

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL MEETING
APRIL 26, 2021 – 7:30 PM

The regular session meeting of the Farmington Hills City Council was held electronically and called to order by Mayor Barnett at 7:42pm.

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
Michael Bridges, Farmington Hills, Michigan
Valerie Knol, Farmington Hills, Michigan
Ken Massey, Farmington Hills, Michigan
Mary Newlin, Farmington Hills, Michigan
Matthew Strickfaden, Farmington Hills, Michigan

Council Members Absent: None

Others Present: City Manager Mekjian, City Clerk Smith, Directors Mondora, Monico, Schnackel and Skrobola, Police Chief King, 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 Strickfaden, to approve the agenda as published.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

PROCLAMATION RECOGNIZING MAY 2021 AS MENTAL HEALTH AWARENESS MONTH

The following Proclamation was read by Council Member Newlin:

**PROCLAMATION
Mental Health Awareness Month
May 2021**

WHEREAS, mental health is important for our individual well-being and vitality, as well as that of our families, communities, and businesses; and

- WHEREAS,** the COVID-19 pandemic has been a reminder of the importance of integrating mental health into preparedness and response plans for public health emergencies; and
- WHEREAS,** younger adults, racial/ethnic minorities, essential workers, and adult caregivers reported having disproportionately worse mental health outcomes, increased substance use, and elevated suicidal ideation associated with COVID-19; and
- WHEREAS,** one in six U.S. children aged two to eight years (17.4%) had a diagnosed mental, behavioral, or developmental disorder; and
- WHEREAS,** mental illness is a biologically based brain disorder that cannot be overcome through willpower and is not related to a person's character or intelligence; and
- WHEREAS,** the Oakland Community Health Network, and its service provider agencies, are committed to inspiring hope, empowering people, and strengthening communities; and
- WHEREAS,** mental health recovery not only benefits individuals with mental health disorders by focusing on their abilities to live, work, learn, and fully participate and contribute to our society, but also enriches the culture of our community life.

NOW, THEREFORE, BE IT RESOLVED that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim May 2021 as **Mental Health Awareness Month** and call upon our citizens, government agencies, public and private institutions, businesses, and schools to help increase awareness and understanding of mental illness and recognize the need for appropriate and accessible services to be available for all people to promote recovery.

PROCLAMATION RECOGNIZING MAY 9-15, 2021 AS NATIONAL POLICE WEEK

The following Proclamation was read by Council Member Massey and accepted by Police Chief King:

**PROCLAMATION
National Police Week
May 9 - 15, 2021**

- WHEREAS,** Congress and the President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which May 15 falls as National Police week; and
- WHEREAS,** National Police Week honors all law enforcement officers, and Peace Officers Memorial Day pays homage to those who made the ultimate sacrifice in service to their community or became disabled in the performance of duty, and pays tribute to the survivors of these fallen heroes; and
- WHEREAS,** we honor the men and women of the Farmington Hills Police Department, along with their community partners, and commend them on their impressive accomplishments in reducing crime in our community; and
- WHEREAS,** in 2020, Farmington Hills was ranked the Second Safest City by Munetrix and the 18th Safest City by Alarms.com for the state of Michigan, and the City's 2020

Part A crime total (representing the most serious crime categories) decreased 4%, which is the lowest crime level in the City's history; and

WHEREAS, it is vital that our citizens know that Farmington Hills police officers are committed to practicing 21st century policing, encouraging positive community connections, and delivering superior services without prejudice or partiality; and

WHEREAS, we are grateful to the members of our Police Department and to the community, whose partnership makes Farmington Hills one of the safest communities in our state and country.

NOW, THEREFORE, BE IT RESOLVED, that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim May 9 – 15, 2021 as **National Police Week** and call upon the citizens of Farmington Hills to join in recognizing our Farmington Hills police officers, dispatchers, and civilian support staff, and in honoring all the dedicated professional law enforcement personnel across our country who preserve the safety and security of our communities.

STATE REPRESENTATIVE UPDATE

State Representative Samantha Steckloff mentioned the committees on which she serves and provided an update on the following:

- Transportation budget
- LARA budget

Representative Steckloff noted that additional supplemental budgets are out and \$5 billion dollars will be going towards schools. The House focused on bi-partisanship and recently met to pass Bills that would lower prescription drug costs and restrict pharmacy benefit managers; unanimously passed a 10-Bill package regarding transparency; passed a Bill that will raise the population of each voting precincts due to no-reason absentee and she believes that the Bill to eliminate the May Election and move the August Primary to June will soon pass the House as well. Other Bills being reviewed include reform with campaign disclosure documents and a 12-Bill package on ethics reform.

State Representative Steckloff stated that she will keep Council updated on the budgets and noted that she is hosting coffee hours along with Senator Jeremy Moss the second Saturday of each month at 10:30am.

She does not yet have a figure that Farmington Hills will be receiving from the American Rescue Plan but would guess approximately \$8 million should be coming to the City.

Mayor Pro-Tem Boleware inquired how much of the transportation funding would be allocated to Farmington Hills. State Representative Steckloff stated that no bridge funding is going to Farmington Hills as it is not needed; and she does not yet have the figures yet on the remainder of that funding.

Representative Steckloff encouraged Council and staff to reach out to her if they have any questions.

PLANNING COMMISSION 2020 ANNUAL REPORT PRESENTATION

Planning Commission Chairperson Steve Stimson presented City Council with the 2020 Annual Report mentioning two major highlights: A Planned Unit Development (PUD) plan for the Sisters of Mercy property for a senior living center and a Cluster Option plan for the former Piemontese Swim Club site to develop a one-family cluster subdivision. He noted the number of meetings and types of requests that

came before the Planning and Commission and in response to Mayor Pro-Tem Boleware noted that the number of site plans were down from the previous year; however, other requests had increased.

Discussion was held on the number of assisted living proposals that have come before the Planning Commission and potentially utilizing those properties that have not yet been developed for assisted living for other purposes such as condos that are owner-occupied.

Mayor Pro-Tem Boleware inquired if there is data showing that residents leaving their homes to go into senior assisted living. Mr. Stimson stated that he has data about the age of the community, but not showing the number of senior residents moving into senior complexes.

Mayor Barnett thanked Chair Stimson and mentioned that the City Council will be holding a joint study session with the Planning Commission and Zoning Board of Appeals on June 14, 2021.

CORRESPONDENCE

The following correspondence was acknowledged:

- Email regarding issues between a resident and Muirwood Apartments management.
- Email regarding property on Shiawassee
- The Consulate General of Japan is being called back to Japan and wanted city officials to know he enjoyed his time in Michigan. It is expected that his successor will be arriving in Michigan soon.

CONSENT AGENDA

MOTION by Massey, support by Bridges, to approve the Consent Agenda as read with the amended regular session minutes provided by the City Clerk.

Roll Call Vote:

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

MOTION CARRIED 7-0.

PUBLIC QUESTIONS AND COMMENTS

Kelly Goldberg, High Valley Road, commented that the volunteers shown in the photos during the presentation on social services did not depict a diverse group and that speaks to the point of why the city needs a Diversity, Equity and Inclusion position. She requested Council to make that a priority. She complimented the Farmington Library Board for making positive change and spoke to the qualities the next appointee should possess.

Jeff Pavlik, Edmonton, spoke to the future of the library and how to move forward.

Bill Largent read a portion of the letter below and asked that it be included in its' entirety for the record:

Thank you for the opportunity to address you this evening. Most likely the last time I will come before you.

*There is an old legal adage that is relevant to the situation we face at the library.
When the facts are on your side, argue the facts. When the law is on your side, argue the law.
When you have neither, pound the table and attack your opponent.*

And that is what the past 38 months have been for me, the past 16 for Director Grover. A continuous attack.

No one has challenged the facts we have put forward. No one has refuted the deplorable and unsafe condition of the facilities and I/T systems. No one has questioned that business processes were antiquated, that programs and services were stale, that library usage was in continual decline while cost were going up.

*No one has presented a plan to reverse this process. And no one could possibly deny that nearly 2/3's of our \$6.8 million budget went to payroll and benefits.
These are the facts and so instead, you and I were routinely confronted with unfounded allegations and insults.*

*Why would they do this? That was the question Riti posed to me after our last board meeting. Through her sobs she blurted out "Why would they do this to me? I was working so hard."
The obvious answer is the staff, their friends and family don't like being held accountable. But perhaps there is another reason.*

FCL has an incredibly generous benefits package. Allow me share some of these perks with you. I will focus only on FTE but PT receive in most cases one half of the benefit I will describe

Employees can earn 200 hours of PTO each year

13 paid holiday including the employees birthday

(40 hours) Personal Business Days

Vacation

1'st year 10 DAYS

2'nd year 12 Days

20 years 25 Days
Sick Leave: Earned at 8 hours per month and accrue up to 520 hours (65 days)
Jury Duty
Funeral Leave 32 hours
Library closure (snow or building maintenance issues)
Cadillac health insurance for employees and retirees
Life Insurance up to \$50,000
Standard Disability
\$1,500 per year for Dental, Optical and Hearing.

I don't know about you, but I've never had anything close to this. And I imagine very few of the citizens paying the taxes that fund FCL have either.

In a remarkable coincidence, at the April personnel committee meeting, just days before four board members voted to place the Director on paid Administrative Leave, the committee asked the new HR Supervisor to take 90 days to assess the employee handbook, including benefits to assure we were competitive with other libraries.

*I'm here tonight because a terrible injustice has been done in our city.
And I don't know why?*

While three out of four FH trustees voted against this action, one of ours not only supported it, but led it.

The vote of no confidence came out of nowhere, without any due diligence, or the required communication with the Director, in violation of the Michigan Public Library Trustee Manual guidelines.

In the March meeting, the board was informed the performance reviews of the Director had come in solidly between meets and exceeds expectations.

*Then there is the question of legal exposure. **This board has been highly sensitive to potential legal action and spent tens of thousands with legal counsel assuring every action was on solid legal ground.***

When the previous director made known her plan to resign, the board was so concerned about legal pushback, they voluntarily voted an extremely generous severance package. And she was at at-will employee, had no contract and had resigned...in writing.

I have no idea if the four trustees that voted for this action consulted counsel, but Ms. Grover informed the board last week she was retaining legal counsel.

Finally, there is this. In the past 12 days an Asian American woman was forced from her position. An African American woman hired to supervise HR just 6 weeks earlier, resigned her position explaining in part, she did not "...feel safe..." in the workplace. **In fact, less than 4 weeks ago she called FHPD to have a former employee escorted out of the building after he refused to leave the administrative area.**

And a Native American man, who has devoted on average 35 hours per week to furthering the interest of the library, ***via committee meetings, on-site work, vendor calls, legal meetings, discussions with other board members and the Director***, left the board because of the lack of support for the Director by this trustee.

The ultimate irony is one of these Trustees proudly announced at a recent meeting that she had been named by her company, Global Lead for Diversity and Inclusion.
Let that set in for a moment.

Following the conviction of the officer in Minneapolis last week, Detroit Police Chief James Craig was on a national network. He was asked "Detroit is a predominantly black city and yet you haven't had any of the violence and turmoil that we've seen in Portland or Minneapolis or other cities. How do you explain that?"

His reply: "The people that run those cities are cowards. You must stand up to a mob and let them know it isn't going to happen here."

I came here tonight to ask you to do the courageous thing. Appoint trustees that understand the role of a trustee and whom they represent.

But I had another thought as I was preparing this statement; If we are going to allow the employees to determine the direction and actions for FCL, why do we need a board of trustees? It has been a great honor to serve. I have loved my almost 20 years in the Hills, one of the finest cities I have lived in and one of the best-run in my experience.

Thank you for your service.
Good night and God Bless and God Bless America.

Renee Murphy, Crompton Circle, Secretary of Library Board, stated that the proper steps to remove the previous Library Board Director were not followed. She thanked the Council for their support and suggested a liaison from City Council to the Library Board to improve communication amongst the staff, Library Board and City Council.

Michael Shereda, Novi resident and former employee of the Library, commented on the need to move forward and commented on the type of person he would like to see appointed to the Library Board.

Mayor Barnett commented that it has been a very difficult couple of years for the Farmington Community Library and thanked everyone for their different perspectives but all with the same heart trying to make sure the library functions strongly and that we look after the taxpayers' dollars as best we can. Thank you to all volunteers and staff and residents that use the library for your patience. She pointed out a vote of no confidence does not mean that Riti Grover was fired and she should be back at the end of the week and the Library Board to follow up on that business.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

The following comments and announcements were made:

- The study session this evening had too many items for a two-hour meeting and were important topics that required more attention and more public involvement

- Beaumont is forming a public/private partnership and will be providing two social workers at CARES of Farmington Hills
- May 26th Farmington SAFE is hosting an event - COVID Mental Health in our Community starting at 7pm.
- Compliment to Oakland County Board of Health for the great turnout at their vaccination clinic

Councilmember Massey referenced a document circulated relating to the library issues that included inaccurate statements blaming him for the issues and stated that those statements were completely false and made up.

Councilmember Bridges requested that the comprehensive list of social services and resources discussed at the study session are shared on the city's website.

CITY MANAGER UPDATE

City Manager Mekjian provided the following update:

- Household Hazardous Waste drop-off will be at OCC on Saturday, May 1st from 9am to 2pm in Parking Lot 8
- The American Red Cross Blood Drive is Wednesday June 2nd from 8am to 8pm at the Costick Center.

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF APPROVAL OF CLUSTER SITE AND OPEN SPACE PLAN 60-10-2020 FOR PROPERTY LOCATED AT 38500 NINE MILE ROAD.

Mark Stec, City Planner, provided an overview of the request and reported that the Planning Commission held a public hearing on February 18, 2021 and made a recommendation of approval to City Council.

Mr. Stec explained that the site is currently under the jurisdiction of a consent judgment from 1976 that allowed for the swim club to be open to the general public. He stated that should City Council approve the plan; the consent judgment should be vacated. If approved, an agreement would be prepared for the project and an escrow deposit would be required to ensure completion of the open space plan.

Mike Noles, Representing Pulte Homes of Michigan, stated that they have gone through approximately a dozen iterations of the plan and have qualified for the cluster option. The Planning Commission recommended approval of the plan at their February 18, 2021 public hearing meeting. He is respectfully requesting City Council approval this evening of that plan and if approved they would move forward with permits and preparing the cluster development agreement that includes the legal requirements.

Mr. Noles explained that the property is located on the north side of 9 Mile Road between I-275 and Halsted Road and is adjacent to an Industrial Park from 10 Mile south to 9 Mile as well as Polo Club Apartments and a daycare center. On the east side are single-family developments Heritage Village and Farmington Square and across the street Walnut Ridge. Mr. Noles explained that they went through the qualification process that first included the qualification of cluster that was granted due to the unusual shape and narrow width of the site; and the next qualification was as a transition area as the site abuts multi-family and the industrial park transitioning the high intensity uses to lower intensity uses of single family to the west and south. The plan is for 28 homes targeted at empty nesters that wish to downsize. The plan consists of single-story ranch homes with a second-floor loft option available. The project includes lawn and snow maintenance and fire suppression system in every residence to satisfy the cul-de-sac length per the Fire Department as well as other age-targeted features. He presented some interior photos of the proposed homes and commented on the need for this type of project in the area. Mr. Noles added that some suggestions by staff included the addition of a passing lane along Nine Mile Road for

safety entering the site, revised storm water management basin for a two-stage basin, added fire suppression to every home and a stub street. The Planning Commission reported that all conditions had been met including required parking, open space (15% is required and 39.5% was included in the plan), a lighting plan and tree requirements.

Mr. Noles pointed out that generally with this type of age-targeted housing, the residents tend to use less in utilities but generate the same tax dollars and typically stay and spend money in their community and are generally civic-minded residents that volunteer. He reiterated the need for this type of housing in Farmington Hills.

Mr. Noles mentioned the communication he had with the residents to address their concerns. He spoke to the abundant landscape buffer on the east side and the stub street provided and relocated to benefit an abutting parcel owner. He also discussed drainage on the site and the proposed retention basin.

The following inquiries were made by members of Council:

- Who is responsible for replacing any dead trees and in what time frame would that be expected
- What is the price point for the homes
- Did the developer have data that demonstrated how the development would affect surrounding property values, including any data to show it would have a negative effect on home values
- Has the developer considered flipping the plan to have the less dense portion of the plan on the east side of the site or considered duet condos to lessen the density of the project
- Is fencing a possibility to use for additional screening as requested by one resident.
- Is additional development proposed in the area
- How will the open space be utilized

Mr. Noles responded as follows:

- Pulte Homes of Michigan will be responsible and required to post a bond to ensure completion of the open space and there is a maintenance period of 1-2 years. He added that they will also want to maintain the site while they are still marketing these homes for sale.
- The market will drive the price point; however, they are targeted to be between \$400,000 and \$450,000. The homes are proposed to be between 1,800 and 2,200 square feet with high-end finishes.
- Data was shown from the Walnut Ridge development across the street from the proposed development that showed an appreciation of values of homes. He added that he did not find any data supporting there was a negative effect on home values, although not to say that it may not exist.
- Several iterations of the plan were reviewed, including duet condominiums, but they did not feel the site was large enough for attached units and would not support the business model proposed.
- Flipping the site to have the less dense portion to the east would be difficult from an engineering perspective due to the topography and drainage of the site.
- With the mature trees on the resident's property line and the number of conifer trees proposed he is not sure where a fence would be installed or make that much of a difference. He added that they did work with this neighbor regarding the stub street and passing lane on Nine Mile Road and had provided her with the proposed tree plan.
- Engineering and plan reviews suggested the stub street and proper location of that to allow for future development but there are no plans at this time. A couple of abutting property owners expressed an interest in potentially selling their property and Pulte Homes agreed to discuss that with them but there are no current development plans that are a part of the development being discussed tonight.

- The open space will not be used as active park space but is a benefit to the residents as it creates an additional buffer space to protect the less intense surrounding uses to the high density uses

Rod Arroyo, Planning Consultant from Giffels Webster, discussed the surrounding zoning and uses and displayed an aerial photograph. He displayed the cluster and open space plan and noted the following:

- The stub street provides for the opportunity for future development and is a logical extension to that future development and good planning practice.
- The overall cul-de-sac length exceeds the maximum requirement but the fire suppression is a key mitigation factor.
- In terms of qualification, the underlying maximum density in RA-2 is 2.1 units per acre and with the cluster qualification in a transition area the maximum is 3.1 units per acre and this development is proposed at 2.8 units per acre.
- All lots north of the stub connection meet the rear yard and side yard setbacks of the RA-2 One-Family District and in addition there is a buffer of trees proposed in this area. The evergreens proposed are planted 15 feet on center and will be between 8 and 10 feet in height with 3 species proposed. It is good to diversify the species and important to note that this type of screening is much preferred to fencing as the species selected will grow at a rate of 2-3 feet per year and within 5 years there would be 20 feet tall evergreens to provide for substantial screening and buffering. With fencing there is often maintenance issues.
- The plan includes 39.5% of open space and will be preserved in perpetuity per the agreement that is required.
- Deviations from the RA-2 District ordinance standards include: 1) the proponent has requested the cluster option and the side yard setbacks vary but are permitted under the cluster option.
- The proponent is maintaining the rear yard setbacks per the RA-2 zoning.
- Maintaining the easement is important to ensure that any water generated by the site remains on the site and does not overflow to other properties so further landscaping in some of the rear yards would be limited.

Councilmember Knol inquired how many homes could be built under the RA-2 zoning. Mr. Arroyo responded that based on the density maximum, up to 21 homes would be permitted.

Mayor Barnett opened the public hearing.

Mayor Barnett acknowledged emails or letters received from the following:

- Todd Trombley, Heritage Village Homeowners Association President, expressing concern with the proposed density and speaking on behalf of the homeowner's association.
- Richard Fenton, Fenton Management Company, expressing concern on the potential impact on the Polo Club Apartments and rentals.
- Robert and June Benninger and Robert Benninger, Jr., expressing concern with the proposed density but if Council is inclined to approve the proposal, they would kindly request Council require the applicant make two minor/modest modifications to the site plan:
 - Enhanced Landscape Buffer (fencing)
 - Density Reduction (Units 1-4) - achieved by:

- Drainage Basin Relocation, OR
- Ordinance Compliance (§34-3.17.4.E.ii – loss of 1 unit)

The following residents spoke during the meeting:

Kathy and James Ciolfi, Alana Court, expressed concern with drainage between lots 15 and 16 and affecting their property that backs to those lots. Mr. Noles assured the residents that between the grading and storm inlet locations the water will not drain onto neighboring property.

June Benninger, resident, indicated that her family lives on the 3-acre parcel next to the proposed cluster. She expressed concern with the side yard setbacks of homes 1-4 that are directly next to their house. She questioned if the price point would make these homes the most expensive per square foot in the city.

Mayor Barnett responded that she did not believe these would be the most expensive homes per square foot given some of the other homes in the city.

Mr. Noles explained that these homes have two front yard setbacks as they are on corner lots so they have 25-foot side yard setbacks and the stub street was added to benefit her property if she developed in the future. They also agreed to screen at the end of the stub street and remove the screening at their own expense later should the resident decide to develop the property. He noted there are only three separations that are 15 feet, so they attempted to create a nice berm along Nine Mile Road to provide for privacy for this resident.

Frank Adams, homeowner along east side of proposed property, expressed concern with the number of leaves on his property from trees on this site. He inquired the types of trees to be planted.

Mr. Noles mentioned that several large trees that had been shedding trees onto this resident's property are being removed and replaced with evergreens so he should have drainage improvements as less leaves. He added the trees along the road will be leaf-shedding, but lawn maintenance is included in the homeowner's association dues and that includes maintenance of the private street.

Todd Trombley, President of Heritage Village Homeowners Association, mentioned that he had good communication with Mr. Noles but they are fundamentally in disagreement over the density. He stated that the proposed density doesn't feel like Farmington Hills and that the home envelopes are built for density and do not conform to the other homes in the area. He also felt duet condos as suggested would be more appealing coming from the west and questioned why that couldn't be further explored. He also expressed concern with safety along Nine Mile Road.

There being no further public comments, Mayor Barnett closed the Public Hearing.

City Attorney Joppich mentioned the existing consent judgement and clarified that if the plan is approved by City Council, they would essentially be agreeing to vacate the consent judgement but the only one that could do that is a Judge in Circuit Court. If approved, he suggested that the motion include language that the approval is subject to entry of a court order vacating the existing consent judgement relating to the property. This would leave that determination to a judge and a proposal would be made to the court on behalf of the parties for that vacation.

Councilmember Bridges inquired if it would be appropriate to vacate the consent judgement prior to approving this plan. He mentioned that the city's recommendation did not mention the consent judgement.

Attorney Joppich responded that technically the swim club could be reoccupied and used as a swim club and the city would want that consent judgment still in place so it is only if Council is considering another use for the property that the consent judgement should be vacated. The consent judgement was not mentioned in the packet material, which is why City Planner Mark Stec mentioned it when introducing the item. It was not part of the Planning Commission decision as they have no authority to approve the plan but only to make a recommendation to City Council. He is confident that procedurally the way to proceed is as he suggested.

After considerable discussion, the following concerns/suggestions were noted by City Council members:

- Reducing the density to 2.2 or 2.4 units per acre and removing 4 homes on the west side of the proposed development.
- Concern with the 4 homes in the front being crammed into the site and the appearance of that from Nine Mile Road.
- Planting two rows of conifer trees, staggered to further buffer the site to adjacent residential areas
- Questioned reasonable profit and/or better development versus greed
- Ensure the cul-de-sac can accommodate larger fire trucks

Mr. Noles addressed council comments as follows:

- This product is not available in Farmington Hills due to all the large lots. They are proposing the same rear yard setbacks as homes next door and lot lines are no different.
- The abutting Polo Club Apartments are attached, multi-family, high density units. The purpose of the cluster development ordinance, which they have qualified for, is to identify sites like this narrow site that has a wall of multi-family housing and a wall of industrial abutting it so it can be used to transition from the high density use to the lower density uses.
- Some concessions were made such as moving homes closer to the road by 10 feet and they shrunk the building envelope.
- Pulte Homes is a public company in business for approximately 70 years and their profits are a matter of public record. They make between 5-10% so this development will not significantly impact their bottom line one way or another.
- There is a great market for this development.
- The Cluster development is a Farmington Hills ordinance and he encouraged Council's support of the project. He would prefer to have a vote on this project tonight as they have gone through a dozen concept plans and iterations and made several concessions and they meet the cluster ordinance requirements.

Mayor Barnett stated she loves the concept but would also prefer a lower density, particularly by removing some of the first 4 units. She also expressed concern with the narrow side yard setbacks towards the entrance and questioned the maintenance fees and whether roads would be private or public roads.

Joe Skore, Pulte Homes of Michigan, estimated that the monthly maintenance fees would be \$250-\$275 per month as a 28-home development. That price would go up if the number of homes were reduced. He added that these would be private roads.

Mayor Barnett commented that with private roads, the residents of this development would be paying for a road millage and recycling/refuse fees and could not take advantage of those services. She stated that for her to support the plan she would request the following:

- Fewer units on the east side
- She is not inclined to support a private road
- Fenced retention basin to protect children at the daycare center to the west

She also commented on the need to vacate a consent judgment if the plan is approved and inquired if there were basements in the units.

Mr. Noles responded that basements are optional and he is estimating 80% of the residents will want them. He would not object to developing the site with public roads and the consent judgement should be easy to vacate as it will be stipulated by both parties as part of the cluster agreement. He added that he does not believe that they can reduce the density and make this development work and have reduced the density as far as they can.

Attorney Joppich mentioned that part of this decision is the City Council's willingness to vacate the existing consent judgement for a plan that they feel works for the site.

Discussion was held on procedures should Council determine to table the matter for further review by the proponent. Attorney Joppich clarified that unless Council wants further Planning Commission input, it would not necessarily have to go back to the Planning Commission but that would be the decision of City Council.

Mayor Barnett stated she is not opposed to a higher density in the right area but not for this site.

Councilmember Bridges commented that he would like to hear from the proponent on their willingness to review the plan because if they are not willing to reduce the density, the matter should move to an up or down vote.

Mr. Noles stated that they have no issues with a public road or fencing the retention basin but he doesn't believe the plan works at a lower density. Mr. Skore agreed.

Mayor Barnett inquired if reducing the site by 2 units was feasible with additional common space for the residents. She feels there is some creativity that could be brought to the plan and with the housing market so good, mortgage rates low and the need for this type of housing she would hate for the developers to not avail themselves of that; but at the same time help the neighboring residents enjoy a lower density.

Joe Skore stated that those are all fair comments and he would be willing to take another look at the plan and hopefully come back with something that can work for everyone.

MOTION by Bridges, support by Strickfaden, that the City Council of Farmington Hills hereby tables consideration of approval of Cluster Site and Open Space Plan 60-10-2020 for the property located at 38500 Nine Mile Road to the May 10, 2021 City Council meeting.

Roll Call Vote:

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

Abstentions: NONE

MOTION CARRIED 6-1.

Councilmember Massey commented that he opposed the motion only because he is unsure that is sufficient time to review amending the plan. Discussion was held on the time frame and it was agreed that it would be difficult to meet.

MOTION by Bridges, support by Boleware, that the City Council of Farmington Hills hereby amends the previous motion to table consideration of approval of Cluster Site and Open Space Plan 60-10-2020 for the property located at 38500 Nine Mile Road to the May 24, 2021 City Council meeting.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF AGREEMENT FOR CLUSTER SITE AND OPEN SPACE PLAN 54-2-2019 FOR EMERALD PARK ESTATES LOCATED ON 10 MILE ROAD EAST OF ORCHARD LAKE ROAD.

Mark Stec, City Planner, explained that the proposed cluster agreement is for Emerald Park Estates for a cluster plan previously approved by City Council in January 2020. He noted that the plan included a 19-acre parcel to be developed under the cluster option and contains 44 units at 2.3 units per acre. The agreement stipulates the funds required to be placed in escrow for the open space and for the tree fund.

MOTION by Massey, support by Knol, that the City Council of Farmington Hills hereby approves the agreement for Cluster Site and Open Space Plan 54-2-2019 for Emerald Park Estates located on 10 Mile Road east of Orchard Lake Road.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

TRANSMITTAL AND ACCEPTANCE OF CAPITAL IMPROVEMENTS PLAN (2021/2022 – 2026/2027).

Mark Stec, City Planner, explained that the Capital Improvements Plan (CIP) is a strategic planning tool to outline the city's capital needs. He spoke of the projects that qualify to be included in the plan and explained that it is required by the State Planning Enabling Act to guide capital improvements consistent

with the master plan and achieve the overall goals of the community. The City Manager is required by local Charter to transmit the plan to City Council. He noted this is not a budget but assists in the budgeting process. Mr. Stec noted that the plan is developed by the various departments and presented to the Planning Commission. The Planning Commission held a public hearing on the plan at their March 18, 2021 meeting at which time it was approved by the Commission. He displayed a summary of the projects and costs included in the CIP.

Councilmember Bridges inquired when the city can expect the widening of Orchard Lake Road between 13 and 14 Mile to take place and what is Grand Sakwa Development's role in that project. Mr. Stec responded that this project is anticipated to start in 2022. He does not have information as to Grand Sakwa's role since this is an Engineering Department project but can get that information and report back to Council.

Councilmember Newlin inquired how the sidewalk projects are prioritized. City Manager Mekjian responded that staff reviews several variables and many of those included in the CIP are gaps in the sidewalk system where there has been no development.

MOTION by Bridges, support by Strickfaden, that the City Council of Farmington Hills hereby accepts the Capital Improvements Plan (2021/2022 – 2026/2027).

Roll Call Vote:

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

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF THE 2021/2022 MICHIGAN INDIGENT DEFENSE COMMISSION GRANT APPLICATION AND COMPLIANCE PLAN.

Dave Walsh, Court Administrator, explained that the Michigan Indigent Defense Commission (MIDC) passed Standard 5 that indicates that judiciary staff can no longer be involved in the appointment of indigent defense counsel and to date, he has been managing local compliance of the plan. He stated that this now needs to be turned over to the funding agencies, so he has drawn up a new compliance plan. The new plan includes a part-time position, either in the City of Farmington or Farmington Hills, as well as a contracted attorney position for those items requiring legal review. The anticipated increase in the grant request is from \$187,828 to approximately \$300,000 but the cities local share will decrease next year from \$21,889.50 to \$21,696.55. The plan will be submitted tomorrow and the State will determine if it is approved or requires changes.

In response to Council, Mr. Walsh noted that the part-time position will be funded by the grant and it is yet to be determined if that position will be included in the City of Farmington or Farmington Hills.

MOTION by Massey, support by Knol, that the City Council of Farmington Hills hereby approves the 2021/2022 Michigan Indigent Defense Commission Grant Application and Compliance Plan.

Roll Call Vote:

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

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby confirms the Mayor's recommendations for the following appointments:

Commission on Community Health

	Length of Term:	Term ending:
La Keshia Young	Unexpired term	February 1, 2022
Bernard Hooper	Unexpired term - Alternate	February 1, 2022

Grand River Corridor Improvement Authority

	Length of Term:	Term ending:
Kimberly Guesman	Unexpired term	February 1, 2022

Roll Call Vote:

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

MOTION CARRIED 7-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR 2021 ROADSIDE TRACTOR MOWING SERVICES TO KBK LANDSCAPING IN THE AMOUNT OF \$36,400; WITH POSSIBLE EXTENSIONS. CMR 4-21-45

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to sign a contract with KBK Landscaping in the amount of \$36,400 for the 2021 Roadside Tractor Mowing Services, with possible extensions.

Roll Call Vote:

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

Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR 2021 LANDSCAPE MAINTENANCE SERVICES TO GREEN MEADOWS LANDSCAPING IN THE AMOUNT OF \$97,290; WITH POSSIBLE EXTENSIONS. CMR 4-21-46

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to sign a contract with Green Meadows Landscaping in the amount of \$97,290 for the 2021 Landscape Maintenance Services, with possible extensions.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF PURCHASE FOR REPLACEMENT WHEEL BALANCING MACHINE TO ALLIED, INC. IN THE AMOUNT OF \$15,710. CMR 4-21-47

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager to approve a purchase order to Allied, Inc. in the amount of \$15,710.00 for the purchase and installation of a wheel balancing machine.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR 2021 AS-NEEDED FLEX SEAL PROGRAM TO SPRAY PATCH ROAD REPAIR IN THE AMOUNT OF \$95,280; WITH POSSIBLE EXTENSIONS. CMR 4-21-48

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to sign a contract with Spray Patch Road Repair in the amount of \$95,280 for the 2021 As-Needed Flex Seal Program, with possible extensions.

Roll Call Vote:

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

Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR PLATFORM SCISSOR LIFT AND TRANSPORT TRAILER TO MCALLISTER MACHINERY COMPANY IN THE AMOUNT OF \$27,900 CMR 4-21-49

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order for a Platform Scissor Lift & Transport Trailer to McAllister Machinery Company in the amount of \$27,900.00.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR 2021 LIQUID CALCIUM CHLORIDE AND AS-NEEDED DUST CONTROL PROGRAM FOR UNPAVED PUBLIC STREETS TO LIQUID CALCIUM CHLORIDE SALES, INC. IN THE AMOUNT OF \$98,000; WITH POSSIBLE EXTENSIONS. CMR 4-21-50

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to sign a contract on behalf of the City with Liquid Calcium Chloride Sales, Inc. in the amount of \$98,000 for the 2021 Liquid Calcium Chloride and As-Needed Dust Control Program, with possible extensions.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR 2021 MOSQUITO CONTROL BRIQUETTES TO VESERIS IN THE AMOUNT OF \$16,698 AND ADOPTION OF A RESOLUTION AUTHORIZING REIMBURSEMENT OF ELIGIBLE MOSQUITO CONTROL ACTIVITIES UNDER OAKLAND COUNTY'S 2021 WEST NILE VIRUS PROGRAM. CMR 4-21-51

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes a purchase order to Vesperis for the purchase of larvicide briquettes in the amount of \$16,698; and

IT IS FURTHER RESOLVED, that the City Council adopts the attached resolution authorizing reimbursement of eligible mosquito control activities under Oakland County's 2021 West Nile Virus Program.

Roll Call Vote:

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

MOTION CARRIED 7-0.

**RESOLUTION
AUTHORIZING WEST NILE VIRUS FUND EXPENSE REIMBURSEMENT**

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held on the 26th day of April, 2021, at 7:30 o'clock p.m., with those present and absent being,

PRESENT: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND
STRICKFADEN
ABSENT: NONE

The following preamble and resolution were offered by Councilperson Massey and supported by Councilperson Bridges:

WHEREAS, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages and townships in addressing mosquito control activities; and

WHEREAS, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages and townships to apply for reimbursement of eligible expenses incurred in connection with mosquito larviciding.

WHEREAS, the City of Farmington Hills, Oakland County, Michigan, has incurred expenses in connection with mosquito control activities that are eligible for reimbursement under Oakland County's West Nile Virus Fund Program.

NOW THEREFORE BE IT RESOLVED, that this Council authorizes and directs its DPW Superintendent, Kevin McCarthy, as agent for the City of Farmington Hills, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

AYES: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND
STRICKFADEN
NAYS: NONE
ABSENT: NONE

RESOLUTION DECLARED ADOPTED 7-0.

**RECOMMENDED APPROVAL OF REQUEST FOR EMPLOYMENT OF A PART-TIME
CAMP INSTRUCTOR UNDER SECTION 10.01A OF THE CITY CODE.**

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby approves the request for employment under Section 10.01A of the City Code for Kailee Hartway

as a Camp Instructor in the Special Services Department. Kailee is the sister of Kirah Hartway, who is a Day Camp Counselor in the Special Services Department.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF REQUEST FOR EMPLOYMENT OF A PART-TIME CONCESSION ATTENDANT UNDER SECTION 10.01A OF THE CITY CODE.

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby approves the request for employment under Section 10.01A of the City Code for Amber Ligenza as a Hawk Concessions Attendant in the Special Services Department. Amber is the sister of Jonathon Ligenza, who is a Day Camp Counselor in the Special Services Department.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF APRIL 12, 2021.

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby approves the City Council study session meeting minutes of April 12, 2021.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR SESSION MEETING MINUTES OF APRIL 12, 2021.

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby approves the City Council regular session meeting minutes of April 12, 2021.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN
Nays: NONE

Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

ADDITIONS TO AGENDA

None

ADJOURNMENT

MOTION by Bridges, support by Boleware, to adjourn the regular session City Council meeting at 11:40pm.

Roll Call Vote:

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

MOTION CARRIED 7-0.

Respectfully submitted,



Pamela B. Smith, City Clerk