LEGAL NOTICE

COUNCIL PROCEEDINGS

A regular meeting of the Council of the City of Farmington was held on May 5, 1958.

Meeting was called to order at 8:20 P.M. by Mayor Pro-Tem Bates.

The City Manager introduced Doctor John R. Heidenreich, Village President of Daggett, Michigan, who was the Exchange Mayor for the Michigan Week program. Doctor Heidenreich thanked the Council for a very pleasant and instructive day and commended the Council and the Planning Commission on their future planning for the City. Mayor Lindbert was a visitor at Daggett, Michigan.

ROLL CALL: Councilmen Barber, Bates, Cavanaugh present. Lapham and Lindbert absent.

CITY OFFICIALS PRESENT: City Manager Scherffius, Clerk Quinn, Attorney Pore, Engineer Elwart and Chief DeVriendt.

Minutes of Previous Meeting

Motion made by Cavanaugh and seconded by Barber that the minutes of the regular meeting held on April 21, 1958, be approved as published. Motion carried, all ayes.

Motion made by Barber and seconded by Cavanaugh that the minutes of the adjourned regular meeting held on April 25, 1958, be approved as published. Motion carried, all ayes.

Petitions and Communications

A. Letter of Resignation from Councilman John D. Lapham. Letter from John D. Lapham read by Clerk. Motion made by Cavanaugh and seconded by Barber to accept the resignation of John D. Lapham with regrets and to instruct the Clerk that a letter of appreciation be sent to Mr. Lapham for his service as a Council Member. Motion carried, all ayes.

B. Letter from Farmington Township Lions Club re "White Cane" Sales on May 9 and 10. Letter from Lions Club read by Clerk. Motion made by Cavanaugh and seconded by Barber to grant permission to the Farmington Township Lions Club to sell "White Canes" on Friday, May 9, and Saturday, May 10, 1958. Motion carried, all ayes.

C. Transfer of SDM License from Abe L. Johnson to Harold J. and Areldene M. Johnson. Motion made by Barber and seconded by Cavanaugh to approve the transfer of SDM License to Harold L. and Areldene M. Johnson from Abe L. Johnson. Motion carried, all ayes.

Reports and Resolutions

A. Bond Resolution, $65,000 P.A. No. 175 Street Improvement Bonds. Motion made by Barber and supported by Cavanaugh to adopt the following resolution:

CITY OF FARMINGTON
COUNTY OF OAKLAND,
MICHIGAN

A Regular Meeting of the City Council of the City of Farmington, County of Oakland, Michigan, held on May 5, 1958, at 8:00 o'clock p.m., Eastern Standard Time, at the City Hall in said City.

Present: Councilmen Barber, Bates, Cavanaugh.

Absent: Councilmen Lapham, Lindbert.

The following preamble and resolution were offered by Councilman Barber and supported by Councilman Cavanaugh:

WHEREAS, the City Council of the City of Farmington, County of Oakland, Michigan, deems it necessary to acquire and construct street improvements in the City of Farmington consisting of paving and improving drainage facilities and installing curb and gutter on Shiawassee from Farmington Road to Farmington Road as located and on Powers from U.S. 16 to Valleyview Circle (North), which said improvements are to be made to streets composing the Major Street System of the City;

AND WHEREAS, the City Council estimates the cost of said improvements to be Sixty-five Thousand ($65,000.00) Dollars;

AND WHEREAS, the City is authorized to expend Motor Vehicle Highway Funds allocated to it under the provisions of Section 13 of Act 51, Public Acts of Michigan, 1951, as amended, for the foregoing purposes, and the Michigan State Highway Department has approved said street improvements as complying with the purposes of Section 13 of Act 51, Public Acts of Michigan, 1951, as amended;

AND WHEREAS, the City Council deems it to be in the best interest of the City to finance the cost of said improvements by borrowing the sum of $65,000.00 and issuing bonds of the City therefor, pursuant to the provisions of Act 175, Public Acts of Michigan, 1952, as amended;

AND WHEREAS, the revenues received by the City of Farmington from the Motor Vehicle Highway Fund and the Construction Fund in the five (5) year period preceding the contemplated borrowing are more than sufficient to comply with all the requirements specified in Section 4 of Act 175, Public Acts of Michigan, 1952, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The estimates of the cost of the improvements as set forth in the preamble hereto are hereby approved and adopted.

2. The period of usefulness of said improvements set forth in the preamble hereto is estimated to be not less than twenty (20) years.

3. The City Council of the City of Farmington determines to make the street improvements set forth in the preamble hereto and determines to borrow the sum of $65,000.00 and issue bonds of the City therefor pursuant to the provisions of Act 175, Public Acts of Michigan, 1952, as amended, for the purpose of providing funds to pay the cost of the improvements set forth in the preamble hereto.

4. Said bonds shall be designated 1958 MOTOR VEHICLE HIGHWAY FUND BONDS and shall consist of sixty-five (65) bonds of the denomination of $1,000.00 each, numbered consecutively in direct order of maturity from 1 to 65, both inclusive, dated as of July 1, 1958, and payable serially as follows:

$4,000.00 July 1st of each year from 1959 to 1968, both inclusive;

$5,000.00 July 1st of each year from 1969 to 1973, both inclusive.

Said bonds shall bear interest at a rate or rates not exceeding four (4%) per cent per annum, payable on January 1, 1959, and semi-annually thereafter on July 1st and January 1st of each year, both principal and interest to be payable at a bank or trust company to be designated by the purchaser of the bonds.

Bonds numbered 1 to 40, both inclusive, maturing in the years 1959 to 1968, both inclusive, shall not be subject to redemption prior to maturity.

Bonds numbered 41 to 65, both inclusive, maturing in the years 1969 to 1973, both inclusive, shall be subject to redemption prior to maturity, at the option of the City, in inverse numerical order, on any interest payment date on or after July 1, 1968, at par and accrued interest, plus a premium as follows:

$20.00 on each bond called for redemption prior to July 1, 1970;

$15.00 on each bond called for redemption on or after July 1, 1970, but prior to July 1, 1972;

$10.00 on each bond called for redemption on or after July 1, 1972.

Notice of redemption shall be given to the holders of such bonds to be redeemed by publication of such notice not less than thirty (30) days prior to the date fixed for redemption, at least once in a newspaper or publication circulated in the State of Michigan which carries, as part of its regular service, notices of sale of municipal bonds. No further interest payable on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption with the paying agent.

This bond and the interest thereon are payable from the proceeds of State-collected taxes returned to the City of Farmington for road purposes pursuant to law; and the resolution authorizing the issuance and sale of said bonds contains an irrevocable appropriation of the amount necessary to pay the principal of and interest on this bond and the series of bonds of which this is one from the moneys derived from such State-collected taxes so returned to the City of Farmington for highway purposes which have not been theretofore specifically allocated and pledged for the payment of indebtedness, or in case of the insufficiency of said funds, is payable out of the general funds of the City of Farmington, and it is hereby certified and recited that all acts, conditions and things required to be done, exist and happen, precedent to and in the issuance of said series of bonds of which this is one, in order to make them valid and binding obligations of said City, have been done, exist and have happened in regular and due form and time as required by law, and that the total indebtedness of said City, including the series of bonds of which this is one, does not exceed any constitutional, charter or statutory limitation.

IN WITNESS WHEREOF, the City of Farmington, County of Oakland, State of Michigan, by its City Council, has caused this bond to be signed in the name of said City by its Mayor and countersigned by its City Clerk and its corporate seal to be affixed hereto, and has caused the annexed interest coupons to be executed by the facsimile signatures of the Mayor and City Clerk, as of the first day of July, A.D., 1958.

CITY OF FARMINGTON
By
Mayor

(Seal)

Countersigned:

City Clerk

(Form of Coupon)

No. $

On the first day of , A.D., 19 , the CITY OF FARMINGTON, County of Oakland, State of Michigan, hereby promises to pay to the bearer hereof the sum of dollars, at , Michigan, being the semi-annual interest due that date on its 1958 Motor Vehicle Highway Fund Bond dated July 1, 1958.

No.

Mayor

City Clerk

9. The City Clerk shall make application to the Municipal Finance Commission for an order granting permission for the issuance of said bonds and approval of the form of Notice of Sale.

10. A copy of this resolution shall be published in The Farmington Enterprise of Farmington, Michigan, a newspaper of general circulation in the City of Farmington, Michigan, for three (3) successive weeks before this resolution becomes effective.

11. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and they hereby are rescinded.

AYES: Councilmen Barber, Bates, Cavanaugh.

NAYS: None.

Resolution Declared Adopted. May 5, 1958.

B. RESOLUTION RE: NOTICE OF SALE OF $65,000 P.A. No. 175 BONDS.

Motion made by Cavanaugh and supported by Barber to adopt the following resolution:

City of Farmington
County of Oakland, Michigan

A Regular Meeting of the City Council of the City of Farmington, County of Oakland, State of Michigan, held on May 5, 1958, at 8:00 o'clock p.m., Eastern Standard Time, at the City Hall in said City.

PRESENT: Councilmen Barber, Bates, Cavanaugh.

ABSENT: Councilmen Lapham, Lindbert.

The following preamble and resolution were offered by Councilman Cavanaugh and supported by Councilman Barber:

WHEREAS, by resolution adopted May 5, 1958, the City Council of the City of Farmington, County of Oakland, State of Michigan, authorized issuance and sale of Sixty-Five Thousand ($65,000.00) Dollars 1958 MOTOR VEHICLE HIGHWAY FUND BONDS of the City to be dated July 1, 1958.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk shall cause notice of sale of said bonds to be published in the Michigan Investor of Detroit, Michigan, and The Farmington Enterprise of Farmington, Michigan, fixing the date of sale for said bonds for the first regular meeting of the City Council occurring more than seven (7) full days prior to the latest date of publication of said Notice of sale.

2. Said Notice of Sale shall be in substantially the following form:

NOTICE OF SALE
$65,000.00
CITY OF FARMINGTON,
COUNTY OF OAKLAND
MICHIGAN
1958 MOTOR VEHICLE HIGHWAY FUND BONDS

Sealed bids for the purchase of 1958 Motor Vehicle Highway Fund Bonds to be issued by the City of Farmington, County of Oakland, State of Michigan, of the par value of $65,000.00, will be received by the undersigned at his office in the City Hall in said City, until 8:00 o'clock p.m., Eastern Standard Time, on this the day of , 1958, at which time and place said bids will be publicly opened and read.

Said bonds will be dated July 1, 1958, will be sixty-five (65) coupon bonds of the denomination of $1,000.00 each, will be numbered consecutively in direct order of their maturity from 1 to 65, inclusive, and will bear interest from their date at a rate or rates not exceeding four (4%) per cent per annum, expressed in multiples of 1/8 of 1%, said interest to be payable on January 1, 1959, and semi-annually thereafter on July 1 and January 1st of each year. The interest rate for each coupon period on any one bond shall be the same rate only. Accrued interest to the date of delivery of such bonds must be paid by the purchaser at the time of delivery.

Said bonds will mature serially as follows:

$4,000.00 July 1st of each year from 1959 to 1968, both inclusive;

$5,000.00 July 1st of each year from 1969 to 1973, both inclusive;

Both principal and interest will be payable at a bank or trust company to be designated by the purchaser of the bonds.

Bonds numbered 1 to 40, inclusive, maturing in the years 1959 to 1968, inclusive, shall not be subject to redemption prior to maturity.

Bonds numbered 41 to 65, inclusive, maturing in the years 1969 to 1973, inclusive, shall be subject to redemption prior to maturity, at the option of the City, in inverse numerical order, on any interest payment date on or after July 1, 1968, at par and accrued interest, plus a premium as follows:

$20.00 on each bond called for redemption prior to July 1, 1970;

$15.00 on each bond called for redemption on or after July 1, 1970, but prior to July 1, 1972;

$10.00 on each bond called for redemption on or after July 1, 1972.

Notice of redemption shall be given to the holders of bonds to be redeemed by publication of such notice not less than thirty (30) days prior to the date fixed for redemption, at least once in a newspaper or publication circulated in the State of Michigan which carries, as part of its regular service, notices of sale of municipal bonds. No further interest payable on bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption with the paying agent.

For the purpose of awarding the bonds, the interest cost of each bid will be computed by determining at the rate or rates specified therein, the total dollar value of interest on the bonds from (Here insert the first day of the month next following the date of receiving bids or the date of the bonds, whichever is later) to their maturity and deducting therefrom any premium. The bonds will be awarded to the bidder whose bid on the above computation produces the lowest interest cost to the City. No proposal for the purchase of less than all of the bonds or at a price less than their par value will be considered.

The bonds are to be issued pursuant to the provisions of Act 175, Public Acts of Michigan, 1952, and are issued in anticipation of Motor Vehicle Highway Fund payments to be received by the City of Farmington, and said bonds will pledge the full faith and credit of the City of Farmington for their payment.

A certified or cashier's check in the amount of $1,300.00 drawn upon an incorporated bank or trust company, payable to the order of the Treasurer of the City of Farmington, must accompany each bid as a guaranty of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid is accepted and the bidder fails to take up and pay for the bonds. No interest will be allowed on the good faith checks, and checks of unsuccessful bidders will be promptly returned to each bidder's representative or by registered mail.

Bids shall be conditioned upon the unqualified opinion of Miller, Canfield, Paddock and Stone, attorneys of Detroit, Michigan, approving the legality of the bonds. The cost of such opinion shall be paid by the City. The cost of printing the bonds shall be paid by the purchaser. Bonds will be delivered at Detroit, Michigan.

The right is reserved to reject any or all bids.

Envelopes containing the bids should be plainly marked "Proposal for Bonds."

City Clerk

AYES: Councilmen Bates, Cavanaugh, Barber.

NAYS: None.

Resolution Declared Adopted. May 5, 1958.

C. RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE LAND CONTRACT FOR THE PURCHASE OF PART OF LOT 33, LAPHAMS ADDITION.

Motion made by Barber and supported by Cavanaugh to adopt the following resolution:

RESOLUTION AUTHORIZING CITY MANAGER TO COMPLETE PURCHASE OF LUTZ PROPERTY THE CITY OF FARMINGTON RESOLVES:

That Earl F. Scherffius, City Manager, be and he is hereby authorized and empowered to complete the purchase from John A. Lutz and Evelyn F. Lutz, his wife, of the easterly portion of Lot 33 of Lapham's Addition to the City of Farmington for the sum of $25,000. $5,000 to be paid on closing of the deal; the balance of $20,000 to be payable on a land contract calling for the payment of not less than $200 per month and interest at six per cent (6%) per annum in addition thereto, with the provision that during the calendar year of 1958 the total payments on principal, including the $5,000 above mentioned, shall not exceed the sum of $7,000.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to take all legal steps necessary to the purchase of said property, including the execution of such legal documents and other instruments as he shall deem necessary, advisable or expedient.

This Resolution was passed and adopted by the Council at a regular meeting held on the 5th day of May, 1958.

Robert B. Lindbert
Mayor
Trera M. Quinn
Clerk.

ROLL CALL: AYES: Cavanaugh, Barber, Bates.

NAYS: None.

Resolution Declared Adopted.

MISCELLANEOUS.

A. DISCUSSION RE: EAST PROPERTY LINE OF POWERS ROAD AS AFFECTING BICKING PROPERTY.

Mr. Baldwin, surveyor for the property owners, presented a sketch regarding the property line. Decision tabled for further investigation.

B. DISCUSSION RE: SELECTION OF STREET NAME FOR FORMER U.S. 16 CUT-OFF, NOW A CITY STREET.

Decision tabled, and name to be selected at next regular meeting.

ORDINANCES.

A. SUBDIVISION REGULATION ORDINANCE FOR ADOPTION.

Tabled until next regular meeting May 19, 1958.

B. ORDINANCE TO REGULATE MOVING OF BUILDINGS.

Motion made by Cavanaugh and supported by Barber to adopt and enact the following ORDINANCE:

ORDINANCE No. C-117-58

An Ordinance of the City of Farmington, Oakland County, Michigan, to Regulate the Moving of Buildings and Structures into the City, Within the City, or Across, Upon or Along the Streets in the City; to Provide Conditions for and Issuance of Permits; to Provide Fees and Bonds and to Provide Penalties for Violations.

THE CITY OF FARMINGTON ORDAINS:

Section 1 — SHORT TITLE. This ordinance shall be known and may be cited as the "Building Moving Ordinance" of the City of Farmington.

Section 2 — DEFINITIONS.

A. CITY. The term "city" means the City of Farmington.

B. BUILDING. The term "building" means and shall include all structures having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels.

C. STREET. The term "street" shall mean and include all roads, highways, alleys and other ways of vehicular travel in the city open to the public.

Section 3 — No person, firm or corporation shall move or cause any building or obstruction to traffic to be moved across, upon or along any street in the city without first having obtained a permit so to do in accordance with the provisions hereof.

Section 4 — No person, firm or corporation shall move or cause any building to be moved from a location outside of the city to a location within the city without first having obtained a permit so to do in accordance with the provisions hereof.

Section 5 — No person, firm or corporation shall move or cause any building to be moved from any lot or described plot or parcel of land within the city to any other lot or described plot or parcel of land in the city without first having obtained a permit so to do in accordance with the provisions hereof.

Section 6 — No permit required under the provisions hereof shall be issued unless and until the Council of the city shall have first approved the same by resolution and the applicant has thereafter complied with and met all other requirements hereof.

Section 7 — The Council of the city shall not approve the issuance of any permit hereunder unless the character of the building, its size and proposed use, the area of the land on which it is to be placed and all other factors comply with the requirements of the Zoning Ordinance of the city pertaining to the erection of new buildings in the District Zone to which such building is to be moved.

Section 8 — In addition to the requirements of the foregoing section, the Council shall not approve the issuance of any permit hereunder unless the report of the City Manager discloses and the Council shall determine that the following conditions exist:

(1) That the building to be moved is in sound condition and capable of being safely moved across, over or along the streets in the City of Farmington and placed on its pro-

(Continued on Page 7A)

GAMBLES FARMINGTON STORE
WE DELIVER - Call GR. 4-1022
Fertilizer - Feed - Scott's Turf Builder
"VIM" Dog Food — 5 lbs. 45c; 25 lbs. $1.85
FOR YOUR LAWN and GARDEN
PLANT FOOD - ROSE FOOD
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STRADLERS XXX G & F
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GRAND RIVER at Farmington Rd. GAMBLES OPEN 'TIL 8 P.M. WEEKDAYS
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Same Personal Service
Same Fine Quality Merchandise
We Specialize In
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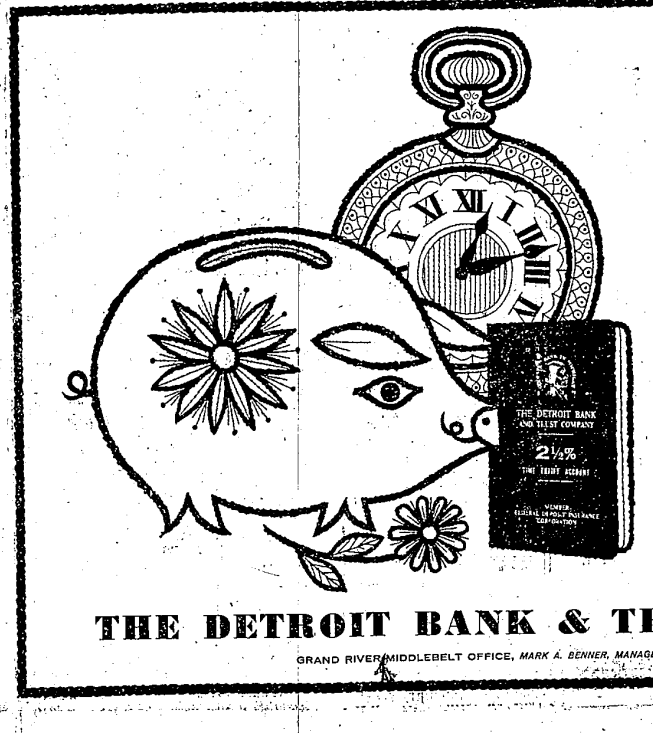

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