

FARMINGTON CITY COUNCIL  
STUDY SESSION

A study session of the Farmington City Council was held on Monday, February 2, 2004, 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 6:45 p.m.

**COUNCIL MEMBERS PRESENT:** Campbell, Knol, McShane, Mitchell.

**COUNCIL MEMBERS ABSENT:** Bush.

**FARMINGTON CITY REPRESENTATIVES:** Clerk/Treasurer Cantrell, Director Gushman (arrived at 7:23 p.m.), City Manager Pastue (arrived at 6:49 p.m.), Assistant City Manager Richards (arrived at 7:15 p.m.), City Assessor Sailer (arrived at 7:00 p.m.) and City Attorney Schultz (arrived at 7:00 p.m.).

**HISTORICAL COMMISSION MEMBERS PRESENT:** Secretary Atkinson, Vice-Chairman Baessler, Carvell, Grattan, Leonard, and Chairman Lindblad. (Commission members arrived at 7:20 p.m. to discuss agenda item regarding certification of the Historic District).

Council opened the meeting with an interview of Thomas Killeen for a position on the Board of Review.

City Assessor Sailer addressed the next agenda item regarding a re-plat north of Grand River. Sailer presented the issues and the options to resolve them. He described the work and the associated costs that would include two phases. He advised that phase one would involve preliminary survey work to identify and define the extent of the legal description problem. He further advised that, based on the results of phase one, the re-platting process of phase two may not be necessary.

Responding to a question from Council member McShane regarding re-platting, Sailer stated that the only other area of concern in the City is on Nine Mile Road near the pump station. McShane expressed her concern that if the City funds the re-plat of the proposed area, would it then be obligated to fund other problem areas. Sailer noted that most of the areas of concern in the past have been corrected and he is unaware of any other major areas that would need re-platting.

Responding to a question from Council member Knol, Sailer recommended that the City Engineer perform the preliminary survey under phase one due to his knowledge of the City, but agreed that he would obtain additional hourly rate quotes.

STUDY SESSION -2-  
February 2, 2004

Council member Mitchell stated that since some property owners could gain or lose property as a result of re-platting, the City should fund the process to ensure objectivity.

Council concurred to move forward with the first phase of the re-plat process. City Manager Pastue stated he would provide Council with other hourly rate quotes for the work.

In addressing the next agenda item concerning certification of the Historic District, City Manager Pastue provided a handout that summarized the tax credit program. He discussed the reasons for certification that included: eligibility for tax credits and grant funds, increased property values and protection of historic buildings. He discussed eligible projects and expenses under the program. He spoke about both the process for establishing an historic district and design review issues. He recommended that Council proceed with formation of a study committee and review participation in a Federal Certified Local Government Program.

Mayor Campbell questioned whether residents would need to approve the program or would it require committee approval only. Attorney Schultz stated there would be a public hearing requirement and additional public hearings could also be held.

Commission member Leonard discussed an earlier attempt at certification and some of the related problems.

Council member McShane referred to the success of other cities that have certified Historic Districts and stated that she was unaware of any problems associated with those programs. She questioned whether certification would apply to homes currently occupied by businesses. Council member Knol noted that the tax credit applies to both commercial and residential.

City Attorney Schultz advised that with certification the design review process would become more technical and formal.

Council member McShane advised that this program should include a process for educating the public. She questioned whether owners of homes occupied by businesses would continue to have the right to demolish their buildings. City Attorney Schultz responded that there is "teeth" in the program to the extent that it would be reasonable to require restoration and improvement rather than demolition.

Council member Mitchell expressed concern regarding the need to review interiors of historic buildings before a tax credit could be obtained. Commission Chair Lindblad clarified that interiors would be examined by the State only as part of a project seeking tax credit. He stated that local review would be done on exteriors only.

STUDY SESSION -3-  
February 2, 2004

Commission member Atkinson asked whether homes deemed historical which are outside of the historic district could be included in the tax credit program. Mayor Campbell responded that an ordinance would define the parameters of the program. City Attorney Schultz cautioned that current law may change, citing a pending case in the Supreme Court on whether or not an ordinance can apply to property outside of a contiguous district. Council member Knol advised that currently a home outside of a district can be designated as an historic district in and of itself.

Commission member Leonard asked about noncompliance in the current historic district. City Attorney Schultz advised that under the current program there are no enforcement options, however, a certified district would have some recourse.

Discussion continued regarding the process and education of implementing a certified program.

Mayor Campbell advised Commission members to contact the City Manager's office if they would be interested in serving on the study committee. Council member McShane noted that committee members do not need to be on the Historical Commission.

City Manager Pastue advised that a resolution establishing a study committee would be brought to Council.

Council member Knol suggested putting information about the program on the City's website or establishing a link with the State website.

Meeting adjourned at 7:55 p.m.

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Arnold T. Campbell, Mayor

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Patsy K. Cantrell, City Clerk/Treasurer