

FARMINGTON CITY COUNCIL
REGULAR MEETING

A regular meeting of the Farmington City Council was held on Monday, December 20, 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 8:00 p.m. by Mayor Campbell.

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

ABSENT: None.

CITY ADMINISTRATION: Clerk/Treasurer Cantrell, Director Gushman, Deputy Clerk Halberstadt, Director Nebus, City Manager Pastue, Assistant City Manager Richards.

APPROVAL OF AGENDA

12-04-277 MOTION by Mitchell, seconded by McShane, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

12-04-278 MOTION by McShane, seconded by Knol, to approve the regular and special meeting minutes of December 6, 2004 and special meeting minutes of November 15, 2004 and December 7, 2004. MOTION CARRIED UNANIMOUSLY.

APPOINTMENT TO BOARDS AND COMMISSIONS

Administration advised that the 47th District Court has received a \$40,000 grant from the State Court Administrative Office to establish a drug court, comprised of a team of professionals, addressing the issue of substance abuse. Administration further advised that the program would start with a sobriety court directed at drunk driving.

12-04-279 MOTION by Bush, seconded by Knol, to appoint JoAnne McShane to serve on the advisory committee for the 47th District Court's Sobriety Court. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

CONSIDER TO APPROVE AMENDMENT TO HEALTH REIMBURSEMENT AGREEMENT

Administration recommended that Council approve administrative amendments to the Health Reimbursement Agreement with Amera Plan as approved by Council at the last meeting and adapt a resolution regarding Plan amendments.

Responding to a question, City Manager Pastue indicated that the City's dental and optical plan coverage is less than other municipalities.

COUNCIL PROCEEDINGS -2-
December 20, 2004

RESOLUTION 12-04-280 Motion by Bush, seconded by Mitchell, to adopt a resolution to approve amendments to the City of Farmington, Michigan Dental and Optical Reimbursement Plan, and authorize the City Manager to execute the necessary documents. [SEE ATTACHED RESOLUTION AND HEALTH REIMBURSEMENT ARRANGEMENT/SUMMARY PLAN DESCRIPTION]. MOTION CARRIED UNANIMOUSLY.

CONSIDER PURCHASE OF ELECTION EQUIPMENT

Administration advised that in order for the County Clerk to move forward with ordering election equipment and software as provided under the Michigan "Help America Vote Act" (HAVA) the City is required to adopt a resolution authorizing the Clerk to submit a grant application on behalf of the City.

Responding to a question, Clerk/Treasurer Cantrell indicated that there should be no cost to the City for base level election equipment.

RESOLUTION 12-04-281 Motion by Knol, seconded by Mitchell, to adopt a resolution authorizing the Clerk to submit a grant application to the Secretary of State in compliance with the Help America Vote Act (HAVA) for new optical scan voting equipment to be purchased in 2005. [SEE ATTACHED RESOLUTION].

ROLL CALL

Ayes: Campbell, Knol, McShane, Mitchell, Bush.
Nays: None.
Absent: None.
MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF RESOLUTION TO AMEND ADMINISTRATIVE AND EMPLOYEE MANUAL AND 401 ELIGIBILITY GUIDELINES

Administration recommended that Council approve amendments to the City Administrative and Employee Manual incorporating changes to vacation leave and retirement options for Administrative Officers.

Responding to a question, Pastue stated that there is no current standard for granting such vacation leave days, however, one will be developed in the coming year. He further responded that there is a maximum dollar amount contribution for the defined contribution plan.

RESOLUTION 12-04-282 Motion by Bush, seconded by Knol, to adopt a resolution to amend the Administrative and Employee Manual regarding vacation leave and retirement benefits for Administrative Officers. [SEE ATTACHED RESOLUTION].

ROLL CALL

Ayes: Knol, McShane, Mitchell, Bush, Campbell.
Nays: None.
Absent: None.
MOTION CARRIED UNANIMOUSLY.

COUNCIL PROCEEDINGS -3-
December 20, 2004

RESOLUTION 12-04-283 Motion by McShane, seconded by Mitchell, to authorize the Mayor to sign a 401 Money Purchase Plan Agreement Amendment with the ICMA Retirement Corporation to expand eligibility to Administrative Officers. MOTION CARRIED UNANIMOUSLY.

CONSIDER APPROVAL OF PUBLIC SAFETY DEPARTMENT PATROL VEHICLES

Administration advised that in accordance with the Public Safety Department's vehicle replacement schedule, two patrol vehicles are scheduled and budgeted for replacement.

12-04-284 MOTION by Mitchell, seconded by Bush, to approve the purchase of two (2) 2005 Ford Crown Victoria police package patrol vehicles, including optional equipment and extended warranties, in the total amount of \$42,915.00 from Jorgensen Ford, through the Oakland County cooperative purchasing program; funds available in the FY 2004-05 budget.

ROLL CALL

Ayes: McShane, Mitchell, Bush, Campbell, Knol.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO RENEW MICHIGAN MUNICIPAL LEAGUE MEMBERSHIP

Administration recommended renewal of membership in the Michigan Municipal League including the Legal Defense Fund.

RESOLUTION 12-04-285 Motion by Bush, seconded by McShane, to approve renewal of membership in the Michigan Municipal League, including the Legal Defense Fund, for the period February 1, 2005 through January 31, 2006, and authorize payment of the annual dues of \$4,763.00 and the Legal Defense Fund assessment of \$425.00; funds provided in the FY 2004-05 budget.

ROLL CALL

Ayes: Mitchell, Bush, Campbell, Knol, McShane.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION TO APPROVE GRANT AGREEMENT FOR FOOTING DRAIN DISCONNECT PROGRAM

Administration advised that the City is required to reduce its Town Outlet Capacity under a Second Administrative Consent Order for the Evergreen-Farmington Sewage District. Administration further advised that in response to this order, the City has proposed the implementation of a footing drain disconnect program involving 71 homes in the Chatham Hills Subdivision at an estimated cost of \$800,000.

COUNCIL PROCEEDINGS -4-
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Administration advised that the City received a federal grant as part of the Rouge River National Wet Weather Demonstration Project that would cover 40% of the cost of the footing drain disconnect program, not-to-exceed \$320,000.

RESOLUTION 12-04-286 Motion by Knol, seconded by Mitchell, to approve a grant agreement with the County of Wayne for the Footing Drain Disconnect Program and authorize the City Manager to sign the agreement on behalf of the City. [SEE ATTACHED AGREEMENT].

ROLL CALL

Ayes: Bush, Campbell, Knol, McShane, Mitchell.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF STATE TRUNKLINE OPERATING PERMIT AND INDEMNIFICATION RESOLUTION

Administration advised that the State of Michigan requested that the City adopt a resolution indemnifying the State from any liability that is created by the City's workforce in the State trunkline right-of-way.

RESOLUTION 12-04-287 Motion by McShane, seconded by Bush, to adopt a resolution to indemnify the State of Michigan from liability created by City activities on the State trunkline right-of-way and to authorize the City Manager or Director of Public Services to make application for annual permits for the installation of banners and for work on State highways. [SEE ATTACHED RESOLUTION AND PERMIT]. MOTION CARRIED UNANIMOUSLY.

RESOLUTION TO INITIATE ESTABLISHING A SPECIAL ASSESSMENT DISTRICT FOR DOWNTOWN FARMINGTON CENTER IMPROVEMENTS

Administration recommended that as part of the preliminary site plan for the Downtown Farmington Center Project, the construction of the drive lane and parking areas be financed by special assessment. Administration advised that the first step in the establishment of a special assessment district is for the City Council to prepare a report regarding the scope and estimated cost of the project.

RESOLUTION 12-04-288 Motion by Bush, seconded by McShane, to adopt a resolution to proceed with the preparation of plans, specifications and cost estimate for a proposed special assessment district. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

ROLL CALL

Ayes: Campbell, Knol, McShane, Mitchell, Bush.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

ANNUAL REPORT ON INVESTMENTS – FISCAL YEAR 2003-2004

Council concurred to receive and file the annual report on investments for FY 2003-2004.

ADOPTION OF COUNCIL SCHEDULE FOR 2005

12-04-289 MOTION by Knol, seconded by Bush, to adopt a resolution setting the 2005 Council meeting schedule. **[SEE ATTACHED RESOLUTION]**. MOTION CARRIED UNANIMOUSLY.

DISCUSSION – SUPER CITY CELEBRATIONS

Administration advised that Super Bowl XL will be played at Ford Field on February 5, 2006 and as part of the planning for this event, the Super Bowl Host Committee has developed a community outreach plan that would have cities throughout the region participate in the festivities. Administration further advised that Farmington Hills Council member Jerry Ellis has proposed that the two cities partner in establishing a committee to plan the event.

Councilmember Bush discussed event guidelines provided at a recent Super Bowl information meeting sponsored by the Chamber of Commerce. She advised that funds raised from an event must be donated to an organization within the community. She stated that a commitment from Council is needed before planning can proceed. She further stated that the proposed committee would include five members from Farmington Hills, three from Farmington and three from the chamber. She advised that a commitment would likely include a to-be-determined contribution from the City.

12-04-290 MOTION by McShane, seconded by Bush, to support participation in the Super City Celebration in connection with 2006 Super Bowl XL. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT

No public comment was heard.

COUNCIL COMMENT

Councilmember McShane congratulated Public Safety Director Nebus and his department for the implementation of the new “Missing Persons” policy. She recommended publicizing this policy on cable and in the City newsletter.

Councilmember Bush asked for an update on the closing of Mrs. Lovill’s Tea Cozy and the status of their liquor license. Pastue responded that there had been a closing on that property, but the liquor license would be a separate acquisition.

COUNCIL PROCEEDINGS -6-
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Councilmember Mitchell announced that the Farmington Area Founders Festival (FAFF) Board elected him president of the 2005 Founders Festival. He encouraged Council to provide him with their thoughts and concerns regarding the festival. He noted that there are committee chair positions available and encouraged Council to get involved.

Responding to a question from Councilmember McShane, Mitchell stated that the open chair positions would not be publicized. He stated that the FAFF Board would either seek out potential candidates or interested individuals could contact them. He noted that FAFF, Inc. is a private corporation, therefore it does not operate in the same way as a City in terms of publicizing open committee positions.

Responding to an additional question from McShane, Mitchell stated that the FAFF Board meetings would not be open to the public.

Bush congratulated Mitchell on his new position as FAFF president. She noted that while the Farmington community makes substantial contributions to the festival, Council receives no information on FAFF finances. Mitchell responded that the community would be given an opportunity to meet with members of the FAFF Board to discuss their thoughts and ideas. He stated that a public "wrap-up" meeting of the 2004 festival in which some of the committee chairs will report on their activities would be scheduled in January or February 2005.

McShane asked how communication with the FAFF Board can be improved in the future so that Council stays apprised of ongoing plans and activities. She noted the increasing sponsorship of the festival by the City both in membership and otherwise and asked how Council could have more input as to what goes on.

Mitchell responded that the Board is offering involvement in terms of serving on a committee. He noted that City Manager Pastue, as a FAFF Board member, would report back to Council on their activities. He stated that the Board wanted to avoid the publicizing of personnel issues that has occurred in the past. He noted that the current situation is different in that Dick Tupper, the new FAFF Director, would not be taking a salary, therefore some of the past issues will be avoided. He further noted that a number of City representatives, including City Attorney Schultz and DDA Director Morgan, sit on the Board and they will also keep Council apprised of FAFF activities. He stated that the private discussions of the Board are not as important as what the Board will do. He noted that Pastue would provide status reports to the Council without breaching private discussions of the Board.

Councilmember Knol noted that if her employer made a donation to a non-profit organization, a budget report was required to ensure proper disbursement of funds. She suggested that the City could request this same type of report from FAFF.

Pastue responded that as a member of the executive board he can keep Council informed on issues, particularly as they affect the City.

Knol stated that she appreciates the fact that there will be increased communication to Council.

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Bush stated that FAFF, Inc. must recognize the importance of sharing information because this concern will not go away. Mitchell stated that the FAFF Board will provide press releases to ensure that the public is informed. He further stated that he would discuss this issue at the upcoming executive board meeting.

Mayor Campbell recommended that the Board make a concerted effort to recruit committee members from Farmington Hills. Mitchell agreed that it is important to keep Farmington Hills involved. McShane stated that effective communication of FAFF activities is important especially in light of a perception expressed by some Farmington Hills residents that their City does so much more for the festival than Farmington.

Pastue noted the one time leaf collection scheduled for December 23rd and further noted that the problems experienced this year would be resolved before next year's collection.

ADJOURNMENT

12-04-291 MOTION by Knol, seconded by Mitchell, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 8:50 p.m.

ARNOLD T. CAMPBELL, Mayor

PATSY K. CANTRELL, City Clerk/Treasurer

SUSAN K. HALBERSTADT, Recording Secretary