorney Schultz.

APPROVAL OF AGENDA

04-09-062 MOTION by McShane, seconded by Wiggins, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

HISTORICAL COMMISSION INTERVIEWS

Present: Marilyn Weimar and Michael Harrison

Council interviewed Marilyn Weimer and Michael Harrison for positions on the Historical Commission.

CHARTER REVIEW COMMITTEE

Present: Alton Bennett, Chairperson Arnie Campbell, and City Attorney Schultz

Chairperson Campbell reviewed a resolution to place eleven charter amendments on the November 2009 ballot. He advised the November election would be an ideal time to place a large number of amendments on the "lightness" of the ballot, noting it only includes council and school board offices. Attorney Schultz confirmed most of the proposed amendments have already been approved by the Attorney General.

Campbell requested Council's approval of the proposed eleven amendments. He advised there is an additional eleven proposed amendments for placement on future ballot(s). He requested Council schedule the additional amendments for approval in a timely manner.

Campbell explained the committee's plan to include in a future mailing to residents a letter that explains each amendment in simplest terms. He commented this clarification of amendment language was well received in the past.

SPECIAL MEETING -2-
April 20, 2009

Chairperson Campbell reviewed the work plan committee members followed while completing a review of the Charter. He recommended going forward the Charter Committee meet twice-a-year to maintain the Charter unless City Council required additional meetings.

Campbell explained prior to starting this twice-a-year meeting schedule the Charter Review Committee would meet two additional times, once to formulate an informational brochure and one final meeting. He stated the Committee has gone through the entire Charter and has incorporated a number of important changes that both update and clarify.

Mr. Bennett noted the amendments were a result of the need to comply with State statute and to reflect present City practice.

City Attorney Schultz clarified all proposed amendments of Chapters 3 & 9 have been approved by the Attorney General. He noted the additional proposed amendments for the November 2009 ballot are currently under review by the Attorney General. Schultz noted he had just e-mailed the AG's office for an update on the status of the amendments and is waiting for a reply.

Responding to a question by Councilmember McShane, Campbell explained a former Councilmember could be appointed to an independent board or commission as long as there was no conflict and it was not a paid position. Schultz agreed, noting the amendment was to clarify the phrase "any city office" as provided in the current charter language.

Campbell discussed Charter Amendment Proposal Six, noting previous Councils have suggested a procedure be established regarding a Council vacancy appointment process. He stated the Committee has suggested Council adopt the procedure used for the last appointment. He advised the procedure has been documented and recommended making it a standard operating procedure (SOP) for future appointments. He explained the committee added to the procedure the option of a written ballot.

City Attorney Shultz commented if Council included this procedure in the Charter the re-appointment procedure would be difficult to change in the future.

Chairperson Campbell commented it may not be necessary in the Charter but it is a good process to have in place.

Mayor Knol shared her approval for the process and agreed the Charter was not the place for it. She likened a Charter unto a Constitution stating it wasn't meant to be that detailed. She used Detroit as an example of a Charter mandated Council vacancy appointment process.

Responding to a question from Councilmember McShane, Campbell confirmed that if charter amendment proposal six is approved, the Council Vacancy Procedure would be amended to provide that if a council appointment could not be achieved within sixty days, an election would be called for the *next available special or general election*.

SPECIAL MEETING -3-
April 20, 2009

Discussion followed regarding the Council vacancy appointment process.

Councilmember Wiggins stated the 60 day time limit in which to appoint a councilmember is good motivation for Council to act rather than rely on an election and thereby saving election costs. He noted if Council cannot concur, an election can be held on one of the four election dates allowed in a year by state law.

Councilmember McShane noted the high cost of conducting an election.

Mr. Bennett commented the Charter Review Committee reviewed all possible options hoping to bring to Council a proposal that would work.

Chairperson Campbell complimented the Charter Review Committee on a job well done.

Mayor Knol concurred and congratulated the committee on their proactive stand.

City Manager Pastue requested the City Attorney provide the resolution of proposed charter amendments to Council in May or June.

OTHER BUSINESS

No other business was heard.

PUBLIC COMMENT

No public comment was heard.

COUNCIL COMMENT

No Council comment was heard.

ADJOURNMENT

04-09-063 MOTION by McShane, seconded by Wiggins, to adjourn the meeting.
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 7:50 p.m.

Valerie S. Knol, Mayor

Susan K. Halberstadt, City Clerk

Approved: May 18, 2009

Susan Pohto, Recording Secretary