# MINUTES CITY COUNCIL MEETING CITY OF FARMINGTON HILLS JANUARY 25, 2016 – 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, Directors Gajda and Mekjian,

Police Chief Nebus and City Attorney Joppich

### PLEDGE OF ALLEGIANCE

The Police Officer and Firefighter of the Year led the pledge of allegiance.

### APPROVAL OF AGENDA

MOTION by Steckloff, support by Bridges, to amend the agenda to add a proclamation recognizing the February 1-6, 2016 as Sudden Cardiac Death of the Young Awareness Week.

MOTION CARRIED 7-0.

MOTION by Bridges, support by Steckloff, to approve the agenda as amended.

MOTION CARRIED 7-0.

### RECOGNITION OF OUTSTANDING EMPLOYEES FOR 2015 AND THE POLICE OFFICER AND FIREFIGHTER OF THE YEAR

Mayor and Council recognized the 2015 Employee of the Year Mark Stec, Police Officer of the Year Richard Wehby and Firefighter of the Year Jason Baloga.

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

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

CEES Tip of the Month January 25, 2016 Read by Randy Bruce

One year down, one to go! We've entered into the second year of the Greater Farmington Area Energy Prize, but of the 52 communities competing for the \$5 Million grant, we find ourselves in the bottom third.

If we're going to have a chance at this by the end of 2016, we need to move up in the ranks. 2016 is a new year and we need to put up a united front against energy waste. As a community, we're going to save more energy and give this competition all we've got. Most of you have probably made New Year's Resolutions. Well, we would like you to make one more: An energy resolution.

Pledge your actions to the community. Turn off lights! Track your usage! Insulate your home! Every action you make to save energy gets the community one step closer to the prize. If we're going to win it, we have to do it together.

Go to the GFAENERGYPRIZE Facebook page to share your energy saving resolution now.

For more information, go to www.gfaenergyprize.com.

### PROCLAMATION RECOGNIZING FEBRUARY 1-6, 2016 AS "SUDDEN CARDIAC DEATH OF THE YOUNG AWARENESS WEEK"

Mayor Pro-Tem Knol read a Proclamation of Governor Snyder recognizing February 1-6, 2016 as Sudden Cardiac Death of the Youth Awareness Week.

#### **CORRESPONDENCE**

The Mayor acknowledged correspondence received regarding the I-275 project, which is being discussed later in the meeting.

#### CONSENT AGENDA

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

#### Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

Representative Christine Greig mentioned that she is hosting a water quality town hall meeting February 6, 2016 at Oakland Community College and representatives from the Oakland County Water Resource Commission will be present.

### PUBLIC QUESTIONS AND COMMENTS

There were no public questions or comments.

### COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following Council Comments and Announcements were made:

• Mayor Massey mentioned that City Council held a Goals Session Saturday January 23, 2016

### **CITY MANAGER UPDATE**

City Manager Boyer provided mentioned the following:

- Farmington Hills was voted one of the safest cities in Michigan
- A Joint Meeting between the Farmington and Farmington Hills Councils and School Board will be held February 29, 2016 at 6pm at the Golf Course
- The City's Chili Golf Open is February 6, 2016

#### **NEW BUSINESS**

<u>CONSIDERATION OF APPROVAL OF APPOINTMENTS/REAPPOINTMENTS TO VARIOUS</u> BOARDS AND COMMISSIONS.

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

	Length of Term:	Term ending:
Michael Crew	3 years	February 1, 2019
Barbara Megerian	3 years	February 1, 2019

### **Brownfield Redevelopment Authority**

Length of Term:	Term ending:
1 year	February 1, 2017
3 years	February 1, 2019
3 year	February 1, 2019
2 years	February 1, 2018
3 years	February 1, 2019
2 years	February 1, 2018
	3 years 3 year 2 years 3 years

### **Commission for Energy and Environmental Sustainability**

	Length of Term:	Term ending:
Vincent Dow	3 years	February 1, 2019
Mark Zachos	2 years	February 1, 2018

### **Commission on Children, Youth & Families**

	Length of Term:	Term ending:
Dr. Anwar Mahmood	3 years	February 1, 2019
Sharon Snodgrass	3 years	February 1, 2019
Mitch Seeyle	3 years	February 1, 2019

### Committee to Increase Voter Participation

	Length of Term:	Term ending:
Gail Haynes	3 years	February 1, 2019
Rose Christoph	3 years	February 1, 2019

### **Corridor Improvement Authority**

	Length of Term:	i erm enaing:
Teresa Brazzle	3 years	February 1, 2019
Michael Gendjar	3 years	February 1, 2019

### **Economic Development Corporation**

	Length of Term:	rerm ending:
Norman Johnson	6 years	February 1, 2022

### **Emergency Preparedness Commission**

	Length of Term:	Term ending:
Steven Faine	3 years	February 1, 2019
Dan Wecker	3 years	February 1, 2019

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Tim Tutak 3 years February 1, 2019

**Farmington Area Arts Commission** 

Length of Term: Term ending:
Cindy Carleton 3 years February 1, 2019

**Farmington Area Commission on Aging** 

Length of Term: Term ending:
Carl Christoph 3 years February 1, 2019

**Farmington Hills Beautification Commission** 

Length of Term:	Term ending:
3 years	February 1, 2019
3 years	February 1, 2019
3 years	February 1, 2017
3 years	February 1, 2017
3 years	February 1, 2017
	3 years 3 years 3 years 3 years

**Historical Commission** 

Length of Term:Term ending:Pam Correll3 yearsFebruary 1, 2019John Willyard3 yearsFebruary 1, 2019

**Historic District Commission** 

	Length of Term:	Term ending:
David McCall Johnston	3 years	February 1, 2019
Ken Klemmer	3 years	February 1, 2019
Steve Olson	3 years	February 1, 2019

**Housing Rehabilitation Loan Board** 

Length of Term: Term ending:
Spencer Brown 2 years February 1, 2018
Dara Gaucher 1 year February 1, 2017

**Parks and Recreation Commission** 

	Length of Term:	Term ending:
Carl Christoph	3 years	February 1, 2019
William Miller III	3 years	February 1, 2019
Diane Zalapi	3 years	February 1, 2019

**Planning Commission** 

	Length of Term:	Term ending:
Glen Fleischhacker	3 years	February 1, 2019
Joseph Mantey	3 years	February 1, 2019
James (Duke) Orr	3 years	February 1, 2019

**Public Access Promotion Committee** 

Pauline Navoy

Length of Term:

3 years

Term ending:
February 1, 2019

**Single-Family Residential Review Board** 

Length of Term:Term ending:Michael McCoy3 yearsFebruary 1, 2019Joseph A. Schulist3 yearsFebruary 1, 2019

**Zoning Board of Appeals** 

Length of Term:Term ending:Azam Masood3 yearsFebruary 1, 2019Mitch Seelye3 yearsFebruary 1, 2019Chandra Paramesh3 years (alternate)February 1, 2019

**Emergency Preparedness Commission** 

Length of Term:Term ending:Keith Ciaramitaro3 yearsFebruary 1, 2019

**Farmington Area Commission on Aging** 

Length of Term: Term ending:
Ian Schulist 2 years February 1, 2018

**Emergency Preparedness Commission** 

Brad FashbaughLength of Term:Term ending:3 yearsFebruary 1, 2019

**Farmington Hills Historical Commission** 

Earl Baxtresser

Length of Term: Term ending:
February 1, 2019

**Commission on Children, Youth & Families** 

**Length of Term:** Term ending:
Josephine Hobson 3 years February 1, 2019

MOTION CARRIED 7-0.

## CONSIDERATION OF APPROVAL OF A VARIANCE FOR CONSTRUCTION ACTIVITY AND NOISE TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) FOR THE REPAIR OF I-275. CMR 1-16-08

Director of Public Services Gary Mekjian explained that the Michigan Department of Transportation (MDOT) will be rehabilitating I-275 within the City limits and in order to meet an aggressive project schedule, they are requesting permission to operate 24 hours/7 days a week throughout the duration of the project. He outlined the time-line for the project and proposed lane closures.

Mr. Mekjian mentioned that the project plan was presented to City Council at their study session meeting on January 11, 2016 and at that time Council requested that MDOT implement noise abatement practices during the project as well as consider long term noise abatement strategies to address long-standing issues the City has had with regard to highway noise along this corridor. MDOT has indicated that earthen berms within the City's area of concern is not feasible, but has committed to increasing the number of trees for the project and working with the City on locations of plantings.

Mayor Massey stated that at the study session meeting Council and several residents explained their 40-year issue with noise in this area; and he would like to hear the options proposed by MDOT.

Ishrat Jahan, Project Manager, stated that they evaluated the options for berms and additional landscaping and determined that berms were not feasible in that area, but are proposing additional tree plantings and will work with the city on those efforts.

Tom Hanf, MDOT Noise Abatement Specialist, explained that berms and plantings will provide for perceived noise abatement, but you will still hear the freeway. He added that abatement beyond that could not be included in the project as it is a federal highway funded project and does not qualify for noise abatement. He explained a State Program that once provided funding for noise abatement, but has been suspended since 2007 due to financial constraints. He added that, at this time, the federal government will not provide any funding for noise abatement and the State does not have a program or funding in place for noise abatement anywhere in the State.

Councilmember Bridges inquired about the impact of the proposed landscaping with regard to noise abatement.

Mr. Hanf responded that there would be minimal impact as far as decibel levels but the project itself will do more to reduce noise by having better pavement conditions.

Mr. Bridges stated that he would like to see the project done as quickly as possible but he has heard about this noise issue from residents for the past 8 years he has been on Council and it is hard for Council now to hear MDOT ask for a variance for noise when they have not responded to this issue.

Mr. Hanf stated that he understands there is a noise issue in this area and extent of problems it has caused, but the State has no program or funding to provide for noise abatement and any money received is going directly into road projects.

Councilmember Bruce inquired if MDOT had a rendering of the proposed landscaping showing the height and number of trees.

Ms. Jahan responded that MDOT is proposing to plant 4-foot evergreen trees every 20 feet. She commented that it would be difficult to plant larger trees due to the topography in the area.

William Erben, Construction Manager, commented that he has some flexibility with the plan and he has modified the schedule so that there is no pavement breaking between 7am and 11pm and they will take pre-construction and post-construction noise levels. He stated that they have made attempts to be friendlier to the local communities and may be able to further modify the plan. He is open to suggestions by Council.

Mayor Massey stated that he would like to receive Council comments first and then hear from the public who have requested to speak on this issue.

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Councilmember Bruce stated that he was glad to hear that the construction hours were modified for when pavement breaking would take place, but he is confused as Council was told at the study session that the contract could not be modified. He feels the proposed trees are more decorative in nature and would not address the noise issue.

Mayor Pro-Tem Knol stated that she understands that MDOT does not consider trees as noise abatement, but she feels they could help and that it would not be too costly to add more trees and plant them closer together to create a screening for the residents.

Councilmember Steckloff stated that it was her understanding that this project would cost an additional 40 percent if it were stretched out to 2 years and that it would be a 24/7 project regardless. She inquired if this project were extended, how that would affect the federal funding for the project.

Mr. Erben responded that in speaking to several contractors, he had inquired how much more it would cost if the project was extended to a 2-year project working predominantly during the day rather than a one year project in a compressed time frame and that is where the 40% figure came from. He feels it is not accurate to state that this would be a 24/7 project if it were extended to 2 years. He explained that some items would have to be done at night due to traffic restrictions but it would only be about 5% of the work.

Councilmember Lerner mentioned information provided to Council by a resident that indicated if a carpool parking lot was included as part of a project, a noise abatement wall could be included. He inquired why MDOT did not explore that option.

Mr. Hanf responded that it would have to have been included in the project when the project was first defined. If it had been included, the procedure would be for MDOT to conduct a noise analysis for potential abatement.

Councilmember Lerner commented that nobody has discussed the option of putting this off for a year to further explore options.

Mr. Hanf stated that this could jeopardize the federal funding for the project. Ms. Jahan added that if the funding is not used this year, there is a good chance they will lose the funding and there could be no funding for this corridor for the next 25-30 years.

Councilmember Lerner agreed with Dr. Bruce that the proposed trees appear to be more decorative and would not address the problem. Ms. Jahan stated that MDOT is willing to work with the City on the location and types of trees. He suggested working on a solution together and mentioned that he spoke to city staff to get an idea on costs for the number of trees that would help address the problem and they estimated \$250,000 to purchase approximately 300 trees and to construct berms.

Councilmember Rich stated that in the study session she felt there were short-term issues discussed such as the timing of pavement breaking, which Council is now hearing will be limited to the hours of 7am and 11pm; but she also heard about the need to mitigate light pollution at night and that has not yet been addressed.

Mr. Erben indicated that criteria exist for the lighting to shine inward and down.

Councilmember Rich mentioned the 40-year noise problem for residents along this corridor and she commented on the fact that it was stated at the study session that each option for construction included some type of 24-hour work. She stated that the proposed landscaping to help with the noise is an insult.

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Council asked MDOT to be creative and provide them with some options and she feels this represents a lack of responsiveness from MDOT. She stated that she has heard a lot about what they can't do because of policies, but questioned what MDOT can do for the City to address this problem.

Ms. Jahan stated that they are open to suggestions and will work with the city on the location, number and types of trees.

Mr. Erben inquired when the landscape suggestions of the city were submitted to MDOT and if MDOT has had a chance to evaluate that. Ms. Jahan noted they just received the landscape suggestions this past Friday.

Mayor Massey stated that if the suggestions were received by MDOT this past Friday he is not certain why they were received so late, but Council made it very clear at the study session meeting what they wanted.

Mayor Pro-Tem Knol stated that she appreciates the fact that MDOT is willing to work with the City on the height and number of trees to be planted. She clarified that the MDOT website indicates that they also partner with Meijer for park and rides and that they do use the Meijer at 8 Mile Road and I-275 for this purpose.

Councilmember Lerner suggested creating a fund for trees, landscaping and berms to be jointly managed by the City and MDOT in the amount of \$250,000 to purchase 300 9-10 foot trees plus landscaping. He questioned if this is feasible.

Mr. Erben stated that he could build anything that is in the plan. Ms. Jahan stated that she is not sure it could be part of this plan, but they could propose another plan for this purpose.

Mayor Massey opened the meeting to the members of the public who had requested to speak on this issue.

Patrick Beckley, Southfarm Lane, stated that he is part of a small I-275 ad hoc committee most of whom live in a subdivision of 369 homes and they would like Council to consider not granting this variance to MDOT. He has lived in Farmington Hills for 37 years and the roads have gone downhill due to the lack of funding from Lansing. He urged Council not to grant the variance.

Wayne Robinson, President of the Preserves of Meadowbrook Homeowners Association, questioned if it is standard practice for the City to review the specifications of the contract and documents that were bid upon. He commented that there were noise and light issues in the evenings with the previous I-275 construction project. He is concerned once the contract is awarded, the contract becomes the legal binding document and it is imperative that the Council and residents know what is contained in the documents. He added that the City should consider reviewing the document to verify if it references the federal highway construction noise handbook that identifies noise mitigation and barricades that can be used to contain light and debris. Mr. Robinson ended by saying that he does not feel the city has been provided with adequate information to grant the noise variance.

Bill Lawson, Blue Skies, Livonia, commented that nothing material changes with regard to noise reduction by granting MDOT a variance. He questioned where the noise requirement is within the project. He asked that city engineers move total noise reduction for I-275 forward by documenting where noise reduction is needed most by priority following the noise analysis, draft preliminary implementation requirements, conceptual designs and rough cost estimates. He encouraged making I-275 noise reduction a shovel ready project for the next time the federal government comes up with an economic stimulus

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program. He feels this can be done in stages as funds become available and asked Council to seek the best outcome for the community and deny or delay.

Dennis Beagen, Westchester Lane, mentioned the carpooling parking lots and questioned why that has not happened sooner. He noted that the program was started to conserve resources and outlined the goals of the carpool parking lot program and how it could address some of the residents' concerns. He stated that he feels the proposed project was rushed and not fully vetted to assure sufficient consideration of a secured carpool parking lot within this I-275 project. It is their hope that this information persuades Council to delay any vote on this project until a carpool parking lot is given full consideration.

Larry Shoup, Centerfarm, representing various families near I-275, commented on the type and number of trees that would be required to provide a noise reduction benefit, and stated that the residents feel there is no benefit to the landscaping as proposed. He mentioned landscaping programs available that are funded by the federal highway administration for beautification that have no height limitation on trees. He suggested re-purposing the concrete from this project to create a base in order to create a berm and more landscaping. Mr. Shoup requested that Council delay action on this matter until all options presented have been reviewed.

Robin Polletta, Silken Glen, stated that she is a resident that has been negatively affected by the sounds from I-275 and she requests that MDOT's request is denied or delayed for further study. She feels they have offered nothing in return to help reduce the noise once this road is rehabilitated. She stated that they can't wait any longer for the noise issue to be addressed and she feels this project has been rushed and the residents' requests for a permanent solution ignored. She stated that she heard at the Livonia Council meeting that an additional lane was put in some time ago and that would have qualified the project at that time for noise abatement. She urged Council to review the contract specifications as she feels the human aspects should be considered.

Michelle Power Hogg, Acadia Way, commented that there are a lot of young families in her neighborhood and she supports noise abatement in the area for the sake of the children being able to play outside without be scared by the noise and to sleep at night and for them to be able to keep their windows open at night in the summer.

Mayor Massey stated that he heard more ideas from the residents than he has from the professionals. He asked MDOT to explain the difference between the project Types. Mr. Hanf explained the various project Types.

Mayor Massey commented how MDOT is spending money to rehabilitate this road 15 years after it was already done but still has put no money towards noise abatement. He expressed concern that Council was just now hearing about the project when it had taken 8-10 months to plan.

Councilmember Rich commented that the last thing she would want is for residents to think that Council wants residents driving on broken roads, but from what she is hearing tonight she would be inclined to table the issue.

Councilmember Steckloff commented that as Council has been speaking and the residents, nobody from MDOT appeared to be taking any notes. She inquired if the addition of that lane mentioned by one resident would have qualified that project for noise abatement.

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Ms. Jahan stated that most of the residents have come to their public hearing meeting on November 10<sup>th</sup> at which time they took notes. She stated that they are unable to address the permanent noise issue with this project; however, they will conduct the noise analysis and if funding is available they will review the issue.

Mr. Hanf explained that anything done prior to 2011 was under a different set of rules and at that time the project did not meet requirements for noise abatement.

Councilmember Lerner also expressed concern about the timing of this issue coming to Council. He feels that Council could have addressed these concerns with MDOT a year ago when this was being planned. He believes the noise survey is a waste of time and money and suggested again working with the city to create a fund for additional landscaping as he previously outlined. He added that now is the time to address this noise problem and if they want his support, he is looking for cooperation from MDOT as outlined.

Councilmember Bridges stated that he stands by his previous comments and added that the current proposal will have no impact on the noise and he would like to see some additional steps taken to address the noise issue.

Councilmember Bruce stated that the proposal for additional landscaping by MDOT was insulting and he is disappointed. He concurred with Mr. Lerner's suggestion.

Mayor Pro-Tem Knol commented that I-275 is in horrible condition and not rehabilitating the road is not going to help the situation. The project may reduce noise some with the new pavement but not to the extent wanted by the City or the residents. She realizes that they will not get a noise wall due to federal regulations, so the only option is trees and berms. She stated that she would vote in favor of the project if it included more trees as outlined by Mr. Lerner. She feels this is a very small compromise for MDOT and she would not want to see the project extended over 2 or 3 years.

Ms. Jahan stated that with regard to the contract documents, the project was advertised on Friday and that bid opening is open to the public and all documents are public information.

City Manager Boyer questioned where the batch plant is proposed to be located.

Mr. Erben stated that this is still to be determined. They have prohibited its location in the southeast quadrant of the 8 Mile Road interchange and they are open to suggestions or other areas that would be off limits.

Mike Budai, MDOT Transportation Operations Engineer, stated that he was taking notes during the meeting and commented that representatives of all of the communities were invited to attend all of the meetings, view the plans and comment. He added that he had a meeting with DPW and discussed an appropriate time to bring the issue to Council. At that time, Livonia had almost an entirely new Council that was elected so they decided to hold off until they were all seated so that they could address this with all communities simultaneously.

Mr. Budai added that there also was another carpool parking lot on I-275 and it was removed due to the lack of use and partnering options with Meijer.

Mayor Massey commented that residents have come to every Mayor and Council for years asking them to write letters and address this issue, which the City has done with no response or help from MDOT. He stated that they want the project done as the road is awful, but they need MDOT to address this concern.

He feels Mr. Lerner's suggestion is minimal compared to the overall project costs. He added that the situation is unacceptable and they need the State government to step up.

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby TABLES consideration of approval of a variance for construction activity and noise to the Michigan Department of Transportation (MDOT) for the repair of I-275 to the regular Council meeting of February 8, 2016.

MOTION CARRIED 7-0.

### **CONSENT AGENDA**

### ACKNOWLEDGEMENT OF QUARTERLY INVESTMENT AND SECOND QUARTER FINANCIAL SUMMARY REPORTS.

MOTION by Lerner, support by Bruce, that the City Council of Farmington Hills hereby acknowledges the quarterly investment and second quarter financial summary reports.

#### 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 JANUARY 11, 2016.

MOTION by Lerner, support by Bruce, that the City Council of Farmington Hills hereby approves the study session meeting minutes of January 11, 2016 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 JANUARY 11, 2016.

MOTION by Lerner, support by Bruce, that the City Council of Farmington Hills hereby approves the regular meeting minutes of January 11, 2016 as submitted.

#### Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

TOPICS FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING

Mayor Massey mentioned potential topics for the next regular City Council meeting of February 8, 2016.

### **ADJOURNMENT**

Mayor Massey adjourned the City Council meeting at 9:50p.m.

Respectfully submitted,

Pamela B. Smith, City Clerk