

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
MARCH 28, 2016 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

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

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

Council Members Absent: None

Others Present: City Manager Boyer, Assistant City Manager Mekjian, City Clerk Smith, Directors Gajda, Gardiner, Lasley and Randle, City Attorney Joppich and Planning Consultant Arroyo

PLEDGE OF ALLEGIANCE

Planning Commissioner Chris McRae led the pledge of allegiance.

APPROVAL OF AGENDA

MOTION by Rich, support by Bruce, to approve the agenda with the addition of Item #1a, Community Service Update.

MOTION CARRIED 7-0.

COMMUNITY SERVICE UPDATE

Pam O'Malley, member of the Neighborhood House, explained that their fundraising Gala will be held on April 21, 2016 from 4pm-7pm at the Longacre House and this is a big event for their organization.

Barbara Tupper-Dresmond thanked the City for their support of the Neighborhood House and also for supporting the Gala. She explained that for the past two years they have awarded the Dick Tupper Community Service award to a recipient that embodies the spirit of giving and community service and this year's recipient is described as someone who freely gives their time and resources to many different community organizations, inspires others of all ages to be involved in community service and to enjoy it and has a very generous heart and is very caring.

Barbara Tupper-Dresmond presented this year's Dick Tupper Community Service award to Councilmember Richard Lerner.

Mayor Massey congratulated Councilmember Lerner on his well-deserved award.

WORKERS' COMPENSATION LOSS CONTROL ACHIEVEMENT AWARD PRESENTATION

Human Resources Director John Randle explained that there are over 900 municipalities, townships and other governmental units that participate as part of the Michigan Municipal League (MML) Workers' Compensation Fund. The Fund recognizes members who have achieved an excellent safety record and since 1991, the City of Farmington Hills has received the Workers' Compensation Loss Control Achievement Award from the MML 21 times. He noted that no other City has matched this record and after reviewing the financial impact, the City will pay \$34,405.00 less in premiums compared to last year. He stated that over a 16 year period, the City has realized a cost avoidance savings of \$4,390,606 in premiums and this can be attributed to the City's commitment to strong safety practices, which include our Safety Committee and Local Planning Team.

Judy Thompson-Torosian, account executive from the MML Workers' Compensation Fund, explained that the MML gives awards every year based on categories and the City of Farmington Hills is in category 1, which has the largest number of members. She pointed out that the City's experience modification factor was not only the lowest in category 1, but the lowest of all members. She stated that maintaining a low experience modification factor takes planning and work by all City employees as a team. She congratulated the City and presented the Workers' Compensation Loss Control Achievement Award.

Councilmember Rich pointed out that this represents approximately 5% of the City's annual budget that has been saved over the course of the last 16 years, which is tremendous. She noted that when she speaks to residents about what is important in Farmington Hills the first thing they talk about is safety, not just for the residents but also for the employees and she appreciates the effort that goes into this.

Mayor and Council thanked Director Randle for his efforts and leadership.

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

Every weekend, set aside a couple hours to complete a simple DIY energy saving project. After a few of these, your home will be in tip-top, energy efficient shape!

Your first task will be to insulate your hot water heater. Newer hot water heaters are most likely already insulated, but older ones may not be. According to the Department of Energy, insulating your hot water heater can save you anywhere from \$20 - 45 annually.

Before you insulate, however, check your hot water heater temperature. Set it to 120 degrees for optimum efficiency. According to the Department of Energy, you can save \$12 - 30 for every 10 degrees that you lower the temperature.

Also check to see if your hot water heater is leaking. A water leak indicates you need a new hot water heater.

Insulating your hot water heater should take around 1.5 hours from start to finish. You can find step-by-step guides for this project and more at www.energy.gov. Grab a helper and start saving!

PRESENTATION OF HISTORIC DISTRICT COMMISSION 2015 ANNUAL REPORT

Vice-Chair Michael Hegarty presented the annual report to Council and discussed the role of the Historic District Commission (HDC), noting the Commissions actions, challenges and accomplishments that have taken place over the last year.

Councilmember Lerner thanked Mr. Hegarty for the report and noted that Department of the Interior governs many of the responsibilities of the HDC. He referred to the Sarah Fisher building and fact that the HDC discussed preserving the wood windows and other elements; however, they would not be energy efficient. He asked if they are able to update items such as this to 2015 standards when preserving a building. Mr. Hegarty responded that they are able to make such updates.

Councilmember Lerner commented on the historic home on Haggerty Road that the homeowner has tried to sell or even give away and inquired what options the HDC can offer for someone in this type of situation.

Staff Planner and HDC Liaison, Mark Stec, explained that the ordinance permits alternative uses for historic homes located on a major corridor and that he understands this is a challenging location for a residential use. He noted that the HDC has submitted information to the State Historic Preservation Office and made a presentation to the Planning Commission; and once they receive comment back from the State, this item will come before City Council for final determination if this home should remain with a historic designation or if the designation should be removed.

Mr. Stec mentioned that if the home is used for office use, the homeowner can do whatever they want to the interior of the home.

Mayor Pro-Tem Knol commented that the Department of Interior does allow flexibility as far as modern and energy efficient materials are concerned, as long as they are used in a way that is historically accurate.

Staff Planner Stec added that the HDC recognizes energy efficiency and in 2014 they put together a document for those that own historic homes on measures they can take to increase energy efficiency without degrading the historic character of the home.

PRESENTATION OF PLANNING COMMISSION 2015 ANNUAL REPORT

Planning Commissioner Chris McRae presented the Planning Commission's annual report and discussed the Commission's major initiatives and projects over the past year, noting that the Commission along with the Planning Department encourages development in the City.

Councilmember Bridges questioned when the Master Plan will be up for renewal. Commissioner McRae responded that the Master Plan is required to be reviewed on a 5-year basis.

Mayor Massey thanked the Planning Commission for their work.

PROCLAMATION RECOGNIZING APRIL 2016 AS CHILD ABUSE PREVENTION AND AWARENESS MONTH

The following proclamation was read by Councilmember Lerner and accepted by Miriana Milo, Manager of Community Outreach for CARE House of Oakland County:

Child Abuse Prevention and Awareness Month April 2016

WHEREAS, abuse and neglect are suffered by children in our communities, regardless of age, race, gender or economic situation, with many cases going unreported; and

WHEREAS, the devastating consequences of physical and emotional abuse of our children affects the community as a whole, and finding solutions needs to be a concern of the community as a whole; and

WHEREAS, the State of Michigan has mandatory reporting by professionals working with children of any suspected abuse and neglect incidences – a major step – but more is needed in the community; and

WHEREAS, CARE House of Oakland County works to break the cycle of child abuse and neglect, provides a protective circle of light and hope for a better life, and advocates for the safety and protection of children; and

WHEREAS, CARE House of Oakland County offers services aimed at preventing child abuse and neglect, knowing that effective programs succeed because of the partnerships created among schools, social service agencies, religious and civic organizations, the business community, and law enforcement agencies.

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 April 2016 as **Child Abuse Prevention and Awareness Month** in Farmington Hills and call upon citizens, community agencies, organizations, and businesses to increase participation in efforts to prevent child abuse, to strengthen our community, and to ensure that children grow up in an environment that nurtures them and keeps them safe.

CORRESPONDENCE

Councilmember Steckloff commented that there has been a lot of interest in the Community Health Committee and they are still accepting applications.

Mayor Massey acknowledged correspondence from the Arbor Day Foundation notifying Council that Farmington Hills has been named a 2015 Tree City and a proclamation was received from County Executive Patterson recognizing April 2016 as Fair Hosing Month within Oakland County.

CONSENT AGENDA

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

Roll Call Vote:

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

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

PUBLIC QUESTIONS AND COMMENTS

Eugene Greenstein discussed a meeting he attended on Friday March 18, 2016 with the Chaldean Community, Congressman Trott and State Department special advisor for religious minorities in the Near East and South Central Asia, Knox Thames. He commented on genocide against Christians and minorities in these regions and stated that welcoming cities is a political agenda and we need to act to save people from genocide.

Linda Stolberg stated that she feels the Multi-Cultural Multi-Racial (MCMR) Committee is once again demonstrating a one-sided agenda in their selection a speaker for the Rainbow Recognition Celebration that is speaker from CMU to speak on micro-aggression. She asked Council to have the keynote speaker replaced for the event and to defend free speech.

Sue Burstein-Kahn congratulated Councilmember Lerner on his award and recognized the Neighborhood House for their efforts in the community. She explained that the speaker being brought in for the Rainbow Recognition Breakfast on micro-aggression hardly represents the event and shows that the MCMR Committee still has a one-sided political agenda. She stated that the Rainbow Recognition event

is to recognize people in our community who have made a difference and asked that Council please cancel the speaker.

Irving Ginsberg feels that MCMR only presents one side of contentious issues. He commented that micro-aggression concerns speech, tone, body language and is subjective. He stated that if the MCMR Committee continues to stifle free speech, then they are not doing a service to the citizens of Farmington Hills and Council should reconsider their participation in funding this organization.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

Councilmember Rich mentioned that she will be hosting her Second Sunday Walk and Talk on April 10 and anyone who would like to join should meet at the Library at 11:30am in the Heritage Room.

Councilmember Lerner commented that the Neighborhood House Fundraiser Gala will be held on April 21 at the Longacre House and the Xempler Clubs Annual Euchre Party Fundraiser will be held on April 23 at the Costick Center.

Mayor Massey mentioned that April 23 is the Litter Walk for the Beautification Commission, on April 27 the Farmington SAFE and the Graham Smith Memorial Fund is hosting a community conversation on PTSD, mental health and suicide risk at City Hall at 7pm and May 7 is Hazmat Day between 9am and 2pm at the Oakland Community College parking lot. He added that he has completed his four quadrant meetings and will be holding them again in about 6 months.

CITY MANAGER UPDATE

City Manager Boyer mentioned the following:

- The Chamber is hosting a Health Wellness and Beauty Expo on Thursday, March 31 from 11am-2pm at the Total Soccer Complex in Farmington
- The Senior Division is hosting their Annual Volunteer Breakfast on Thursday, April 7 from 9am-10:30am
- The Festival of the Arts Reception and Award Ceremony will be held Friday, April 15 at 6pm and the Free Family Festival Day will be Saturday, April 16 from 10am - 4pm

PUBLIC HEARING:

PUBLIC HEARING AND CONSIDERATION OF APPROVAL OF PLANNED UNIT DEVELOPMENT PLAN 3, 2015 FOR THE PROPERTY LOCATED AT 27400 TWELVE MILE ROAD, SARAH FISHER HOLDING LLC. DATED FEBRUARY 5, 2016.

Director of Planning and Community Development Gardiner explained that this proposal is for a Planned Unit Development for the Sarah Fisher home located at 12 Mile and Inkster Roads. He noted it is a historic site and the Historic District Commission (HDC) has reviewed the project and have issued a notice to proceed. He stated that the proposal would repurpose the administration building and two of the cottages for a senior living community and the Planning Commission has reviewed the PUD plan and have recommended approval.

John Shekerjian presented his proposal stating that the Sarah Fisher center was built in 1929 and ceased operations in 2005. He stated that they have worked with the HDC on a plan to redevelop the property and have received a notice to proceed to remove 13 of the 16 existing buildings, save the original administration building and two cottages and restore the original entrance gate and wall at the corner of 12 Mile and Inkster Roads. He is proposing a senior community with a total of 354 residential units for independent living, along with assisted and memory care living. The project will be built in phases with the first phase to include the renovation of the existing buildings. He presented a site plan showing the building layout and positioning on

the property. He noted that there will be a new entrance off 12 Mile Road and, per the request of the Planning Commission and City Engineer; they have provided a traffic study which supports the roadway configuration and driveway locations. He has worked with the Road Commission and the City of Southfield regarding the entrance locations off 12 Mile Road and Inkster Road and intends to work with the City Engineer on utilities and sanitary system design.

Mr. Shekerjian pointed out that they have received input from the Hickory Oaks and Woodcreek Subdivisions as well as from the Sisters of the Daughters of Charity who are the former owners of Sarah Fisher and live adjacent to the property.

Councilmember Steckloff commended the proponent on their professionalism and compassion while working with the residents. She asked if the cottages will be used for physical therapy and questioned the number of trees to be removed and replaced. Mr. Shekerjian responded that they have not discussed the use of the cottages to date and have not yet begun that portion of the design process. He did not have the exact number of trees to be removed but due to the grading that must take place they will have to remove some trees. He noted that they will be adding a lot of vegetation.

Councilmember Lerner commented that he appreciates the development of a site that has sat vacant for over a decade and the fact that the developer met with the neighboring properties. He questioned if the 79 proposed parking spaces for the 108 unit independent living area would be sufficient. Mr. Shekerjian responded that they calculated the parking based on the ordinance requirements.

Jim Pappas, architect, added that the proposed parking will be sufficient for this type of development.

Councilmember Lerner questioned the location of the ambulance bay or entrance. Mr. Shekerjian responded that there are multiple entrances to the complex and there will be a drop off specifically for independent living, a drop off access at the administration building and a separate access point for assisted living.

Councilmember Rich stated that the proponent is creating a beautiful place for people to age and as a green City, repurposing is important. She noted that the development will add 1% of households to the City and questioned if the City is equipped to handle this influx of residents and infrastructure by means of public safety, recreation services, meals-on-wheels, busing and other things that are important for seniors in the community.

City Manager Boyer stated that as part of the PUD process all departments are required to review the plan. He added that from a public safety aspect, this project will be completed in phases so there will not be a sudden spike in residential units, and the City is already looking ahead to enhance its public safety for future developments.

Director Gardiner commented that the Engineering Department reviews the plan in terms of infrastructure, water and sewer capabilities as well as traffic, and from a general standpoint they feel these items can be accommodated for this development; however, final Engineering plans have not been submitted and will not be approved until all utilities meet City requirements. He added that this is an existing site and with the new development there will not be a lot of additional demands, with the exception of public safety due the type of residential population.

Councilmember Bridges questioned the number of employees and public benefits from this development. Mr. Shekerjian responded that he estimates 70-80 employees.

Director Gardiner responded that some of the benefits include the reuse and preservation of a historic structure, the preservation of open space and natural buffering to existing residential properties. He

recommended that an architecture component review be done prior to site plan approval to make sure that the development is in character with the historic nature of the site and surrounding areas, but that ultimately it is up to Council to make final determination that benefits are being derived for the community.

Councilmember Bruce commented that he likes the proposal and how the buildings will be laid out and that they are preserving some of the existing buildings. He asked if they foresee the buildings being constructed with similar brick that is currently onsite. Mr. Shekerjian responded that this has not been determined but is something they have been discussing.

Councilmember Bruce asked, in relation to the western property line, if there were going to be any trees or berms to buffer the neighborhood from this development. Mr. Shekerjian responded that there will not be berms due to the amount of existing vegetation that they do not want to disturb and feel is a good natural buffer, but they will be adding trees as part of their landscape plan. He noted that the building on the west side will be a one-story with a walkout, which is lower than the houses in that neighborhood.

Planning Consultant Rod Arroyo discussed his review letter on the proposed development. He discussed the deviations and that they were very limited in this case, and the summary of findings. He pointed out the following benefits that are being provided by this development:

- Elimination of 3 driveways off Inkster Road.
- Additional entry off 12 Mile Road to allow for the administration building to be more visible and accessible.
- The buildings on site only cover 14% of the lot and the ordinance allows for up to 35%, therefore, allowing for more open space.
- The installation of pedestrian walkways and trails.
- The preservation of a number of trees providing a natural buffer
- A new gravity sanitary sewer as well as storm water infrastructure and management improvements.
- The site will address the growing demand for senior housing in the community
- The Master Plan envisions that this would be an appropriate location for a PUD and it speaks about preservation of the historic character and traffic impact, which this plan achieves.
- After the PUD process a formal site plan, landscape plan and architectural renderings will be reviewed by the Planning Commission.
- A PUD agreement will be prepared and address many items, then eventually come back to Council for approval.

Councilmember Bridges asked how this development satisfies the permitted use as indicated in the Master Plan. Mr. Arroyo responded that the Master Plan anticipated that with the existing historic structure, the site would not likely be developed as single-family residential, but the proposed use has been identified in the community as a use that is compatible with single-family residential so he feels that is consistent with the Master Plan.

Mayor Massey opened the public hearing.

Steve Olsen, member of the HDC, commented that the communication and dialog they have had with the proponent was exemplary and they are pleased with this use and that the buildings are being preserved and help set the character for the whole community.

Mark Yagerlaner, Real Estate Director for St. John Providence Hospital System, commented that they feel Mr. Shekerjian's proposed development is best suited for the character of the community and best

serves the needs of the community and they are very supportive of this development and ask for Council support.

Scott Elliot, Real Estate agent for the property, explained that many people have come forward wanting to reuse the buildings; however, the plan that Mr. Shekerjian has brought forth is the best overall and they highly support this plan and are confident that he will do a great job.

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

MOTION by Lerner, support by Steckloff, that the City Council of Farmington Hills hereby approves PUD Plan 3, 2015 dated February 5, 2016; and that City Council authorizes the City Attorney to prepare the appropriate PUD agreement which stipulates the final development conditions, contains an architectural review for building materials and authorizes the identified zoning deviations for City Council consideration and approval.

Mayor Massey commented that he is excited about the improvements that will be made to the property along with the preservation of the historic nature of the property. He feels that it is consistent with the Master Plan and the PUD allows the City some degree of control.

MOTION CARRIED 7-0

Mayor Massey called a 5 minute recess at this time.

PUBLIC HEARING AND CONSIDERATION OF ADOPTION OF A RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR HOLLYWOOD, WESTHILL WOODS AND TARABUSI GRAND RIVER GARDENS AREA SUBDIVISIONS ROAD REHABILITATION PROJECT, SPECIAL ASSESSMENT DISTRICT C-347, AND ESTABLISHING THE TERMS OF THE ASSESSMENT PERIOD. CMR 3-16-29

Assistant City Manager Mekjian explained that the Public Hearing of Determination and resolution to proceed with the Hollywood, Westhill Woods and Tarabusi Grand River Gardens Road Rehabilitation project was adopted on October 26, 2015 and as a result, plans and specifications for the project were created and publically advertised for bid. On February 12, 2016, the City received bids and based on those bids the total project cost is proposed at \$2,868,056.25 with the S.A.D. share calculated to be \$2,302,477.00. This results in a single unit assessment of \$8,950.00, which is less than the estimated cost presented at the hearing of determination.

Mr. Mekjian stated that on March 23, 2016, City Engineering staff hosted an open house for residents to review the proposed project and how the construction may affect their property.

Based on the above information, staff is recommending that City Council adopt a resolution that would set the payment terms to be decided by Council at either 10 or 15 years and confirm the assessment roll as presented.

Mayor Massey asked staff to explain what a single-unit of benefit is and the multiple variables that go into that calculation. Engineering Manager Jim Cubera, responded that the policy used by the City is predominantly based on the Road Commission Assessment Policy which defines one-unit of benefit by taking all the home sites in the district and finding the average frontage, including corner lots, cul-de-sac and pie-shaped lots.

Mayor Massey added that there are other ways to calculate the single unit of benefit but this method has been seen by the Tax Tribunal as being the most equitable method and one that has been upheld.

Councilmember Rich questioned the extent to which this project will help property values.

Finance Director Dave Gajda commented that the cost of the project is going to be spread over the number of property owners based on the formula described, and the only way to determine the benefit derived would be to look at the property values prior to the project and then look at the sales after the project. He added that there is no way to predetermine the value of the property based on the cost of the project.

City Attorney Joppich explained that generally in the law, improvements such as public water systems, public sewer, and public roads add value to property; therefore, a benefit is recognized. He added that courts do not require it to be a perfect dollar-for-dollar benefit and if there is a challenge it only has to be proved that there is not a substantial disproportionate in the value. He clarified that the City is required to come up with something that is reasonably proportional in value that is a benefit to the property owners and is divided fairly among the district.

Councilmember Rich inquired about the feedback received from the March 23, 2016, open house. Mr. Cubera responded that 10 to 15% of the homeowners attended the open house and some expressed concerns with the assessment but most were concerned with construction technique and how it will affect their property.

City Attorney Joppich added that the courts do not take into consideration whether people can afford the assessment, but the City takes that into consideration, it is in the Charter, and there is a process for deferring a special assessment for those that meet certain qualifications.

Mayor Massey opened the public hearing.

Alicia Spaulding, Lamar, commented that at the last meeting they discussed McDonalds not being part of the district and asked if that was still the case. She feels that the assessments should be done by frontage and everyone that has frontage or a driveway on the streets involved should pay. She added that she was looking forward to the new roads.

Suzanne Schmidt, Springbrook, commented that she is one of the seven owners who submitted documentation to Council with respect to the 3 contiguous lots on Springbrook Drive. Her sister attended the open house and was given information about land combination and they have followed up by receiving consent from all seven owners and filing paperwork with the City. She asked Council to allow the assessment roll to be amended to assess them as one lot as opposed to three lots.

Giuseppe Mediati, Leelane, commented that he wants to know how much it will cost for the roads as he is concerned he will have to remortgage his home.

James ??, Springbrook, commented that he has concerns with busses coming in and out of the subdivision and asked why there is not participation from the schools.

Tom Boucher, Springbrook, commented that he is concerned with the speed and volume of traffic. He feels that spending \$9,000.00 on the roads does not address the main safety issues.

Les Spaulding, Lamar, questioned if his property value rises due to the new roads, will his taxes raise and if so he asked that they not be required to pay the additional taxes on the house until the roads are paid in full. He also asked if there are any tax write-offs available for the roads.

Marty Chinn, Springbrook, commented that the Charter states that Farmington Hills will pay up to 20% of the cost of the roads and questioned what is being paid by the City for this project. He stated his other concern is with the busses going up and down the road and he feels that the City should look into that.

Christine Thompson, Springbrook, commented that she attended every meeting and the \$8,000 figure is a little lower than presented at previous meetings, however, there was also discussion about a 10 or 15 year assessment and asked if that will be a choice of the residents. She also would like to know what the warranty is on the road and what will be done to maintain the roads as they continue to pay on them. She stated that she is also concerned with traffic and speeding and the possible need for a stop sign or speed humps.

Bill Kern, Fink/Cora, commented that he agrees that there is a lot of use of the roads in this area by the community at large; school busses, emergency vehicles, and cut through traffic. He noted that if there is a policy by which the City picks up a larger portion, this is a case where it would be fair to consider picking up more per that policy.

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

Mayor Massey acknowledged letters received from Anne Maranowski, Springbrook, stating that she does not agree with the method of assessment and from Kathleen McPeak requesting a lot combination.

Mayor Massey noted that lot combinations are handled by the Assessor's Office, and the assessment roll they are confirming this evening is the one that was prepared with the 3 lots included.

Mayor Massey addressed and discussed the following:

- The method of assessment and formula used to determine the unit of benefit.
- That McDonalds has not been included in this assessment as they do not have a driveway along these roads.
- The City's SafeTe3 program that can address speeding issues once the project is complete
- That school buses use residential roads and that is just part of having schools in neighborhoods.
- The City's contribution will be 20% for this project
- The Tuck Road assessment will be reviewed by City Staff
- That the warranty on the road is for two years by the contractor and after that time, the Department of Public Works takes over maintenance

Assistant City Manager Mekjian added that just like any other asset that is built, the roads have a life cycle that over the years requires maintenance; and their goal is to use the appropriate maintenance measures to extend the useful life of the roads.

City Manager Boyer indicated that if the assessed value goes up they are limited by the rate of inflation or up to 5%.

Mayor Massey addressed the comment regarding tax-writes off and noted that the City cannot provide that type of advice and residents should contact their tax professional.

Mayor Massey noted that the payment terms of 10-15 years will be determined by Council this evening.

Councilmember Steckloff commented that she would recommend a 15 year schedule as costs on this project are higher in comparison to the value of the homes.

Councilmember Lerner recommended 10 years based on past action for roads with a higher cost.

Councilmember Bruce commented that he is in favor of the 15 year schedule due to the relative value of the road improvement compared to the home values. He feels that more flexibility to the residents is helpful and there is no risk to the City per the Finance Director.

Councilmember Bridges commented the he agrees with Councilmember Bruce and feels that each district should be reviewed separately and that this district warrants a 15 year schedule.

Mayor Pro-Tem Knol commented that she is concerned with the 15 year schedule as it will yield a higher interest rate and it has been noted previously that the majority of residents do not pay off their assessment early. She asked if the City could send out a notice to homeowners explaining that if they do not want to pay additional interest they can pay it off early.

City Manager Boyer stated that staff could provide a chart indicating what would be paid over the determined number of years once the interest rate is determined.

Councilmember Rich commented that she likes the idea of the notice to residents, and while they may have never offered 15 years before, they are also using a new SAD policy where Council is making the decision. She agrees with the 15 year schedule along with notices.

MOTION by Bruce, support by Bridges, that the City Council of Farmington Hills hereby adopts the resolution establishing the assessment period for 15 years and confirming the assessment roll for the Hollywood, Westhill Woods and Tarabusi Grand River Gardens Area Subdivisions Road Rehabilitation Project, Special Assessment District C-347, based on the property owner's share of the cost of the project and as presented to City Council on March 28, 2016.

MOTION CARRIED 7-0.

UNFINISHED BUSINESS

CONSIDERATION OF APPROVAL OF AWARD OF CONTRACT FOR THE COLFAX STREET AND GILL ROAD RECONSTRUCTION AND CDBG SIDEWALK PROJECT TO CADILLAC ASPHALT, LLC IN THE AMOUNT OF \$1,698,924.96. CMR 3-16-30

Assistant City Manager Mekjian explained that there are representatives from Cadillac Asphalt here to address Council's concerns regarding the award of this contract.

Mayor Massey commented that they had issues with this company on a previous project so they have brought them back to answer some concerns.

Councilmember Lerner stated that this award of contract came up two weeks ago at the previous Council meeting and he recommended that Council not award this project to Cadillac Asphalt based on the company's performance on the 2014 Farmington Road project. During that project the City repeatedly called the company to let them know they were frequently leaving the road in un-drivable conditions throughout the project and the city received unsatisfactory response to these concerns. He stated that this is Cadillac's opportunity to convince Council members that they are capability of managing such a large project.

Lonnie Schaub, General Manager of Cadillac Asphalt, explained that the Farmington Road project specification was to close the road from 10 Mile to 12 Mile Roads and in hindsight; they should not have done so and should have approached Engineering about modifying the traffic control plan so as not to tear up 11 Mile to 12 Mile Road until more work was complete between 10 and 11 Mile Roads. He apologized for the inconvenience to the City and the neighbors as they should have looked at the traffic control plan differently.

Mayor Massey commented that one of the reasons this item was postponed was because they had a number of homeowners along that road that were highly inconvenienced and one vehicle was damaged due to the condition of the road. At the time, the suggestion was for the resident to contact Cadillac Asphalt and the response was unacceptable. He also commented on the rudeness of the workers directing traffic and use of unacceptable language towards him and stated that how the residents are treated by these workers also reflects on the city.

Councilmember Lerner stated that many residents were inconvenienced but the bigger problem was the unresponsiveness of the company.

Mayor Massey stated that on this proposed project they want to make sure Cadillac understands that Council has concerns and expectations and they must have contacts for any issues that arise.

Mr. Schaub stated that he is very embarrassed that they are here as they are a much better company than that. He explained that since the Farmington Road project there have been changes in management. He added that they have built at least 2 successful projects a year for the City and Dale McIntyre, who has been with the company for 30 years, will be the project manager and contact for this project.

Mayor Pro-Tem Knol thanked the representatives for hearing Council's concerns and agreeing to try to work more collaboratively in the future. She noted that because of the supply and demand of this type of work, she does not want Cadillac to be taken out of the mix as they do quality work and it ensures competition so that they get the best product for the residents.

MOTION by Knol, support by Rich, that the City Council of Farmington Hills hereby approves the Colfax and Gill Road Reconstruction and CDBG Sidewalk Project be awarded to the lowest competent bidder, Cadillac Asphalt, LLC in the amount of \$1,698,924.96; and further resolve, that City Council authorizes the City Manager and the City Clerk to execute the contract on behalf of the City.

Mayor Pro-Tem Knol commented that residents in this area will be greatly affected by this construction as well as other construction along 8 Mile Road; therefore, she asked that the City notify the residents of the upcoming projects as best they can.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF ENACTMENT OF ORDINANCE C-1-2016 TO AMEND CHAPTER 2 OF THE CODE OF THE CITY OF FARMINGTON HILLS, TO AMEND THE AUTHORITY FOR EXECUTION OF LEGAL DOCUMENTS ON BEHALF OF THE CITY; AND APPROVAL OF SUMMARY FOR PUBLICATION. CMR 3-16-31

Councilmember Steckloff commented that she voted no on this ordinance at the first reading because as a Council they only hire three employees and having department heads oversee these projects was a concern of hers. She stated that City Manager Boyer explained that department heads run many of the projects with grants and when working on these projects there are procedures in place as well as checks and balances as well as the city audit. The department heads are relied on to do these grants and enter into mutual agreements with approval from the City Manager and Council.

Attorney Joppich pointed out that the language in the ordinance states that if it will be signed by someone other than the City Manager, it has to be specifically authorized by the City Manager or Council.

MOTION by Lerner, support by Bruce, that the City Council of Farmington Hills approves the enactment of Ordinance C-1-2016, amending Chapter 2 of the Code of the City of Farmington

Hills, to amend the authority for execution of legal documents on behalf of the City; and approval of summary for publication.

Roll Call Vote:

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

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF ENACTMENT OF ORDINANCE C-2-2016 TO AUTHORIZE THE LEASING OF CITY LAND TO OAKLAND COUNTY, NEW PAR, D/B/A VERIZON WIRELESS AND OTHER WIRELESS TELECOMMUNICATION SERVICE PROVIDERS; AND APPROVAL OF SUMMARY FOR PUBLICATION.

Director of Central Services Lasley commented that the attorney for Verizon was present and that they are ready to move forward with the contract.

Councilmember Bruce asked where the antenna will be located on the water tower. Director Lasley responded that they will be located about 115-120 feet on the base.

Ben Harrick, attorney for Verizon, explained that it was the City's idea to move the antennas to the water tower and they will not be noticeable on the tower. He mentioned that they will be paying for the move and the City has agreed provide a credit back to Verizon if the move is completed within 120 days.

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby approves the enactment of Ordinance C-2-2016, authorizing the leasing of City land to Oakland County, New Par, D/B/A Verizon Wireless and other wireless telecommunication service providers; and approval of summary for publication.

Roll Call Vote:

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

MOTION CARRIED 7-0.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF AWARD OF CONTRACT FOR THE HOLLYWOOD, WESTHILL WOODS AND TARABUSI GARDENS AREA SUBDIVISIONS ROAD REHABILITATION PROJECT, SAD C-347 TO NAGLE PAVING COMPANY IN THE AMOUNT OF \$2,358,360.09. CMR 3-16-32

Assistant City Manager Mekjian stated that the public hearing of determination to proceed with the project was held on October 26, 2015, subsequent to that, plans and specifications were prepared and the project was publicly advertised and bids were opened on February 12, 2016. Based on the bids and past performance staff is recommending that the project is awarded to the lowest, competent bidder Nagle Paving Company.

MOTION by Rich, support by Knol, that the City Council of Farmington Hills hereby approves the Hollywood, Westhill Woods and Tarabusi Grand River Gardens Area Subdivisions Road

Rehabilitation Project, SAD C-347 be awarded to the lowest competent bidder, Nagle Paving Company, in the amount of \$2,358,360.09; and further that City Council authorizes the City Manager and City Clerk to execute the contract on behalf of the City.

MOTION CARRIED 7-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF AWARD OF PROPOSAL FOR YOUTH THEATRE SERVICES TO IN THE MITTEN PRODUCTIONS FOR ONE-YEAR; WITH POSSIBLE EXTENSIONS. CMR 3-16-33

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager to sign a contract and issue a purchase order for Youth Theatre Services to In the Mitten Productions for a period of one year, with the option to renew for three (3) additional one year periods upon mutual agreement between the City and In the Mitten Productions.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF SETTING CITY COUNCIL BUDGET MEETING DATES OF MAY 2, 4, AND 5, 2016 AT 6:00PM AT CITY HALL.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby establishes the following budget study session meeting dates:

May 2nd – 6:00pm – Viewpoint Room
May 4th – 6:00pm – Viewpoint Room
May 5th – 6:00pm – Viewpoint Room

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A RESOLUTION IN SUPPORT OF CANADA GOOSE MANAGEMENT PROGRAMS.

**CITY OF FARMINGTON HILLS
RESOLUTION R-47-16
MICHIGAN DEPARTMENT OF NATURAL RESOURCES
CANADA GOOSE NEST DESTRUCTION PROGRAM AND/OR
CANADA GOOSE ROUNDUP/REMOVAL PROGRAM**

The following resolution was moved by Councilmember Bruce and supported by Councilmember Lerner:

WHEREAS, the City of Farmington Hills has received complaints of overpopulation of Canada geese inhabiting the grounds at various locations within the City; and

WHEREAS, the City Council has determined that the DNR Canada Goose Nest Destruction Program and/or Roundup/Removal Program are effective program(s) for the control of site specific problems for our residents; and

WHEREAS, the residents clearly understand that any birds removed and relocated during this program may be killed; and

WHEREAS, the residents, lake associations, businesses, subdivisions, condo associations etc., must apply for a DNR Permit for these program(s), on an annual basis, and must ensure that all lakefront residents, tenants, employees of this site, have been informed that this program is taking place at their lake/site, and understand if their site is located within more than one government unit, they are responsible to receive resolutions from each township/city/village, and are responsible for adhering to the requirements under their permit;

NOW, THEREFORE LET IS BE RESOLVED that the City Council of the City of Farmington Hills, hereby formally requests the assistance of the Michigan DNR on behalf of the requests made in Farmington Hills by any/all subdivision, condo associations, apartments, businesses, lake associations, etc., as long as they abide by the DNR permit requirements, in the implementation of the Canada Goose Nest Destruction Program and/or Roundup/Removal Program, for a 5-year period from 2016 through 2020 and additionally, to advise the Department that there shall be no cost to the City of Farmington Hills for these programs.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR MOTOR CITY HARLEY DAVIDSON TO HOLD SPECIAL EVENTS ON APRIL 7, 8, 9, 10 AND 23, 2016.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves a Special Event Permit for Motor City Harley Davidson located at 34900 Grand River Avenue, Farmington Hills, to hold events April 7th and 8th from 10am-7pm, April 9th and 10th from 10am-5pm and April 23rd from 10am-5pm, subject to the following conditions:

- The 40' x 80' tent will house 60-70 motorcycles
- The motorcycle staging/parking shall be organized in rows with a minimum of 44 inches between each row and 360 degrees of access
- All cash sales will take place inside the dealership
- There is ample parking for attendees of the event
- The location will be free of obstacles that would inhibit emergency police and fire response
- There will be a band on site with a small speaker system from 1pm-4pm on Saturday April 9th and Saturday, April 23rd.
- The applicant has hired R.P.S. Security Inc. to provide after-hours security from

10:00pm to 8:00am

- The applicant has requested no assistance for this event
- The building shall be in compliance with all applicable codes and ordinances
- The proponent shall schedule an inspection with the Fire Department prior to each event to ensure public safety

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR 2016 LANDSCAPE MAINTENANCE SERVICES TO KBK LANDSCAPING IN THE AMOUNT OF \$78,690.00; WITH POSSIBLE EXTENSIONS. CMR 3-16-34

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to sign the contract with KBK Landscaping in the amount of \$78,690.00 for the 2016 Landscape Maintenance Services; with possible extensions.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR 2016 ROADSIDE MOWING SERVICES TO KBK LANDSCAPING IN THE AMOUNT OF \$20,955.00; WITH POSSIBLE EXTENSIONS. CMR 3-16-35

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to sign the contract with KBK Landscaping in the amount of \$20,955.00 for the 2016 Roadside Mowing Services; with possible extensions.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR THE 2016 AS-NEEDED FLEX SEAL PROGRAM TO SPRAY PATCH ROAD REPAIR IN AN AMOUNT NOT TO EXCEED \$170,000.00; WITH POSSIBLE EXTENSIONS. CMR 3-16-36

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to sign the contract with Spray Patch Road Repair in

the amount not to exceed \$170,000.00 for the 2016 As-Needed Flex Seal Program; with possible extensions.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF ISSUING PURCHASE ORDERS TO WOLVERINE FREIGHTLINER-EAST SIDE IN THE AMOUNT OF \$106,152.00 FOR A FREIGHTLINER TRUCK CHASSIS AND TO TRUCK AND TRAILER SPECIALTIES IN AN AMOUNT NOT TO EXCEED \$158,848.00 FOR A TANDEM DUMP TRUCK WITH SLIP-IN SALT SPREADER, UNDERBODY PLOW, FRONT-END PLOW, JUNIOR WING PLOW, AND ADDITIONAL EQUIPMENT. CMR 3-16-37

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order to Wolverine Freightliner-East Side, Mount Clemens, MI for a total of \$106,152.00 for the purchase of a Freightliner truck chassis; and

IT IS FURTHER RESOLVED, that City Council authorizes the City Manager to issue a purchase order to Truck and Trailer Specialties of Dutton, MI, for an amount not to exceed \$158,848.00 for the purchase of a tandem Dump Truck with slip-in salt spreader, an underbody plow, front-end plow, a junior wing plow, and additional equipment.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AGREEMENT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) FOR THE CONSTRUCTION AND CONSTRUCTION ENGINEERING SERVICES FOR THE I-275 CONCRETE PAVEMENT RECONSTRUCTION FROM 8 MILE ROAD TO THE I-696/M-5 INTERCHANGE AND ITS RELATED RAMPS, INCLUDING THE I-696 BRIDGE REHABILITATION OVER I-96/I-75. CMR 3-16-38

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to enter into Agreement #15-5521 on behalf of the City with the Michigan Department of Transportation for the I-275 concrete inlay project north of 8 Mile Road and its related ramp and shoulder work and the I-696 bridge rehabilitation over I-96/I-275.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE JOINT MEETING MINUTES OF THE FARMINGTON AND FARMINGTON HILLS COUNCILS AND BOARD OF EDUCATION OF FEBRUARY 29, 2016.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the joint meeting minutes of the Farmington and Farmington Hills Councils and Board of Education of February 29, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF MARCH 14, 2016.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the study session meeting minutes of March 14, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF MARCH 14, 2016.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the regular meeting minutes of March 14, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0.

TOPICS FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING

Mayor Massey mentioned potential topics for the next regular City Council meeting of April 11, 2016.

ADJOURNMENT

The City Council meeting was adjourned at 10:47p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. B. Smith', with a stylized flourish at the end.

Pamela B. Smith, City Clerk