

**FARMINGTON CITY COUNCIL  
SPECIAL MEETING  
SEPTEMBER 7, 2010**

A special meeting of the Farmington City Council was held on Tuesday, September 7, 2010, 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 6:34 p.m. by Mayor Buck.

**COUNCIL MEMBERS PRESENT:** Buck, Knol, McShane, Wiggins, Wright.

**COUNCIL MEMBERS ABSENT:** None.

**CITY ADMINISTRATION:** Director Gushman, City Clerk Halberstadt, City Manager Pastue, Director Schulz, Treasurer Weber.

**APPROVAL OF AMENDED AGENDA**

**09-10-163** MOTION by Wright, seconded by McShane, to approve the agenda as amended, switching Item Nos. 4 & 5. MOTION CARRIED UNANIMOUSLY.

**BOARD AND COMMISSION INTERVIEWS**

Council interviewed the following candidates for openings on the Downtown Development Authority, Planning Commission and Farmington Historic District Study Committee: Benjamin Bersche, Maria Jewett and Kari Vaughn.

**DISCUSSION – HATE CRIMES RESOLUTION, KAREN BOLSEN**

Karen Bolsen, Farmington School Board Member and Director of the Multicultural Multiracial Community Council of Farmington/Farmington Hills (MCMR). She advised it has been the mission of the MCMR Council to recognize that all people are integral to the community's health, harmony, and successful future. Their goal is to explore and celebrate our differences and embrace commonalities.

Bolsen advised the United States House and Senate passed amendments to previous bias crime laws and the President of the United States signed them into law in October, 2009, and that the revised law adds sexual orientation, gender identity, and disability as protected characteristics. She indicated MCMR has passed a resolution and is asking City Council to endorse modifications to State Bias Crime Laws.

Wright inquired about penalties with regard to the proposed act. Bolson responded another important change to this law is that the penalties would be

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successive as opposed to concurrent. This law can only be applied when a crime is committed, not just an act of verbal hate. Wright commented the revised law adding sexual orientation, gender identity and disability is reasonable.

Knol expressed concern about going beyond traditionally protected classes in terms of adding groups of people based on their characteristics. She noted this change will increase the current minimum sentence by 50%. Knol further explained there are silent issues that need to be addressed relating to the Tanner Rule.

McShane asked for an example and clarification of protected characteristics.

Bolsen stated the reason for the law is due to an increase in heinous crimes committed. She stated many crimes are based on sexual orientation. She again noted a crime would have to be committed before prosecution.

McShane pointed out the modification is not clear and details need to be worked out in the legislature. She stated this is a favorable law as it provides for additional protection against hate crimes.

Wiggins shared that the State law reflects Congressional Law. He pointed out Michigan law states specific intent. He advised Michigan law is superior with this specific language. He stated this specific language provides clarity to the law as it relates to enforcement. Bolsen noted the Michigan Association of Police Chiefs support this proposed law.

Buck commented on the recent educational activities regarding discrimination in high schools. He stated the efforts to bring the community together are more powerful than any legislation. Buck thanked Karen Bolsen for her good work.

Wright expressed concerns about this resolution supporting a change in the law that goes beyond simply expanding the number of types of individuals included. Wright would like further clarification on those differences in this law.

Schultz believed this resolution was designed to simply take the current ethnic intimidation statute and expand the number of inclusive groups.

Bolsen commented there is no mention of a specific Bill in the resolution. She mentioned the Michigan Alliance Against Hate Crimes supports this new law. She thanked Council for their continued support of MCMR.

Pastue advised that based on Council discussion he will make modifications to the resolution and return it to Council at the September 20, 2010 meeting.

**BUSINESS ITEMS**

**CONSIDERATION TO ADOPT RESOLUTION APPOINTING ROBERT A. SCHULZ AS DIRECTOR OF PUBLIC SAFETY**

Wright inquired if there is a written contract. Pastue responded there is no written contract.

McShane noted she has watched Schulz mature in his career. She further stated he is a hard worker, has proven his abilities and talents, and has shown leadership qualities.

Pastue stated a formal swearing will take place on Monday, September 13, 2010.

**RESOLUTION 09-10-164** Motion by McShane, seconded by Wright, to adopt a resolution confirming the City Manager's appointment of Robert A. Schulz as Public Safety Director. [\[SEE ATTACHED RESOLUTION\]](#).

**Roll Call**

Ayes: Knol, McShane, Wiggins, Wright, Buck.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**CONSIDERATION TO APPROVE TRAFFIC IMPROVEMENT ASSOCIATION ANNUAL MEMBERSHIP**

Wiggins confirmed a Traffic Improvement Association (TIA) representative would be at every meeting.

McShane inquired as to reduced staff and hours and how it would affect the City's needs. Pastue responded the City will not have the same demand in the future.

Wiggins asked regarding the Traffic and Safety Board's perspective on this matter. Pastue indicated they have not been consulted.

Wright inquired about services provided by the TIA. Pastue responded a representative attends meetings; provides assistance resolving traffic issues; and works on major projects. Wright asked how the City would deal with issues addressed by TIA. Pastue indicated a consulting firm could be utilized as needed. Wright noted the need for budget reduction and possibly cutting this fee. Pastue stated the overall cost for a consulting firm would exceed the fee for TIA.

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McShane expressed interest in going without the service for a couple years to determine whether or not it is really needed.

Knol asked if City Consultants, Orchard Hiltz & McCliment (OHM) can provide their expertise. Pastue responded OHM is available if the need should arise. Knol pointed out improvements on state roads would require the involvement from OHM whereas TIA is involved with City streets. Knol noted they have provided a great service over the years, but agrees with not renewing for a year to better assess the need.

McShane noted the City will look at all future memberships.

Buck inquired if this membership fee is included in the budget. Pastue responded it is included. Buck asked if this membership would be worthwhile to maintain. Pastue responded utilizing a consulting firm on an on-demand basis would be \$1500.

### **REVIEW OF DRAFT WORK PLAN ASSOCIATED WITH COUNCIL GOALS AND OBJECTIVES**

City Manager Pastue presented proposed 2010-2011 City Council Goals:

- Create and Adopt a Five-Year Operational and Capital Financial Plan
- Commit to Complete, Implement and Continue Strategic Planning and
  - Goal Setting
- Develop and Implement a Communication and Marketing Plan
- Create and Implement an Economic Development Program
- Create and Implement a Neighborhood Development Program

Knol appreciated the fact dates are attached to achieving goals.

Responding to a question from Wright, Pastue stated he would receive comments from Council regarding the goals either through individual meetings or electronic mail.

McShane concurred that attaching dates is important. She will send her comments electronically.

Responding to a question from Wiggins, Pastue stated a van tour would be scheduled this fall to address ordinance enforcement issues.

Buck commented the goals are a living document that may become part of the City Manager's job description. He stated achievement of these goals provides focus for Council.

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**OTHER BUSINESS**

Pastue commented on the Historic District Committee. He would like to hire an intern to photograph and inventory historic homes.

McShane suggested contacting Lansing to check for grants or volunteers.

Knol suggested looking for interns from Wayne State or Eastern Michigan University.

Pastue noted the City received a complaint last week regarding cigarette butts in Riley Park.

McShane commented there was discussion at one time regarding banning smoking in all parks. If that ban took place then a designated smoking area would need to be created.

Wright stated it is logical to install cigarette receptacles.

Wiggins pointed out it would be easier if events were smoke free.

**PUBLIC COMMENT**

No public comment was heard.

**COUNCIL COMMENT**

Knol inquired regarding the status on filling openings on Boards and Commissions. Pastue suggested setting up a study session September 20, 2010.

Wright asked if there will be input from the Downtown Development Authority (DDA) leadership.

Wright pointed out economic recovery is taking longer than expected. He noted past discussion regarding shortening the City's functioning work week. He stated a shortened work week would show the community the City is doing what it can to tighten its budget. He stated currently the City is not seriously taking a look at cost containment. He advised a shortened work week may be inevitable and suggested testing around the holidays.

Buck commented there is collective concern from the DDA regarding the Historic District Ordinance. He stated the DDA needs to be part of the education process or this could have adverse effects on commercial property.

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Buck was impressed with candidates' comments regarding the City's positive aspects.

**ADJOURNMENT**

**09-10-165** MOTION by McShane, seconded by Knol, to adjourn the meeting.  
MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:00 p.m.

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J.T. (Tom) Buck, Mayor

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Susan K. Halberstadt, City Clerk

APPROVED: October 18, 2010