

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
SEPTEMBER 28, 2015 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

The regular meeting of the Farmington Hills City Council was called to order by Mayor Brickner at 7:30 p.m.

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

Council Members Absent: None

Others Present: Acting City Manager Boyer, City Clerk Smith, Assistant to the City Manager Geinzer, Directors Gardiner, Mekjian and Schnackel, Police Chief Nebus, City Attorney Joppich and Planning Consultant Arroyo.

PLEDGE OF ALLEGIANCE

Paul Lacasse, President and CEO of Beaumont Health, led the pledge of allegiance.

APPROVAL OF AGENDA

MOTION by Lerner, support by Bruce, to approve agenda as presented.

MOTION CARRIED 7-0.

PROCLAMATION RECOGNIZING OCTOBER 4-10, 2015 AS FIRE PREVENTION WEEK

The following proclamation was read by Councilmember Knol and accepted by Fire Marshal Olszewski and Inspector Stan Barnes:

**PROCLAMATION
Fire Prevention Week
October 4 – 10, 2015
“Hear the Beep Where You Sleep: Every Bedroom
Needs a Working Smoke Alarm”**

WHEREAS, the Farmington Hills Fire Department is committed to ensuring the safety and security of all those living in and visiting our City; and

WHEREAS, nearly 3,000 people die as a result of home fires each year, with \$6.9 billion in direct damage and over 13,000 civilian injuries; and

WHEREAS, a recent questionnaire from the National Fire Protection Association (NFPA) showed that less than half (only 42 percent) of respondents did not know that a smoke alarm should be installed in each bedroom of the home; and

WHEREAS, Farmington Hills Fire Fighter/Paramedics are dedicated to reducing the occurrence of home fires and home fire deaths and injuries through prevention and proper education; and

WHEREAS, the Fire Department joins with the NFPA in promoting the Fire Prevention Week 2015 theme, “Hear the Beep Where You Sleep: Every Bedroom Needs a Working Smoke Alarm,” which focuses on the National Fire Alarm Code® that

requires a smoke alarm in every bedroom, outside each sleeping area, and on every level of the home.

Fire Marshal Olszewski thanked the Mayor and Council for their support. He introduced Firefighter/Inspector Stan Barnes and both spoke of the importance of fire safety and education and having working smoke alarms in the homes.

EMERGENCY PREPAREDNESS COMMISSION “TIP OF THE MONTH”

The following Tip of the Month was read by Mayor Pro Tem Massey:

EMERGENCY PREPAREDNESS COMMISSION

Tip of the Month

September 2015

The common thread in national events such as 9/11, Katrina, or those more local, such as the flooding situation in August 2014, Dundee tornado in 2010, or the power outage in August 2003 is that there are certain steps we must take to protect our families for the known and unknown threats that may confront us. These, and similar events, resulted in the U.S. Department of Homeland Security organizing an awareness campaign that includes designating the month of September as National Preparedness Month. Americans nationwide are encouraged to take simple steps to prepare for emergencies in their homes, businesses and schools. Families, neighborhoods and local communities can improve their safety by working together with emergency managers, law enforcement, and local school administration staff. We all have a responsibility to be ready.

Join your fellow citizens as individuals this month as they prepare themselves and their families for emergencies by taking simple steps such as organizing an emergency supply kit, making a personal preparedness plan, becoming informed about different threats, and getting involved in preparing their community. These activities create a culture of preparedness and can help save lives. The Emergency Preparedness Commission exists to assist you gaining the information and skills to be prepared.

The Farmington Hills/Farmington Emergency Preparedness Commission meets on the first Monday of every month at 5:15pm at Farmington Hills City Hall. The public is welcome to attend the meetings and join in the group's emergency preparedness events. For more information, visit the EPC website at www.fhready.org.

COMMISSION FOR ENERGY AND ENVIRONMENTAL SUSTAINABILITY “TIP OF THE MONTH”:

Commission for Energy and Environmental Sustainability

Tip of the Month

September 28, 2015

Read by Randy Bruce

With fall and winter quickly approaching, make your home more comfortable by signing up today for a Home Energy Analysis with Consumers Energy.

A certified energy professional will show you how you can save energy and money in your home this season. Your Consumers Energy Home Energy Analysis will include:

- An initial evaluation of your home's essential systems and current energy use

- FREE installation of energy-saving products worth up to \$50 that can deliver up to \$150 in first-year savings
- A customized report with recommendations for improving your home's energy efficiency even more with Consumers Energy rebates

Use the promo code 4THEWIN and Consumers Energy will waive the \$25 fee when you schedule a Home Energy Analysis appointment by December 31, 2015.

Appointments are available – Schedule a Home Energy Analysis Today!

Have your Consumers Energy account number ready and go to www.HomeAnalysis-ConsumersEnergy.com or call 888-316-8014.

Take advantage of this FREE opportunity to “put your energy where it counts” and move the City of Farmington Hills closer to the \$5 million Energy Prize.

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

CORRESPONDENCE

The Council received correspondence from:

- Lily Smith, which was passed on to the Police Chief for response
- City of Farmington Mayor Bill Galvin offering assistance with regard to the search for a City Manager
- New Counsel General of Japan
- National PTA recognizing Highmeadow School as a School of Excellence
- Natalie Lowenfeld thanking the City for paving parts of Halsted Road
- Carol Nagy, which was passed on to the Police Chief for response.

CONSENT AGENDA

MOTION by Bruce, support by Bridges, to approve agenda items 11-18 as presented.

Roll Call Vote:

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

MOTION CARRIED 7-0.

MOTION by Lerner, support by Bridges, to approve agenda items 19 and 20 as presented.

Roll Call Vote:

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

MOTION CARRIED 6-0-0-1.

PUBLIC QUESTIONS AND COMMENTS

Marilyn Leedom, Echo Valley, expressed concern over the lack of notice to affected residents and lack of signage regarding the Twelve Mile Road pavement repairs. She stated that she called the City but received no return call and that a contractor truck and trailer was parked in their condominium parking lot making for residents. She also requested signage for the condo complex such as “No Blocking Drive” and “No U-Turns”. She stated that she due to traffic along Twelve Mile Road, she has had to wait through 4 lights just to get out of her complex.

Mayor Brickner asked Acting City Manager to look into signage for this area to alleviate some of these concerns.

Councilmember Bridges inquired what the notification process was for this type of construction.

Acting City Manager Boyer stated that this was a unique project for the City as this is a County road; however, the City agreed to do the engineering and be in charge of the project in order to accelerate the project. He stated that they try to get signs up prior to the project starting.

Director of Public Services Mekjian mentioned that a press release was sent out regarding the project, which was posted to the city website and sent out to social media and included on the electronic message boards. He stated that there are also signs posted on the roadways; but perhaps not in the location where Ms. Leedom would be exiting her complex.

Kristin Houchins, Greater Farmington Area Chamber of Commerce/Founders Festival Committee, presented a plaque to Mayor Pro-Tem Ken Massey for his Subdivision’s Founders Festival float. Mayor Pro-Tem Massey commented that the Homeowner’s Association had a committee who designed the float and he stated that he would pass on the award to the Association.

COUNCIL MEMBER’S COMMENTS AND ANNOUNCEMENTS

The following Council comments/announcements were made:

- Children, Youth and Families is hosting a College Financing Night on September 30th at 7pm at the Costick Center
- Ribbon Cutting for the 14 Mile Road and Orchard Lake Road Roundabout was held and the intersection is now open
- Highmeadow School’s national award and recognition as a School of Excellence; only 3 schools were honored and received this recognition.
- Emergency Preparedness Commission is hosting a Women’s Self Defense seminar on October 3rd at 9am at the Costick Center, which serves as a fundraiser for Haven, that provides shelter for people threatened by domestic abuse
- Farmington Hills was 1 of 10 cities selected from across the country to discuss juvenile justice at the National League of Cities Juvenile Justice Leadership Academy
- Blood Drive held last month collected 50 pints of blood for the Red Cross

COUNTY COMMISSIONER UPDATE

County Commissioner Gershenson provided an update from the Oakland County Health Department regarding the West Nile virus and symptoms related to the virus. She also mentioned a Women’s Alliance of Oakland County program geared towards women who want to enter or move up in the work force.

CITY MANAGER UPDATE

Acting City Manager Boyer provided an update on the following:

- Last Day to Register to vote for the November 3, 2015 Election is Monday, October 5th
- Public Safety Millage Renewal update will be held on Wednesday, September 30th at City Hall

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF PLANNED UNIT DEVELOPMENT (PUD 1, 2015) PLAN, INCLUDING SITE AND LANDSCAPE PLANS, FOR THE PROPERTY LOCATED AT 28050 GRAND RIVER (BEAUMONT-BOTSFORD HOSPITAL).

Mayor Pro-Tem Massey recused himself from this portion of the meeting as he currently serves as Chairman of the Board for Beaumont Health/Botsford Campus.

Councilmember Lerner stated he was appointed to the Board of Zieger Healthcare Corporation last year that is overseeing the expansion of Botsford Hospital; and when it became apparent that this development would be coming to the City in the form of a PUD, he resigned and was not involved in any of the decisions about the expansion of the hospital.

Mayor Brickner commented that he was also appointed to the Board of Zieger Healthcare Corporation and resigned as Mr. Lerner had and this was all disclosed to the City Attorney. He inquired at this time if either he or Mr. Lerner had any conflict in discussing and voting on this matter before Council this evening.

Attorney Joppich stated that he discussed this matter with both Mayor Brickner and Councilmember Lerner at the time they made the decision to resign and that was prior to the time this matter was coming before City Council so any potential conflict of interest has been eliminated.

Councilmember Bridges inquired if the Attorney's decision is based on case law or his own opinion. Attorney Joppich responded that there has been no case decision on this issue and he is basing this on the standards per the City Charter and rendering his opinion to City Council on the matter.

Director of Planning and Community Development Ed Gardiner, explained that the request before Council is for major improvements to the Botsford campus of Beaumont Hospital in the form of a Planned Unit Development. He reviewed the zoning of the property and mentioned that the Planning Commission has reviewed the proposed project and held a public hearing and is recommending approval to City Council by a 7-0 vote. He noted that representatives from Beaumont/Botsford are here to make their presentation and he and Planning Consultant Arroyo are available to answer any questions. Mr. Gardiner noted that this is a public hearing meeting so public input should be taken prior to Council deliberation. He presented a rendering of the property for the meeting.

Dr. Paul Lacasse, President and CEO of Botsford Hospital, stated that they are seeking approval of Council to support the proposed master facility plan and Planned Unit Development. He stated that they are all about serving their community. He noted that they are one of the busiest and one of the few trauma centers in Oakland County and they aim to support the community around them to provide the best healthcare possible. He explained that they were able to bring together 3 healthcare systems consisting of Botsford, Oakland and Beaumont Health System that they are now calling Beaumont Health. This will allow Botsford Hospital to fund the master facility plan and upgrade their aging facilities; and will the hospital to remain in Farmington Hills for many years to come and expand their

facilities with many modern upgrades. He introduced Michael Thompson from HKS Architectural Firm to briefly describe the plan.

Mr. Thompson, HKS Architectural Firm, explained the proposed new features and site improvements. He noted that the budget is for a 160 million dollar expansion. He displayed renderings showing the elevations and enhanced landscape plans. He noted that they worked with the Fire Department for emergency access to the site, which was approved by the Fire Department on September 21, 2015. Mr. Thompson mentioned that community benefits include: storm water enhancements, reduced energy usage, improved sound control, improved pedestrian connections and wayfinding, added landscape beyond what is required by ordinance and Oxford Avenue improvements, including an additional truck egress that would not allow egress back onto Oxford Avenue. Mr. Thompson stated that in order to move forward with the proposed plans, they are in return seeking 9 deviations with regard to height and/or setback requirements. He noted that many items were modified to be consistent with the city's Master Plan. He addressed the construction time line.

Councilmember Bridges thanked Mr. Thompson for his presentation and Beaumont Health for their investment in the City. He inquired how the City would negotiate public benefits and if staff feels that the public benefits outweigh the deviations from the ordinance requirements.

Director Gardiner stated that once a proponent submits an application for a PUD plan, staff and the Planning Commission have the ability to negotiate certain items and public benefit is part of qualifying for a PUD. He stated that in his opinion, they benefits outweigh the deviations and the Planning Commission approved of this plan unanimously.

Councilmember Steckloff inquired about the truck egress from Oxford and time frames established for use and what thresholds are in place to determine when that might need to be adjusted.

Joe Siekirk, Plante Moran Cresa, noted that the traffic study revealed that this egress would have little impact on Oxford Avenue, but the City wanted to keep the truck traffic from turning right onto Oxford so that area was gated and access is only allowed during certain times. He stated that if there are complaints from the residents, they will work with the City to address those concerns.

Director Gardiner explained that access to Oxford Avenue in that area is not an exception as that area is zoned non-residential; however, it was acknowledged that truck traffic could potentially impact the residential portion of Oxford Avenue, which is why Beaumont Health worked with the City to try and lessen that impact. He added that if there are complaints from the residents, staff will work with the developer and contractors to alleviate any concerns.

Mayor Brickner opened the public hearing

Ryan Ortiz, Oxford Avenue, inquired if the access for the construction is going to be maintained for the entire proce

Roy Arroyo, Planning Consultant, clarified that the construction access will be a permanent access and following construction will serve as access for truck delivery only. He noted that the intent of the design is so that trucks will have to access that area from Grand River and going north onto Oxford will be prohibited.

Christie Piastwoski, Oxford, expressed concern that the proposed construction access at Grand River and Oxford also serves as the bus stop for the area children.

Mayor Brickner asked the Acting City Manager to contact the School District about possibly moving this bus stop location during construction.

There being no further comments, Mayor Brickner closed the public hearing.

Councilmember Lerner commended Dr. Paul Lacasse for his part in the merger and helping to keep a hospital in the community that will be a new, state-of-the-art facility.

Dr. Lacasse thanked Mr. Lerner for his comments and commented on the great staff at Beaumont Health and the great working relationship with the City Council and staff.

Councilmember Steckloff expressed her appreciation for the many wellness programs offered by Beaumont Health and for the beautiful landscaping that is being provided with this project.

Councilmember Knol thanked Beaumont Health for their patience in working with the staff and residents to have a facility that will benefit the entire community and help revitalize the south end of the city.

Mayor Brickner commented on the great working relationship the city and Botsford has had throughout the years. He stated that the project is confined to the current boundaries of the property and the variances requested have not raised a lot of concern from the surrounding residents. He added that with the changes recommended by the Planning Commission and accepted by Botsford, he feels this is a great plan.

Councilmember Bridges commented that Botsford has been a great organization and the project is a great investment in the community; but he feels the questions are important.

MOTION by Lerner, support by Bruce, that the City Council of Farmington Hills hereby approves PUD Plan 1, 2015 dated September 10, 2015 with the following conditions:

- Proponent shall work with SMART to install bus shelters on the north and south side of Grand River Avenue. Funding for the construction of these shelters shall be provided by the proponent if necessary
- The proponent shall work with the City's Economic Development Commission and the Chamber of Commerce to encourage their employees to live within the City of Farmington Hills
- Ingress and egress to and from the new southern Oxford Street access point shall be regulated by use of a gate, which will remain open for deliveries between the hours of 6:30am to 3:15pm. If excessive traffic volume issues occur on Oxford Street, the access gate hours shall be revisited and amended in a timely manner
- The trees located on the screen wall in the right-of-way shall be professionally pruned at least every two years
- If during the pruning of the trees along Oxford Street some trees are found to be dead, those trees shall be replaced
- No construction traffic is to go any further north on Oxford Street than the proposed new southern Oxford Street ingress/egress point

IT IS FURTHER RESOLVED, that City Council approves the City Attorney to prepare the PUD Agreement, which stipulates the final development conditions for City Council consideration and approval.

The City Attorney confirmed that the PUD agreement would address all recommendations of the Planning Commission and conditions and that the agreement will come back to City Council for approval.

MOTION CARRIED 6-0 (Mayor Pro-Tem Massey recused himself from the meeting for this issue)

PUBLIC HEARING AND CONSIDERATION OF DETERMINATION OF A SPECIAL ASSESSMENT DISTRICT FOR ROAD IMPROVEMENT FOR INDEPENDENCE COMMONS SUBDIVISION, NOTICE OF INTENT TO ISSUE BONDS AND DECLARATION OF OFFICIAL INTENT TO REIMBURSE PROJECT WITH BOND PROCEEDS. CMR 9-15-84

(Mayor Pro-Tem Massey returned to the meeting)

Director of Public Services Mekjian stated that this is the Public Hearing meeting of determination for the Independence Commons Special Assessment for road improvements. He explained the process for past special assessments and how the City has since adopted a Directed Special Assessment District Policy. As part of the Directed SAD Policy, staff developed certain criteria for creating a 5-year Capital Improvement Plan (CIP) in order to prioritize projects and based on that overall criteria, Independence Commons was moved to the top of the of projects. That criteria included proximity to schools, public interest, was there an organized homeowner's association, the number of road segments with a PASER rating of 1, and the level of effort by the Public Works Department to make the roads safe and passable. He noted that City Council set the public hearing date of determinations for several projects with the first being held this evening for Independence Commons and the Engineering staff subsequently held an informational meeting with residents.

Mr. Mekjian explained that Independence Commons has 343 lots and was developed in 1968 so the roads are approximately 47 years old. He noted that there are approximately 4.5 miles of roads to be improved with the overall cost of the project estimated at \$7,869,000 and a per unit cost of approximately \$18,799.00.

Councilmember Steckloff commented that when the policy was approved, Council determined to consider all subdivisions with a PASER rating of 2.75 or below for improvements and to prioritize those projects. She expressed concern that Independence Commons was ranked #49 on the list of projects based on the PASER rating and has been moved up to the top of the list when there are other subdivisions with worse PASER ratings on their roads.

Director Mekjian agreed that there are other roads with lower PASER ratings but reiterated that was only one factor used to prioritize the projects and that other factors moved this project up to the top of the list.

Councilmember Knol commented that she feels it is important to also mention that the size of the projects selected each year has to match the funding available.

Councilmember Lerner stated that one resident had inquired about the city paying more towards the project. He explained that the Charter defines how much money the City can contribute, which is up to 20% of the project costs. He drove the subdivision and feels that the roads are in poor condition. He added that putting money toward failed roads would be taking away funding that could lengthen the life of other roads that are in better shape.

Councilmember Bridges stated that he is not comfortable with the criteria outlined for prioritizing projects for the CIP and how Independence Commons came to the top of the list. He pointed out that petitioning efforts to improve the roads have failed twice.

Mr. Mekjian commented that the process of prioritization was reviewed by Council and the adopted policy only formalized what Council already had the ability to do by Charter.

Mr. Bridges stated that he did not believe the prioritization information had been reviewed by Council.

Councilmember Steckloff inquired if both asphalt and concrete were considered and what the estimates were for both.

Mr. Mekjian responded that they would not have figures until the project was bid, but that they would request contractors to bid on both asphalt and concrete roads for this project.

Councilmember Massey inquired the reasoning for the elevated costs of this project.

Engineer Jim Cubera explained that the need to replace the base under the roads and the need for edge drainage throughout the subdivision was driving the costs up.

Mayor Brickner commented that the way roads were built in 1968 was not to the same standards as road construction today. Mr. Cubera agreed.

Councilmember Bridges inquired the percentage of the homes that are tied into a sump pump and city drainage system.

Mr. Cubera stated that they do not have a number or percentage but would assume that each home is tied into a sump pump. He stated that an outlet pipe would be provided for those sump pumps spilling out into or close to the right-of-way as part of the project.

Mr. Bridges inquired how repair and cost estimates are conducted when there are PASER ratings within a subdivision of a 1 and others rated a 5. Mr. Cubera explained how the average rating is figured based on the PASER rating system.

Mayor Brickner stated that the entire City road system was rated and he inquired if consultants were brought in once staff rated the roads. Mr. Mekjian explained that OHM Consultants conducted a review of the pavement conditions and data collected by staff.

Councilmember Bruce inquired the amount of money expended to keep these roads passable and safe. Mr. Mekjian stated that they have not tracked the amount spent but staff has been out to this subdivision often to patch and repair the roads and this was another factor that drove this project to the top of the list. He noted that at a certain point it is no longer cost effective to do long term maintenance on a road other than to try and make it safe.

Mr. Bridges inquired the role of OHM. Mr. Mekjian stated that they did not review every line segment with City staff, but they took a sample of segments to verify the data collected. Mr. Mekjian added that City staff is certified annually to rate the road system.

Mayor Brickner opened the public hearing.

Chuck Garvaglia, 25419 Liberty Lane, thought the City decided 5 years ago they would not put money into these roads as they were at the end of its useful life.

Mr. Cubera concurred that the city stopped putting in concrete slabs because the roads had exceeded their useful life but they have done significant work to address safety, flooding and icing issues.

Mr. Garvaglia stated he would rather have the city look at other subdivisions that have a majority in favor of the project. He feels there are too many questions still in his neighborhood as to whether they should do asphalt or concrete. He feels there are more residents against the project and a lot of misinformation. He felt the City should follow their past policy and proceed with projects that have a majority in favor.

Jennifer Orow, 25444 Liberty Lane, stated that the City should take into consideration the cost of the project to the residents as this is a lot of money in a short period of time. She requested at least more time for residents to get finances in place. She disputed the prioritization and questioned non-elected staff making that decision. She commented that there are roads within the subdivision that are still in good shape.

Councilmember Bruce clarified that City Council directed staff to collect this data and prioritize the list of projects to be included in the 5-Year CIP and engineering is now providing Council with that information for Council to make a decision.

Steve Brown, 35767 Congress Road, commented that he is not in favor of the project as presented. He stated that he has a copy of the engineering report dated 9-15-15 indicating that they have not done slab replacement since the early 2000's and repairs since have only been of a temporary nature to deal with safety issues. He feels the City has had this project in mind for 15 years and Independence Commons has not received its share of road funding to keep the roads in the proper condition. He disagreed that the average life expectancy for a concrete road is 23 years. He feels the roads are in pretty good shape for the and the appropriate approach would be to fix the spots that needed to be fixed on a prioritized basis and for these roads to receive its fair share of funding. He added that sump pumps can be addressed separate of the road issue.

Fred Flock, 35837 Johnstown, inquired how residents with disabilities would access their homes during construction and how emergency vehicles and mail services will be provided.

Mr. Cubera stated that Engineering will meet with contractors to discuss the appropriate method based on the subdivision to make sure there is emergency access and that postal services are not disrupted. They will also make arrangements to ensure access to homes. He acknowledged that there will be some inconveniences and concrete takes longer to cure than asphalt. He added that the City would need to know if there are residents with disabilities or medical issues up front in order to properly address those needs.

Councilmember Lerner inquired the life expectancy of a concrete road. Mr. Cubera stated that the City is reviewing a 20+ year design whether the road is concrete or asphalt. This is usually based on the vehicle axles driven on the road over a period of 20 years.

Elaine Gough, 36078 Congress, stated that she is putting her house up for sale next week and questioned her responsibilities with regard to this assessment.

Mr. Cubera responded that the assessment is placed on the tax roll following approval of the roll at the cost hearing. He stated that the first payment would not be due until after the project is complete. He anticipated the cost hearing to take place in the winter of 2016.

Ms. Gough inquired how she should address this with a potential buyer. Mayor Brickner stated the assessment would have to be disclosed to any potential buyer.

Carter Grabarczyk, 36115 Old Homestead, questioned why this project is moving forward now when the project was ranked #49 on the list of projects in the City.

Iryna Kulchytska, 35501 Johnstown, commented that there are many young families and senior citizens in the neighborhood and she lives on a corner lot and feels that the costs would be a financial burden. She stated that 80 percent of the cost is being borne by the residents, yet this is the most expensive project that has been done in the City. She stated that there are 11 houses up for sale to date and some recently sold as people are trying to leave the neighborhood and are dropping the prices of the homes to do so and property values are dropping. She mentioned the possibility of applying for grants to help with the cost of the road improvements. Ms. Kulchytska commented that there seems to be no maintenance agreements between the City and subdivisions to adequately maintain the roads.

Mayor Brickner read a portion of the Charter relating to special assessment districts and to what extent the City can contribute to those projects. He added that per the Charter, the City has always had the authority to create a special assessment to address public health, safety and welfare. He added that the road millage passed a couple years ago has allowed for the City to continue to contribute the 20% towards special assessments and provide for enhanced maintenance.

Fred Smith, 35473 Old Homestead, stated that the next two projects proposed for improvements are less than 50% of what Independence Commons is being assessed. He inquired about the obligation of the City to disclose to residents when future subdivisions might be assessed so that they can disclose this information if they are trying to sell their homes. Mr. Smith commented that he feels the City Charter is unique to Michigan communities and also stated that he does not believe homes in Farmington Hills have appreciated similarly as much as other communities. He stated that \$20,000 is a significant amount of money and he has concern for the City if assessments are continually handled in this way as people are moving because they can't afford it. Mr. Smith mentioned that nobody tonight has yet discussed whether this would be bonded over 10 or 15 years.

Mayor Brickner stated that if the project is approved, it would be bonded for up to 15 years and that would be discussed and finalized at the time of the cost hearing.

Director Mekjian commented that it is difficult to compare this project to others that have been done as the other projects were asphalt roads with largely open ditch drainage and this is a concrete curb and gutter road with enclosed drainage; which is expensive to reconstruct.

Councilmember Steckloff commented that legally the City could not finance the project longer than the life expectancy of the road, but since the life expectancy was 20 years could it be bonded over a 20-year period.

Lisa Hagan, Bond Counsel, stated that this is part of the bonding decision that Council would make and then the City would need to find someone to buy the bonds.

Councilmember Lerner stated that it was his understanding that it was more difficult to sell the bonds beyond 15 years and you would pay a higher rate on the bonds. He added that the Capital Improvement Plan (CIP) through 2021 showing future planned projects is out on the city's website.

Mr. Smith inquired what mechanisms are in place to cap the costs for the residents.

Director Mekjian stated that the cost estimate for the project is very conservative and staff has never under-estimated a project. He deferred to the City Attorney to answer if another public hearing would be required if the cost exceeds the estimate. He assured residents that the City does everything possible to manage the project and minimize any cost overages.

Attorney Joppich stated that the City has never encountered this in the history of special assessment districts of which he is aware but there are provisions for addressing this and the city's 20% would carry through to any cost overages. He believes another public hearing would be required.

Dan Lenda, 35912 Old Homestead, stated that he just moved into the subdivision and he loves Farmington Hills and the community has great public services and schools. He feels there are too many questions on this project and doesn't feel that the City Council in good faith could move forward with it. He commented on the roads being 47 years old and shame on everyone for not seeing this coming, but he feels people will not move into this subdivision knowing of this assessment. Mr. Lenda commented there is a need to look at how this is handled going forward and he feels that the root of the issue is the Charter and that the 80-20 split is not working.

Councilmember Lerner stated that when Council and staff began to review how to address the issue of road maintenance, it was revealed that it would take approximately 6 mills to cover 100% of the roads and it would take 25-30 years to pave the entire City.

Mayor Brickner clarified that the City's millage rate, not including the schools and county, is the 9th lowest in the County.

Mayor Pro-Tem Massey provided some history stating that Independence Commons Subdivision tried to petition for road improvements about 15 years ago and so this last effort was probably the 4th or 5th petitioning effort for this subdivision. He stated that each time the project did not go through due to the costs, but each year the costs continue to go up. The Charter was put in place and when amendments have been proposed, the voters have sustained the Charter as is. He feels that property values have not kept up with neighboring communities due to the condition of the roads. He stated that the City has the responsibility to maintain the health, safety and welfare of the community and that includes property values.

Councilmember Bruce commented that there are many new cities with newer homes, subdivisions, roads and schools and Farmington Hills is competing with those communities to draw residents. He feels it is important to maintain the roads for this reason and residents have to put money into the infrastructure. He understands that people don't want to tax themselves but when they try to petition, it has pitted neighbor against neighbor and the City wanted to take this out of the residents' hands and use a rating system to handle this fairly. He added that Council has a fiduciary responsibility to step in when there becomes a public health or safety issue and do what is best for the entire City.

John Holliday, Livingston Circle, inquired about the administrative fee. He asked City Council to be prudent and mindful when considering this project. He feels something needs to be done with the roads and suggested Council considers a procedure called "grinding" and the use of asphalt to reduce costs.

Acting City Manager clarified that the 5% is an estimate and includes the costs associated with selling the bonds, the financial advisor, etc.

Mr. Holliday inquired if a resident were to pay off their assessment up front would they still pay that administrative fee.

Mayor Brickner responded that all residents are required to pay their portion of that fee as part of the overall project costs.

Mr. Cubera addressed the procedure of grinding and noted that the advice of experts is for full reconstruction in order to stabilize the base.

Donna Mistele, 36277 Old Homestead, stated that she is not for the project as presented. She feels the engineering division has been pushing concrete and no figures have been shown for asphalt versus concrete. She stated that if the project has to move forward that the cost must be reduced. She also expressed concern with limited access to their homes and asked Council to consider asphalt in order to limit the inconvenience to the residents.

Mayor Brickner commented that both asphalt and concrete are being considered, but in order to bid the project, Council must first approve the project his evening.

Ms. Mistele questioned why they are pushing this project first when this subdivision was ranked #49 on the list. She commented that the parking lot at City Hall is as bad as their roads.

Cindy Lynd-Perry, 25368 Liberty Lane, stated that she is having a hard time trusting the City Engineer and City Council. She commented that she did not feel this matter should have even appeared before Council during the last petitioning effort as there was not a majority in favor. She stated at the time this matter appeared before Council and failed to go through, the Mayor said this issue would not be considered for at least another year and it has not even been a year. She commented that asphalt was not being considered until someone brought that up and so she questions how much of the information provided is true. She does not feel the roads are as bad as characterized by the Engineering Division and if approved, this is starting a dangerous precedent.

Georgia Callis, 35478 Old Homestead, commented that she opposes the project but feels that something does need to be done to address certain sections of the subdivision; but feels a new plan is needed. She stated that she can't sell her home for what she still owes and she cannot afford this assessment. She asked for Council to please come up with another plan to address only those areas that need to be fixed.

Kathy McLeod, 35746 Congress, stated that she originally voted yes for this project but has changed her mind tonight out of respect for her neighbors and the majority who voted no. She feels that the project should be moved down the list so that residents have time to save. She agreed that Council has a fiduciary responsibility to the neighbors and asked how Council can justify starting with their subdivision when it was ranked #49 on the list.

Mr. Gasahl, 25787 Livingston Circle, stated that while he also does not want to pay this assessment, the roads need to be fixed. He does not feel it is a community mind set to say your road is ok so it doesn't need to be fixed. He asked about the families that want to be able to ride bikes or walk with their children throughout the subdivision. He agreed with engineering that it would not be economical to do this project in small pieces. The data shows the roads are bad and are not getting better and the cost is not going to go down so he feels the residents need to trust the experts on this issue. He feels Council is trying to act in the best interest of the community and asked that they do so.

Jim Horr, 36262 Trenton Court, stated that whether the residents like it or not, the roads need to be repaired for safety and aesthetic reasons and for the reputation of the community. He commended the Council for developing an approval process for road improvements based on data and statistics as the past process was way too subjective and this takes the emotion out of the process. He asked to allow the data to speak and trust the process; it is clear that the roads need to be replaced.

Gene Manwaring, 25547 Livingston Circle, stated that he is representing approximately 50% of the people who are still in favor of having the roads improved. He thanked Council for updating the process as he has been involved in various meetings and has heard all of the deliberations by staff and residents and agrees that Council should move forward and take this out of the hands of the residents. He commented on how Council always had the ability by Charter and now this process has been updated to include basing this on ratings and other data. He hopes that Council will pass this project this evening and he thanked Council on behalf of the residents he represents.

Joe McEvoy, 25470 Liberty Lane, stated that he is not in favor of the project mainly due to the costs, but also because of the process. He suggested that perhaps the worst areas could be done first without doing the entire project at once. He mentioned an email from a resident regarding the bonding process and 1% administrative fee and felt he had some good points and suggestions that could potentially save residents some money. He questioned if the project is being proposed in the most economical and reasonable way. He addressed the safety concerns and suggested lowering the speed limit in neighborhoods with no sidewalks. Mr. McEvoy agreed that they have to trust the engineers and professionals but asked that they look at the most economical and reasonable way to address the project.

Katie Rusack, 25848 Livingston Circle, stated that she is one of the committee members that initiated the conversation and circulated the petition in favor of the project. She addressed comments made that the vote was turned down or failed and felt it was important to note that the absent homeowners, foreclosed homes or those who abstained from voicing an opinion either way were considered a "no" vote. She feels that the petitioning process is flawed in that respect and technically it didn't get turned down by the "no" votes and the percentage that voted "yes" was actually greater. Mrs. Rusack commented that she was in favor of pursuing asphalt to minimize the disruption and access to homes. She thanked City Engineer Cubera for his efforts and feels that he has been nothing but patient in answering numerous questions and has been factual and fair. She urged Council to approve the project and added that she feels it would be fair to spread the assessment equally amongst all homeowners rather than charging corner lots more.

Mayor Brickner clarified the petitioning process and stated that at the time the petitions were due there were over 50% in favor of the project or it would not have come to Council for consideration. Between the petition deadline and the Council meeting, residents requested to add or remove their name to the petition and the percentage dropped below 50% at that time.

Emily Lamott, 35719 Congress, thanked the City staff for their service and commented that when she calls for assistance, a city staff member is out the next day to address her concerns. She stated that if this

project does not move forward, she would hope that Council would be make an adjustment to the way the project is funded as she feels either way the City needs to move forward with the road improvements in Farmington Hills.

Liv Julvezan, 35878 Charter Crest, stated that she does not feel at the time the petitions were being routed that residents knew the costs involved. She stated that to say this is a hardship would be an understatement and she feels most people would not be willing to purchase a home knowing of this assessment. She can't afford to stay or sell her home at this point. Ms. Julvezan mentioned the road millage passed last fall and questioned if the City could contribute more than 20% towards the roads.

Mayor Brickner noted that the 20% is set by the City Charter.

Ms. Julvezan stated that she feels this is a community decision since they are paying the majority of the costs and the majority of the community has spoken multiple times. She asked Council to consider the hardship this will create for many residents.

Terry Reed, 36081 Congress Ct., stated that he does not feel that the roads are in that bad of shape or a safety issue. He feels the lack of sidewalks is more of a safety issue. He commented that they would never have moved in if they knew this assessment was coming and feels that a 2/3 majority in favor should be required not just a simple majority.

Carol Palain, 36110 Crompton Circle, expressed concern with the change in policy of Council as she feels Council set a precedent to base the approval of an SAD on a majority being in favor of the project and clearly the vote fell below 50% in favor so the residents' voices have been heard. She questioned why their subdivision is at the top of the list when they were ranked #49 initially. She recalled at the public hearing meeting held the last time this issue was before Council that the Mayor said this issue would not come back for at least a year and it has not been a year; and comments were made between staff and Council that something had to be done about this. She feels that Council was determined that this project was going to get done one way or another. Ms. Palain stated that Council should not proceed with this project and instead work on the list of projects that are ahead of their subdivision and give them fair notice and time to save for this type of assessment.

Mayor Brickner clarified that his comments at that time were that residents could not petition for another year if the project was voted down or residents did not obtain over 50% of residents in favor of the project.

Marcel Miclea, 25448 Livingston Circle, commented that he feels these types of meetings will be recurring as the issue is with the Charter and that needs to be changed. He feels people will move out of the City for these reasons and he feels this type of assessment is excessive. He inquired how the Charter can be changed.

Mayor Brickner explained that a Charter change has to be voted on by the electors of the City.

Attorney Joppich stated that there is a process for a Charter change and it can be initiated by a petition of the residents. If all requirements were met, the question would appear on a ballot to be voted on by the electors of Farmington Hills.

Mr. Miclea inquired if the assessment is tax deductible. Attorney Joppich responded that he is not a tax attorney and cannot give tax advice. Mr. Miclea should consult his accountant or a tax attorney.

Mr. Miclea urged Council to look into this before voting on this issue as it is important to not only his subdivision but other residents who will be going through the same thing. He inquired when Council would be voting on this issue.

Mayor Brickner responded that Council will be voting this evening.

Dr. Anthony Franklin, 36205 Old Homestead, stated that he would love to see the roads improved; however, he is concerned with the Directed SAD Policy and how this policy has come about. He commented on the several petition drives that failed; and while he agrees that something needs to be done with the roads, when he received notification that the policy was adopted he questioned how Council can choose to violate their fiduciary responsibility to the City and residents by circumventing the will of the residents. He has always been confident and had trust in City Council, but now he has doubt.

Patrick Murphy, 36287 Crompton Circle, stated that he feels the main thoroughfares are bad and probably need to be repaired, but he does not agree with the package being presented. He feels residents need time to save money for this type of assessment and he feels the roads have been neglected for 15 years. He stated that he knows of many residents that moved out of the subdivision because they knew this assessment was coming.

Dave Imesch, 25665 Livingston Circle, commented on the petition drives and the fact that the price for the project keeps rising. He stated that it is a known fact that the roads were not built to City standards and were built to Township standards and questioned why the City did not save money to improve the base of the roads and make sure the sump pumps drained into the sewers. He stated that he is all for new roads, but commented there has not been any work done on Livingston Circle in 25 years. He added that Hunt Club was built on the back of that road and also uses that road to cut through their subdivision. He asked Council to come up with a flat rate and to consider asphalt to lessen the cost and the impact on the residents.

There being no further comments, the public hearing was closed.

Director Mekjian, in response to comments made, clarified that prior to the local road millage passed last fall, the City survived solely on Act 51 funds that included portions of funding from the fuel tax and vehicle registrations. This funding has continually gone down since 2008 and is just now starting to bounce back. He stated that the City has done what it can to maintain roads with the funding provided. He agreed that there are some portions of road in the Independence Commons Subdivision that are in pretty good shape and the PASER ratings reflect that; but the overall rating for the subdivision is below the PASER rating set by staff and therefore included in the CIP. Mr. Mekjian stated that staff has looked at many different ways to improve the roads.

Mayor Pro-Tem Massey asked Mr. Mekjian to clarify again why Independence Commons, who was initially #49 on the list of projects was moved to the top of the list.

Director Mekjian reiterated the variables that were considered as part of the prioritization of the projects that included, the average PASER rating, number of parcels, proximity to school and if there was a school within the interior of the subdivision, is there an organized homeowner's association, number of road segments rated a 1 and how often the City has had to address maintenance in the subdivision.

Councilmember Bridges commented that there has not been an adequate maintenance budget for many years and the City has relied solely on Act51 money and he feels that is part of the issue. He stated that

when he first was elected to Council, he was told there was a 7-year maintenance program to maintain the roads on a rotating basis and that funding has not been there for the last several years.

Mr. Mekjian stated that since he has been with the City, they have relied solely on Act 51 funding. He clarified that the City does have a preventative maintenance program, but there is not funding to address all of the roads. He added that the preventative maintenance is for roads that fall within a certain condition and if the roads are beyond that condition and the treatment would not benefit the useful life of the road, the City uses a different method.

Councilmember Bridges reiterated that adequate road funding has not been available for several years. Mr. Mekjian concurred.

Mayor Brickner stated that Act 51 funding is also used for major roads and not just the local roads. He added that with the road millage, the City is able to continue to contribute 20% towards subdivision road projects per the Charter.

Director Mekjian added that the millage funding will also allow the City to do enhanced maintenance on local streets where it would extend the useful life of the road.

Mayor Brickner explained that a Capital Improvement 5-Year Plan was implemented to prioritize the subdivision road projects in conjunction with the Directed SAD Policy. He spoke to the fairness of changing the way road projects were handled by way of a city-wide millage when many subdivisions have already gone through the SAD process and paid for their roads.

Councilmember Knol stated that it was her understanding that Engineering would be reviewing costs for both asphalt and concrete and that if one method came in significantly less than the other that would be taken into consideration. Mr. Mekjian confirmed this and stated that it would ultimately be the decision of Council.

Councilmember Lerner inquired about the option of a hybrid of the different methods. Mr. Mekjian clarified that the process would be to have concrete curb and gutter, but asphalt pavement instead of concrete. The drainage would still be enclosed. He noted that the Engineers have recommended obtaining bids on both asphalt and concrete and staff is trying to move the project forward at a time to afford best unit pricing from contractors.

Councilmember Bruce commented that obviously this project is a lot of money and this is of concern to Council, but he feels Council needs to make a decision to sustain the City roads and they can't let the neighborhoods deteriorate. He added that the cost is never going to go down and the roads are 47 years old. He feels there are many residents who want improvements as there have been many petition drives. Dr. Bruce stated that it is important for him to protect the neighborhoods and that is what this is about. He explained that if the Charter is changed to increase the amount of money contributed by the City, this is still going to be a tax increase on all residents. Dr. Bruce expressed concern with residents personally attacking the character of City staff and felt that any comments should be directed at Council.

Councilmember Knol commented that replacing the roads is part of owning a home and she understands that it is not easy. She stated that there are ultimately two ways to fund road improvements and that is through a city-wide millage or through the special assessment process. She feels it would be very difficult to pass a city wide millage in Farmington Hills when many subdivisions have already paid their share through the SAD process. Mrs. Knol pointed out that with a millage some of the residents here

tonight that have been in their homes for 30 plus years would have been paying approximately 5 mills for the past 30 years and not necessarily to fix their own roads but all of the roads. She explained that with a city millage there is no public hearing held so the residents actually have more of a say and representation through the SAD process. She has not heard of another solution this evening and the roads need to be replaced as they are a safety concern. She spoke of lawsuits the city receives for trip and falls or bike accidents due to faulty roads. Mrs. Knol commented that she feels this is an issue of property values, safety and aesthetics and that this is the best option.

Councilmember Steckloff stated that when the Directed SAD Policy was brought before City Council she voted against it as she did not feel it was right for the residents to not have a say or decision on whether their roads should be improved. She added that she is not saying that the roads in Independence Commons are not bad, but the project was initially ranked #49 and she feels the City should start with the project that was ranked #1 and go from there.

Councilmember Lerner clarified that the City still has the petitioning process available; the Directed SAD is a different process for those roads that have reached a certain rating. He commented that the last time this project came before Council he voted against it as there was no longer a majority in favor of the project. He stated that this brought about several study session meetings where Council discussed roads and what to do with neighborhoods that need new roads but don't want them, neighborhoods that don't have a homeowner's association to start a petitioning effort; and those discussions led to the Directed SAD process and the Capital Improvement Plan containing a list of projects through 2021. He stated that he feels the Engineering staff are experts and do not take sides and present only the facts. Mr. Lerner stated Council relies on the unbiased data provided by staff to make their decisions and they are trying to do what is right for the City. He stated that the roads are bad and he will support this project. Mr. Lerner mentioned that there are programs for those that may have financial difficulty.

Councilmember Bridges stated that he feels the petitioning process has worked well in the past and he is concerned with the residents not having a say on this issue and that there have been two petitioning efforts that have failed. He also expressed concern with the hardship that this could cause for residents. He does not feel there has been sufficient funding in the maintenance budget to adequately maintain the roads over the last 5 years due to tough economic times experienced by the City. Mr. Bridges stated that he would like to go back to the original petitioning process where residents decide to tax themselves for road improvements. He cannot support the Directed SAD policy. He wants the roads to improve, but feels it should be done through the petitioning process. Mr. Bridges added that it is difficult to qualify for the programs in place for financial hardships.

Mayor Pro-Tem Massey stated that he has heard a lot of compelling arguments on why the Council should not approve this project, but feels there are also many residents in favor of the project that are not here this evening. He pointed out that he was sworn into office to uphold the Charter and he takes that seriously and he tries to be as transparent as possible in his thinking. The Charter states that Council has the responsibility to maintain the health, safety and welfare of the community and that includes maintaining property values; and Council relies on the City experts for the information and data to make a decision. He heard the suggestion to change the Charter but not necessarily how it should be changed. He stated that the Charter was put in place in 1973 and has been amended several times by the voters and this particular caveat has been reaffirmed. Mayor Pro-Tem Massey stated that comments made were that the project was too expensive; but it will only get more expensive in the future. He added that he feels people are not moving into the city due to the condition of the roads and they need to be repaired. He stated that as difficult as the decision is, he needs to approve this project. He appreciates the people that have attended and expressed their opinion and those that have stayed to hear the discussion by Council.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the adoption of a resolution for road improvements for Independence Commons Subdivision in Section 20 to include the properties outlined in CMR 9-15-84; and

IT IS FURTHER RESOLVED, that City Council approves the adoption of a resolution for the notice of intent to issue bonds and the declaration of official intent to reimburse project costs with bond proceeds as reviewed by the City's bond council as to form and content.

Mayor Brickner agreed that it will only be more expensive in the future. The Charter allows for the City to create a special assessment district without a petition of the residents and he wanted to have a standard on which to base those decisions and the Directed SAD Policy was developed. He commended staff for developing the Capital Improvement Plan in order to prioritize projects and residents will know that their project is coming up on the list for consideration. He added that this does not prohibit residents from still petitioning for improvements in order to have their roads improved sooner.

Mayor Pro-Tem Massey commented that if the bids come in higher than the projected estimates, the project will have to come back to Council for consideration. He inquired if the Independence Commons Subdivision and Hunt Club Subdivisions could be divided so that there is no cut-through in that area.

City Engineer Cubera responded that staff would not recommend that due to safety concerns and emergency access.

MOTION CARRIED 5-2 (Bridges and Steckloff opposed).

NEW BUSINESS

CONSIDERATION OF APPROVAL OF APPOINTMENT TO THE COMMITTEE TO INCREASE VOTER PARTICIPATION

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby confirms the Mayor's recommendation to appoint George Pitchford to the Committee to Increase Voter Participation with a term ending February 1, 2017.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF A REQUEST TO TRANSFER OWNERSHIP OF A CLASS C & SDM LIQUOR LICENSES WITH SUNDAY SALES (PM) PERMIT, DANCE PERMIT, OUTDOOR SERVICE (1 AREA) PERMIT AND ENTERTAINMENT PERMIT TO MGM HOSPITALITY, INC., LOCATED AT 32350 WEST EIGHT MILE ROAD.

City Clerk Smith noted that the request is for the transfer of a Class C liquor license. The applicant is the current owner and operator of the Grand Tavern in Farmington Hills and the application was reviewed by all departments with no objections or conditions.

Mayor Brickner commented that the applicant does a wonderful job with Grand Tavern and feels he will do the same with the new restaurant. He inquired if this was restaurant was part of a franchise.

Mario Lucaj, Applicant, explained that it is not a franchise; the concept for the restaurant was started by his brother-in-law to use mainly Michigan products.

MOTION by Massey, support by Knol, that the City Council of Farmington Hills hereby recommends approval to the Michigan Liquor Control Commission for the request from MGM Hospitality, Inc. to transfer of ownership of a 2015 Class C and SDM Liquor Licenses with Sunday Sales (PM), Dance, and Outdoor Service (1 Area) permits and a new entertainment permit located at 32350 W. Eight Mile Road, Farmington Hills, MI, as outlined in the application submitted to the City, subject to submittal of a signed City of Farmington Hills Liquor License Agreement.

Roll Call Vote:

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

MOTION CARRIED 7-0.

**CONSIDERATION OF ADOPTION OF A RESOLUTION AND APPROVAL OF AGREEMENT
AUTHORIZING MEMBERSHIP IN THE MICHIGAN WATER/WASTEWATER AGENCY
RESPONSE NETWORK (MIWARN). CMR 9-15-85**

Director of Public Services Mekjian stated that this is a state-wide mutual aid agreement targeting public works waste water organizations and is a voluntary state-wide group. The agreement was reviewed by the City Attorney's Office. He explained that if there is a need for services, the City would put out a call over the MiWarn network and it is based on voluntary response. If another community responds they would be reimbursed for their equipment and labor.

MOTION by Knol, support by Lerner, that the City Council of Farmington Hills hereby adopts the following resolution:

**RESOLUTION AUTHORIZING MEMBERSHIP IN THE
"MICHIGAN WATER/WASTEWATER AGENCY RESPONSE NETWORK"
Resolution No. R-155-15**

WHEREAS, certain Michigan water, wastewater and public works agencies have formed the "Michigan Water/Wastewater Agency Response Network," (MiWARN), to share resources and to assist each other in the form of personnel, equipment, material and supplies in the event of emergencies that disrupt utility services, and

WHEREAS, the Urban Cooperation Act of 1967, (MCL 124.501 et seq.) authorizes public bodies and private entities to work together to provide mutual aid and assistance to both public and private water and wastewater utilities and public works agencies in need of emergency assistance caused by natural or man-made disasters, and

WHEREAS, the features of the proposed **Mutual Aid and Assistance Agreement** under consideration gives sole discretion to Members whether or not to respond to a request for assistance, or to what extent to respond to a request for assistance from a requesting Member, and provides for cost re-imburement by the requesting Member to the responding Member, and

WHEREAS, the City of Farmington Hills will retain complete discretion and authority to withdraw some or all of its resources furnished to a requesting Member at any time, and may withdraw from **MiWARN**, for any reason, upon seven (7) days notice to the Steering Committee, and

WHEREAS, legal counsel for the City of Farmington Hills has reviewed the draft Mutual Aid and Assistance Agreement, in conjunction with the Public Services Director of City of Farmington Hills and recommend the proposed Agreement, and

WHEREAS, the Members have agreed to enter into this “Michigan Water/Wastewater Agency Response Network Mutual Aid Agreement,” to describe the terms and conditions under which emergency assistance may be requested and provided, and

WHEREAS, by executing the Agreement, the Parties express their intent to participate in a program of Mutual Aid and Assistance within the State of Michigan.

NOW THEREFORE BE IT RESOLVED, that the City of Farmington Hills does hereby authorize entering into the Mutual Aid and Assistance Agreement with the Michigan Water/Wastewater Agency Response Network, and the authorizes the execution of the Agreement by the City of Farmington Hills City Manager.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF A JUDGEMENT TO VACATE A PORTION OF THE TWO PLATTED EASEMENTS ON OUTLOT “A” OF THE FARMINGTON FREEWAY INDUSTRIAL PARK NO. 1. CMR 9-15-86

Assistant Director of Public Services Mondora stated that with the recent redevelopment of the Suburban Collection Auto Dealership, portions of the existing sanitary and storm water system were relocated to accommodate the new building. The utilities were located within platted easements and as such state statute requires that the revisions to platted easements be made in the form of a Judgement. Staff has reviewed the proposal to terminate these easements and have no objection. The City Attorney’s office worked closed with staff on the proposed Judgement and staff recommends approval.

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby approves the Judgement to Vacate a Portion of the Two Platted Easements on Outlot “A” of the Farmington Freeway Industrial Park No. 1.

MOTION CARRIED 7-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF AWARD OF PURCHASE FOR GUTTER MATERIALS, INSPECTION AND PROJECT MANAGEMENT TO GARLAND ROOFING IN THE AMOUNT OF \$2,705.31 AND AWARD OF BID FOR GUTTER INSTALLATION OF THE POLICE PARKING CANOPY TO SCHENA ROOFING IN THE AMOUNT OF \$9,865.00; WITH AN ADDITIONAL 5% FOR CONTINGENCIES. CMR 9-15-87

MOTION by Bruce, support by Bridges, that the City of Farmington Hills City Council hereby authorizes the Acting City Manager to issue a purchase order to Garland Roofing for gutter materials, inspection and project management in the amount of \$2,705.31 and to Schena Roofing for gutter installation including ancillary materials for the Police Parking Canopy in the amount of \$9,865.00; with an additional allowance of 5%, \$625 for contingency.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF PURCHASE FOR CARPET AND INSTALLATION AT THE COSTICK CENTER AND SPICER HOUSE TO EMPIRE TODAY IN THE AMOUNT OF \$21,623.05. CMR 9-15-88

MOTION by Bruce, support by Bridges, that the City of Farmington Hills City Council hereby authorizes the Acting City Manager to issue a purchase order to Empire Today for Carpet and Installation at the Costick Center and Spicer House in the amount of \$21,623.05.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR THE 2015 & 2016 JOINT & CRACK SEALING PROGRAM TO CARR'S OUTDOOR SERVICE IN THE AMOUNT OF \$792,920.00; WITH EXTENSIONS. CMR 9-15-89

MOTION by Bruce, support by Bridges, that the City of Farmington Hills City Council hereby authorizes the Acting City Manager and the City Clerk to sign a contract with Carr's Outdoor Service for the 2015 & 2016 Joint and Crack Sealing Programs in the amount of \$792,920.00; with extensions.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR ANTI-ICING FLUID TO ADVANCED DUST CONTROL IN THE AMOUNT NOT TO EXCEED \$41,400.00; WITH POSSIBLE EXTENSIONS. CMR 9-15-90

MOTION by Bruce, support by Bridges, that the City of Farmington Hills City Council hereby authorizes the Acting City Manager and the City Clerk to approve a purchase order with Advanced Dust Control in the amount not to exceed \$41,400.00 for Anti-Icing Fluid; with extensions.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL AND CONFIRMATION OF AN EMERGENCY PURCHASE ORDER FOR THE REPAIR OF FIRE APPARATUS AT RESCUE #2 TO TRI-COUNTY INTERNATIONAL TRUCKS, INC. IN THE AMOUNT OF \$26,828.32. CMR 9-15-91

MOTION by Bruce, support by Bridges, that the City of Farmington Hills City Council hereby confirms issuance of an emergency purchase order to Tri-County International Trucks, Inc. for Emergency Repair to Fire Apparatus at Rescue #2 in the amount of \$26,828.32.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL AND CONFIRMATION OF AN EMERGENCY PURCHASE ORDER FOR EMERGENCY REPAIRS TO THE HALSTED/ELEVEN MILE PUMP STATION TO KENNEDY INDUSTRIES IN THE AMOUNT OF \$10,879.00. CMR 9-15-92

MOTION by Bruce, support by Bridges, that the City of Farmington Hills City Council hereby confirms issuance of an emergency purchase order to Kennedy Industries for Emergency Repairs to Halsted/Eleven Mile Pump Station in the amount of \$10,879.00.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR LEGAL ADS TO C & G NEWSPAPER (THE FARMINGTON PRESS) IN AN ANNUAL AMOUNT UP TO \$15,000.00 PER YEAR FOR A PERIOD OF THREE YEARS; WITH POSSIBLE EXTENSIONS. CMR 9-15-93

MOTION by Bruce, support by Bridges, that the City of Farmington Hills City Council hereby authorizes the Acting City Manager to contract with C & G Newspaper (The Farmington Press) in an

annual amount up to \$15,000.00 per year for publishing of legal ads for a period of three (3) years; with an option to renew for an additional three (3) years upon mutual consent between the City and C & G Newspapers.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF ADOPTING A RESOLUTION RECOGNIZING FARMINGTON HILLS HOCKEY ASSOCIATION AS A NON-PROFIT ORGANIZATION IN THE COMMUNITY FOR THE PURPOSE OF OBTAINING A CHARITABLE GAMING LICENSE.

MOTION by Bruce, support by Bridges, that the City of Farmington Hills City Council hereby approves the Local Governing Body Resolution for Gaming Licenses Issued by the bureau of State Lottery, recognizing Farmington Hills Hockey Association as a non-profit organization operating in the community for the purpose of obtaining a Charitable Gaming License.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF AUGUST 24, 2015.

MOTION by Lerner, support by Bridges, to approve the City Council study session meeting minutes of August 24, 2015 as submitted.

Roll Call Vote:

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

MOTION CARRIED 6-0-0-1.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF AUGUST 24, 2015.

MOTION by Lerner, support by Bridges, to approve the City Council regular meeting minutes of August 24, 2015 as submitted.

Roll Call Vote:

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

MOTION CARRIED 6-0-0-1.

TOPICS FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING

Mayor Brickner mentioned potential topics for the next regular City Council meeting of October 12, 2015.

ADJOURNMENT

Mayor Brickner adjourned the City Council meeting at 12:12am.

Respectfully submitted,



Pamela B. Smith, City Clerk