

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
AUGUST 24, 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 7:35 p.m.

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

Council Members Absent: Bruce

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

PLEDGE OF ALLEGIANCE

Todd Lipa, Youth and Family Services Director, led the pledge of allegiance.

APPROVAL OF AGENDA

MOTION by Massey, support by Lerner, to approve the agenda as amended to add Consent Agenda Items #18-#20.

MOTION CARRIED 6-0.

PRESENTATION FROM GERRY ABEJURO, RED CROSS REPRESENTATIVE, ON THE “BATTLE OF THE BADGES” BLOOD DRIVE:

Mr. Abejuro stated that the Red Cross is holding a “Battle of the Badges” blood drive at the Costick Center on September 9, 2015 from 8am-8pm. He stated that the Red Cross has called for an urgent appeal as of August 2, 2015, and there is shortage not only in the community but nationally. He noted that the blood drives held at the Costick Center have collected over 1,000 units of blood for the community over the past 7 years. He encouraged all to donate on September 9th.

PROCLAMATION RECOGNIZING SEPTEMBER 2015 AS NATIONAL RECOVERY MONTH:

The following proclamation was read by Councilmember Bridges:

**PROCLAMATION
National Recovery Month
September 2015**

WHEREAS, approximately 20.7 million people in the United States 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 25, 2015 has been designated as Oakland County's Eight 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, Barry Brickner, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim September 2015 as **National Recovery Month** in the City of Farmington Hills and call upon our citizens, public and private institutions, businesses, and schools to commit to increasing awareness and understanding of substance use and the need for appropriate and accessible services to promote recovery.

PROCLAMATION RECOGNIZING SEPTEMBER 2015 AS OVARIAN CANCER MONTH:

The following proclamation was read by Councilmember Steckloff and accepted by Elaine Greenberg, ovarian cancer survivor and activist.

**PROCLAMATION
Ovarian Cancer Awareness Month
September 2015**

WHEREAS, ovarian cancer is one of the most common cancers among women, and the American Cancer Society estimates that in the United States in 2015 about 22,000 new cases of ovarian cancer will be diagnosed and there will be about 15,000 deaths from the disease; and

WHEREAS, ovarian cancer, which is rarely caught in the early stages, ranks fifth in cancer deaths among women, accounting for more deaths than any other cancer of the reproductive system; and

WHEREAS, a woman's risk of getting ovarian cancer during her lifetime is about 1 in 72 and 183,000 women in the United States are currently living with the disease; and

WHEREAS, increased public awareness of the symptoms and risk factors of ovarian cancer, which include a family history of other types of genetically-related cancers, will enhance chances of early detection and increase survival rates; and

WHEREAS, more ovarian cancer research will help to develop better diagnostic tools and improved therapies, thereby offering women the opportunity to win their battle against this most deadly of all gynecologic cancers.

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 September 2015 as **Ovarian Cancer Awareness Month** in the City of Farmington Hills and encourage every woman to become educated about the symptoms and risk factors of ovarian cancer.

Elaine Greenburg commented that the survival stats have not changed in years and stressed the importance of education. She noted that teal ribbons will be tied throughout the community to create awareness for the disease as part of a national program. She added that she serves as the Midwest Regional Coordinator for a program called Survivors Teaching Students and they are working with medical students from major medical schools to raise awareness through teaching about symptoms and risk factors. Mrs. Greenburg stated that there are no tests for ovarian cancer and stated that she appreciates the opportunity to speak about the subject. She invited Andrea Tama, cancer survivor, up to the podium to share her story.

Ms. Tama shared her experience with ovarian cancer and spoke about the importance of early detection.

PROCLAMATION RECOGNIZING SEPTEMBER 2015 AS SUICIDE PREVENTION AWARENESS MONTH:

The following proclamation was read and accepted by Mayor Pro-Tem Massey:

**PROCLAMATION
Suicide Prevention Awareness Month
September 2015**

“You are not alone – there is no stigma to getting help.”

- WHEREAS,** more than 41,000 lives are lost annually to suicide, up from 38,000 a year ago - or one every 13 minutes - and it is estimated that for every suicide, there are as many as 25 suicide attempts; and
- WHEREAS,** depression and suicide span all demographics and all income levels, and 95% of those dying by suicide have a potentially treatable mental illness, if they can be connected with the right resources; and
- WHEREAS,** suicide is the third leading cause of death among young people ages 10 to 24, the second leading cause for those 25 to 34, and the tenth leading cause of all deaths in the United States; and
- WHEREAS,** suicides have increased in Oakland County by 21% since 2008 and 20% of us will have a suicide within our immediate family; and
- WHEREAS,** we can reduce these disturbing numbers through public awareness, education, and treatment, which are all crucial to preventing this tragic problem that causes loss of life and terrible suffering for the families and loved ones left behind; and
- WHEREAS,** Farmington S.A.F.E. (Suicide Awareness for Everyone) is dedicated to making a difference by empowering community members, bringing the topics of depression and suicide out into the open for discussion, and connecting those who need assistance to the many resources available.

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 September 2015 as **Suicide Prevention Awareness Month** in the City of Farmington Hills and encourage community members to “Talk About It” in order to help raise awareness of depression and suicide and work together to prevent this tragic loss, which greatly impacts families and communities.

PROCLAMATION RECOGNIZING YOUTH & FAMILY SERVICES DIRECTOR TODD LIPA ON RECEIVING A USA UNITES AWARD AND FOR HIS EXEMPLARY SERVICE TO FARMINGTON HILLS AND FARMINGTON:

The following proclamation was read by Councilmember Lerner:

PROCLAMATION
Todd Lipa
USA Unites Award Recipient
In Recognition of Exemplary Service to Farmington Hills and Farmington

WHEREAS, City of Farmington Hills Youth and Family Services Director Todd Lipa has received the prestigious USA Unites Award from the USA Brighthouse Network; and

WHEREAS, Todd Lipa began working for the City of Farmington Hills in 1995 and has given his time and talent to helping the people of our community for over 20 years; and

WHEREAS, early in his career, he partnered with former Mayor Nancy Bates to launch the City's After-School Youth Program, which has made a meaningful difference in the lives of over 12,000 middle school students in Farmington Hills and Farmington since it was established; and

WHEREAS, Todd Lipa was instrumental in the formation of the Mayor's Youth Council, the Turnaround Program, the Special Olympics Bowl-A-Thon fundraiser, the Youth Dialogue Program, and a variety of other community causes and programs; and

WHEREAS, through his chosen profession, and also through his football and baseball coaching, Todd Lipa has touched the lives of many of our community's youth and inspired them with his strength, commitment, and solid values.

NOW, THEREFORE, BE IT RESOLVED that I, Barry Brickner, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby recognize Youth and Family Services Director **Todd Lipa** for his devotion to making a difference and giving back, and offer my sincere gratitude to this highly-dedicated and well-regarded individual who has had a positive impact on the lives of so many youth and families in our community.

Former Mayor and Councilmember Nancy Bates first thanked City Manager Steve Brock for maintaining and supporting the youth program. She stated that Todd is an inspiration and champion for the youth in the community and she is honored to be able to thank him for all of his hard work with the program.

Theresa Rich, Arts Commission Member, spoke highly of the youth program as someone who has served on boards and commissions with Todd and from the perspective as a mom whose children were part of the afterschool youth program. She stated that her children also benefitted from serving on the Mayors Youth Council with Todd and she is proud to say they are now serving and giving back as they were taught through these programs. She thanked Todd for his service.

Todd Lipa thanked the site Supervisors for their time and effort with these programs. He spoke of his years of service and stated he has been blessed to have 11 years with Team Farmington Special Olympics and to be asked by Mayor Nancy Bates at the time to Chair the Commission on Children, Youth and

Families and to accept the role of Director of Youth and Family Services for the City to open the afterschool programs. He stated that the City's afterschool program is the only program still in existence that started out of 13 communities at the time. He spoke of his USA Unites award and how proud he is of the work and programs of the city. He thanked Council for their continued support and acknowledged the difference that some of the students are already making in the world today. Mr. Lipa thanked Bob McCann and USA Networks and Bright House for their support as well as the support of other organizations in the community for their support.

Councilmember Lerner inquired about the gift that came with the award. Mr. Lipa stated that he received \$5,000 along with his award, of which he is donating \$2,500 to Farmington SAFE and \$2,500 to the afterschool program.

Mayor and Council each thanked Todd for his service and acknowledged his work with the afterschool programs, Special Olympics and service on boards and commissions and commented that nobody deserves this award more than him.

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

Commission for Energy and Environmental Sustainability
Tip of the Month
August 24, 2015
Read by Councilmember Knol

Last week, Georgetown University released early data announcing the Greater Farmington Area's Fifth Place ranking among the 52 other competing communities. The community must remain in the top 10 in order to compete in the final round and be eligible for the \$5 million prize. The preliminary rankings are based solely on an overall energy score.

According to the statistics, the community has successfully reduced its utility electric consumption, but has a ways to go when it comes to reducing its utility gas consumption. To help the Greater Farmington Area stay in the Top 10 and ultimately win the Energy Prize Challenge, Consumers Energy is extending a special offer to Farmington Hills and Farmington residents. If residents make qualified home improvements or schedule a Home Performance with Energy Star Comprehensive Home Energy Assessment between now and September 30, 2015, they will be eligible for up to \$4,000 in energy efficiency rebates.

This special offer provides up to \$500 more than Consumers Energy's standard program rebates. The more qualified improvements you make, the more rebates you'll receive. With this whole-house approach, residents will learn how to save energy throughout their entire homes and reduce energy costs without compromising comfort.

To learn more about the rebates offered through the program, the Home Performance with Energy Star, or for a list of qualified contractors, go to www.consumersenergy.com/myhome.

Keep putting your energy where it counts, Farmington Hills!

PRESENTATION BY COUNTY COMMISSIONER GERSHENSON:

Commissioner Gershenson stated that she recently met the family of the Laurie Haver Buckfire Foundation. Laurie was a woman who died at age 41 of cancer and who had a young son; and in her honor they have an Art Camp at Birmingham Bloomfield Art Association for children who have been touched by cancer. She agreed awareness is crucial. She stated that Gilda's Club is a wonderful support community for men, women and children and they have support groups for the significant others and family members, which was helpful to her when her husband was diagnosed with cancer.

Commissioner Gershenson mentioned the following:

- Oakland County Health Department is hosting extended hours for school vaccinations and there are reduced rates.
- Oakland County has a newly launched website called vantageoakland.com for information on starting a business, finding a job, maps, etc.
- Oakland County Health Department is offering a refresher course to area doctors in an attempt to fight prescription drug abuse amongst pre-teens on Saturday, October 3, 2015 at the Oakland Schools in Waterford, MI. She noted that prescription drugs account for 60% of all deaths from drug overdoses.
- She expressed her support to Councilmember Steckloff who was diagnosed with breast cancer.

Councilmember Steckloff thanked Commissioner Gershenson and for mentioning Gilda's Club. She stated that she is now a member of Gilda's Club and has been attending support groups. She mentioned that Gilda's Club is hosting "Bras For a Cause" program at the Royal Oak Music Hall on October 3, 2015.

CORRESPONDENCE

The following correspondence was received by Council:

- E-mail from a resident regarding flooding or sewer issues. Mayor Brickner would pass that on to staff
- E-mail from resident asking about the closing of the school buildings, which was sent on to Farmington Public Schools to address

CONSENT AGENDA

MOTION by Lerner, support by Bridges, to approve Consent Agenda items#13, 14 and 17 through 20 as read.

Roll Call Vote:

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

MOTION CARRIED 6-0.

MOTION by Lerner, support by Bridges, to approve Consent Agenda Item #15 & 16 as read.

Roll Call Vote:

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

MOTION CARRIED 4-0-1-2

PUBLIC QUESTIONS AND COMMENTS

Edwin Matysiewicz, President of Barrington Green Subdivision Homeowners Association, expressed concern with the new paving project recently done by the City, north of 12 Mile Road, and the condition of that area. He has had complaints from many residents. He also expressed concern with drainage in one area of his subdivision to which he brought to the attention of City staff at the time the roads were paved. He stated that every 8 to 10 years the city is repaving that portion of the road. He urged Council to address the drainage when considering future paving projects.

Acting City Manager Boyer stated that he received an e-mail from Mr. Matysiewicz today that he sent on to Director Mekjian of the Public Services Department who is present tonight. He encouraged Mr. Matysiewicz to speak to Mr. Mekjian prior to leaving this evening.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following Council comments/announcements were made:

- Use of external defibrillator by the Police and Fire Departments to save a motorist and the Police was first on the scene and used the defibrillator and passengers were then treated and transported by the Fire Department. Police Officers were commended for their efforts.
- Masonic Temple, Lodge 151, celebrated 150 years in existence and 136 years in the same building in Farmington

CITY MANAGER UPDATE

Acting City Manager Boyer provided an update on the following:

- Demolition of the Alexander Hamilton Building
- Planning Commission Public Hearing for the Beaumont-Botsford Hospital Expansion was held and the Commission qualified that project for a Planned Unit Development (PUD) that should be coming before Council in September, 2015
- Water Resources Commission press conference on the Middlebelt Tunnel Project at City Hall on September 2, 2015 at 10am
- 9-11 Patriots Day event being held in the downtown Farmington pavilion on September 11, 2015 from 6-7pm.
- Various road projects throughout the city

Mayor Brickner asked that the city contact the Oakland County Road Commission with regard to a project they are doing on Middlebelt in front of the Adat Shalom Synagogue as they will be having high holidays starting September 13, 2015. Mr. Boyer stated that he will make that contact.

Councilmember Bridges inquired about the opening of the 14 Mile/Orchard Lake Road round-a-bout. Mr. Boyer responded that it will be opened in phases as they continue to work so they are hoping that it will be fully opened sometime in October.

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF FINAL APPROVAL OF PRELIMINARY PLAN FOR SITE CONDOMINIUM PLAN 1, 2013 (WHISPERING MEADOWS ESTATES), DATED AUGUST 3, 2015.

Ed Gardiner, Director of Planning and Community Development, explained that the request is for a site condominium plan for a 6 lot subdivision on approximately 6.7 acre parcel of land located on the NE corner of Halsted and Howard Roads and is zoned RA-1A, single-family residential. He noted that the proponent is present to explain the plan as is Planning Consultant Rod Arroyo to discuss details of the proposal. Mr. Gardiner noted that the Planning Commission took action at their public hearing meeting held May 14, 2015 to grant tentative approval of the preliminary plan and the request before Council is for final approval of the preliminary plan. He stated that this is an advertised public hearing so public comments should be heard prior to Council deliberation and action.

Planning Consultant Arroyo discussed his review of the project. He noted that one of the unique features of the plan, other than the homes fronting on the existing Howard Road, include the preservation of approximately 2 acres or 30% of the site as open space that will provide a buffer between the proposed homes and I-696. He noted that the plan meets all ordinance requirements and standards. Mr. Arroyo mentioned that the proponent was required by the Planning Commission to submit for administrative approval some changes to their tree protection and landscape plan and they have done that. There will be replacement trees proposed along the north side of the lots and an expanded wetland area to serve as storm water detention that will include additional vegetation. He spoke of the proposed gravel access drives to minimize storm water impact.

Councilmember Lerner questioned if the gravel drives are included as part of the condominium deed or could a future owner have those paved in the future; and if the open space would be addressed by a separate deed from the other 6 lots.

Mr. Gardiner responded that this was part of the engineering approval and he believes this would be addressed in the Condominium Master Deed and would be enforced by the Condominium Association.

City Attorney Joppich clarified that the 6 individual lots as well as the open space lot will all be covered under one Master Deed outlining the use of the open space as a general commons area and owned by the Association.

Councilmember Bridges mentioned that Mr. Arroyo's report suggests that the location of the utility line easement should be along the rear or side lot lines and they are shown along the north lot line. He inquired how that discrepancy would be rectified. Mr. Arroyo stated that it is his understanding that this would be rectified through the process of final plan approval.

Mayor Brickner explained the proposed drainage for the site.

John Pastor, Proponent, was available to answer any questions of Council.

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

MOTION by Bridges, support by Knol, that the City Council of Farmington Hills hereby grants final approval of preliminary plan for Site Condominium Plan 1, 2013 (Whispering Meadows Estates) dated August 3, 2015, with the understanding that the issue of the utility line would be addressed during approval of the final plan.

MOTION CARRIED 6-0.

NEW BUSINESS

CONSIDERATION OF ADOPTING A RESOLUTION ESTABLISHING A POLICY REGARDING THE INSPECTION AND COPYING OF ASSESSMENT RECORDS.

Attorney Joppich explained that while the inspection and copying of assessment records is covered under the FOIA procedures and guidelines recently adopted by City Council, the State Tax Commission requires specific language and resolution for the inspection and copying of assessment records.

Councilmember Bridges inquired when the law changed. Attorney Joppich stated that he does not believe there was a change in the law but an administrative change that is requiring this resolution for audit purposes.

Mayor Brickner indicated that this information can be accessed for free from the city's website. He inquired if the City would charge for this information.

City Clerk Smith responded that if the request came through as a FOIA request there could be a charge depending on the records requested; however, if someone were to come in and want to inspect or receive a copy or two of a document that was readily available, there would be no charge.

Resolution No. R-142-15
RESOLUTION ESTABLISHING POLICY REGARDING
INSPECTION AND COPYING OF ASSESSMENT RECORDS

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held in the City Council Chambers on August 24, 2015, at 7:30 o'clock p.m., with those present and absent being:

PRESENT: BRICKNER, BRIDGES, KNOL, LERNER, MASSEY AND STECKLOFF
ABSENT: BRUCE

The following preamble and resolution were offered by Councilperson Knol and supported by Councilperson Lerner:

WHEREAS, the Farmington Hills City Council desires to comply with the requirements of MCL 211.10a; and

WHEREAS, the Farmington Hills City Council desires to comply with The Michigan State Tax Commission requirements relating to the inspection and copying of public records.

NOW, THEREFORE BE IT RESOLVED:

1. Assessing Department Office Hours are, excluding holidays when the City offices are closed:
Monday through Friday
From 8:30 a.m. to 4:30 p.m.
2. The City's Assessing records are available through the City website at www.fhgov.com.
3. City staff is available Monday thru Friday 8:30 a.m. to 4:30 p.m. at the City Hall to assist with requests to view or copy assessment records.

4. City assessment records are available during normal City business hours for inspection and copying. There is no charge for copies of assessment records requested by the owner of the property. For copies requested by persons other than the property owner, a reasonable copy charge will apply based upon the fee schedule applicable to requests for public records under the Michigan Freedom of Information Act. All City assessing information may be printed from the City website without charge.

AYES: BRICKNER, BRIDGES, KNOL, LERNER, MASSEY AND STECKLOFF
NAYES: NONE
ABSENT: BRUCE
ABSTENTIONS: NONE

RESOLUTION DECLARED ADOPTED AUGUST 24, 2015.

CONSIDERATION OF ADOPTING A RESOLUTION GRANTING APPROVAL OF THE UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT WITH BRIGHT HOUSE NETWORKS, LLC.

Attorney Dove commented that he provided a letter explaining the proposed franchise agreement. He explained that Bright House Networks, LLC who is the current cable provider and who has a current franchise agreement with the City that expires in December, 2015, has submitted a franchise under Public Act 480. He stated that the form is mandated by the Public Service Commission and terms and conditions of the franchise agreement are mandated by legislation and the choices provided to the City are very limited. Attorney Dove explained that the City may approve the agreement as long as that is done within 30 days of receipt by the City Clerk and if you do not, the law approves it for the City.

Mr. Dove stated that the recommendation is to adopt the resolution as it includes a reservation of the City's rights if this law is again challenged successfully by a municipality and provides for the City to set the franchise fee at the maximum of 5 percent. He added that there is nothing in the law that would allow the City to deny or negotiate the franchise agreement.

Councilmember Bridges stated that one of the most common complaints from constituents is the lack of local control over the franchise and rates and competition in the community. He feels there has to be a way for cities to voice their concerns.

Attorney Dove stated that the problem came from the legislature and ultimately that is where the solution would need to come from; not only with cable but with telecom and right-of-way permits. He stated that both at the state and federal level, laws seem to make it easier for those companies to provide those kinds of service and feels it is a reflection of how much our society uses them.

Councilmember Lerner questioned if the resolution should also acknowledge the PEG Fees. Attorney Dove stated that the MPSC approved form leaves only the franchise fee to be completed by the municipality and therefore that is set within the resolution. He noted that the franchise agreement submitted by Bright House acknowledged that they were paying a 1% PEG fees and will now be paying a 2% PEG fee, which is the statutory limit.

Councilmember Lerner inquired if in-kind services are being received at no charge.

Bob McCann, representing Bright House Networks, LLC, stated that there are a number of city buildings receiving in-kind services at no charge such as City Hall and the Police and Fire Stations. He noted that they are not obligated to do that but have continued to provide those in-kind services.

Resolution No. R-143-15

**RESOLUTION GRANTING APPROVAL OF UNIFORM VIDEO SERVICE LOCAL
FRANCHISE AGREEMENT WITH BRIGHT HOUSE NETWORKS, LLC**

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held in the City Council Chambers on August 24, 2015, at 7:30 PM, with those present and absent being:

PRESENT: BRICKNER, BRIDGES, KNOL, LERNER, MASSEY AND STECKLOFF

ABSENT: BRUCE

The following preamble and Resolution were offered by Councilperson Lerner and supported by Councilperson Massey.

WHEREAS, in 2000, the City entered into a Cable Television Franchise Agreement with Time Warner Entertainment Advance/Newhouse Partnership for a 15 year term that will expire in December, 2015; and

WHEREAS, the interest of Time Warner Entertainment Advance/Newhouse Partnership in the 2000 Cable Television Franchise Agreement is now held by Bright House Networks, LLC, doing business as Bright House Networks and referred to in this Resolution as "Bright House"; and

WHEREAS, Public Act 480 of 2006, the Uniform Video Service Local Franchise Act (the "Act") became law in the State of Michigan on January 1, 2007; and

WHEREAS, Section 3 of the Act requires a Video Service Provider to enter into a Uniform Video Service Local Franchise Agreement ("Franchise") with a Franchising Entity prior to offering video services within the boundaries of that Franchising Entity; and

WHEREAS, on August 12, 2015, a proposed Franchise was filed with the Clerk for the City of Farmington Hills ("City") by Bright House; and

WHEREAS, Section (3)2 of the Act requires the City to notify Bright House as to the completeness of the Franchise within fifteen (15) days after the Franchise was filed, with the last date for that notice being August 27, 2015; and

WHEREAS, Section 3(3) of the Act requires the City to approve the Franchise if found to be complete within 30 calendar days from the date it was filed with the City Clerk, with the last date for that approval being September 11, 2015; and

WHEREAS, based on the date of filing of the Franchise with the City, and the limited time frame within which the City has to respond, August 24, 2015, is the last regular meeting date at which approval of the Franchise could be considered by the City Council; and

WHEREAS, the Council has determined that the Franchise is complete and meets the technical requirements of the Act, and therefore undertakes to adopt this Resolution approving the Franchise, as required by the Act.

NOW THEREFORE, BE IT RESOLVED that the City finds that the Franchise is complete and meets the technical requirements of the Act, and solely for that reason, the City hereby approves and authorizes and directs the Mayor to sign the Franchise with Bright House, with the annual video service provider fee in Section VI.A.ii, to be five percent (5%) of gross revenue, and this approval to be effective as of September 1, 2015.

BE IT FURTHER RESOLVED that on page 11 of the Franchise the following language shall be inserted below the "Date completed and approved;" line:

Determination of Completeness and Approval effective September 1, 2015,
and authority for this Franchise Agreement to be signed, was by adoption of a
Resolution by the City Council at a meeting on August 24, 2015.

BE IT FURTHER RESOLVED that such approval by the City is given only because it is required by the Act, and is not an indication of the City's agreement with or assent to any provisions of the Act or the Franchise.

BE IT FURTHER RESOLVED that by approving the Franchise, the City shall not be found to have waived its rights to challenge any provisions of the Act and/or any related provisions of the Franchise on the basis that such provisions are invalid and unenforceable as violations of law, including on the grounds that a particular action is an unconstitutional impairment of contractual rights, and further reserves any and all rights stemming from any successful challenge to such provisions undertaken by any other local franchising entity.

BE IT FURTHER RESOLVED that the City Clerk shall provide a copy of this Resolution to Bright House on August 25, 2015, by one of the methods for Notice in Section XV of the Franchise.

AYES: BRICKNER, BRIDGES, KNOL, LERNER, MASSEY AND STECKLOFF
NAYES: NONE
ABSENT: BRUCE
ABSTENTIONS: NONE

RESOLUTION DECLARED ADOPTED AUGUST 24, 2015.

CONSIDERATION OF APPROVAL OF AN EXTENSION OF CONTRACT WITH D.V.M. UTILITIES INC. IN THE AMOUNT OF \$505,599.75 TO INCLUDE PHASE 2 OF THE GRAND RIVER HOMES WATER MAIN REPLACEMENT PROJECT. CMR 8-15-82

Director of Public Services Mekjian explained that D.V.M. Utilities, Inc. was the company that had completed the work for Phase I of the Grand River Homes Water Main Replacement Project and as part of Council's approval for Phase I, it included extending that contract to Phase 2 of the project if agreed upon by both the City and contractor. He stated that D.V.M Utilities has done good work on Phase 1 of the project and staff is now recommending the extension of that contract to D.V.M. for Phase 2 of the project.

Councilmember Lerner inquired about the 5% increase for Phase 2 of the project. He felt there was no significant difference between Phase 1 and 2 of the project to justify the increase. Senior Engineer, Jim Cubera, explained that during the bid process for Phase 1, vendors were asked to provide a price increase, if any, for Phase 2 should they be awarded the project.

Discussion was held on the costs of Phase 1 of the projects and the costs involved for the contractor D.V.M. Utilities versus the costs for the private services for each home to connect to the water main, which was not part of the project costs that were bid out.

Councilmember Knol pointed out that the total cost with the 5% increase was still lower than the other bids submitted during Phase 1 and that the issue before Council is only for the extension of this contract and not for the additional private services for each home.

Councilmember Lerner and Mayor Pro-Tem Massey expressed concern with the costs involved for the other services. The engineering division indicated that they would look into this issue further to provide Council more information.

MOTION by Knol, support by Lerner, that the City of Farmington Hills City Council hereby authorizes an extension of contract with D.V.M. Utilities, Inc., of Sterling Heights, Michigan in the amount of \$505,599.75, to include Phase 2 of the Grand River Homes subdivision Water Main Replacement Project.

MOTION CARRIED 6-0.

Mayor Pro-Tem Massey requested that if any projects are running over budget to alert Council. Director Mekjian assured Council that he would do so.

Councilmember Lerner suggested bidding out the private site work as part of the projects in the future. Mr. Mekjian stated that staff can look into that option

CONSIDERATION OF APPROVAL OF AWARD OF BIDS FOR THE POLICE DEPARTMENT RENOVATION PHASE III PROJECT. CMR 8-15-80

Police Chief Nebus briefly reviewed the renovations completed in Phase I and II of the building renovations and discussed the proposed plans for Phase III of the renovations project for the Police Building. He stressed the importance of these renovations that would improve the overall work environment for the Police Department and help to retain the quality and level of staffing.

Chief Nebus introduced the Pre-Construction Manager present at the meeting from Cunningham-Limp and noted that the project was funded through Capital Improvement funds.

Director Lasley reviewed the bidding process noting that each trade was bid out separately.

MOTION by Massey, support by Lerner, that the City of Farmington Hills City Council hereby authorizes the Acting City Manager and Cunningham-Limp to issue contracts, in the following amounts to the respective contractors for the Police Department Renovation Phase III Project:

Item	Award Amount	Contractor(s)
Demolition	\$26,200	DKI International, Inc. (West Bloomfield)
Masonry	\$29,575	Connolly Masonry (Clarkston)
Misc. Steel	\$7,990	Service Iron (South Lyon)
Roofing	\$3,850	Lutz Roofing (Shelby Township)
Glass & Glazing	\$6,500	Crystal Glass (New Hudson, MI)
Doors & Hardware	\$8,700	Gamalski Building Specialties (Auburn Hills)
Carpentry, Ceilings & Millwork	\$46,700	Advanced Building Group (Detroit)
Toilet Partitions & Accessories	\$9,314	Rayhaven Group (Southfield)
Lockers & Benches	\$104,766	Rayhaven Group (Southfield)
Painting & Finishes	\$9,250	Cross Renovation (Garden City)
Floor Covering: Stained Concrete	\$14,500	Cipriano Concrete Tech (Sterling Heights)
Floor Covering: Hard Surface Tile	\$10,500	Eldorado Tile & Marble (Sterling Heights)
Floor Covering: Vinyl & Rubber	\$14,827	Resource Office Interiors (Farmington Hills)
Plumbing	\$23,800	Contrast Mechanical (Macomb Twp.)
HVAC	\$104,000	Quality Aire Systems, Inc. (Ann Arbor)
HVAC: Exhaust Hood Allowance	\$3,000	Allowance Only – Will Quote as Needed
Electrical	\$79,372	Electrical Power and Design (Redford)
Fire Protection	\$9,980	Dynamic Fire Protection, Inc. (Newport)
Security	\$25,000	Allowance Only – Will Bid or use existing contract pricing from Vigilante

MOTION CARRIED 6-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE 2015 CITYWIDE PLANTING PROGRAM TO AGROSCAPING, INC., IN THE AMOUNT OF \$46,447.50. CMR 8-15-81

MOTION by Lerner, support by Bridges, that the City of Farmington Hills City Council hereby approves the award of contract in the amount of \$46,447.50 to Agroscaping, Inc., the lowest competent qualified bidder, for the 2015 Citywide Planting Program; and

FURTHER, authorizes the Acting City Manager and City Clerk to sign the contract on behalf of the City of Farmington Hills.

Roll Call Vote:

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

Nays: NONE

Absent: BRUCE

Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR DESIGN/BUILD CONSTRUCTION MANAGEMENT SERVICES FOR THE COSTICK CENTER HVAC TO CUNNINGHAM-LIMP/SIDOCK GROUP IN AN ESTIMATED AMOUNT OF \$48,740.00; WITH POSSIBLE EXTENSION TO OTHER CITY FACILITIES. CMR 8-15-83

MOTION by Lerner, support by Bridges, that the City of Farmington Hills City Council hereby authorizes the Acting City Manager to sign a contract for design/build construction management services for the Costick Center HVAC project to Cunningham-Limp partnering with Sidock Group in an estimated amount of \$48,740; and

FURTHER, authorizes the City Manager to enter into a three year agreement with an optional three additional year extension agreement with Cunningham-Limp partnering with Sidock Group to provide the same said services under the current terms and conditions for other City of Farmington Hills facilities.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF AUGUST 10, 2015.

MOTION by Lerner, support by Bridges, to approve the City Council study session meeting minutes of August 10, 2015 as submitted.

Roll Call Vote:

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

MOTION CARRIED 4-0-1-2.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF AUGUST 10, 2015.

MOTION by Lerner, support by Bridges, to approve the City Council regular meeting minutes of August 10, 2015 as submitted.

Roll Call Vote:

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

MOTION CARRIED 4-0-1-2

RECOMMENDED APPROVAL OF THE CITY COUNCIL SPECIAL MEETING MINUTES OF AUGUST 17, 2015.

MOTION by Lerner, support by Bridges, to approve the City Council special meeting minutes of August 17, 2015 as submitted.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF ESTABLISHING A DIRECTED SPECIAL ASSESSMENT DISTRICT FOR ROAD IMPROVEMENT FOR INDEPENDENCE COMMONS SUBDIVISION AND ESTABLISHING THE PUBLIC HEARING OF DETERMINATION (RESOLUTIONS #1 AND #2)

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby adopts Resolution #1 establishing the boundary of a special assessment district for hard surface road improvement for the Independence Commons Subdivision to include the properties outlined in the City Manager Report 8-15-84; and

FURTHER RESOLVES, the adoption of Resolution #2 establishing the date of September 28, 2015 for the public hearing of determination to proceed.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF ESTABLISHING A DIRECTED SPECIAL ASSESSMENT DISTRICT FOR ROAD IMPROVEMENT FOR BRIAR HILL SUBDIVISION AND ESTABLISHING THE PUBLIC HEARING OF DETERMINATION (RESOLUTIONS #1 AND #2)

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby adopts Resolution #1 establishing the boundary of a special assessment district for hard surface road improvement for the Briar Hill Subdivision to include the properties outlined in the City Manager Report 8-15-85; and

FURTHER RESOLVES, the adoption of Resolution #2 establishing the date of October 12, 2015 for the public hearing of determination to proceed.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF ESTABLISHING A DIRECTED SPECIAL ASSESSMENT DISTRICT FOR ROAD IMPROVEMENT FOR HOLLYWOOD, WESTHILLWOODS AND TARABUSI GRAND RIVER GARDENS AREA SUBDIVISIONS AND ESTABLISHING THE PUBLIC HEARING OF DETERMINATION (RESOLUTIONS #1 AND #2)

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby adopts Resolution #1 establishing the boundary of a special assessment district for hard surface road improvement for the Hollywood, Westhill Woods and Tarabusi Grand River Gardens Area Subdivisions to include the properties outlined in the City Manager Report 8-15-86; and

FURTHER RESOLVES, the adoption of Resolution #2 establishing the date of October 26, 2015 for the public hearing of determination to proceed.

Roll Call Vote:

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

Nays: NONE

Absent: BRUCE

Abstentions: NONE

MOTION CARRIED 6-0.

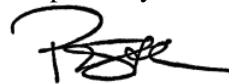
TOPICS FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING

Mayor Brickner mentioned potential topics for the next regular City Council meeting of August 24, 2015.

ADJOURNMENT

Mayor Brickner adjourned the City Council meeting at 9:33pm.

Respectfully submitted,



Pamela B. Smith, City Clerk