

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
AUGUST 13, 2018 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

The regular meeting of the Farmington Hills City Council was called to order by Mayor Massey at 7:30 p.m.

Council Members Present: Bridges, Bruce, Knol, Lerner, Massey, Rich and Steckloff

Council Members Absent: None

Others Present: City Manager Boyer, City Clerk Smith, Assistant City Manager Mekjian, Directors Mondora and Schnackel, Fire Chief Unruh and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Bill Wright, Special Services Superintendent, led the pledge of allegiance.

APPROVAL OF AGENDA

MOTION by Lerner, support by Bridges, to approve the agenda with the addition of item #6a, Appointment to Boards/Commissions.

MOTION CARRIED (6-1, Rich opposed)

Mayor Massey announced that City Clerk Smith had a statement. Clerk Smith addressed the electors and election inspectors regarding the August 7, 2018 Primary Election.

EMERGENCY PREPAREDNESS COMMISSION TIP OF THE MONTH

The following Tip of the Month was read by Mayor Massey:

**City of Farmington Hills
EMERGENCY PREPAREDNESS COMMISSION
Tip of the Month
August 2018**

In August the Emergency Preparedness Commission is reminding all families with school age children to make sure they update their children's emergency contact information on file with their schools, and to review emergency procedures with their families, should an event happen while their children are at school, or on their way to and from school.

Our children are exposed to a lot of alarming and sometimes alarming information on a daily basis, especially from television. Your words and actions can provide reassurance while also easing their fears. It is important to engage your child and discuss what they see and hear. When you do, be sure to present a realistic picture that is both honest and manageable. Children are not helpless, especially when given tools to help manage their own environment.

It is very reassuring to see how much time and effort the city's Police Department and the schools have put forth, working together to create protocols that help ensure the safety of our children. Remember,

even if you don't have children of your own, our community's children belong to us all, and we should all keep a protective eye out as we see children playing and traveling on our streets and playgrounds.

As always, the Emergency Preparedness Commission urges all residents to make preparedness a part of daily life. For more information visit the EPC website at www.fhready.org.

CORRESPONDENCE

There was no correspondence acknowledged.

CONSENT AGENDA

MOTION by Steckloff, support by Bruce, to approve the Consent Agenda as read.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

PUBLIC QUESTIONS AND COMMENTS

Marianne Weiss, Crompton Circle, acknowledged a letter from her and her husband dated August 6, 2018 that was addressed to City Council regarding the proposed Charter amendment and method for transitioning from a special assessment to a road millage. She expressed concern that the proposed change would refund monies to current owners of property that are within an active special assessment rather than a previous owner who may have actually paid the assessment and has since moved as they have.

Khaya Davidson, Glencreek, read an email she sent to Mayor Massey and City Manager Boyer regarding Mayors for Peace and requesting the City to join the organization and become involved in the movement to prevent nuclear war.

Ted Gruller, Old Homestead, acknowledged the difficult decision Council made in trying to address the road issues but expressed the same concern with regard to the proposed method of refunding the money. He stated that if there is something that could be done to refund the money to those who have paid it, the residents who are in the process of selling their homes or have sold would appreciate it.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

The following comments and/or announcements were made by Council:

- Councilmember Rich noted that the city's financial advisors made a recommendation that will save the city approximately \$50,000 per year in investment fees.
- Councilmember Bridges mentioned that Central Services will be hosting a vendor outreach program in early 2019 to educate businesses on how to do business with Farmington Hills and provide an opportunity to register with the consortium as a vendor.
- Mayor Massey thanked all of the participants of the softball fundraising event held for Suicide Awareness and Prevention and thanked the Fredericks family who lost their son and came out to support the event. Next year's softball tournament is scheduled for August 10, 2019
- Mayor Massey mentioned a public meeting held at the Library on building a culture of trust hosted initiated by Mabel Fox that included some good presentations and discussion.

CITY MANAGER UPDATE

City Manager Boyer mentioned the following:

- Thanked voters for passing the Parks and Recreation millage renewal
- Mentioned an open house event at the ice arena on August 20th with free skating, free rentals and free lessons from 5:30pm-7pm.
- In response to the comments made regarding the proposed Charter Amendment, the City is currently working a letter that will go out to all residents in an active Special Assessment Districts and how the refunds would be handled.

City Attorney Joppich stated that the City just recently received notice of approval required for this Charter Amendment to appear on the November ballot. He explained how the refunds would be handled per the approved Charter amendment ballot language and if approved by the voters.

UNFINISHED BUSINESS

CONSIDERATION OF APPROVAL OF THE ENACTMENT OF ORDINANCE C-5-2018 TO AMEND THE FARMINGTON HILLS CITY CODE BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE IV, "BOARDS, COMMISSIONS AND COUNCILS," DIVISION 8, "FARMINGTON AREA ARTS COMMISSION," SECTION 2-222, "PURPOSE" TO UPDATE THE PURPOSE OF THE COMMISSION, AND DIVISION 9, "COMMISSION TO INCREASE VOTER PARTICIPATION" TO CORRECT THE COMMISSION NAME; AND APPROVAL OF SUMMARY FOR PUBLICATION.

Attorney Joppich stated that this ordinance was introduced at the last meeting to update the purpose of the Farmington Area Arts Commission and correct the name of the Committee to Increase Voter Participation. He noted that the suggested change at the time of introduction was made and is coming to Council for enactment.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves ENACTMENT of Ordinance C-5-2018 to amend the Farmington Hills City Code by amending Chapter 2, "Administration," Article IV, "Boards, Commissions and Councils," Division 8, "Farmington Area Arts Commission," Section 2-222, "Purpose" to update the purpose of the Commission, and Division 9, "Commission on Voter Participation" to correct the Commission name; and approval of summary for publication.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

NEW BUSINESS

CONSIDERATION OF A FREEDOM OF INFORMATION ACT (FOIA) APPEAL.

Attorney Joppich explained that the Freedom of Information request was received by the City and denied per the Act as the records were exempt from disclosure. The requestor is appealing that denial of records and the process is for the appeal to come before City Council for consideration. Attorney Joppich acknowledged that Ms. Davis was not present at the meeting this evening. He explained that the details for the denial were outlined in his attorney-client privileged memo provided to City Council and was

based on the fact that release of the records was prohibited by State Statute and if released could be a misdemeanor under that Statue.

Other options for Ms. Davis were discussed and she was encouraged to pursue some of these other options if she was watching this evening.

MOTION by Bruce, support by Bridges, that the City Council of Farmington Hills hereby denies the Freedom of Information Act appeal from Tara Davis based on the fact that state statute MCL 28.247 and Crime Victim Rights Act specifically prohibits release of this confidential information.

MOTION CARRIED 7-0.

Attorney Joppich stated that Ms. Davis also has the right under the Act to appeal this matter to Circuit Court.

City Clerk Smith indicated that Ms. Davis was notified that this matter was before City Council this evening and would follow up with her on the actions taken this evening.

CONSIDERATION OF APPROVAL OF A PURCHASE AGREEMENT FOR 30790 EIGHT MILE ROAD. CMR 8-18-62

Gary Mekjian explained that the city received the property in question due to a tax foreclosure and the property is zoned Light Industrial and has sat vacant for approximately 11 years. Back in 2011 the Brownfield Redevelopment Authority toured the site and recommended an environmental study of the building and property and a Phase 1 and Phase 2 environmental study and Due Care Plan for the site were completed in 2012 and in 2013 the building was demolished and the site remediated in compliance with these plans.

The City had the property appraised by an outside, independent commercial real estate appraiser and the City has been approached by an adjacent property/business owner to purchase the property for the full appraised value.

The City Attorney and the purchaser's attorney have successfully negotiated a purchase agreement that is before Council this evening for consideration.

MOTION by Knol, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager to sign a purchase agreement on behalf of the City to sell 30790 Eight Mile Road to D'An-Co Properties, L.L.C. in the amount of \$180,000.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF OPERATION AND MAINTENANCE AGREEMENTS FOR WATER AND SANITARY SEWER WITH OAKLAND COUNTY. CMR 8-18-63

Director of Public Services Mondora explained that Oakland County Water Resources Commissioner's Office has provided public water and sanitary sewer operation and maintenance services for the City for several decades and the term of that contract is expired. She reviewed the complex city systems and some of the services provided by the County and noted that the term of the proposed agreement to continue these services is for ten years with an option to extend for another 10 years and a termination clause with 180 days' notice.

MOTION by Bridges, support by Bruce, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to sign the City of Farmington Hills Sewer System Operation and Maintenance Agreement and the City of Farmington Hills Water System Operation and Maintenance Agreement.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF APPOINTMENT TO THE BROADBAND TASK FORCE

MOTION by Knol, support by Steckloff, that the City Council of Farmington Hills hereby approves the appointment of Mark Seals to the Broadband Task Force.

MOTION CARRIED 6-1 (Rich opposed).

CONSENT AGENDA
RECOMMENDED APPROVAL OF A GRANT APPLICATION FOR STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) 2017. CMR 8-18-64

MOTION by Steckloff, support by Bruce, that the City Council of Farmington Hills hereby authorizes the Fire Department to accept the 2017 SAFER Grant Program as outlined in CMR 8-18-64 and authorizes the Fire Chief to appropriate funds from the City General Operating Budget for this program.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF EXTENSION OF BID AWARD FOR GOLF COURSE FAIRWAY MOWER TO SPARTAN DISTRIBUTORS IN THE AMOUNT OF \$52,506. CMR 8-18-65

MOTION by Steckloff, support by Bruce, that the City Council of Farmington Hills hereby approves waiving the formal bid requirements and authorizes the City Manager to issue a purchase order for a Toro 5410-D golf fairway mower in the amount of \$52,506.00 to Spartan Distributors in accordance with all the terms and conditions of the previously awarded bid for Golf Course Fairway Mower, ITB-FH-17-18-2070.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF PROPOSAL FOR REPAIR/REFURBISHMENT OF VILTER AMMONIA COMPRESSOR TO SERV-ICE REFRIGERATION IN AN AMOUNT NOT TO EXCEED \$15,000. CMR 8-18-66

MOTION by Steckloff, support by Bruce, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase for repair/refurbishment of a Vilter Ammonia Compressor to Serv-Ice Refrigeration in an amount not to exceed \$15,000.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR ELECTRICAL UPGRADES AT THE FARMINGTON HILLS POLICE DEPARTMENT TO MAS ELECTRICAL SERVICE, INC. IN AN AMOUNT NOT TO EXCEED \$50,000. CMR 8-18-67

MOTION by Steckloff, support by Bruce, that the City Council of Farmington Hills hereby authorizes the City Manager to approve a Purchase Order to MAS Electrical Service, Inc. in the amount not to exceed \$50,000 for the electrical upgrades at the Farmington Hills Police Department.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR OWNER'S REPRESENTATIVE SERVICES FOR THE COMMUNITY CENTER RENOVATION TO PLANTE MORAN CRESA IN AN ESTIMATED AMOUNT OF \$354,000. CMR 8-18-68

MOTION by Steckloff, support by Bruce, that the City Council of Farmington Hills hereby authorizes the City Manager to sign a contract for Owner's Representative Services with Plante Moran CRESA for all fees based on 2.36% of the construction budget (currently \$15,000,000) or an estimated amount of \$354,000.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR THE VALVOLINE INSTANT OIL CHANGE GRAND OPENING EVENT TO BE HELD AUGUST 26TH THROUGH SEPTEMBER 1ST, 2018.

MOTION by Steckloff, support by Bruce, that the City Council of Farmington Hills hereby approves a Special Event Permit for Valvoline Instant Oil Change Grand Opening Event to be held on Sunday, August 26th through Saturday, September 1st, 2018 from 9am-8pm, subject to the following conditions and details:

- Fire lane shall not be blocked or restricted
- Egress from the facility shall not be restricted
- The tent will be contained to a grass median and will not take up any parking lot space
- There will be no cash sales in the tent
- There will be an employee under the tent during business hours
- The tent will not obstruct emergency response or pedestrian traffic
- The applicant has requested no police assistance for this event

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR THE ISKCON TEMPLE ANNUAL FESTIVAL EVENT TO BE HELD SEPTEMBER 1ST THROUGH SEPTEMBER 3RD, 2018.

MOTION by Steckloff, support by Bruce, that the City Council of Farmington Hills hereby approves a Special Event Permit for Iskcon Temple located at 36600 Grand River Avenue, Farmington Hills, to hold their Annual Festival Event on Saturday, September 1st through Monday, September 3rd from 10am-10pm, subject to the following conditions:

- There will be a tent on-site used only as a gathering and seating area
- The applicant has received permission from a neighboring business to use their parking lot for the tent
- There will not be any outdoor music or sound system
- There will not be anything for sale at this event
- The applicant has not asked for assistance from the Police Department at this time
- There will be no parking within 20' of any tent; the west drive shall remain clear from Grand River to Lochdale for emergency vehicles
- Egress from the facility shall not be restricted
- Fire lane shall not be blocked or restricted; temporary "NO PARKING FIRE LANE" signs shall be put up along Lochdale and Independence Office Drive from 9/1/18 to 9/3/18
- Cooking/open flame devices shall not be used under tents
- Any electrical equipment is approved by the City Electrical Inspector
- Minimum means of egress widths must comply with Table 3303.12.2 (IFC 2015)
- Tents require NFPA 701 flame resistance label affixed to panels/canopy
- Proponent must contact Fire Prevention prior to event to schedule a site inspection
- Event shall comply with the minimum Fire Prevention Code Requirements

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR THE PRACTICE ZONE GET FIT FESTIVAL EVENT TO BE HELD SUNDAY, AUGUST 19, 2018.

MOTION by Steckloff, support by Bruce, that the City Council of Farmington Hills hereby approves a Special Event Permit for The Practice Zone Get Fit Festival to be held on Sunday, August 19, 2018 from 1pm-4pm, subject to the following conditions:

- There will be approximately 350 people in attendance
- There will be ample on-site parking
- There will be no cash sales in the tent area
- The applicant is not requesting assistance from the Police Department at this time
- A 20' fire lane shall be maintained around the entire facility
- Tents require NFPA 701 Flame Resistance label affixed to panels/canopy
- Egress from the facility shall not be restricted
- Event shall comply with minimum Fire Prevention Code requirements

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF JULY 23, 2018.

MOTION by Steckloff, support by Bruce, that the City Council of Farmington Hills hereby approves the regular meeting minutes of June 25, 2018 as submitted.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF JULY 23, 2018.

MOTION by Steckloff, support by Bruce, that the City Council of Farmington Hills hereby approves the regular meeting minutes of June 25, 2018 as submitted.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

ATTORNEY'S REPORT

The City Attorney's report was received by Council.

CLOSED SESSION

CONSIDERATION OF APPROVAL TO ENTER INTO A CLOSED SESSION FOR AN EMPLOYEE REQUESTED REVIEW (NOTE: COUNCIL MAY RETURN TO OPEN SESSION IMMEDIATELY FOLLOWING THE CLOSED SESSION TO CONSIDER EMPLOYEE COMPENSATION)

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby approves entering into a closed session for an employee requested review.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

CITY COUNCIL RETURNED TO OPEN SESSION AT 8:48PM

MOTION by Steckloff, support by Rich, that the City Council of Farmington Hills hereby approves a 5% increase in compensation for City Clerk Pam Smith.

MOTION CARRIED 7-0.

ADJOURNMENT

Mayor Massey adjourned the regular City Council meeting at 8:48pm.

Respectfully submitted,



Pamela B. Smith, City Clerk