

APPROVED 9/12/2016

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
AUGUST 22, 2016 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

The regular meeting of the Farmington Hills City Council was called to order by Mayor Massey at 7:34 p.m.

Council Members Present: Bridges, Knol, Lerner, Massey, Rich and Steckloff

Council Members Absent: Bruce

Others Present: City Manager Boyer, City Clerk Smith, Assistant City Manager Mekjian, Directors Gardiner and Mondora and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Cheryl Oliverio, former member of Council, led the pledge of allegiance.

APPROVAL OF AGENDA

Mayor Massey announced that the City received written notice from the proponent withdrawing his request to rezone property located at 27835 Shiawassee Road, Public Hearing Item #6 on the agenda. He stated that if people were present to speak on this item and wished to remain and speak under Public Questions and Comments they may still do so.

MOTION by Knol, support by Bridges, to approve the agenda as amended with the removal of item #6 as withdrawn by the proponent in writing.

MOTION CARRIED 6-0.

COMMISSION FOR ENERGY AND ENVIRONMENTAL SUSTAINABILITY TIP OF THE MONTH

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

**Commission for Energy and Environmental Sustainability
Tip of the Month
August 22, 2016**

Did you know that it takes three liters of water to produce one liter of bottled water? Producing bottled water also takes 2000 times more energy than producing tap water!

The U.S. alone consumes nearly 33 billion gallons of bottled water annually, and most of those bottles end up in landfills. Help the City of Farmington Hills refill water bottles, and not landfills, this summer by bringing your own reusable bottle with you as you travel throughout the community.

To make refilling reusable bottles easy and convenient, the Farmington Hills Department of Special Services, along with Panasonic and the Commission for Energy and Environmental Sustainability, installed eight water bottle filling stations throughout the City. You can now bring your own reusable water bottle and refill it at the Ice Arena, Founders Sports Park, Heritage Park, and the Costick Center.

If you don't have a reusable water bottle, they are available for purchase at the Ice Arena, Heritage Park, and the Costick Center. Not only will you create less waste, you'll help in the City's green efforts - a

portion of the funds raised by water bottle sales will go to support the City's parks and future sustainability initiatives.

PROCLAMATION RECOGNIZING SEPTEMBER 2016 AS NATIONAL RECOVERY MONTH

The following proclamation was read by Councilmember Steckloff:

**PROCLAMATION
National Recovery Month
September 2016**

- WHEREAS,** approximately 21.5 million people in the United States ages 12 and older have a substance use disorder and recovery is important for individuals, families, businesses, and communities; and
- WHEREAS,** substance use disorders occur when the recurrent use of alcohol and/or drugs causes clinically or functionally significant impairment, such as health problems, disability, and failure to meet major responsibilities at work, school or home; and
- WHEREAS,** stigma and stereotypes associated with substance use disorders often keep people from seeking treatment that could improve their quality of life; and
- WHEREAS,** recovery benefits individuals with substance use disorders by focusing on their ability to live, work, learn, and fully participate and contribute to our society; and
- WHEREAS,** Friday, September 23, 2016 has been designated as Oakland County's Ninth Annual Substance Use Recovery Celebration and Walk in support of the belief that everyone facing substance use disorders deserves the benefit of recovery.

NOW, THEREFORE, BE IT RESOLVED that I, Ken Massey, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim September 2016 as **National Recovery Month** in the City of Farmington Hills and call upon our citizens, public and private institutions, businesses, and schools to increase their awareness and understanding of substance use and the need for appropriate and accessible services to promote recovery.

PROCLAMATION RECOGNIZING SEPTEMBER 11-17, 2016 AS PATRIOT WEEK

The following proclamation was read by Councilmember Lerner and accepted by Jonathan Schwartz, member of the Executive Board for the Patriot Week Organization.

**PROCLAMATION
Patriot Week
September 11 – 17, 2016**

- WHEREAS,** September 11 – 17, 2016 has been declared as Patriot Week in the State of Michigan and Sunday, September 11, 2016 as Patriot Day; and
- WHEREAS,** Patriot Week celebrates the concepts put forth by our Founding Fathers, and the vital documents including the Declaration of Independence, the Constitution of the United States, and the Bill of Rights, which make this the greatest nation in world history; and

WHEREAS, the citizens of this nation live in freedom, which was hard won through the great sacrifices and many tribulations of those who currently serve or who have served our country and provided us with the foundation for a free, prosperous, and independent life; and

WHEREAS, each generation must work to maintain this freedom, otherwise through carelessness or indifference, our rights and liberties may vanish; and

WHEREAS, the City of Farmington Hills recognizes and celebrates all the patriots, past and present, who have dedicated their lives to the service of others and thereby exemplified a deep love and devotion to their country.

NOW, THEREFORE, BE IT RESOLVED that I, Ken Massey, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim September 11 – 17, 2016 as **Patriot Week** and call upon the citizens of Farmington Hills to come together to recognize the loyal devotion of those who have given dedicated service to our nation and made daily sacrifices to preserve a society built upon the principles of life, liberty, and justice for all.

Mr. Schwartz thanked the Mayor and Council for this honor and stated that Patriot Week is a civics education organization created in 2009 by Oakland County Circuit Court Judge Michael Warren and his daughter. He discussed the purpose of the organization and events associated with Patriot Week.

PRESENTATION FROM AMERICAN RED CROSS DONOR REPRESENTATIVE GERTRUDE SMITH REGARDING THE UPCOMING “BATTLE OF THE BADGES” BLOOD DRIVE AT THE WILLIAM COSTICK CENTER ON SEPTEMBER 7, 2016.

Ms. Smith mentioned the Annual Battle of the Badges Blood Drive to be held September 7th at the William Costick Center from 8am until 8pm and encouraged all to attend. She noted that the City has collected 120 units of blood from the last two blood drives held that will service 360 hospital patients. She added that there is a rapid pass option available on the Red Cross website where people who want to donate blood can answer the required questions on-line to expedite the process.

CORRESPONDENCE

There was no correspondence.

CONSENT AGENDA

MOTION by Lerner, support by Bridges, to approve Consent Agenda items #8 through #13.

Roll Call Vote:

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

Nays: NONE

Absent: BRUCE

Abstentions: NONE

MOTION CARRIED 6-0.

MOTION by Lerner, support by Rich, to approve Consent Agenda item #14.

Roll Call Vote:

Yeas: BRIDGES, KNOL, MASSEY, RICH AND STECKLOFF

Nays: NONE
Absent: BRUCE
Abstentions: LERNER

MOTION CARRIED 5-0-1-1.

PUBLIC QUESTIONS AND COMMENTS

Mayor Massey indicated that this was the time for residents to speak on any issues that were not on the agenda. He reiterated for those people just coming into the meeting that Public Hearing Item #6, a request to rezone property at 27835 Shiawassee, was removed from the agenda at the request of the proponent and if people wished to still speak on this issue they may do so at this time.

Margarette Studenka, resident, expressed support of the city's efforts to suppress the deer population but was frustrated that residents have not heard any information from the aerial surveys and public surveys conducted or how those results will be used. She also questioned if the City is driving this process.

Mayor Massey reported that the two aerial surveys were conducted as well as the public survey and those results have not been presented to Council to date.

City Manager Boyer noted that the public survey ended August 6, 2016 and staff is currently going through that data.

Mayor Massey indicated that this process is being conducted by the city within the guidelines of the DNR and the information will most likely come back to City Council at a study session meeting and then presented at a regular meeting.

Mayor Pro-Tem Knol mentioned that both study sessions and regular meetings were open to the public.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following events were acknowledged by Council:

- Battle of the Big House is this coming week and weekend at Michigan Stadium in Ann Arbor and hosting 11 High School Football games
- A community picnic was recently held at the Muslim Community Center
- A Community Cares Network Forum on Voices of Youth
- A Community SAFE Softball event fundraiser was held August 13th
- The Grand Tavern Golf Outing was held August 21st to raise money for the Farmington Hills Police Department Benevolent fund and various scholarships were awarded.

CITY MANAGER UPDATE

City Manager Boyer provided the following update:

- No major issues with flooding were reported due to the heavy rainfall over the past weekend
- Reminder to lock your cars as there has been several car break-ins in the community and it was found that most cars were unlocked
- Middlebelt Road, south of 11 Mile Road is closed for construction
- A ribbon-cutting ceremony is being held at Harley Davidson's new location for its grand opening event on August 26th at 10am.
- Deer survey and data is being collected and this will be an ongoing process of collecting information as this is a regional issue.

PUBLIC HEARING

PUBLIC HEARING AN CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE AMENDING CITY CODE, CHAPTER 34, "ZONING", TO AMEND THE OFFICIAL ZONING MAP IN ORDER TO REZONE PROPERTY LOCATED AT 27835 SHIAWASSEE ROAD, FROM RA-4, ONE FAMILY RESIDENTIAL DISTRICT TO RC-3, MULTIPLE FAMILY RESIDENTIAL DISTRICT; ZONING REQUEST 2-5-2016

THIS ITEM WAS REMOVED FROM THE AGENDA FOR DISCUSSION AT THE WRITTEN REQUEST OF THE PROPONENT.

PUBLIC HEARING AND CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 17, "NUISANCES," ARTICLE VII, "PERFORMANCE STANDARDS," SECTION 17-106, "LIGHTING," RELATING TO PERFORMANCE STANDARDS TO ADDRESS WINDOW PERIMETER LIGHTING; CITY CODE AMENDMENT 1, 2016.

Ed Gardiner, Director of Planning and Community Development, explained that the proposed amendment is to amend the City Code to address window perimeter lighting and the proponent of the amendment is the Planning Commission. He stated that the Planning Commission discussed this issue at a couple of study session meetings and at a public hearing meeting held July 21, 2016, voted unanimously to recommend the amendment to City Council. He explained that the amendment proposes to regulate window perimeter lighting in commercial districts.

Director Gardiner stated that staff reviewed the proposed amendment and from an enforcement standpoint, would recommend removing the word "perimeter" to further clarify the intent of the ordinance. The concern was that a business could move the lighting a couple inches inward from the actual perimeter of the window creating enforcement issues. Mr. Gardiner noted that this matter was advertised as a public hearing so comments should be heard from the public prior to Council taking any action.

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

Councilmember Bridges inquired how this would impact existing lighting. Mr. Gardiner stated that since this is a city code amendment, all businesses would have to comply if the amendment is adopted by Council.

Councilmember Lerner expressed concern with how this would be enforced as he felt it would be difficult to monitor except for in the evenings.

Mr. Gardiner stated that enforcement would be mainly based upon complaints and where there are known issues.

Attorney Joppich further clarified that this is an amendment to the city code lighting regulations and not part of the zoning ordinance regulating land use; therefore, non-conforming standards would not apply.

Discussion was held on what would be considered lighting versus a sign.

Mayor Pro-Tem Knol felt there should be some allowance for seasonal lighting as well as some creative displays such as a coffee cup lit up for a coffee house. She agreed that there should be no flashing or blinking lights as that could be distracting to cars driving by.

Attorney Joppich clarified that there is no exception for holiday lighting under the existing ordinance; however, temporary lighting could possibly apply to holiday lighting.

Councilmember Lerner agreed with Mayor Pro-Tem Knol but felt that the ordinance could allow for some discretion.

Director Gardiner stated that he believed an amendment to the sign ordinance would be required to allow for such creative displays.

MOTION by Lerner, support by Rich, that the City Council of Farmington Hills hereby postpones the Introduction of an Ordinance to amend the Farmington Hills Code of Ordinances by amending Chapter 17, "Nuisances," Article VII, "Performance Standards," Section 17-106, "Lighting," relating to performance standards to address window perimeter lighting; City Code Amendment 1, 2016, to the September 26, 2016 City Council Meeting for further review by the Planning Commission.

Mayor Massey pointed out that there is no discussion on a motion to postpone but asked if the proposed date provided sufficient time for Planning Commission review.

Director Gardiner stated that more time would be helpful.

MOTION by Lerner, support by Rich, to amend the motion to postpone the Introduction of an Ordinance to amend the Farmington Hills Code of Ordinances by amending Chapter 17, "Nuisances," Article VII, "Performance Standards," Section 17-106, "Lighting," relating to performance standards to address window perimeter lighting; City Code Amendment 1, 2016, to the October 24, 2016 City Council Meeting for further review by the Planning Commission.

Roll Call Vote:

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

Nays: NONE

Absent: BRUCE

Abstentions: NONE

MOTION CARRIED 6-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF AWARD OF BID FOR CARPETING AND EXERCISE ROOM FLOORING FOR FIRE STATION #5 TO INTERIOR IMAGE IN THE AMOUNT OF \$39,442.06. CMR 8-16-92

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order for carpeting and exercise room flooring for Fire Station #5 to Interior Image in the amount of \$39,442.06.

Roll Call Vote:

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

Nays: NONE

Absent: BRUCE
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF THE EXTENSION OF BID AWARD FOR CONCRETE REPAIR AND REPLACEMENT AT FIRE STATIONS 1, 2, 4 AND 5 TO HARTWELL CEMENT IN AN AMOUNT NOT TO EXCEED \$75,000.00. CMR 8-16-93

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby waives the formal bid requirements and authorizes the City Manager to issue a purchase order to Hartwell Cement to repair and replace concrete at Fire Stations 1, 2, 4 and 5, in an amount not to exceed \$75,000 in accordance with all terms and conditions set forth in the 2015 bid for Concrete Replacement, Catch Basin Rehab and Sump Pump Connection.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF EXTENSION OF AWARD OF BID OF THE 2015 & 2016 JOINT CRACK SEALING PROGRAM WITH CARR'S OUTDOOR SERVICE IN THE AMOUNT OF \$201,000.00. CMR 8-16-94

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager and the City Clerk to increase the contract award amount with Carr's Outdoor Service for the 2015 and 2016 Joint and Crack Sealing Programs by \$201,000, which makes the award equal to the FY 2016 budgeted amount of \$520,000.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF PURCHASE OF ONE FORD FUSION THROUGH GORNO FORD IN THE AMOUNT OF \$17,165.00. CMR 8-16-95

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order to Gorno Ford, for one Ford Fusion Fleet Vehicle in the amount of \$17,165.00.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR MOTOR CITY HARLEY DAVIDSON TO HOLD THEIR GRAND OPENING SPECIAL EVENT AUGUST 26-28, 2016.

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby approves a Special Event Permit for Motor City Harley Davidson located at 24800 Haggerty Road, Farmington Hills, to hold a special event August 26th and 27th, 2016 from 10am to 11pm and August 28th, 2016 from 11am to 9pm, subject to the following conditions:

- Receipt of Certificate of Occupancy
- The event shall comply with the minimum Fire Prevention Code Requirements
- The hours of operation for the event shall cease by 10pm each evening unless ZBA grants a variance to extend the hours on Friday and Saturday evening from 10pm to 11pm.
- There will be no parking within 20' of the tent
- Egress from the facility shall not be blocked or restricted
- Fire lanes shall not be blocked or restricted
- Any temporary electrical power or connections shall be inspected and approved by the City's electrical inspector
- There shall be no storage/stock or bikes under canopy
- The proponent shall contact Fire Prevention to schedule a site inspection prior to beginning the event
- The 40' x 120' tent will house 70-80 motorcycles
- There is ample parking for attendees of the event
- The location will be free of obstacles that would inhibit emergency police and fire response
- The applicant has hired a private security company to be on site for all three days of the event
- The applicant has requested five Farmington Hills Police Officers and one Sergeant, and has agreed to reimburse the City of Farmington Hills \$10,107.08 for five officers and \$1,873.95 for one sergeant, for all three days of the event
- The applicant will have a band on site and will comply with the noise ordinance
- The applicant will be selling alcohol on site and has obtained a special liquor license

Roll Call Vote:

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

Nays: NONE

Absent: BRUCE

Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR GREATER SETH TEMPLE TO HOLD A FAMILY FUN DAY EVENT SEPTEMBER 3, 2016.

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby approves a Special Event Permit for Greater Seth Temple located at 28125 Grand River Avenue, to hold a Family Fun Day Event September 3, 2016 from 2:00p.m. to 6:00p.m., subject to the following conditions:

- Fire lanes shall not be blocked or restricted
- The event shall comply with minimum Fire Prevention Requirements
- Egress shall not be blocked/restricted from the building
- Any temporary power or connections shall be inspected and approved by the City's electrical inspector
- Final site layout is subject to Fire Department approval
- Required insurance shall be submitted prior to the event
- There will be bounce houses and other activities set up in the parking lot
- Ample parking shall be provided for all attendees on the west side of the building
- The noise levels will remain low and the sound systems will be used for announcements with some music directed toward Grand River, away from residences
- Members of the congregation will volunteer as security to monitor parked vehicles and the event
- The applicant is not requesting assistance from the Police Department
- The area will be free from obstacles that would inhibit emergency response
- The applicant expects approximately 100 attendees to the event

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF AUGUST 8, 2016.

MOTION by Lerner, support by Rich, that the City Council of Farmington Hills hereby approves the regular meeting minutes of August 8, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 5-0-1-1.

ADJOURNMENT

The City Council meeting was adjourned at 8:30p.m.

Respectfully submitted,



Pamela B. Smith, City Clerk