

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL MEETING
CITY HALL – COUNCIL CHAMBER
OCTOBER 24, 2022 – 7:30 PM

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

Council Members Present: Barnett, Boleware, Bridges, Bruce, Knol, Massey, and Newlin

Council Members Absent: None

Others Present: City Manager Mekjian, City Clerk Smith, Assistant City Manager Valentine, Directors Brockway, Kettler-Schmult, Mondora, Monico and Skrobola, Police Chief King and City Attorney Saarela

PLEDGE OF ALLEGIANCE

Mayor Barnett led the pledge of allegiance.

APPROVAL OF REGULAR SESSION MEETING AGENDA

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

MOTION CARRIED 7-0.

PROCLAMATION RECOGNIZING NOVEMBER 2022 AS LUNG CANCER AWARENESS MONTH

The following Proclamation was read by Councilmember Newlin and accepted by Bryan and Debbie Pickworth:

**PROCLAMATION
Lung Cancer Awareness Month
November 2022**

WHEREAS, the American Cancer Society estimates that there will be 236,740 new cases of lung cancer in 2022, and that 1 in 15 men and 1 in 17 women will be diagnosed with lung cancer in their lifetime; and

WHEREAS, lung cancer is the second most common form of cancer in both men and women (not counting skin cancer) and every year more people die of lung cancer than of colon, breast, and prostate cancers combined; and

WHEREAS, smoking is associated with about 80% of lung cancer deaths nationwide, but fortunately the number of new lung cancer cases and deaths continue to decrease due to smoking cessation and advances in screening, early detection, and treatment; and

WHEREAS, people who have never smoked account for 20% of deaths from lung cancer, which can be caused by exposure to radon, secondhand smoke, air pollution, or a family history of lung cancer, and can also develop in people with no known risk factors for the disease; and

WHEREAS, according to a multi-year study by the National Institute for Occupational Safety and Health, firefighters have a higher risk of lung cancer than the general population due to occupational exposure, and therefore the Farmington Hills Fire Department stresses the importance of using approved respiratory protection during all phases of firefighting; and

WHEREAS, educating people at risk for lung cancer and increasing awareness among healthcare providers about the importance of annual lung cancer screenings is vital to reducing the impact of this devastating disease.

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 November 2022 as **Lung Cancer Awareness Month** in the City of Farmington Hills, and urge all citizens to learn about risk factors, talk to their physicians about early screening, and if diagnosed, become aware of ways to improve their chances for survival.

PROCLAMATION RECOGNIZING NOVEMBER 1, 2022 AS EXTRA MILE DAY

The following Proclamation was read by Councilmember Bruce:

**PROCLAMATION
Extra Mile Day
November 1, 2022**

WHEREAS, Farmington Hills is a city which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, the City of Farmington Hills encourages its citizens to maximize their personal contributions to society by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Farmington Hills chooses to shine a light on and celebrate individuals and organizations who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

WHEREAS, the City of Farmington Hills acknowledges the mission of Extra Mile America to create more than 550 Extra Mile cities in our country and is proud to support “Extra Mile Day” on November 1, 2022.

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 November 1, 2022 to be **Extra Mile Day** and urge all members of the community to not only “go the extra mile” in their own lives, but also to acknowledge those individuals who are inspirational in their efforts and commitment to make their organizations, families, communities, country or world a better place.

RETIREMENT OF POLICE CANINE DOZER

Chief King introduced retired Police Canine Dozer and his handler Officer Ryan Yudt and spoke to their success with the Department. Officer Yudt thanked Council for their support of the Department and in particular the canine unit.

SELECTION OF MAYOR PRO-TEM

MOTION by Knol, support by Massey, that the City Council of Farmington Hills hereby selects Randy Bruce as Mayor Pro-Tem.

MOTION CARRIED 7-0.

CORRESPONDENCE

There was no correspondence acknowledged.

CONSENT AGENDA

MOTION by Massey, support by Bruce, to approve consent agenda items #9-12, 14 and 15, as read.

Roll Call Vote:

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

MOTION CARRIED 7-0.

MOTION by Bruce, support by Boleware, to approve consent agenda item 13 as read.

Roll Call Vote:

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

MOTION CARRIED 4-3.

PUBLIC QUESTIONS AND COMMENTS:

Dixon Tyson, resident, stated that he had been before Council previously about his water bill and just received his new bill that increased and he is on a well.

City Manager Mekjian explained how water usage is determined and that this is the current policy of the city and many other communities but that is certainly something that Council can review.

Mayor Barnett suggested a study session meeting with the Water Resource Commission on the issue of minimum billing. Other Council members concurred that there should be a more equitable formula for residents on wells and this was worth reviewing.

It was suggested that the Charmaine Kettler-Schultz, Director of Planning and Community Development, speak with Mr. Tyson to determine if he would qualify for any assistance programs in the meantime.

Edwin Green, resident, spoke of downed power lines and a fire in the city and expressed concern with the lack of response by public safety. Mayor Barnett suggested that Police Chief King who was present could speak with Mr. Green to get more details on his complaint.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

Council made the following comments or acknowledged the following events:

- Reminders for the November 8, 2022 Election
- Congratulations to The HAWK and staff for their presentation on The HAWK project at the National League of Cities
- Recognition of the Hindu community celebration Diwali
- Maxwell Training Center is providing mentorship for homework assistance for youth grades 1-12
- CARES Trunk or Treat event
- Condolences to Norene Yuskowatz for her son's passing
- CARES kick-off dinner to help feed the needy
- Police Department ceremony for the hiring of 8 new Police Officers
- Passing of Vincent Gregory and condolences to his family

CITY MANAGER UPDATE

City Manager Mekjian made the following comments:

- Oakland County Community Deer Coalition deer survey is still underway and there is a link to the survey on the city's home page of the city website
- Election information can also be found on from the home page of the city's website
- City Hall will be open for election-related business only on November 7th and 8th
- Annual Beautification Awards Ceremony will be held October 27th at the Costick Activities Center
- Acknowledged The HAWK project was up for the Community Excellence Award at the MML Fall Convention and he thanked staff for their presentation and representation of the facility at this convention

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF REVISED PLANNED UNIT DEVELOPMENT PLAN 3, 2021 LOCATED AT 32680 NORTHWESTERN HIGHWAY.

Charmaine Kettler-Schmult, Director of Planning and Community Development, provided an overview of the proposed revised PUD plan and noted that the Planning Commission held their public hearing on this plan and unanimously recommended approval to City Council.

Councilmember Bruce disclosed that when he was not sitting on Council he had met with Mr. Asmar as an adviser for no monetary exchange and also spoke at the Planning Commission meeting as a resident on behalf of the project. He added that he spoke with the City Attorney to make sure there was no conflict of interest with him voting on this issue this evening and the City Attorney indicated that because there was not monetary consideration and he was a private citizen at the time of the consultation, there was no conflict of interest.

Councilmember Bridges stated that he felt Dr. Bruce should recuse himself from voting on this project.

Beth Saarela, City Attorney, spoke to the standards of a conflict of interest that included monetary exchange and it had been confirmed there was no monetary exchange

Jim Butler, representing NWH Holdings, LLC, and project architect provided an overview of the revised PUD plan that included a 4-story 217 unit luxury apartment building 55 feet in height with 365 parking spaces. He noted that 264 spaces would be under the building. The design of the project was an interpretation of what is happening along Northwestern Highway and will have common courtyards, high-intensity roofing and they feel will be the “greenest” building in the community. They are also providing for electric vehicle (EV) parking and additional spots for future EV parking if needed. The amenities were discussed that included walking/biking areas.

Deviations from the ordinance requirements included:

- Height of the building is proposed at 55 feet where 50 feet is the maximum height permitted
- East side setback requirement – 54.47 feet is proposed where 75 feet is the minimum required
- Density of the project – a density of 543 rooms is proposed where 230 rooms is the maximum density permitted
- Parking requirements – 365 spaces proposed where 436 spaces would be required

Council asked questions of the developer and architect with regard to the height, square footage of the units and units per acre and how this project compares to The Emerson project across the street. In the discussions, the following concerns were mentioned:

- The request is for development of apartments and owner-occupied condominiums would be preferred
- Lack of parking spaces and the desire to add additional parking by decreasing the density of the project rather than eliminating green space/landscape
- The height of the building dwarfing what is seen going north on Northwestern Highway
- The project having a negative impact on condominiums and schools in the area

It was noted that additional parking could be provided; however, the developer took direction from the Planning Commission to instead increase landscaping. Mr. Butler added that reducing the number of rooms would not work economically for the project and with the market he believes they could only reduce the number of units to 210.

Council also mentioned that the developer has been before the Planning Commission several times where the Commission required many concessions to the original plan and all of the changes were based on feedback from the Planning Commission. It was pointed out the developer could increase parking and reduce landscaping on the site and there would still be sufficient landscaping for the project.

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

MOTION by Massey, support by Boleware, that the application for approval of revised PUD Plan 3, 2021, dated July 18, 2022, is denied because it does not meet all provisions set forth in Section 34-3.20 of the Zoning Ordinance and the proposed development will adversely affect the public health, welfare, and safety for the following reasons:

- It is not in the best interest of the City
- The close proximity to the owner-occupied units to the east based on the setback deviation that would impact those condominiums
- The density of the project
- Preference for owner-occupied condominiums

MOTION by Bridges, support by Knol, that the City Council of Farmington Hills hereby tables the Revised Planned Unit Development Plan 3, 2021 located at 32680 Northwestern Highway.

Mayor Barnett clarified that a motion to table takes precedent and is not debatable.

MOTION CARRIED 4-3 (Barnett, Bruce and Massey opposed)

It was suggested to the developer that they consider the following revisions to their plan to bring back to City Council for consideration:

- Step down the eastern portion of the development to 3-stories that would reduce density and there would be no need to include more parking
- Include owner-occupied condominiums in the development

The architect expressed concern over the process and time they have already spent revising their plan based on feedback from the Planning Commission.

Mayor Barnett explained the PUD approval process and suggested the developer and architect communicate with the Director of Planning and Community Development on their next steps.

PUBLIC HEARING AND CONSIDERATION OF ADOPTION OF A RESOLUTION TO ESTABLISH A COMMERCIAL REHABILITATION DISTRICT FOR ALDEN DEVELOPMENT GROUP, LLC (THE EMERSON LOFTS COMMERCIAL REHABILITATION DISTRICT NO. 1). CMR 10-22-100

Mayor Barnett explained that the request before City Council is from Alden Development Group, LLC to establish a Commercial Rehabilitation District. A public hearing is required and the hearing will be opened this evening and comments will be taken for the next 10 days and persons not present tonight can send comments to the city. The resolution to establish the district will come back to City Council for consideration.

Cristia Brockway, Director of Economic Development, provide an overview of the proposed project, location and current conditions and community benefits.

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

NEW BUSINESS

CONSIDERATION OF APPROVAL OF AMENDING THE SITE PLAN APPROVAL REQUIREMENT THAT PREVENTS LEFT TURNS FROM ARBORETUM DRIVE APPROACH (27500 DRAKE ROAD) TO SOUTHBOUND DRAKE ROAD, AND RESCINDING TRAFFIC CONTROL ORDER TM-55-1989 THAT PROHIBITS LEFT TURNS FROM THE ARBORETUM DRIVE APPROACH TO SOUTHBOUND DRAKE ROAD. CMR 10-22-101

Mark Saksewski, City Senior Traffic Engineer, explained that the Drake Road drive approach of the Arboretum property in question is located on the east side of Drake Road south of 12 Mile Road and dates back to the Arboretum site plan approval process in 1988. At that time, the residents along the Drake Road corridor between 11 Mile and 12 Mile Roads petitioned to have the Drake Road approach removed. Based on concerns of residents, an evaluation of on-site operations was conducted by a professional traffic engineering and it was determined that the Drake Road approach was necessary for reasonable access to the site as the 12 Mile drive near White Plains was not sufficient to handle the capacity. As a

compromise, the city approved a Traffic Control Order to prohibit left turns from the Drake Road approach to southbound Drake Road and required that the approach was constructed so as to eliminate left turns at that location. There is now a request from the Arboretum for the city to remove this turn restriction. He noted several changes in the area that have improved traffic flow and encouraged use of the 12 Mile approach since this restriction was established. It is the city's expectation that removing this restriction will not have a significant impact on Drake Road and it is recommended that the restriction is rescinded conditioned upon the Drake Road approach being reconstructed to allow for left turns.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby approves the amendment of site plan approval requirements for the Arboretum property located at 27500 Drake by removing the left turn restriction for egress from the Drake Road drive approach to southbound Drake Road, conditional on the existing access point being reconstructed to accommodate left turns by the owner per City of Farmington Hills Engineering Standards; and

IT IS FURTHER RESOLVED, that the City Council approves rescinding Traffic Control Order TM-55-1989 that prohibits left turns from the Arboretum drive approach to southbound Drake Road.

MOTION CARRIED 7-0.

CONSENT AGENDA

ACKNOWLEDGEMENT OF FIRST AND FOURTH QUARTER FINANCIAL SUMMARY REPORTS AND QUARTERLY INVESTMENT REPORT.

MOTION by Massey, support by Bruce, that the City Council of Farmington Hills hereby acknowledges first and fourth quarter financial summary reports and quarterly investment report.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE 2022 AS-NEEDED CONSTRUCTION SERVICES TO VARIOUS QUALIFIED CONTRACTORS FOR A PERIOD OF ONE YEAR; WITH EXTENSIONS. CMR 10-22-102

MOTION by Massey, support by Bruce, that the City Council of Farmington Hills hereby authorizes the City Manager and the City Clerk to approve the list of qualified construction companies to provide As-Needed Construction Services for a period of one year with one or more administration-approved extension not to exceed a total of four (4) additional one-year extensions under the same terms and conditions upon mutual consent by the City and vendor; and

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

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF PURCHASE OF POLICE VEHICLE WITH SIGNATURE FORD IN THE AMOUNT OF \$31,616. CMR 10-22-103

MOTION by Massey, support by Bruce, that the City Council of Farmington Hills hereby authorizes the City Manager to issue purchase order to Signature Ford for one (1) Ford Escape in the amount of \$31,616.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF CITY COUNCIL SPECIAL MEETING MINUTES OF OCTOBER 3, 2022.

MOTION by Massey, support by Bruce, that the City Council of Farmington Hills hereby approves the special meeting minutes of October 3, 2022.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF CITY COUNCIL SPECIAL MEETING MINUTES OF OCTOBER 4, 2022.

MOTION by Bruce, support by Boleware, that the City Council of Farmington Hills hereby approves the special meeting minutes of October 4, 2022.

Roll Call Vote:

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

MOTION CARRIED 4-0-0-3.

RECOMMENDED APPROVAL OF CITY COUNCIL STUDY SESSION MEETING MINUTES OF OCTOBER 10, 2022.

MOTION by Massey, support by Bruce, that the City Council of Farmington Hills hereby approves the study session meeting minutes of October 10, 2022.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF CITY COUNCIL REGULAR SESSION MEETING MINUTES OF OCTOBER 10, 2022.

MOTION by Massey, support by Bruce, that the City Council of Farmington Hills hereby approves the regular session meeting minutes of October 10, 2022.

Roll Call Vote:

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

MOTION CARRIED 7-0.

ADDITIONS TO AGENDA

There were no additions to the agenda.

ADJOURNMENT

MOTION by Bridges, support by Bruce, to adjourn the regular session City Council meeting at 10:02pm.

MOTION CARRIED 7-0.

Respectfully submitted,



Pamela B. Smith, City Clerk