

COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, May 1, 2000, in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 276-1976.

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

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

ABSENT: None.

CITY REPRESENTATIVES PRESENT: Clerk/Treasurer Cantrell, Attorney Donohue, Director Goss, Director Gushman, City Manager Lauhoff, Assistant City Manager Richards.

PLEDGE OF ALLEGIANCE

Boy Scout Pack #110 and Cub master Patrick Dwyer led the Pledge of Allegiance.

APPROVAL OF AGENDA

05-00-133 MOTION by Campbell, seconded by Mitchell, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

05-00-134 MOTION by Bush, seconded by McShane, to approve the minutes of the Special and Regular meetings of April 17, 2000 as submitted. MOTION CARRIED UNANIMOUSLY.

RECOGNITION: CUBMASTER OF PACK #110, MR. PATRICK DWYER

Mayor Hartsock presented a proclamation recognizing Patrick Dwyer for his years of dedicated service in scouting. Mr. Dwyer thanked the parents and children that he has worked with in scouting and thanked the City for the recognition.

Mayor Hartsock presented City of Farmington pins to the scouts in attendance.

PRESENTATION: PAT SHELTON, CHAIRPERSON, RE: SPECIAL EVENTS FOR MAY - "KEEP FARMINGTON BEAUTIFUL" MONTH

Pat Shelton, Farmington Beautification Commission Chairperson, updated Council on the following activities planned for May: Kick-Off Day and Merchants Sweep-up at the Civic Theatre on May 6, Flower Day on May 20, and Litter Free Day on May 27, 2000.

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Ms. Shelton stated that more businesses in the City are becoming involved with the Beautification Commission's events.

Mayor Hartsock reminded Ms. Shelton that the South Farmington Baseball kick-off is on Saturday, May 6, 2000.

MINUTES OF OTHER BOARDS

05-00-135 MOTION by McShane, seconded by Bush, to receive and file the minutes of the following Boards and Commissions:

- Board of Zoning Appeals minutes of April 5, 2000.
- Farmington Community Library Board of Trustees minutes of April 13, 2000.
- Commission on Aging minutes of March 28, 2000.

MOTION CARRIED UNANIMOUSLY.

PETITIONS AND COMMUNICATIONS

REQUEST FROM BEAUTIFICATION COMMISSION DECLARING MONTH OF MAY "KEEP FARMINGTON BEAUTIFUL" MONTH.

05-00136 MOTION by Mitchell, seconded by Campbell, to proclaim the month of May as "Keep Farmington Beautiful" month and request that Mayor Hartsock present the proclamation at the Beautification Commission's May Kick-off on Saturday, May 6, 2000. MOTION CARRIED UNANIMOUSLY.

LETTER FROM MR. DAVID BOYER, DIRECTOR OF SPECIAL SERVICES, FARMINGTON HILLS, REQUESTING CHANGE OF DATE FOR KID'S DAY IN THE PARK. Administration advised that Council had approved Kid's Day in the Park for June 20, 2000 and Farmington Hills Special Services Department requested that the date be changed to June 22, 2000 to be a part of the Farmington Area Family Fest.

05-00-137 MOTION by Campbell, seconded by Mitchell, to change Kid's Day in Shiawassee Park from June 20, 2000 to June 22, 2000 from noon to 5:00 p.m.; allow the closing of Raphael and Shiawassee streets from 11:00 to 5:30 p.m. during the event; reserve the east pavilion shelter; and request that the Farmington Hills Special Services Department to provide a monitor at the PlayScape. MOTION CARRIED UNANIMOUSLY.

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REQUEST FOR SIGN VARIANCE AT 23303-339 ORCHARD LAKE ROAD.

Administration advised that Cornwell & Bush Associates requested that an additional 35 square feet be added to an existing ground sign for the shopping center at 23303-339 Orchard Lake Road. The sign height would remain 15' 1" in compliance with City Code. Manager Lauhoff stated that correspondence had been received from two businesses in the Plaza supporting the request.

Mr. Eugene Diachenko, of Euko Design Signs, Inc., was present to answer questions and present a rendering of the sign.

Councilmember Bush abstained from discussion and voting on the sign variance request since her company is the management company for the center.

Discussion followed regarding the sign measurements, structure, reason for enlarging the sign, possible refacing, addresses included on the sign and landscaping around the base of the sign.

Councilmember Mitchell asked if the width of the proposed sign was the same size as the existing sign and asked what the reason was for the change. Mr. Diachenko replied that the sign would be the same width. He stated that some of the tenants have complained that the public is not aware of where their business is located.

Councilmember McShane stated that she checked signage on Grand River and Orchard Lake Road and that there were signs with smaller lettering that were easy to read. She stated that the current sign is plain in design, but that it does not prevent customers from seeing the sign and that size is not the problem. Councilmember McShane suggested; and that maybe the sign could be re-worked to make it more attention getting.

Councilmember Campbell asked if addresses could be put on the sign and questioned what would prevent it from becoming a ground sign.

Manager Lauhoff stated that the Planning Commission requires that this type of sign become a monument sign for newer developments. Councilmember Campbell suggested that they could brick up to the sign. Mr. Diachenko stated that it would block vision and interfere with landscaping.

Mayor Hartsock stated that he agreed with Councilmember Campbell and that this was a large variance. He asked if the sign could be shortened. Mayor Hartsock questioned the lettering of the sign, if the plantings would remain and what the bottom of the sign would look like and the size. Discussion followed.

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Councilmember Mitchell stated that the proponent is asking to add the name of the complex, that this creates the variance, and that nothing else changes in terms of the tenants wanting more identity. He stated that he had a problem with increasing the size to identify the complex and that it could be done within the ordinance if the tenants have a smaller nameplate. Mr. Diachenko stated that they were trying to handle the issue as cheaply as possible.

Councilmember Mitchell stated that he was concerned that the proponent was asking for a variance due to cost issues.

Councilmember McShane stated that addresses, in her opinion, would help more than a name on the sign. She stated that ordinances are created to hold residences and business people to certain standards. Councilwoman McShane stated that she felt strongly about the ordinance, that these ordinances are created for a reason, and that Council does not want to create a precedent with this variance.

Councilmember Campbell requested that a revised plan be brought back which is more in line with the sign ordinance and suggested that the request be tabled until then.

Discussion followed with Council reluctant to table the request.

Mr. Diachenko stated that he would like Council to table the variance request and he would return with a revised plan for the sign.

05-00-138 MOTION by Campbell, seconded by McShane, to table the sign variance at 23303-39 Orchard Lake Road.

ROLL CALL

AYES:	Campbell, Hartsock, McShane, Mitchell.
NAYS:	None.
ABSTAINED:	Bush.
ABSENT:	None.

MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMISSIONS

**CONSIDERATION OF APPOINTMENT TO THE DOWNTOWN DEVELOPMENT
AUTHORITY BOARD OF DIRECTORS.**

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05-00-139 MOTION by Campbell, seconded by Mitchell, to appoint Suzanne Paul to the Downtown Development Authority Board of Directors, to fill the unexpired term of Susan Dubin, term to expire February, 2003. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

APPROVAL OF PUBLIC HEARING NOTICE FOR PROPOSED FY BUDGET AND PROPERTY TAX RATE. Administration advised that City Charter and state statutes require a public hearing to be held on the budget before it is adopted.

05-00-140 MOTION by Bush, seconded by Mitchell, to establish a public hearing to review the FY 2000-2001 proposed budget and the proposed 2000 tax millage rate on Monday, June 5, 2000 and to authorize the City Clerk to publish a notice of the public hearing. [SEE ATTACHED PUBLIC HEARING NOTICE]. MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE BUDGET AMENDMENT NO. 2, FISCAL YEAR 1999-2000.

05-00-141 MOTION by Campbell, seconded by McShane, to approve Budget Amendment No. 2 for the 1999-2000 fiscal year. [SEE ATTACHED AMENDMENT].

ROLL CALL

AYES: Campbell, Hartsock, McShane, Mitchell, Bush.
NAYS: None.
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO INTRODUCE NEW ORDINANCE #C-668-2000 FOR ELECTRICAL AND GAS SUPPLY FRANCHISES. Administration advised that the Michigan Public Service Commission (MPSC) has created a program to encourage competition in the supply of electricity; generators of electricity can enter into arrangements with current suppliers to service customers through existing utility company's distribution and transmission lines. Manager Lauhoff stated that it is required that electricity suppliers secure local franchises before they can receive MPSC approval.

An ordinance in the form of a contract is to be executed for each franchisee. Manager Lauhoff advised that the contracts are supply-only franchises and the franchisee will not have permission for work or installations in City right-of-ways. A franchise application fee of \$3,500.00 is recommended. At the time of adoption, the companies requesting

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franchisees would be presented for Council consideration. Attorney Donohue stated that electricity will be provided through the same wires and that the franchises will not be doing any physical work in the right-of-way. These companies are selling electricity that will pass through Detroit Edison wires.

Discussion followed regarding franchise fees, wiring and the franchise process.

05-00-142 MOTION by McShane, seconded by Mitchell, to introduce Ordinance No. C-668-2000 for electrical and gas supply franchises. [SEE ATTACHED ORDINANCE]. MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

PUBLIC COMMENT.

Richard Tupper, 23180 Cass, reviewed concerns regarding right-of-way parking north of Chesley Drive on the east side of Farmington Rd.; outside storage at Foremost Duct, Inc., located at 33106 Eight Mile Rd.; truck and trailer storage on Chesley Drive east of Big Boy; unkempt right-of-way on Grand River between Brookdale and Power; long grass and carpeting at the curb along Farmington Rd. between Chesley Dr. and Kensington Manor; curb cuts next to Shoe carnival, entrance near Dubin Optometric and Center Tire; and construction materials and debris on Freedom Rd. west of Farmington Rd. Mr. Tupper requested that these areas be cleaned up and suggested that a group be formed to travel through the City looking for violations and turn the report over to the Code Enforcement Officer.

Mayor Hartsock stated that Director Gushman had already responded to Mr. Tupper's concerns and that the curb cuts would be taken care of during the re-surfacing of Farmington Rd.

Annabelle Gabel, 23089 Violet, commented on the recycling boxes and that she was happy that the City had purchased the Civic Theatre.

Mayor Hartsock asked Director Gushman for an update on the Road Improvement Program. Director Gushman stated that the main part of the 2000 Road Program is the north end of Bel-Aire Subdivision; Marblehead, Colchester, Folkstone, Broadview, Beacon and Lamar, between Leelane and Marblehead. Next year the other half of the subdivision will be done. Director Gushman described the process used to make the repairs. He stated that the residents will be receiving letters late this week regarding the construction schedule and a map showing the streets that will be completed this year and unshaded areas on the map to reflect the streets for next years project. Discussion

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followed on a different repair approach which will be used on Cass, Grace and Adams streets. Director Gushman stated that both projects should be completed by June 30th.

Discussion followed regarding the construction process.

COUNCIL COMMENTS AND ANNOUNCEMENTS.

There were no Council comments and announcements.

CONSIDERATION TO ADOPT ORDINANCE #C-667-2000 TO AMEND CHAPTER 35, SECTION 35-206, SUBSECTION (A-3) CELLULAR TOWERS AND ANTENNAS.

05-00-143 MOTION by Campbell, seconded by Bush, to adopt Ordinance No. C-667-2000 to amend Chapter 35, Section 35-206, Subsection (A-3), Cellular Towers and Antennas.

ROLL CALL

AYES: Hartsock, McShane, Mitchell, Bush, Campbell.
NAYS: None.
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

FINANCIAL REPORTS: QUARTER ENDED MARCH 31, 2000.

05-00-144 MOTION by Mitchell, seconded by McShane, to receive and file the Financial Reports for the Quarter Ended March 31, 2000. MOTION CARRIED UNANIMOUSLY.

APPROVE MONTHLY PAYMENTS REPORT

05-00-145 MOTION by Campbell, seconded by Mitchell, to approve the Monthly Payments Report for April, 2000. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

05-00-146 MOTION by McShane, seconded by Bush, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

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The meeting adjourned at 9:25 p.m.

WILLIAM S. HARTSOCK, MAYOR

PATSY K. CANTRELL, CITY CLERK/TREASURER