

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
FEBRUARY 23, 2015 – 7:30PM
CITY HALL – COUNCIL CHAMBER

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

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

Council Members Absent: None

Others Present: City Manager Brock, City Clerk Smith, Assistant City Manager Boyer, Assistant to the City Manager Geinzer, Directors Lasley, Mekjian and Schnackel and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Jordan Twardy, Eight Mile Boulevard Association, led the pledge of allegiance.

APPROVAL OF AGENDA

MOTION by Massey, support by Bruce, to approve the agenda as amended, with item #6 being moved forward on the agenda to be heard prior to item #5.

MOTION CARRIED 7-0

PRESENTATION BY JORDAN TWARDY, EIGHT MILE BOULEVARD ASSOCIATION

Jordan Twardy provided an update on the Eight Mile Boulevard Association explaining that the purpose of the Association is to bring together both the private and public sectors to revitalize and promote the Eight Mile corridor. He stated that some of the projects included grass-roots community clean-ups, park projects, façade improvements for businesses, etc. He noted that they host an annual Leadership Luncheon that serves as a fundraising event. More information is available at www.eightmile.org.

PROCLAMATION RECOGNIZING MARCH 1-7, 2015 AS CHILDHOOD CANCER AWARENESS WEEK

The following proclamation was read by Councilmember Knol and accepted by Mayor Brickner:

**PROCLAMATION
Childhood Cancer Awareness Week
March 1 – 7, 2015**

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report that cancer is the leading cause of death by disease among U.S. children between infancy and age 15 and this tragic disease is detected in more than 15,000 of our country's young people each and every year; and

WHEREAS, one in five of our nation's children loses his or her battle with cancer, and many infants, children, and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

- WHEREAS,** founded over 20 years ago by Steven Firestein, a member of the philanthropic Max Factor family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and
- WHEREAS,** the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Children’s Hospital of Michigan in Detroit and C.S. Mott Children’s Hospital in Ann Arbor, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and
- WHEREAS,** the American Cancer Fund for Children and Kids Cancer Connection also sponsor Courageous Kid Recognition Award ceremonies, community Get Well cards, and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

NOW, THEREFORE, BE IT RESOLVED that I, Barry Brickner, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim March 1 – 7, 2015 as **Childhood Cancer Awareness Week** in the City of Farmington Hills and encourage all citizens to increase their awareness and also to support childhood cancer education and research funding in hopes of finding a cure.

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

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

Commission for Energy and Environmental Sustainability
Tip of the Month
February 23, 2015

GET ENGAGED!

We need everyone to get engaged in this community wide effort - engage your families - engage your friends - engage your neighbors!

The Greater Farmington Community is competing against 49 other communities from across the country for the \$5 million Georgetown University Energy Prize!

Like us on Facebook by going to Farmington Hills/Farmington Energy Prize.
Follow us on Twitter @FHFEnergyPrize.
Go to www.sustainablefh.com and sign up for our E-Newsletter.

You can also join us at these upcoming events:

ONE STARRY NIGHT will be held on Saturday, March 28 from 7:30 – 9:30 PM. Explore the cosmos with the Farmington Hills Nature Center! To celebrate Earth Hour, we will turn off the lights and head outside. Kids will create a star craft to take home. Local astronomers will explain the planets, stars and phases of the moon. There will be a telescope set up to view the starry night sky. (Learn more at earthhour.org.) Register at recreg.fhgov.com.

EARTH DAY will be held on Wednesday, April 22 from 5 to 7:30 PM at Heritage Park. This annual celebration will feature a concert by Joe Reilly. Joe's two children's albums of environmental songs, "Children of the Earth" (2007) and "Let's Go Outside" (2011), are renowned nationally by kids and parents alike. More details coming soon on this annual celebration!

Don't sit on the sidelines. Get engaged and help us bring the \$5 million Energy Prize home! For more information about the community's Energy Prize efforts, visit www.sustainablefh.com.

CORRESPONDENCE

There was no general correspondence acknowledged.

CONSENT AGENDA

MOTION by Bridges, support by Steckloff, to approve the Consent Agenda as published.

Councilmember Lerner inquired about Item #10, Middlebelt Road Water Main Payback District and Final costs and why other homes in the area were not included as part of this district.

City Engineer Cubera explained that the other homes already have water and this is a new water main for the benefit of only the 4 lots mentioned in the report.

Roll Call Vote:

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

MOTION CARRIED 7-0

PUBLIC QUESTIONS AND COMMENTS

There were no public questions or comments.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following announcements were made:

- March 1st is the Chili Cook-Off fundraising event at Cowley & Sons in downtown Farmington to help raise funds for the Miss Farmington Program
- April 16th from 6:30-8:30pm North Farmington High School is hosting a Drugs 101 Substance Abuse education workshop for adults sponsored by the Farmington and Farmington Hills Public Safety and Police Department, Call to Action Coalition and PTA Council. The event is funded with drug forfeiture funds
- The Farmington/Farmington Hills Foundation Annual Gala was held on February 21st and was well attended and former Mayor Nancy Bates was awarded the Altruist of the Year Award
- Farmington SAFE (Suicide Awareness For Everyone) Bowl-A-Thon fundraiser was held on Sunday, February 22nd. This organization is seeking to change the dialogue on mental health.
- Saturday, March 7th Oakland County will be conducting a test of the tornado sirens

CITY MANAGER UPDATE

City Manager Brock provided an update on the following:

- April 22nd is the Multi-Cultural Multi-Racial Awards event

- City Council meeting of March 9th was rescheduled to March 16th so there will be no meeting on March 9th
- Bond Millage Proposal for Farmington Public Schools will be on the ballot for May 5, 2015. The schools are hosting several informational meetings on the proposal

Mayor Pro-Tem Massey mentioned a Town Hall meeting on March 30th at Hillside Elementary from 7-8pm that will include a presentation by the Farmington Public Schools Superintendent.

NEW BUSINESS (Item #6 was moved up on agenda)

CONSIDERATION OF APPROVAL OF A REQUEST TO TRANSFER OWNERSHIP OF A CLASS C RESORT LIQUOR LICENSE LOCATED AT 38503 WEST TEN MILE ROAD, FARMINGTON HILLS, MI FROM RAO SPORTS BAR AND GRILLE LLC TO WICKED TABLE, LLC. CMR 2-15-13

City Clerk Smith explained that this is a transfer of ownership of a Resort Class C License to Wicket Table, LLC to be used at the same location at which it is currently being held in escrow, which is 38503 W. Ten Mile Road. She stated that this license is not a city quota license and originally transferred into the City from another community.

She stated that Wicked Table has been issued a Conditional License by the Michigan Liquor Control Commission while their full license is still under review, and the City Code requires that City Council approve such requests for the sale of alcohol on premise.

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby recommends APPROVAL to the Michigan Liquor Control Commission of the request from Wicked Table, LLC for the transfer of ownership of a Class C Resort Liquor License located at 38503 West Ten Mile Road, Farmington Hills, Michigan, conditioned upon meeting the following requirements: 1) An approved UL 300 suppression system acceptance test; 2) Repair to the exhaust stack where it is leaking; 3) Approved portable fire extinguishers shall be installed in locations as discussed with the owners; 4) An approved contractor must complete plumbing repairs and schedule acceptance test; 5) Restore the rear emergency exit discharge that is currently obstructed by a parking space; 6) Post approved emergency fire safety and evacuation plans as discussed with the owners; 7) Placard the rear door that is blocked off as "No Access/No Entry"; 8) Obtaining a final certificate of occupancy and complying with and maintaining all applicable code requirements

Roll Call Vote:

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

MOTION CARRIED 7-0

PUBLIC HEARING

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 2-15-12

City Manager Brock stated that there have been many questions and comments that have come in since this matter was scheduled for a public hearing and staff will be speaking first to hopefully answer some of those questions in advance of opening the public hearing. He pointed out that the Special Assessment District (SAD) process is outlined in the City Charter and City Council has also established some policy parameters. Mr. Brock explained that the road millage passed by the voters this past November, 2014 does not change the SAD process but may allow for the City to continue to contribute 20 percent towards the SAD projects.

Mr. Brock explained the petitioning process and policy to obtain over 50% of the residents in favor of the project in order to bring this issue before City Council, but stated that proceeding with the project whether or not there is still over 50% of the residents in favor of the project is at the discretion of City Council. It is staff's feeling that the roads need to be repaired and have exceeded their life span. Mr. Brock discussed city maintenance practices and the need to address safety issues.

Mayor Brickner explained that an informational meeting was held prior to the petitions being circulated and an informational packet was made available to all residents that would be included in the proposed District. The process allows for 60 days in which to gather signatures and at that deadline, the circulators had collected signatures representing over 50% in favor of the project and the matter was set for this public hearing.

Director of Public Services Mekjian thanked the residents from coming out to this meeting. He explained the process for holding an informational meeting with the residents and the petitioning process. He noted that as of the deadline for the petitions of January 12, 2015, there were signatures representing 50.72% in favor of the proposed project. He acknowledged that since that time many residents have contacted the City Clerk indicating that they wish to remove their name and are no longer in favor of the project and that the percentage is slightly over 47% in favor at this time.

Mr. Mekjian discussed the proposed costs and when residents could expect to be assessed if the project were to move forward and estimated constructions time lines. He noted that the costs have been spread over a 10 year period in the past; however, City Council has the flexibility to extend that time frame. He noted that the percentage rate depends upon the sale of the bonds.

Director Mekjian further explained that the drainage costs are included in the project as the drainage for the subdivision does not meet current standards and the system wholly benefits residents of that subdivision. He added that replacing only the bad portions of the street is not cost effective.

Mayor Brickner inquired if the project could be done in phases. Director Mekjian responded that it is more cost effective to do the project at once. He noted that they will bid both concrete and asphalt in order to generate the best pricing; however, he is aware that the residents want to replace what they have and that is concrete.

Director Mekjian discussed the improvements and benefits that would be realized from the project and noted that if the project does not move forward, Public Services will continue to patch the roads in order to make them as safe as possible, but it will not ride or look very nice.

Councilmember Steckloff questioned if staff anticipates flooding in the neighborhood if the drainage system is not addressed.

City Engineer Cubera responded that they do not anticipate flooding, however, the proposed project would keep water off the roads. Director Mekjian added that it is the City's obligation to maintain the drainage should a structure collapse.

Further discussion was held on the costs, condition of the roads and alternatives, such as reducing the district.

Mayor Brickner inquired if this assessment becomes a lien on the property. City Attorney Joppich responded that the assessment applies to the property and if the home is sold, a mortgage company will require the assessment to be paid in full, but who pays this cost could be determined between the buyer and seller.

Councilmember Bridges inquired how many miles of road this would be and if this is typical of this type of project. He also questioned the PASER rating of the roads throughout the subdivision. Mr. Cubera responded that this project includes 4.4 miles of roads and typically the city has done 2 miles of roads but there have been a few larger projects. He stated that the PASER rating for the majority of the roads in the subdivision is a 3 with possibly a few areas where they are rated a 4.

Mayor Brickner asked City Manager Brock to compare our process to that of the City of Troy and their funding mechanism based on a question from a resident.

Mr. Brock explained that Troy has a city-wide road millage and explained that staff has discussed this option but it is hard to be equitable and fair to all of those residents who have or are currently paying a special assessment district for their roads. He stated that to change the process now in the city would be very difficult.

Mayor Brickner acknowledged letters from the following residents to be included as part of the record:

- Emily Lamott, on behalf of Committee Members who organized the project that included Crystal Barrow, Ron Rapson, Joe Doa, Katie Rusack, Ron Levi, Diane Shirey, Gene Manwaring and Uller
- Charles and Mary Nagy
- Gene Manwaring
- Dennis and Marianne Weiss
- Steven Brown
- Silas Eboh
- Harriet Kayayan

Mayor Brickner also acknowledged the lots where homeowners originally signed the petitions and have since requested that their vote is changed to "no" and that they are not considered as being in favor of the project.

Mayor Brickner opened the Public Hearing.

Jennifer Orow, Liberty Lane, inquired if the residents could pay for only those roads that needed to be fixed and have all residents pay their share. She also inquired if it were possible for the subdivision themselves to fix the two worse roads on their own without the assistance of the City.

Mr. Brock responded that piecing out the project is difficult and has not been done. He stated that he struggles with how that can be done fair and equitably to all. He added that they have never asked private homeowners to maintain public roads and have not had that question come up in the past.

Mayor Brickner added that part of the work the City is performing is to be sure that they meet public standards and that would be hard to replace the City Engineer in that case.

Dave Imesch, Livingston Circle, inquired about the costs being spread over a period of time and how those costs are calculated. Mr. Cubera explained how the costs are calculated, which was the same method as explained at the informational meeting.

Mr. Imesch stated that he is a corner lot and wondered if how the units are calculated is something that could be determined by the subdivision rather than the city. He thanked Steve Brock and the City Engineers for helping in the past to maintain the roads. He suggested a warranty extension for the roads if this moves forward. Mr. Imesch feels the project is a good idea and requested that the City manage the contractors to make sure it is done right. He mentioned the increase in cost estimates since this was last discussed in 2009 and stated that he feels it is a great idea and just wants to make sure it is done right and is fair to all. He commented on a drainage area that he believed carried storm water through the subdivision and just asked that this is fully reviewed with the project.

Ron Levi, Congress, commented that he feels only the occupied homes should be included as part of the project when determining the percentage in favor of the project and unoccupied homes should be excluded from the count altogether. Mr. Brock stated that at this time any home that did not have someone sign in favor is considered a "no" vote, but that Mr. Levi makes a valid point.

Mr. Levi stated that the home next to his is experiencing drainage issues and this becomes a problem when the water freezes over. He stated that he does not see how the residents could allow for the streets to further deteriorate.

Jim Tierney, Livingston Circle, stated that he has been a resident for 28 years and he feels that the City standing behind the City Charter and only contributing up to 20% has created this issue. He mentioned that the City of Farmington has a road millage and didn't understand why Farmington Hills could not change their rules. He expressed concern with the disruption that improving 4.4 miles of roads within the subdivision will cause, and he feels the City should work with the Homeowner's Association to split the costs 50/50. Mr. Tierney added that the City or Township back then allowed for these roads to be built with no base and he commented that Livingston Circle is a river.

Andrew Lamott, Congress, stated that he sees friends and neighbors on both side of this issue and hopes that this does not divide the neighbors, but he is thinking about the kids in the neighborhood and safety concerns. He feels if they do not move forward with this project now it would only cost more money to do in the future. He commented that the subdivision is beautiful, but the roads are a mess and feels that and he wonders at what point the residents are going to decide to get this done.

Jim Horr, Trenton, agreed that the roads need to be replaced and the big question seems to be the financing. He feels this is a process issue that should be reviewed by the City. The City Council has the right to override the will of the people and to be in the position now spending more money on the roads is irresponsible. He feels City Council should do their job and do what is right for the City; and to review the process so that other subdivisions are not in the same position in the future.

Cindy Perry, Liberty Lane, agreed that Independence Commons is a community. She believes this is an issue where not one size fits all and some of the issues are with the process and e-mails from the Association and others to the neighbors. She also commented that how this would look when construction starts such as parking, trash removal and general use of the roads. She feels not knowing this produces more anxiety for the residents. She feels the overall process is flawed and feels that it should be reviewed.

Lisa Ciokajlo, Liberty Lane, commented that when this issue was first discussed with the subdivision in November, 2014, it was presented as an all or nothing proposal and now it seems that it is being debated. She expressed concern with the petitioning process and felt that pressure techniques were used by the circulators to get residents to sign.

Mayor Brickner further explained the petitioning process.

Carol Palaian, Crompton Circle, stated that she feels everyone agrees the roads need to be fixed but the issue is cost. She is concerned with City Council making a decision on the project when there is no longer a majority in favor of the project. She inquired if all past SAD's were over 50% in favor if approved. Mayor Brickner answered that the percentage always remained over 50% in the past when projects were approved.

Mrs. Palaian also expressed concern with the disruption to the subdivision and suggested that City Council consider the option of breaking this project up into smaller projects. She stated that perhaps this is not what the subdivision needs right now if the majority is not in favor and is curious about alternatives to address this issue. She stated that the costs will keep escalating and this will be an issue with all older subdivisions and an issue that City Council will again face.

Leon Ryba, Congress, expressed concern with the parking of cars during this project and having access to garages and driveways.

Engineer Cubera stated that this issue was discussed and it will be an inconvenience for the residents while the project is ongoing. It will require the sharing of driveways to accommodate the project and they will utilize some methods in order to minimize the inconvenience the best they can.

Gene Manwaring, Livingston Circle, stated that he has lived in the subdivision for the past 22 years. He pointed out that on City's website under the city's major and local road funding information it states that ensuring safe driving conditions is a priority and that is what they are asking for. He discussed the issues with the drainage and freezing water over the roads in some areas and stated that the road conditions are getting worse every day. He added that deferment programs are available and hopefully the project could be spread out over a longer period of time as mentioned tonight. He stated that most of the residents agree that the roads are in bad condition and it comes down to a money issue. He urged City Council to determine the necessity to approve the project.

A five minute adjournment was taken at this time.

Donna Mistele, Old Homestead, stated that she is speaking on behalf of herself as well as her mother that also lives in the subdivision. She is opposed to the project and her mom is opposed due to her age and the fact that she has already paid off her home. She commented that while deferment programs are available, one has to be quite poverty stricken in order to qualify and not too many people living in this area would likely qualify. She feels that this project would create hardships for other residents. She added

that if approved, she does not want the project to be drawn out in phases and she would prefer asphalt over concrete due to the convenience.

Don Petras, Crompton Circle, addressed the concept of "voting". He stated that this was a petition drive and there was no way to register a "no" vote and the only way to indicate that you are not in favor was not to sign the petitions. He stated that the subdivision has miles of pathways and 5 commons areas for children to play and he feels residents pay good money to maintain those areas so children do not have to play in the streets.

Steve Palaian, Crompton Circle, stated that he has lived in the subdivision for 19 years and in Farmington Hills for 38 years. He agreed with the last speaker with regard to the safety issue. He drives on much worse roads and feels that the roads actually slow vehicles down in the neighborhood. He stated that this project is a lot of money to the residents and would be the worse thing the City could do for the subdivisions; and he urged City Council not to approve the project.

Jennifer Orow, Liberty Lane, added that this project is a lot of money and asked that City Council not take this decision lightly. She feels that most of the residents agree that something needs to be done to fix the roads, but asked for Council to provide some choices and not make this an "all or nothing" project.

Sandy Ibbetson, addressed the issue of safety by stating that she feels the roads would be more unsafe due to speeding, which she feels would worsen with paving of the streets. She added that when the petitions were circulated she was told that the residents would recoup the costs, but when she asked a realtor about this they did not agree. She feels the City has the ability to change the process to make this more affordable to residents.

City Manager Brock explained that the City has a program to address speeding within the subdivisions but that is something that would be addressed separate from this project.

Mr. Brock explained that in order for the City to contribute more funding towards a SAD project, this would take a Charter change that requires a vote of the electors of the City. He added that the road millage for maintenance purposes barely passed in November, 2014 so to ask the electors for 3 times that amount he feels would be very hard to get passed.

Diana Shirey, Trenton Court, stated that she loves the pathways within the subdivision, but they are not cleared in the winter months so that can't be used in the winter. She expressed concern with the drainage issues and water freezing over the roads creating unsafe conditions. She stated that 10 homes were unable to vote due to the fact that people were not home or they were vacant and a few others just abstained from voting at all so if this were to come around again, she would prefer a process that provides for a vote of yes or no.

Ron Rapson, Johnstown, expressed concern with the condition of the roads and safety concerns and commented that the commons areas are beautiful, but the roads are horrible.

Kathy Rusak, Livingston Circle, stated that she has lived in the subdivision for 7 years and has young children and the expense will be difficult, but she can't fathom spending more money to do this in a few years. She added that many neighbors brought up some good points about the process and suggested a "best practices" guide to provide to residents on how to accomplish the petitioning process.

Ken Hall, Congress, stated that he is a 20 year resident and taught his kids how to ride bikes on the streets but he can't do that now and the neighbors can't enjoy the streets. He agreed that the commons areas are impeccably maintained, but it doesn't make sense to him to not also take care of the roads.

Emily Lamott, Congress, mentioned that there is still the winter to get through even if this project is passed. She pointed out that the subdivision is within a one mile radius of the school so they do not have bus transportation and there are kids that must walk to school so that is definitely a safety concern.

Marilyn Smith, Crompton, commented that she had asked for her name to be withdrawn from the petitions as she simply can't afford it.

There being no further comments, the Public Hearing was closed.

Mayor Pro-Tem Massey commented that there are many different issues amongst the residents and whatever happens this evening, he urged the residents to not take any of this personally and to remain civil to one another as they are a community. He stated that these are difficult decisions for everyone to make.

Councilmember Lerner stated that he drove the roads and they are in terrible condition and most of the residents agree with that, but it comes down to cost. He discussed the costs associated with a road millage for the entire city. He added that he has been through this process himself and it is a difficult decision either way and Council is doing their job and looking out for the best interests of the City. He inquired if the City could extend the pay off terms if the project were to move forward.

City Manager Brock responded that the time frame could be extended from 10 to 15 years and the City could bond the project per those terms.

Councilmember Lerner suggested allowing the residents time to deliberate as some residents may be in favor of the project if the pay off terms could be extended.

Councilmember Knol stated that the process was discussed quite a bit this evening and changing that process and the City Charter and having a city road millage. She commented that the roads being discussed are over 40 years old and for 40 years residents of that subdivision have not had to pay a road millage. She added that to change the Charter would require a vote of the electors of the City and she does not feel that is likely to happen. She feels eventually this project will have to be done and it will cost more in the future. Mrs. Knol commented that she would be supportive of extending the pay off from 10 to 15 or 20 years.

Mayor Brickner inquired if the length of the pay off had to be voted on separately. Attorney Joppich clarified that the resolutions that Council are being asked to adopt include bonding the project over a period of 15 years; however, that is at the discretion of City Council.

Councilmember Bruce commented that he appreciates the time and comments from the residents this evening. He stated that City Council has a fiduciary responsibility to the entire City and it is clear that the roads are well beyond their life span. He believes the home values will continue to decrease if the roads are not fixed and that this is safety issue; and that it is time for new roads and is the best decision for the subdivision and for the entire City.

MOTION by Bruce, support by Knol, 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 2-15-12; and approves the adoption of a resolution for the notice of intent to issue bonds over a 15 year period; 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.

Councilmember Bridges stated that he opposes the motion based on the size of the project and feels that Council should consider breaking this project up into sections. He added that City policy has been to approve the project if there is a majority in favor of the project and there is no longer a majority of the residents in favor. He feels Council should be consistent. Mr. Bridges stated that it is, however, clear that the roads are in need of repair.

Councilmember Steckloff commented that special assessments are never easy when neighbors are being asked to vote in favor of taxing themselves and their neighbors. She expressed concern that there is no longer a majority in favor of the project and she would prefer to have a supermajority in favor. She stated that first and foremost City Council is charged with looking out for the health, safety and welfare of the community and while she will be opposing the motion now, she may not do so in the future if there are safety issues to consider.

City Manager Brock reminded Council that past policy has been to include the entire subdivision in the project.

Councilmember Bruce explained that the petitioning process is advisory only and they are not legal petitions. He stated that if this project is the best thing for the City, he feels Council needs to move forward. He added that the percentage is very close and Council has to have the courage sometimes to step up and make those decisions.

Mayor Pro-Tem Massey stated that he has listened to all of the residents and heard a consistent message – the roads are bad and the cost is the main issue for those opposed. He stated that costs will only go up in the future and added that the petitioning process is only a mechanism by which the issue is brought before City Council; and per Charter, the Council makes that decision. He explained that some subdivisions have no organized association and in those cases, it is up to City Council to determine when the roads need repair. With regard to property values, they may not increase the \$20,000 that is being paid for the roads; but people will bypass moving into those subdivisions because of the road conditions. He supports the motion.

Mayor Brickner stated that City Council must vote on what has been brought before them this evening and this includes the entire subdivision and he is not in favor of doing this in phases. He noted that the information provided by Engineering staff at the November, 2014 meeting has not changed. He added that if nothing is done, eventually the city will have to step in and make a decision. The City did not request this project, the residents of the subdivision did and the petitioning effort is asking the City to tax your properties. He stated that this is the first time in 15 years that he has seen the votes in favor of a project change to the point where it is now below 50% in favor. Mayor Brickner stated that he has always voted with the will of the residents and will do so again today; however, he feels the residents have made the wrong decision.

Councilmember Lerner suggested postponing the issue to allow for the residents to discuss the matter of extending the payment terms to see if they can obtain that majority.

MOTION by Lerner, to postpone consideration of adoption of a resolution for road improvements for Independence Commons Subdivision in Section 20 to include the properties outlined in CMR 2-15-

12; and 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, to a date specific of March 16th to allow the organizers of the petitioning effort time to see if residents would be in favor of the project; with no Public Hearing to be held at that time.

MOTION FAILED DUE TO LACK OF SUPPORT.

Mayor Brickner called for a vote on the original motion.

MOTION FAILED 3-4 (Brickner, Bridges, Lerner and Steckloff opposed)

City Manager Brock mentioned that City Council will be receiving some information this week with regard to the SAD Policy for further review.

NEW BUSINESS

CONSIDERATION OF AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A GRANT SUBAWARD/FIDUCIARY AGREEMENT WITH CLEAN ENERGY COALITION IN THE AMOUNT OF \$28,775. CMR 2-15-14

Assistant to the City Manager Geinzer explained the when the City of Farmington Hills submitted its Georgetown University Energy Prize Program plan, it had the option to apply for seed funding for a portion of the project and at that time there were not a lot of details as to how that would be structured. The City determined to work with Clean Energy Coalition and staff needs to formalize the relationship with Clean Energy Coalition through an agreement that would outline terms and conditions and the scope of work involved; however, staff is still waiting on the final draft of those terms may be. He stated that staff is requesting City Council to authorize the City Manager to negotiate those terms consistent with what has been provided by Georgetown University. The grant award amount is known and will be \$8,775.

In answer to Councilmember Bridges explained that the funds would be used to bring in Clean Air Coalition in to provide for third party guidance and to work with the largest employers to provide information and education and access to programs available.

MOTION by Massey, support by Knol, that the City Council of Farmington Hills hereby authorizes the City Manager to negotiate and execute a grant subaward/fiduciary agreement with Clean Energy Coalition in the amount of \$28,775.

MOTION CARRIED 7-0

CONSIDERATION OF APPROVAL OF APPOINTMENT TO THE COMMISSION ON AGING

MOTION by Lerner, support by Massey, that the City Council of Farmington Hills hereby confirms the Mayor's recommendation to appoint April Yerge to the Commission on Aging with a term ending February 1, 2018.

MOTION CARRIED 7-0

CONSENT AGENDA

RECOMMENDED APPROVAL OF AWARD OF PROPOSAL FOR PLAYGROUND EQUIPMENT FOR INDEPENDENCE PARK TO SUPERIOR PLAY IN THE AMOUNT OF \$171,759.63. CMR 2-15-15

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order to Superior Play for playground equipment for Independence Park in the amount of \$171,759.63.

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 ADOPTION OF A RESOLUTION ESTABLISHING THE MIDDLEBELT ROAD WATER MAIN PAYBACK DISTRICT AND FINAL PAYBACK COSTS. CMR 2-15-16

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby adopts a resolution establishing the Middlebelt Road Water Main Payback District and final payback costs.

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 GRAND RIVER HOMES WATER MAIN REPLACEMENT PROJECT – PHASE 1 TO D.V.M. UTILITIES, INC. IN THE AMOUNT OF \$945,067.50; WITH THE OPTION TO EXTEND THE CONTRACT TO INCLUDE PHASE 2. CMR 2-15-17

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby approves the award of bid for the Grand River Homes Water Main Replacement Project – Phase 1 to the lowest competent bidder, D.V.M. Utilities, Inc., in the amount of \$945,067.50 and authorizes the City Manager and City Clerk to execute the contract on behalf of the City, with the option to extend the contract to include Phase 2.

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 FEBRUARY 9, 2015**

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby approves the City Council Study Session meeting minutes of February 9, 2015 as submitted.

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 REGULAR MEETING MINUTES OF
FEBRUARY 9, 2015**

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby approves the regular meeting minutes of February 9, 2015 as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0

TOPICS FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING

Mayor Brickner mentioned potential topics for the next regular City Council meeting of March 16, 2015.

ADJOURNMENT

Mayor Brickner adjourned the City Council meeting at 11:07p.m.

Respectfully submitted,



Pamela B. Smith, City Clerk