

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
JUNE 25, 2018 – 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, Lerner, Massey, Rich and Steckloff

Council Members Absent: None

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

PLEDGE OF ALLEGIANCE

Steve Barr, Finance Director, led the pledge of allegiance.

APPROVAL OF AGENDA

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

MOTION CARRIED 7-0.

SUSTAINABLE FARMINGTON HILLS TIP OF THE MONTH

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

Sustainable Farmington Hills
Tip of the Month
June 25, 2018

Here are a few tips to help make your summer a little bit more eco-friendly. Besides recycling did you know there are more ways to be sustainable and help the environment?

- 1) If you are a dog owner or someone with pets. You can reuse plastic grocery bags when cleaning up after them instead of purchasing bags at the store. By doing this, you are helping lower plastic waste in the community.
- 2) Some coffee shops and gas stations offer money off when you bring your own mug/tumbler. By doing this you help eliminate plastic cup/bottle waste which is an important component of the overall waste reduction plan.
- 3) Some plants like, Areca Palm, Lady Palm, and Dracaena are great to have inside your home because they help eliminate indoor pollution. Besides adding to your décor, the plants remove formaldehyde, benzene, and carbon monoxide from your air.

For more tips and information please visit sustainablefh.com

CORRESPONDENCE

Mayor Massey mentioned that various letters and emails were received for the Public Hearing item this evening that will be made part of the official record.

CONSENT AGENDA

MOTION by Bruce, support by Knol, to approve the 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

Tom DeWard, Glover Ct., requested that before the City considers ballot proposal language, Council require the City Manager to certify special assessment rolls and compare the actual costs and SAD costs over the past 20 years to provide refunds as required by ordinance. He asked Council to consider refunds for a couple of special assessment districts and to investigate the declining property values before considering a millage proposal.

Jim Levine, Halsted Road, commented on an issue with a breach in a detention pond in his area and expressed concern that the pond is now all dried up.

City Manager Boyer stated that staff is familiar with the issues in this area and will follow up with Mr. Levine on his concerns.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

Mayor Massey commented that Farmington Hills was mentioned in an article in National Geographic about being Muslim in America.

Mayor Massey commented on the hospitality and excellent food provided by the Muslim Community Mosque at their 3rd Annual Volleyball Tournament and Picnic held this past weekend between members of the Mosque and city staff.

CITY MANAGER UPDATE

City Manager Boyer made the following announcements:

- In light of the July 4th holiday, residents were reminded of the City's Fireworks ordinance and state law that only allows fireworks the day before, the day of and the day after a National Holiday.
- There is no trash pick-up on July 4th and trash pick-up will be delayed by one day that week starting with July 4th.

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF APPROVAL OF PLANNED UNIT DEVELOPMENT (PUD) 3, 2017 (32600, 32726 & 32720 NORTHWESTERN HWY), INCLUDING SITE AND LANDSCAPE PLANS DATED MAY 29, 2018; WITH CONDITIONS.

Ed Gardiner, Director of Planning and Community Development, briefly reviewed the proposed PUD development that included a senior assisted living facility and storage facility and PUD application

process and mentioned that the site and landscape plans were also part of the review. He stated that the Planning Commission held their public hearing on this request and is recommending approval to Council, with conditions. Mr. Gardiner explained that the proponent is present to discuss the proposed development and then the City's Planning Consultant will provide a land use review and then the public hearing is required prior to any action of City Council.

Mark Pomerence, Northpoint Development, stated that 3 public hearings were held with the Planning Commission at which they worked with the City to address any concerns. He voiced his commitment to being a good partner in working under the development agreement with the City on this project and explained that the development site is located at 14 Mile and Northwestern Highway and their intent is to develop approximately 5 acres of the 10 acre site. He reviewed the proposed development plan and showed Council pictures of various finished developments and renderings of the proposed development.

Joe Tangari, Giffels-Webster, reviewed the surrounding zoning and land uses. He discussed the PUD qualifications and noted that the self-storage unit was a use generally not allowed under the current zoning but would be allowed if found to meet PUD requirements and approved by the City. The Planning Commission felt that some of the objectives for a PUD were met. Mr. Tangari reviewed the proposed building plans and variances requested per the PUD option. He noted that the Planning Commission recommended approval to City Council with conditions.

Considerable discussion was held by Council on the benefit derived by this development, the owner of the property and what portion of the site was included in the proposed PUD. It was noted that the owner was noted on the application for the PUD and is allowing for demolition of the buildings on the site and cleaning of the site and could develop the other portion of the property not included in the PUD under the conventional zoning.

Mr. Pomerence added that he will have a separate agreement with the owner and the property not included as part of the PUD would remain under the current zoning and would not be allowed 14 Mile Road access per the Planning Commission's recommendation.

Mayor Massey acknowledged that letters of opposition as well as those in favor of the project were received by all members of Council. He opened the Public Hearing.

Emails or letters were received from the following and are included as part of the permanent record:

In opposition of the project

Diane Hausner, Kimberley North Sub, West Bloomfield
Joel Katz (via email)
Diana Katz (via email)
Marc Manson, High Valley Road, Farmington Hills
Adrienne Sweet, Kimberley North Sub., West Bloomfield
Rachel Eickemeyer, Kimberley North Sub., West Bloomfield
Daniel Gama, Fourteen Mile Road, West Bloomfield
Morry and Susan Greener, Abington Road, Kimberley North Sub, West Bloomfield

In support of the proposed project

Don Fitch, Orchard Lake Rd., West Bloomfield
Albert and David Loeffler, Northwestern Hwy, Farmington Hills
Daniel Lehman, Attorney on Northwestern Hwy, Farmington Hills
Craig Homicz, S. Clunbury, West Bloomfield

Christine Moore, Northwestern Hwy, Farmington Hills (Business Owner)
Auday Haddad, Pine Eagle, West Bloomfield (Business Owner)
Amyre Cabose, Northwestern Hwy. Farmington Hills (Business Owner)
Ann Sagmani, Meadowcrest Ct. West Bloomfield
Andy Andre, Northwestern Hwy, Farmington Hills
Doug Saroki, Ashford Parkway, Farmington Hills
Thomas Investments, Northwestern Hwy., Farmington Hills (Business Owner)
Sam Darworth, Northwestern Hwy (Business Owner)
Sahir Kashat, Northwestern Hwy (Business Owner)
Ryladh Asmar, Northwestern Hwy., Farmington Hills (Business Owner)
Ron Thomas, worldwide Technology, Northwestern Hwy., Farmington Hills (Business Owner)
Robert Carmack, Telegraph, Bloomfield Hills, (Business Owner)
Renee Semma, Silverbrook West, West Bloomfield
Reema Kurian, Northwestern Hwy., Farmington Hills (Business Owner)
Peter Ginopolis, Middlebelt Road, Farmington Hills (Business Owner)
Nancy Schuchard, Middlebelt Road, Farmington Hills
Mike Langan, Northwestern Hwy., Farmington Hills (Business Owner)
Michelle Cunningham, Northwestern Hwy., Farmington Hills (Business Owner)
Mei Parozi, 33080 Northwestern Hwy., Farmington Hills (Business Owner)
Mary Shrader, Northwestern Hwy., Farmington Hills (Business Owner)
John Haife, Northwestern Hwy., Farmington Hills (Business Owner)
John Ginopolis, Middlebelt Road, (Business Owner)
Joel Yono, Langtoft, West Bloomfield
Business Owner at 32769 Northwester Highway, Farmington Hills
Ilan Hazan, West Bloomfield
Stellar Hospitality, LLC, Northwestern Hwy., Farmington Hills (Business Owner)
Edita Friedman, Northwestern Hwy., Farmington Hills (Business Owner)
Eric Nelkin, Northwestern Hwy., Farmington Hills (Business Owner)
Frank Yono, Orchard Lake Road, West Bloomfield (Business Owner)

The following were present at the meeting to speak:

Marc Manson, High Valley Road, Farmington Hills, inquired if the portion of the property not being sold would be bound by the Planned Unit Development. He expressed concern with limited parking, heavy traffic in the area and adding an assisted living facility at a dangerous intersection that he feels would endanger residents and first responders.

Dan Wolf, Kimberley North Sub., West Bloomfield, spoke of the many changes in the area and expressed concern with the visual impact the large building will have on the aesthetics of the area.

Marquis Fletcher, Kimberley North Subdivision, requested that the City Council deny this request. He lives directly across the street from the proposed project on Fourteen Mile Road. He expressed concern with the view and negative impact the additional traffic will have on the area and would like to keep the area serene with wildlife as it is today

Adrienne Sweet, Edinborough, West Bloomfield, read her letter she submitted into the record that expressed the following concerns: 1) Lighting shining into her bedroom windows; 2) Both developments will create more traffic not only on 14 Mile but also through her subdivision; 3) The senior building plan is not compliant with parking requirements and she believes overflow will go into her subdivision; 4) Two 3-story buildings are aesthetically out of character to the neighborhood and will create more traffic and noise and affect her property value. She feels the proposal hurts the community and respectfully requested Council deny this request.

Judy Kasoff, Country Glens Condominiums, 14 Mile Road, West Bloomfield, stated that her main concern is with the height of the building and people being able to see into her condos and compromising their privacy. She stated that there is already a self-storage facility and new assisted living being built in the area and feels this additional project would be too much for the area. She hopes the Council will vote against the development.

Neil Schwartz, Heather Heath, West Bloomfield, pleaded with Council to listen to the residents and how the development would impact their lives. He expressed concerns with noise, young adults bypassing the area to live and safety concerns for pedestrians, bicyclists, etc., with the increased traffic and having an adverse effect on property values.

Ellen Bush, Heather Heath, West Bloomfield, expressed the following concerns: the proposed development next to a residential area, not having to adhere to code restrictions such as setbacks under a PUD, horrendous traffic in the area, bright lights and an adverse effect on property values. She questioned if a traffic study was conducted. She asked that Council table the vote on this issue to look into the issue further.

Mike Peters, 30600 14 Mile Road, West Bloomfield, feels that if the senior facility were spread out and the storage facility eliminated, they could meet the setback requirements. The height of the building was also a concern.

Linda Schaeffler, Brookridge, West Bloomfield, spoke of the surrounding area and setbacks of other buildings in the area. She believes the proposed setbacks and height are very undesirable and the development should have to meet requirements. She does not feel profits should supersede Master Plan requirements.

Bessie Schulman, West Bloomfield, commented that this intersection is the 4th most dangerous in Michigan with regard to traffic. She expressed concern with adequate parking and inquired if other developments coming in along Northwestern would be allowed to be 3-stories in height if this development is approved.

Leonard Lachover, Edinborough, West Bloomfield, stated that he did not see a significant public benefit. He expressed concern with the setbacks and traffic and commented that the old Sam's Club property would be a better location for this development.

Diana Katz, West Bloomfield, feels this is an inappropriate location for a storage facility and expressed concern with the proponent not meeting the setback and parking requirements. She feels a traffic study is needed for the area when schools are in session and the height of the proposed development was of concern. They do not want to lose the ambiance of the neighborhood and want to attract young families to the area and requested that this development is not approved.

Daniel Gama, 14 Mile Road, stated that he lives across from the proposed development and expressed concern with traffic, parking, lighting and ambulance traffic and respectfully requested that Council not approve this development. He asked that if it is approved, that the 14 Mile entrance is eliminated.

Diane Hausner, Kimberley North Sub., West Bloomfield, stated that she found 29 other assisted living facilities on-line within 5 miles of this proposed development and she contacted approximately 20 of those facilities and all had vacancies. She believes school closings are due to the increased assisted living facilities and she also expressed concern with a bus stop nearby that she feels could be a safety issue.

Steve Claerr, 14 Mile Road, West Bloomfield, stated many of his concerns were mentioned including height, setbacks, commercial versus residential, traffic, etc. He spoke to population stats and commented that assisted living centers are not attractive to new families and are taking away property where homes could be developed.

Joel Katz, Abbington, West Bloomfield, asked that Council deny this project as the proposed location and uses are not consistent with the intent of the Master Plan and the architectural design is not consistent with the surrounding residential areas. He feels the development would adversely affect the traffic in the area and further endanger Farmington Hills' first responders. He mentioned past comments of staff regarding this same parcel who stated that the intent of the zoning was to create a buffer to the residents from any business as well as noted issues with lighting and traffic. He does not feel that the concerns of staff or the Planning Commission have been addressed.

Marty Wolf, Heather Heath, West Bloomfield, stated that nobody yet has mentioned the seniors living on the 3rd floor of the assisted living center and the amount of noise that they will hear with the traffic in the area.

Mayor Massey closed the public hearing as there were no further comments.

MOTION by Bridges, support by Steckloff, to deny the proposed PUD Development Plan (PUD) 3, 2017 (32600, 32726 & 32720 Northwestern Hwy) for the following reasons:

- The benefits are not sufficient enough to warrant a PUD
- Traffic would be impacted on 14 Mile Road
- Increased load or impact on emergency personnel
- Self-storage units are not recognized as a use on the Master Plan

Councilmember Bruce commented that most of the residents in opposition this evening were from West Bloomfield and City Council took an oath to protect the citizens of Farmington Hills. He expressed concern that the City could be sued if the Council does not allow this developer reasonable use of the property. The parcel has been vacant for decades and if a developer were to put in another development that is allowed under the current zoning it would create much more traffic than the proposed development. He believes the proposal is consistent with the surrounding area and the Master Plan and adds to the city's tax base and is a public benefit for Farmington Hills residents. He will not support the motion as he feels it is irresponsible and puts the city at risk.

Mayor Massey and Councilmember Knol reiterated some of the questions asked by the residents that were addressed by staff or the proponent.

Councilmember Lerner questioned if the owner of the property would be willing to sell more of the property in order for the developer to meet setback requirements.

Robert Asmar, Owner, indicated that he did not want to sell as much of the property that he already has agreed to sell and that the proposed development would have significantly less of an impact that if developed under the current zoning.

Mayor Massey called the question.

MOTION failed 2 – 5 (Bruce, Knol, Lerner, Massey and Rich opposed)

Discussion and clarification was provided on the owners of the property and which portions of the property were included as part of the proposed PUD.

MOTION by Lerner, support by Bruce, that the City Council of Farmington Hills hereby approves Planned Unit Development (PUD) Plan 3, 2017, including site and landscape plans dated May 29, 2018 with the following conditions:

- The demolition of the AT&T building and the buildings and foundations identified along Northwestern outside of the PUD boundary must be completed prior to the issuance of construction permits for the new structures
- The lot split for the parcels as depicted on the PUD plan is completed prior to the issuance of construction permits for the new structures
- All new signage shall be approved under separate permits
- An access easement to the properties along Northwestern Highway adjacent to the east and west of the Northwestern entrance is granted
- All roof top units are screened from view

and authorizes the City Attorney to prepare the appropriate PUD Agreement stipulating the final development conditions and that all zoning deviations are approved as presented in the approved PUD site and landscape plans.

Roll Call Vote:

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

MOTION CARRIED 7-0.

Councilmember Lerner urged the proponent to work with the City to find a public benefit of greater value such as landscaping, trees, etc.

City Council took a short break.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF APPOINTMENT TO THE HISTORIC DISTRICT COMMISSION

MOTION by Lerner, support by Knol, that the City Council of Farmington Hills hereby confirms the Mayor's recommendation to appoint Lisa Martin to fill a vacancy on the Historic District Commission with a term ending February 1, 2020.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF A RESOLUTION TO ESTABLISH WATER RATES FOR FISCAL YEAR 2018/2019. CMR 6-18-53

Karen Mondora, Director of Public Service, explained that the water and sewer rates were previously discussed at a City Council study session meeting. The Great Lakes Water Authority (GLWA) adopted slightly reduced water rates than original proposed. The recommendation is to increase the base unit rate by 3.0% from \$38.55 to \$39.71 per 1,000 cubic feet of water used, effective July 1, 2018.

Director Mondora reported that the water tower continues to save the city money and they have realized a savings of approximately \$9.9 million and in two more years the tower will have paid for itself.

MOTION by Bruce, support by Rich,

**CITY OF FARMINGTON HILLS
AMENDED WATER SUPPLY RATES**

RESOLUTION NO. R-84-18

WHEREAS, the Oakland County Water Resources Commissioner (WRC) has performed a review of the finances for the City of Farmington Hills water supply system including the cost to purchase water from the Great Lakes Water Authority, the cost for WRC to operate and maintain the water supply system, and reserve funds including a capital improvement reserve, an emergency maintenance reserve, and a major maintenance reserve; and

WHEREAS, in a letter dated June 21, 2018, the Oakland County Water Resources Commissioner has recommended that water supply rates be established for the next fiscal year effective July 1, 2018; and

WHEREAS, the water consumption charge has increased \$1.16 from \$38.55 per Mcf to \$39.71 per Mcf; and

WHEREAS, the minimum quarterly charge has been established at \$63.54 plus a meter maintenance fee based upon an assigned use of 1.6 Mcf; and

NOW, THEREFORE, BE IT RESOLVED that the rates of \$39.71 per Mcf for water consumption, and \$63.54 for a minimum quarterly charge for the City of Farmington Hills Water Supply System be established effective July 1, 2018 for all users of the City of Farmington Hills Water Supply System.

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

NAYS: NONE

RESOLUTION DECLARED ADOPTED.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF A RESOLUTION TO ESTABLISH SEWER RATES FOR FISCAL YEAR 2018/2019. CMR 6-18-54

Director Mondora reported that the GLWA also adopted slightly reduced sewer rates than original proposed. The recommendation is to increase the base unit rate by 5.4% from \$35.69 to \$37.61 per 1,000 cubic feet of water used, effective July 1, 2018.

MOTION by Knol, support by Steckloff,

**CITY OF FARMINGTON HILLS
AMENDED SEWAGE DISPOSAL RATES**

RESOLUTION NO. R-85-18

WHEREAS, the County of Oakland, through its Department of Public Works, under the

Authority of Act No. 185 of the Michigan Public Acts of 1957, on November 1, 1957, entered into contract with the City of Farmington Hills for the construction, operation, and maintenance of the Farmington Sewage Disposal System; and

WHEREAS, the City shall provide, by proper ordinance or resolution for the sewage disposal rate to be charged to all premises within the City connected to the Farmington Sewage Disposal System; and

WHEREAS, the City of Farmington Hills was notified by the Oakland County Water Resources Commissioner, that sewage disposal charges for the Evergreen-Farmington Sewage Disposal System would increase effective for use on and after July 1, 2018 and the Gross Pollutant Surcharge and the Industrial Waste Control (IWC) charges approved the Great Lakes Water Authority (GLWA) would also go into effect on July 1, 2018; and

WHEREAS, the Oakland County Water Resources Commissioner (WRC) has performed a review of the finances for the Farmington Hills Sewage Disposal System including the cost for disposal to the Great Lakes Water Authority, the charges for operation and maintenance of the Evergreen – Farmington Sewage Disposal System, the cost for WRC to operate and maintain the City’s sewage disposal system, and reserve funds including an emergency reserve, capital improvement reserve, and a major maintenance reserve; and

WHEREAS, in a letter dated June 21, 2018, the Oakland County Water Resources Commissioner, as operating agency for the City, recommended that sewage disposal rates be established effective July 1, 2018; and

WHEREAS, the sewage disposal charge has increased \$1.92 from \$35.69 per Mcf to \$37.61 per Mcf; and

WHEREAS, the minimum quarterly charge has been established at \$60.18 based upon an assigned use of 1.6 Mcf; and

WHEREAS, the flat rate quarterly charge has been established at \$150.44 for sewer users that do not have a water meter based upon an assigned use of 4.0 Mcf; and

NOW, THEREFORE, BE IT RESOLVED that the rates of \$37.61 for sewage disposal, \$60.18 for a minimum quarterly charge and \$150.44 for the flat rate quarterly charge for the Farmington Hills Sewage Disposal System be established effective July 1, 2018 for all users of the Farmington Hills Sewage Disposal System and the Great Lakes Water Authority (GLWA) gross Pollutant Surcharge and the IWC charges be established in accordance with the following until further notification from GLWA on the net charges:

1. **Pollutant Surcharge**

A Pollutant Surcharge shall be levied against industrial and commercial customers contributing sewage to the system with concentrations of pollutants exceeding the levels described as follows:

- A. 275 milligrams per liter (mg/l) of Biochemical Oxygen Demand (BOD).
- B. 350 milligrams per liter (mg/l) of Total Suspended Solids (TSS).
- C. 12 milligrams per liter (mg/l) of Phosphorus (P).
- D. 100 milligrams per liter (mg/l) of Fats, Oils & Grease (FOG).

<u>Amounts of Pollutant Surcharge</u>	<u>Total Charge Per Pound of Excess Pollutants</u>
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Biochemical Oxygen Demand (BOD)	\$0.483
Total Suspended Solids (TSS)	0.490
Phosphorus (P)	7.228
Fats, Oils & Grease (FOG)	0.465

It is assumed that normal domestic customers do not contribute sewage with concentrations of pollutants exceeding the above levels, therefore, the Pollutant Surcharge will not apply to domestic customers. Further, restaurants shall be exempt from Pollutant Surcharge per Federal Court Order, "Second Interim Order," dated July 10, 1981.

2. **Industrial Waste Control**

Based on the size of the water meter, actual or assigned, each non-residential user of the system shall pay a monthly Non-residential Surcharge in accordance with the following schedule:

<u>Meter Size</u>	<u>Industrial Waste Control (I.W.C.) Charge</u>
5/8"	\$3.55
3/4"	5.34
1"	8.89
1-1/2"	19.56
2"	28.44
3"	51.55
4"	71.10
6"	106.64
8"	177.74
10"	248.84
12"	284.38
14"	355.48
16"	426.58
18"	497.67

YEAS: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
NAYS: NONE

RESOLUTION DECLARED ADOPTED.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF THE TERMINATION OF EASEMENT AND NEW EASEMENT OF A NON-MOTORIZED ACCESS PATH LOCATED AT 28500 OAKCREST DRIVE (FORMER FAIRVIEW SCHOOL PROPERTY). CMR 6-18-55

Director Mondora explained that the City received a request from Farmington Public Schools to vacate a non-motorized access path easement on the property in question to accommodate the sale of the property. A new easement has been dedicated to the City to preserve the non-motorized access through the property.

MOTION by Rich, support by Lerner, that the City Council of Farmington Hills hereby approves and accepts the attached termination of easement and new easement for a 10-foot wide non-motorized access path; and authorizes the City Manager to sign the termination of easement.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF A RESOLUTION FOR A CHARTER AMENDMENT PROPOSAL TO ADD SECTION 7.02F AND AMEND SECTION 9.05 TO TRANSITION THE CITY FROM SPECIAL ASSESSMENTS INTO A LOCAL ROAD IMPROVEMENT MILLAGE AS THE PRIMARY METHOD FUNDING LOCAL ROAD INFRASTRUCTURE

Attorney Joppich stated that the materials provided this evening are similar to those provided at the last study session. Council has been discussing this issue for quite some time and most recently discussed transitioning from the special assessment district process to a local road improvement millage. He explained that the proposed Charter Amendment would allow the city to transition to a local road improvement millage as the new method for funding local road improvements going forward. The millage language includes a millage at 2.75 mills with the levy of the millage to start in 2019. The proposed Charter Amendment would also eliminate the cap on funding allowed by the City and authorize the use of millage funds to pay off existing special assessment districts and refund money to those who have pre-paid their special assessment district.

Attorney Joppich explained that if this language is approved by City Council this evening, it will be sent to the Attorney General's Office by the City Clerk and if approved by the Attorney General and Governor, it will appear on the November 6, 2018 ballot.

Tom DeWard, Glover Ct., stated that City Council had the benefit of the material at the study session that was confidential and the residents have no idea what is being proposed as there have been no details mentioned. He questioned how the City came up with 2.75 mills and how roads were funded prior to 2014. He requested that action on this item is postponed until more detail is provided to residents.

The following resolution was adopted:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON HILLS

RESOLUTION FOR A CHARTER AMENDMENT PROPOSAL TO ADD SECTION 7.02f AND AMEND SECTION 9.05 TO TRANSITION THE CITY FROM SPECIAL ASSESSMENTS INTO A LOCAL ROAD IMPROVEMENT MILLAGE AS THE PRIMARY METHOD OF FUNDING LOCAL ROAD INFRASTRUCTURE

RESOLUTION NO. R-87-18

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held in the City Council Chambers on June 25, 2018, at 7:30 o'clock p.m., with those present and absent being:

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

ABSENT: NONE

the following preamble and resolution were offered by Councilperson Steckloff and supported by Councilperson Bridges:

WHEREAS, the current primary method and source of funding local road improvements in the City is through the establishment of special assessment districts ("SADs") under Sections 9.05 through 9.11 of the City Charter on a neighborhood-by-neighborhood basis, which Charter provisions include, among other things, the procedures for establishing local road

SADs, limitations on the amount of funding the City is allowed to pay toward local road SAD projects, and procedures for approving special assessment rolls and issuing refunds relative to local road improvement projects;

WHEREAS, the City Council has determined and desires to submit to the electors a proposal to transition to a new primary method and structure for funding local road improvements through establishing a specially designated tax rate increase throughout the City for local roads, eliminating the existing charter's percentage limits on City payments toward local road SADs, amending unexpired SAD rolls to reduce existing annual installment balances to zero (except default amounts) and reduce the total assessment amount applicable to the properties within such SADs, and providing refunds for properties that have paid-off the special assessment as of November 6, 2018;

WHEREAS, pursuant to Act No. 279 of the Public Acts of Michigan of 1909, the Home Rule Cities Act (HRCA), as amended, and pursuant to City Charter Sections 10.06 and 7.02.A., provisions of the City Charter may be amended for the above purpose by a Charter amendment proposal that has been approved by a majority vote of the electors of the City voting at a regular election or special election called for said purpose;

WHEREAS, a Charter amendment that includes an increase of the tax rate may be made for a specially designated purpose, providing that the specially designated purpose shall be included in a ballot question stating the nature of such purpose and the amount of ad valorem tax to be raised to fund such purpose; and

WHEREAS, pursuant to the HRCA, a City Charter amendment may be proposed by the City Council on three-fifths (3/5) vote of its seated members.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Farmington Hills as follows:

- 1) The following proposition shall be submitted to the electors of the City at the regular election to be held on November 6, 2018:

FARMINGTON HILLS CHARTER AMENDMENT PROPOSAL TO ADD SECTION 7.02f AND AMEND SECTION 9.05 TO TRANSITION THE CITY FROM SPECIAL ASSESSMENTS INTO A LOCAL ROAD IMPROVEMENT MILLAGE AS THE PRIMARY METHOD OF FUNDING LOCAL ROAD INFRASTRUCTURE

Shall the city charter be amended to authorize the annual levy of an additional special tax rate of up to 2.75 mills (\$2.75 per \$1,000 taxable value), starting with the July, 2019 levy and raising approximately \$9,272,000 in the first year, for improving, rehabilitating, repairing, and maintenance of local subdivision road infrastructure, and partly funding debt retirement and special assessment refunds, and eliminate limits on City payments toward local road special assessments, and amend unexpired special assessment rolls to zero-out unpaid balances and provide refunds for properties that have paid-off the special assessment as of November 6, 2018?

_____ Yes _____ No

- 2) Upon adoption by the electors of the Proposal set forth in Section 1 of this Resolution, a new Section 7.02f would be added to the City Charter and existing Section 9.05 of the City Charter would be amended to read as follows:

Section 7.02f. Special Tax Rate for Local Roads.

In addition to the Charter Tax Limit stated in Section 7.02 and the Special Tax Rates stated in Sections 7.02a, 7.02c, 7.02d and 7.02e, starting with the July 2019 levy, the City may levy an annual ad valorem tax not exceeding 0.275% (2.75 mills) of the state equalized value of all real and personal property subject to taxation in the City. The levy shall be used only for purposes of the improvement, rehabilitation, repair and maintenance of local subdivision road infrastructure, and any debt retirement and special assessment refunds resulting from Charter Section 9.05(b).

Section 9.05. - Special Assessment General Powers and Special Amendments to Rolls and Refunds.

(a) The Council shall have the power to determine the necessity of any local or public improvement, and to determine that the whole or any part of the expense shall be defrayed by special assessment upon the property specially benefited. Provided, that such expense shall, in each case, be substantially in accordance with and in proportion to such benefits derived by such property. Provided, further, that said improvement may be by petition of benefiting property owners or by resolution of the Council. All the costs of local water and sewer improvements shall be borne one hundred (100) percent by the benefiting property.

(b) In connection with implementing Section 7.02f of this Charter, if a local road special assessment district was established and confirmed by the City Council under this Charter and related City Ordinances prior to November 6, 2018, and if such special assessment district has an unexpired special assessment roll as of November 6, 2018, each such unexpired special assessment roll is hereby amended as follows: (i) with respect to properties on the assessment roll that are making annual installment payments and not in default, to reduce the balance owing as of November 6, 2018, on the assessment against each such property to zero; (ii) with respect to properties on the assessment roll that are required to make annual installment payments but in default on those payments, to reduce the balance owing as of November 6, 2018, on the assessment against each such property to the amount that is in default; (iii) with respect to all properties on the special assessment roll (including both properties with assessment balances owing as of November 6, 2018 and properties for which the full amount of the assessment has been paid prior to said date), to reduce the total original amount assessed against each such property on the special assessment roll by an amount equivalent to the annual installment payment amounts that would have been attributable to each such property for the period during which the special assessment roll would have remained unexpired after November 6, 2018; and (iv) to reflect an adjustment to the total special assessment amount for the local road project reflected in the roll in an amount equivalent to the total amount of the foregoing reductions and adjustments on said roll. Also, in addition to refunds allowed under Section 9.07 of this Charter, with respect to any properties within such local road special assessment districts for which the special assessment is unexpired but was paid in

full prior to November 6, 2018, the City shall issue refunds on or after November 1, 2019, to the then current owners of such properties in an amount equivalent to the annual installment principal payment amounts that would have been attributable to each such property for the period during which the special assessment roll would have remained unexpired after November 6, 2018. For purposes of this subsection, a local road special assessment roll is “unexpired” if the special assessment roll adopted and confirmed by resolution of the City Council for that local road special assessment district provides for a number of years during which annual installment payments are to be made and any such annual installment payment or payments were not yet due and owing for any property in the special assessment district prior to November 6, 2018.

- 3) In adopting this Resolution, City Council acknowledges having received and reviewed the attached legal memorandum from its Bond Counsel and will act in conformance with the recommendation therein regarding outstanding bonds that are secured by special assessments by using the proceeds of the first levy of the new proposed tax to refund the 2012 Special Assessment Bonds (Limited Tax General Obligation) referenced therein.
- 4) The City Clerk is hereby directed to post and publish the proposed City Charter amendment set forth in Section 2 of this Resolution in a newspaper of general circulation in the City in the manner prescribed by law, and to do all other things necessary to provide for the submission of the Proposal set forth in Section 1 of this Resolution to the electors at the regular election to be held on November 6, 2018.

AYES: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
NAYES: NONE
ABSENT: NONE
ABSTENTIONS: NONE

RESOLUTION DECLARED ADOPTED JUNE 25, 2018.

CONSENT AGENDA
RECOMMENDED ADOPTION OF A RESOLUTION REGARDING THE INTERLOCAL AGREEMENT WITH THE CHARTER TOWNSHIP OF WEST BLOOMFIELD FOR PLAN REVIEW AND INSPECTION SERVICES. CMR 6-18-56

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON HILLS

RESOLUTION REGARDING INTERLOCAL AGREEMENT BETWEEN THE CITY OF FARMINGTON HILLS AND THE CHARTER TOWNSHIP OF WEST BLOOMFIELD FOR PLAN REVIEW AND INSPECTION SERVICES

RESOLUTION NO. R-88-18

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held in the City Council Chambers on June 25, 2018, at 7:30 o'clock p.m., with those present and absent being:

PRESENT: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
ABSENT: NONE

The following preamble and resolution were offered by Councilperson Bruce and supported by Councilperson Knol:

WHEREAS, from time to time, the City experiences higher than average volumes of requests for plan reviews and building inspections that exceed the capacity of its on-staff inspectors, such as during the peak of the construction season, when the demand for an inspector with certain credentials is high, or when the City is in the process of filling a vacancy in a plan reviewer or inspector position; and

WHEREAS, the City Council desires to ensure that the Department of Planning and Community Development has the resources necessary to complete plan reviews and inspections in a timely manner at all times; and

WHEREAS, the City Council recognizes that, at any given time, the demand for plan reviews and inspections may be apportioned in a such a manner that some of the City's plan reviewers and inspectors may be available to assist another community in satisfying its need to expand plan review and inspection capacity; and

WHEREAS, the Michigan Constitution of 1963, Article 7, Sec. 28 and the Urban Cooperation Act of 1976, Act 7 of 1967 (Ex. Sess.), being MCL 124.501 et. seq., as amended, permit a political subdivision to exercise jointly with another political subdivision any power, privilege, or authority which such political subdivisions share in common and which each might exercise separately; and

WHEREAS, the City Council has identified entering an interlocal agreement, pursuant to the Michigan Constitution and the Urban Cooperation Act of 1976, to share plan review and inspection services with another community as an appropriate and desirable means of expanding the City's plan review and inspection capacity at minimal or no cost to the City while at the same time promoting regional cooperation; and

WHEREAS, the City has been approached by the Charter Township of West Bloomfield, which has expressed a desire to expand its capacity to provide plan review and inspection services; and

WHEREAS, the City Council has identified the Charter Township of West Bloomfield as a suitable partner with which to enter an interlocal agreement to share plan review and inspection services; and

WHEREAS, the City Council finds it is in the best interest of this community to enter the Interlocal Agreement between the City of Farmington Hills and the Charter Township of West Bloomfield for Plan Review and Inspection Services attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Farmington Hills hereby approves and authorizes the City Manager to enter the Interlocal Agreement between the City of Farmington Hills and the Charter Township of West Bloomfield for Plan Review and Inspection Services.

BE IT FURTHER RESOLVED, that a copy of this Resolution and the executed Interlocal Agreement between the City of Farmington Hills and the Charter Township of West Bloomfield be forwarded to the Charter Township of West Bloomfield.

AYES: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
NAYES: NONE
ABSENT: NONE
ABSTENTIONS: NONE

RESOLUTION DECLARED ADOPTED JUNE 25, 2018.

RECOMMENDED APPROVAL OF 2018 MEDICAL MARIHUANA OPERATION AND OVERSIGHT GRANT SUBRECIPIENT AGREEMENT WITH OAKLAND COUNTY. CMR 6-18-57

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby authorizes the City Manager to execute the 2018 Medical Marihuana Operation and Oversight Grant Subrecipient Agreement between the City of Farmington Hills and the Oakland County Sheriff's Office and any associated documents or agreements.

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 KITCHEN RENOVATIONS FOR FIRE STATIONS 1 & 2 TO PINNACLE CONTRACTING, INC. IN AN AMOUNT NOT TO EXCEED \$89,595. CMR 6-18-58

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order for kitchen renovations for Fire Stations 1 & 2 to Pinnacle Contracting, Inc. in an amount not to exceed \$89,595 (\$81,450 Base Bid + Contingency).

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL ANNUAL BID WAIVERS AND AWARDS FOR FISCAL YEAR 2018/2019. CMR 6-18-59

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby authorizes the City Manager to issue the following purchase orders for budgeted products and services for fiscal year 2018/2019:

VENDOR	COMMODITY	DEPT.	JUSTIFICATION	LAST BID CONTRACT	EST. ANNUAL AMOUNT
Answer Technology (Avaya Business Partner)	Avaya phone maintenance and support	All	O.E.M. vendor	2015	\$22,000
Access Interactive	Virtual Desktop Infrastructure Equipment, Maintenance & Support	All	Oakland County G2G Bid Contract	Current	\$150,000
BS&A	Equalizer, Tax, Permits, Cash receiving software maintenance/updates	DPCD, Finance	Sole Source O.E.M. vendor/ Original bid	N/A	26,500
ESRI	GIS licensing/ maintenance and support	All	State of MI contract	Current	\$18,000
Eden Systems/Tyler Technologies	Financial software maintenance/updates	All	Sole Source O.E.M. vendor/ Original bid	N/A	\$92,000
Fortinet/ Fortigate & Malwarebytes authorized resellers	Cybersecurity & Web filtering	IT	National IPA, NJPA & State of MI/REMC/NASPO contracts (or less)	N/A	\$20,000
FutureNet (authorized Laserfiche reseller)	LaserFiche & Related Software Licenses maintenance of Document Management systems.	All	O.E.M. vendor	2016	\$50,000
Goodyear Tire	Tires	DPW	State Bid Contract	Current	\$50,000
Grainger	Mechanical, Industrial and Janitorial Supplies	All	State of MI contract	Current	\$50,000
Harrell's & Simplot Partners	Fertilizer & Grounds Maintenance supplies	Parks & Golf	National IPA Contract(Cooperative)	Current	\$10,000
Hart Intercivic	Election supplies & equipment	City Clerk	State & County Bid Contract	Contract	\$35,000
Hewlett Packard authorized resellers	Software licenses, Computer Equipment/Printers and peripherals	All	National IPA, State of MI/REMC/NASPO (or less) Cooperative contracts	Current	\$125,000
Home Depot	Maintenance & Hardware Supplies	All	US Communities National Contract	Current	\$30,000
Kiesler Police Supply/Michigan Police Equipment & Vance Outdoors	Training & Duty Ammunition	Police	State of Michigan Contracts	Current	\$25,000
Kone Elevators	Elevator Maintenance & Repair	All	U S Communities Contract	Current	\$12,000
Microfocus/Novell	Micro Focus/Novell Software licensing/ Maintenance/Support	IT	O.E.M vendor -Sole Source	Current	\$50,000
Microsoft authorized resellers	Microsoft Software Licensing/ Maintenance & Support	All	National IPA, State of MI/REMC/NASPO contracts (or less)	Current	\$90,000

VENDOR	COMMODITY	DEPT.	JUSTIFICATION	LAST BID CONTRACT	EST. ANNUAL AMOUNT
Oakland County	CLEMIS radio, electronic, radar, IT services & Police equipment installs	Police Fire	CLEMIS system services including installations	Current Agreement	\$200,000
Printing Systems	Election Supplies & Ballots	City Clerk	Oakland County Contract	Current	\$20,000
TAPCO, Inc.	Sign Shop Supplies	DPW	US Communities Contract	Current	\$20,000
Vermont Systems	Recreation software maintenance/updates	Special Services	Sole Source O.E.M. vendor/ Original bid	N/A	\$25,000
VMware authorized resellers	Network Virtualization software maintenance/updates	IT	National IPA, State of MI/REMC/NASPO contracts (or less)	Current	\$20,000
Watch Guard	In-Car Camera System	Police	Clemis/Oakland County	Current	\$35,000

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 JUNE 11, 2018.

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby approves the study session meeting minutes of June 11, 2018 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 JUNE 11, 2018.

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby approves the regular meeting minutes of June 11, 2018 as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0.

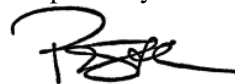
ADDITIONS TO AGENDA

There were no additions to the agenda.

ADJOURNMENT

Mayor Massey adjourned the regular City Council meeting at 10:58pm.

Respectfully submitted,



Pamela B. Smith, City Clerk