

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
DECEMBER 14, 2015 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

The regular meeting of the Farmington Hills City Council was called to order by Mayor Massey at 7:35p.m.

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

Council Members Absent: None

Others Present: City Manager Boyer, City Clerk Smith, Directors Lasley, Mekjian and Schnackel and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Tim Tutak, Vice-Chairperson of the Emergency Preparedness Commission, led the pledge of allegiance.

APPROVAL OF AGENDA

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

MOTION CARRIED 7-0.

EMERGENCY PREPAREDNESS COMMISSION “TIP OF THE MONTH”

The following Tip of the Month was read by Emergency Preparedness Commission Vice-Chairperson Tim Tutak:

**EMERGENCY PREPAREDNESS COMMISSION
TIP OF THE MONTH
DECEMBER 2015**

During this holiday season, the Emergency Preparedness Commission (EPC) reminds everyone that one of the best gifts you can give your family is the gift of financial preparedness.

Fires . . . hurricanes . . . tornadoes . . . earthquakes . . . acts of terrorism . . . business cycles . . . unemployment . . . natural or other disasters can strike suddenly, at anytime and anywhere. Your first priority is to protect your family and your property. It is also essential to protect against the financial consequences of a disaster which can damage or destroy your property, forcing you to temporarily relocate, cut your flow of income or ruin valuable records. Financial preparedness helps ease your family's anxiety should you be forced to go through any period of crisis.

How do you prepare financially for the crisis moments of life? The City's Preparedness Handbook has an entire section and a checklist to help you do just that. To obtain a free copy of the handbook, please visit the website at www.fhready.org.

And as the year-end season is filled with gift giving, consider giving the gift of preparedness to your family and friends. Commercial emergency preparedness kits are available through the Red Cross and other sources. Paying the cost for your family members to take first aid classes, or organizing a pet's preparedness kit, make wonderful gifts for those you care the most about.

The EPC wishes everyone a safe and prepared holiday season.

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

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

**COMMISSION FOR ENERGY AND ENVIRONMENTAL SUSTAINABILITY
TIP OF THE MONTH
DECEMBER 2015**

Let your New Year’s resolution be a commitment to winning the \$5 Million Energy Prize for your community!

To ring in the New Year right, the Energy Prize Team will be hosting a Year Two Kickoff event at the Costick Center on Sunday, January 17, from 3 to 5 p.m.

This event will feature live music and entertainment, games, giveaways, information about energy efficiency and conservation, as well as a pizza party.

Put your energy where it counts and come party with Bill Buster, Energy Hog and the rest of the Energy Prize Team!

CORRESPONDENCE

Mayor Massey commented that Council had received holiday cards from various organizations including the Council General of Japan and a memo from the City Attorney with updates regarding the litigation of the dog kennel issue which was raised at the last council meeting.

CONSENT AGENDA

Councilmember Bruce commented that item #11, regarding the antennas that are to be placed on the water tower, when looking at the renderings provided, it was unclear if the antennas were going to be located on the base of the water tower or on the tank itself. Director of Central Services, Michael Lasley, responded that the new equipment will go around like a ring on the outside of the water tower about 120 feet up and since the tower is concrete, they will have to install one on each side. He commented that the water tower was designed and constructed knowing that there would be tenants on the building.

Councilmember Bruce asked what color the antennas will be and how they will appear on the tower. Director Lasley indicated that they will be similar in color to what is currently there now, silver-gray, and they will be approximately 2 feet in height with a rectangular shape.

Councilmember Bruce questioned why the City was giving Verizon a break of \$38,000 for the first year of the lease. Director Lasley responded that the City was giving them a one-year abatement, which was something that the previous City Manager had agreed upon in negotiations with Verizon’s attorney since Verizon will have to abandon their old equipment and invest in new technology which will cost approximately \$300,000 - \$400,000. He added that the City has been working with Verizon for many years and this has been a difficult process to make happen.

Councilmember Bruce stated that although the revenue from this lease is great, he is still concerned with the \$38,000 abatement as Verizon has more money than the City and he questioned if this item should be pulled from the agenda so that Council could have a study session to review and discuss this further.

City Manager Boyer stated that the City is asking Verizon to move off the old tower and onto the new water tower and it is his understanding that if the City had not asked them to move they would have stayed on the old tower.

Councilmember Bruce asked if the City was contracted to compensate Verizon for the move. City Attorney Joppich responded that this abatement has evolved through a negotiation process; Verizon's side was that they would have to spend hundreds of thousands of dollars to move to the new tower and the City's side was that they should just do it. This is being brought forward now as they have exhausted all negotiation efforts and come up with a number that, as Director Lasley mentioned, the prior City Manager felt was a good result, although ultimately it is Council's decision.

Director Lasley noted that the existing lease agreement would expire in a little over a year so one of the options the City looked at was to let the lease run out and start a new lease, however, the challenge with that option was that Verizon would ask for a new lease that is much more complex and probably not something the City would agree to, therefore, they went with the option of amending the existing lease and since the City is asking them to move, they have negotiated these terms.

Councilmember Bruce asked if the City anticipates any more antennas to be placed on the water tower. Director Lasley responded that the City receives inquiries about once or twice a year and the water tower was built to accommodate two more tenants.

Mayor Massey asked if Councilmember Bruce was okay with moving forward with this item this evening. Councilmember Bruce stated he was.

Mayor Massey commented that perhaps there might be a point in the future in which the City should look at these types of contracts that bring in revenues and provide more information.

MOTION by Lerner, support by Bridges, to approve items #7 through #11 of the 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.

MOTION by Bruce, support by Knol, to approve items #12 and #13 of the Consent Agenda as published.

Roll Call Vote:

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

Nays: NONE

Absent: NONE

Abstentions: LERNER

MOTION CARRIED 6-0-1.

PUBLIC QUESTIONS AND COMMENTS

There were no public questions or comments.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following Council Comments and Announcements were made:

- Councilmember Rich commented that Farmington Hills has a strong multi-cultural and multi-racial community and a longstanding tradition of welcoming people of many faiths, ethnicities and races and she appreciates that the City continues to be a welcoming community where we see each other first as neighbor rather than a religious, ethnic, or racial label. She noted that the City demonstrates this each year at the lighting of the unity candle, emphasizing that while we all come from many backgrounds, we are one Farmington Hills.
- Councilmember Rich mentioned that she spent an evening with one of the Police dispatch teams and noted that the four employees did a great job showing teamwork.
- Councilmember Rich stated that the Holiday Winter Market at the Costick Center had a great turnout on Saturday and she appreciates that this event was posted as a Facebook invitation so that it could be shared with friends.
- Councilmember Lerner announced that Saturday, December 19, 2015 is the Good fellows delivery day, the warehouse is located at 33000 Thomas Street and deliveries start at 8:30am.
- Councilmember Bridges commented that December 5 was the annual Kwanza celebration in Farmington Hills at the Farmington Public Library.
- Councilmember Knol commended the Farmington Hills Police Department for raising money to replace monies stolen during a theft of a Salvation Army Kettle.
- Mayor Massey stated that he had the opportunity to ring the Salvation Army Bell this past Saturday and thanked the community for their generosity.

CITY MANAGER UPDATE

City Manager Boyer provided the following update:

- Thanked City staff and the Mayor for ringing the Salvation Army bell on Saturday.
- Middlebelt Tunnel update by the Water Resource Commission was received at this evening's Study Session
- Yard waste collection has ended for the season

NEW BUSINESS

CONSIDERATION OF APPROVAL OF AMENDING AND RESTATING RESOLUTIONS FOR PIMLICO STREET WATER AND SEWER PAYBACK DISTRICTS (R-155-13 & R-154-13) AND MIDDLEBELT ROAD WATER MAIN PAYBACK DISTRICT (R-26-15). CMR 12-15-110

Director of Public Services, Gary Mekjian, explained that at the October 14, 2013 City Council meeting Council adopted resolutions for the Pimlico Street Water Main and Sanitary Sewer Payback Districts. As part of those resolutions, the benefiting property owners had the option of amortizing the payback cost over a 10 year period if they entered into a payback agreement with the City within one year of the date of the meeting. Similarly, the Middlebelt Road Watermain Payback District, which Council adopted on February 23, 2015, provided the same provisions. He noted that since that time some of the properties have changed hands and one of the new residents has come forward wanting to connect and has asked for the ability to move into the 10 year payment program that was originally offered.

Director Mekjian stated that after reviewing this matter with the City Attorney, he was informed that in order to accommodate the resident and extend the option of a 10 year payment plan to the benefiting properties, City Council would have to amend and restate the resolutions previously adopted. Those

amended and restated resolutions have been provided to Council for consideration this evening for both projects.

City Attorney Joppich explained that the ordinance concerning paybacks was recently updated; therefore, the resolutions have been revised and restated so that they are consistent with the current ordinance.

Councilmember Lerner questioned if this would be extending payment over 10 years for just these two projects and not for all public sewer projects within the City. City Attorney Joppich responded that is correct and explained that the ordinance provides Council the discretion to decide on the number of years for each payback district.

Councilmember Bridges commended Director Mekjian for responding to the resident's concerns on this matter.

Councilmember Rich stated for clarification that this is not just for a specific resident but for all residents within these payback districts. Attorney Joppich confirmed this statement.

RESOLUTION R-193-15

AMENDED AND RESTATED RESOLUTION FOR THE PIMLICO STREET WATER MAIN PAYBACK DISTRICT

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 December 14, 2015, at 7:30 p.m., with those present and absent being:

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

ABSENT: NONE

the following preamble and resolution were offered by Councilperson Bruce and supported by Councilperson Steckloff:

WHEREAS, Article VII of Chapter 33 of the City Code (referred to in this Resolution as the "Payback Ordinances") authorizes the City to construct and establish charges for benefitted properties to contribute to the cost of water main construction; and

WHEREAS, the City of Farmington Hills extended a water main to provide public water services to and for the benefit of the properties listed in this resolution below (referred to in this resolution as the "Water Main Extension"), and Council has been advised of the costs incurred for said Water Main Extension; and

WHEREAS, after completing the Water Main Extension, pursuant to the Payback Ordinances, City Council adopted Resolution R-155-13 (referred to in this resolution as the "Prior Resolution") on October 14, 2013 for the Pimlico Street Water Main Payback District; and

WHEREAS, an owner of one of the benefitted properties in said Payback District has requested that the City consider allowing a longer period of time than provided under the Prior Resolution for the owners of Benefitted Properties to connect to the water main and still enter into an installment payment agreement with the City; and

WHEREAS, City Council, after having considered the Prior Resolution and the applicable Payback Ordinances, desires to provide the requested longer period of time for all of the Benefitted Property owners and to otherwise amend and restate the Prior Resolution as set forth in this resolution below; and

NOW, THEREFORE, BE IT RESOLVED that the costs for the Water Main Extension are approved and it is determined that the following properties benefit from the completed Water Main Extension, which properties are referred to in this resolution as the "Benefitted Properties" and are within what shall be known as the "Pimlico Street Payback District":

23-23-151-009	25236 ORCHARD LAKE	1
Unit/\$10,790.87		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 52		
(This applies if parcel is split)		
23-23-151-011	25225 PIMLICO CT	1
Unit/\$10,790.87		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 48		
& S 35 FT LOT 49		
23-23-151-010	Vacant Parcel	1
Unit/\$10,790.87		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 N 65 FT		
OF LOT 49 & ALL OF LOT 50		
23-23-151-017	25280 PIMLICO CT	1
Unit/\$10,790.87		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 39		
23-23-151-018	25250 PIMLICO CT	1
Unit/\$10,790.87		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 40		
23-23-151-019	25220 PIMLICO CT	1
Unit/\$10,790.87		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 41		
23-23-151-020	25088 PIMLICO CT	1
Unit/\$10,790.87		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 42		

23-23-151-021 Unit/\$10,790.87 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 43	25054 PIMLICO CT	1
23-23-151-022 Unit/\$10,790.87 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 44	25022 PIMLICO CT	1
23-23-151-016 Unit/\$10,790.87 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 45	25021 PIMLICO CT	1
23-23-151-015 Unit/\$10,790.87 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 46	25055 PIMLICO CT	1
23-23-151-014 Unit/\$10,790.87 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 47	25085 PIMLICO CT	1
23-23-151-012 Unit/\$10,790.87 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 53	24700 ORCHARD LAKE	1

(An existing home is already connected to water on this parcel.
Payback only applies if parcel is split.)

BE IT FURTHER RESOLVED that, pursuant to the Payback Ordinances, the amount listed next to each of the above-described Benefitted Properties (referred to in this resolution as the "Payback Amount") is hereby determined to be the proportionate share of the costs for the Water Main Extension attributable to each of the Benefitted Properties and such Benefitted Properties shall pay the Payback Amount to the City pursuant to Section 33-201 of the City Code, as presently written or as said Code Section may be amended from time to time in the future or as such Code Section may be rewritten in another section of the Code in the future.

BE IT FURTHER RESOLVED that, pursuant to the Payback Ordinances, each of the above-described Benefitted Properties are not entitled and shall not be permitted to connect to the City's public water main until such time as the Payback Amount established for such property has been paid to the City or as directed by the City.

BE IT FURTHER RESOLVED, that any of the Benefitted Properties that are subdivided or split into more units than identified above, then the Payback Amount listed above for such property shall be paid in accordance with the requirements of City Code Section 33-201(b), as presently written or as said Code Section may be amended from time to time in the future or as such Code Section may be rewritten in another section of the Code in the future; and

BE IT FURTHER RESOLVED, that if a benefitted property connects to the Water Main Extension within ten (10) years of the date of adoption of this resolution and that property is not being subdivided or split, then such property shall have the option to pay its Payback Amount in installments that coincide with the quarterly water service billings (or other water service billing interval that may be established by the City) over a period of up to ten (10) years after the date of such connection with per annum interest to be charged at the rate of 10-year Treasury Bonds plus one (1%) percent, but such installment payment option is subject to and contingent on the benefitted property owner executing an installment pay back agreement prepared by the City Attorney and recording of such agreement with the Oakland County Register of Deeds against the benefitted property.

BE IT FURTHER RESOLVED, that if a property does not connect to the Water Main Extension within ten (10) calendar years of the adoption of this resolution, that property must pay its Payback Amount in one lump sum at the time of connection thereafter.

AYES: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
NAYS: NONE
ABSTENTION: NONE
ABSENT: NONE

RESOLUTION DECLARED ADOPTED ON DECEMBER 14, 2015.

RESOLUTION R-194-15
AMENDED AND RESTATED RESOLUTION
FOR THE PIMLICO STREET SANITARY SEWER PAYBACK DISTRICT

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 December 14, 2015, at 7:30 p.m., with those present and absent being:

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

ABSENT: NONE

the following preamble and resolution were offered by Councilperson Bruce and supported by Councilperson Steckloff:

WHEREAS, Article VII of Chapter 33 of the City Code (referred to in this Resolution as the "Payback Ordinances") authorizes the City to construct and establish charges for benefitted properties to contribute to the cost of sanitary sewer construction; and

WHEREAS, the City of Farmington Hills extended a sewer to provide public sanitary sewer services to and for the benefit of the properties listed in this resolution below (referred to in this resolution as the "Sanitary Sewer Extension"), and Council has been advised of the costs incurred for said Sanitary Sewer Extension; and

WHEREAS, after completing the Sanitary Sewer Extension, pursuant to the Payback Ordinances, City Council adopted Resolution R-155-13 (referred to in this resolution as the "Prior Resolution") on October 14, 2013 for the Pimlico Street Sanitary Sewer Payback District; and

WHEREAS, an owner of one of the benefitted properties in said Payback District has requested that the City consider allowing a longer period of time than provided under the Prior Resolution for the owners of Benefitted Properties to connect to the sanitary sewer and still enter into an installment payment agreement with the City; and

WHEREAS, City Council, after having considered the Prior Resolution and the applicable Payback Ordinances, desires to provide the requested longer period of time for all of the Benefitted Property owners and to otherwise amend and restate the Prior Resolution as set forth in this resolution below; and

NOW, THEREFORE, BE IT RESOLVED that the costs for the Sanitary Sewer Extension are approved and it is determined that the following properties benefit from the completed Sanitary Sewer Extension, which properties are referred to in this resolution as the "Benefitted Properties" and are within what shall be known as the "Pimlico Street Payback District":

23-23-151-009 Unit/\$11,486.28 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 52 (This payback applies if parcel is split)	25236 ORCHARD LAKE	1
23-23-151-011 Unit/\$11,486.28 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 48 & S 35 FT LOT 49	25225 PIMLICO CT	1
23-23-151-010 Unit/\$11,486.28 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 N 65 FT OF LOT 49 & ALL OF LOT 50	Vacant Parcel	1
23-23-151-017 Unit/\$11,486.28 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 39	25280 PIMLICO CT	1
23-23-151-018 Unit/\$11,486.28 T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 40	25250 PIMLICO CT	1
23-23-151-019 Unit/\$11,486.28	25220 PIMLICO CT	1

T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 41		
23-23-151-020	25088 PIMLICO CT	1
Unit/\$11,486.28		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 42		
23-23-151-021	25054 PIMLICO CT	1
Unit/\$11,486.28		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 43		
23-23-151-022	25022 PIMLICO CT	1
Unit/\$11,486.28		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 44		
23-23-151-016	25021 PIMLICO CT	1
Unit/\$11,486.28		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 45		
23-23-151-015	25055 PIMLICO CT	1
Unit/\$11,486.28		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 46		
23-23-151-014	25085 PIMLICO CT	1
Unit/\$11,486.28		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 47		
23-23-151-012	24700 ORCHARD LAKE	1
Unit/\$11,486.28		
T1N, R9E, SEC 23 SUPERVISOR'S PLAT NO 14 LOT 53		

(An existing home is already connected to sanitary sewer on this parcel.
Payback only applies if parcel is split.)

BE IT FURTHER RESOLVED that, pursuant to the Payback Ordinances, the amount listed next to each of the above-described Benefitted Properties (referred to in this resolution as the "Payback Amount") is hereby determined to be the proportionate share of the costs for the Sanitary Sewer Extension attributable to each of the Benefitted Properties and such Benefitted Properties shall pay the Payback Amount to the City pursuant to Section 33-201 of the City Code, as presently written or as said Code Section may be amended from time to time in the future or as such Code Section may be rewritten in another section of the Code in the future.

BE IT FURTHER RESOLVED that, pursuant to the Payback Ordinances, each of the above-described Benefitted Properties are not entitled and shall not be permitted to connect to the City's public sanitary sewer until such time as the Payback Amount established for such property has been paid to the City or as directed by the City.

BE IT FURTHER RESOLVED, that any of the Benefitted Properties that are subdivided or split into more units than identified above, then the Payback Amount listed above for

such property shall be paid in accordance with the requirements of City Code Section 33-201(b), as presently written or as said Code Section may be amended from time to time in the future or as such Code Section may be rewritten in another section of the Code in the future; and

BE IT FURTHER RESOLVED, that if a benefitted property connects to the Sanitary Sewer Extension within ten (10) years of the date of adoption of this resolution and that property is not being subdivided or split, then such property shall have the option to pay its Payback Amount in installments that coincide with the quarterly water service billings (or other water service billing interval that may be established by the City) over a period of up to ten (10) years after the date of such connection with per annum interest to be charged at the rate of 10-year Treasury Bonds plus one (1%) percent, but such installment payment option is subject to and contingent on the benefitted property owner executing an installment pay back agreement prepared by the City Attorney and recording of such agreement with the Oakland County Register of Deeds against the benefitted property.

BE IT FURTHER RESOLVED, that if a property does not connect to the Sanitary Sewer Extension within ten (10) calendar years of the adoption of this resolution, that property must pay its Payback Amount in one lump sum at the time of connection thereafter.

AYES: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
NAYS: NONE
ABSTENTION: NONE
ABSENT: NONE

RESOLUTION DECLARED ADOPTED ON DECEMBER 14, 2015.

RESOLUTION R-195-15
AMENDED AND RESTATED RESOLUTION
FOR THE MIDDLEBELT ROAD WATER MAIN PAYBACK DISTRICT

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 December 14, 2015, at 7:30 p.m., with those present and absent being:

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

ABSENT: NONE

the following preamble and resolution were offered by Councilperson Bruce and supported by Councilperson Steckloff:

WHEREAS, Article VII of Chapter 33 of the City Code (referred to in this Resolution as the "Payback Ordinances") authorizes the City to construct and establish charges for benefitted properties to contribute to the cost of water main construction; and

WHEREAS, the City of Farmington Hills extended a water main to provide public water services to and for the benefit of the properties listed in this resolution below (referred to in this resolution as the “Water Main Extension”), and Council has been advised of the costs incurred for said Water Main Extension; and

WHEREAS, after completing the Water Main Extension, pursuant to the Payback Ordinances, City Council adopted Resolution R-26-15 (referred to in this resolution as the “Prior Resolution”) on February 23, 2015 for the Middlebelt Road Water Main Payback District; and

WHEREAS, the City has received a request for the City to consider allowing a longer period of time than provided under the Prior Resolution for the owners of Benefitted Properties to connect to the water main and still enter into an installment payment agreement with the City; and

WHEREAS, City Council, after having considered the Prior Resolution and the applicable Payback Ordinances, desires to provide the requested longer period of time for all of the Benefitted Property owners and to otherwise amend and restate the Prior Resolution as set forth in this resolution below; and

NOW, THEREFORE, BE IT RESOLVED that the costs for the Water Main Extension are approved and it is determined that the following properties benefit from the completed Water Main Extension, which properties are referred to in this resolution as the “Benefitted Properties” and are within what shall be known as the “Middlebelt Road Payback District”:

23-36-102-018 Unit/\$14,138.73 T1N, R9E, SEC 36 B. G. WESLEY'S SUB LOTS 5 TO 8 INCL 5-8-97 FR 002 & 015	22008 MIDDLEBELT ROAD	1
23-36-102-019 Unit/\$14,138.73 T1N, R9E, SEC 36 B. G. WESLEY'S SUB LOTS 9 TO 12 INCL 5-8-97 FR015	21984 MIDDLEBELT ROAD	1
23-36-103-001 Unit/\$14,138.73 T1N, R9E, SEC 36 B. G. WESLEY'S SUB LOTS 13, 14 & 15	21948 MIDDLEBELT ROAD	1
23-36-103-002 Unit/\$14,138.73 T1N, R9E, SEC 36 B. G. WESLEY'S SUB LOTS 16, 17 & 18	21936 MIDDLEBELT ROAD	1

BE IT FURTHER RESOLVED that, pursuant to the Payback Ordinances, the amount listed next to each of the above-described Benefitted Properties (referred to in this resolution as the “Payback Amount”) is hereby determined to be the proportionate share

of the costs for the Water Main Extension attributable to each of the Benefitted Properties and such Benefitted Properties shall pay the Payback Amount to the City pursuant to Section 33-201 of the City Code, as presently written or as said Code Section may be amended from time to time in the future or as such Code Section may be rewritten in another section of the Code in the future.

BE IT FURTHER RESOLVED that, pursuant to the Payback Ordinances, each of the above-described Benefitted Properties are not entitled and shall not be permitted to connect to the City's public water main until such time as the Payback Amount established for such property has been paid to the City or as directed by the City.

BE IT FURTHER RESOLVED, that any of the Benefitted Properties that are subdivided or split into more units than identified above, then the Payback Amount listed above for such property shall be paid in accordance with the requirements of City Code Section 33-201(b), as presently written or as said Code Section may be amended from time to time in the future or as such Code Section may be rewritten in another section of the Code in the future; and

BE IT FURTHER RESOLVED, that if a benefitted property connects to the Water Main Extension within ten (10) years of the date of adoption of this resolution and that property is not being subdivided or split, then such property shall have the option to pay its Payback Amount in installments that coincide with the quarterly water service billings (or other water service billing interval that may be established by the City) over a period of up to ten (10) years after the date of such connection with per annum interest to be charged at the rate of 10-year Treasury Bonds plus one (1%) percent, but such installment payment option is subject to and contingent on the benefitted property owner executing an installment pay back agreement prepared by the City Attorney and recording of such agreement with the Oakland County Register of Deeds against the benefitted property.

BE IT FURTHER RESOLVED, that if a property does not connect to the Water Main Extension within ten (10) calendar years of the adoption of this resolution, that property must pay its Payback Amount in one lump sum at the time of connection thereafter.

AYES: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
NAYS: NONE
ABSTENTION: NONE
ABSENT: NONE

RESOLUTION DECLARED ADOPTED ON DECEMBER 14, 2015.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL TO ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT FOR MULTI-JURISDICTIONAL ADMINISTRATION OF CABLE TELEVISION FRANCHISE. CMR 12-15-111

City Attorney Joppich explained that this resolution was the subject of a the City Council study session earlier this evening as there is currently an agreement between the Cities of Farmington Hills, Farmington and Novi for the operation of SWOCC. The operation is being evaluated under the current cable

franchise agreement and the City has received a copy of a resolution adopted by the City of Novi asking for dissolution under the existing agreement by mutual agreement of all parties. Both Farmington and Farmington Hills are in the process of reviewing the various options with regard to such dissolution and based on the discussion in the study session, the proposed resolution before Council this evening would provide for additional time for the cities to consider this option.

City Attorney Joppich stated that the City of Novi is interested in proceeding outside of SWOCC and there is a period of time where their opportunity to withdraw independently would expire. In order to give all three communities additional time, this resolution for an amendment of the interlocal agreement provides an additional 90 days before the due date for such a withdrawal comes into play so that all parties can further discuss their options; and, if appropriate, proceed with preparation of a dissolution agreement.

Mayor Massey clarified all other terms of the existing agreement would remain the same.

RESOLUTION R-196-15
RESOLUTION APPROVING AMENDMENT TO AGREEMENT FOR
MULTI-JURISDICTIONAL ADMINISTRATION OF CABLE TELEVISION FRANCHISE

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 December 14, 2015, at 7:30 p.m., with those present and absent being:

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

ABSENT: NONE

the following preamble and resolution were offered by Councilperson Rich and supported by Councilperson Knol:

WHEREAS, the Cities of Farmington, Farmington Hills, and Novi are parties to a certain “Agreement for Multi-Jurisdictional Administration of a Cable Television Franchise,” initially approved in 1983 and amended and restated in 2011. The Multi-Jurisdictional Agreement created the Southwestern Oakland Cable Commission, more commonly known as SWOCC. Among the main purposes of the creation of SWOCC was the three communities’ intention to engage in the joint negotiation and administration of the franchise agreements that each community had with Bright House Cable (and its various predecessors dating back to 1983).

WHEREAS, in 2015, Bright House decided to make use of the State of Michigan’s Uniform Video Service Local Franchise law and Agreement, which requires little or no negotiation on subsequent administration requirements. In August, 2015, all three communities were required to, and did, approve that Uniform Agreement with Bright House for a 10-year term.

WHEREAS, on September 14, 2015, the City of Novi passed a Resolution asking Farmington and Farmington Hills to consider invoking the cancellation

provisions of the Multi-Jurisdictional Agreement set forth at Article VI, which provides in full as follows:

VI

Cancellation of the Agreement

A. Any Municipal Corporation may withdraw from this Agreement at any time; provided, however, that any withdrawal shall be effective only on June 30th of any given year and shall be preceded by written notice of withdrawal delivered to SWOCC by registered or certified mail not later than January 1st of the year the cancellation is to be effective.

B. In the event that any Municipal Corporation desires to withdraw from this Agreement, the provisions of this Agreement relative to auditing, distribution and expenditure of funds shall continue in effect until the final settlement has been made of all monies collected for the purpose of the administration of local access cable television for the withdrawing Municipal Corporation prior to the effective date of such withdrawal.

C. SWOCC may be dissolved by two-thirds (2/3) of the parties to this Agreement, and in such event, SWOCC shall liquidate or transfer the assets of SWOCC to any successor organization. In the case where a successor organization is not established, the assets of the Corporation shall be distributed to the Municipal Corporations in proportion to each Municipal Corporation's population to the population of all the participating Municipal Corporations.

WHEREAS, Novi's September 14, 2015, Resolution asked for dissolution by mutual agreement under Subparagraph C. However, both Farmington and Farmington Hills are still reviewing their options with regard to dissolution.

WHEREAS, all three communities would like additional time to review and consider their options for possible cancellation under Article VI.

WHEREAS, Article VII of the Multi-Jurisdictional Agreement relates to amendments of the Agreement and provides as follows:

VII

Amendments

Upon recommendation of SWOCC, this Agreement may be amended by action by the governing bodies of all municipal corporations which are party hereto.

WHEREAS, on November 24, 2015, SWOCC met and discussed the options for cancellation under Article VI. The Board acknowledged that the time for Novi to determine whether to issue a Notice of Withdrawal under Subparagraph B of the Agreement would occur before all three of the communities had an opportunity to discuss whether and how to dissolve SWOCC under Subparagraph C of the Agreement. Therefore, SWOCC passed a motion that: (a) recommended that the January 1st date for submitting a Notice of Withdrawal under Subparagraph A be amended by agreement of the three communities and extended to April 1st; and (b) recommended that the three communities work toward the preparation of an Agreement for Dissolution of SWOCC and cancellation of the Agreement effective March 31, 2016.

NOW, THEREFORE, IT IS RESOLVED that the City Council of the City of Farmington Hills approves the amendment of Article VI, Cancellation of the Agreement, Subparagraph A, to change the date by which a Notice of Withdrawal from the Multi-Jurisdictional Agreement by any municipal corporation be delivered to SWOCC from January 1st to April 1st. In all other respects, the Multi-Jurisdictional Agreement will remain unchanged.

AYES:	BRIDGES, BRUCE, KNOL, MASSEY, RICH AND STECKLOFF
NAYS:	LERNER
ABSTENTION:	NONE
ABSENT:	NONE

RESOLUTION DECLARED ADOPTED ON DECEMBER 14, 2015.

MOTION CARRIED 6-1.

Councilmember Lerner commented that he fails to see the value in giving the City of Novi an extra three months to withdraw when it doesn't change the other terms and all communities would still be under the agreement until June 30, 2016.

CONSIDERATION OF APPROVAL OF APPOINTMENT TO THE EMERGENCY PREPAREDNESS COMMISSION.

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby confirms the Mayor's recommendation to appoint Denis Falkowski to the Emergency Preparedness Commission with a term ending February 1, 2018.

MOTION CARRIED 7-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF AWARD OF BID OF GOLF CARTS TO SPARTAN DISTRIBUTORS FOR SEVENTY-FOUR (74) E-Z-GO MODEL RXVE ELECTRIC GOLF CARTS IN THE TOTAL NET AMOUNT OF \$192,030.00. CMR 12-15-112

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order to Spartan Distributors for seventy-four (74) E-Z-GO model RXVE electric golf carts in the total net amount of \$192,030.00.

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 CORRECTION FOR FLEET VEHICLES TO RESCIND THE NOVEMBER 23, 2015 AWARD FOR THE TWO (2) TAURUS SEDANS TO GORNO FORD AND AWARD THE BID TO SIGNATURE FORD FOR TWO (2) FORD TAURUS SEDANS IN THE TOTAL AMOUNT OF \$38,870.00. CMR 12-15-113

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby rescinds the November 23, 2015 award for the two (2) Taurus sedans to Gorno Ford (Resolution R-191-15) and authorize the City Manager to issue a purchase order to Signature Ford for two (2) Ford Taurus sedans in the total amount of \$38,870.00.

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 GASOLINE AND DIESEL FUEL TO RKA PETROLEUM COMPANY AND PORTS PETROLEUM CO., INC. FOR TRUCK TRANSPORT DELIVERIES AND TO RKA PETROLEUM COMPANY AND ATLAS OIL COMPANY FOR TANK WAGON DELIVERIES FOR A TWO-YEAR PERIOD; WITH POSSIBLE EXTENSIONS. CMR 12-15-114

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager to issue purchase orders for budgeted gasoline and diesel fuel to the following vendors based on bid factors included in their respective bids for a two year period, with the option to extend the terms and conditions an additional two years upon mutual consent beginning February 2, 2016:

Truck Transport deliveries (5,000-9,000 gallons):

1. RKA Petroleum Company
2. Ports Petroleum Co., Inc.

Tank Wagon deliveries (5,000 gallons or less):

1. RKA Petroleum Company
2. Atlas Oil Company

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 COSTICK CENTER HVAC REPLACEMENT AND RELATED SERVICES TO VARIOUS COMPANIES IN A GRAND TOTAL AMOUNT NOT TO EXCEED \$389,825.00. CMR 12-15-115

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager and Cunningham-Limp to issue contracts, in the following amounts for HVAC Replacement and related Services:

Item	Award Amount	Contractor(s)
Roofing and Flashing	\$5,885	WJ O'Neil
Misc. Steel	\$6,510	WJ O'Neil
Plumbing	\$10,160	WJ O'Neil
HVAC (Including Controls)	\$174,681	WJ O'Neil
Electrical	\$5,558	WJ O'Neil
Carpentry (Includes Alt. 1, 5 and 6)	\$69,409	Advanced Building Group
Painting (Includes Alt. 1 and 2)	\$5,400	Arttex Painting Co.
Glass & Glazing	\$2,900	Crystal Glass (quoted)
Pre-Construction Services, Design, Engineering, General Conditions, Specialty Items and Overhead	\$75,670	Cunningham-Limp w/ Sidock Architects
Project Contingency	\$33,652	Allowance
Project Grand Total	\$389,825	Not to exceed Grand Total

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 SECOND AMENDMENT TO THE LEASE AGREEMENT WITH NEW PAR (VERIZON WIRELESS) FOR THE HALSTED ROAD DPW SITE AND CITY WATER TOWER. CMR 12-15-116

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby approves and authorizes the City Manager and City Clerk to sign the Second Amendment to Lease Agreement with New Par d/b/a Verizon Wireless for the Halsted Road DPW site and City water tower.

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 NOVEMBER 23, 2015.

MOTION by Bruce, support by Knol, that the Farmington Hills City Council hereby approves the study session meeting minutes of November 23, 2015 as submitted.

Roll Call Vote:

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

MOTION CARRIED 6-0-1.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF NOVEMBER 23, 2015.

MOTION by Bruce, support by Knol, that the Farmington Hills City Council hereby approves the regular meeting minutes of November 23, 2015 as submitted.

Roll Call Vote:

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

MOTION CARRIED 6-0-1.

CITY ATTORNEY REPORT

The City Attorney Report was received by Council.

TOPICS FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING

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

ADJOURNMENT

Mayor Massey adjourned the City Council meeting at 8:17p.m.

Respectfully submitted,



Pamela B. Smith, City Clerk