

**MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
JULY 11, 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 7:35 p.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 Gajda and Lasley, Fire Chief Unruh, Police Chief Nebus, City Attorneys Joppich and Planning Consultant Arroyo

PLEDGE OF ALLEGIANCE

Dan Wecker, Paid-On-Call Fire Fighter and member of the Emergency Preparedness Commission led the pledge of allegiance.

APPROVAL OF AGENDA

MOTION by Bridges, support by Lerner, 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 Fire Fighter and member of the Emergency Preparedness Commission, Dan Wecker:

**CITY OF FARMINGTON HILLS
EMERGENCY PREPAREDNESS COMMISSION
Tip of the Month
July 2016**

One of the great things about living here in the mid-west is that during the summer we walk the roads and sidewalks of our various neighborhoods and have an opportunity to reconnect with those who live in our community. The Emergency Preparedness Commission encourages everyone to take advantage of this naturally friendly season to get to know your neighbors better, and to do the things that will make you a better neighbor: learn new first aid skills, join or form a Neighborhood Watch group, find out who in your neighborhood has special needs. Building relationships and learning important skills can be extremely important in dealing with, or recovering from, an emergency situation. If, while you're out walking, you have a pet walking next to you, remember that you need to include any household pets in your emergency preparedness plans.

There are approximately 34,000 households in Farmington Hills. Unfortunately, every street and apartment building houses people who do not know their neighbors. Yet in time of crisis, it is your neighbor who might be the most important for your survival.

We encourage everyone to get acquainted with your neighbors. During a disaster or crisis, members of a neighborhood might need to pool their available assets, such as tools, equipment, and skills, in order to help each other.

Two other summertime tips:

- 1) Take heat seriously. It seems like summer comes late and doesn't last long enough in Michigan, but on the hot days that are coming, don't underestimate the seriousness of heat illness. So as you're having fun, remember to drink plenty of water, avoid sunburn and heat stress, and review your first aid skills regarding heat illnesses.
- 2) And since we mentioned tornados, most tornados in Michigan occur in April, May, June and July between 3 and 7 p.m. Have a tornado escape plan in place, and practice with your family.

As always, the Emergency Preparedness Commission urges all residents to make preparedness a part of daily life. For more information, visit the EPC website, www.FHready.org.

CORRESPONDENCE

Councilmember Steckloff acknowledged numerous correspondence received regarding overcrowding at the Heritage Park splash pad. She suggested a study session to further discuss this issue.

Mayor Massey acknowledged correspondence regarding fireworks and asked that people follow the ordinance guidelines and be respectful of their neighbors.

CONSENT AGENDA

MOTION by Steckloff, support by Bridges, to approve the Consent Agenda items #6-9 and #12.

Roll Call Vote:

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

MOTION CARRIED 7-0.

MOTION by Lerner, support by Rich, to approve the Consent Agenda items #10 and #11.

Roll Call Vote:

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

MOTION CARRIED 6-0-0-1.

PUBLIC QUESTIONS AND COMMENTS

Terry Sever, Teakwood, commented on an approved lot split and proposed requirements of the Engineering Division. He feels the City ordinance regarding lot splits is in violation of the State Act with regard to Section 560.106, Approving Authorities- Limitation on Powers of Approval or Rejection. He feels the City ordinance should be amended or rescinded and believes that the requirements with regard to sanitary sewer, storm drains, street signs and sidewalks should be part of a building permit or enforced upon the development of the property and not as requirements for a lot split. Mr. Sever spoke about the sanitary sewer requirements in the City ordinance and interpretation of those requirements. He feels the sidewalk requirement is unreasonable and presented photos to support his comments.

Attorney Joppich stated that staff has already asked him to review the issues raised by Mr. Sever and he is in the process of doing so and will report back to staff.

Karen Pepper, resident, expressed concern over the deer population survey that was distributed to residents and commented that it appeared one-sided. She commented that a well-designed survey gathers information in an unbiased manner and stated that she put together an information packet that includes a re-write of the survey as well as low cost printing and distribution options and she would be happy to assist with a revised survey.

Suzanne Zimmerman, resident, provided information on products that are available to residents to keep the deer and other wildlife from eating their plants. She mentioned that the products are animal and kid friendly. She stated that her only issue with the deer survey was that some of the questions would be impossible to answer unless a resident researched the issues and she encouraged residents to do so if they intended to complete the survey.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

Councilmember Bridges asked that staff review the report provided by Ms. Peper and provide an analysis to City Council.

Mayor Massey commented on the following:

- He mentioned the tragedy of the Police shootings in Dallas, Texas. He commented that the country is going through a lot of turmoil and needs to collectively find a solution. He spoke on behalf of the efforts of the Police Department and first responders.
- A pie throwing contest is being held at the Costick Center on July 14th to raise money for the Meals on Wheels program through the Special Services Department with various staff members volunteering to be the target.
- The Founders Festival is being held July 14th-17th.

CITY MANAGER UPDATE

City Manager Boyer mentioned the following:

- Reminder to buy a Dream Raffle tickets are for sale for the Founders Festival
- A representative from the Regional Transit Authority will be at the August 8th regular City Council meeting to discuss their Master Plan and millage update
- Water Commissioner Nash will be present at the July 25th regular meeting to provide an update on the Middlebelt Tunnel Project.

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF FINAL APPROVAL OF PRELIMINARY PLAN FOR SUBDIVISION OPEN SPACE PLAN 1, 2016 (HALSTED HOLLOWS NORTH), DATED JUNE 6, 2016.

Ed Gardiner, Director of Planning and Community Development, explained that before Council is a request for final approval of a preliminary plan for a 17 lot subdivision tentatively called Halsted Hollows North. There are two parcels of property involved with one fronting on Halsted, north of Eight Mile and another parcel to the east that borders the residential street Goldsmith. The property is zoned RA-1, Single-Family Residential District. He stated that the Planning Commission reviewed the plan at their April 21, 2016 public hearing where they granted tentative approval of the preliminary plan with some minor conditions. The proponent has since submitted a revised plan that addressed those conditions and is seeking final approval of the preliminary plan from City Council.

Mr. Gardiner noted that the applicant will present his plan followed by comments from Rod Arroyo, Planning Consultant, on the plan and how it relates to the zoning ordinance. He stated that this is a public hearing so comments should then be heard from the public prior to Council deliberation.

Paul Elkow, applicant, stated that they have met all ordinance requirements and have taken the advice of the engineering division and Planning Commission and have applied those to their plan. The development is under density requirements and he would be happy to answer any questions.

Councilmember Bruce inquired the size of the homes. Mr. Elkow stated that he believes they are limited to 2,100 square feet for the ranch style homes based on the size of the lots and he doesn't feel they would go below 2,400 or 2,500 square feet on the two-story homes. He stated most two-story homes would be between 2,700 and possibly up to 3,100 at the most with sales price ranging between \$500,000 and \$700,000.

Councilmember Bridges inquired if access to Goldsmith was part of the original plan. Mr. Elkow indicated that this was a suggestion of the engineering division and with regard to traffic studies and emergency access, he defers to engineering.

Mayor Pro-Tem Knol asked the applicant to explain how he came about with the proposed development including the size of the lots and homes.

Mr. Elkow explained that the density permitted was greater than the 17 homes they are proposing but in order to get the desired amount of open space this dictated the size of the lots. He added that if he did not have to provide access to Goldsmith, he would not have.

Mayor Pro-Tem Knol inquired if they did not have to provide access to Goldsmith what else would have been done. Mr. Elkow stated that it would be more open space area.

Councilmember Lerner questioned the proposed cost of the homes. Mr. Elkow believes that these homes can sell for the amount indicated in Farmington Hills based on other developments he has done in other communities.

Mayor Pro-Tem Knol inquired about the cost of the access to Goldsmith. Mr. Elkow estimated that cost to be \$40,000.

Mr. Lerner stated that there has been a lot of information about the water table in the area and size and depth of the retention pond and he asked for someone to discuss those issues and how that will affect the existing homes.

Mr. Elkow stated that there is a significant drop in the area west to east, roughly 17 feet; and the natural flow is from west to east. He explained that when storm sewers are put in place, it tends to lower the water table. He explained how the homes would be built so the water table is not an issue. He was not aware of any water table issues in the existing subdivision Halsted Hollow.

Rod Arroyo, Planning Consultant, displayed a location map and aerial phot of the property along with an excerpt of the Master Plan that discussed redevelopment and envisioned connection to the stub streets and potential connection to Goldsmith. The plan envisioned an open space development, which is what is before City Council, providing for the opportunity for flexible development for a potential reduction in lot size for more open space. He discussed his review letter with Council noting the following:

- The zoning is single-family residential as well as master planned for single-family and the density as currently zoned is consistent with the Master Plan density of low-medium.

- This is an open space development, which is an option a developer has in order to ask for a reduction in lot sizes in exchange for more open space and that is what is being proposed.
- The open space option is intended to preserve open space while allowing a reduction in lot sizes in instances where it would be compatible with lot sizes in the general surrounding area, which is the case with this plan.
- Density requirements are 1.7 dwelling units per acre and this development provides for the maximum density allowed per ordinance.
- Flexibility on the lots sizes was provided per the open space option
- The conditions in bold in his letter that deal with lot width have been resolved with the revised plan that was submitted and the plan now complies with ordinance requirements.
- The ordinance includes criteria for the use of the open space option and all requirements have been met.

Mayor Pro-Tem Knol mentioned the process for establishing road improvement special assessment districts and the cost to affected residents. She inquired the additional cost to the residents for maintaining the access road to Goldsmith.

Director Gardiner stated that Mr. Elkow estimated \$40,000 to construct the road and based on that figure, resident would be required to pay 80% of the costs, which would be approximately \$32,000 for a rebuild of the road.

Mayor Massey asked Attorney Joppich to discuss his memo regarding the road connections in this case.

Attorney Joppich discussed his memo and opinion to Council on this matter, indicating that the mandatory connection per Section 27-57 of the City Ordinance would not apply to Goldsmith in this case, but Council could still require the connection as part of the plan.

Mayor Massey explained the public hearing procedures and opened the public hearing.

Mayor Massey read a letter from Richard Bringardner, Goldsmith, into the record requesting modifications to the proposed site plan to mirror the plan submitted to the City and Council this evening and supported by way of petition by various residents of Applebrooke, Halsted Hollows and Goldsmith (full letter at end of minutes).

John Dillon, Halsted Hollow Subdivision, stated that his sump pump runs continuously as do many of his neighbors and the area is very wet. They question where the water will go if this property is developed with the 17 homes as proposed and they fear this development will cause further issues. He spoke to issues with the existing culverts and questioned if the City would be responsible for any water issues. He urged Council to visit the property, do their due diligence with regard to a soil test, address existing water issues on Goldsmith and take the water table into consideration in this area. He distributed photos of the area to City Council.

Joel Lindman, Forest Ct., stated that this year soil boring tests were conducted and in January of this year they hit water in January at 6 feet and shortly thereafter the plug was replaced as it was taken out by the water pressure. He stated that 90% of the homes on Goldsmith were built before the master plan was changed calling for a connection. As far as emergency access, he feels the city had ample opportunity when Green Valley Subdivision was developed to make that connection and chose not to do that. He stated that the residents enjoy their larger lots and developed based on the plan at that time and every neighbor has to deal with continuously running sump pumps.

Charles Meissner, Goldsmith, stated that the water flows into his back yard now and he lives about 50 yards south of the proposed development. He spoke to the flow of water from that area to his yard and feared that 17 additional homes would create more water and cattails and negatively affect his property.

Lawrence Ott, Teal Ct., commented on the flow of water through his yard and high water table in the area and topography of the area. He expressed concern with the retention pond being able to retain the water from flowing to their area.

Marlene Shaw-Gallagher, Dickinson Ct., also expressed concern with the water table and flow of water into her back yard and their sump pump also continuously runs. She also expressed concern with increased traffic in their subdivision due to the proposed connection to Goldsmith.

Jim Chascsa, Rosedale, stated that he is the first house on Rosedale from Halsted Road and the traffic on Halsted backs up and people try to cut through their subdivision now even when it is a dead-end street and use his driveway to turn around. He is concerned with increased cut-through traffic if there is a connection to Goldsmith.

Eric Mullen, 36626 Teal Ct., stated that he is the home furthest east on Teal Court and is having someone come out tomorrow to provide his 5th sump pump in 12 years. The water runs towards their property and he feels this will be worse with 17 additional homes. He has spent thousands of dollars redoing his basement and putting in a generator to keep sump pump running. He questioned the plan for where the water will go and if Goldsmith can handle the additional traffic of the new homes and cut-through traffic. Mr. Mullen also expressed concern with crime as he feels a dead-end street cuts down on crime.

Douglas Bartell, Deerfield, stated that his main concern with the project is crime and opening the street to other developments. He is concerned with potential car thefts and heavy traffic and stated that they moved into the area to have a peaceful neighborhood.

Sheldon Levine, Rosedale, stated that he is the first home on the south border of the proposed project. He has lived in the area for 5 years and has replaced his sump pump twice already and it runs every 10-15 minutes. He is concerned with the construction traffic and commented that he is not here to fight development as the property will be developed but more about how that is done. He questioned where the construction traffic will be as the roads are already showing wear and tear after only 9 or 10 years. He suggested if there is access to Goldsmith that it is a gated entrance to the new subdivision with emergency access only. He feels this would alleviate some of the concerns of the residents of Goldsmith and they would like to alleviate the traffic onto their roads as well.

Julianne Levine, Rosedale, stated that they also own lot #3 in Halsted Hollow that is undeveloped. Reiterated that they are not opposed to the development, but more as to how the development is being done. She stated that she is still unclear why there could not be another Halsted Road access as was proposed previously when a senior complex was being considered for the property. She expressed concern with the proposed landscape plan in relation to the existing homes and the fact that their side yard would be abutting the back yards of the new development. She feels there is no need to connect Halsted Hollow to the proposed subdivision and that the new subdivision would not be contributing to the ambience of the existing neighborhoods but would provide for additional traffic and inconsistent landscaping.

Lisa Martin, Prestwick, President of Applebrooke Subdivision, stated that they are not against the new development but have concerns with the size of the proposed homes and how that will affect their property values. They are also concerned with the construction and cut-through traffic.

Robert Wilson, Goldsmith, stated that he and his wife have lived here for over 25 years and thanked the Council for allowing residents to be heard and for all of their hard work for the City. He expressed concern with the water table and the amount of water flowing through the sump pumps in this area. He also is concerned with the displacement of water due to the sinking of basements for the new homes. He commented that there is currently no place for parents to park when dropping their kids off at the bus stop at 8 Mile and Goldsmith and feels that this is already a dangerous situation and would be even more dangerous and a safety issue with the connection and additional traffic.

Linda Darwich, Goldsmith, questioned if Goldsmith is a public or private road. She stated that if it is a public road, why to the property owner surveys go to the middle of the street, where are the legal documents, notification to the residents as such. Goldsmith is not built to public road standards so she believes that Goldsmith is a private road and the development would therefore need approval of the residents. She presented survey documents to the City Manager.

Mark Taylor, Hetke Drive, commented that he searched for a lot to build his home and he built his home here because he loved the area. He agreed with the comments and concerns expressed regarding increased traffic and safety concerns and stated that Goldsmith has the feel of a private road. He added that construction traffic and deterioration of the road is also a concern and that by building smaller homes in this area it will decrease the value of the existing homes. He made a conscious effort to build in this area on a dead-end street to reduce the potential of crime. Drainage is also a concern and has been worsened by the development in the area. Mr. Taylor urged Council to consider the safety issues raised.

Rick Larabee, Larabee Ct., stated that he feels there are twice as many lots proposed as there should be and he would like to see the interests of the residents considered before that of a developer. He commented that the residents of Goldsmith enjoy peace and quiet on a dead-end street. They do not want the connection to Goldsmith and believes it will decrease the value of their homes.

Joy Bartell, Deerfield, expressed concern with the condition of the roads and questioned the location of the construction entrance and why the entrance could not be from Halsted Road. She also expressed concern with the development decreasing the value of their homes.

Gary Long, Lauren Lane, stated that he lives at the end of Goldsmith and has seen this area flood. He feels the proposed retention area is too small and that Goldsmith is too narrow to accommodate a connection that that it would create a safety issue for the kids in the area getting on and off the bus at 8 Mile Road.

Kevin Gallagher, Dickinson Ct., commented that even after a moderate rain, a river runs through their yard and he is concerned with the flooding and the fact that they are on a well as are many others. He is not in favor of the connection to Goldsmith.

Steve Yunker, Lauren Lane, concurred with the comments on cut-through traffic and safety issues regarding the bus stop. He questioned why the connection could not be to Newburgh. He feels that Council needs to resolve some of the issues. Mr. Yunker stated that he also agreed with the comments about the deer survey.

Malcolm Bain, Chickadee, concurred that Goldsmith is too narrow for a connection and that the traffic now is bad enough and the bus stop is already a dangerous situation.

There being no further comments, Mayor Massey closed the Public Hearing.

City Council took a 5 minute recess.

Councilmember Steckloff stated that she is very concerned with regard to the wetlands but she understands there is no legal ability to deny development on a wetland. She was concerned with the construction of a road in this area and questioned if this has been reviewed.

Director Gardiner stated that the city has no ordinance regarding regulated wetlands and that is an issue of the Department of Environmental Quality (DEQ) to oversee. He deferred the question on the road construction to Engineering.

Jim Cubera, City Engineer, stated that if it is not a DEQ wetland it would not be regulated by them and if it is, they have specific regulations for building. He confirmed that there are specific measures taken to build roads in wetland areas.

Councilmember Steckloff stated that she would be more comfortable having the information as to what it would take to build on a wetland. She questioned why Halsted access is not being considered.

Director Gardiner stated that there are already two curb cuts to Halsted tied into the other two subdivisions and the more entrances you have on major roads creates more conflicts making that major road less safe.

Ms. Steckloff inquired if the homes on well and septic would be required to tie into the sewer and water that is installed for the development.

City Engineer Cubera stated that the developer is only providing water and sewer for his subdivision but stubs would be provided to the northeast property corner and would be available for future extension if someone wanted to connect. There would be no forced connections.

Ms. Steckloff stated that Farmington Hills likes to call their subdivisions neighborhoods as they each have their own individual feel and she thinks it is important to keep that uniqueness throughout the community. She stated that this seems like a small piece of land for 17 homes and questioned how close together the homes will be.

Mr. Elkow commented that he feels the parcel is a good size and that people are now wanting smaller, nicer homes. He stated that there will be between 8 and 12 foot side yards, the same at the other two sites.

Councilmember Bruce confirmed that the parcel is master planned as an open space development and the plan meets all ordinance requirements. Planning Consultant Arroyo confirmed that the area is master planned as desirable for open space and it does meet all ordinance requirements and no variances are required.

Councilmember Bridges commented that almost every resident mentioned the water table in this area and questioned if the city conducted a soil test.

It was noted that the soil test was conducted by the developer and not the city.

Mr. Elkow stated that their analysis is that the water is flowing to the east and that the development and proposed detention pond will slow that water flow.

City Engineer Cubera stated that typically a detention basis would slow the water flow and allow it to drain at a slower pace.

Councilmember Bridges questioned if staff is comfortable that this would not violate ordinance requirements with regard to water drainage.

Director Gardiner explained that this is a conceptual plan and a full review by engineering is the next step and if it doesn't meet ordinance and engineering requirements with regard to the detention pond, it will not be approved.

Mayor Massey further explained the ordinance requirements with regard to the drainage issue.

Councilmember Rich questioned if a developer brings forth a plan that meets ordinance requirements is the Council obligated to approve that plan.

Attorney Joppich explained that there is some discretion with this development as it is an open space plan but generally in terms of the subdivision plan the answer would be yes. With regard to the connection to Goldsmith and traffic and safety concerns discussed, Council has some discretion and my opinion is that it is not subject to the mandatory connection per city ordinance.

Councilmember Rich inquired if the addition of the detention basin and proposed development in any way exacerbate or lessen the water issues experienced by existing residents.

Director Gardiner explained that the detention basin should hold back the water as it flows through the property and released at an agricultural rate that is no greater than what it would be if the property were undeveloped. He further explained the development of some of the homes and lack of detention in that area.

Councilmember Rich stated that she understand that the connection to Goldsmith is a recommendation of the public safety officials and questioned if there has been any research on the home values in the area which was a concern of many residents.

Mr. Gardiner concurred there are some advantages with regard to public safety and access to some of the properties by connecting to Goldsmith. He stated that no research was conducted for this development regarding home values.

Mayor Pro-Tem Knol questioned if the developer is over the required open space area, is it enough to reduce the open space to still meet ordinance requirements and allow for larger lots.

Mr. Gardiner responded that the developer is approximately .1 acre over the required open space.

Mayor Massey stated that he will address the following questions raised by the residents in the public hearing:

Is Goldsmith a public road?

Attorney Joppich stated that Goldsmith is shown on the plans and has been treated for decades as a public road. He added that it is not uncommon in the city for residents to own to the middle of the road. Attorney Joppich spoke to statutory ownership by law versus a deeded ownership.

Mayor Massey commented that members of Council have driven the area as part of their due diligence and the Planning Commission approved this plan by unanimous vote and the plan meets all ordinance requirements.

Why could there not be access from Halsted?

It was previously mentioned that there already two curb cuts on Halsted Road.

How will the high water table and drainage be addressed?

Mayor Massey reiterated that if the plan is approved tonight, the plan would go through a full review by engineering and the engineering department would attempt to make the water issue better but in no way worsen that for the residents.

Where is access point for construction traffic?

City Manager Boyer stated that the city could recommend that the construction traffic is not down Goldsmith and to use Halsted Road. Another option the city has used is to video tape the condition of the roads before and after construction and place funding in an escrow account for any needed repairs after construction.

Councilmember Rich commented that if a developer brings forth a plan that meets all city requirements, she feels Council should approve the plan. She pointed out that she feels the proposed development was well thought out and that the Planning Commission approved it unanimously. She also noted that it was the recommendation of the public safety officials to make the connection to Goldsmith.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves Open Space Plan 1, 2016 dated June 6, 2016, that an open space escrow deposit of \$45,480.00 be submitted to ensure the completion of the open space plan, that the City Attorney prepare a contract setting for the conditions of approval for City Council consideration and approval; and that a gate is placed at the far east end of Goldsmith to be accessed by emergency personnel only and that such gate is to be reviewed and approved by city staff, including the Fire Department.

Councilmember Bruce felt strongly that if a developer brings forth a plan that meets all ordinance requirements that the city cannot stand in the way of that development and to do so put the city in jeopardy of a potential lawsuit. He feels that requiring a gated access to Goldsmith will address some of the traffic concerns and is a reasonable compromise.

Councilmember Steckloff stated that she still has concerns with the wetlands in the area and what it would take to construct a road. She will be voting against the motion

Councilmember Lerner commented that tonight is the first he has heard of the water issue in this area and he was surprised by that but that engineering will address all of those issues in their review of the plan. He added that if the water issues are that significant, then they need to be addressed regardless of this development. He feels with the engineering review, the water issues will not be made worse in the area with this development and since the plan meets all ordinance requirements he will support the motion based on the required engineering review.

Councilmember Bridges stated that he will vote against the motion as he feels it was not clear that Goldsmith has to be part of the plan and he feels the development could add to the existing water issues in the area. He would like to see a revised plan that did not include connecting to Goldsmith.

Councilmember Bruce commented that if the City denies this plan, the developer is not obligated to come back with a new plan and the water issues will not be reviewed by engineering until a plan is brought forth. He added that the developer meets ordinance requirements and he does not feel the Council is upholding their fiduciary responsibilities if they deny this request.

Mayor Pro-Tem Knol stated that she is not opposed to the development of the property but does not like

the connection to Goldsmith. She feels a gate would eliminate the increased traffic and help to preserve the rural character of the area that the residents want. She is concerned with the costs to the residents that associated with maintaining that extension of that road and the water issues in the area that she has known about for some time. She feels if there was no road connection, it may allow for more open space or for a larger detention pond to address the drainage issues. She feels the public safety aspect is important, but respecting people's property is also important and she feels there needs to be a balance. She was not aware with any public safety issues in this area or issues associated with a dead-end street so even with the proposed gate, she will vote against the motion as she would prefer a plan with no connection to Goldsmith.

Mayor Massey commented that the plan before Council includes a connection to Goldsmith and that was a recommendation of the public safety officials. Having former EMS experience, he believes the connection is important as is the enjoyment of one's property; and he feels the gate provides for that enjoyment. He added that the plan meets ordinance requirements and if approved tonight, would not move forward without engineering review. He asked the developer to review the landscaping, particularly those home abutting homes in the adjacent subdivisions so that all of the residents can enjoy their homes.

MOTION CARRIED 4 - 3 (Bridges, Knol and Steckloff opposed).

NEW BUSINESS

CONSIDERATION OF APPROVAL TO AMEND THE CONTRACT FOR CITY PLANNING CONSULTANT FOR PROFESSIONAL SERVICES. CMR 7-16-69

Director Gardiner explained that Clearzoning was acquired by Giffels Webster on June 1, 2016 and the request is to amend the contract to reflect this name change. All other aspects of the contract remain the same.

In answer to Council, Rod Arroyo explained that the product is still called Clearzoning and that remains the same and the company is Giffels Webster.

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby approves the amended Contract for Professional Services submitted by Giffels Webster and authorizes the City Manager or his designee to execute the same on behalf of the City.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF THE 2016 MEDICAL MARIJUANA OPERATION AND OVERSIGHT GRANT (MMOOG) SUBRECIPIENT AGREEMENT BETWEEN OAKLAND COUNTY AND THE CITY OF FARMINGTON HILLS. CMR 7-16-80

Police Chief Nebus explained that the Police Department participates in the Oakland County Narcotic Enforcement Team (NET) which is a multi-jurisdictional drug enforcement task force operating under the direction of the Oakland County Sheriff's Office. Oakland County has entered into a grant agreement with the State of Michigan where it is eligible to receive reimbursement for NET and Oakland County is intends to use the grant funds to reimburse the City's Police Department for qualifying overtime expenses. He noted that in order to receive reimbursement the City must execute the Sub-recipient Agreement with Oakland Count. He added that the agreement would not affect marijuana caregivers or patients in any way.

MOTION by Rich, support by Steckloff, that the City Council of Farmington Hills hereby authorizes the City Manager to execute the 2016 Medical Marijuana Operation and Oversight

Grant (MMOOG) Subrecipient Agreement between Oakland County and the City of Farmington Hills.

MOTION CARRIED 7-0.

CONSENT AGENDA
RECOMMENDED APPROVAL OF ANNUAL BID WAIVERS AND AWARDS FOR FISCAL YEAR 2016/2017. CMR 7-16-81

MOTION by Steckloff, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager to issue the following purchase orders for budgeted products and services for fiscal year 2016/2017:

VENDOR	COMMODITY	DEPT.	JUSTIFICATION	LAST BID	EST. ANNUAL AMOUNT
Grainger	Mechanical & Industrial Supplies	All	National IPA Contract(Cooperative)	Current Contract	\$10,000
Goodyear Tire	Tires	DPW	State Bid Contract	Current Contract	\$40,000
EDS/Hewlett Packard	Software licenses	All	State Bid Contract	Current Contract	\$25,000
Hewlett Packard authorized resellers	Computer Equipment/Printers and peripherals	All	National IPA Contract/REMC or less(Cooperative)	Current Contract	\$100,000
Novell	Novell Software licensing/ Maintenance/Support	All	Sole Source	Current Contract	\$20,000
ESRI	GIS licensing/ maintenance and support	All	Sole Source	Current Contract	\$15,000
Answer Technology Group(Avaya Business Partner)	Avaya phone maintenance and support	All	O.E.M. vendor	2013	\$14,000
Eden Systems	Financial software maintenance/updates	All	Sole Source O.E.M. vendor/ Original bid	N/A	\$80,000
Vermont Systems	Recreation-RecTrac software maintenance/updates	Special Services	Sole Source O.E.M. vendor/ Original bid	N/A	\$12,000
BS&A	Equalizer, Tax, Permits, Cash receipting software maintenance/updates	DPCD, Finance	Sole Source O.E.M. vendor/ Original bid	N/A	\$19,500
Laserfiche business partner	Maintenance of Document Imaging System	All	O.E.M. vendor/Original bid	N/A	\$15,000
Printing Systems	Election Supplies	City Clerk	Oakland County Contract	Current Contract	\$35,000
Election Systems & Software	Election supplies/equipment	City Clerk	State Bid Contract	Contract Current	\$35,000
Watchguard	In-Car Camera System	Police	Oakland County Bid	Current Contract	\$50,000
Oakland County	CLEMIS radio, electronic, radar, IT services & Police equipment installs	Police/Fire	CLEMIS system services including installations	Current Agreement	\$200,000
Graybar	Telecommunication & Electrical products/Services	All	US Communities National Contract	Current Contract	\$10,000
Home Depot	Maintenance & Hardware Supplies	All	US Communities National Contract	Current contract	\$30,000
TAPCO, Inc.	Sign Shop Supplies	DPW	US Communities National Contract	Current contract	\$25,000

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 THE 6TH ANNUAL CORNERSTONE BAPTIST CHURCH TENT REVIVAL EVENT TO BE HELD AUGUST 7TH THROUGH AUGUST 12TH, 2016.

MOTION by Steckloff, support by Bridges, that the City Council of Farmington Hills hereby approves a Special Event Permit for Cornerstone Baptist Church located at 28312 Grand River Avenue, to hold their 6th Annual Tent Church Revival Event August 7, 2016 through August 12, 2016 from 7:00p.m. until 9:45p.m., with Sunday hours being 10:30a.m. to 6:00p.m., subject to the following conditions:

- There will be a tent on site for church services during the week
- There will be a small sound system for live music
- The applicant has been informed of the noise ordinance
- Permission has been given by a neighboring business for the use of their parking lot
- The tent will not obstruct pedestrian traffic or emergency response
- The applicant has not requested assistance for the Police Department at this time
- The event shall comply with the Fire Prevention Code requirements
- Egress shall not be restricted from the building
- The Certificate of Flame Resistance must meet the NFPA 701 Standard
- There shall be no parking or exposures within 20' of the tent
- Any temporary electrical power or connections shall be inspected and approved by the City's electrical inspector
- The proponent must contact Fire Prevention to schedule a site inspection prior to beginning the event; at that time each tent panel must have the appropriate flame resistance label attached to it
- An electrical permit and approved electrical inspection must be obtained prior to the event

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 A SPECIAL EVENT JULY 16, 2016.

MOTION by Steckloff, support by Bridges, 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 an event July 16, 2016 from 10am -5pm, subject to the following conditions:

- The 30' x 20' tent will house 30-50 motorcycles
- All cash sales for motorcycles and accessories will take place inside the dealership
- There will be an area in the parking lot for food and beverage sales
- 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
- The applicant will have beer sales on site and has received a special liquor license from the Liquor Control Commission
- The applicant has requested no police assistance for this event
- The applicant must comply with the letter dated 3/21/16 from the Fire Department
- Exterior electrical outlets that were approved for use by the Building Department in the past are the only electrical used during this event

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 AN EXTENSION OF BID AWARD FOR FIRE ENGINE AND RELATED EQUIPMENT TO EMERGENCY VEHICLES PLUS/ROSENBAUER SOUTH DAKOTA IN THE AMOUNT OF \$525,254.00. CMR 7-16-82

MOTION by Steckloff, support by Bridges, that the City Council of Farmington Hills hereby waives the formal bid requirements and authorizes the City Manager to issue a purchase order to Emergency Vehicles Plus/Rosenbaur South Dakota for a fire engine and related equipment in the amount of \$525,254.00 in accordance with all terms and conditions of the 2015 bid for the Fire Engine.

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 JUNE 27, 2016.

MOTION by Lerner, support by Rich, that the City Council of Farmington Hills hereby approves the study session meeting minutes of June 27, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 6-0-0-1.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF JUNE 27, 2016.

MOTION by Lerner, support by Rich, that the City Council of Farmington Hills hereby approves the regular meeting minutes of June 27, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 6-0-0-1.

RECOMMENDED APPROVAL OF ENTERING INTO AN EXECUTIVE SESSION IMMEDIATELY FOLLOWING THE REGULAR MEETING IN ORDER TO DISCUSS EMPLOYEE REQUESTED REVIEW.

MOTION by Steckloff, support by Bridges, that the City Council of Farmington Hills hereby approves the entering into an executive session immediately following the regular meeting in order to discuss employee requested review.

Roll Call Vote:

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

MOTION CARRIED 7-0.

ATTORNEY'S REPORT:

The City Attorney's report was received by Council and there were no questions.

ADJOURNMENT:

There being no further business, Mayor Massey adjourned the regular City Council meeting at 10:50pm.

Respectfully submitted,



Pamela B. Smith, City Clerk

Requested to be Read into Record. 7/11/16 ^{RC} _{mk}

Letter from Richard Bringardner: Read at Council Meeting on my behalf

My name is Richard Bringardner, residing at 21050 Goldsmith, directly across from the proposed new development. I can't attend this meeting since we are driving to a California vacation planned for over 6 months.

Our request for the 72 residents affect by this new development is simple:

- 1) Have Paul Elkow amend his site plan to mirror our plan as outlined in our petition, submitted to Planning Dept. on 7/5/16
- 2) Our site plan complies with the 2009 Master Plan recommended two cul-de-sac road design for this property
- 3) Our plan doesn't violate the four City ordinances, that our petition cites.
- 4) Our plan creates 18 home sites that Paul Elkow can build upon, instead of his plan's 17 sites
- 5) Our plan generates additional property tax revenue for the City on the 1 additional home site.
- 6) Our plan contains a bigger rectangular retention pond that will hold more storm sewer water & ground water pumped from the new homes on this property with high ground water levels
- 7) Our plan create a retention pond that is easier to maintain so it continues to function properly in the future
- 8) Our plan prevents any flooding hazard of Teal Ct., where the storm sewer ditch receives the overflow from the new site's retention pond
- 9) Our plan prevents any cut through traffic through the four neighborhoods affected by this development
- 10) Our plan benefits all parties concerned: the City, the Developer, the current 72 residents, & the 18 future homeowners
- 11) Our plan is a fair & just compromise that prevents future litigation against the City by any neighbors affected by this development

Thank you for listening to my appeal. Richard Bringardner