City of Farmington Council Proceedings

A regular meeting of the Council of the City of Farmington was held on December 7, 1964.

Meeting called to order at 8:03 p.m. by Mayor Lindbert.

ROLL CALL: Councilmen Brotherton, Forrest, Lindbert, Peterson and Thayer present. Absent: None.

CITY OFFICIALS PRESENT: City Manager Dinan, Clerk Quinn, Attorney Kelly and Chief Foltz.

Minutes of Previous Meetings.

Motion by Peterson seconded by Thayer that the minutes of regular meeting of the Council held on November 16, 1964, be approved as published and the joint meeting of the Planning Commission and the City Council held on November 23, 1964, be approved as submitted. Motion carried, all ayes.

Presentation of Distinguished Service Award to George Griffin, Chairman United Nations Day, October 24, 1964.

Mayor Lindbert stated that the City Council had established a United Nations Day Program during the past years.

Mayor Lindbert read the Distinguished Service Award and in behalf of the Council presented the award to George Griffin, Chairman United Nations Day, in appreciation and recognition for the program prepared for the observance of United Nations Day, October 24, 1964.

Mr. Griffin, Commander, Groves Walker Post 346, accepted the award in behalf of the American Legion and stated that the presentation of this award on December 7th, Pearl Harbor Day, would have a special remembrance of all veterans.

PUBLIC HEARING

A. Review 1964 Sidewalk Assessment Roll.

Mayor Lindbert opened the Public Hearing at 8:05 p.m. on the review of the 1964 Sidewalk Assessment Roll and stated that the Public Hearing Notice had been published in the Farmington Enterprise. Notices of Hearing had been mailed to all affected property owners and asked for comments from all interested persons.

Mr. Johnnie Parker, 23885 Pickett, questioned the square foot assessment for sidewalks on his property and requested that it be remeasured.

City Manager Dinan stated that the square foot assessment would be remeasured and corrected if necessary.

Motion by Brotherton seconded by Thayer that the Public Hearing be declared closed. Motion carried, all ayes.

B. Resolution — Confirmation of Sidewalk Assessment Roll.

Motion by Brotherton supported by Forrest to adopt the following resolution:

THE BODY OF FARMINGTON RESOLVES:

1. That the Assessment Roll for construction of sidewalk is confirmed as follows:

Lots 5 thru 13, Farmington Woods Sub., Lot 25, Twin Valley Sub., North 80 feet Lots 5, 6 & 8, Perkins & Cowans Sub., and Acreage CD-1 E-1, Section 27.

2. That the first installment shall be due within 60 days from date of confirmation December 7, 1964.

3. That on the 7th day of February, 1965, a four (4) per cent penalty will be added as prescribed by Charter, Section 11.7, Collection Fees.

4. Payments shall be made in one, two or three installments.

ROLL CALL:

AYES: Brotherton, Forrest, Lindbert, Peterson, Thayer.

NAYS: None.

Resolution Declared Adopted December 7, 1964.

TRENA M. QUINN, Clerk

Minutes of Other Boards.

A. Planning Commission and Council Joint Meeting Proceedings, November 23, 1964.

Proceedings read of Planning Commission and Council joint meeting held on November 23, 1964.

Mayor Lindbert stated that he was absent at the joint meeting due to attendance at a funeral and in behalf of the Council commended all of the members who serve on the Planning Commission for the endless hours and efforts spent on the proposed new Zoning Ordinance and Zoning map.

B. Zoning Board of Appeals Proceedings, December 2, 1964.

Proceedings read and placed on file of the Zoning Board of Appeals meeting held on December 2, 1964.

Petitions and Communications

A. Letter from Paul M. Chandler, State Senator Elect, Requesting Opportunity to Discuss Governmental Problems.

Letter read from Paul M. Chandler, State Senator elect, requesting the opportunity before the next session of the Legislature, to meet with the Council to discuss any governmental problems the Council is particularly interested in.

The aim would be to obtain suggestions and ideas for amending existing laws or for introducing new legislation which would make the Council's task easier. He requested that the Council suggest a date and time for confirmation.

The Manager was instructed to contact Mr. Chandler relative to a meeting with the Council after January 1, 1965.

B. Letter from Michigan Municipal League Requesting Appointment of Legislative Contact Man.

Letter read from the Michigan Municipal League requesting that the Council appoint a legislative contact man to represent the City of Farmington and who will receive mailings, telegrams and telephone calls as the legislative program develops.

Motion by Thayer seconded by Peterson to appoint John D. Dinan, City Manager, as legislative contact man with the Michigan Municipal League to represent the City of Farmington. Motion carried, all ayes.

C. Letter March of Dimes RE: Campaign Month of January.

Letter read from Al Kaline, County Campaign Director, March of Dimes, requesting that the Council endorse and support the 1965 March of Dimes campaign during the month of January in the fight against birth defects and polio.

Canisters are being prepared to be distributed approximately December 20th. Special fund raising events will be held during the month of January. Mothers march (door to door) on Tuesday, January 26, 1965.

Motion by Forrest seconded by Peterson to grant permission for the 1965 March of Dimes campaign during the month of January, 1965. Motion carried, all ayes.

D. Letter Farmington Meadows Association RE: 34 Foot Berm Area Between Stockade Fence and Industrial Drive.

Letter from the Farmington Meadows Association relative to the 34 foot berm reads as follows:

November 18, 1964

City Council
City of Farmington
23600 Liberty Street
Farmington, Michigan

Gentlemen:

Kindly refer to ITEM I (of ITEMS I through V) and our letter of October 1, 1964, presented by our association representatives to the Farmington City Council at your meeting of October 5th. ITEM 1 pertains to a planted greenbelt area along the south boundary of our subdivision.

At our Association meeting of November 5th (attended by Mr. John D. Dinan, Farmington City Manager), our Board of Directors discussed new proposals to eliminate the planted greenbelt requirement and establish a maintenance free parking area for industry, which would provide a more practical, economical, and beneficial arrangement for industry, the homeowners, and the city.

After careful consideration by our Board of Directors and homeowners, it is requested that the column "ACTION TO BE TAKEN" of ITEM I be superseded, as follows:

ACTION TO BE TAKEN

The 34 ft. area between Farmington Meadows subdivision and the newly constructed industrial roadway (parallelling the south boundary of Farmington Meadows from Farmington Road proceeding west to our Telex Corporation property) be reconstructed to:

(1) Provide an asphalt parking area (for permendicular automobile parking) from the main line of the industrial roadway to 10 feet from the south boundary line (fencing) of the Farmington Meadows subdivision; and

(2) Install a metal (parking) guard rail 10 feet from and parallelling the south boundary line of the Farmington Meadows subdivision, similar to the type used on Michigan Expressways and at automobile headlight level; and

(3) Landscape the 10 ft. area between the south boundary line (fencing) of the Farmington Meadows subdivision and the proposed metal guard rail by placement of crushed stone (to be periodically sprayed) and planting of 3 to 6 foot evergreens (of the Spruce or White Pine type) at 6 ft. interspersed centers.

Fully recognizing financial involvement, may we suggest that the City Council and industry concerned review this plan to determine its acceptability. When an agreement is reached, it may also be desirable to establish a commitment for the area referred above, together with a formal arrangement to implement the plan by a system of phasing over a period of one year.

Additionally, please be informed that our annual General Meeting of the Farmington Meadows residents will be held at the Flanders Elementary School on Wednesday, January 13, 1965, at 8:00 p.m. In this connection, kindly accept our invitation to attend, and also, may we receive by January 5th, your written response to our ITEMS I through V in order that our residents may be informed, in our scheduled Bulletin of January 9th, of the actions taken to resolve our subdivision problems.

Your continued interest in the matters of the Farmington Meadows homeowners is appreciated.

Sincerely yours,
Robert L. Smith

City Manager Dinan stated that he had contacted Chesley Industries regarding a similar proposal.

Mr. Chesley states that due to weather conditions it would be impossible to follow through with their suggestions until spring.

He stated that he would like to discuss the matter further with the City regarding certain area and total cost. He feels confident that a mutually beneficial layout can be resolved that will be attractive, economical, easily maintained and compatible with all parties concerned.

City Manager Dinan stated that he plans to establish a meeting with Mr. Chesley to review this design and estimated cost for this type of installation and find out what areas are in disagreement.

City Manager Dinan stated that if the City can arrange for a mutually satisfactory development in this area, he plans on presenting similar propositions to the balance of the industrial owners to the west of Farmington Road so that there will be a consistent approach to the development of this area.

City Manager Dinan stated that he is working on the greenbelt area with Chesley and other industrial owners and would be in the position to make certain recommendations to the Council before the January 5th deadline date.

He reported that the Farmington Meadows Association has requested a written response on items 1 thru 5 of their original communication so that they can forward these answers by January 9, 1965 of the action to be taken to resolve the subdivision problems.

The Mills Products matter was disposed of directly with the association when it was found out that their building was going to house plating and buffing equipment with no heavy presses to cause any noise nuisance problem. Mills stated that they would attempt to locate their loading dock area other than at the rear of the property on future expansion of their buildings. All future plans will be reviewed regarding foundations for presses.

City Manager Dinan stated that there is still a basic question regarding the noise nuisance problem to the surrounding residents that is transmitted during the summer months through the open door of the loading dock area. Plans are being made to set an appointment with one or two members of the Association and Chesley Industries to observe the machinery in question regarding some type of muffler or other sound deadening devices to reduce the noise of this equipment during the summer months. An attempt will be made to have this problem reviewed by all parties concerned prior to January 5, 1965.

Reports from City Manager.

A. Report Agreement City of Farmington and Michigan Employment Securities.

City Manager Dinan submitted a report on the Agreement between Local Government and the Michigan Employment Securities Commission, Michigan Youth Work Training Program that was reviewed by the Council prior to the last regular meeting and Richard L. Bashara, Manager of the Michigan Employment Security Commission, Seven Mile Road Branch relative to the new Public Act No. 239, Michigan Youth Work Training Program that has been established exclusively for local government units.

The training program is designated from January 1 through June 30, 1965. Each trainee will be paid a training allowance of $20.00 per week while enrolled in a training program. One-half of this training allowance $10.00, is to be paid by the State of Michigan, the other one-half is paid by the sponsoring governmental unit where work training takes place.

This program is designed to aid drop-out students between the ages of 16 and 21 who have been out of school six months or more and are unable to obtain employment.

Farmington School District has agreed to provide supplemental education classes in conjunction with this program. Combination of the total time for classes and work training should not exceed 40 hours nor be less than 30 hours.

City Manager Dinan stated that the City would utilize up to four work trainees in the Department of Public Works and Water and Sewer Department for a six months period. This would be $260.00 per work trainee for 26 weeks or a maximum of $1,040.00 for four trainees during the entire period.

City Manager Dinan stated that he was in favor of this program for two basic reasons:

1. It provides work training to the youth that is unemployable because of lack of training and experience. This is a step in the right direction to correct a potential problem in the future.

2. The cost involved per trainee is certainly a bargain and the City should receive more services than the expenditure involved.

City Manager Dinan recommended that the City Council authorize the City Manager to enter into agreement between the City of Farmington and the Michigan Employment Securities Commission.

The City Council would have to appropriate $1,040.00 from the Contingent Fund to be advanced to the Commission for the purpose of paying training allowance for the trainees. $10.00 per trainee per week for a 26 week period. It is understood that if these monies are not utilized then they shall be returned to the City of Farmington. The City Attorney has reviewed the agreement document and has no objections to its content. All trainees will be local residents.

Council members discussed the type of work involved, school program, selection of trainees and the advantages of the program.

Motion by Forrest supported by Peterson to adopt the following resolution:

BE IT RESOLVED that the City Manager be authorized to sign Agreement with Michigan Employment Securities Commission—Michigan Youth Work Training Program Act No. 239 to train up to four trainees for a twenty-six week period beginning January 1, 1965 and ending June 30, 1965.

ROLL CALL:

AYES: Brotherton, Forrest, Lindbert, Peterson

NAYS: Thayer

ABSENT: None

Resolution Declared Adopted.

DATE: December 7, 1964

TRENA M. QUINN, Clerk

B. Report Public Hearing Date Proposed New Zoning Ordinance and Map.

City Manager Dinan reported that the Council and the Planning Commission meet at a joint meeting held on November 23, 1964, and reviewed the new proposed Zoning Ordinance and Zoning Map in its final form and the recommended changes made by the Planning Commission.

He stated that since it requires a minimum of fifteen days (15) from date of publication for the public hearing on the new Zoning ordinance, it was suggested that the hearing be held jointly with the Planning Commission and the City Manager recommended that it be held on Monday, January 11, 1965, which would be normally a Planning Commission meeting night.

Motion by Peterson seconded by Brotherton that the Council establish a Joint Public Hearing with the Planning Commission on Monday, January 11, 1965, at 8:00 p.m. on the new Zoning Ordinance and Zoning Map. Motion carried, all ayes.

MISCELLANEOUS

A. City Attorney Report on Bill Root Parking Lot on Mayfield.

City Attorney Robert J. Kelly read his legal opinion on the Bill Root Parking Lot as follows:

November 20, 1964
Farmington City Council
City Hall
Farmington, Michigan

Re: Bill Root Parking Lot Mayfield Street.

Dear Sirs:

I have been requested to examine the record covering construction of the above parking lot and advise whether violations of City Ordinances have occurred which would merit penal action against the owner.

The Building Department records show the following:

1. A plumbing permit dated October 30, 1964, with a Nine Dollar fee.

2. A final inspection on November 2, 1964, and a sewer tap fee of Thirty Five Dollars.

3. An application for a sidewalk, apron and approach permit dated November 6, 1964, a permit fee of Five Dollars and Twenty Eight Cents, and a permit dated November 12, 1964.

4. An application for an asphalt parking lot dated November 11, 1964, fees of Fourteen Dollars, a Fifty Dollar bond, and a permit dated November 12, 1964.

5. An order for two twelve foot curb cuts dated November 12, 1964, and a Thirty Six Dollar fee.

Sometime during the foregoing period, I was asked for an opinion whether a building or structure was required to be required for this type of parking facility, as it did not seem to fall within either the Parking District Classification, chapter 39 of the Farmington City Code, nor was it in conjunction with the construction of a building or a new use requiring off street parking under chapter 41, Farmington City Code. I concluded that a permit should be required and so advised the Building Department.

It is clear from the foregoing that the owner has complied with all requirements as to permits, that the fees have been paid and the permit issued by the City. At the present point, I can find no justification for penal proceedings against the owner, nor can I conceive of a Court doing anything except dismissing such an action. It should be noted that the permit in question is required for the use of land as off street parking. I know of no law which requires an owner to landscape his property in any particular fashion, or which prohibits him from paving it in all or in part.

I should like to comment on the demand of certain complainants in this matter "that the building code for the City of Farmington be upheld to the letter." Since the matters involved herein fall within the zoning ordinances, I assume that it is these ordinances to which reference is made. It might be noted that this Municipal Government does not have such power. The State Statute which empowers municipalities to enact zoning ordinances specifically directs that the strict letter of such ordinances shall not be applied where there are practical difficulties, and authorizes modification of any of the provisions of such ordinances by the proper officials so that the spirit of the ordinance shall be observed and substantial justice done. M.S.A. 5.2935.

Very truly yours,
Robert J. Kelly

Councilman Forrest stated that he was not satisfied with the City Attorney's legal opinion on the Bill Root Parking Lot.

He questioned the dates and issuance of permits obtained by Bill Root Chevrolet. He stated that he objected to the blacktop between the curb and sidewalk and is of the opinion that Bill Root Chevrolet should remove the blacktop and posts and replace with grass.

He also stated he believed that the "NO PARKING" sign at Mayfield and Grand River is too close to the corner and obstructs vision.

He also stated that there was a personnel matter and requested that the Council members only meet in private session to discuss this matter and take action.

Comments Re: Legal Opinion

W. Allen Nelson, 23708 Warner; Alfred Burke, 22880 Mayfield; Robert Rogers, 32912 Slocum; and Francis McGivern, 23020 Manning, were opposed to the City Attorney's legal opinion that there is no cause for penal action, based on dates and issuance of permits, possible completion of work before obtaining permits and violations of the Zoning Ordinance.

City Attorney Kelly stated that he had received the dates and issuance of permits from the City records and is of the opinion that all permits are in proper order.

Mr. Albert Herzog, Attorney for Bill Root Chevrolet, stated that Mr. Root had complied with all the requirements of the Zoning Ordinance and requested that the City, based on the last findings of the Board of Appeals, issue the permit and call the matter closed.

City Manager Dinan stated that a plumbing permit was issued October 30, 1964, and finaled by Norman Knapp, Superintendent of Water & Sewer Department on November 2, 1964, and in conjunction with the sewer tap and a fee of $35.00 was paid for inspection.

City Manager Dinan stated that it was the opinion of the City that a permit was not needed for a parking lot but is not needed for blacktopping.

COUNCIL COMMENTS

Councilmen Brotherton and Thayer requested that all permits, receipts and deposits be available for the private session of the Council.

Councilman Peterson stated that the City Attorney not Citizens should be criticized in an unjust manner.

Mayor Lindbert stated that one member of the Council had requested a private session of Council members only be held to discuss a personnel problem relative to the Bill Root Chevrolet Parking Lot.

He also stated that if there is any mal operation of permit issuance, the Council would investigate the individuals in private group session, outline steps to be taken, receive advise and discuss this matter in a sensible, earnest, and quiet manner in the best interests of the City.

By unanimous consent, the Council members only will meet in private session on Friday, December 11, 1964, at 8:00 p.m. to discuss this matter.

B. Library Contribution 1964-65 Budget.

City Manager Dinan requested that the City Council appropriate one-half the budget allocation — $13,150.00 for Library appropriation amounting to $6,575.00. In addition to this amount, he recommended that the City pay the deficiency that the City had for the year 1962-63 in the amount of $1,100.00 allocated in the fiscal year. The total contribution to the Farmington Area Library would be $7,675.00.

Motion by Brotherton supported by Thayer to authorize payment of one-half of budget allocation in amount of $6,575.00 and 1962-63 deficiency allocated in the amount of $1,100.00, total amount $7,675.00 to the Farmington Area Library.

ROLL CALL:

AYES: Lindbert, Peterson, Thayer, Brotherton, Forrest.

NAYS: None.

Motion carried.

C. Goodfellows Contribution 1964-65 Budget.

Motion by Peterson seconded by Brotherton that the City contribute $1,000.00 to the Farmington Goodfellows Fund. Motion carried, all ayes.

Resolution and Ordinances.

A. Resolution Waiving 1 per cent Collection Fee on 1964 School and County Taxes from January 19, 1964 to February 15, 1965.

Kathryn D. Cotter, City Treasurer, submitted a request to the City Council for resolution waiving 1 per cent collection fee on all County & School taxes paid by February 15, 1965, and that 4 per cent be added to all County and School taxes paid after February 15, 1965.

ROLL CALL:

AYES: Peterson, Thayer, Brotherton, Forrest, Lindbert.

NAYS: None.

Resolution Declared Adopted December 7, 1964.

TRENA M. QUINN, Clerk

B. Resolution Re: Health Office.

City Manager Dinan reported that Doctor Bernard Berman had been appointed County Health Director due to the death of Doctor Monroe and requested that the Council appoint Doctor Berman as City Health Officer.

Motion by Councilman Thayer supported by Councilman Peterson to adopt the following Resolution:

RESOLVED that the City Council of the City of Farmington appoint Bernard Berman, M.D. as Health Officer for the City of Farmington, Oakland County, Michigan, to become effective December 8, 1964.

ROLL CALL:

AYES: Brotherton, Forrest, Lindbert, Peterson, Thayer.

NAYS: None.

ABSENT: None.

Resolution Declared Adopted December 7, 1964.

TRENA M. QUINN, Clerk

CLAIMS AND ACCOUNTS

A. Monthly Bills.

Motion by Peterson supported by Forrest that claims and accounts for November, 1964, be approved for payment as submitted.

ROLL CALL:

AYES: Thayer, Brotherton, Forrest, Lindbert, Peterson.

NAYS: None.

Motion carried.

B. Final Estimate Ministrelli Const. Co., Industrial Drive, Alta Berger Sub.

Motion by Thayer supported by Peterson to approve payment of final estimate for paving of industrial drive, Alta Berger Subdivision to Ministrelli Construction Company in the amount of $3,933.20.

ROLL CALL:

AYES: Brotherton, Forrest, Lindbert, Peterson, Thayer.

NAYS: None.

Motion carried.

C. Final Estimate Nagle Paving Co., Asph'l Surfacing City Parking Lot, Etc.

Motion by Forrest supported by Thayer to approve payment final estimate for surfacing City Parking Lots in the amount of $472.02.

ROLL CALL:

AYES: Forrest, Lindbert, Peterson, Thayer, Brotherton.

NAYS: None.

Motion carried.

D. Final Estimate Crown Fence & Supply Co., Fencing Oakwood Cemetery.

Motion by Peterson supported by Brotherton to approve final payment for fencing Oakwood Cemetery to Crown Fence & Supply Company in the amount of $387.76.

ROLL CALL:

AYES: Lindbert, Peterson, Thayer, Brotherton, Forrest.

NAYS: None.

Motion carried.

ADJOURNMENT

Motion by Thayer seconded by Peterson that the meeting adjourn. Motion carried, all ayes. Meeting adjourned at 10:32 p.m.

ROBERT B. LINDBERT, Mayor

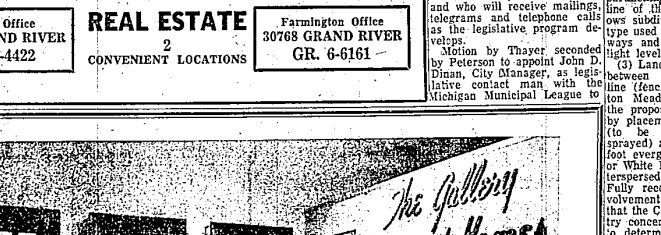
TRENA M. QUINN, Clerk

Buy • Sell • Trade • Multi-List

DATES & MORNINGSTAR
— REALTORS —
22772 Orchard Lake Rd. GR. 6-4810

"YOU CAN DEPEND ON D&M!"

Serving Farmington...



2 modern offices plus a sales staff of over 20 people, combined with extensive newspaper, television and direct mail promotion enables a step-by-step marketing and merchandising procedure to insure the best possible results.

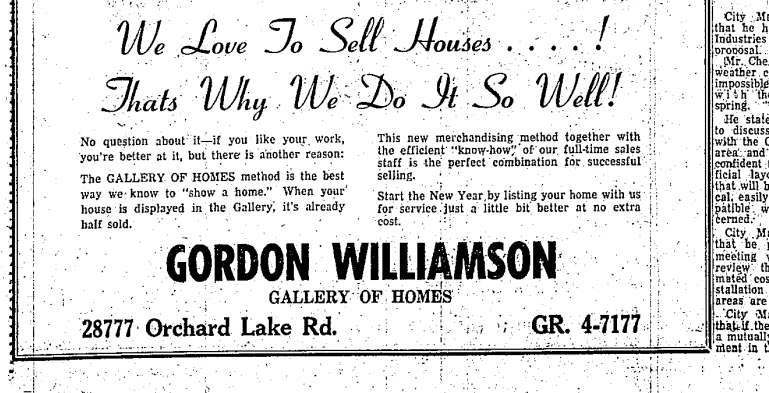
The Donald Henkelman Co. is a member of the American Institute of Marketing Systems, United Northwestern Realty Association, The Detroit Real Estate Board, National Association of Real Estate Boards, Better Business Bureau, qualified FHA and VA approved brokers, franchised brokers for The Relocation Finance Corporation for families moving from city to city.

donald henkelman co.

Detroit Office
20356 GRAND RIVER
KE. 8-4422

REAL ESTATE
2
CONVENIENT LOCATIONS

Farmington Office
30768 GRAND RIVER
GR. 6-6161



We Love To Sell Houses . . . !

Thats Why We Do It So Well!

No question about it—if you like your work, you're better at it, but there is another reason:

The GALLERY OF HOMES method is the best way we know to "show a home." When your house is displayed in the Gallery, it's already half sold.

This new merchandising method together with the efficient "know-how" of our full-time sales staff is the perfect combination for successful selling.

Start the New Year by listing your home with us for service just a little bit better at no extra cost.

GORDON WILLIAMSON
GALLERY OF HOMES
28777 Orchard Lake Rd. GR. 4-7177