

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
NOVEMBER 23, 2015 – 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, Massey, Rich and Steckloff

Council Members Absent: Lerner

Others Present: City Manager Boyer, City Clerk Smith, Directors Gajda and Lasley, Police Chief Nebus and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Members of the Mayors Youth Council led the pledge of allegiance.

APPROVAL OF AGENDA

MOTION by Bruce, support by Bridges, to approve the agenda as published.

MOTION CARRIED 6-0.

OATH OF OFFICE TO MAYOR PRO-TEM

City Clerk Smith administered the Oath of Office for Mayor Pro-Tem to Valerie Knol.

INTRODUCTION OF THE MAYORS YOUTH COUNCIL AND ADMINISTRATION OF OATH

The Chair, Vice-Chair and Chair Elect of the Mayors Youth Council spoke of the many accomplishments of the Youth Council this past year and their goals. The members each introduced themselves and City Clerk Smith administered the Oath of Office to the members.

Councilmember Steckloff commented that she started out as a member of the Mayors Youth Council and as Council liaison it was nice to see such growth in the group of students involved.

Councilmember Rich mentioned that she as a parent of two Mayors Youth Council Alumni, she is incredibly proud of the services provided by the youth.

Councilmember Bridges thanked former Mayor Bates for her vision in starting the Youth Council and thanked the students for volunteering their time. He feels the country is in great shape with future leaders such as these.

Mayor Massey stated that he looks forward to working with the Youth Council over the next year and thanked them for their commitment to the community.

COMMISSION FOR ENERGY AND ENVIRONMENTAL SUSTAINABILITY "TIP OF THE MONTH"

The following Tip of the Month was read by Councilmember Bruce:

CEES Tip of the Month
November 23, 2015
Read by Dr. Randy Bruce

With the holiday season coming up quick, consider the following tips to save money, lesson your impact on the environment and move your community closer to bringing home the \$5 million Georgetown University Energy Prize:

Buy energy-saving holiday lights - LED holiday lights can use up to 80% less energy than conventional holiday lights, last longer and save your family money on energy bills during the holiday season! LED lights are available at many retailers and come in a variety of colors.

Plan ahead - Consolidate your shopping trips to save gas, shop locally or skip driving altogether by shopping online.

BYOB - Bring your own reusable tote bag to carry gifts, avoiding the waste of paper and plastic bags.

Use creative gift wrapping - If each American household wrapped three gifts in reused materials, enough paper would be saved to cover 45,000 football fields. Reuse old wrapping paper, gift bags or boxes, use Sunday comics, or make cloth gift bags. In addition, avoid metallic wrapping paper, holiday cards, boxes or bows – anything metallic can't be recycled.

Give a gift that gives back - Rather than purchasing a material gift, consider making a donation in a friend or family member's name to their favorite charity.

Recycle your old electronics - Electronic gadgets are popular gifts, but don't just throw your old cell phones and other electronics in the trash. Many stores now offer electronics recycling.

For more tips and energy prize information, go to www.gfaenergyprize.com. Happy Holidays!

PRESENTATION AND ACCEPTANCE OF THE CITY'S FY 2014/15 AUDITED COMPREHENSIVE ANNUAL FINANCIAL REPORT

Director Gajda explained that the City Auditors Plante and Moran have provided the City with an unmodified opinion, which is the highest opinion they can render an organization. An unmodified opinion reflects the city's financial statements to be presented clearly and accurately and therefore can be relied upon by the City and its representatives to make informed decisions going forward. Included in the Comprehensive Annual Financial Report (CAFR) is a letter of transmittal and Management Discussions and Analysis (MDA) that provide valuable information to understand the City's financial position. He noted that the General Fund's fund balance increased by approximately 12% last fiscal year and the General Fund's unassigned fund balance was approximately 27% of expenditures and transfers out at year end.

Mr. Gajda explained that the City implemented new accounting rules for pensions that now require the City to record a net pension liability on government-wide financial statements. These new accounting rules did not impact the funding status of the retirement system, which according to the actuary is 86% funded as of June 30, 2015 and the retiree health plan is 88% funded as of June 30, 2015. The retirement system funding position is due in part to the City's investments in alternative investments.

Mr. Gajda noted that the water and sewer fund continues to operate financially sound with unrestricted net assets of approximately \$72 million dollars at year end, which has allowed the City to fund the new water tower and distribution system as well as the City's share of the Middlebelt Transport and Storage

Tunnel Project from County utility contract bonds. The City maintains a AAA bond rating from Standard and Poor's and AA bond rating from Moody.

He expressed his appreciation to the entire Finance Department, particularly Shu-Fen Lin for her commitment to the Department in light of ever-increasing accounting requirements and for another clean audit. He turned the discussion over to the City Auditors.

Doug Bohrer, Plante and Moran, thanked the Mayor and Council for their time this evening and the City staff for their efforts in assisting with the audit, particularly Shu-Fen Lin and the Finance Department staff. He noted that Council should have received the Comprehensive Annual Financial Report, End of Audit Letter to Mayor and Council and Graph presentations. He stated that they also prepare a separate audit of the Retirement System and Post-Retirement Healthcare Fund, which were delivered to the Retirement Board this past Friday. He stated that the CAFR, budget, and MDA documents are terrific resources to get a sense for where the City is at with regard to its financial position.

Mr. Bohrer stated that the City continues to re-invest in its infrastructure that is consistent with past years and the City has a systematic approach in place and budget accordingly. He noted that the City's net interest bearing debt increased this year due to debt issued for completion of the new water tower and there was also debt related to the Middlebelt/Evergreen Tunnel Project. He stated that the City has the highest bond rating with Standard and Poor's and the second highest with Moody, which allows the City to issue debt for larger capital projects at a very low interest rate and something of which the City should be proud. He recalled that Mr. Gajda also indicated that he was going to ask Moody to review their bond rating to see if they will change that to their highest bond rating and he applauds Mr. Gajda for taking that initiative.

Tim St. Andrew, Plante and Moran reviewed the following graphs with Mayor and Council:

- General Fund Revenue by Revenue
- State Shared Revenue
- General Fund and Public Safety Fund Expenditures
- Retirement System – City Contributions
- Property Tax Composition
- Total Taxable Value

Mr. St. Andrew commented in his presentation that City expenditures are under budget by 4%, which shows that a realistic budget is set and monitored. Of the property tax composition, 29.1% of each dollar goes to the City with the remaining going to the County, Schools or other entities. He noted that a small growth in taxable value each year is anticipated.

Mayor Massey inquired if there is a difference between commercial and residential properties with regard to property taxable values. Mr. St. Andrew responded that for their assumptions they used 3% across the board.

In answer to Councilmember Bridges, Mr. St. Andrew explained that Proposal A limits taxable value growth so even if communities are seeing market value growth in double digits the taxable value growth may only be at 1% or 2% as it is based on inflation.

Councilmember Bridges inquired if the bond rating for the City has changed. Director Gajda confirmed that it has not changed but he is hoping to bring the bond rating from Moody up to AAA.

Councilmember Rich commented that Plante and Moran mentioned various tools and webinars available with regard to new rules governing management to federal programs. She inquired if the auditors would

be advising the City Manager of these tools and webinars so that he could notify Council when appropriate.

Mr. St. Andrew stated that Plante and Moran has been working with the City staff over the past year to explain the new accounting rules and the City is taking advantage of the tools available and he would be happy to share those with Council.

Mr. Bohrer reviewed the End of Audit Letter to Mayor and Council. He noted that the State of Michigan have cities reporting their forecasted results in order to receive ACT 51 monies and the State is now requiring performance audits as to how that money is spent and that will be required in the future in addition to the annual audit. More information will come on this new audit.

Councilmember Bridges acknowledged that the City is in good shape financially, but inquired about the City's financial challenges going forward.

Mr. Bohrer agreed the City has done an excellent job in managing its financial affairs. He commented that mature communities need to continue to recognize the importance of managing their resources as they can't count on new growth. He added that the City should also continue to be prudent with budgeting state shared revenue funding. He stated that when asked this question, he typically advised communities to carefully watch things that are out of the City's control such as healthcare costs and investment performance, but added that the City has an assigned fund balance for future pension and retirement healthcare costs for these unexpected items.

MOTION by Bridges, support by Steckloff, to accept the City's FY 2014/15 Audited Comprehensive Annual Financial Report.

MOTION CARRIED 6-0.

CORRESPONDENCE

The following correspondence was acknowledged:

- Various e-mails from residents of Independence Commons regarding special assessment districts which are being forwarded to staff and/or the City Attorney for response.
- Thanksgiving card and note of appreciation from Gene and Mary Buchan to Mayor and Council.
- Comment with regard to the RRRASOC electronic drop off, which was forwarded to RRRASOC.

CONSENT AGENDA

MOTION by Knol, support by Rich, to approve items #7-10 and #13 of the Consent Agenda.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, MASSEY, RICH AND STECKLOFF

Nays: NONE

Absent: LERNER

Abstentions: NONE

MOTION CARRIED 6-0.

MOTION by Bruce, support by Bridges, to approve items #11 and #12 of the Consent Agenda.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, MASSEY AND STECKLOFF

Nays: NONE
Absent: LERNER
Abstentions: RICH

MOTION CARRIED 5-0-1-1.

PUBLIC QUESTIONS AND COMMENTS

Jennifer Sutter, Shelby Twp. resident, spoke of a recent experience with a breeder in Farmington Hills in which her family purchased a puppy and had several health concerns with the puppy including fleas, a tick, an ear infection and a rash due to a flea allergy. She expressed concern that the animal control was unable to address the issues as the puppy was not from the outdoor kennel but from a kennel inside the home. They since returned the puppy due to the circumstances as there was no guarantee on the puppy's health. She stated that she wants to make sure that the dogs and puppies are being taken care of in this basement kennel.

Councilmember Bruce inquired about the number of dogs permitted and the authority of the City to inspect the property.

Attorney Joppich clarified that City staff would need to look into this issue to determine the zoning of the property, ordinance requirements and other circumstances and report back to City Council.

Ms. Sutter provided pictures to City Manager Boyer with regard to her comments so that staff could follow up on this matter.

Karen Irwin, affiliated with Dr. Paws and resident of Plymouth, stated that she has attended Oakland County Commissioner meetings in support of puppy mill awareness after working for this same kennel. She stated that this is a licensed kennel for 50 dogs and at one time had 33 dogs housed in the basement. She commented on the extreme odor in the home and poor condition of the dogs and conditions of the home. She has been trying to get the State involved in this issue and to take action. She provided photos of the condition of the home and animals at the time she worked at the kennel.

Councilmember Steckloff inquired about zoning enforcement on the condition of the home. City Manager Boyer stated that they can enforce on the exterior of the home but not the interior. He stated that this sounds like the same home and kennel that the City has been dealing with and staff will look into this issue further and report back to Council.

Attorney Joppich stated that there are ordinances in place to address the exterior and in some cases the interior of the homes, but they need to determine if those ordinances would apply in this case. He noted that there is a case pending in District Court and this may or may not be the same kennel in question.

Pam Soryl, Michigan Friends of Companion Animals, confirmed that this matter is a pending court case and has not been settled. She mentioned the support of the Oakland County Commissioners with regard to the Large Scale Commercial Dog Breeder Act as a result of this kennel operation in Farmington Hills and stated that in 2013 this Kennel made national news and was named one of the 101 worst kennels in the nation. She cited the many complaints filed with Oakland County Animal Control, welfare checks and failed inspections and questioned how many opportunities the kennel owner should receive. She noted that the number of dogs has been reduced, but she can't understand why Animal Control can't inspect or enforce upon this kennel. She feels the kennel is unsanitary and unsafe and she feels failing to care for an animal to the point that their health is jeopardized is breaking the law. She requested that the City ensure the health and safety of all animals on this site by dedicating resources to all animal complaints by having a dedicated officer.

Councilmember Bridges asked if Council could be provided a chronology of violations that have occurred at this home as he feels this is a stain on the image of the City.

Mayor Massey stated that he is disgusted at the information provided. He suggested allowing Attorney Joppich and the City Manager to obtain the appropriate information and bring this issue back to a study session.

Attorney Joppich clarified that if there is pending litigation pertaining to this site, a study session may not be appropriate but he will at least provide Council with a report as requested.

Councilmember Bruce inquired if the matter could be discussed at a future executive session. Attorney Joppich responded that this may be an option. Mayor Massey stated that this will be left to the Attorney's discretion as to the appropriate method to get this information back to Council.

Mrs. Zimmerly, resident, stated that she has attended the court hearings on this issue and she is appalled that the Oakland County Animal Control has not taken action as this has been going on for years. She is glad to see this matter brought before the City and feels it would be great if the City could look further into the matter.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following Council Comments and Announcements were made:

- Councilmember Rich commented on two wonderful events in the community – The weekend winter fair the Wizard of Oz production.
- Mayor Massey attended the home of the Consulate General of Japan to celebrate the Emperor's 82nd birthday. The City is setting up the opportunity for the Consulate General to work with City staff on Economic Development
- December 1st is the holiday tree lighting event at Fire Station Headquarters

CITY MANAGER UPDATE

City Manager Boyer provided an update on the following:

- Yard Waste pick-up ends the week of November 30th.
- Good fellows annual food drive is being held and there are collection bins at City Hall and at the Costick Center.

Mayor Massey announced that he officiated his first wedding as Mayor today and that the fees are being donated to the Mayors Youth Council.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

MOTION by Bruce, support by Steckloff, that the City Council of Farmington Hills hereby confirms the Mayor's recommendation to appoint Jaymi Dormaier to the Commission on Children, Youth & Families with a term ending February 1, 2019 and George F. Curran, III to the Brownfield Redevelopment Authority with a term ending February 1, 2017.

MOTION CARRIED 6-0.

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby confirms the appointment of Ken Massey to the Southwestern Oakland Cable Commission (SWOCC) with a term ending February 1, 2019.

MOTION CARRIED 5-0-1-1 (Lerner absent, Massey abstained).

CONSENT AGENDA

RECOMMENDED ADOPTION OF RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO THE OAKLAND COUNTY IT/CLEMIS AGREEMENT. CMR 11-15-107

**OAKLAND COUNTY IT/CLEMIS AGREEMENT
RESOLUTION NO. R-189-15**

At a regular meeting of the City Council of the City of Farmington Hills, Oakland County, Michigan, held at City Hall on the 23rd Day of November, 2015 at 7:30 o'clock P.M.

PRESENT: BRIDGES, BRUCE, KNOL, MASSEY, RICH AND STECKLOFF
ABSENT: LERNER

The following resolution was offered by Councilmember Knol and approved by Councilmember Rich.

WHEREAS, the City of Farmington Hills has utilized the Oakland County CLEMIS system for many years, and

WHEREAS, a formal agreement outlining the services provided by CLEMIS is now being mandated by Oakland County of all its members, and

WHEREAS, Oakland County Corporate Council, City Attorney Joppich and Police Chief Nebus have been instrumental in the creation and development of the agreement

NOW, THEREFORE, BE IT RESOLVED that the Farmington Hills City Council authorizes the City Manager to enter into the CLEMIS agreement for a five year period.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF EXTENSION OF PREQUALIFICATION OF CONSULTANTS FOR SERVICES INCLUDING PRELIMINARY ENGINEERING, CONSTRUCTION ENGINEERING, TRAFFIC ENGINEERING, TRAFFIC SIGNAL DESIGN, GEOTECHNICAL ENGINEERING AND ENVIRONMENTAL SERVICES. CMR 11-15-108

MOTION by Knol, support by Rich, that the City Council of Farmington Hills hereby approves extending the use of the list of pre-qualified consulting firms listed below to provide as-needed preliminary engineering (design), construction engineering (inspection and testing), traffic engineering services, traffic signal design, geotechnical engineering and environmental services for a period of one year, ending December 31, 2016; and

IT IS FURTHER RESOLVED, that City Council authorizes staff to enter into an agreement with the most qualified consultant as projects become available.

RECOMMENDED PRE-QUALIFICATION EXTENSION LIST

Preliminary Engineering (Design)

Fishbeck, Thompson, Carr & Huber, Farmington Hills, MI
Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI
OHM Engineering Advisors, Livonia, MI

Construction Engineering (Inspection)

Fishbeck, Thompson, Carr & Huber, Farmington Hills, MI
Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI
OHM Engineering Advisors, Livonia, MI

Traffic Signal Design

Parsons, Southfield, MI

Traffic Engineering Services

OHM Engineering Advisors, Livonia, MI
Opus International Consultants, Inc., West Bloomfield, MI
Parsons, Southfield, MI

Geotechnical Engineering Services

NTH Consultants, Ltd., Northville, MI
PSI Engineering Consulting Testing, Plymouth, MI
SME, Inc., Plymouth, MI
Testing Engineer & Consultants, Troy, MI

Environmental and Water Resources Services

Environmental Consulting and Technology, Inc., Ann Arbor, MI
Fishbeck, Thompson, Carr & Huber, Farmington Hills, MI
Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI
OHM Engineering Advisors, Livonia, MI
TetraTech, Detroit, MI

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF PURCHASE OF FLEET VEHICLES TO RED HOLMAN BUICK/GMC FOR FIVE (5) VEHICLES IN THE AMOUNT OF \$134,318.00, GORNO FORD FOR NINE (9) VEHICLES IN THE AMOUNT OF \$226,224.00 and Berger Chevrolet for six (6) vehicles in the amount of 108,434.00. CMR 11-15-109

MOTION by Knol, support by Rich, that the City Council of Farmington Hills hereby authorizes the City Manager to issue purchase order(s) as follows: 1. To Red Holman Buick/GMC for five (5) vehicles in the amount of \$134,318.00, 2. To Gorno Ford for nine (9) vehicles in the amount of \$226,224.00 and 3. To Berger Chevrolet for six (6) vehicles in the amount of \$108,434.00.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF CANCELING THE CITY COUNCIL MEETING SCHEDULED FOR DECEMBER 28, 2015

MOTION by Knol, support by Rich, that the Farmington Hills City Council hereby cancels the regular City Council meeting of December 28, 2015.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, MASSEY, RICH AND STECKLOFF

Nays: NONE

Absent: LERNER

Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF OCTOBER 26, 2015.

MOTION by Bruce, support by Bridges, that the Farmington Hills City Council hereby approves the study session meeting minutes of October 26, 2015 as submitted.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, MASSEY, RICH AND STECKLOFF

Nays: NONE

Absent: LERNER

Abstentions: RICH

MOTION CARRIED 5-0-1-1.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF OCTOBER 26, 2015.

MOTION by Bruce, support by Bridges, that the Farmington Hills City Council hereby approves the regular meeting minutes of October 26, 2015 as submitted.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, MASSEY, RICH AND STECKLOFF

Nays: NONE

Absent: LERNER

Abstentions: RICH

MOTION CARRIED 5-0-1-1.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF NOVEMBER 9, 2015.

MOTION by Knol, support by Rich, that the Farmington Hills City Council hereby approves the regular meeting minutes of November 9, 2015 as submitted.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, MASSEY, RICH AND STECKLOFF

Nays: NONE

Absent: LERNER

Abstentions: NONE

MOTION CARRIED 6-0.

TOPICS FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING

Mayor Massey mentioned potential topics for the next regular City Council meeting of December 14, 2015.

ADJOURNMENT

Mayor Massey adjourned the City Council meeting at 9:00p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Smith', written in a cursive style.

Pamela B. Smith, City Clerk