

MINUTES  
CITY OF FARMINGTON HILLS  
CITY COUNCIL MEETING (VIA TELECONFERENCE)  
NOVEMBER 9, 2020 – 7:30 PM

The regular session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 7:30pm.

During roll call, Council members were asked to state their location from where they are attending the meeting remotely.

Council Members Present: Vicki Barnett, Farmington Hills, Michigan  
Jackie Boleware, Farmington Hills, Michigan  
Valerie Knol, Farmington Hills, Michigan  
Ken Massey, Farmington Hills, Michigan  
Mary Newlin, Farmington Hills, Michigan  
Samantha Steckloff, Farmington Hills, Michigan

Council Members Absent: Bridges

Others Present: Acting City Manager Mekjian, City Clerk Smith, Directors Gardiner, Seimer and Schnackel, City Planning Consultant Arroyo and City Attorney Joppich

**PLEDGE OF ALLEGIANCE**

Mayor Barnett led the pledge of allegiance.

**APPROVAL OF REGULAR SESSION MEETING AGENDA**

MOTION by Massey, support by Boleware, to approve the agenda as published.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF

Nays: NONE

Absent: BRIDGES

Abstentions: NONE

MOTION CARRIED 6-0.

**PROCLAMATION RECOGNIZING NOVEMBER 11, 2020 AS VETERANS DAY**

The following Proclamation was read by Councilmember Steckloff:

**PROCLAMATION  
Honoring America's Veterans  
November 11, 2020**

**WHEREAS,** throughout the course of history, courageous men and women have taken up arms to secure, defend, and maintain the core principles upon which our nation's freedoms depend; and

**WHEREAS,** since our nation's founding, an estimated 57 million men and women have stepped forward to serve their country during times of peace and times of war and conflict; and

**WHEREAS,** the veterans who served in the armed forces have protected the American way of life and have dedicated themselves to achieving lasting peace throughout the world; and

**WHEREAS,** the spirit of freedom remains strong with over 1.3 million men and women currently on active duty and more than 807,000 in the reserve forces for the Army, Navy, Air Force, Marines, and Coast Guard, with many in harm's way fighting overseas to defeat terrorism; and

**WHEREAS,** as a nation, we are eternally grateful for the noble sacrifices made by our veterans and we honor and respect them for their service.

**NOW, THEREFORE, BE IT RESOLVED,** that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby recognize our esteemed veterans on **Veterans Day 2020** and urge all residents to pause and reflect on the sacrifices of those who have served their country and defended our ideals across the world.

#### **CORRESPONDENCE**

There was no correspondence acknowledged.

#### **CONSENT AGENDA**

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

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF

Nays: NONE

Absent: BRIDGES

Abstentions: NONE

MOTION CARRIED 6-0.

#### **PUBLIC QUESTIONS AND COMMENTS**

There were no public questions or comments.

#### **COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS**

The following comments were made:

- Congratulations to Councilmember Samantha Steckloff for her election to the State House of Representatives-37<sup>th</sup> District.
- Congratulations to City Clerk Smith and her staff for their work on the Election and thank you to all the volunteers that worked the Election

#### **CITY MANAGER UPDATE**

Acting City Manager Mekjian provided the following update:

- Offered congratulations to Councilmember Steckloff for her successful election
- Special Services Stars N Stripes event will be held November 11<sup>th</sup> drive-thru style

- Holiday lights at City Hall are scheduled for December 1<sup>st</sup> at 6pm
- Yard Waste pick-up ends the week of December 7<sup>th</sup>
- Thank you to the City Clerk's Office for their efforts in administering the Election

### **CITY CLERK UPDATE**

City Clerk Smith thanked City Council and all the city hall staff for their support and particularly her staff and the volunteers for all their hard work for the November 3, 2020 Election. She stated that the Election workers and her staff processed over 37,000 absentee ballots in total and the total voter turnout was 76% for Farmington Hills.

### **PUBLIC HEARING**

### **PUBLIC HEARING AND CONSIDERATION OF THE INTRODUCTION OF AN ORDINANCE AMENDING CITY CODE, CHAPTER 34, "ZONING", TO AMEND THE OFFICIAL ZONING MAP IN ORDER TO REZONE THE PROPERTY LOCATED AT 33466 EIGHT MILE ROAD OS-2, PLANNED OFFICE DISTRICT TO B-3, GENERAL BUSINESS DISTRICT; REZONING REQUEST 2-7-2020.**

Mayor Barnett suggested discussing both rezoning requests on the agenda at the same time as was done at the Planning Commission meeting.

City Planner, Mark Stec, reviewed both proposed rezoning requests indicating that they are neighboring parcels that are requesting to be rezoned from OS-2, Planned Office District to B-3, General Business District. He stated that the Planning Commission held public hearings on both rezoning requests and approved the rezoning of both parcels with an 8-1 vote.

Hans Kuhlman, property owner of 33474, commented that his property has been on the market for the past 10 years with little interest under the current zoning district. He stated that while the Master Plan calls for office zoning on this parcel, that is only a guide and he feels due to the surrounding zoning of B-3 on other parcels in the area and the parcel being on a major thoroughfare, it would not be out of character with the surrounding area to rezone the property to the B-3 District. In response to Council, he stated that he has no specific plans currently as to what type of development would go on the property, but he did prepare a site plan to show that it could meet all of the requirements of the B-3 District. He is seeking an acceptable use that would fit in with the B-3 District and feels that is more reasonable with the reduced interest in office space, particularly now during the pandemic.

Michael Danshevar, property owner of 33466, stated that he had his medical office in this space previously but had moved his practice to Dearborn. There has been no interest in leasing the space for the past 6-7 years, so he closed his office in Dearborn and moved his practice back to the Farmington Hills location. He agrees that with the pandemic there seems to be less interest in the property as office space than there would be with a B-3 zoning.

Mayor Barnett opened the public hearing. There being no comments, she closed the public hearing.

Rod Arroyo, Planning Consultant, reviewed his September 8<sup>th</sup> review letter to the Planning Commission making the following comments:

- The Master Plan shows the properties as zoned for small office use with a marginal access road proposed
- It is expected that B-3, General Business zoning would have a slightly higher impact on the area, and one might consider the impact of B-3 type uses on a marginal access road meant for small office

- Depending on the use, 8 Mile as a major thoroughfare should be able to absorb a more intense use
- There is some land available in the city for similar use but not in the general area
- It appears a site plan could meet ordinance requirements for a B-3 District as mentioned by one of the proponents; however, the challenge would be aligning the marginal access drive with the adjacent properties if that is required by the Planning Commission.

Attorney Joppich suggested that any motion include the reasons why the request is being approved or denied as was done by the Planning Commission.

Considerable discussion was held on the marginal access road and how that could be accommodated on the properties to align with the adjacent properties along 8 Mile Road.

Mr. Kuhlman stated that he would be willing to agree to include the marginal access road as part of any site plan for the property; but he also believed that requiring the marginal access road is at the discretion of the city.

Discussion was held on the potential of building a 3-story building in a B-3 District and some members of Council expressed concern with that building height.

Further discussion was held on developing the property as a Planned Unit Development where the city would have more discretion.

Ed Gardiner, Director of Planning and Community Development, explained that the property would have to first qualify for a PUD and as far as the proponent agreeing to certain conditions on a site plan, the city does not have in place an ordinance to allow for conditional zoning.

Mayor Pro-Tem Knol stated that she would support rezoning the properties for the following reasons:

- Property to the east on 8 Mile Road and to the North on Farmington Road are already zoned B-3
- South on 8 Mile Road there is a higher intensity of commercial use and this seems consistent with that surrounding zoning
- The Master Plan is a guide and needs to be flexible if not meeting market conditions
- She doesn't feel there would be a major impact on 8 Mile as a major thoroughfare
- The marginal access road can be addressed
- She has no objection to deed restrictions if needed

Attorney Joppich pointed out that the open-ended question as far as development of the property can't be addressed through an agreement with the proponents as the city does not have an ordinance in place allowing for conditional zoning.

Since Planning Consultant Arroyo had not provided his review prior to the public hearing being opened, Mayor Barnett opened the public hearing once again for comments. There being no comments, she closed the public hearing.

MOTION by Knol, support by Steckloff, to approve the Introduction of an Ordinance to rezone property at 33466 Eight Mile Road from OS-2, Office District to B-3, General Business District as the change is a reasonable alternative to the City's Master Plan because it will promote land use policies of the Master Plan and will not conflict with present policies.

Concerns were expressed with having the rezoning of both parcels before Council with no site plan or indication of what would be developed on the properties and the potential for a 3-story building.

It was noted that there is a public benefit of having the property developed and not sitting vacant.

In response to Council inquiry, staff indicated that a drive-thru restaurant would not be permitted as it abuts residential property, but a restaurant use without a drive-thru was possible.

Mayor Barnett inquired if it were possible to table the matter until such time the proponent has a site plan to submit.

Attorney Joppich confirmed that is possible but also cautioned that a site plan is not binding; although it is possible the proponent may wish to consider the PUD option.

Director Gardiner added that this would require action on both properties as one parcel if the city were to consider a PUD development and it would first have to qualify as such.

Mr. Kuhlman stated that there seems to be many questions on the marginal access road and easements for that road and potential building heights. He asked that the matter is tabled so he can come back in a month or so with answers for Council on these items and to determine if they could qualify for a Planned Unit Development (PUD).

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby tables both public hearings for the Introduction of Ordinances for Rezoning Request 2-7-2020 and Rezoning Request 3-7-2020 to the December 14, 2020 meeting.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF  
Nays: NONE  
Absent: BRIDGES  
Abstentions: NONE

MOTION CARRIED 6-0.

**PUBLIC HEARING AND CONSIDERATION OF THE INTRODUCTION OF AN ORDINANCE AMENDING CITY CODE, CHAPTER 34, "ZONING", TO AMEND THE OFFICIAL ZONING MAP IN ORDER TO REZONE THE PROPERTY LOCATED AT 33474 EIGHT MILE ROAD OS-2, PLANNED OFFICE DISTRICT TO B-3, GENERAL BUSINESS DISTRICT; REZONING REQUEST 3-7-2020.**

Discussion was held above in conjunction with Rezoning Request 2-7-2020.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby tables both public hearings for the Introduction of Ordinances for Rezoning Request 2-7-2020 and Rezoning Request 3-7-2020 to the December 14, 2020 meeting.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF  
Nays: NONE  
Absent: BRIDGES  
Abstentions: NONE

MOTION CARRIED 6-0.

**UNFINISHED BUSINESS**

**CONSIDERATION OF APPROVAL OF THE ENACTMENT OF ORDINANCE C-9-2020 TO AMEND THE CITY OF FARMINGTON HILLS CODE OF ORDINANCES CHAPTER 6, "ANIMALS," ARTICLE III "DANGEROUS ANIMALS," SECTIONS 6-52, 6-53, 6-54, 6-57 AND 6-60, FOR PURPOSES OF AMENDING THE DEFINITION OF "DANGEROUS ANIMAL," ADDING A RIGHT OF APPEAL TO CIRCUIT COURT, REQUIRING AFFIDAVITS TO CONFIRM DEATH OR TRANSFER OF LOCATIONS OR OWNERSHIP OF DANGEROUS ANIMALS, AND CLARIFYING OTHER DEFINITIONS AND LANGUAGE; AND APPROVAL OF SUMMARY FOR PUBLICATION.**

Attorney Joppich stated that this ordinance was discussed at a previous study session and introduced by City Council at their last meeting. There have been no changes to the proposed ordinance since introduction and it is now back for the second reading and Enactment.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby approves the ENACTMENT of Ordinance C-9-2020 to amend the City of Farmington Hills Code of Ordinances Chapter 6, "Animals," Article III "Dangerous Animals," Sections 6-52, 6-53, 6-54, 6-57 and 6-60, for purposes of amending the definition of "Dangerous Animal," adding a right of appeal to circuit court, requiring affidavits to confirm death or transfer of locations or ownership of dangerous animals, and clarifying other definitions and language; and approval of summary for publication.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF  
Nays: NONE  
Absent: BRIDGES  
Abstentions: NONE

MOTION CARRIED 6-0.

**CONSIDERATION OF APPROVAL OF THE ENACTMENT OF ORDINANCE C-10-2020 TO AMEND THE CITY OF FARMINGTON HILLS CODE OF ORDINANCES CHAPTER 12, "FIRE PREVENTION AND PROTECTION," ARTICLE III "COST RECOVERY," TO ADD A DEFINITION OF "COST RECOVERY REVIEW BOARD" IN SECTION 12-49 AND TO ADD SECTION 12-56 "COST RECOVERY REVIEW BOARD: REQUEST, HEARING, AND DETERMINATION," TO PROVIDE FOR REVIEW OF COST RECOVERY BILLS; AND APPROVAL OF SUMMARY FOR PUBLICATION.**

Attorney Joppich stated that this ordinance was also discussed at a previous study session and Introduced by City Council at their last meeting and would create a Cost Recovery Review board for the Fire Department. There have been no changes to the proposed ordinance since Introduction and it is now back for the second reading and Enactment.

MOTION by Knol, support by Newlin, that the City Council of Farmington Hills hereby approves the ENACTMENT of Ordinance C-10-2020 to amend the City of Farmington Hills Code of Ordinances Chapter 12, "Fire Prevention and Protection," Article III "Cost Recovery," to add a definition of "Cost Recovery Review Board" in Section 12-49 and to add Section 12-56 "Cost Recovery Review Board: Request, Hearing, and Determination," to provide for review of cost recovery bills; and approval of summary for publication.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF  
Nays: NONE  
Absent: BRIDGES  
Abstentions: NONE

MOTION CARRIED 6-0.

**CONSENT AGENDA**

**RECOMMENDED ADOPTION OF A RESOLUTION AUTHORIZING ISSUANCE OF  
GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS CMR 11-20-108**

**RESOLUTION AUTHORIZING ISSUANCE OF  
GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2020**

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**CITY OF FARMINGTON HILLS**  
County of Oakland, State of Michigan  
**Resolution No. R-177-20**

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Minutes of a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held electronically on November 9, 2020, at 7:30 p.m., Eastern Standard Time.

PRESENT: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF

ABSENT: BRIDGES

The following preamble and resolution were offered by Councilmember Steckloff and supported by Councilmember Massey:

WHEREAS, the City of Farmington Hills, County of Oakland, State of Michigan (the "City"), pursuant to the provisions of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") has previously issued its City's 2012 General Obligation Bonds (Limited Tax), dated June 25, 2012, and its 2013 General Obligation Limited Tax Refunding Bonds, dated April 2, 2013 (together, the "Prior Bonds"); and

WHEREAS, the City has been advised that it may be able to accomplish a net savings of debt service costs by refunding all or a portion of the callable maturities of the Prior Bonds through the issuance of bonds secured by the general funds of the City; and

WHEREAS, the Prior Bonds are "outstanding securities" of the City within the meaning of Act 34; and

WHEREAS, in order to achieve debt service savings, the City Council determines that it is in the best interest of the City to refund all or a portion of the callable maturities of the Prior Bonds; and

WHEREAS, to finance the cost of refunding all or any portion of the callable maturities of the Prior Bonds (the Prior Bonds to be refunded are hereinafter referred to as the “Refunded Bonds”), the City deems it necessary to borrow the principal sum of not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000) and issue its refunding bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Refunding Bonds; Bond Terms, Bonds of the City designated General Obligation Limited Tax Refunding Bonds, Series 2020 (the “Bonds”) are authorized to be issued, in one or more series, in the aggregate principal sum of not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000) for the purpose of paying the costs of refunding the Refunded Bonds, including the costs incidental to the issuance, sale and delivery of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration. The Bonds will be dated as of the date of delivery (or such other date as determined at the time of sale thereof), be payable on April 1 or such other date and in such years as determined at the time of sale thereof, in the annual amounts determined at the time of sale and be subject to redemption in the manner and at the times and prices to be determined at the time of sale by the City Manager, Interim City Manager or Finance Director/Treasurer(each, an “Authorized Officer” and collectively, the “Authorized Officers”).

The Bonds shall bear interest at a rate or rates to be determined at the time of sale thereof, subject to the parameters stated herein, first payable on the date as shall be finally determined at the time of sale and semiannually thereafter each April 1 and October 1, by check or draft mailed by the Transfer Agent (hereinafter defined) to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at a bank or trust company as a registrar and transfer agent for the Bonds to be selected by an Authorized Officer (the “Transfer Agent”); provided, that in the event the Bonds are privately placed with a Purchaser (hereinafter defined), the City Treasurer may be designated by an Authorized Officer to serve as Transfer Agent.

2. Execution of Bonds; Book-Entry-Only Form. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and City Clerk and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent.

The Bonds may be issued in book-entry-only form through the Depository Trust Company in New York, New York (“DTC”) and any Authorized Officer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of

the Bonds in book-entry-only form and to make such changes in the Bond form within the parameters of this resolution as may be required to accomplish the foregoing.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner on behalf of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information, if applicable: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. Limited Tax Pledge; Defeasance of Bonds. The City hereby pledges its limited tax full faith and credit for the prompt payment of the principal and interest on the Bonds. The City shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year. The City Treasurer is authorized and directed to open a separate fund to be known as the GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2020 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. Into said fund there shall be placed the accrued interest, if any, received at the time of delivery of the Bonds.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier mandatory redemption, the principal of and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the

Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Bond Proceeds; Bond Issuance Fund; Escrow Fund; Escrow Agreement. The proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds and to secure payment of the Refunded Bonds as provided in this paragraph. Upon receipt of the proceeds of sale of the Bonds the accrued interest, if any, shall be deposited in the Debt Retirement Fund for the Bonds. From the remaining proceeds of the Bonds there shall be set aside a sum sufficient to pay the costs of issuance of the Bonds in a fund designated GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2020 BOND ISSUANCE FUND (the "Bond Issuance Fund"), which may be established by the City or by the Escrow Agent (hereinafter defined). Moneys in the Bond Issuance Fund shall be used solely to pay expenses of issuance of the Bonds. Any amounts remaining in the Bond Issuance Fund after payment of issuance expenses shall be transferred to the Debt Retirement Fund for the Bonds.

The balance of the proceeds of the Bonds, together with other available funds of the City, if any, shall be deposited in an escrow fund (the "Escrow Fund") consisting of cash and investments in direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing (the "Escrow Securities") and used to pay the principal of and interest on the Refunded Bonds as determined by an Authorized Officer at the time of sale. The Escrow Fund shall be held in trust by a Michigan bank or trust company eligible to act as escrow agent (the "Escrow Agent"), pursuant to an escrow agreement (the "Escrow Agreement") which shall irrevocably direct the transfer agent for the Refunded Bonds to take all necessary steps to pay the principal of, interest and redemption premium, if any, on the Refunded Bonds when due, and to call the Refunded Bonds for redemption on the first date such Refunded Bonds may be called for redemption. The Authorized Officers are each individually authorized and directed to appoint an Escrow Agent and execute the Escrow Agreement on behalf of the City. The amounts held in the Escrow Fund shall be such that the cash and investments and income received thereon will be sufficient without reinvestment to pay the principal of and interest on the Refunded Bonds when due at maturity or call for redemption as required by this section. Following establishment of the Escrow Fund, any amounts remaining in the debt retirement funds for the Refunded Bonds shall be transferred to the Debt Retirement Fund for the Bonds. The Authorized Officers are each authorized and directed to purchase or cause to be purchased, Escrow Securities, including United States Treasury Obligations – State and Local Government Series (SLGS), in an amount sufficient to fund the Escrow Fund.

6. Bond Form. The Bonds shall be in substantially the following form with such changes as may be approved by an Authorized Officer and Bond Counsel:

[SUBJECT TO MODIFICATION AS A SINGLE INSTRUMENT BOND, IF APPLICABLE]

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF OAKLAND

CITY OF FARMINGTON HILLS  
GENERAL OBLIGATION LIMITED TAX REFUNDING BOND, SERIES 2020

| <u>Interest Rate</u> | <u>Maturity Date</u> | <u>Date of Original Issue</u> | <u>CUSIP</u> |
|----------------------|----------------------|-------------------------------|--------------|
| Registered Owner:    | _____, 20__          | _____, 2020                   |              |
| Principal Amount:    |                      |                               | Dollars      |

The City of Farmington Hills, County of Oakland, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on \_\_\_\_\_ 1, 202\_ and semiannually thereafter. Principal of this bond is payable at the corporate trust office of \_\_\_\_\_, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the 15th day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$ \_\_\_\_\_, issued pursuant to the provisions of Act 34, Public Acts of Michigan, 2001, as amended and pursuant to a resolution of the City Council of the City adopted November 9, 2020 for the purposes of defraying the costs of refunding a certain prior bonds of the City.

Bonds maturing in the years 20\_\_ to 20\_\_, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 20\_\_ and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after \_\_\_\_\_, 20\_\_, at par and accrued interest to the date fixed for redemption.

[Insert Term Bond provisions, if applicable.]

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on

hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City, by its City Council, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF FARMINGTON HILLS  
County of Oakland  
State of Michigan

By: \_\_\_\_\_  
Its: Mayor

(SEAL)

By: \_\_\_\_\_  
Its: City Clerk

(Form of Transfer Agent's Certificate of Authentication)

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the bonds described in the within-mentioned resolution.

\_\_\_\_\_  
\_\_\_\_\_  
Transfer Agent

By: \_\_\_\_\_

Authorized: \_\_\_\_\_

DATE OF REGISTRATION:

[Bond printer to insert form of assignment]

7. Negotiated Sale. The City Council has considered the option of selling the Bonds through a competitive sale and a negotiated sale and, pursuant to the requirements of Act 34, determines that a negotiated sale of the Bonds will result in the most efficient and expeditious means of selling the Bonds and will result in the lowest interest cost to the City.

8. Placement or Sale of Bonds; Delegation to Authorized Officer. Each Authorized Officer is hereby authorized to approve the sale of the Bonds through a private placement with a qualified bank or other sophisticated institutional investor as purchaser thereof (the "Purchaser"). Each Authorized Officer is individually authorized to negotiate and execute a purchase agreement with the Purchaser and a placement agreement with the placement agent for the Bonds (the "Placement Agent") if necessary, and to award the sale of the Bonds to the Purchaser, subject to the parameters set forth in this Resolution. Alternatively, if deemed appropriate by an Authorized Officer, the City is authorized to sell the Bonds to an underwriter (the "Underwriter") pursuant to a bond purchase agreement. In either case, the true interest cost of the Bonds shall not exceed 2.50%, the net present value savings to be realized by the City shall not be less than 3.00% of the principal amount of the Refunded Bonds, and any underwriter's discount shall not exceed 1.00% of the principal amount of the Bonds.

9. Adjustment of Bond Terms; Sale Order. In pursuance of either of the alternatives described in Section 8, each Authorized Officer is individually authorized, without further direction from the City Council, to execute a sale order establishing the final terms of the Bonds, adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series, the portion or portions of the Prior Bonds to be refunded, and other matters, within the parameters established by this resolution.

10. Tax Covenant; Qualified Tax-Exempt Obligations. The City may issue the Bonds on a taxable basis, a tax-exempt basis, or a combination thereof. If any series of the Bonds is issued on a tax-exempt basis (the "Tax-Exempt Bonds"), the City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Tax-Exempt Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditure and investment of Tax-Exempt Bond proceeds and moneys deemed to be Tax-Exempt Bond proceeds. Each Authorized Officer is authorized to designate the Tax-Exempt Bonds as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

11. Authorization of Other Actions. The Mayor, City Manager, Interim City Manager, Clerk, and Finance Director/Treasurer are each hereby authorized and directed to cause the preparation and circulation of a preliminary and final official statement with respect to the Bonds, if applicable; to procure a policy of municipal bond insurance with respect to the Bonds or cause the qualification of the Bonds therefor if the acquisition of such insurance would be of economic benefit to the City; to obtain ratings on the Bonds; and to take all other

actions necessary or advisable, and make such other filings with the Michigan Department of Treasury or with other parties, to enable the issuance, sale and delivery of the Bonds as contemplated herein.

12. Continuing Disclosure Undertaking. In the event the Bonds are sold to an Underwriter, the City agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Bonds in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, and the Authorized Officers are each hereby authorized to execute such undertaking prior to delivery of the Bonds. If the Bonds are placed with a Purchaser, the City will not enter into a continuing disclosure undertaking.

13. Appointment of Financial Advisor. The City hereby appoints PFM Financial Advisors LLC to act as financial advisor with respect to the Bonds.

14. Bond Counsel. Miller, Canfield, Paddock and Stone, P.L.C. is hereby appointed as bond counsel for the Bonds, notwithstanding its periodic representation in unrelated matters of the Purchaser or Underwriter and parties or potential parties to the transaction contemplated by this resolution.

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

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF  
Nays: NONE  
Absent: BRIDGES  
Abstentions: NONE

MOTION CARRIED 6-0.

**RECOMMENDED APPROVAL OF AWARD OF CONCESSION STAND EQUIPMENT FOR THE FARMINGTON HILLS COMMUNITY CENTER TO DOUGLAS EQUIPMENT IN THE AMOUNT OF \$53,773.91. CMR 11-20-109**

MOTION by Steckloff, support by Massey, that the City Council of Farmington Hills hereby authorizes the Acting City Manager to issue a purchase order to Douglas Equipment for Concession Stand Equipment in the amount of \$53,773.91.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF  
Nays: NONE  
Absent: BRIDGES  
Abstentions: NONE

MOTION CARRIED 6-0.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL SPECIAL STUDY SESSION MINUTES OF OCTOBER 19, 2020**

MOTION by Steckloff, support by Massey, that the City Council of Farmington Hills hereby approves the City Council special study session meeting minutes of October 19, 2020.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF  
Nays: NONE  
Absent: BRIDGES  
Abstentions: NONE

MOTION CARRIED 6-0.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL SPECIAL REGULAR SESSION MEETING MINUTES OF OCTOBER 19, 2020.**

MOTION by Steckloff, support by Massey, that the City Council of Farmington Hills hereby approves the City Council special regular session meeting minutes of October 19, 2020.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF  
Nays: NONE  
Absent: BRIDGES  
Abstentions: NONE

MOTION CARRIED 6-0.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF OCTOBER 26, 2020.**

MOTION by Steckloff, support by Massey, that the City Council of Farmington Hills hereby approves the City Council study session meeting minutes of October 26, 2020.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF  
Nays: NONE  
Absent: BRIDGES  
Abstentions: NONE

MOTION CARRIED 6-0.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR SESSION MEETING MINUTES OF OCTOBER 26, 2020.**

MOTION by Steckloff, support by Massey, that the City Council of Farmington Hills hereby approves the City Council regular session meeting minutes of October 26, 2020.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF  
Nays: NONE  
Absent: BRIDGES  
Abstentions: NONE

MOTION CARRIED 6-0.

**ADDITIONS TO AGENDA**

None

**ADJOURNMENT**

MOTION by Massey, support by Newlin, to adjourn the regular session City Council meeting at 9:30pm.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STECKLOFF

Nays: NONE

Absent: BRIDGES

Abstentions: NONE

MOTION CARRIED 6-0.

Respectfully submitted,



Pamela B. Smith, City Clerk