

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL STUDY SESSION MEETING
CITY HALL – COMMUNITY ROOM
MARCH 12, 2018

The Study Session meeting of the Farmington Hills City Council was called to order by Mayor Massey at 6:00pm

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 Barr, Gardiner and Mondora and City Attorney Joppich

RECONSIDERATION OF PROPOSAL LANGUAGE

City Manager Boyer spoke about past actions taken by the City Council and staff to approve ballot language for a road millage this year. The proposed language that included an exemption for those currently paying on a special assessment was not approved by the Attorney General's Office and the city has been working since with the legislatures to try and get legislation passed that would allow for that exemption. The proposed legislation has stalled in committee and the Michigan Chamber of Commerce initially expressed opposition. Staff recently met with the Michigan Chamber to hear their concerns and explain the situation.

Attorney Joppich stated that The Michigan Chamber has not taken an official position on the legislation so he drafted information for staff to provide them giving more details. Attorney Joppich stated that alternative options were also suggested by Council throughout this millage discussion and he provided City Council this evening with an opinion letter on those various options for their review. He added that another option would be to move forward with the proposed road millage without the exemption language.

Mayor Massey stated that he and staff will continue to pursue the proposed legislation and they are hoping that the Michigan Chamber of Commerce at least takes a neutral position on the Bill. He added that Council may soon have to consider other options if they cannot move this legislation forward.

Councilmember Bridges stated that he does not support directed special assessment districts but would support a robust special assessment district process per the Charter.

Councilmember Rich inquired if the local Chamber of Commerce weighed in on the proposed legislation and also inquired about the process for resident input if alternate proposal language was considered.

Mayor Massey stated that the local Chamber of Commerce indicated their support of the legislation.

City Manager Boyer responded that public outreach would take place once City Council has made a decision on ballot language.

Councilmember Knol clarified the Michigan Chamber's role adding that it is beneficial to work with these groups up front so she is pleased that the Mayor and staff had the opportunity to meet with them.

Attorney Joppich added that the Michigan Municipal League (MML) also offered a positive opinion on the legislation and the Bill has bi-partisan support in the House and he believes also in the Senate.

Councilmember Steckloff stated that she would prefer to wait and hear on the proposed legislation as she could not support millage language without the exemption language included.

CONTINUED DISCUSSION ON PROJECT BOND FUNDING

Councilmember Bruce stated that he has asked this to come back for further discussion as he wanted to make sure the bonds required would allow the city to recoup costs incurred to make sure that projects are completed and not impacting the surrounding area.

City Manager Boyer responded that he believes the city obtains sufficient bonding although it is a balance between making sure that the city has the funding needed to make sure the project is completed but also not so high that it would discourage redevelopment.

Councilmember Knol inquired about checking into a contractor or developer's financial credibility.

Attorney Joppich explained that the city cannot require the submission of financial statements, but can require security by way of the bonds, which a company may have trouble getting if they were not financially secure.

DISCUSSION ON SIDEWALK MAINTENANCE

Councilmember Knol suggested that Council consider an ordinance that would require businesses in limited areas to shovel the sidewalk out in front of their business based on a certain amount of snow fall, such as 3-4 inches. She suggested the following limited areas: 12 Mile Road, between Orchard Lake Road and Drake and the south end of Grand River by Botsford Hospital. Ms. Knol believed the majority of businesses would comply if they were warned in advance and could include this in their maintenance contracts.

Attorney Joppich explained that the last time this was discussed by Council the Supreme Court had a "Natural Accumulation" law meaning that if you disrupted the natural accumulation of the snow then you could be held liable if an accident occurred. At that time, Council determined they did not want to put that liability on the business owners. He noted that in 2014, that language was revisited and was eliminated reverting back to the standard of creating an "unsafe situation".

The majority of Council preferred trying community outreach first to see if they could get businesses to comply on their own through education and encouragement before creating an ordinance.

Council requested information on how other communities in the area handle clearing the sidewalks of snow and potential costs involved.

Councilmember Knol thanked Council for discussing the issue and stated that she was okay with trying community outreach to start if the rest of Council was not ready to consider an ordinance. She suggested that a letter is sent to businesses by late summer so that they would have time to include snow removal in their maintenance contracts.

PUBLIC COMMENTS:

Jill Debala, Woodcreek Subdivision, inquired what the Attorney General's opposition was to the proposed millage language.

Attorney Joppich responded that the Attorney General's opinion noted the non-existence of state authorization to allow for the exemption, which has resulted in the proposed legislation currently under review.

Tom Mayer, Woodcreek Civic Association, expressed the support of the Association for a road millage.

Tom DeWard, Independence Commons, expressed concern over the lack of snow removal on the sidewalk along 11 Mile Road from Independence Commons to the school. He feels that the sidewalks should be maintained where the kids have to walk to school, particularly in front of the schools and that this should be part of the overall discussion as a safety issue.

Steve Debala, Woodcreek, inquired if the city was still considering 2.5 mills for a road millage. Mayor Massey confirmed that was the number previously approved by Council.

City Manager Boyer pointed out that the special assessment district option is still available to all subdivisions.

Mr. Mayer responded that they would prefer a road millage.

ADJOURNMENT:

The study session meeting adjourned at 7:03pm

Respectfully submitted,



Pamela B. Smith, City Clerk