

# Public cheated by a clandestine council

When four persons are designated to make a judgment usually rendered by the electorate, it is a moral imperative that the decision-making process be done in public view.

In Michigan it is a matter of law. Unfortunately, the Farmington City Council has abused its responsibility and willfully scorned the spirit of the Open Meetings Act.

During the last month, the council has neglected to keep the public adequately informed of its progress in replacing former Councilman Warren Buckler.

The law does provide that under certain circumstances a legislative body may select a replacement when one of its own resigns. This is a grave responsibility which must be done with the utmost care and judgment.

But council judgment has been lacking. The public has been cheated.

Throughout the debate, the council has deprived voters of seeing who is being considered. The electorate has been denied the right of public input into who should represent them.

Rather, this council arbitrarily has determined that it alone possesses the wisdom to pass judgment.

Certainly this council must realize that even it could benefit from the opinions of those who elected them.

ESPECIALLY DISHEARTENING is the council's arrogant attitude. Members publicly acknowledge confining their discussions to surreptitious

phone calls and private meetings with candidates.

Absolutely no reason exists to relegate this process to the shadowy corridors of suspicion. In regularly scheduled elections, candidates must stand up under the public scrutiny.

The same should prevail in this case.

The guise of avoiding candidate embarrassment is feeble at best.

Also disappointing is Mayor William Hartsock's outright advocacy of these secret machinations. Years back, Hartsock protested the way in which mayoral successors were chosen. At that time he advocated a more public and open process.

But time has tainted his judgment. His ardor to be just another one of the "guys," a part of the in crowd, should alarm those who have so ardently supported him in the past.

Although the council is contemplating naming the new council member at Monday night's meeting, residents should protest and demand the procedure be opened to public scrutiny.

All candidates should be named publicly. The council should set up meetings where candidates can be asked questions by both the council and interested voters.

OVER THE YEARS, the Farmington City Council has been lauded for its even-handed and cool treatment of the issues. And, for the most part, it has been a competent legislative body.

But in this matter it is wrong and should be big enough to admit its mistake and get on with the business of making public decisions in public.

— STEVE BARNABY

## Oakland's no trap: Drunk drivers get fair warning

We've all heard of a "speed trap." We usually find them in small towns. There will be an unnecessarily low speed limit, an obscure sign, a hidden cop and a punitive fine designed to rake revenue from the out-of-town driver.

They don't do it like that in Oakland County.

The sheriff's department is after drunk drivers. The Traffic Improvement Association is telling us that through the news columns and media advertising.

They are telling us there are some particularly bad spots where much drunk driving occurs:

- Woodward from Square Lake Road to Eight Mile.
- Telegraph from the County Service Center to Eight Mile.
- M-59 from Pontiac through White Lake Township.
- Dixie Highway from Pontiac through Clarkston.
- M-24 from the Pontiac Township line through Oxford.

That's fair warning. There are no traps.

THE SHERIFF'S Alcohol Enforcement Team cars — all nine units — are well marked. They want us to know they're out there. They want us to know the odds are in their favor if they make an arrest.

The surest sign of a drunk driver is crossing the center line or veering onto the shoulder of the road. Of 646 drunk driving arrests made between April and December last year, nearly 500 were spotted that way.

Others were going over the speed limit.

Some were so drunk they were going well under the speed limit. Others were spotted when a traffic signal turned

green and they sat there for several seconds figuring out what to do.

And still others were driving with the window open on very cold nights.

The AET units are trained to spot drunk drivers. Their methods are no secret. They want us to know how they are going to spot us if we drive while drunk.

THEY WANT US to know what will happen if we are arrested.

Our car is towed away. We will be handcuffed, fingerprinted, photographed.

We'll spend at least six hours in jail with the other drunks.

We'll see a judge in the morning and have to post bond.

If convicted, we will pay a fine and perhaps have our driving restricted.

We may have to go through an alcohol education program. It seems that 25 percent of those arrested had previous alcohol related driving offenses. It's not as if we were social drinkers at a party who got nailed once.

Our driving records will be marked for seven years.

And if we have any feelings at all, well —

ALCOHOL is too much a part of our society to be prohibited. Besides, it wouldn't be fair to punish everyone for the sins of the drunk driver.

So Oakland County is going after the drunk driver. There is training for cops, for prosecutors, for judges.

Oakland County is no small-town trap. Everyone is being given thorough warning that for drunk drivers the party's over.



## Cable TV: What are we buying?

In these days of high-powered communications, a lot of big talk and big money are floating around the suburbs toiling the virtues of cable television. Dozens of cable firm representatives, festooned in blue pin-striped suits, are promising local municipalities the world to get their feet in the affluent suburban doorway.

Some already have succeeded. In those communities, residents are sitting back in their easy chairs waiting for the day that upwards of 200 channels will put the world at their fingertips.

Some communication experts are predicting cable will be the demise of the print media as we know it.

Could be — but thinking persons, unattached to the emotional riches promised at the end of the cable rainbow, have serious doubts.

"They're are playing for big dollars, and the stakes are high," said a municipal official who is making a noble attempt to keep at arm's length the legions of cable courtiers.

"Once the decision is made, nobody else can get a crack for another 10 or 15 years — maybe never," he said, explaining the underlying tone of desperation he perceives.

"They offer all sorts of equipment for municipalities to use. Some even offer upfront cash," he said, noting that one city was offered \$250,000 by one group.

"AND IF A COMMUNITY is hard up for cash, the money is going to influence them," he said.

Other techniques are more subtle. The municipal official calls it "influence peddling."

"Oh, it's not always money. But some vendors

employ people with good reputations. They try to grease the way with relatives," he said.

Vendors are appealing to the basic ego of municipal representatives promising a soup-to-nuts assortment of equipment allowing cities, school districts, universities and libraries an electronic entree into constituents' homes.

But anyone who has attended council or school board meetings for any length of time realizes that the last thing the general viewing audience wants to do is to tune into some five-hour-long session on introductions to zoning ordinances.

Commercial television, with all its faults, is terribly sophisticated. Librarians and small town politicians just won't and can't compete.

The real goal is the movie market. Cable vendors knows the public's unquenchable thirst for the good old-fashioned moving picture. But our municipal expert has an answer for that one also.

"I've got to believe the movies will be short term. With the number of stations, they will be able to show a year's worth of movies in two months. Then what?" he asks.

IN THE END, it will be the users who will get burned. They will pay the bill for all the fancy equipment "given" to the municipalities. The more toys a cable service offers, the higher the fee will be.

I have a sneaking feeling that after about five



years of this nonsense, subscribers will wise up and desert the ship — weary of waiting for the cable world that could have been.

Sure, I could be wrong. Only time will tell.

## Unreadable legalese is legal



the agreement would require it to be printed in a multi-page document if a larger type size was used. We felt that it would be easier for our customers to have a one-page document to read rather than multi-pages.

"2. Our legal department has on file copies of EFT agreements that other financial institutions use. Our type size is equal to or greater than their agreements."

THE BANKER was playing fast and loose with the truth.

First, the mailing consisted not of one sheet of paper but three. Two pages were non-binding advertising printed in large type, much of it larger than the headline on this column.

Second, even if there were justifiable use of 5-point type, there was no excuse for using lines 180 spaces wide. It could have been broken up into two or three columns.

Too bad President Reagan is going to reduce the amount of government regulation. I had a pretty good suggestion for one last regulation.

It would be aimed at banking. I won't mention the name of the bank which stimulated the idea because, under current regulations, it did nothing illegal.

My bank sent me a plastic card with a legal agreement covering "electronic funds transfer service agreement for personal accounts."

(That much I could decipher. The rest was unreadable. The legal agreement to which the bank wanted me to subscribe was printed on lines 160 spaces wide in 5-point type in blue.

By way of comparison, the line you are now reading is about 50 spaces wide, the type is 10-point and it's black. Thus, the bank's legal agreement is three times as wide in spacing, the type is half as high, and the tinted type is guaranteed to cause eyestrain.

So I wrote to the bank and asked for a readable copy.

A MONTH LATER, the bank's operations manager wrote back:

"At the present time, we do not have an agreement in large type. I checked with our legal department and the proof copy is in the same size type."

He then gave the reasons for printing the document so poorly:

"1. The volume of information that is required on

Third, the banker didn't even offer an excuse for printing the legal agreement in blue.

Fourth, although insurance companies are notorious for the "fine print" in their legal contracts, they use type considerably more readable than the bank. I checked the policies of three life insurance, a title insurance and a homeowners insurance contracts.

The bank deliberately had made its legal contract unreadable.

SO I LAUNCHED a complaint to the U.S. Comptroller of the Currency, was assigned file number 173709 and five weeks later got this reply:

"This Office is charged with the responsibility of enforcing banking statutes, regulations, and rulings as they apply to national banks. The material presented to us by you and the bank, discloses no violations of statutes, regulations or rulings. Accordingly, we will not pursue this matter."

There oughta be a law, or a rule, or a regulation, that legal agreements ought to be printed in black ink in a readable format. There isn't, and under Reagan the odds are poor that there will be.

So I'll fight back in my own way, just like the rugged pioneers in "Death Valley Days." I won't sign their damn legal agreement.

I'll go to the bank during regular hours and make 'em hire a live cashier to deal with me. I'll put more dough in the credit union.

In short, I'll regulate the SOBs myself, through the marketplace.



discover Michigan  
Bill Stockwell