

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL MEETING
MARCH 11, 2019 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

The regular meeting of the Farmington Hills City Council was called to order by Mayor Massey at 7:32 p.m.

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

Council Members Absent: None

Others Present: City Manager Boyer, City Clerk Smith, Assistant City Manager Mekjian, Directors Gardiner, Mondora and Monico, Fire Chief Nebus and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Joy DeFranco, Emergency Preparedness Commission member, led the pledge of allegiance.

APPROVAL OF AGENDA

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

MOTION CARRIED 7-0.

EMERGENCY PREPAREDNESS COMMISSION TIP OF THE MONTH

The following Tip of the Month was read by Joy DeFranco, EPC member:

**CITY OF FARMINGTON and FARMINGTON HILLS
EMERGENCY PREPAREDNESS COMMISSION
Tip of the Month
March**

Sheltering in Place/Evacuation Plans

During a disaster your community may be asked to either evacuate or shelter-in-place. In short notice this can be very complicated, it can be a lot to focus on during this time as whatever has happened causes some confusion. You should know what to do to keep your family safe and calm. If you have practiced your tornado and fire safety plans, your family will be more comfortable doing it when the emergency actually happens. This is a time to review with your family all of your plans.

Identify the best storm shelter in your home

- Stay away from windows and skylights
- Shelter “down and in” - Put as many walls between yourself and the outside as you can (think of the ceiling as a wall)
- Avoid rooms with large ceiling expanses
- Find an area large enough for everyone to stay comfortably for at least 45 minutes

Practice getting the family into the storm shelter

Run a practice drill with your family. Check to make sure everyone knows what to do. Account for all

persons in the house.

Considerations

- a game or deck of cards in the shelter
- Store some water and ready to eat food that doesn't require cooking. Replace as needed for expirations
- Emergency Weather Radio
- Blankets and Pillows

In case you have to evacuate

Emergency shelters will be opened when people are displaced from their homes. In most areas emergency shelters are operated by the American Red Cross. At the Red Cross Shelter:

Red Cross will provide

- A cot to sleep on
- Meals and bottled water
- A nurse for basic medical care
- Information about the disaster from public officials

You may need to bring

- Pillow, blanket and a change of clothes
- Your own medication and medical supplies (or a list of what you are taking, dosage, and Dr.'s names)
- Identification
- Cards or magazines or Comfort items

Not allowed at the shelter

- Weapons or alcohol
- Pets (except for service animals)

CORRESPONDENCE

There was no correspondence acknowledged.

CONSENT AGENDA

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

Roll Call Vote:

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

MOTION CARRIED 7-0.

PUBLIC QUESTIONS AND COMMENTS

There were no public questions or comments.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

The following comments/announcements were made:

- Councilmember Bruce thanked the Farmington Area PTA Council for the invitation to their Annual Founders Day Dinner.

CITY MANAGER UPDATE

City Manager Boyer provided the following update:

- The City has various seasonal positions available
- Crime Prevention is hosting an event on how to avoid becoming a victim of scams on March 27th at 6pm at City Hall.

UNFINISHED BUSINESS

CONSIDERATION OF APPROVAL OF THE ENACTMENT OF ORDINANCE C-2-2019 AMENDING CITY CODE, CHAPTER 34, "ZONING," TO AMEND THE OFFICIAL ZONING MAP IN ORDER TO REZONE PROPERTY LOCATED AT 27815 & 28025 MIDDLEBELT RD. FROM B-2 COMMUNITY BUSINESS, P-1 PARKING AND RA-1 ONE-FAMILY RESIDENTIAL DISTRICTS TO RC-2, MULTIPLE FAMILY RESIDENTIAL DISTRICT; REZONING REQUEST 3-10-2018; AND APPROVAL OF SUMMARY FOR PUBLICATION.

Ed Gardiner, Director of Planning and Community Development, explained that at their last meeting Council introduced an ordinance to rezone property located at Twelve Mile and Middlebelt Roads (commonly known as Ginopolis Restaurant and the surrounding vacant lot) to RC-2, Multiple Family Residential District. The applicant is planning to build an assisted living facility on the property and the next step in the process is consideration of enactment of the ordinance this evening by Council.

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby approves the enactment of Ordinance C-2-2019 amending City Code, Chapter 34, "Zoning," to amend the official Zoning Map in order to rezone property located at 27815 & 28025 Middlebelt Rd. from B-2 Community Business, P-1 Parking and RA-1 One-Family Residential Districts to RC-2, Multiple Family Residential District; Rezoning Request 3-10-2018; and approval of summary for publication.

Mayor Massey and Councilmember Lerner acknowledged letters received from residents in opposition to the rezoning.

Roll Call Vote:

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

MOTION CARRIED 7-0.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES BY AMENDING CHAPTER 18, "OFFENSES," ARTICLE VII, "OFFENSES AGAINST PUBLIC SAFETY," DIVISION 1, "GENERALLY," SECTION 18-288, "FIREWORKS," IN ORDER TO AMEND REGULATIONS OF THE TIMES DURING WHICH CONSUMER FIREWORKS MAY BE DISCHARGED, INCLUDE ADDITIONAL RESTRICTIONS ON THE DISCHARGE OF FIREWORKS, AND AMEND THE PENALTIES FOR VIOLATIONS OF THIS SECTION.

City Attorney Steve Joppich explained that the proposed ordinance was drafted in light of HB 5939, HB5940 and HB5941 that were approved and effective as of December 31, 2018. The state law changes further limiting the use of fireworks to only certain dates/times and provides for penalties and as of

August, 2019 will allow the regulation of the sale of fireworks. He stated that the proposed ordinance amendment will now mirror state law with regard to the permitted dates/times that one can use fireworks and penalties.

In response to Council, Attorney Joppich clarified that this ordinance would regulate consumer fireworks and professional fireworks would still require a state permit and would be enforced under state law.

Councilmember Rich stated that she heard from several residents during her coffee hour that were pleased with the reduced dates/times fireworks were allowed.

MOTION by Bruce, support by Rich, that the City Council of Farmington Hills hereby approves the introduction of an ordinance to amend the Farmington Hills Code of Ordinances by amending Chapter 18, "Offenses," Article VII, "Offenses Against Public Safety," Division 1, "Generally," Section 18-288, "Fireworks," in order to amend regulations of the times during which consumer fireworks may be discharged, include additional restrictions on the discharge of fireworks, and amend the penalties for violations of this section.

Roll Call Vote:

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

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES CHAPTER 29.5, "TELECOMMUNICATIONS," TO ADD A NEW ARTICLE IV, "WIRELESS FACILITIES IN RIGHT-OF-WAY," TO ESTABLISH REQUIREMENTS, STANDARDS, AND REGULATIONS FOR ACCESS TO AND USE OF PUBLIC RIGHT-OF-WAY FOR WIRELESS FACILITIES THAT ARE NOT TELECOMMUNICATION FACILITIES UNDER ARTICLE III OF CHAPTER 29.5.

City Attorney Gary Dovre explained that the proposed ordinances were prompted by changes in state and federal regulations and attempts to reconcile the differences in those laws.

Mayor Massey stated that this ordinance was discussed at the study session earlier and would allow the city to regulate wireless facilities (antennas) within the city rights-of-way.

MOTION by Knol, support by Rich, that the City Council of Farmington Hills hereby approves the introduction of an ordinance to amend the Farmington Hills Code of Ordinances Chapter 29.5, "Telecommunications," to add a new Article IV, "Wireless Facilities in Right-of-Way," to establish requirements, standards, and regulations for access to and use of public right-of-way for wireless facilities that are not telecommunication facilities under Article III of Chapter 29.5.

Roll Call Vote:

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

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES TO AMEND CHAPTER 26, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," ARTICLE 2, "STREETS" TO AMEND AND ADD DEFINITIONS AND AMEND AND ADD REQUIREMENTS FOR PLACEMENT AND PERMITTING OF STRUCTURES, EQUIPMENT, FACILITIES, AND OTHER INSTALLATIONS IN STREETS.

Attorney Dovre explained that this is the companion ordinance to the previous one just introduced by Council to add requirements for the placement and permitting of structures and equipment within the streets.

MOTION by Lerner, support by Knol, that the City Council of Farmington Hills hereby approves the introduction of an ordinance to amend the Farmington Hills Code of Ordinances to amend Chapter 26, "Streets, Sidewalks and Other Public Places," Article 2, "Streets" to amend and add definitions and amend and add requirements for placement and permitting of structures, equipment, facilities, and other installations in streets.

Roll Call Vote:

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

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

MOTION by Rich, support by Steckloff, that the City Council of Farmington Hills hereby confirms the Mayor's recommendation to appoint the following individuals to various City Boards and Commissions:

Commission on Community Health

Charles Starkman	Length of Term: Vacancy	Term ending: February 1, 2021
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Farmington Area Arts Commission

Brian Breen	Length of Term: 3-year term	Term ending: February 1, 2022
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MOTION CARRIED 7-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF THE OAKWAY MUTUAL AID INTERLOCAL AGREEMENT. CMR 3-19-21

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the current OAKWAY Interlocal Agreement.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AGREEMENT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) FOR THE CONSTRUCTION OF THE 2019 PAVEMENT RECONSTRUCTION PROJECT ON 9 MILE ROAD FROM HAWTHORNE STREET TO MIDDLEBELT ROAD. CMR 3-19-22

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to enter into Agreement #18-5555 on behalf of the City with the Michigan Department of Transportation for the reconstruction and resurfacing of 9 Mile Road from Hawthorne Street to Middlebelt Road.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE POWER ROAD REHABILITATION PROJECT FROM 10 MILE ROAD TO 11 MILE ROAD TO SPRINGLINE EXCAVATING, LLC IN THE AMOUNT OF \$2,365,541.32. CMR 3-19-23

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the Power Road Rehabilitation Project between 10 Mile Road and 11 Mile Road be awarded to the lowest competent bidder, Springline Excavating LLC in the amount of \$2,365,541.32; and

IT IS FURTHER RESOLVED, that City Council authorizes the City Manager and City Clerk to execute the contract on behalf of the City.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE 2019 HMA - HALSTED ROAD MILL AND FILL FROM GRAND RIVER AVENUE TO 11 MILE ROAD PROJECT TO CADILLAC ASPHALT, LLC IN THE AMOUNT OF \$656,913.31. CMR 3-19-24

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the 2019 HMA – Halsted Road Mill and Fill Project be awarded to the lowest competent bidder, Cadillac Asphalt LLC, in the amount of \$656,913.31; and

IT IS FURTHER RESOLVED, that City Council authorizes the City Manager and City Clerk to execute the contract on behalf of the City.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE HALSTED ROAD RECONSTRUCTION PROJECT FROM I-696 TO 12 MILE ROAD TO M.L. CHARTIER, INC. IN THE AMOUNT OF \$1,982,977.04. CMR 3-19-25

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the Halsted Road Reconstruction Project between I-696 and 12 mile Road be awarded to the lowest competent bidder, M.L. Chartier, Inc. in the amount of \$1,982,977.04; and

IT IS FURTHER RESOLVED, that City Council authorizes the City Manager and City Clerk to execute the contract on behalf of the City.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR THE 2019 SPRING/SUMMER CITYWIDE PLANTING PROGRAM TO CRIMBOLI NURSERY INC., IN THE AMOUNT OF \$82,050. CMR 3-19-26

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the award of contract in the amount of \$82,050.00 to Crimboli Nursery Inc., lowest qualified bidder, for the 2019 Spring/Summer Planting Program; and

IT IS FURTHER RESOLVED, that City Council authorizes the City Manager and City Clerk to sign the contract on behalf of the City of Farmington Hills and issue a purchase order for the same.

Roll Call Vote:

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

Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE PURCHASE OF A REPLACEMENT POLICE FLEET VEHICLE WITH TODD WENZEL CHEVROLET IN THE AMOUNT OF \$27,306. CMR 3-19-27

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order to Todd Wenzel Chevrolet for a 2019 GMC Terrain in the amount of \$27,306.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF ESTABLISHING A SANITARY SEWER PAYBACK FOR BRIDGEMAN STREET. CMR 3-19-28

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the Bridgeman Street Sanitary Sewer Payback District, subject to final costs being determined upon completion of construction, and staff's recommendation that funds be utilized from the City of Farmington Hills Sewer Reserve Fund to construct these improvements.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF ESTABLISHING A SANITARY SEWER PAYBACK FOR KIRBY STREET AND CASS AVENUE. CMR 3-19-29

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the Kirby Street and Cass Avenue Sanitary Sewer Payback District, subject to final costs being determined upon completion of construction, and staff's recommendation that funds be utilized from the City of Farmington Hills Sewer Reserve Fund to construct these improvements; and

IT IS FURTHER RESOLVED, that City Council approves utilizing funds from the City of Farmington Hills Sewer Reserve Fund to construct 150 feet of outfall sanitary sewer from the existing Farmington Road sanitary sewer to the starting point of the payback district.

Roll Call Vote:

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

Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF FEBRUARY 25, 2019.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the study session meeting minutes of February 25, 2019, as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF FEBRUARY 25, 2019.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the regular meeting minutes of February 25, 2019, as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0.

ATTORNEY'S REPORT

The City Attorney's report was received by Council.

ADJOURNMENT

Mayor Massey adjourned the regular City Council meeting at 8:01pm.

Respectfully submitted,



Pamela B. Smith, City Clerk